

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, Pastor Lanny Meier from Open Arms Community Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Marra discloses an interest and abstains from voting on Item No. 6, being the report of the City Engineer entitled "Priority Road Work Using Balance of 2013 Road Rehabilitation Funds", as he resides in one of the affected areas.

Councillor Payne discloses an interest and abstains from voting on Report No. 343 of the Windsor Heritage Committee, being a request for demolition of Heritage-Listed Property City Hall, 350 City Hall Square West, due to his involvement in the BUHDAG Application to quash certain by-laws.

Minutes

Moved by Councillor Halberstadt, seconded by Councillor Jones,
That the Minutes of the regular meeting of Council held June 30, 2014, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

None presented.

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
 - (g) consideration of by-laws 116-2014 through 118-2014 (inclusive).
- Carried.

Communications

Moved by Councillor Marra, seconded by Councillor Payne,
M288–2014 That the following Communication Items 1 to 17 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

Item	From	Description
1	Town of Lakeshore	Notice of Public Meeting regarding municipal-wide Official Plan & Zoning By-Law Amendments. City Planner City Solicitor Note & File GM2014
2	Town of Tecumseh	Notice of Public Meeting regarding a proposed Zoning By-Law Amendment. Note & File ZB2014
3	Councillor Payne	Review of “Making Cities Healthy For All” Conference held June 8-12, 2014. Note & File ACOC2014
4	Councillor Payne	Review of the 2014 FCM Conference held May 30-June 2, 2014. Note & File MMF2014
5	Manager of Urban Design	Application of Formula One Collision for Site Plan Approval to permit a proposed building located at 9420 Tecumseh Road East. Note & File ZS/11942
6	Manager of Urban Design	Application of Chris Thompson for Site Plan Approval to permit a two storey commercial building and restaurant located at 5370 Wyandotte Street East. Note & File ZS/11928

7	Chief Administrative Officer	Response to M446-2013 Downtown Business Accelerator Models in select Ontario municipalities. (Clerks Note: If Council wishes to hear delegations on this matter due to the budget request, then this report should be referred) Note & File MI/9444
8	Community Development & Health Commissioner	Update on the second round of funding through the Pilot Project: Arts, Culture and Heritage Fund. Note & File APR/10206
9	City Treasurer	2015 Proposed Budget Process & Timeline. Note & File AFB/11935
10	City Treasurer	Excellence in Municipal Systems Awards (MISA & AMCTO). Note & File GM2014
11	City Treasurer	Your Quick Gateway (Windsor) Inc. – 1 st Quarter 2014 Financial Statements. Note & File APM/9795
12	City Treasurer	Windsor Canada Utilities Ltd. – 1 st Quarter 2014 Financial Statements. Note & File MU2014
13	City Engineer	Expending Remaining Balance of Rehabilitation of Roads within Wards Funds. Note & File SW2014
14	City Engineer	Response to M211-2014 regarding the enforcement and cost of amendments to the Keeping of Animals By-law. Note & File MHS/9496
15	City Engineer	Pollution Control Riverfront Interceptor Chamber Upgrades. Note & File SW/11801
16	City Engineer	Response to CQ32-2013 and M377-2013 - Recycle City 1153 Tecumseh Road West. Note & File ACP/11248
17	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record hearing to be held on Thursday, July 17, 2014. Council Chambers, 3 rd Floor, Windsor City Hall. City Planner Note & File ZC2014

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 Award of Tender 03-14 – Norman Road – Adstoll Avenue to Joinville Avenue, Edsel & Elyria Courts, 2014 Sewer Rehabilitation Program
- Item 2 YQG – Lounge Project and amendments to the Management Agreement and Sole Shareholder Written Declaration
- Item 5 Request for proposal 48-14 Video Image Vehicle Detection System

Consent Committee Reports

<i>Planning & Economic Development Standing Committee</i>		
No.		Description
1	Report No. 232	Amendment to Zoning By-Law 8600 – 0 Woodward Boulevard between Lappan Avenue and Calderwood Avenue
2	Report No. 233	Draft Plan of Subdivision Application – 4735 Adstoll Avenue & 2570 Pillette Road, Mid-South Developments Corp. Ltd.
3	Report No. 234	Minutes of the Windsor Heritage Committee meeting held April 9, 2014

Carried.

