

**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 Patterson from Paulin Memorial Presbyterian Church, offers the Opening Prayer.

**Disclosures of Pecuniary Interest and the General Nature Thereof**

Councillor Dilkens discloses an interest and abstains from voting on Item No. 9, being the report of the City Engineer entitled "Review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Roads", as his employer has an attorney speaking to the item.

**Minutes**

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,  
That the Minutes of the regular meeting of Council held July 7, 2014, **BE ADOPTED**  
as presented.  
Carried.

**Notice of Proclamations**

Hepatitis Awareness Week – July 21-28, 2014

Emancipation Day – August 1, 2014

Lesbian, Gay, Bisexual, Transgendered and Two-Spirited Pride Celebration – August 5-10, 2014

Flag Raising: Lesbian, Gay, Bisexual, Transgendered and Two-Spirited Pride –  
Celebration on August 5, 2014

**Committee of the Whole**

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
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
  - (g) consideration of by-laws 119-2014 through 133-2014 (inclusive).
- Carried.

**Communications**

Moved by Councillor Payne, seconded by Councillor Sleiman,  
**M296-2014** That the following Communication Items 1 to 8, 10, 11, 13 and 14 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 9 and No. 12 which are dealt with as follows:

**Communication No. 9:**

Moved by Councillor Payne, seconded by Councillor Sleiman,  
**M297-2014** That the letter from Society of St. Vincent de Paul - Divine Mercy Special Works Conference regarding the request to utilize city-owned property for a food bank **BE DEFERRED** to a future meeting of Council to allow for the author to be in attendance.  
 Carried.

**APM2014**

**Communication No. 12:**

Moved by Councillor Dilkens, seconded by Councillor Jones,  
**M298-2014** That the report of the City Solicitor dated May 23, 2013 regarding the response to CQ12-2014 – how to pass a by-law to create a no panhandling area in the downtown core **BE REFERRED** back to Administration for further information on the development of a no panhandling By-law including research on time of day restrictions, and including restrictions to others areas of the City; and further,  
 That the By-law **INCLUDE** the following clauses prohibiting “obstructive” panhandling:
 

- Sitting or lying in the street in a manner that obstructs or impedes the convenient passage of pedestrian traffic, in the course of solicitation;
- Soliciting within ten meters of an entrance to a bank, credit union, or trust company or automated teller machine.

 Carried.

**AB2014**

Item	From	Description
1	Ministry of the Environment	Environmental Compliance Approval – Application for approval of sanitary and storm sewers to be constructed in the City of Windsor on Norman Road, Edsel Court and Elyria Court.  <b>Note &amp; File SW/11936</b>

2	Ontario Municipal Board (OMB)	Decision/Order of the Board regarding the appeal of Henri & Blanche Ouimet, under the <i>Planning Act, R.S.O. 1990</i> for a minor variance for lands known as 2559 Gem Avenue.  <b>City Planner Chief Building Official City Solicitor Development Applications Clerk Note &amp; File ZC2014</b>
3	State of Michigan Department of Environmental Quality	Correspondence regarding a Permit to Install application No. 189-13 re: proposed bulk storage and handling of petroleum coke at 530 East Great Lakes Street, River Rouge, Michigan.  <b>City Engineer Note &amp; File EI2014</b>
4	State of Michigan Department of Environmental Quality	Correspondence regarding the denial of Permit to Install application No. 189-13 proposing the bulk storage and handling of petroleum coke in River Rouge, Michigan.  <b>City Engineer Note &amp; File EI2014</b>
5	Chief Administrative Officer (CAO)	Support for the 4 <sup>th</sup> Annual United Way “Pack for Success” Campaign.  <b>Note &amp; File APR2014</b>
6	Manager of Urban Design	Application of Progetto Inc. for Site Plan Approval to permit a major commercial centre with business office located at 180 Eugenie Street West.  <b>Note &amp; File ZS/11945</b>
7	Manager of Urban Design	Application of Winvalco Ltd. for Site Plan Approval to permit a parking area located at 220 Eugenie Street East.  <b>Note &amp; File ZS/11946</b>
8	Manager of Urban Design	Application of Rock Developments for Site Plan Approval to permit an addition to the facility for new retail space located at 655 Sydney.  <b>Note &amp; File ZS/11953</b>
9	Society of St. Vincent de Paul - Divine Mercy Special Works Conference	Request to utilize city-owned property for a food bank. <b>Community Development &amp; Health Commissioner Executive Director of Parks &amp; Facilities City Solicitor COUNCIL DIRECTION REQUESTED APM2014</b>
10	City Treasurer	Status Report – Compliance with Applicable Laws and Regulations, 2 <sup>nd</sup> Quarter 2014.  <b>Note &amp; File AF/11247</b>
11	City Treasurer	Development Charges (DC) Background Study Accelerated Timelines.  <b>Note &amp; File GPL/3905</b>

