

Regular

Council meets in formal session this day at 6:00 o'clock p.m., in the Council Chambers.

Members Present:

Mayor Francis
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Jones
Councillor Kusmierczyk
Councillor Maghnieh
Councillor Marra
Councillor Payne
Councillor Sleiman
Councillor Valentinis

Members Absent:

None.

Call to Order

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

Disclosures of Pecuniary Interest and the General Nature Thereof

None presented.

Minutes

Moved by Councillor Halberstadt, seconded by Councillor Jones,
That the Minutes of the regular meeting of Council held Monday, January 20, 2014 and the minutes of the Special Meeting of Council held Monday, January 27, 2014, **BE ADOPTED** as presented.
Carried.

Notice of Proclamations

- Rotary International World Peace & Understanding Week – February 16-22, 2014
- Heritage Week – February 17-23, 2014
- Windsor District Black Coalition (WDBC) – February 1, 2014 – Flag Raising
- Heart Defects Society of Windsor and Essex County – February 7, 2014 – Flag Raising

Committee of the Whole

Moved by Councillor Kusmierczyk, seconded by Councillor Maghnieh,
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 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); and
 - (ii) **Report of the Striking Committee** of its meeting held prior to Council; and
 - (iii) **Report No. 37 of the International Relations Committee** dated January 22, 2014.
 - (g) consideration of by-laws 16 -2014 through 20-2014 (inclusive).
- Carried.

Communications

Moved by Councillor Marra, seconded by Councillor Payne,
M79-2014 That the following Communication Items 1, 2, 4, 5, 6, 8 and 10 to 19 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that Communication No. 19 **BE APPROVED**; and that Communication No. 3, 7 and 9 be dealt with as follows:

Communication No. 3:

Moved by Councillor Gignac, seconded by Councillor Marra,
M80-2014 That the request from the Windsor Minor Hockey Association dated January 15, 2014 regarding the "2014 Ontario Hockey Federation (OHF) Bantam „AA“ Championship Tournament" **BE RECEIVED**, and further, that the request for sponsorship to cover the \$5,184.00 ice rental fee **BE APPROVED**, and that it **BE CHARGED** to the Sports Bid fund (events bid fund).

SR2014

Carried.

Communication No. 7:

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,
M81-2014 That the correspondence from the CEO, Goodwill EKL dated January 10, 2014, regarding a proposed by-law to limit donation bin usage to help to keep donor dollars in the community, **BE RECEIVED**, and further, that this **BE REFERRED** to Administration for a council report on this matter.

Carried.

GM2014

Communication No. 9:

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,
M82-2014 That the correspondence from the Essex-Windsor Solid Waste Authority dated January 20, 2014 regarding a request for Council support in favour of Mandatory Recycling in Municipal Buildings and at Special Events **BE REFERRED** to Administration for a council report on this matter.

Carried.

EI2014

Item	From	Description
1	Office of the Prime Minister; and Office of the Minister of Natural Resources	Acknowledgement correspondence and resolution from Windsor City Council regarding the proposed Deep Geologic Repository for nuclear waste City Engineer Note & File GP2014
2	City of Toronto – Deputy Mayor	Thank you for the assistance in the recovery effort to help the City of Toronto pull through the worst ice storm in recent history Note & File APR2014
3	Windsor Minor Hockey Association (WMHA)	Sponsorship request for the 2014 Ontario Hockey Federation (OHF) Bantam „AA“ Championship Tournament COUNCIL DIRECTION REQUESTED SR2014
4	Champions Off-Track Wagering	Request from Woodbine Entertainment Group to open a Champions Teletheatre at “Dirty Jerseys Sports Grill”, 6675 Tecumseh Road East Windsor Licence Commissioner Note & File GPL2014
5	Goodfellows Club	Acknowledgement letter for approving the participation of volunteers from CUPE Local 82 for newspaper sales which raised \$10,875.00 for local needy families Note & File APR2014
6	Environment Canada – Ontario Region	Great Lakes 2013 Annual Reports Available Online City Engineer Note & File EW9643
7	Goodwill Industries ELK	A proposed by-law to limit donation bin usage to help to keep donor dollars in the community, and to end deceptive business practice. City Solicitor COUNCIL DIRECTION REQUESTED GM2014
8	Municipal Employer Pension Centre Ontario (MEPCO)	Update Executive Director of Human Resources Note & File MMA2014
9	Essex-Windsor Solid Waste Authority (EWSWA)	Request for Council support in favour of Mandatory Recycling in Municipal Buildings and at Special Events City Engineer Council Direction Requested EI2014
10	Institute of Project Management America	Project Management Masters Certification Program (March 4-7, 2014: Toronto ON) Note & File ME2014

11	Manager of Urban Design	Application for Site Plan Approval – Architectura Inc. Architects – 6200 Edgar St for a full-time daycare addition (1 classroom) Note & File ZS/11832
12	Manager of Urban Design	Application for Site Plan Approval – Mr. Paul Bezaire – 0 Chandler Rd (Assessment Roll Number 010-350-08900-0000) for a new elementary school plus 5 future classrooms with associated playground, parking and drop-off Note & File ZS/11833
13	Executive Director of Human Resources	Performance Appraisal Report (for period of January – December 31, 2013) Note & File AS2014
14	City Engineer	City of Windsor Carrier Safety Rating Note & File ST2014
15	Committee of Adjustment/Consent Authority Agenda Record	Committee of Adjustment/Consent Authority Agenda Record for Thursday, February 13, 2014, Council Chambers, 3 rd Floor, 350 City Hall Square West, Windsor, Ontario Note & File ZC2014
16	Canadian Nuclear Safety Commission	Acknowledgement of resolution from Windsor City Council regarding the proposed Deep Geologic Repository for nuclear waste City Engineer Note & File GP2014
17	Federation of Canadian Municipalities (FCM)	Update on Canada Post plan to phase out home delivery Note & File MMF2014
18	City Solicitor	Oakwood Sanctuary Note & File APM2014
19	Office of Mayor	Windsor Star Advertisement Recognizing Assistance to the Jamieson Family Livelihood 17000 APR2014

Carried.

