

Regular

Council meets in formal session this day at 6:01 o'clock p.m., in the Council Chambers.

Members Present:

Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Maghnieh
Councillor Payne
Councillor Sleiman [Acting Mayor]

Members Absent:

Mayor Francis
Councillor Marra
Councillor Valentinis

Call to Order

Following the playing of the Canadian National Anthem, Reverend Wendy Paterson from Paulin Memorial Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Hatfield discloses an interest and abstains from voting on Communication No. 9, being the report of the Manager of Urban Design regarding the application of Haddad, Morgan and Associates Ltd. for a site plan approval to permit an elementary school, as his spouse is an elected trustee for the Greater Essex County District School Board.

Councillor Hatfield discloses an interest and abstains from voting on Item No. 10, being the report of the City Solicitor regarding the Recommended Municipal support for Ontario Power Authority FIT Applications specifically as it relates to the applications from the Greater Essex County District School Board, as his spouse is an elected trustee for that Board.

Councillor Payne discloses an interest and abstains from voting on Report No. 109 of the Planning & Economic Development Standing Committee regarding the exemption from Sandwich Demolition Control By-law 20-2007 (3534 Sandwich Street) due to his involvement in the BUHDAG Application to quash certain by-laws related to the boarded-up-houses west of the Ambassador Bridge.

Councillor Payne discloses an interest and abstains from voting on Report No. 110 of the Planning & Economic Development Standing Committee regarding the exemption from Sandwich Demolition Control By-law 20-2007 (3625 King Street) due to his involvement in the BUHDAG Application to quash certain by-laws related to the boarded-up-houses west of the Ambassador Bridge.

Minutes

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the Minutes of the regular meeting of Council held January 7, 2013, **BE ADOPTED**
as presented.

Carried.

Notice of Proclamations

None presented.

Committee of the Whole

Moved by Councillor Hatfield, seconded by Councillor Jones,
That Council do now rise and move into Committee of the Whole with the Acting Mayor presiding
for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals or referrals of any items of business;
- (d) hearing presentations and delegations;
- (e) consideration of business items;
- (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
- (g) consideration of by-laws 6-2013 through 16-2013 (inclusive).

Carried.

Communications

Moved by Councillor Maghnieh, seconded by Councillor Jones,
M4-2013 That the following Communication Items 1 to 13 and 15 inclusive, as set forth in the Council
Agenda **BE REFERRED** as noted, except Communication No. 14 and Communication No. 16, which are dealt
with as follows:

Communication No. 14:

Moved by Councillor Payne, seconded by Councillor Hatfield,
M5-2013 That the report of the City Engineer dated January 10, 2013 entitled "Geese Control at North
Roseland Pond" **BE RECEIVED FOR INFORMATION**, and further, that the issue of employing aggressive
techniques to discourage the geese or use herding techniques that cost approximately \$20,000 **BE REFERRED** to
budget deliberations for consideration.

Carried.

Communication No. 16:

Moved by Councillor Dilkens, seconded by Councillor Jones,
M6-2013 That the correspondence from the Chair, Great Lakes and St. Lawrence Cities Initiative dated January 18, 2013 regarding “Keeping Asian Carp out of the Great Lakes and St. Lawrence”
BE RECEIVED, and further, that Council **ENDORSE** the proposed model resolution on Asian Carp contained in that correspondence.

Carried.

EI2013

Item	From	Description
1	The Premier of Ontario	Acknowledgement of correspondence concerning Windsor City Council’s Resolution regarding funding of the Windsor-Essex County Health Unit. Note & File MH2012
2	Ministry of Community and Social Services	File Review – Accessibility for Ontarians with Disabilities Act, 2005. Diversity & Accessibility Officer Customer Service Coordinator Note & File GP2013
3	Ministry of Finance	Acknowledgement of correspondence concerning Council Resolution M482-2012 regarding the need to change the funding of the Windsor-Essex County Health Unit. Note & File MH2013
4	Association of Municipalities of Ontario (AMO)	Ontario’s Water Sector Strategy. City Engineer Windsor-Essex County Environment Committee Committee Coordinator Note & File EI2013
5	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, January 30, 2013, Room 406, 400 City Hall Square East, 4 th Floor, Windsor, Ontario Note & File ZC2013
6	Tourism Windsor Essex/Pelee Island	Response regarding M539-2012 concerning sponsoring the Schulich School of Medicine and Dentistry to host the Canadian Federation of Medical Students (CFMS) Annual General Meeting. Chief Financial Officer & City Treasurer Note & File APR2013
7	Town of LaSalle	Notice of Application for Consent hearing to be held Tuesday, January 29, 2013 at 5:30 p.m., at the Macedonia Community Centre at 5225 Howard Avenue. City Planner City Solicitor Secretary, Committee of Adjustment Note & File ZB2013

