

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 Murray Steacy from New Beginnings Christian Centre, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

None Disclosed.

Minutes

Moved by Councillor Maghnieh, seconded by Councillor Marra,
That the Minutes of the regular meeting of Council held August 5, 2014, **BE ADOPTED**
as presented.

Carried.

Notice of Proclamations

Prostate Cancer Awareness Month – September 2014
Recovery Day – September 13, 2014
City of Windsor Employee Learn @ Work Week – September 22-26, 2014

Committee of the Whole

Moved by Councillor Payne, seconded by Councillor Sleiman,
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 International Relations Committee Meeting** held August 13, 2014;
 - (g) consideration of by-laws 145-2014 through 155-2014 (inclusive).
- Carried.

Communications

Moved by Councillor Valentinis, seconded by Councillor Dilkens,
M323-2014 That the following Communication Items 1 to 5 and 7 to 26 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 6 which is dealt with as follows:

Communication No. 6:

Moved by Councillor Marra, seconded by Councillor Gignac,
M324-2014 That The City of Windsor, the sole shareholder of Windsor-Detroit Tunnel Corporation (WDTC) **APPROVE** the Annual Meeting of Shareholder's Audited Financial Statements for the year ended December 31st, 2013 attached and **AUTHORIZE** the Chief Administrative Officer and City Clerk to execute the said resolution on behalf of the City of Windsor.
 Carried.

Item	From	Description
1	Environment and Land Tribunals Ontario - Ontario Municipal Board (OMB)	Notice to the City of Windsor of a Notice of Arbitration and Statement of Claim regarding lands known as 1420 Provincial Road, City of Windsor. City Planner City Solicitor Committee of Adjustment Note & File GPL2014
2	Association of Municipalities of Ontario (AMO)	Members' Policy Update: OPP Billing Model Announcement. Note & File MMA2014
3	The Corporation of the Town of Tecumseh – Office of the Mayor	Thank you to Windsor Fire and Rescue Services for their assistance during a fire at the Bonduelle food processing facility in Tecumseh, Ontario on July 18, 2014. Note & File GM2014
4	Chair, Windsor-Essex County Board of Health	Letter to Provincial Party Leaders regarding the current funding framework. City Treasurer City Solicitor Note & File MH2014
5	Vice President	Municipal Drinking Water Licence. <i>(Due to size, hardcopy provided to</i>

	Operations, EnWin Utilities Ltd.	<i>Mayor & Council only. Available for viewing on website).</i> Note & File EI2014
6	General Manager, Windsor-Detroit Tunnel Corporation	Windsor-Detroit Tunnel Corporation (“WDTC”) – Annual Meeting of Shareholders. <i>(Due to size, hardcopy provided to Mayor & Council only. Available for viewing on website).</i> COUNCIL DIRECTION REQUESTED MT2014
7	Stantec Consulting Ltd.	Notice of Study Commencement Class Environmental Assessment – Central Box Study Area, City of Windsor. City Engineer Note & File EI/11742
8	Project Manager, 211 South West Ontario	Post Disaster Response Brief – Bonduelle Plant Fire in Tecumseh, Ontario, July 18, 2014. Fire Chief Note & File EI2014
9	Town of Tecumseh	Notice of the passing of a Zoning By-Law Amendment by the Town of Tecumseh for lands located on Halford Drive. City Planner Note & File Z2014
10	Town of Tecumseh	Notice of a public meeting to be held on Tuesday, September 9, 2014 at 5:30 p.m. regarding a proposed Plan of Subdivision and Zoning By-Law Amendment for lands on Concession 2. City Planner Note & File GM2014
11	Town of Tecumseh	Notice of a public meeting to be held on Tuesday, September 9, 2014 at 5:00 p.m. regarding a proposed Official Plan and Zoning By-Law amendments for lands on the east side of Lesperance Road.. City Planner City Solicitor Note & File GM2014
12	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Thursday, August 28, 2014, Council Chambers, 3 rd Floor, Windsor City Hall, Windsor. Note & File ZC2014
13	Manager of Development Applications	Application of Windsor Poirier for Zoning Amendment to permit conversion of existing office building to residential rental units for lands located at 2109 Ottawa Street. Note & File ZB/11973
14	Manager of Urban Design	Application of Southwestern Administration Ltd. for Site Plan Approval to permit an addition for an unheated storage shelter located at 3710 Peter Street. Note & File ZS/11977
15	Manager of Urban Design	Application of Windsor Professional Centre for Site Plan Approval to permit a building addition located at 2462 Howard Avenue.