Deferrals and/or Referrals and Withdrawals

Item 8 Cabana Road Active Transportation Facilities for the Windsor Loop & CQ28-2013 – Feasibility of Constructing a Pilot Segregated Cycle Lane

Margaret Williams, Resident

Margaret Williams, Resident, appears before Council requesting deferral of the Cabana Road Active Transportation Facilities for the Windsor Loop & CQ28-2013 – Feasibility of Constructing a Pilot Segregated Cycle Lane, expressing concern with the timing of the public open house which was held and requesting that another public consultation meeting take place prior to Council making their decision since new information regarding the plan has not been discussed with surrounding residents.

MB/5331 8

(For final disposition of this matter, see Clause **CR180/2014** in Schedule “A” attached hereto.)

Presentations & Delegations:

PRESENTATIONS:

Julia Gilmore, Ontario Culinary Tourism Alliance and Gordon Orr and Lynnette Bain, Tourism Windsor-Essex Pelee Island

Julia Gilmore, Ontario Culinary Tourism Alliance and Gordon Orr and Lynnette Bain, Tourism Windsor-Essex Pelee Island, appear before Council to acknowledge the Mayor and Council for their sponsorship contribution toward the Windsor Region Culinary Tourism Strategy and provide information on continued efforts to develop culinary tourism in the area over the next three years, highlighting the importance of Agri-Food Tourism, Wine Tourism, and conclude by providing next steps in the process as well as highlights of the Explore Windsor/Essex mobile application which was recently launched.

Moved by Councillor Halberstadt, seconded by Councillor Gignac,
M289-2014 That the presentation by Julia Gilmore, Ontario Culinary Tourism Alliance and Gordon Orr and Lynnette Bain, Tourism Windsor-Essex Pelee Island regarding Culinary Tourism **BE RECEIVED** for information.
Carried.

APR2014

DELEGATIONS

Operation of Adie Knox Herman Recreation Complex Pool

Rene Jacques, Resident

Rene Jacques, Resident, appears before Council to speak in support of continuing the operation and programming at Adie Knox Herman Recreation Complex Pool, providing comment on the success of the new Aquatic Centre and concludes by suggesting that the programming and marketing for the Adie Knox Pool should continue and be geared towards the senior population and the children in the City.

Doug Peddle, Resident

Doug Peddle, Resident, appears before Council to speak in support of continuing the operation and programming at Adie Knox Herman Recreation Complex Pool as well as thanking the many volunteers from his group that contributed towards assisting to this cause and concludes by suggesting that Water World should remain open as well.

Gabe Maggio, Resident

Gabe Maggio, Resident, appears before Council to speak in support of continuing the operation and programming at Adie Knox Herman Recreation Complex Pool and concludes by suggesting that the waiting lists for learn to swim programs might be alleviated as a result of the complex remaining open.

Edy Haddad, Resident

Edy Haddad, Resident, appears before Council to speak in support of continuing the operation and programming at Adie Knox Herman Recreation Complex Pool and concludes by suggesting that closure of the facility would negatively affect the West End.

Jennie Berkeley, Resident

Jennie Berkeley, Resident, appears before Council to congratulate the Mayor and Council for the success of the new Aquatic Complex and concludes by suggesting that the continued operation and programming at Adie Knox Herman Recreation Complex Pool is important to the community and remains a highly utilized facility.

SR/11803 4

(For final disposition of this matter, see Clause **CR175/2014** in Schedule "A" attached hereto.)

Priority Road Work Using Balance of 2013 Road Rehabilitation Funds**Kate Tapak, Resident**

Kate Tapak, Resident, appears before Council requesting that the 900 block of Louis Avenue receive funding for much needed road repair work, indicating that the harsh winter has contributed to a more rapidly deteriorating roadway and concludes by requesting that increased funding to the road rehabilitation fund in the future is necessary.