8	Union Gas	Union Gas Limited 2013 Panhandle Replacement Project. City Engineer Note & File MU/11602
9	Manager of Urban Design	Application of Haddad, Morgan and Associates Ltd. for Site Plan Approval to permit an elementary school located at 8800 Menard St. Note & File ZS/11620
10	Manager of Urban Design	Application of Filipino Community Centre Inc. for Site Plan Approval to permit a new addition and alterations located at 935 Northwood St. Note & File ZS/11621
11	Chief Administrative Officer	Employee Mentoring Program Annual Update. Note & File AS/10269
12	City Engineer	Ministry of the Environment – Transfer of Review. Note & File SW2013
13	City Engineer	Various Council Questions Regarding Rail Issues. Note & File MTR2013
14	City Engineer	Geese Control at North Roseland Pond. Note & File MHS/9496
15	Chief Financial Officer & City Treasurer	Property Tax E-Service Announcement. Note & File AF2013
16	Chair, Great Lakes & St. Lawrence Cities Initiative	Asian Carp Crisis City Engineer Windsor Essex County Environment Committee COUNCIL DIRECTION REQUESTED EI2013

Carried.

Councillor Hatfield discloses an interest and abstains from voting on Communication No. 9.

Consent Agenda

Moved by Councillor Payne, seconded by Councillor Halberstadt,

That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

Consent Committee Reports

Item 1 2013 Public Works, Capital Budget Pre-Approval

Item 3 Vacant Land on John B Avenue; R.P. 759, Lots 6-8 (between 336 John B and 376 John B), to be offered for sale to abutting owners

Item 4 Appointment of City Representative to Technical Review Committee for Essex-Windsor Solid Waste Authority (EWSWA)

Item 5 Railway Spur Line – CPR Mainline to CS Wind Facility, City of Windsor Tender #49-12 – Award of Tender

- Item 7 Waterfront Regeneration Trust – Trailhead Sign at Downtown Waterfront
 Item 8 Your Quick Gateway (Windsor) Inc. Pension Funding Requirements
 Item 9 Rail Spur Project CPR Mainline to CS Wind Facilities (Agreements needed to facilitate construction)
 Item 10 Recommended Municipal Support for Ontario Power Authority FIT Applications

Consent Committee Reports

<i>Environment, Transportation and Public Safety Standing Committee</i>		
No.		Description
1	Report No. 95	Minutes of the Windsor Bicycling Committee meeting held September 19, 2012
2	Report No. 96	Minutes of the Windsor Licensing Commission meeting held September 19, 2012
3	Report No. 97	Minutes of the Windsor Licensing Commission meeting held October 17, 2012
4	Report No. 98	PSA Video regarding blue green algae issue in Lake Erie

<i>Executive Committee</i>		
No.		Description
1	Report No. 115	2011 Annual Report Card on the Community Strategic Plan
2	Report No. 116	City of Windsor New Records Retention By-Law
3	Report No. 117	Corporate Strategic Action Plan Report Card
4	Report No. 118	Integrated Attendance Management Policy
5	Report No. 119	Commodity Tax Consultant RFP
6	Report No. 120	Finance Policies – Housekeeping Changes
7	Report No. 121	2014 Ontario 55+ Summer Games – Where We're At Today & Where We're Going in the Short Term

<i>Planning & Economic Development Standing Committee</i>		
No.		Description
1	Report No. 109	Exemption from Sandwich Demolition Control By-Law 20-2007 (3534 Sandwich Street)
2	Report No. 110	Exemption from Sandwich Demolition Control By-Law 20-2007 (3625 King Street)
3	Report No. 111	2016 Census Program Content Consultation
4	Report No. 112	2012 Draft PPS Policies
5	Report No. 113	Minutes of the Property Standards Committee meeting held August 28, 2012

Carried.