Consent Agenda

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

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

- Item 1 Acquisition of an easement from Nicodemo and Crowder required for improvements to the Walker Road Corridor
- Item 3 Newspaper Vendor Boxes Encroachment – Toronto Sun
- Item 5 Asset Planning Work Plan and Capital Project Re-Allocation
- Item 6 Request to close portion of Twin Oaks Drive and Valtec Court to the north and east of Twin Oaks Drive and Valtec Court intersection

- Item 7 New Disposal of Land Policy, Amendments to Delegation of Authority By-Law 208-2008
 Item 8 Construction of Curbs and Gutters and Boulevard Restoration on Baby Street from Chippawa Street to approximately 85 metres southerly
 Item 9 Additional Provincial Grant Funding Agreement for the “Windsor Combined Sewer Retention Treatment Basin Optimization Study”
 Item 10 Proposed Concrete Curb and Gutters and Boulevard Restoration on Hanna Street East from Benjamin Avenue to alley east of Benjamin Avenue
 Item 11 RFP 90-13 – Purchase of One (1) Sewer Cleaner/Vacuum Truck
 Item 12 Bridge Rehabilitation of CASO Overpass at west/bound E. C. Row Expressway – Tender No. 5-14 – MIII Provincial Grant

Consent Committee Reports

<i>Planning & Economic Development Standing Committee</i>		
No.		Description
1	Report No. 199	Housekeeping Amendment 2013 -2
2	Report No. 201	Request to close the portion of the east-west alley situated on the east side of Lauzon Road, north of Clairview Avenue, and abutting the south lot line of the property known as 262 Lauzon Road
3	Report No. 202	Request to close part of the north/south alley between Giles Boulevard East and Erie Street East, between Windsor Avenue and Goyeau Street, and abutting 1140 Goyeau Street
4	Report No. 203	Request to close part of the east-west and north-south alleys north of Seminole Street, between Albert Road and Hickory Road
5	Report No. 205	The minutes of the International Relations Committee meeting held September 26, 2013
6	Report No. 206	The minutes of the Windsor Heritage Committee meeting held November 14, 2013
7	Report No. 207	The minutes of the Windsor Business Improvement Association Advisory Committee meeting held October 16, 2013
8	Report No. 208	Report No. 9 of the Windsor Business Improvement Association Advisory Committee (BIA Capital Works Program Fund)
9	Report No. 209	The minutes of the Property Standards Committee meeting held October 28, 2013

<i>Executive Committee</i>		
No.		Description
1	Report No. 157	Engagement of Consulting Services for Aquatic Events

Carried.

Councillor Halberstadt voting nay on Report No. 157 of the Executive Committee.

Deferrals and/or Referrals and Withdrawals

Item 4 Newspaper Vendor Boxes Encroachment – Toronto Star

As the Applicant has advised they will be removing the newspaper boxes currently on the public right-of-way, this matter is withdrawn from the February 3, 2014 Council Agenda.

SE2014

(For final disposition of this matter, see Clause **CR27/2014** in Schedule “A” attached hereto.)

Presentations & Delegations:**DELEGATIONS****Newspaper Vendor Boxes Encroachment – Urbanite Media Inc.****Natasha Marar, Publisher and Jon Liedtke, Editor - Urbanite Media Inc.**

Natasha Marar, Publisher and Jon Liedtke, Editor - Urbanite Media Inc., appear before Council and are available for questions regarding their request to permit newspaper vendor boxes onto the right-of-way.

SE2014 2

(For final disposition of this matter, see Clause **CR25/2014** in Schedule “A” attached hereto.)

Report No. 200 of the Planning & Economic Development Standing Committee (East Pelton Secondary Plan: North Portion OPA No. 94)**Frank Fazio, Solicitor**

Frank Fazio, Solicitor, appears before Council on behalf of his client Mr. Abdul Habib to speak in opposition to the request for deferral from Chris Pidgeon, GSP Group regarding the East Pelton Secondary Plan portion being amended in the Official Plan.

Brian Ciaramitaro, Chief Ministerial Officer, Windsor Christian Fellowship

Brian Ciaramitaro, Chief Ministerial Officer, Windsor Christian Fellowship, appears before Council to request that Council defer consideration of the proposed Official Plan amendments regarding the East Pelton Secondary Plan, as they are in discussions with Administration on matters related to the Windsor Christian Fellowship, which are to be considered by Council on February 24, 2014.

Report Number 16900 ZB/11817

(For final disposition of this matter, see Clause **M68-2014** in Schedule “A” attached hereto.)

Report No. 204 of the Planning & Economic Development Standing Committee (Application by Central Park Athletics under the Economic Revitalization Community Improvement Plan for 3400 Grand Marais Road East, former Windsor Ice Park)**Rowan Faludi, urbanMetrics inc.**

Rowan Faludi, urbanMetrics Inc., appears before Council to provide an overview of the proposed Central Park Athletics for 3400 Grand Marais Road East, stating that it would be a sports facility like no other, as well as a multi-use tourist friendly facility for all-seasons and concludes by requesting relief from the City of Windsor development charges.

James King and Leigh Ann King, King Developments

James King and Leigh Ann King, King Developments, appear before Council and are available for questions regarding the Application by Central Park Athletics under the Economic Revitalization Community Improvement Plan for 3400 Grand Marais Road East, the former Windsor Ice Park.

Moved by Councillor Marra, seconded by Councillor Halberstadt,

THAT the request made by 2313846 Ontario Limited (Central Park Athletics) under the Development Charges Grant Program **BE APPROVED** for Phase III (i.e. indoor soccer/sports field) of the development proposed for the property located at 3400 Grand Marais Road East; and

THAT the Development Charges Grant **BE FUNDED** via the Budget Stabilization Reserve Fund.

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

Aye votes: Councillors Marra, Halberstadt, Sleiman, Valentinis and Kusmierczyk.

Nay votes; Councillors Gignac, Payne, Maghnieh, Dilkens, Jones and
Mayor Francis.

Report Number 16878 SPL/10759

(For final disposition of this matter, see Clause **M72-2014** in Schedule "A" attached hereto.)

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

Nil.

Consideration of Committee Reports

M83-2014 Moved by Councillor Halberstadt, seconded by Councillor Jones,
as presented. That the **Report of the special In-camera** meeting held February 3, 2014, **BE ADOPTED**

Carried.

ACO2014

M84-2014 Moved by Councillor Halberstadt, seconded by Councillor Jones,
February 3, 2014, **BE ADOPTED** as presented. That the **Report of the Striking Committee** of its meeting held prior to Council meeting held

Carried.

ACO2014

M85-2014 Moved by Councillor Halberstadt, seconded by Councillor Jones,
That **Report No. 37 of the International Relations Committee** regarding a letter of invitation to Mayor Jiang of Changchun, China dated January 22, 2014, **BE ADOPTED** as presented.

Carried.

ACO2014

By-laws

Moved by Councillor Kusmierczyk, seconded by Councillor Maghnieh,
That the following By-laws No. 16 -2014 through 20-2014 (inclusive), be introduced and read a first and second time:

- 16-2014 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "WINDSOR CORE AREA ZONING BY-LAW"", authorized by CR394/2010, approved October 18, 2010
- 17-2014 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"", authorized by M45-2014, adopted January 6, 2014
- 18-2014 "A BY-LAW TO ASSUME MCKAY AVENUE, CURRY AVENUE, PART OF EVERTS AVENUE, PART OF MARK AVENUE, PART OF KENORA STREET AND OJIBWAY STREET BEING STREETS SHOWN ON PLAN 12M-498 KNOWN AS MCKAY AVENUE, CURRY AVENUE, EVERTS AVENUE, MARK AVENUE, KENORA STREET AND OJIBWAY STREET AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR", authorized by M98-2012, adopted February 21, 2012
- 19-2014 "A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT A CHIEF BUILDING OFFICIAL AND INSPECTORS TO ENFORCE THE BUILDING CODE ACT AND REGULATIONS IN WINDSOR", authorized by CAO2574, approved January 25, 2014
- 20-2014 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 3RD DAY OF FEBRUARY, 2014"

Carried.