Steve DiGiacomo, Resident

Steve DiGiacomo, Resident, appears before Council to state that he has been a resident in the area of Erie Street/Louis Avenue since 1955 and that a minimal amount of road repair has occurred to that section of Louis Avenue over the years and concludes by suggesting that any surplus funds available be directed toward repaving the 900 block of Louis Avenue.

Jeffrey Kane, Resident

Jeffrey Kane, Resident, appears before Council to state that a portion of the Balance of Road Rehabilitation funds should be allocated towards the roadway repair on Howard Avenue between the Essex Terminal Railway tracks and South of Tecumseh Road, and concludes by citing the negative impacts the increased traffic and deteriorating roadway have had on the residents in terms of quality of life.

Howard Weeks, Ward 4 Resident

Howard Weeks, Ward 4 Resident, appears before Council and provides comment on the necessity of dedicating funds to infrastructure projects and concludes by noting the importance for the completion of the work.

SW2014 6

(For final disposition of this matter, see Clause **CR177/2014** in Schedule "A" attached hereto.)

Extension of Existing Animal Control Contract**Melanie Coulter, Executive Director, Windsor-Essex County Humane Society**

Melanie Coulter, Executive Director, Windsor-Essex County Humane Society, appears before Council and is available for questions regarding the extension of existing animal control contract.

MHS/9496 7

(For final disposition of this matter, see Clause **CR178/2014 and CR179/2014** in Schedule "A" attached hereto.)

Museum Expansion Project – Pre-Approval to Award Construction Tender**Howard Weeks, Ward 4 Resident**

Howard Weeks, Ward 4 Resident, appears before Council to provide comment on the Museum Expansion Project—Pre-Approval to Award Construction Tender, suggesting that this is premature on the eve of a municipal election and that this matter not be considered at this time and that Council deem themselves to be in a lame duck scenario.

David Hanna, Resident

David Hanna, Resident, appears before Council and provides comment on the Museum Expansion Project, citing concerns with the proposed construction and concludes by suggesting possible uses for the new space that could be considered.

APR/10168 3

(For final disposition of this matter, see Clause **CR174/2014** in Schedule “A” attached hereto.)

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

Report No. 343 of the Windsor Heritage Committee - Request for Demolition of Heritage-Listed Property City Hall, 350 City Hall Square West

Consideration of Committee Reports

M290-2014 Moved by Councillor Halberstadt, seconded by Councillor Jones,
as presented. That the **Report of the special In-camera** meeting held July 7, 2014, **BE ADOPTED**

Carried.

ACO2014

By-laws

Moved by Councillor Kusmierczyk, seconded by Councillor Maghnieh,
That the following By-laws No. 116-2014 through 118-2014 (inclusive), be introduced and read a first and second time:

116-2014 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN M-77 IN THE CITY OF WINDSOR”, authorized by By-Law 139-2013, adopted August 23, 2013

117-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BY-LAW””, authorized by CR69/2009, adopted March 2, 2009

118-2014 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SEVENTH DAY OF JULY, 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 presented)
- 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

None presented.

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
That the following By-laws No. 116-2014 through 118-2014 (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,
M291-2014 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:

CQ18-2014

Asks for a report on the feasibility of amending Clause 2.1 (d) of By-Law 6938 Respecting the placing of Fill which states as follows:

“The provisions of this by-law do not apply to those areas of the City of Windsor where soil is placed on lands for the purpose of lawn dressing, landscaping.....”

This request has arisen from an issue on Baseline Road where the property owner has built a large pile of topsoil the view of which is objected to by residents. Apparently nothing can be done by By-Law Enforcement because the property owner advises that he intends to use it for landscaping and the a/n clause sets no time limit as to when the topsoil must be spread.

I am therefore asking for an amendment which would permit enforcement of removal of a topsoil pile if it is not spread by a specific date.

AB2014

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 8:26 o'clock p.m.