Councillor Payne discloses an interest and abstains from voting on Report No. 109 of the Planning & Economic Development Standing Committee.

Councillor Payne discloses an interest and abstains from voting on Report No. 110 of the Planning & Economic Development Standing Committee.

Councillor Hatfield discloses an interest and abstains from voting on Item No. 10.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:**DELEGATIONS****Year Round Sidewalk Cafes****Larry Horwitz, Chair, Downtown Windsor Business Improvement Area**

Larry Horwitz, Chair, Downtown Windsor Business Improvement Area, appears before Council to speak in support of year round sidewalk cafes, as they will contribute to the vitality of downtown.

SE2013 2

(For final disposition of this matter, see Clause CR8/2013 in Schedule "A" attached hereto.)

Site Plan Application for University of Windsor, 37 University Avenue West (former Armouries building)**Susan Mark, Executive Director of Facility Services, University of Windsor; and Craig Goodman, CS&P Architects Inc.**

Susan Mark, Executive Director of Facility Services, University of Windsor; and Craig Goodman, CS&P Architects Inc., appear before Council and are available for questions regarding the Site Plan Application for University of Windsor, 37 University Avenue West (Former Armouries Building).

David Hanna, resident of Ward One

David Hanna, resident of Ward One, appears before Council to provide comment regarding the Site Plan Application for University of Windsor, 37 University Avenue West (Former Armouries Building), stating that it is a great architectural plan and will serve as an important cultural hub for downtown, and concludes by providing some further suggestions for consideration.

ZS/11588 6

(For final disposition of this matter, see Clause CR12/2013 and CR13/2013 in Schedule "A" attached hereto.)

Report No. 106 of the Executive Committee (2011 OMBI Performance Benchmarking Report)**Chief Al Frederick and Deputy Chief Vince Power, Windsor Police Service**

Chief Al Frederick and Deputy Chief Vince Power, Windsor Police Service, appear before Council and are available for questions regarding the 2011 OMBI Performance Benchmarking Report as it relates to Windsor Police Services.

Chief Bruce Montone, Windsor Fire & Rescue Services

Chief Bruce Montone, Windsor Fire & Rescue Services, appears before Council and is available for questions regarding the 2011 OMBI Performance Benchmarking Report as it relates to Windsor Fire & Rescue Services.

Garry Rossi, Director of Water Production, Windsor Utilities Commission

Garry Rossi, Director of Water Production, Windsor Utilities Commission, appears before Council and is available for questions regarding the 2011 OMBI Performance Benchmarking Report as it relates to Windsor Utilities Commission.

GP/10264

(For final disposition of this matter, see Report Section in Schedule "A" attached hereto.)

Regular Business Items (for final disposition of these matters see Schedule "A" attached)

Nil.

Consideration of Committee Reports

None presented.

By-laws

Moved by Councillor Jones, seconded by Councillor Maghnieh,

That the following By-laws No. 6-2013 through 16-2013 (inclusive), be introduced and read a first and second time:

- 6-2013 "A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES", authorized by CAO2177, approved on November 27, 2012
- 7-2013 "A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS TECUMSEH ROAD EAST, IN THE CITY OF WINDSOR", authorized by CR575/2006, adopted on December 18, 2006
- 8-2013 "A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS", authorized by M41-2012, adopted on January 23, 2012
- 9-2013 "A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS", authorized by M41-2012, adopted on January 23, 2012