12	City Solicitor	Response to CQ12-2014 – how to pass a by-law to create a no panhandling area in the downtown core. <b>Note &amp; File AB2014</b>
13	Community Development & Health Commissioner	Follow up to Communication Item (M192-2014) Outline of Care Meter Pilot by Downtown Windsor Business Improvement Association. <b>Note &amp; File MI/9444</b>
14	City Engineer	Ellrose Avenue – Wyandotte Street East to CN Tracks Sewer Relining Rehabilitation – Tender 75-14. <b>Note &amp; File SW/11954</b>

Carried.

### Consent Agenda

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

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

- Item 1 Extension of the Loan of carved Tecumseh Sculpture to the Town of Tecumseh to September 10, 2015
- Item 2 2014 Request from the Windsor Utilities Commission (WUC) for a Contribution to their Water Rate Assistance Program (WRAP)
- Item 3 Community heritage Fund Mortgage Receivable for Mount Zion Church of God in Christ, 795 McDougall Street
- Item 4 2014 Ontario Summer Games – Project Charter
- Item 5 LED Conversion Agreement with the EnWin Group of Companies
- Item 8 The Corporation of the City of Windsor 2013 Consolidated Financial Statements

### Consent Committee Reports

<i>Environment, Transportation &amp; Public Safety Standing Committee</i>		
No.		Description
1	Report No. 215	MappMyCity Presentation
2	Report No. 216	Report No. 56 of the Windsor Bicycling Committee
3	Report No. 217	Minutes of the Windsor Bicycling Committee meeting held April 16, 2014
4	Report No. 218	Minutes of the Windsor Licensing Commission meeting held May 28, 2014
5	Report No. 219	M96-2014 Highland Avenue and Logan Avenue All-Way Stop Petition

<i>Planning and Economic Development Standing Committee</i>		
No.		Description
1	Report No. 231	Rezoning – 3101 & 3143 Walker Road

Carried.

**Deferrals and/or Referrals and Withdrawals****Communication No. 9 -Teresa Lori, President, Society of St. Vincent de Paul**

Teresa Lori, President, Society of St. Vincent de Paul, requesting deferral of this matter as she is unable to attend.

(For final disposition of this matter, see Clause **M297-2014** in Schedule "A" attached hereto.)

**Presentations & Delegations:****PRESENTATIONS:**

None presented.

**DELEGATIONS****Support and Location of Tecumseh/Brock Monument in Paterson Park****John Muir, President, Friends of Sandwich Library**

John Muir, President, Friends of Sandwich Library, appears before Council to speak in support of the location of Tecumseh/Brock Monument in Paterson Park indicating the renovations to the library have contributed to the ongoing revitalization of Sandwich Towne and concludes by suggesting that the monument stands as a tribute and major tourist attraction as this type of sculpture can't be found anywhere in the world.

**David Hanna, Resident**

David Hanna, Resident, appears before Council to speak in support of the location of Tecumseh/Brock Monument in Paterson Park citing its important heritage value to the area and concludes by suggest that an increase in tourism and historical awareness may result due to the location.

**SR/11948 6**

(For final disposition of this matter, see Clause **CR186/2014** in Schedule "A" attached hereto.)

**Skunk Control Program Update****Michael Howie, Spokesperson, Association for the Protection of Fur Bearing Animals**

Michael Howie, Spokesperson, Association for the Protection of Fur Bearing Animals, appears before Council in support of discontinuing the skunk trapping program, commending Council on their decision regarding hard sided garbage containers and concludes by suggesting that more information should be available regarding the type of poison used in the rat baiting program and the negative environmental impacts it might have.