MAYOR**CITY CLERK****THIS IS A DRAFT COPY****SUPERVISOR OF COUNCIL SERVICES(A)**

Sleiman
Valentinis

CR172/2014

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

TENDERER:	Amico Infrastructures Inc.
TENDER NO:	03-14
TOTAL TENDER PRICE:	\$1,788,800.00 (excluding HST)
ACCOUNT TO BE CHARGED:	007-2940-1790-02942-7121021

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

II. That Administration **BE AUTHORIZED** to transfer \$174,000.00 from the Belle Isle View Rehabilitation Project (ID # 7103004) to the Norman / Edsel / Elyria Project (ID # 7121021) as a means to provide funding required to complete the works; and

III. That **APPROVAL BE GIVEN** to undertake a total net expenditure of \$1,857,164.00 for the construction of Tender 03-14 to be funded from Project ID # 7121021.

Carried.

Report Number **17253 SW/11936 C1**

Sleiman
Valentinis

CR173/2014 To Council for **INFORMATION**, and that the Management Agreement and Sole Shareholder Written Declaration **BE AMENDED** to incorporate the following recommendations:

- 1) Delete the requirement for cash flow reports unless YQG is requiring City funds to support ongoing operational needs,
- 2) Extended the time period for filing quarterly report from 60 to 90 days following the end of the quarter, and clarify that these quarterly financial reports to the City are summary financial data for internal purposes only. The YQG annual statements will serve as the each year's fourth quarterly report and will be complete audited statements that meet IFRS standards for reports issued publicly.
- 3) Add a provision to authorize YQG Capital Improvements (funded from their own funds) with one capital project or acquisition being limited to \$500,000.00 with an annual limit of \$750,000.00 with prior review and approval of the Airport Coordinating Committee, and approval of the YQG Board. Such capital improvements to be reported to council, and such contracts to be signed by YQG. All other provisions of the Management Agreement and Shareholder Declaration will continue to apply.
- 4) Amend and restate the Management Agreement and Shareholder Declaration to incorporate the amendments noted herein and all previous amendments; and

That administration periodically **REVIEW** these documents but not greater than every five years; and

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the amended and restated documents satisfactory in form and content to the City Solicitor and City Engineer and in financial content to the City Treasurer.

Carried.

Report Number **17266 APM/9795 C2**

Jones
Sleiman

CR174/2014

That subject to the tender results falling within the revised budget as a result of the reduced Canadian Culture Spaces Funding received, that the City Clerk and Chief Administrative Officer **BE AUTHORIZED** to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer and in technical content to the City Engineer, with a Communication Report to Council to follow, in order to expedite the building renovations and exhibit fabrication/installation at 401 Riverside Drive West, and the Francois Baby House.

Carried.

Report Number **17019 APR/10168 3**

Marra
Valentinis

CR175/2014

THAT the swimming pool at Adie Knox Herman Recreation Complex **REMAIN OPEN** at least until December 2015 to allow for community programming, and further;

THAT the additional estimated funds required to operate the swimming pool at Adie Knox Herman Recreation Complex in 2014 in the amount of \$217,328 **BE CHARGED** to the Budget Stabilization Reserve, and further;

THAT the additional estimated funds required to operate in 2015 in the amount of \$261,814 **BE INCLUDED** as part of Recreation and Culture Department's 2015 Operating Budget, subject to final approval in the 2015 budget process, and further;

THAT the one-time capital expenditures in the approximate amount of \$108,470 plus any needed amount for unforeseen items up to an upset limit of \$50,000 **BE FUNDED** from the 2015 Debt Reduction Funding for repurposing of the facilities as previously approved by Council.

Carried.

Report Number **17170 SR/11803 4**

Sleiman
Valentinis

CR176/2014

That the contract for Proposal 48-14, Video Image Vehicle Detection System (VIVDS) **BE AWARDED** to Econolite Canada Inc as per the proposal to an upset limit of \$1,600,000 (excluding HST) and;

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreements, in form satisfactory to the City Solicitor, financial content satisfactory to the City Treasurer and technical content to the City Engineer.

Carried.