		Note & File ZS/11976
16	Manager of Urban Design	Application of Canadian Electrocoating Ltd. for Site Plan Approval to permit a building addition located at 945 Prince Road. Note & File ZS/11975
17	Manager of Urban Design	Application of South Windsor Development for Site Plan Approval to permit building 30 single detached dwellings located 2107-2191 St. Patrick's (Lots 1-30). Note & File ZS/11986
18	Executive Director of Human Resources	Unpaid and Paid Student and Work Placement Agency Programs Update – 2013. Note & File AS/7869
19	Executive Director of Parks & Facilities	Peacekeepers and Afghanistan Memorial – Coventry/Reaume Park. Note & File SR2014
20	City Engineer	Fleet Shared Services Project. Note & File SW/9996
21	City Engineer	2014 – Sanitary Sewer Smoke Testing I Tender 74-14 & Sanitary Sewer Smoke Testing II Tender 88-14. Note & File SW/11726
22	City Engineer	Ward 3 – Pelissier Street – Road & Watermain Reconstruction – Tender 46-14. Note & File SW/11939
23	City Solicitor	Engineering Consultants Engaged via Roster – January 1 2014 to June 30 2014. Note & File AL2014
24	City Solicitor	Society of St. Vincent De Paul/Divine Mercy Special Works Conference. Note & File APM2014
25	Community Development & Health Commissioner	Launch of Windsor-Essex One HSN – On Line Centralized Child Care Registry. Note & File SS2014
26	Association of Municipalities of Ontario (AMO)	Recap of AMO Annual Conference Note & File MMA 2014

Carried.

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 2 Amendments to By-law 2-2006 – a By-law to Establish and Maintain a System for the Collection and Disposal of Waste in the City of Windsor
- Item 3 Approval of new contract with Telus for cellular voice and data
- Item 5 Banwell Road Corridor Improvements, Class Environmental Assessment Study
- Item 6 Award of Contract to Stantec Consultants Ltd., Proposal No. 31-14 – LRWRP Improvements to Grit Removal Facility
- Item 7 Purchasing By-law – periodic review and amendment
- Item 8 Approval of Little River PCP Centrifuge Controls Upgrade, Tender #86-14
- Item 9 Extension of the Investment in Affordable Housing for Ontario Program also known as IAH (2014 Extension)
- Item 11 Administrative Report Seeking Authority for a Sublease Agreement between the Corporation of the City of Windsor and South Essex Community Council at 215 Talbot Street East, Leamington Ontario
- Item 12 Service Counter Renovations at the Windsor International Transit Terminal: Tender No. 82-14
- Item 13 Approval of Riverfront Interceptor Chamber Upgrades Tender #81-14
- Item 18 Request for Signage Erected on Fencing at the Children’s Safety Village by the Rotary Club of Windsor (1918), south of 7515 Forest Glade Drive
- Item 19 Tender No. 24-14: Multi-Modal Cargo Development

Consent Committee Reports

<i>Environment, Transportation & Public Safety Standing Committee</i>		
No.		Description
1	Report No. 222	Minutes of the Windsor-Essex County Environment Committee meeting held June 5, 2014
2	Report No. 223	2595 Dougall Avenue, parking landscape, block wall and billboard encroachment
3	Report No. 224	Community Gardens on Municipal Property Policy

<i>Museum Development Project Steering Committee</i>		
No.		Description
1		Minutes of the meeting held July 22, 2014

<i>Planning & Economic Development Standing Committee</i>		
No.		Description
1	Report No. 235	Rezoning 5350 North Service Road, 679711 Ontario Limited

Carried.