Moved by Councillor Marra, 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 Gignac, seconded by Councillor Valentinis,
M63-2014 That given the large and frequent amount of snowfalls experienced thus far in 2014, that By-law enforcement be requested to use judgement on enforcement of snow/ice removal on sidewalks.

Carried.

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

That the following By-laws No. 16 -2014 through 20-2014 (inclusive), 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.

Petitions

None presented.

Council Questions

Moved by Councillor Halberstadt, seconded by Councillor Jones,

M87-2014 That the following Council Question by Councillor Maghnieh **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:

CQ3-2014

Asks to Amend: CQ30-2013 -

Looking at new options for northbound Dominion, and exploring the feasibility closing ditches and adding bike lanes between Totten and Northwood on Dominion Blvd.

ST2014

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Jones,

M88-2014 That the following Council Question by Councillor Valentinis **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ4-2014

Asks can Traffic Engineering prepare a petition for circulation to the residents regarding the creation of permit parking for the residents in the area immediately west of the Aquatic Centre, specifically:

Caron Avenue – University Ave to Riverside Dr.

Janette Ave. – University Ave to Riverside Dr.

Bruce Ave. – University Ave to Riverside Dr.

Pitt St. – Caron Ave - to Bruce.

ST2014

Carried.

Adjournment

Moved by Councillor Kusmierczyk, seconded by Councillor Maghnieh,
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 7:55 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Sleiman
Valentinis

CR21/2014

- I. That **APPROVAL BE GIVEN** to the acquisition of easement rights in favour of EnWin Utilities Ltd. on the following property for improvements to the Walker Road Corridor:
- a] **OWNER:** Elizabeth Nicodemo, Lisa Marie Crowder and James Nicodemo
c/o Clarks Devonshire
Attention: Robert M. Clark
547 Devonshire Rd.
Windsor ON N8Y 2L6
 - b] **PROPERTY:** Vacant 12.9 square foot parcel of land legally described as Part of Lot 660, Registered Plan 1126 and more particularly designated as Part 1, Plan 12R-25359
 - c] **ACQUISITION PRICE:** \$500.00 plus HST as applicable
 - d] **CONDITIONS:**
 - 1. This transaction shall be completed within 14 days after City Council approval.
 - 2. The City agrees to pay all reasonable legal fees, disbursements, restoration costs and other miscellaneous costs related to this transaction.
- II. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign any required written documents satisfactory in form and content to the City Solicitor and in financial content to the Chief Financial Officer and City Treasurer and that the transaction **BE COMPLETED** electronically pursuant to By-Law 366-2003.

ACCOUNT CHARGED: 007-5210-7104001.

Carried.

Report Number **16965 SW/7961 C1**

Marra
Valentinis

CR25/2014

That the request by the Urbanite Media Inc. to permit newspaper vendor boxes onto the right-of-way **BE APPROVED**, subject to the owner entering into an encroachment agreement, satisfactory in legal content to the City Solicitor and in technical content to the City Engineer, and to comply with the following terms and conditions:

- a) Pay a \$225.00 (includes 5% G.I.S. charge) encroachment application fee to the Engineering Department;
- b) Indemnify the City of Windsor against all claims which may arise by reason of its occupying sections of the public right-of-way herein before listed and file with the Risk Management Supervisor a copy of its insurance policy in the minimum amount of \$2,000,000.00, with a cross liability endorsement, and showing the City as an additional insured, satisfactory in form to the Risk Management Supervisor;
- c) Pay a \$250.00 fee to the Engineering Department for the preparation of the agreement, to be signed by the property owner;

- d) Pay a surcharge in the amount of \$100.00, as required by Council Resolution 699/85, to the Engineering Department;
- e) Pay an annual encroachment fee of \$25.00, calculated according to Council Resolution 425/81, and any and all applicable provincial and federal land taxes, etc;
- f) Pay an annual billing and inspection fee of \$25.00 per location to the Engineering Department;
- g) Remove the encroachment(s) and restore the area within 5 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so;
- h) The applicant agrees to obtain a Street Opening Permit at a cost of \$208.00 for the subject encroachment;
- i) Subject to compliance with City Standards AS-544 (Appendix A) and at the locations noted on C-3218 and Appendix B;
- j) Appendix B may be amended from time to time as locations are added or deleted, subject to the appropriate approvals being obtained.

and further that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in legal form to the City Solicitor and in technical content to the City Engineer, in accordance with CR748/2004 as the authority for Category "B" encroachments.

Carried.

Report Number 16945 SE2014 2

APPENDICES

DrawingC-3218

Appendix A, B

Sleiman
Valentinis

CR26/2014

That the request by the Toronto Sun to permit newspaper vendor boxes onto the right-of-way

BE APPROVED, subject to the owner entering into an encroachment agreement, satisfactory in legal content to the City Solicitor and in technical content to the City Engineer, and to comply with the following terms and conditions:

- a) Pay a \$225.00 (includes 5% G.I.S. charge) encroachment application fee to the Engineering Department;
- b) Indemnify the City of Windsor against all claims which may arise by reason of its occupying sections of the public right-of-way herein before listed and file with the Risk Management Supervisor a copy of its insurance policy in the minimum amount of \$2,000,000.00, with a cross liability endorsement, and showing the City as an additional insured, satisfactory in form to the Risk Management Supervisor;
- c) Pay a \$250.00 fee to the Engineering Department for the preparation of the agreement, to be signed by the property owner;
- d) Pay a surcharge in the amount of \$100.00, as required by Council Resolution 699/85, to the Engineering Department;
- e) Pay an annual encroachment fee of \$25.00, calculated according to Council Resolution 425/81, and any and all applicable provincial and federal land taxes, etc;
- f) Pay an annual billing and inspection fee of \$25.00 per location to the Engineering Department;
- g) Remove the encroachment(s) and restore the area within 5 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so;

- h) The applicant agrees to obtain a Street Opening Permit at a cost of \$208.00 for the subject encroachment;
- i) Subject to compliance with City Standards AS-544 (Appendix A) and at the locations noted on C-3206 and Appendix B;
- j) Appendix B may be amended from time to time as locations are added or deleted, subject to the appropriate approvals being obtained.

and further that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in legal form to the City Solicitor and in technical content to the City Engineer, in accordance with CR748/2004 as the authority for Category “B” encroachments.

Carried.

Report Number **16943 SE2014 C3**

APPENDICES

Drawing

Dilkens
Marra

CR27/2014

That the report of the City Engineer dated January 14, 2014 entitled “Newspaper Vendor Boxes Encroachment – Toronto Star” **BE WITHDRAWN** as the applicant has advised they will be removing the newspaper boxes currently on the public right-of-way.

Carried.