Report Number **17260 ST/11937 C5**

Valentinis
Halberstadt

CR177/2014

That Council **APPROVE** proceeding with as much of the Priority Road Work identified in Appendix A as amended of this report as possible given the amount of surplus funds available to perform the work remaining in capital project #7131110 - 2013 Road Rehabilitation Fund; and further,

That after proceeding with as much of the Priority Road Work listed in Appendix A as amended, attached hereto, to reprioritize the Priority List switching Item 8 to Item 12 and Item 12 to Item 8, as the funds in #7131110 allowed that Council **APPROVE** the transfer of any remaining balance in capital project #7131110 to capital project 7141025 2014 City Wide Road Rehab; and further,

That staff **BE AUTHORIZED** (within budget) to award the tender(s) and proceed with the Priority Road Work in 2014, and that the necessary agreements for the works be signed by the Chief Administrative Officer and City Clerk, in form satisfactory to the City Solicitor, financial content satisfactory to the City Treasurer and technical content to the City Engineer; and further,

That Administration **REPORT TO COUNCIL** with a consolidated list of successful bidder information following the Award(s) of Tender.

Carried.

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

Report Number 17263 SW2014 6

Appendices

Priority List (Amended)

Payne
Marra

CR178/2014

THAT The Keeping of Animals By-law 8156 **BE AMENDED** to include the following sections:

Section (4a):

“Any person who owns an animal that is customarily kept outside shall at all times:

- 1) Provide it with protection from the elements including harmful temperatures;
- 2) Provide a structurally sound, weatherproof, insulated shelter, of a size and design having regard for the animal’s weight and type of coat;
- 3) Provide an enclosure which has sufficient space to allow the animal the ability to turn around freely and to easily sit, stand and lie in a fully extended position.”

Section (4b):

“No person shall keep an animal tethered on a rope, chain, cord or similar restraining device unless:

- 1) The tether is of appropriate length for the species tethered; i.e. 5 times the length of the dog from the nose to the base of the tail except for small dogs - (should be a minimum of 3 metres);
- 2) The animal has unrestricted movement within the range of such tether;
- 3) The animal is not tethered for longer than 4 hours per day;
- 4) The animal has access to water, and shelter while tethered; and
- 5) The animal cannot injure itself as a result of the tethering.”

Carried.
Councillors Gignac and Dilkens voting nay.

Report Number **17183** MHS/9496 7

Gignac
Dilkens

CR179/2014

That the current agreement between the Corporation of the City of Windsor and the Windsor-Essex County Humane Society which will expire June 30, 2014, **BE RENEWED** for a period of two (2) years commencing July 1, 2014 and expiring June 30, 2016 subject to the following:

- i. Elimination of the annual inflation escalator;
- ii. The Windsor-Essex County Humane Society will pick up all dead domestic animals (cats, dogs) and the City of Windsor will pick up all other dead wildlife;
- iii. All other existing terms and conditions; and
- iv. That a clause be added to the agreement for the enforcement of the amendments to The Keeping of Animals By-law, attached as Appendix "A", by the Windsor-Essex County Humane Society at no cost to the City; and further
- v. That the Windsor-Essex County Humane Society cover 100% of the costs to the City of enacting the amendments to the Keeping of Animals By-law 8156;

That the City Solicitor **BE AUTHORIZED** to prepare an agreement for those services; and further

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in form to the city Solicitor, in financial content to the Chief Financial Officer & City Treasurer, and in technical content to the City Clerk.

Carried.
Councillor Halberstadt voting nay.

Report Number **17183** MHS/9496 7

Appendices
Appendix "A"

Dilkens
Gignac

CR180/2014

That the report of the City Engineer dated June 25, 2014 entitled "Cabana Road Active Transportation Facilities for the Windsor Loop & CQ28-2013 – Feasibility of Constructing a Pilot Segregated Cycle Lane" **BE DEFERRED** to allow for one additional public consultation meeting to be held.

Carried.

Report Number **17147** MB/5331 8

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M292-2014 That **Report No. 232 of the Planning & Economic Development Standing Committee** of its meeting held June 16, 2014 regarding “Amendment to Zoning By-Law 8600 – 0 Woodward Boulevard between Lapan Avenue and Calderwood Avenue” **BE ADOPTED** as presented.
Carried.