Report No. 221 of the Environment, Transportation & Public Safety Standing regarding Report No. 84 of the Windsor-Essex County Environment Committee (WECEC – Request YQG Board of Directors to waive meeting room rental fees)

Moved by Councillor Halberstadt, seconded by Councillor Payne,
That the request of the Windsor-Essex County Environment Committee (WECEC-Request

YQG Board of Directors to waive meeting room rental fees **BE APPROVED**.

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

Aye Votes: Councillors Halberstadt and Payne

Nay Votes: Councillors Dilkens, Gignac, Jones, Kusmierczyk, Maghnieh, Marra, Sleiman and Valentinis

(For final disposition of this matter, see **Clause M334-2014** in Schedule “A” attached hereto.)

Deferrals and/or Referrals and Withdrawals

Item 4 **Relocation of Garbage Collection in the 1200 block of Kildare (east side); the 1200 block of Devonshire (west side); and the 1000 block of Shepherd (southside)**

Patricia McConville, area resident requesting deferral of this matter until the residents have had an opportunity to discuss this possible change in garbage pick-up and their responses.

EI2014 4

(For final disposition of this matter, see **Clause CR212/2014** in Schedule “A” attached hereto.)

Item 15 **RFP 71-14: Opportunities for Advertising in the Public Right-of-Way**

CUPE Local 82 requesting deferral of this matter pre-emptory to the September 8, 2014 meeting of Council.

(For final disposition of this matter, see **Clause CR223/2014** in Schedule “A” attached hereto.)

ST2014 15

Presentations & Delegations:

DELEGATIONS:

Windsor Express Basketball License Agreement Renewal

Dartis Willis Sr., President/CEO, Windsor Express Basketball and Ryan Merrow, Windsor Express

Dartis Willis Sr., President/CEO, Windsor Express Basketball and Ryan Merrow, Windsor Express appear before Council and provide an overview of their plan for the future financial development of the team, requesting approval of Option 3 from the administrative report and conclude by thanking the Mayor, Council and administration for their continued support and assistance.

SR/11962 16

(For final disposition of this matter, see **Clause CR224/2014** in Schedule “A” attached hereto.)

Options Related to the Warm Up Pool for the 2016 FINA World Swimming Championship

Mayor Francis

Mayor Francis, appears before Council and provides some background regarding the 2016 FINA World Swimming Championship bid that was put forward by the City Windsor and the requirements related to the bid, providing details regarding City Council's balanced financial approach for fiscal responsibility including infrastructure investments in the City for many years; and concludes by indicating the request for the Warm Up Pool is appropriate for the areas needs and requests and would be a positive investment for future development in the area.

John Holmes, resident of Ward 6

John Holmes, resident of Ward 6, appears before Council and provides comment regarding the report related to the Warm Up Pool for the 2016 FINA World Swimming Championship; and concludes by suggesting that further public consultation is necessary prior to a decision regarding this report.

Martin Denonville, resident of Ward 6, Chuck Smith, resident and Sheila Wright, resident

Martin Denonville, resident of Ward 6, appears before Council and provides comment regarding the report related to Warm Up Pool for the 2016 FINA World Swimming Championship; and conclude by suggesting that the City of Windsor would have benefitted from partnering with the Greater Essex County District School Board to maintain their current pools and suggests that public consultation is important for the future of the community.

Al Nelman, resident of Ward 8

Al Nelman, resident of Ward 8, appears before Council and provides comment regarding the report related to the Warm Up Pool for the 2016 FINA World Swimming Championship; and concludes by suggesting that City taxpayer funds should be reinvested in infrastructure improvements across the City.

Mohamed Chams, resident of Ward 10

Mohamed Chams, resident of Ward 10, appears before Council and provides comment regarding the report related to the Warm Up Pool for the 2016 FINA World Swimming Championship; and concludes by suggesting further public consultation is required prior to a Council decision and funding could be put to better use for important infrastructure projects.

Merv Dependleton, resident of Ward 6

Merv Dependleton, resident of Ward 6, appears before Council and provides comment regarding the report related to the Warm Up Pool for the 2016 FINA World Swimming Championship; and concludes by suggesting taxpayer funds should be used for infrastructure improvements.