**Melanie Coulter, Executive Director, Windsor-Essex County Humane Society**

Melanie Coulter, Executive Director, Windsor-Essex County Humane Society, appears before Council in support of discontinuing the skunk trapping program and concludes by suggesting that continuing educational programs and the implementation of the hard sided garbage container program in addition to natural factors will contribute to the long-term reduction of the nuisance wildlife population.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,  
**M299-2014** That in accordance with Rule 10.9 of the Procedure By-law with respect to deadline for registering as a delegation, that Mike Mastromattei, resident, **BE ALLOWED** to be heard regarding the report of the City Engineer (Skunk Control Program Update)  
Carried.

**Mike Mastromattei, Resident**

Mike Mastromattei, Resident, appears before Council and provides comment regarding the Skunk Control Program Update and concludes by suggesting that more detailed statistics be provided as to the type of animals caught in the traps and the number of residences in the City.

**MHS/9496 7**

(For final disposition of this matter, see Clause **CR187/2014** in Schedule "A" attached hereto.)

**Review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Roads**

**David Sundin, Solicitor**

David Sundin, Solicitor, and Tony Greco, Resident appear before Council and provides comment regarding the review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Road report, stating that the changes are equitable and concludes by suggesting that the policy be retroactive to June 1, 2013 so that his client can be afforded the opportunity to take advantage of the program.

**Jozef Kawala, Resident**

Jozef Kawala, Resident, appears before Council and expresses concern regarding the review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Road report and concludes by suggesting that contributing factors such as inadequate road repairs may have contributed to sewer system failures.

**Greg Schweitzer, Resident**

Greg Schweitzer, Resident, appears before Council and expresses concern regarding the review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Road report and concludes by suggesting that the City pay for the complete sewer replacements instead of the residents having to pay a portion.

**Kathy Dupuis, Resident**

Kathy Dupuis, Resident, appears before Council and expresses concern regarding the review of Costs for Replacing Sanitary Private Drain Connections for Deep Sewers or on Arterials & Collector Road report and concludes by suggesting that her issues with the sewers stem from City trees and she is opposed to paying for repairs on City property.

Mayor Francis leaves the meeting at 7:30 o'clock p.m. and Councillor Valentinis assumes the chair.

Mayor Francis returns to the meeting at 7:44 o'clock p.m. and Councillor Valentinis returns to his seat at the Council table.

**SW2014 9**

(For final disposition of this matter, see Clause **CR189/2014** in Schedule "A" attached hereto.)

**Bylaws 129-2014, 130-2014 and 131-2014**

**Donevan, Resident**

Donevan, Resident, appears before Council expressing his concern regarding Bylaws 129-2014, 130-2014, and 131-2014 with respect to the closure of the portion of Sunset Avenue right-of-way from Wyandotte Street West to the south limit of Fanchette Street right-of-way and concludes by suggesting that the closure will have a negative impact on accessible parking and drop off areas close to the University of Windsor for patrons with mobility issues.

**SAS2014**

(For final disposition of this matter, see By-law Section.)

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

Item 10            358 Ouellette Avenue o/a/ La Casa Del Habano – New Mini Cafe

**Consideration of Committee Reports**

**M300-2014**        Moved by Councillor Jones, seconded by Councillor Kusmierczyk,  
as presented.     That the **Report of the special In-camera** meeting held July 21, 2014, **BE ADOPTED**  
Carried.