- 10-2013 “A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES”, authorized by CAO2144, approved on October 16, 2012
- 11-2013 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 52-1999, BEING A BY-LAW TO APPOINT MUNICIPAL ENFORCEMENT OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR”, authorized by Procedure By-Law 98-2011, adopted June 7, 2011
- 12-2013 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THAT PART OF MENARD STREET BETWEEN LAUZON ROAD AND FRANK AVENUE DIRECTLY IN FRONT OF 7934-7938 MENARD STREET, CITY OF WINDSOR”, authorized by M362-2012, adopted on August 7, 2012
- 13-2013 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THAT PART OF MENARD STREET BETWEEN LAUZON ROAD AND FRANK AVENUE DIRECTLY IN FRONT OF 7934-7938 MENARD STREET, CITY OF WINDSOR”, authorized by M362-2012, adopted on August 7, 2012
- 14-2013 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 6.1 METRE (20 FEET) WIDE NORTH/SOUTH ALLEY BETWEEN THOMPSON BOULEVARD AND FORD BOULEVARD FROM ONTARIO STREET SOUTHERLY TO RAYMOND AVENUE, CITY OF WINDSOR”, authorized by M75-2012, adopted on February 6, 2012
- 15-2013 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 6.1 METRE (20 FEET) WIDE NORTH/SOUTH ALLEY BETWEEN THOMPSON BOULEVARD AND FORD BOULEVARD FROM ONTARIO STREET SOUTHERLY TO RAYMOND AVENUE, CITY OF WINDSOR”, authorized by M75-2012, adopted on February 6, 2012
- 16-2013 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTY-FIRST DAY OF JANUARY, 2013”

Carried.

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

Moved by Councillor Jones, seconded by Councillor Payne,

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 (see Schedule “A”)**
- 5) **Committee Reports (as presented)**
- 6) **By-laws given first and second readings (as presented)**

Carried.

Notices of Motion

Moved by Councillor Jones, seconded by Councillor Dilkens,
M7-2013 That Rule 13.9 of the Procedure By-law regarding business not already before Council
BE WAIVED to permit the introduction of a motion for consideration without prior notice regarding the proposed closure of the Sandwich Post Office.

Carried.

Moved by Councillor Jones, seconded by Councillor Hatfield,
M8-2013 **WHEREAS** the Canada Post Corporation has recently announced that it has plans to close the Sandwich Post Office located at 3201 Sandwich Street in the City of Windsor; and

WHEREAS the Canada Post Corporation has not provided a Business Plan Case to the community for this decision; and

WHEREAS the Post Office located at 3201 Sandwich Street in the City of Windsor has municipal heritage designations under both Part IV and Part V of the *Ontario Heritage Act* and is also designated for the Sandwich Heritage Conservation District; and

WHEREAS the Canada Post Corporation decision to close this Post Office will eliminate federal job positions with that agency in the community; and

WHEREAS the Canada Post Corporation decision also involves the elimination of 80 positions from the current 140 positions at their 4255 Walker Road sorting station; and

WHEREAS the Canada Post Corporation decision to close this Post Office may impact timely delivery of mail and parcels which will be sent to London, Ontario for processing; and

WHEREAS the closure of this Post Office will eliminate services provided by a major federal government institution currently being utilized by business owners and residents located in the Sandwich Towne community; and

WHEREAS the closure of this Post Office will eliminate services provided by a major federal government institution which is detrimental in building a strong and vibrant neighbourhood and which will impact future establishment of business and residents to the Sandwich Towne community; and

WHEREAS the distance of the nearest Post Office may not be readily accessible to business owners, residents and those who might experience mobility constraints who currently utilize the current Post Office;

THEREFORE BE IT RESOLVED THAT the City of Windsor, Ontario forward a letter to The Honourable Denis Lebel, The Minister responsible for Canada Post and Transport, Infrastructure and Communities citing **OPPOSITION** to the decision and closure of this Post Office and subsequent job losses at the Walker Road sorting station; and further,

BE IT RESOLVED THAT the City of Windsor, Ontario request that the decision to remove Postal Services to the Sandwich Towne Community **BE RECONSIDERED** by the Canada Post Corporation.

Carried.