Report Number **17199 ZB/11902**

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M293-2014 That **Report No. 233 of the Planning & Economic Development Standing Committee** of its meeting held June 16, 2014 regarding “Draft Plan of Subdivision Application – 4735 Adstoll Ave. & 2570 Pillette Rd., Mid-South Land Developments Corp.” **BE ADOPTED** as presented.
Carried.

Report Number **17200 ZB/11901**

Clerk’s Note: The legal name is Mid-South Land Developments Corp.

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M294-2014 That **Report No. 234 of the Planning & Economic Development Standing Committee** of its meeting held June 16, 2014 regarding “Minutes of the Windsor Heritage Committee meeting held April 9, 2014” **BE ADOPTED** as presented.
Carried.

MB2014

Moved by Councillor Jones, seconded by Councillor Gignac,
M295-2014 That **Report No. 343 of the Windsor Heritage Committee** of its meeting held June 11, 2014 regarding “Request for Demolition of Heritage-Listed Property City Hall, 350 City Hall Square West” **BE APPROVED** and further, that Request for Demolition of Heritage Listed Property City Hall, 350 City Hall Square West **BE GRANTED**.
Carried.
Councillor Payne discloses an interest and abstains from voting on this matter.

Report Number **17231 MB2014**

Adopted by Council at its meeting held July 7, 2014 [M292-2014]

/AC

Windsor, Ontario July 7, 2014

REPORT NO. 232 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held June 16, 2014

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 M. Baker, seconded by Councillor Sleiman

THAT an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of Part of Block 106, Plan 12M-255, located west of Woodward Boulevard between Lappan Avenue and Calderwood Avenue from Green District 1.1 (GD1.1) to Residential District 1.1 (RD1.1).

Carried.

Councillor Kusmierczyk voting nay.

Clerk's Note: The administrative report authored by the City Planner dated May 21, 2014 entitled "Amendment to Zoning By-Law 8600 is **attached** as background information.

Livelinek #17199 ZB/11902

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 7, 2014 [M293-2014]
/AC

Windsor, Ontario July 7, 2014

REPORT NO. 233 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held June 16, 2014

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 M. Baker, seconded by B. Bjarneson

D) That the application of **Mid-South Developments Corp. Ltd.** for Draft Plan of Subdivision approval for Part of Block A, Part of Closed Alley Registered Plan 1157, and Lot 39, Part of Block A, Registered Plan 1359; located at 4735 Adstoll Avenue and 2570 Pillette Road (Roll #. 070-420-00200-0000 and 070-420-00700-0000) located located at 4735 Adstoll Avenue and 2570 Pillette Road **BE APPROVED** on the following basis:

That this approval applies to the draft plan of subdivision, as shown on the attached Map No. SDN-001/014, which will facilitate the construction of single unit, semi-detached and townhouse dwellings.

- A. That the Draft Plan Approval shall lapse on _____ (3 years from the date of approval).
- B. That this approval applies to the draft plan of subdivision presented on attached Map No. SDN-001/14 prepared by VSHBB Inc. Land Surveyors, identified as Work Order 4-26263.x04, Plan File No: C-3811'F' dated February 26, 2011, showing 25 lots for semi- detached dwellings, and the Olive Road road allowance.
- C. That prior to the execution and registration of a Subdivision Agreement between the Owner(s) and the Corporation of the City of Windsor, the Owner(s) shall submit for approval of the City Planner, final draft M-Plans which shall include the names of all road allowances within the plan, as approved by the Corporation.
- D. That the owner enter into a subdivision agreement with the Corporation of the City of Windsor, such agreement to provide for the following matters:
 - a. The owner shall agree to include all items as set out in the results of circularization and other relevant matters set out in CR 233/98 (Standard Subdivision Agreement).
 - b. No driveway access shall be permitted to Adstoll Avenue.
 - c. The Owner(s) agrees to gratuitously convey, prior to the issuance of a building permit, the following rights-of-way, in accordance with the approved Plan of Subdivision:
 - i. 20.0m right-of-way for Olive Road