**ACO2014**

**By-laws**

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
That the following By-laws No. 119-2014 through 133-2014 (inclusive), be introduced and read a first and second time, with By-law No. 128-2014 as corrected to reflect the proper address of the subject property:

119-2014        "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 January 23, 2012

- 120-2014 “A BY-LAW TO ADOPT OPTIONAL TOOLS FOR THE PURPOSES OF ADMINISTERING LIMITS FOR ELIGIBLE PROPERTIES WITHIN THE MEANING OF SECTION 331 (NEW CONSTRUCTION) FOR THE COMMERCIAL, INDUSTRIAL AND MULTI-RESIDENTIAL PROPERTY CLASSES”, authorized by CR166/2014, adopted June 30, 2014
- 121-2014 “A BY-LAW TO PROVIDE FOR THE IMPOSITION OF SPECIAL CHARGES UPON PRESCRIBED BUSINESS PROPERTY CLASSES OF RATEABLE PROPERTY WITHIN IMPROVEMENT AREAS FOR THE YEAR 2014”, authorized by CR166/2014, adopted June 30, 2014
- 122-2014 “A BY-LAW TO SET TAX RATE REDUCTIONS FOR PRESCRIBED PROPERTY SUBCLASSES FOR THE YEAR 2014”, authorized by CR166/2014, adopted June 30, 2014
- 123-2014 “A BY-LAW TO ESTABLISH TAX RATIOS FOR PRESCRIBED PROPERTY CLASSES”, authorized by CR166/2014, adopted June 30, 2014
- 124-2014 “A BY-LAW TO FIX THE TAX RATES AND TO PROVIDE FOR THE LEVY AND COLLECTION OF MUNICIPAL TAXES FOR THIS YEAR”, authorized by CR166/2014, adopted June 30, 2014
- 125-2014 “A BY-LAW TO ESTABLISH DECREASE LIMITS FOR CERTAIN PROPERTY CLASSES”, authorized by CR166/2014, adopted June 30, 2014
- 126-2014 “A BY-LAW TO ADOPT OPTIONAL TOOLS FOR THE PURPOSES OF ADMINISTERING LIMITS FOR THE COMMERCIAL, INDUSTRIAL AND MULTI-RESIDENTIAL PROPERTY CLASSES”, authorized by CR166/2014, adopted June 30, 2014
- 127-2014 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 12M-591 IN THE CITY OF WINDSOR”, authorized by By-Law 139-2013, adopted August 23, 2013
- 128-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “CITY OF WINDSOR ZONING BY-LAW””, (See Planning & Economic Development Standing Committee Report No. 231)
- 129-2014 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE PORTION OF FANCHETTE STREET RIGHT-OF-WAY FROM SUNSET AVENUE TO CALIFORNIA AVENUE, CITY OF WINDSOR”, authorized by M201-2014, adopted May 5, 2014
- 130-2014 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE PORTION OF SUNSET AVENUE RIGHT-OF-WAY FROM WYANDOTTE STREET WEST TO THE SOUTH LIMIT OF FANCHETTE STREET RIGHT-OF-WAY, CITY OF WINDSOR”, authorized by M201-2014, adopted May 5, 2014
- 131-2014 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE PORTION OF SUNSET AVENUE RIGHT-OF-WAY FROM THE SOUTH LIMIT OF FANCHETTE STREET RIGHT-OF-WAY NORTHERLY TO A DISTANCE OF ABOUT 115.9M (380.25FT), CITY OF WINDSOR”. authorized by M201-2014, adopted May 5, 2014



132-2014 “A BY-LAW TO AMEND BY-LAW NUMBER 80-1013, BEING A BY-LAW TO ESTABLISH POSITIONS OF SCREENING OFFICER FOR THE PURPOSE OF PARKING BY-LAW 9023”, authorized by CR141-2014, adopted June 9, 2014

133-2014 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTY-FIRST DAY OF JULY, 2014”

Carried.

Moved by Councillor Payne, seconded by Councillor Sleiman,  
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 amended)**

Carried.

### **Notices of Motion**

Councillor Halberstadt gives notice that he intends to introduce a notice of motion for Council’s consideration at the August 25, 2014 meeting of Council regarding rehabilitation of the 900 Block of Louis Avenue next to St. Angela Church be included in the City’s 1-5 year Capital Budget 2014-2019.

### **Third Reading of By-laws**

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
That the following By-laws No. 119-2014 through 133-2014 (inclusive), having been read a first and second time, be now read a third time and finally passed with By-law No. 128-2014 as corrected to reflect the proper address of the subject property, 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 Jones, seconded by Councillor Kusmierczyk,  
**M301-2014** That the following Council Question by Councillor Payne **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:

CQ19-2014 Asks for a report on the feasibility of installing outdoor exercise equipment on trails similar to such equipment in Toronto, Halifax and six other Canadian municipalities.