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,
M9-2013 That Rule 13.9 of the Procedure By-law regarding business not already before Council
BE WAIVED to permit the introduction of a motion for consideration without prior notice regarding a contribution to LUMCO for the Sustainable Funding for Cities report.
Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,
M10-2013 That the City of Windsor, as a member of LUMCO, **CONTRIBUTE** \$4,000. as Windsor's share to LUMCO, in order to engage the services of an economist to prepare a Sustainable Funding for Cities Report and to engage a Public/Government relations firm to develop the communications strategy.
Carried.

MMA2013

Moved by Councillor Gignac, seconded by Councillor Hatfield,
M11-2013 That Rule 13.9 of the Procedure By-law regarding business not already before Council
BE WAIVED to permit the introduction of a motion for consideration without prior notice regarding Cancer Care Ontario and the proposal to cut funding for lung and esophageal cancer surgeries at Hotel-Dieu Grace Hospital.
Carried.

Moved by Councillor Gignac, seconded by Councillor Hatfield,
M12-2013 **WHEREAS** Cancer Care Ontario is proposing to cut funding for lung and esophageal cancer surgeries at Hotel-Dieu Grace Hospital;
THEREFORE BE IT RESOLVED that the City of Windsor **REQUEST** Cancer Care Ontario (CCO), the Local Health Integration Network (LHIN), and the Minister of Health, Deb Matthews, to clarify how designation levels, and thus funding, are arrived at by Cancer Care Ontario for treatment facilities; and further, what the go-forward plan for treatment would be for patients in the region if funding at Hotel-Dieu Grace Hospital is cut. (Specifically, will patients be required to travel to London, or Toronto for surgery and treatment, or will they be able to access services in Detroit, Michigan?).
Carried.

MH2013

Third Reading of By-laws

Moved by Councillor Halberstadt, seconded by Councillor Jones,
That the following By-laws No. 6-2013 through 16-2013 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.
Carried.

Petitions

None presented.

Council Questions

Moved by Councillor Hatfield, seconded by Councillor Jones,
M13-2013 That the following Council Question by Councillor Dilkens **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:

CQ1-2013

Asks if City Council can be provided with the policy, if any, that we use when determining whether to enter into a contract to provide parking enforcement services on private parking lots.

Carried.

ST2013

Adjournment

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,
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 7:40 o'clock p.m.

ACTING MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Payne
Halberstadt

CR7/2013

- I. That Council **APPROVE** an amount of \$10,170,000 (gross) as detailed in Appendix "A", representing a first charge to the 2013 Capital Budget, in order to take advantage of competitive bidding for infrastructure projects.
- II. That, in order to proceed with construction of the projects listed as Appendix "A" herein, funding for which is submitted as part of the 2013 Capital Works Budget, the City Engineer **BE AUTHORIZED** to proceed with the Award of Tenders to the low bidders, subject to the tenders meeting project specifications and being within the approved budget and subject to the terms and conditions of the City's Purchasing By-law 400-2004 (as amended); and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign contracts with the low Tenderers, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Engineer.
- III. That the City Engineer **BE REQUIRED** to provide a reconciliation report to Council once all projects listed in Appendix "A" have been tendered.

Carried.

Report Number 16274 AFB/11544 C1

Appendices
Appendix A

Dilkens
Jones

CR8/2013

- I. That valid 2012 Sidewalk Cafe permits **BE EXTENDED** to February 28, 2013 with the following conditions:
 - a. The permit holder provides a certificate of insurance satisfactory to the Corporation of the City of Windsor Risk Management Department.
 - b. City of Windsor shall not be responsible for any claims for damage to railings and equipment resulting from winter control operations.
 - c. The permit holder/property owner shall be responsible for snow removal for the duration of the extended sidewalk cafe.
 - d. The permit holder/property owner removes the railing no later than February 28, 2013 or makes application with the City Engineer for renewal of the patio.

and,

- II. That Council **APPROVE** the issuance of permits by the City Engineer for year round sidewalk cafes (March 1, 2013 to February 28, 2014) on a trial basis for 2013/2014 season with the following additional requirements:
 - a. Waiving of the encroachment agreement requirement for 2013/2014 season.
 - b. Obtaining a Sidewalk Cafe permit prior to February 28, 2013,

- c. Compliance with “DWBIA - Measures of Success for Year-Round Patios” (Schedule „A“ attached) and any other applicable requirements of the Sidewalk Cafe handbook during the period (December 1, 2013 to February 28, 2014),

and Administration will report back on the results of the trial period.