Report Number **16946 SE2014 4**

Sleiman
Valentinis

CR28/2014

That City Council **APPROVE** the initial project list to be partially funded by the \$600,000 placeholder for Asset Management Service Design and Implementation (ID# 7131117); and

THAT, in order to have sufficient funding available to undertake all the required asset management projects noted in the list, City Council also **APPROVE** the reallocation of remaining funds in the Tangible Capital Assets Project (ID#7073020) **AND** SDR Asset Management Governance Project (ID# 7093907) to the Asset Management Service Design and Implementation Project (ID# 7131117); and

THAT City Council **DELEGATE to** the Asset Planning Steering Committee the authority to approve the reallocation of project funding as necessary within the Asset Management Service Design and Implementation Project Budget (7131117), provided the original project list is completed and total funding is within the capital budget.

Carried.

Report Number **16966 GFG/9967 C5**

Sleiman
Valentinis

CR29/2014

- I. That the Street and Alley Closure Policy **BE WAIVED** for the portion of Twin Oaks Drive right-of-way east of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC-1649 **attached** hereto as Appendix A.
- II. That portion of Twin Oaks Drive right-of-way east of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC-1649 **attached** hereto as Appendix A **BE ASSUMED** for subsequent closure and conveyance and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.
- III. That portion of Twin Oaks Drive right-of-way east of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC- 1649 **attached** hereto as Appendix A **BE CLOSED** and **BE CONVEYED** to CS Wind Canada Inc. at the conveyance price of \$1.00
- IV. That the Street and Alley Closure Policy **BE WAIVED** for the portion of Valtec Court right-of-way north and south of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC-1649 **attached** hereto as Appendix A.
- V. That portion of Valtec Court right-of-way north and south of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC-1649 **attached** hereto as Appendix A **BE ASSUMED** for subsequent closure and conveyance and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.
- VI. That portion of Valtec Court right-of-way north and south of Twin Oaks Drive and Valtec Court intersection shown on Drawing No. CC- 1649 **attached** hereto as Appendix A **BE CLOSED** and **BE CONVEYED** to CS Wind Canada Inc. at the conveyance price of \$1.00, and
- VII. That prior to the conveyance of the closed portions of Twin Oaks Drive and Valtec Court to CS Wind Canada the City Solicitor **BE DIRECTED** to reserve the necessary driveway easement(s) in favour of Jamieson Laboratories Ltd. and the necessary utility easements in favour of EnWin Utilities Ltd. (Hydro), Windsor Utilities Commission (Water), Union Gas, Bell Canada and Cogeco Cable Systems

And further:

- i. The City Administration **BE DIRECTED** to execute the necessary agreements as authorized in CR16/2013 prior to conveyance of the closed portions of Twin Oaks Drive and Valtec Court to CS Wind.
- ii. The City Engineer **BE REQUESTED** to supply the appropriate legal descriptions, in accordance with Drawing No. CC-1649, **attached** hereto as Appendix A.
- iii. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice.
- iv. The City Solicitor **BE REQUESTED** to prepare the by-law to close.
- v. 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.
- vi. The transaction **BE COMPLETED** electronically pursuant to By-law Number 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 or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction.

Carried.

Report Number 16948 MTR/11200 C6

Appendices
Drawing CC-1649

Sleiman
Valentinis

CR30/2014

- I. THAT the Disposal of Land Policy, as attached as Appendix A, **BE APPROVED** in principle;
- II. AND THAT the Delegation of Authority Bylaw 208-2008 **BE AMENDED** as follows:
- (a) That Schedule "A" (Property Transactions) **BE DELETED** in its entirety AND **BE REPLACED** with attached Appendix B; and
 - (b) That Section 1.30 **BE DELETED** in its entirety AND **BE REPLACED** with the following:
 - 1.30 (a) "City as Lessor" Leases and/or Assignments;
 - (b) "City as Grantor" Licenses, Easements (permanent and temporary) and Consents to Enter;
 - (c) "City as Grantee" Temporary Easements and Consents to Enter
- III. AND THAT the City Solicitor **BE DIRECTED** to prepare the necessary bylaws for:
- a. The adoption of the Disposal of Land Policy, as attached as Appendix A, and to repeal Bylaw 247-2007; and
 - b. The amendments to the Delegation of Authority Bylaw 208-2008 as described in recommendation II.

Carried.

Report Number 16967 APM2014 C7

Appendices
Appendix A, B

Sleiman
Valentinis

CR31/2014

- I. That the report regarding the result of the Initiation of Construction of Curbs and Gutters and Boulevard Restoration on Baby Street from Chippawa Street to approximately 85 metres southerly **BE NOTED AND FILED**.
- II. That the sewer rehabilitation on Baby Street from Chippawa Street to approximately 85 metres southerly **PROCEED** under approved 2014 Capital Work with the road re-construction in such a way that it will be ready for the future installation of the curbs & gutters subject to the satisfaction of the requirements specified under Ontario Regulation 586/06, made under *the Municipal Act 2001* for the Local Improvement Work.
- III. That installation of curbs and gutters **PROCEED** on City-owned property on baby Street, adjacent to Bradley Park, with expenses charged to Project 7121017.

Carried.

Report Number 16940 SW/11834 C8

Sleiman
Valentinis

CR32/2014

1. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the Provincial Government for their \$15,000 grant funding contribution to the Public Works, Operations, Pollution Control Department "Windsor Combined Sewer Retention Treatment Basin Optimization Study", satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer and in technical content to the City Engineer; and,
2. That the funds **BE DEPOSITED** to capital project #7122001, account #6310; and,
3. That the Purchasing Department **ISSUE** a change order to the agreement with Stantec Consulting Ltd. for the Windsor Combined Sewer Retention Treatment Basin Optimization Study CR281/2012 for additional project work as described in Section 4.0 and as per the Agreement Change Order in correspondence from Stantec dated October 1, 2013.

Carried.

Report Number **16964 EI/10133 C9**

Sleiman
Valentinis

CR33/2014

That, in view of the City of Windsor's intention to initiate the local improvement process for the construction of curb and gutters and restoration on Hanna Street East from Benjamin Avenue to the alley east of Benjamin Avenue, as shown located on attached Drawing C-3220 that the *attached* report of the City Engineer to address the requirements of Section 6 of Ontario Regulation 586/06, **BE APPROVED** and the requirements regarding the notices to the public and owners of the lots liable to be specially charged with respect to the work, as required by Section 5 of Ontario Regulation 586/06, **BE UNDERTAKEN**, said notices to be in content as per the report of the City Engineer.

Carried.

Report Number **16936 SW/11835 C10**

Appendices
Drawing C-3220
Report

Sleiman
Valentinis

CR34/2014

THAT CR248/2013 **BE AMENDED** as follows:

By **deleting** the following:

"THAT City Council **APPROVE** purchase of one (1) Sewer Cleaner/Vacuum Truck from Joe Johnson Equipment at a cost of \$368,141.00 plus taxes,"

And **replacing** it with:

"THAT City Council **APPROVE** purchase of one (1) Sewer Cleaner/Vacuum Truck from Joe Johnson Equipment at a cost of \$372,435.00 plus taxes".

Carried.