SR2014

Carried.

**Adjournment**

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 8:00 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**SUPERVISOR OF COUNCIL SERVICES(A)**

Valentinis  
Dilkens

CR181/2014

That the loan of the carved Tecumseh Sculpture to the Town of Tecumseh **BE EXTENDED** through to September 10, 2015.

Carried.

Report Number **17264 APM/9754 C1**

Valentinis  
Dilkens

CR182/2014

THAT Council **APPROVE** a contribution of \$37,500 from the sewer surcharge reserve fund to the Windsor Utilities Commission's Water Rate Assistance Program (WRAP).

Carried.

Report Number **17288 MU2014 C2**

Valentinis  
Dilkens

CR183/2014

That City Council **APPROVE** amendments to mortgage CE468199 with the Trustees for the Canadian Church of God in Christ as follows:

That repayment of the outstanding mortgage in the amount of \$22,640.76 be completed as funds become available to the Church but no later than June 2021 (the original mortgage expiry date); and

That the interest rate in the mortgage be reduced from 3.34% to zero; and

That the Church provide the City with a current insurance certificate indicating that the City has been added to the Church's insurance policy as the mortgage holder, and that the City will be notified 30 days in advance of any cancellation of the insurance policy; and

That this mortgage transaction **BE COMPLETED** electronically pursuant to By-Law 366-2003; and

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete this transaction, as required; and

That the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a mortgage transaction; and

That City Council **AUTHORIZE** the write-off of added charges to the account of Mount Zion Church of God in Christ in the amount of \$267.51.

Carried.

Report Number **17286 MBA/7874 C3**

Valentinis  
Dilkens

CR184/2014

That the Project Charter for the 2014 Ontario Summer Games, attached as Appendix “A”

**BE APPROVED.**

Carried.

Report Number **17287 SR/11775 C4**

Appendices

Project Charter

Valentinis  
Dilkens

CR185/2014

I. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute an agreement with Windsor Canada Utilities Ltd. or a subsidiary thereof (“EnWin Group of Companies” or “EnWin”) to provide project management services for the Citywide LED Street Light Conversion project (the “Project”), including but not limited to, retaining the necessary consultant to assist in technical aspects of the procurement process and associated work, subject to approval by the City Engineer as to technical content, the City Treasurer as to financial content, and the City Solicitor as to legal content, including the following conditions:

- 1) EnWin will provide all project management services, including retaining of any necessary consulting services, preparation, issuance, evaluation and review of all associated procurement and prequalification processes, contract administration of all stages of the project including inspection and certification of the Project, satisfactory to the City of Windsor, for a total amount no greater than \$400,000, net of non-recoverable HST and inclusive of all services to be provided by EnWin or any consultant engaged by EnWin, and inclusive of all disbursements of any kind;
- 2) EnWin will work in conjunction with City administration, through the Project’s Executive Committee. All Project work is to be within the established budget of \$14.25 million, which includes the EnWin project management fee outlined in (1), above.
- 3) Procurement processes shall be conducted by EnWin in accordance with the City’s Purchasing Bylaw and the procurement recommendations shall be subject to the City’s approval (as per Council Resolution 241/2013).

II. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute any other document or agreement necessary or reasonably required to bring effect to these resolutions and complete the Project, satisfactory in legal content to the City Solicitor, financial content to the City Treasurer and technical content to the City Engineer.

Carried.

Report Number **17262 SW/10870 C5**

Internal Distribution

Public Works [Mario Sonogo]

Chief Financial Officer and City Treasurer

City Solicitor

Purchasing Supervisor, Elaine Castellan

Jones  
Dilkens

**CR186/2014 RESCINDED BY CR275/2014 ADOPTED NOVEMBER 17, 2014**

CR186/2014

That the report from the Manager of Cultural Affairs and the Manager of Parks Development on the support for and location of the Tecumseh/Brock Monument in Paterson Park **BE RECEIVED**; and further

That the offer of a Tecumseh/Brock Monument donated by the WindsorEssex Community Foundation **BE ACCEPTED**; and further