Carried.

Report Number **16318 SE2013 2**

Appendices
Schedule A

Payne
Halberstadt

CR9/2013

1. That the report prepared by the Property Coordinator and Property Supervisor with respect to notification of the following real property to be sold **BE RECEIVED** for information:
 - Vacant land on the north side of John B Avenue legally described as Lots 6-8, Registered Plan 759 save and except Parts 1-3, Plan 12R-25110.
2. That the Property Coordinator and Property Supervisor **BE AUTHORIZED** to offer the three 40’ X 87’ vacant parcels of land situated on the north side of John B Avenue, legally described as Lots 6-8, Registered Plan 759 save and except Parts 1-3, Plan 12R-25110 to both abutting owners and report back to Council in the event that an offer or offers are received.

Carried.

Report Number **16286 APM2013 C3**

Payne
Halberstadt

CR10/2013

That City Council **APPOINT** the City Engineer (or his designate), to be the City’s representative on the Technical Review Committee through the Essex-Windsor Solid Waste Authority, to satisfy Condition #34 of the Environmental Compliance for former Landfill #3 associated with the additional clay capping.

Carried.

Report Number **16311 AS2013 C4**

Payne
Halberstadt

CR11/2013

- I. That the following low tender **BE ACCEPTED**:

TENDERER:

**SLR Contracting Group Inc.
6260 Westar Drive, Suite 100
Windsor, ON N9J 3W3**

TENDER NO.: 49-12
TOTAL TENDER PRICE: \$3,133,230.50
ACCOUNT CHARGED: 007-5410-1790-02942-7101026

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

- II.** That Council **AUTHORIZE** the Chief Administrative Officer and City Clerk to sign a Private Siding Construction Agreement with the Canadian Pacific Railway (CPR) regarding the construction of the part of the railway spur line located within CPR's right-of-way at Mile 104.00 of the Windsor Subdivision.
- III.** That approval **BE GIVEN** to undertake an expenditure of \$4,274,835.50 for the construction of the Railway Spur Line from CPR Mainline to C.S. Wind Facility to be funded as follows:
- (i) \$2,000,000.00 as previously approved in 2011 capital budget, from Project No. 7101026 (Economic Development Land Assembly Project); and
 - (ii) \$2,274,835.50 as a pre-commitment to the 2013 – 2017 five-year Capital Budget plan

Carried.

Report Number **6312 MTR/11200 C5**

Gignac
Dilkens

CR12/2013

- I** That the Site Plan Approval Officer recommends approval of the application by UNIVERSITY OF WINDSOR (File No.: SPC-027/12) permitting development in accordance with Appendix #4 (Site Plan, Map No. SPC-027/12 – A1.1) and Appendix #7 (Elevations and Sections, Map No. SPC-027/12 – A3.1).
- II** That the Site Plan Approval Officer recommends that **prior to the issuance of a construction permit** the owner **ENTER INTO** a site plan control agreement with the Corporation, providing for the following:
- i. Basic Provisions
 - ii. General Provisions
 - iii. Special Provisions prior to construction permit issuance:
 - 1. Bonding: (Estimated amounts; final amounts to be determined on submittal of a Landscape Plan);

Landscaping	\$ 20,000
<u>Lighting</u>	<u>\$ 12,000</u>
Total	\$ 32,000
 - 2. The owner shall agree to limit the building's exterior alterations to the building changes outlined in "Report No. 314 of the Windsor Heritage Committee – Windsor Armouries, 353 Freedom Way/37 University Avenue East – Modify Heritage Features of Designated Properties" adopted by M514-2012.