Report Number **16935 AE2014 C11**

Sleiman
Valentinis

CR35/2014

I. THAT the following low tender **BE ACCEPTED**:

Tenderer:	Front Construction Industries Inc. 740 Morton Drive, Windsor, Ontario, N9J 3V2
Work:	Rehabilitation of Caso Overpass at Westbound E.C. Row Expressway Tender No. 5-14
Total Tendered Price:	\$1,894,715.33 (excluding HST)
Accounts Charged:	2014 Capital Budget Project ID 7141027

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract, satisfactory in form to the City Solicitor, technical content to the City Engineer, and financial content to the Chief Financial Officer and City Treasurer, with Front Construction Industries Inc. for Tender No. 5-14.

II. THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$1,928,062.32 (\$1,894,715.33 + \$33,345.99 unrecoverable HST) from the approved 2014 Capital Budget for E.C. Row Rehabilitation (Project ID No. 7141027).

III. THAT **APPROVAL BE GIVEN** to undertake an expenditure up to an amount of \$100,000 for the retention of Dillon Consulting Limited as outlined for site observation and contract administration of Tender No. 5-14, in accordance with their Proposal for Engineering Services dated February 15, 2013, said fee to be in accordance with the most recent Schedule of Fees published by the Professional Engineers of Ontario; and further that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor in financial content to the City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number **16951 SW/11701 C12**

Internal Distribution

Public Works [Mark Winterton]
City Engineer
Manager of Purchasing & Risk Management
Chief Financial Officer & City Treasurer
City Solicitor

External Distribution

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M67-2014 That **Report No. 199 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “Housekeeping Amendment 2013-2” **BE ADOPTED** as presented.

Carried.

Report Number 16899 ZB/11818

Moved by Councillor Payne, seconded by Councillor Jones,
M68-2014 That **Report No. 200 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “East Pelton Secondary Plan: North Portion OPA No. 94” **BE DEFERRED** to the February 24, 2014 Executive Committee of Council to allow representatives from Windsor Christian Fellowship to continue to work on an acceptable solution to their access concerns.

Carried.

Councillors Gignac, Maghnieh, Marra and Valentinis voting nay.

Report Number 16900 ZB/11817

M69-2014 That **Report No. 201 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “Request to close the portion of the east-west alley situated on the east side of Lauzon Road, north of Clairview Avenue, and abutting the south lot line of the property known as 262 Lauzon Road; File # SAA 3969” **BE ADOPTED** as presented.

Carried.

Report Number 16911 SAA2014

APPENDICES

Drawing No. CC-1650

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M70-2014 That **Report No. 202 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “Request to close part of the north-south alley between Giles Boulevard East and Erie Street East, between Windsor Avenue and Goyeau Street, and abutting 1140 Goyeau Street; File # SAA 4001” **BE ADOPTED** as presented.

Carried.

Report Number 16910 SAA2014

APPENDICES

Drawing No. CC-1651

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M71-2014 That **Report No. 203 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “Request to close part of the east-west and north-south alleys north of Seminole Street, between Albert Road and Hickory Road; File SAA 3998”

BE ADOPTED as presented.

Carried.

Report Number 16909 SAA2014

APPENDICES

Drawing No. CC-1652

Moved by Councillor Marra, seconded by Councillor Halberstadt,

M72-2014 I. THAT the request made by 2313846 Ontario Limited (Central Park Athletics) under the Business Retention and Expansion Grant Program **BE APPROVED** for Phase III (i.e. indoor soccer/sports field) of the development proposed for the property located at 3400 Grand Marais Road East; and

- II. THAT in carrying out Recommendation I Administration **BE DIRECTED** to interpret the definition of „Tax Increment“ in the Economic Revitalization Community Improvement Plan to mean the difference in municipal tax levy between Phases II and III of the proposed development as described in LiveLink Report No. 16878; and
- III. THAT, Administration **BE DIRECTED** to prepare an agreement to implement the Business Retention and Expansion Grant Program in accordance with Recommendations I and II and all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and
- IV. THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and
- V. THAT **NO FURTHER ACTION** be taken with respect to LiveLink Report No. 16683, which brings forward a request for rebate of development charges made by King Development Design & Build under the City's Waiver of Fees Policy.

Carried.

Councillor Payne voting nay.

**Report No. 204 of the Planning & Economic
Development Standing Committee**
Report Number 16878 SPL/10759

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

M73-2014 That **Report No. 205 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “The minutes of the International Relations Committee meeting held September 26, 2013” **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

M74-2014 That **Report No. 206 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “The minutes of the Windsor Heritage Committee meeting held November 14, 2013” **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

M75-2014 That **Report No. 207 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “The minutes of the Windsor Business Improvement Association Advisory Committee meeting held October 16, 2013” **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M76-2014 That **Report No. 208 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “Report No. 9 of the Windsor Business Improvement Association Advisory Committee (BIA Capital Works Program Fund)” **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M77-2014 That **Report No. 209 of the Planning & Economic Development Standing Committee** of its meeting held January 13, 2014 regarding “The minutes of the Property Standards Committee meeting held October 28, 2013” **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M78-2014 That **Report No. 157 of the Executive Committee of Council** of its meeting held January 27, 2014 regarding “Engagement of Consulting Services for Aquatic Events” **BE ADOPTED** as presented.

Carried.

Councillor Halberstadt voting nay.

Report Number **16973 SR/11026**

Adopted by Council at its meeting held February 3, 2014 [M67-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 199 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman
Merrill Baker
Barbara Bjarneson

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by M. Baker, seconded by Councillor Dilkens

1. That Zoning By-law 8600 **BE AMENDED** by deleting Section 24.24 and replacing it with the following:

“24.24 ACCESSIBLE PARKING SPACE PROVISIONS [ZNG/4046]

24.24.1 REQUIRED ACCESSIBLE PARKING SPACES

- .1 There shall be provided accessible parking spaces as shown in Table 24.24.1:

TABLE 24.24.1 – REQUIRED ACCESSIBLE PARKING SPACES		
TOTAL NUMBER OF PARKING SPACES IN PARKING AREA	REQUIRED NUMBER OF ACCESSIBLE PARKING SPACES – MINIMUM	
	TYPE A	TYPE B
1 to 25	1 space	0
26 to 100	2 percent of parking spaces	2 percent of parking spaces
101 to 200	1.5 percent of parking spaces	0.5 space plus 1.5 percent of parking spaces
201 to 1,000	0.5 space plus 1 percent of parking spaces	1 space plus 1 percent of parking spaces
1,001 or more	5 spaces plus 0.5 percent of parking spaces	5.5 spaces plus 0.5 percent of parking spaces

- .5 If the calculation of the number of required Type A and Type B accessible parking spaces results in a number containing a fraction, the number shall be rounded up to the nearest whole number.

24.24.10 SIZE OF ACCESSIBLE PARKING SPACE

- .1 A Type A accessible parking space shall have a minimum width of 3.5 metres and a minimum length of 5.5 metres.
- .2 A Type B accessible parking space shall have a minimum width of 2.5 metres and a minimum length of 5.5 metres.