That **APPROVAL** be given to use \$48,000 from the Partnership Project fund (ID#7129015) for the construction of foundation and pathways to the sculpture; and further,

That **AUTHORIZATION** be given to the City Solicitor or designate to develop an Agreement between the Corporation of the City of Windsor and the WindsorEssex Community Foundation to include: scope of work, creation of the sculpture, installation of the sculpture in Paterson Park, each partner's obligations and responsibilities, the transference of ownership of the sculpture and other rights to the City of Windsor and the development of a maintenance Trust Fund to be utilized for future maintenance and repairs; and further

That the CAO and City Clerk **BE AUTHORIZED** to sign the Agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Executive Director of Recreation and Culture and the Executive Director of Parks and Facilities.

Carried.

Report Number **17053 SR/11948 6**

Internal Distribution

Recreation and Culture [Cathy Masterson]  
Executive Director of Recreation and Culture  
Executive Director of Parks and Facilities  
Manager, Parks Development, Mike Clement  
Community Development and Health Commissioner  
Chief Financial Officer and City Treasurer  
City Solicitor

Halberstadt  
Valentinis

CR187/2014

- I) That Administration **BE DIRECTED** to cease the trapping portion of the skunk program effective August 4, 2014; and further,
- II) That Administration **BE DIRECTED** to continue the rat baiting program and education portion only of the skunk program until March 31, 2015; and further,
- III) That Administration **BE DIRECTED** to report back during budget deliberations on the rodent program for Council decision on future program funding.

Carried.

Report Number **17207 MHS/9496 7**

Internal Distribution

Public Works [Anne Marie Albidone]

City Engineer

Executive Director of Operations(A)

Valentinis

Dilkens

CR188/2014

That City Council **APPROVE** The Corporation of the City of Windsor Audited Consolidated Financial Statements, including the City of Windsor Trust Fund Statements, for the year ended December 31, 2013; and

That City Council **RECEIVE AND ACCEPT** the Audit Findings Report of KPMG for the year ended December 31, 2013.

Carried.

Report Number **17270 AF/11247 C8**Internal Distribution

Finance [Dan Seguin]

Finance [Bev Panecaldo]

Chief Financial Officer and City Treasurer

Deputy Treasurer, Financial Accounting, Joe Mancina

Marra

Gignac

CR189/2014

- I) That the Schedule of Fees for replacement of sanitary sewer private drain connections and Bylaw 4921, **BE AMENDED** to reflect that the replacement of private drain connections will be subsidized at 50% (in lieu of the normal subsidy of up to \$2,000) of the cost of replacement under the following conditions:
- 1) The road is a collector or arterial road, **or** The municipal sewer is equal to or greater than 18 feet deep measured at the nearest manhole,  
**and**
  - 2) The drain connection cannot be opened by eeling or has been serviced 3 times within a 2-year period or deemed not eligible for service by the City of Windsor, **and**
  - 3) The subsidy is only for residential properties having a maximum of two (2) units (single family home, duplex or semi-detached dwellings only), **and**
  - 4) The applicant must confirm that the property is their principal residence, **and**
  - 5) That this new policy be retro-active to June 1, 2013 for any properties that applied for subsidy and replaced their sanitary drain connection.
- II) That Those applicants that do not meet the noted criteria for 50% subsidy, still **BE ELIGIBLE** to apply for the normal subsidy of up to \$2,000 subject to meeting the existing criteria.
- III) That the definition of “private sewer connection” in Schedule “A” of Bylaw 4921 **BE AMENDED** to: “is that part of a private sewer system which connects and includes the following, the tee or tap into the municipal sewer . . . . .”

Carried.

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

Report Number 17279 SW2014 9

Valentinis  
Marra

CR190/2014

That the application by La Casa Del Habano for permission to erect a Mini Cafe at 358 Ouellette Avenue, as shown on the attached Drawing C-3252, **BE APPROVED**; and further, that Administration **AMEND** the Corporation's rules (Sidewalk Cafe Handbook) regarding sidewalk cafes to provide that applications for sidewalk cafes that are not an extension of a business whose primary service is of food and/or beverages be approved by City Council on a case by case basis.