David Hanna, resident of Ward 1

David Hanna, resident of Ward 1, appears before Council provides comment regarding the

report related to the Warm Up Pool for the 2016 FINA World Swimming Championship indicating that taxpayer funds should be utilized for infrastructure improvements; and concludes by requesting clarification on the funds that FINA should be providing to the City of Windsor for the event.

SR/11543 17

(For final disposition of this matter, see Clause **CR225/2014** in Schedule “A” attached hereto.)

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

David Allen, resident of Ward 1

David Allen, resident of Ward 1, appears before Council and provides comment on the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report expressing opposition to the bollards; and concludes by suggesting widening of Cabana Road should be investigated prior to the possibility of bike lanes being installed.

Denise Ghanam, resident of Ward 1

Denise Ghanam, resident of Ward 1, appears before Council and provides comment on the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report expressing concern with the installation of proposed bike lanes on Cabana Road; and concludes by suggesting the possibility of widening Cabana Road should be investigated prior to the possibility of bike lanes being installed.

Cathy Archer, resident of Ward 1

Cathy Archer, resident of Ward 1, appears before Council and provides comment on the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report indicating her support for the installation of the separated bike lanes; and concludes by expressing opposition to the installation of bollards in the area.

Umakant Amin, resident of Ward 1

Umakant Amin, resident of Ward 1, appears before Council and speaks in support of the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report; and concludes by suggesting that bollards not be implemented.

Neil Campbell, representing Windsor Bicycling Committee

Neil Campbell, representing Windsor Bicycling Committee, appears before Council and speaks in support of the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane; and concludes by expressing support for the segregated bike lanes.

Lori Newton, President, Bike Friendly Windsor Essex

Lori Newton, President, Bike Friendly Windsor Essex, appears before Council and speaks in

support of the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report; and concludes by suggesting that investing in bicycling encourages a healthy lifestyle and promotes healthy active living in the community.

David Hanna, resident of Ward 1

David Hanna, resident of Ward 1, appears before Council and speaks in support of the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report; and concludes by suggesting bicycling is becoming a global trend and a positive option for this community and City Council should consider a turn lane as well as covered bus shelters in the area as an option.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,
M325-2014 That in accordance with Rule 10.9 of the Procedure By-law with respect to deadline for registering as a delegation, that Kieran McKenzie, resident of Ward 1, and Margaret Williams, resident of Ward 1, **BE ALLOWED** to be heard regarding the report of the City Engineer (Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane).

Carried.

Kieran McKenzie, resident of Ward 1

Kieran McKenzie, resident of Ward 1, appears before Council and speaks in support of the Cabana Road Active Transportation Facilities for the Windsor Loop and CQ28-2013 Feasibility of Constructing a Pilot Segregated Cycle Lane report; and concludes by suggesting that this investment in infrastructure should include segregated bike lanes being installed immediately and future possible widening of Cabana Road.

Margaret Williams, resident of Ward 1

Margaret Williams, resident of Ward 1, appears before Council and speaks in support of proposed bike lanes and widening Cabana Road to three lanes; and concludes by suggesting that the restriction in the width of Cabana will ensure that the tree cover in the area will be maintained also indicating that new curbs and gutters are not necessary at this time.

MB/5331 1

(For final disposition of this matter, see Clause **CR209/2014** in Schedule "A" attached hereto.)

Moved by Councillor Valentinis, seconded by Councillor Gignac,
M326-2014 That Rule 3.5 of the Procedure By-law **BE WAIVED** to extend the meeting beyond 11:00 o'clock p.m. to continue to discuss the remainder of business items.

Carried unanimously at 10:47 o'clock p.m.

Councillor Halberstadt's Notice of Motion

Steve Di Giacomo, resident of Ward 4

Steve Di Giacomo, resident of Ward 4, appears before Council in support of Councillor Halberstadt's Notice of Motion to include reconstruction of the 900 block of Louis Avenue in the City's 1-5 year Capital budget for 2015-2019; and concludes by suggesting the increased traffic has contributed to the decay of the roadway.