3. The owner shall agree to provide documentation of project approval by the Windsor Tunnel Corporation.
4. The owner shall provide lighting Manufacturers' Data Specification Sheets and ensure that all exterior light fixtures used are „Full Cut-Off” (Night Sky Friendly) in accordance with CR228/2005.
5. The owner shall consult with the City and agree to a cost sharing formula for providing improvements to address transportation and pedestrian related impacts resulting from the development, including but not limited, to the following: public right-of-way streetscaping, traffic calming and pedestrian elements to the satisfaction of The City Planner and The City Engineer.

III General Provision (G7-[1]) to be deleted.

IV General Provision (G20) will be amended to permit up to two years for the completion of construction after the issuance of a construction permit.

V That in accordance with By-law 11275, the City Planner **BE AUTHORIZED** to approve any future changes to the approved site plan and building elevations.

Carried.

Report Number **16314 ZS/11588 6**

Appendices

Maps

Gignac
Jones

CR13/2013

That the City Engineer **BE DIRECTED** to prepare a report for consideration during budget deliberations on costs to engage a consultant, and timelines required to conduct an all encompassing transportation plan for the entire downtown area.

Carried.

Report Number **16314 ZS/11588 6**

Payne
Halberstadt

CR14/2013

THAT City Council **APPROVE** the installation of a Waterfront Regeneration trailhead sign at the proposed location identified herein, as outlined in the report of the City Engineer dated January 10, 2013.

Carried.

Report Number **16320 SR2013 C7**

Payne
Halberstadt

CR15/2013

THAT City Council **RECEIVE** the report of the Deputy Treasurer, Taxation and Financial Projects dated January 8, 2013 for information;

THAT City Council **RECONFIRM** previous direction authorizing the City Treasurer to advance funds to Your Quick Gateway (Windsor) Inc. (YQG), acknowledging the loan amount of \$998,200 on a non-interest bearing basis, repayable through a reallocation of the annual management fee of \$324,000 (for the years 2013 - 2015) plus a lump sum payment of \$26,200 at the end of the repayment term (being December 31, 2015);

THAT City Council **AUTHORIZE** the CAO and City Clerk to execute a loan agreement with YQG for the repayment of funds advanced for purposes of the pension payout subject to review for legal content by the City Solicitor and financial content by the City Treasurer.

Carried.

Report Number 16319 APM/9795 C8

Payne
Halberstadt

CR16/2013

- I. That Administration **BE AUTHORIZED** to enter into an agreement with CS Wind Canada Inc. to construct a rail spur on CS Wind property. The agreement will address construction access, liability and future ownership responsibility of the rail lines.
- II. That Administration **BE AUTHORIZED** to enter into an agreement or permanent easement with CS Wind Canada Inc. for the rail line (spur) to be constructed on City lands or right-of-way. The agreement shall define CS Wind responsibilities to operate, maintain and be responsible for liability and insurance as a minimum.
- III. That Administration **BE AUTHORIZED** to enter into an agreement with Jamieson Laboratories Ltd. for the construction of works on Jamieson Laboratories Ltd. property required to address access and property works required as part of the rail spur work and Tender 49-12, and that Jamieson Laboratories Ltd. personnel be allowed to park on City property during the construction.
- IV. That Administration **BE AUTHORIZED** to enter into any other ancillary agreements to facilitate the construction of the rail line and associated works of Tender 49-12.
- V. That the CAO and City Clerk **BE AUTHORIZED** to sign agreements resultant from the above recommendations in technical content satisfactory to the City Engineer, financial content satisfactory to the City Treasurer and Chief Financial Officer, and form satisfactory to the City Solicitor.
- VI. The agreements noted in recommendations I. to IV. will be within the project budget and should they not be, they will **BE REPORTED** to City Council for approval.

Carried.

Report Number 16336 MTR/11200 C9

Payne
Halberstadt

CR17/2013

That the list of FIT Project sites in Appendix 1 of this memo **BE SUPPORTED** by City Council for the Ontario Power Authority Application, and that this support **BE GRANTED** using the attached prescribed form, and that the City Clerk **BE AUTHORIZED** to sign prescribed form satisfactory in form and content to the City Planner.

Carried.