- d. The Owner(s) shall comply with all the following requirements relating to sidewalks:
- i. Sidewalk shall be constructed on the west side of Olive Road;
- e. The Owner(s) agree to gratuitously convey a [4.6 m x 4.6 m (15' x 15'), corner cut-off at the intersection of. Pillette Road and Adstoll Avenue in accordance with City of Windsor Standard Drawing AS-230 prior to the issuance of a construction permit.
- f. The Owner(s) agree to:
- i) Construct at their own expense and according to City of Windsor Standard Specifications, concrete curb and gutter along the entire Adstoll Avenue frontage of the subject lands.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future construction of concrete curb and gutter on the Adstoll Avenue frontage of the subject lands.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

- g. The Owner(s) agree to:

- i) Construct at their own expense and according to City of Windsor Standard Specifications, pavement restoration associated with new sewer construction on Adstoll Avenue from Olive Road to Norman Road.

Or

- ii) Pay to the Corporation, a sum representative of the Owner's contribution towards the future restoration of Adstoll Avenue, prior to the issuance of a construction permit.

The appropriate option shall be chosen by the City Engineer. All work shall be completed to the satisfaction of the City Engineer.

- h. The Owner(s) agree to retain a Consulting Engineer to provide a detailed servicing study report on the impact of the increased flow to the existing municipal sewer systems to the satisfaction of the City Engineer, prior to the issuance of a construction permit.
- i. The study shall review the proposed impact and recommend solutions to addressing the problems and ultimate implementation of solutions should there be a negative impact to the system.
 - ii. The study shall be finalized to the satisfaction of the City Engineer.
- i. The Owner(s) agree to conduct video inspection, or pay the cost of similar inspection, of all existing sanitary/storm sewers on Pillette Road which will be tapped to service the development.
- j) The Owner(s) agree to consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The locations shall be identified on the appropriate servicing plans.
- k) The Owner(s) agree to display a map on in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- l) The Owner(s) agree to include in all offers of purchase and sale a statement which advises the purchaser:

- i) that mail will be delivered via Community Mail Box;
 - ii) the locations of all Community Mail Boxes within the development;
 - iii) of any established easements granted to Canada Post to permit access to the Community Mail Box.
- m) The Owner(s) agree to provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations
- n) The Owner(s) agree to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
- i.) Any required walkway across the boulevard, per municipal standards
 - ii.) Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
 - iii.) A Community Mailbox concrete base pad per Canada Post specifications.
- o) The Owner(s) agree to pay to the Corporation, cash-in-lieu of parkland as per By-law 12780, prior to the issuance of a construction permit.

NOTES TO DRAFT APPROVAL (File: SDN-001/14)

1. The applicant is directed to Section 51(39) of The Planning Act 1990 regarding appeal of any imposed conditions to the Ontario Municipal Board. Appeals are to be directed to the City Clerk and Licence Commissioner of the City of Windsor.
 2. It is the applicant's responsibility to fulfil the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Windsor, to the attention of the Executive Director/City Planner, quoting the above-noted file number.
 3. Required agreements with the Municipality will be prepared by the City Solicitor.
 4. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning registration requirements relative to the Certification of Titles Act.
 5. The final plan approved by the Corporation of the City of Windsor must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of The Planning Act 1990.
 6. All plans of subdivision/condominium are to be prepared and presented in metric units and certified by the Ontario Land Surveyor that the final plan is in conformity to the approved zoning requirements.
 7. Where agency conditions are required to be included in the City's Subdivision Agreement, the applicant is required to forward a copy of the agreement to the agencies in order to facilitate their clearance of conditions for final approval of this plan.
- II.** That the City Clerk and Licence Commissioner **BE AUTHORIZED** to issue the required notice respecting approval of the draft plan of subdivision under Section 51(37) of The Planning Act.
- III.** That the subdivision agreement shall **BE REGISTERED** against lands to which it applies prior to the final registration of the Plan of Subdivision.
- IV.** That prior to the final approval by the Corporation of the City of Windsor, the Executive Director/City Planner shall **BE ADVISED**, in writing, by the appropriate agencies that conditions have been satisfied.
- Carried.