Kate Tapak, resident of Ward 4

Kate Tapak, resident of Ward 4, appears before Council in support of Councillor Halberstadt's Notice of Motion to include reconstruction of the 900 block of Louis Avenue in the City's 1-5 year Capital budget for 2015-2019; and concludes by presenting several written submissions that reaffirm the request.

SL2014

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

Item 10 Declaration of the Vacant parcel of Land Municipally Known as 0 Wyandotte Street East (Next west of 8549 Wyandotte Street East) Surplus and Authority to Offer the Land for Sale
Item 14 Sponsorship Support & Waiver of Fees for the 56th Tour di Via Italia – August 31, 2014

Consideration of Committee Reports

M327-2014 Moved by Councillor Maghnieh, seconded by Councillor Marra,
That the **Report of the special In-camera** meeting held August 25, 2014, **BE ADOPTED**
as presented.

Carried.

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

ACO2014

M328-2014 Moved by Councillor Maghnieh, seconded by Councillor Marra,
That the **Report of the International Relations Committee** meeting held **August 13, 2014**
BE ADOPTED as presented.

Carried.

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

MB2014

By-laws

Moved by Councillor Payne, seconded by Councillor Sleiman,
That the following By-laws No. 145-2014 through 155-2014 (inclusive), be introduced and read a first and second time:

145-2014 "A BY-LAW TO AMEND BY-LAW 93-2012 (the purchasing Bylaw)", (See Item 7)

146-2014 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR", authorized by CAO2797, approved July 28, 2014

147-2014 "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

- 148-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 2-2006, BEING A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF WINDSOR”, (See Item 2)
- 149-2014 “A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES”, authorized by CAO2795, approved July 24, 2014
- 150-2014 “A BY-LAW TO FURTHER AMEND BY-LAW 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES”, authorized by CAO2796, approved July 24, 2014
- 151-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BY-LAW””, authorized by CR666/2004, adopted July 12, 2004
- 152-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8156 BEING A BY-LAW PROHIBITING, REGULATING AND RESTRICTING THE KEEPING OF ANIMALS WITHIN THE CITY OF WINDSOR OR DEFINED AREAS THEREOF”, authorized by CR178/2014, adopted July 7, 2014
- 153-2014 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 12M-592 IN THE CITY OF WINDSOR”, authorized by By-Law 139-2013, passed August 26, 2013
- 154-2014 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “CITY OF WINDSOR ZONING BY-LAW””, authorized by Planning & Economic Development Standing Committee Report No. 235
- 155-2014 “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 FIFTH DAY OF AUGUST, 2014”

Carried.

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

Moved by Councillor Valentinis, seconded by Councillor Dilkens,
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.

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

Notices of Motion

M329-2014 Moved by Councillor Halberstadt, seconded by Councillor Valentinis,
WHEREAS the 900 block of Louis Ave. has not been rehabilitated since the 1950s; and
WHEREAS City Council has received a petition with 42 names on it from the residents of this block to support reconstruction of the 900 block; and
support
of the petition; and
WHEREAS commercial businesses on Erie Street, as well as the Via Italia BIA are in support
of the petition; and

WHEREAS comments were submitted at the November, 2013 Ward 4 meeting as follows:

“Extremely poor asphalt road.”

“High volume of traffic from parishioners of St. Angela Church for regular services and functions and funeral processions”

“People parking and driving there who are patrons for Erie Street businesses.”

“Poor sidewalks and curbs are badly in need of repair.”; and

WHEREAS 311 has been flooded with requests to repair this road;
THEREFORE LET IT BE RESOLVED that City Council include the reconstruction of the
900 block of Louis Ave., next to St. Angela Merici Church, **BE INCLUDED** in the city’s 1-5-year Capital
budget
2015-2019.

Carried.

Councillors Gignac, Sleiman, Dilkens and Payne voting nay.

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

SL2014

Third Reading of By-laws

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the following By-laws No. 145-2014 through 155-2014 (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.