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

Report Number 16335 MU/8327 C10

Appendices
Appendix 1

STANDING COMMITTEE REPORTS

Moved by Councillor Jones, seconded by Councillor Dilkens,
M14-2013 That **Report No. 106 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “2011 OMBI Performance Benchmarking Report” **BE ADOPTED** as presented.

Carried.

Report Number 16176 GP/10264

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M31-2013 That **Report No. 115 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “ 2011 Annual Report Card on the Community Strategic Plan” **BE ADOPTED** as presented.

Carried.

Report Number 16238 GM/7387

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M16-2013 That **Report No. 116 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “ City of Windsor New Records Retention By-Law” **BE ADOPTED** as presented.

Carried.

Report Number 16245 ACR/7081

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M17-2013 That **Report No. 117 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “Corporate Strategic Action Plan Report Card” **BE ADOPTED** as presented.

Carried.

Report Number 16243 GM2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M18-2013 That **Report No. 118 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “Integrated Attendance Management Policy” **BE ADOPTED** as presented.

Carried.

Report Number 16239 AS/9454

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M19-2013 That **Report No. 119 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “Commodity Tax Consultant RFP” **BE ADOPTED** as presented.

Carried.

Report Number 16242 AF2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M20-2013 That **Report No. 120 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “Finance Policies – Housekeeping Changes” **BE ADOPTED** as presented.

Carried.

Report Number 16241 AF2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M21-2013 That **Report No. 121 of the Executive Committee of Council** of its meeting held November 26, 2012 regarding “2014 Ontario 55+ Summer Games – Where We’re At Today & Where We’re Going in the Short Term” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Maghnieh, seconded by Councillor Halberstadt,
M22-2013 That **Report No. 109 of the Planning & Economic Development Standing Committee Standing Committee** of its meeting held December 10, 2012 regarding “Exemption from Sandwich Demolition Control By-Law 20-2007 (3534 Sandwich Street)” **BE ADOPTED** as presented.

Carried.

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

Report Number 16259 Z/8581

Moved by Councillor Maghnieh, seconded by Councillor Halberstadt,
M23-2013 That **Report No. 110 of the Planning & Economic Development Standing Committee Standing Committee** of its meeting held December 10, 2012 regarding “Exemption from Sandwich Demolition Control By-Law 20-2007 (3625 King Street)” **BE ADOPTED** as presented.

Carried.

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

Report Number 16260 Z/8581

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M24-2013 That **Report No. 111 of the Planning & Economic Development Standing Committee Standing Committee** of its meeting held December 10, 2012 regarding “2016 Census Program Content Consultation” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M25-2013 That **Report No. 112 of the Planning & Economic Development Standing Committee Standing Committee** of its meeting held December 10, 2012 regarding “2012 Draft PPS Policies” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M26-2013 That **Report No. 113 of the Planning & Economic Development Standing Committee Standing Committee** of its meeting held December 10, 2012 regarding “Minutes of the Property Standards Committee meeting held August 28, 2012” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M27-2013 That **Report No. 95 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held November 28, 2012 regarding “Minutes of the Windsor Bicycling Committee meeting held September 19, 2012” **BE ADOPTED**, and further, that City Council **SUPPORT** petitioning Transport Canada and the provincial government to include a safe and secure cycling route over the new Detroit River International border crossing.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M28-2013 That **Report No. 96 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held November 28, 2012 regarding “Minutes of the Windsor Licensing Commission meeting held September 19, 2012” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M29-2013 That **Report No. 97 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held November 28, 2012 regarding “Minutes of the Windsor Licensing Commission meeting held October 17, 2012” **BE ADOPTED** as presented.

Carried.

MB2013

Moved by Councillor Payne, seconded by Councillor Halberstadt,
M30-2013 That Report No. 98 of the Environment, Transportation & Public Safety Standing Committee of its meeting held November 28, 2012 regarding “PSA Video regarding blue green algae issue in Lake Erie” **BE ADOPTED**, and further, that the City Clerk **BE DIRECTED** to issue a formal request to the Ministry of the Environment to present to Council on its greenhouse study/abatement program with regards to the blue green algae issue in Lake Erie.
Carried.

MB2013