Carried.  
Councillor Payne voting nay.

Report Number 17271 SE2014 10

Appendices  
Drawing C-3252

### STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M302-2014** That **Report No. 215 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held June 25, 2014 regarding "MappMyCity Presentation" **BE ADOPTED** as presented.

Carried.

APR2014 MB2014

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M303-2014** That **Report No. 216 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held June 25, 2014 regarding "Report No. 56 of the Windsor Bicycling Committee" **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M304-2014** That **Report No. 217 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held June 25, 2014 regarding "Minutes of the Windsor Bicycling Committee meeting held April 16, 2014" **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M305-2014** That **Report No. 218 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held June 25, 2014 regarding "Minutes of the Windsor Licensing Commission meeting held May 28, 2014" **BE ADOPTED** as presented.

Carried.

MB2014

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

**M306-2014** That **Report No. 219 of the Environment, Transportation & Public Safety Standing Committee** of its meeting held June 25, 2014 regarding "M96-2014 Highland Avenue and Logan Avenue All-Way Stop Petition" **BE ADOPTED** as presented.

Carried.

Report Number **17235 ACO/11248**

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

**M307-2014** That **Report No. 231 of the Planning & Economic Development Standing Committee** of its meeting held June 16, 2014 regarding "Rezoning -3101 & 3143 Walker Road" **BE ADOPTED** as presented.

Carried.

Report Number **17198 ZB/11895**



Adopted by Council at its meeting held July 21, 2014 [M302-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 215** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held June 25, 2014

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**Present:**  
**Councillor J. Gignac**  
**Councillor R. Jones**  
**Councillor F. Valentinis, Chair**  
**Councillor A. Halberstadt**  
**Councillor H. Payne**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Gignac,

**THAT** the presentation provided by the Manager of Geomatics and the Executive Director of Parks & Facilities regarding the New MappMyCity application **BE RECEIVED** for information; and

**THAT** administration **BE REQUESTED** to provide a similar presentation at a future meeting of Council.

Carried

Clerk's Note: The presentation by the Manager of Geomatics is *attached* as background information.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 21, 2014 [M303-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 216** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held June 25, 2014

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**Present:**

- Councillor J. Gignac**
- Councillor R. Jones**
- Councillor F. Valentinis, Chair**
- Councillor A. Halberstadt**
- Councillor H. Payne**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Halberstadt, seconded by Councillor Payne,

**THAT** in principle, and in keeping with its mandate, the WBC is in favour of dedicated bike lanes on both sides of the road, as opposed to a multi-use trail on one side of the road only. We further recommend that a physical separation (through bollards, bumpers or other means) between the bike lanes and the rest of traffic be put in place.

Carried

Clerk's Note: The Report No. 56 of the Windsor Bicycling Committee is *attached* as background information.

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**CHAIRPERSON**

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**SUPERVISOR OF COUNCIL SERVICES**

Adopted by Council at its meeting held July 21, 2014 [M304-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 217** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held June 25, 2014

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**Present:**

- Councillor J. Gignac**
- Councillor R. Jones**
- Councillor F. Valentinis, Chair**
- Councillor A. Halberstadt**
- Councillor H. Payne**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Halberstadt,

**THAT** the minutes of the Windsor Bicycling Committee meeting held April 16, 2014 **BE RECEIVED** for information.

Carried

Clerk's Note: The minutes of the Windsor Bicycling Committee meeting held April 16, 2014 are *attached* as background information.

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**CHAIRPERSON**

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**SUPERVISOR OF COUNCIL SERVICES**

Adopted by Council at its meeting held July 21, 2014 [M305-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 218** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held June 25, 2014

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**Present:**

**Councillor J. Gignac**  
**Councillor R. Jones**  
**Councillor F. Valentinis, Chair**  
**Councillor A. Halberstadt**  
**Councillor H. Payne**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Gignac, seconded by Councillor Jones,

**THAT** the minutes of the Windsor Licensing Commission meeting held May 28, 2014 **BE RECEIVED** for information.

Carried.

Clerk's Note: The minutes of the Windsor Licensing Commission meeting held May 28, 2014 are *attached* as background information.