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

Petitions

M330-2014 Moved by Councillor Marra, seconded by Councillor Kusmierczyk,
That the petition presented by Councillor Dilkens on behalf of David Allen and the Cabana Road residents opposed to bollards in the proposed area of bike lane reconstruction on Cabana Road **BE RECEIVED** by the Clerk and the petition **BE NOTED AND FILED**.

Carried.

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

ACO/11248

Council Questions

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,
M331-2014 That the following Council Question by Councillor Marra **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:

CQ21-2014

Asks that Administration prepare a report in response to concerns that have been received with regards to pedestrian safety along Meadowbrook Lane south of La Residence Richelieu (3140 Meadowbrook Lane) and Riverside Place Long-Term Care (3181 Meadowbrook Lane). There are no sidewalks on the east or west side of this portion of Meadowbrook Lane to the most southern limit at Forest Glade Drive. I am requesting cost estimates for sidewalks or pathways and pedestrian/street lights.

Carried.

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

ST2014

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,
M332-2014 That the following Council Question by Councillor Halberstadt **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:

CQ22-2014

Asks the Office of the City Engineer to report on the stress on his right-of-way officers caused by the recent spike in complaint-driven enforcement under bylaw 25-2010, whereby residents – who have for years and decades contributed to the beautification of the city with landscaping, flowers, hedges and gardens on either side of the sidewalks in front of their homes – have been ordered to promptly remove these beautification features due to retaliatory complaints. The intent is to provide education to well-meaning residents on the implications of the bylaw and to review bylaw 25 for possible easing of these right-of-way restrictions and the reliance on complaints to trigger reactionary enforcement.

Carried.

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

SW2014

Adjournment

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

Carried.

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

Accordingly, the meeting is adjourned at 11:40 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

SUPERVISOR OF COUNCIL SERVICES(A)

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Dilkens
Jones

CR209/2014

- I. That Council **SUPPORT** widening the existing pavement on Cabana Road from Northway Avenue to Walker Road for the construction of separated bike lanes including the incorporation of a 0.5m buffer with physical barriers or additional turning capacity into the design where appropriate at key intersections (eg: McGraw, Longfellow, Casgrain) as confirmed by a Consultant peer review as a first project in completing the Windsor LOOP; and,
- II. That the estimated cost of \$4,290,000 plus HST to **BE FUNDED** from 007-5410-1790- WLOOP-7111031; and,
- III. That in light of the recent commitment for active transportation on Cabana Road, City Council **REQUEST** the MTO to extend appropriate connections for the Rt. Hon. Herb Gray Parkway 20 km trail network to the east limits of the MTO jurisdiction at approximately Northway Avenue; and further,
- IV. That Administration **INVESTIGATE** the possibility of coloured cycle lanes in addition to coloured lines, as well as alternatives to bollards and **REPORT BACK** to Council.

Carried.

Report Number **17147 MB/5331 1**

Internal Distribution

Public Works [Jennifer Leitzinger]
City Engineer
Chief Financial Officer and City Treasurer

Gignac
Halberstadt

CR210/2014

That By-law 2-2006 **BE AMENDED** to include the following changes:

- Add a definition for “Public View”
- Add the term Owner and Occupant to all subsections of Section 3 and 4.
- Add a new Section 3.5 as follows:

“3.5 To address operational issues, the Manager may, in his or her sole discretion, exempt an owner or occupant from a part or parts of the provisions of Section 3 for a specified period of time.”

Amend Sections 4.7 to delete the reference to 8pm and substitute “...within 24 hours of being deemed non-collectible by the Manager.”

- Add a new s.4.9.1 as follows:

“4.9.1 Every owner/occupant shall store all garbage containers, recycling material containers and yard waste containers out of public view”.

Carried.

Report Number **17313 EI2014 C2**

Internal Distribution

Public Works [Anne Marie Albidone]
City Engineer
City Solicitor

Gignac
Halberstadt

CR211/2014

That the CAO and City Clerk **BE AUTHORIZED** to sign the Corporate Customer Agreement - Wireless Services - Sharing Group with Attached Master Services Agreement with Telus, subject to approval as to Form by the City Solicitor, Technical Content by the CIO/Executive Director of IT and as to Financial Content by the Chief Financial Officer and City Treasurer.