24.24.15 ACCESS AISLES

- .1 An access aisle, that is the space between or beside accessible parking spaces that allows persons with disabilities to get in and out their vehicles, shall be provided for all accessible parking spaces.
- .2 An access aisle may be shared by two accessible parking spaces and shall have a minimum width of 1.5 metres, extend the full length of the accessible parking space and be marked with high tonal contrast diagonal lines.

24.24.20 CURB CUT OR RAMP FOR ACCESSIBLE PARKING SPACE

- .1 Where a parking area is bounded by perimeter curbing which separates the principal pedestrian entrance of a building from the parking area, there shall be provided and maintained at least one curb cut or ramp that has a minimum width of 1.2 metres and a maximum slope of 1:8 where elevation is less than 7.5 cm or 1:10 where elevation is 7.5 cm to 20 cm.
- .2 The curb cut or ramp shall be designed and located to provide unobstructed access between an accessible parking space and the principal pedestrian building entrance. This provision does not preclude the construction of perimeter curbing around the parking area as required by this by-law except insofar as is required to satisfy this provision.”

AND that Zoning By-law 85-18 **BE AMENDED** by deleting Section 5.33a and replacing it with the following:

“5.33a ACCESSIBLE PARKING SPACE PROVISIONS [ZNG/4046]

5.33b REQUIRED ACCESSIBLE PARKING SPACES

- .1 There shall be provided accessible parking spaces as shown in Table 5.33a:

TABLE 5.33a – REQUIRED ACCESSIBLE PARKING SPACES		
TOTAL NUMBER OF PARKING SPACES IN PARKING AREA	REQUIRED NUMBER OF ACCESSIBLE PARKING SPACES – MINIMUM	
	TYPE A	TYPE B
1 to 25	1 space	0
26 to 100	2 percent of parking spaces	2 percent of parking spaces
101 to 200	1.5 percent of parking spaces	0.5 space plus 1.5 percent of parking spaces

201 to 1,000	0.5 space plus 1 percent of parking spaces	1 space plus 1 percent of parking spaces
1,001 or more	5 spaces plus 0.5 percent of parking spaces	5.5 spaces plus 0.5 percent of parking spaces

- .5 If the calculation of the number of required Type A and Type B accessible parking spaces results in a number containing a fraction, the number shall be rounded up to the nearest whole number.

5.33c SIZE OF ACCESSIBLE PARKING SPACE

- .1 A Type A accessible parking space shall have a minimum width of 3.5 metres and a minimum length of 5.5 metres.
- .2 A Type B accessible parking space shall have a minimum width of 2.5 metres and a minimum length of 5.5 metres.

5.33d ACCESS AISLES

- .1 An access aisle, that is the space between or beside accessible parking spaces that allows persons with disabilities to get in and out their vehicles, shall be provided for all accessible parking spaces.
- .2 An access aisle may be shared by two accessible parking spaces and shall have a minimum width of 1.5 metres, extend the full length of the accessible parking space and be marked with high tonal contrast diagonal lines.

5.33e CURB CUT OR RAMP FOR ACCESSIBLE PARKING SPACE

- .1 Where a parking area is bounded by perimeter curbing which separates the principal pedestrian entrance of a building from the parking area, there shall be provided and maintained at least one curb cut or ramp that has a minimum width of 1.2 metres and a maximum slope of 1:8 where elevation is less than 7.5 cm or 1:10 where elevation is 7.5 cm to 20 cm.
- .2 The curb cut or ramp shall be designed and located to provide unobstructed access between an accessible parking space and the principal pedestrian building entrance. This provision does not preclude the construction of perimeter curbing around the parking area as required by this by-law except insofar as is required to satisfy this provision.”
2. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting Section 16(3)(b)(iv) and Section 16(6)(b)(iii)
3. That Zoning By-law 8600 **BE FURTHER AMENDED** by adding the following paragraph after paragraph (30) in Section 7:
- “(30a) **Community Garden**” means a single or common plot of land or land subdivided into individual plots for the growing of fruits, vegetable or flowers collectively by a group of people primarily for non-commercial purposes. [ZNG/4046]”

and adding the following paragraph to Section 21:

“(24) COMMUNITY GARDEN [ZNG/4046]

(a) A Community Garden is a permitted use in any zone.

(b) An accessory building with a maximum gross floor area of 50 sq. m. is permitted and shall have a minimum separation of 0.6 metres from the side and rear lot lines and 6 metres from the front lot line and a maximum building height of 4 metres. Any eaves and gutters shall have a minimum separation of 0.3 metres from the side and rear lot lines.”

4. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting Sections 18(1)(b)(ii), 18(2)(b)(ii), 18(5)(b)(ii), 19(5)(b)(ii) and 19(7)(b)(ii) and replacing it with the following:

“(ii) Minimum Front Yard Depth - 6 metres [ZNG/4046]”

and by deleting Sections 19(1)(b)(i) and 19(2)(b)(i) and replacing it with the following:

“(i) Minimum Front Yard Depth - 6 metres [ZNG/4046]”

and by deleting Section 19(3)(b)(iv) and replacing it with the following:

“(iv) Minimum Front Yard Depth - 6 metres [ZNG/4046]”

and by deleting Section 19(4)(b)(iii) and replacing it with the following:

“(iii) Minimum Front Yard Depth - 6 metres [ZNG/4046]”

5. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting Section 21(2)(a) and replacing it with the following:

“(a) City of Windsor and Public Authorities

(i) A lot or part thereof may be used for any use of the City of Windsor or a Public Authority provided that all buildings and structures shall comply with all regulations of the zoning district in which they are located in, save and except that an elementary school shall comply with the regulations of Section 13(1)(b) – Institutional District 1.1 – and a secondary school shall comply with the regulations of Section 13(2)(b) – Institutional District 1.2. [ZNG/4046]”

6. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting Section 18(3)(a)(vi) and replacing it with the following:

“(vi) For any land zoned MD1.3 and located in an area bound by Wyandotte Street West to the north, Janette Avenue to the east, Tecumseh Road West to the south and McKay Avenue to the west, any industrial use permitted in Section 18(1)(a) shall be an additional permitted use. [ZNG/4046]”

7. That Zoning By-law 8600 **BE FURTHER AMENDED** by deleting Section 20(1)71 and replacing it with the following:

“71. For the lands comprising Part of Lot 1, Registered Plan 61, situated on the south side of

Riverside Drive East, west of George Avenue, the following regulations shall apply:

- (i) Minimum lot area - 5,200 square metres
- (ii) Minimum lot frontage - 27 metres
- (iii) Maximum building height - 10 storeys
- (iv) Maximum lot coverage - 15% of the lot area
(exclusive of balcony projections)
- (v) Minimum building setback - 24 metres from the north
(exclusive of a below grade) lot line; 13.8 metres from
parking garage) the south lot line; 1.8
metres from the east lot line; 1.8 metres from
the west lot line.
- (vi) No parking space, loading space or parking area shall be permitted in a front yard or side yard and a minimum of 75% of the required parking spaces shall be located in a below grade parking garage. [ZDM 6, 10; ZNG/4046]”

8. That administration **BE REQUESTED** to **NOTIFY AND CIRCULATE** future housekeeping amendment items to Windsor Police Services.