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**CHAIRPERSON**

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**SUPERVISOR OF COUNCIL SERVICES**

Adopted by Council at its meeting held July 21, 2014 [M306-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 219** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held June 25, 2014

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**Present:**

- Councillor J. Gignac**
- Councillor R. Jones**
- Councillor F. Valentinis, Chair**
- Councillor A. Halberstadt**
- Councillor H. Payne**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Halberstadt, seconded by Councillor Jones,

**THAT** the report of the City Engineer entitled “M96-2014 Highland Avenue and Logan Avenue All-Way Stop Petition” dated June 6, 2014 **BE DEFERRED** to a future meeting of the Environment and Transportation Standing Committee to allow administration to evaluate the speeding and the cut-through traffic concerns raised by an area resident, once schools are back in session.

Carried.

Clerk’s Note: The report of the City Engineer dated June 6, 2014 entitled “M96-2014 Highland Avenue and Logan Avenue All-Way Stop Petition” is *attached* as background information.

**Livelihood 17235 ACO/11248**

\_\_\_\_\_  
**CHAIRPERSON**

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**SUPERVISOR OF COUNCIL SERVICES**

Adopted by Council at its meeting held July 21, 2014 [M307-2014]

/AC

Windsor, Ontario July 21, 2014

**REPORT NO. 231** of the  
**PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE**  
of its meeting held June 16, 2014

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**Present:** Councillor Irek Kusmierczyk  
Councillor Hilary Payne (Acting Chair)  
Councillor Ed Sleiman  
Merrill Baker  
Barbara Bjarneson

**Regrets:** Councillor Drew Dilkens  
Councillor Bill Marra

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

Moved by Councillor Sleiman, seconded by B. Bjarneson

1. **THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property located south of the E. C. Row Expressway, on the west side of Walker Road, described as Lots 818 to 820, Pt. Lots 821 to 823, Part of Block "AC" & Pt closed Alley on Plan 1126, designated as Parts 1, 2, 3, 4, 5 & 8, Plan 12R-10804 and Pt. closed Alley on Registered Plan 1126, designated as Part 2 on Reference Plan 12R-18422, by adding a site specific provision to allow "a motor vehicle dealership limited to the sale, lease or rental of motorcycles and the sale, lease or rental of up to two automobiles" as additional permitted use, subject to the following additional regulations:
  - (i) The display of motorcycles shall occur entirely within a building; and
  - (ii) The display of up to two automobiles for sale, lease or rental shall occur within two parking spaces designated and reserved within a paved on-site parking lot.
2. **THAT** the possibility of improving the fencing **BE INVESTIGATED**.  
Carried.

*Clerk's Note:* The administrative report authored by the City Planner dated May 28, 2014 entitled "Rezoning – 3101 & 3143 Walker Rd." is **attached** as background information.

Livelihood #17198 ZB/11895

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CHAIRPERSON

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SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 21, 2014 [M300-2014]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA**  
**July 21, 2014**

**Meeting called to order at: 5:30 p.m.**

**Members in Attendance:**

Mayor E. Francis  
Councillor D. Dilkens  
Councillor R. Jones  
Councillor F. Valentinis  
Councillor J. Gignac  
Councillor A. Maghnieh  
Councillor H. Payne  
Councillor E. Sleiman  
Councillor I.  
Kusmierczyk

**Members Absent:**

Councillor A.  
Halberstadt  
Councillor B. Marra

**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  
S. Askin-Hager, City Solicitor  
P. Brode, Senior Legal Counsel (Item 2)

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended

1.	Property matter – land exchange	239(2)(c)
2.	Property matter – expropriation settlement	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 Maghnieh, seconded by Councillor Dilkens,  
to move back into public session.**

**Motion Carried.**

**Moved by Councillor Valentinis, 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 July 21, 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, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – land exchange **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Senior Legal Counsel, City Solicitor, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – expropriation settlement **BE APPROVED.**

**Motion Carried.**

**Moved by Councillor Jones, seconded by Councillor Gignac,  
That the special meeting of council held July 21, 2014 BE ADJOURNED.  
(Time: 5:31 p.m.)**

**Motion Carried.**