Clerk's Note: The administrative report authored by the City Planner dated May 12, 2014 entitled "*Mid-South Developments Corp. Ltd.*" is **attached** as background information.

Liveline #17200 ZB/11901

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 7, 2014 [M294-2014]
/AC

Windsor, Ontario July 7, 2014

REPORT NO. 234 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held June 16, 2014

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 Councillor Kusmierczyk

THAT the minutes of the Windsor Heritage Committee meeting held April 9, 2014 **BE RECEIVED** for information.

Carried.

Clerk's Note: The minutes of the Windsor Heritage Committee meeting held April 9, 2014 are attached as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 7, 2014
and further, that Request for Demolition of Heritage Listed
Property City Hall, 350 City Hall Square West **BE GRANTED [M295-2014]**

KK/
Windsor, Ontario July 7, 2014

REPORT NO. 343
of the
Windsor Heritage Committee
at its meeting held
June 11, 2014
5:30 o'clock p.m.
Meeting Room 407, 400 City Hall Square East

Members Present at the June 11, 2014 meeting:

Robin Easterbrook, Chair
Councillor Fulvio Valentinis
Lynn Baker
Simon Chamely
Jeffrey Mellow
Noreen Slack

Your Committee submits the following recommendation:

Moved by L. Baker, seconded by S. Chamely,
That the report of the Heritage Planner dated June 2, 2014 entitled "Request for Demolition of
Heritage-Listed Property City Hall, 350 City Hall Square West"
BE RECEIVED and further, that City Council **BE REQUESTED** to provide direction on this matter.
Carried.

LIVELINK #17231

Note: The report of the Heritage Planner dated June 2, 2014 entitled "Request for Demolition of
Heritage-Listed Property City Hall, 350 City Hall Square West" is attached.

CHAIR

COMMITTEE COORDINATOR

Adopted by Council at its meeting held July 7, 2014 [M290-2014]
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA July 7, 2014

Meeting called to order at: 4:30 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens (arrives at 4:31 p.m.)
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor B. Marra (arrives at 4:39 p.m.)
Councillor J. Gignac
Councillor A. Maghnieh (arrives at 4:31 p.m.)
Councillor H. Payne
Councillor E. Sleiman
Councillor I. Kusmierczyk

Also in attendance:

H. Reidel, Chief Administrative Officer
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

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Jones, that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following Agenda items:

- 5. Property matter – lease.**

Motion Carried.

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

<u>Item No.</u>	<u>Subject</u>	<u>Section</u> – <u>Pursuant to Municipal</u>

		Act, 2001, amended	as
1.	Property matter – sale of land	239(2)(c)	
2.	Legal/Property matter – expropriation settlement	239(2)(e)	
3.	Personal/Legal matter – about an identifiable individual – settlement	239(2)(b)(d)(e)	
4.	Personal matter – about identifiable individuals – organizational changes	239(2)(b)	
5.	Property matter – lease - ADDED	239(2)(c)	

Motion Carried.

Declarations of Pecuniary Interest:

Mayor Francis declares an interest and abstains from voting on Item 2 as his brother is employed by one of the parties to the settlement.

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

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

Motion Carried.

Moved by Councillor Valentinis, seconded by Councillor Sleiman, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 7, 2014 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Coordinator of Real Estates Services, Manger 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, City Solicitor, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and City Engineer and Corporate Leader Environmental Protection and Transportation respecting a legal/property matter – expropriation settlement **BE APPROVED.**

Mayor Francis declares a conflict on this item and abstains from voting.

3. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, City Solicitor, City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and Fire Chief respecting a personal/legal matter about an identifiable individual - settlement **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the City Engineer and Corporate Leader Environmental Protection and Transportation, City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a personal matter about identifiable individuals – organization changes **BE APPROVED**.

5. That the report from Mayor Francis respecting a property matter – lease **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Motion Carried.

**Moved by Councillor Maghnieh, seconded by Councillor Jones,
That the special meeting of council held July 7, 2014 BE ADJOURNED.
(Time: 5:46 p.m.)**

Motion Carried.