Carried.

Livelihood 16899 ZB/11818

Clerk's Note: The administrative report authored by the City Planner dated December 16, 2013 entitled “Housekeeping Amendment 2013-2” is **attached** as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

DEFERRED to the February 24, 2014 Executive Committee of Council
to allow representatives from Windsor Christian Fellowship
to continue to work on an acceptable solution to their access concerns,
as adopted by Council at its meeting held February 3, 2014 [M68-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 200 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:

Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman
Merrill Baker
Barbara Bjarneson

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by B. Bjarneson
THAT Official Plan Amendment No. 94 – East Pelton Secondary Plan: North Portion **BE APPROVED** and Official Plan Vol. 2 Chapter 7 East Pelton **BE AMENDED** by adding OPA 94; and
THAT Administration **BE DIRECTED** to prepare a By-law to implement Official Plan Amendment No. 94.
Carried.

Livelihood 16900 ZO/11817

Clerk's Note: The administrative report authored by the City Planner dated December 6, 2013 entitled "East Pelton Secondary Plan: North Portion OPA No. 94" is **attached** as background information. Also **attached** as additional information is a letter **REQUESTING DEFERRAL** dated January 13, 2014 authored by Chris Pidgeon, GSP Group. Also **attached** as additional information is a letter dated December 19, 2013 authored by Michael Chiu, Consultant Project Manager, McCormick Rankin.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M69-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 201 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman

I. THAT the portion of the 4.87 metre (16.0 feet) wide east-west alley on the east side of Lauzon Road, north of Clairview Avenue, abutting the south lot line of the property known as 262 Lauzon Road, and shown on Drawing No. CC-1650 ***attached*** hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

II. THAT the portion of the 4.87 metre (16.0 feet) wide east-west alley on the east side of Lauzon Road, north of Clairview Avenue, abutting the south lot line of the property known as 262 Lauzon Road, and shown on Drawing No. CC-1650 ***attached*** hereto as Appendix "A", **BE CLOSED AND RETAINED** by the Corporation of the City of Windsor for lot consolidation purposes, subject to easements as noted below;

III. THAT Easements **BE REQUIRED** in favour of:

- Bell Canada
- Enwin Utilities Ltd.

IV. THAT the City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1650, ***attached*** hereto as Appendix "A"

V. THAT the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice

VI. That the City Solicitor **BE REQUESTED** to prepare the necessary by-laws;

VII. 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;

VIII. That the matter **BE COMPLETED** electronically pursuant to By-law Number Carried. 366-2003.

Livelihood 16911 SAA2014

Clerk's Note: The administrative report authored by the City Planner dated December 4, 2013 entitled "*Request to close the portion of the east/west alley situated on the east side of Lauzon Road, north of Clairview Avenue, and abutting the south lot line of the property known as 262 Lauzon Road*" is ***attached*** as background information.

Adopted by Council at its meeting held February 3, 2014 [M70-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 202 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman

THAT the request to close that portion of the 5.5 metre (18.0 feet) wide north/south alley between Giles Boulevard and Erie Street East, between Windsor Avenue and Goyeau Street, and abutting 1140 Goyeau Street; shown on Drawing No. CC-1651 attached hereto as Appendix "A", **BE DENIED**.

Carried.

Livelihood 16910 SAA2014

Clerk's Note: The administrative report authored by the City Planner dated December 13, 2013 entitled "Request to close part of the north/south alley between Giles Boulevard East and Erie Street East, between Windsor Avenue and Goyeau Street, and abutting 1140 Goyeau Street" is **attached** as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M71-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 203 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Councillor Dilkens

IX. THAT the portions of the 4.3 metre (14.0 feet) wide east-west and north-south alleys north of Seminole Street, between Albert Road and Hickory Road, shown as Part 1 on Drawing No. CC-1652 attached hereto as Appendix "A", **BE ASSUMED** for subsequent closure;

X. THAT the portions of the 4.3 metre (14.0 feet) wide east-west and north-south alleys north of Seminole Street, between Albert Road and Hickory Road, shown as Part 1 on Drawing No. CC-1652 attached hereto as Appendix "A", **BE CLOSED** and **CONVEYED** entirely to the owner of the property known as 2690 Seminole Street Road for purpose of lot consolidation, subject to the easements noted below;

XI. THAT Easements **BE REQUIRED** in favour of:

- Bell Canada
- Cogeco Cable Canada LP
- Enwin Utilities Ltd.

XII. THAT Conveyance Cost **BE SET** as follows:

- Abutting properties zoned RD1.3: \$1.00 plus deed preparation and survey cost
- Abutting properties zoned ID1.1: \$3.00 per square foot (\$32.29 per square metre) with no easements, plus deed preparation plus proportionate share of survey or \$1.50 per square foot (\$16.15 per square metre) with easements plus deed preparation and survey cost
- Abutting properties zoned CD1.1: \$5.00 per square foot (\$53.82 per square metre) with no easements, plus deed preparation and proportionate share of survey cost or \$2.50 per square foot (\$26.91 per square metre) with easements plus deed preparation and survey cost

XIII. That The City Planner **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1652, attached hereto as Appendix "A"

XIV. That The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice

XV. That The City Solicitor **BE REQUESTED** to prepare the necessary by-law(s)

XVI. 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

XVII. That the matter **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Livelihood 16909 SAA2014

Clerk's Note: The administrative report authored by the City Planner dated December 19, 2013 entitled "Request to close part of the east/west and north/south alleys north of Seminole Street, between Albert Road and Hickory Road" is **attached** as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

APPROVED by Council Resolution M72-2014
adopted by Council at its meeting held February 3, 2014

/RB
Windsor, Ontario February 3, 2014

REPORT NO. 204 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Payne, seconded by Councillor Dilkens

I THAT the request made by 2313846 Ontario Limited (Central Park Athletics) under the Business Retention and Expansion Grant Program **BE APPROVED** for Phase III (i.e. indoor soccer/sports field) of the development proposed for the property located at 3400 Grand Marais Road East; and

II THAT in carrying out Recommendation I Administration **BE DIRECTED** to interpret the definition of „Tax Increment“ in the Economic Revitalization Community Improvement Plan to mean the difference in municipal tax levy between Phases II and III of the proposed development as described in LiveLink Report #16878; and

III THAT, Administration **BE DIRECTED** to prepare an agreement to implement the Business Retention and Expansion Grant Program in accordance with Recommendations I and II and all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and

IV THAT, the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement; and

V THAT **NO FURTHER ACTION** be taken with respect to LiveLink Report No. 16683, which brings forward a request for rebate of development charges made by King Development Design & Build under the City's Waiver of Fees Policy.

The motion is **put** and is **lost** due to an equality of votes.

Aye votes: Councillor Payne, Councillor Dilkens

Nay votes: Councillor Sleiman, Councillor Marra

Abstain: none

Absent: none

Livelihood 16878 SPL/10759

Clerk's Note: The administrative report authored by the City Planner dated November 21, 2013 entitled “Application by Central Park Athletics Under the Economic Revitalization Community Improvement Plan for 3400 Grand Marais Road East” is **attached** as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M73-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 205 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman
THAT the minutes of the International Relations Committee meeting held September 26, 2013 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the International Relations Committee meeting held September 26, 2013 are attached as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M74-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 206 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman
THAT the minutes of the Windsor Heritage Committee meeting held November 14, 2013
BE RECEIVED for information.
Carried.

Clerk's Note: The minutes of the Windsor Heritage Committee meeting held November 14, 2013 are attached as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M75-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 207 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman
THAT the minutes of the Windsor Business Improvement Association Advisory Committee meeting held October 16, 2013 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the Windsor BIA Advisory Committee meeting held October 16, 2013 are attached as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M76-2014]
/RB

Windsor, Ontario February 3, 2014

REPORT NO. 208 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present: Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

Reference: Report No. 9 of the Windsor Business Improvement Association Advisory
Committee (BIA Capital Works Program Fund)

That the following recommendations of the Planning & Economic Development Standing
Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman
THAT City Council **BE REQUESTED TO CONSIDER** the reinstatement of the annual
contribution of \$100,000 into the BIA Capital Works Program Fund to assist the BIA's in their respective
endeavours.

Carried.

Clerk's Note: Report No. 9 of the Windsor BIA Advisory Committee is attached as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M77-2014]

/RB

Windsor, Ontario February 3, 2014

REPORT NO. 209 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held January 13, 2014

Present:
Councillor Drew Dilkens
Councillor Bill Marra (Chair)
Councillor Hilary Payne
Councillor Ed Sleiman

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Councillor Sleiman

THAT the minutes of the Property Standards Committee meeting held October 28, 2013 **BE RECEIVED** for information; and further

THAT administration **BE REQUIRED TO PROVIDE** training for future committee members of the Property Standards Committee consistent with their duties, roles and responsibilities to ensure that committee recommendations to City Council are within the legislative framework and authority of that committee and its mandate.

Carried.

Clerk's Note: The minutes of the Property Standards Committee meeting held October 28, 2013 are attached as background information.

CHAIRPERSON

COUNCIL SECRETARIAT

Adopted by Council at its meeting held February 3, 2014 [M78-2014]

/SV

Windsor, Ontario February 3, 2014

REPORT NO. 157 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

Mayor E. Francis (Chair)
Councillor D. Dilkens
Councillor J. Gignac
Councillor A. Halberstadt
Councillor I. Kusmierczyk
Councillor R. Jones
Councillor A. Maghnieh
Councillor B. Marra
Councillor H. Payne
Councillor E. Sleiman
Councillor F. Valentinis

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

THAT City Council **APPROVE** an exemption from the Purchasing By-law pursuant to sections 11(c) and 12; and

THAT City Council **APPROVE** the Contract for Services from Knowsport Consultancy Limited (“Knowsport”) for the direction of provincial, national and international competitive swimming operations for the following charges, given that it is necessary and in the public interest to exempt this transaction from the application of the Purchasing By-law so as to best mitigate risks associated with the hosting of significant aquatic events:

2014 Calendar Year: \$70,000

2015 Calendar Year: \$70,000

2016 Calendar Year: \$145,000 (full year in Windsor); and

THAT the Chief Administrative Officer and City Clerk **PROCEED** with co-signing the Contract for Services with Knowsport, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Mayor’s Office.

Carried.

Councillor Halberstadt voting nay.

Livelihood #16973, SR/11026

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 3, 2014 [M83-2014]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
February 3, 2014**

Meeting called to order at: 5:15 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis (arrives at 5:16
p.m.)
Councillor B. Marra (arrives at 5:17
p.m.)
Councillor J. Gignac
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman
Councillor I. Kusmierczyk

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Sonego, City Engineer and Corporate Leader Environmental Protection and
Transportation
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
O. Colucci, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology
S. Askin-Hager, City Solicitor
C. Glassford, Legal Counsel (Item 2)

**Verbal Motion is presented by Councillor Jones, seconded by Councillor Dilkens,
to move in Camera for discussion of the following item(s):**

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – sale of land	239(2)(c)
2.	Property/legal matter - contract breach	239(2)(e)(f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1 and 2)

Verbal Motion is presented by Councillor Jones, seconded by Councillor Dilkens, to move back into public session.

Motion Carried.

Moved by Councillor Dilkens, seconded by Councillor Jones, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 3, 2014 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Manager of Real Estate Services, City Solicitor and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED.**
2. That the recommendation contained in the in-camera report from Senior Legal Counsel, Manager of Real Estate Services, City Solicitor and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property/legal matter – contract breach **BE APPROVED.**

Motion Carried.

Moved by Councillor Jones, seconded by Councillor Marra, That the special meeting of council held February 3, 2014 BE ADJOURNED. (Time: 5:25 p.m.)

Motion Carried.

Adopted by Council at its meeting held February 3, 2014 [M84-2014]
VC/bm
Windsor, Ontario, February 3, 2014

REPORT OF THE STRIKING COMMITTEE
of its meeting held
February 3, 2014

PRESENT: Mayor E. Francis
Councillor J. Gignac
Councillor R. Jones
Councillor F. Valentinis
Councillor E. Sleiman
Councillor A. Halberstadt
Councillor B. Marra
Councillor D. Dilkens
Councillor H. Payne
Councillor I. Kusmierczyk

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Sonogo, City Engineer and Corporate Leader Environmental Protection and
Transportation
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
O. Colucci, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendations:

- (1) That Councillor A. Maghnieh **BE APPOINTED** to the *Social Development Standing Committee* to replace former Councillor Hatfield for the term expiring November 30, 2014.

CHAIR

CITY CLERK

Adopted by Council at its meeting held February 3, 2014 [M85-2014]

KK/

Windsor, Ontario, January 23, 2014

REPORT NO. 37
of the
INTERNATIONAL RELATIONS COMMITTEE
of its electronic poll held on January 22, 2014

Approval of the e-mail poll as of 5:00 o'clock p.m., January 23, 2014:

Councillor D. Dilkens, Chairperson

Councillor R. Jones

F. Simpson

B. Roberts

J. Barycki

Your Committee submits the following recommendation:

That Mayor E. Francis **BE AUTHORIZED** to send a letter of invitation to Mayor Jiang of Changchun, China to visit the City of Windsor from March 3-5, 2014 for the purpose of planning an exhibition to commemorate the Last Emperor of China to be held in the Fall of 2014, with the following delegations consisting of:

1. Jin Rong, male, Division Chief of Changchun Sports Bureau, DOB: August 17, 1966
2. Li Wei, male, Division Chief of Changchun Foreign Affairs Office, DOB: May 24, 1963
3. Geng Hailong(Andrew), male, Interpreter of Changchun Foreign Affairs Office, DOB: August 23, 1980

and further, that an expenditure in the upset amount of \$3,500 **BE APPROVED** for this initiative, and that this matter circumvent the Planning and Economic Development Standing Committee and proceed directly to City Council.

CHAIRPERSON

SECRETARY