Carried.

Report Number **17342 APM/11978 C3**

Appendices

Agreement

Internal Distribution

Information Technology [Harry Turnbull, Executive Director]
Purchasing Manager
Chief Financial Officer and City Treasurer
City Solicitor

Marra
Halberstadt

CR212/2014

That the report of the City Engineer dated August 13, 2014 entitled "Relocation of Garbage Collection in the 1200 Block of Kildare (east side); the 1200 Block of Devonshire (west side); and the 1000 Block of Shepherd (south side)" **BE DEFERRED** to allow residents a chance to discuss this possible change in garbage pick-up and to prepare their response.

Carried.

Report Number **17327 EI2014 4**

Internal Distribution

Public Works [Anne Marie Albidone]
Executive Director of Operations
City Engineer
Chief Financial Officer and City Treasurer
City Solicitor

Gignac

Halberstadt

CR213/2014

That City Council **APPROVE** the expenditure of additional funds in the amount of \$79,146 (+ HST) for IBI Group (formerly Giffels Associates Ltd.) to complete the Banwell Corridor Improvements Class Environmental Assessment Study to **BE FUNDED** through the Capital Budget Funds for Environmental Study Reports - Project ID 7086010.

Carried.

Report Number **17306 SW/9581 C5**

Internal Distribution

Public Works [Wesley Hicks]

City Engineer

Manager of Transportation Planning, Josette Eugeni

Chief Financial Officer and City Treasurer

Gignac

Halberstadt

CR214/2014

THAT the Consulting Firm of Stantec Consultants Ltd. **BE RETAINED** for the design, preparation of contract drawings and specifications, and contract administration for the Improvements to the Grit Removal Facility at the Lou Romano Water Reclamation Plant for a fee of **\$699,840.00** (plus HST) in accordance with their proposal for engineering services per RFP 31-14 dated July 25, 2014; and

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

Carried.

Report Number **17329 SW/11979 C6**

Internal Distribution

Public Works [Ed Valdez]

Senior Manager Pollution Control, Chris Manzon

City Engineer

Purchasing Manager

Chief Financial Officer and City Treasurer

City Solicitor

Gignac

Halberstadt

CR215/2014

I. That the report of the City Solicitor dated July 22, 2014 entitled "Purchasing Bylaw – periodic review and amendment" **BE RECEIVED** in satisfaction of the obligation imposed by section 165 of Bylaw 93-2012 (the "Bylaw") to conduct a review prior to the close of every Council term; and

II. That Bylaw 145-2014 amending the Purchasing Bylaw **BE PASSED**, to effect the changes to the Purchasing Bylaw described in this report.

Carried.

Report Number 18197 AB2014 C7

Internal Distribution

Legal [Shelby Askin Hager, City Solicitor]
Purchasing Manager

Gignac
Halberstadt

CR216/2014

- I) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with Rorison Industrial Electric Ltd. In the amount of \$749,824.00 (plus HST), satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- II) That the additional funds required to complete the project **BE FUNDED** through a transfer of \$152,020.90 from the Little River Pollution Control Plant Reserve (Fund 132).

Carried.

Report Number 17328 SW/11756 C8

Internal Distribution

Public Works [John Guidolin]
City Engineer
Senior Manager Pollution Control, Chris Manzon
Chief Financial Officer and City Treasurer
City Solicitor

Gignac
Halberstadt

CR217/2014

- a) That this report from the Executive Director of Housing and Children's Services regarding a six year extension of the current Investment in Affordable Housing for Ontario Program from 2014 to 2020, known as the IAH (2014 Extension) **BE APPROVED**; and,
- b) That the Executive Director of Housing and Children's Services **REPORT BACK** to Council regarding the final total amount of the Windsor Essex funding allocation under the IAH (2014 Extension) when the information becomes available from the Ministry of Municipal Affairs and Housing; and,
- c) That the Community Development and Health Commissioner **BE AUTHORIZED** to confirm to the Ministry of Municipal Affairs and Housing that the City of Windsor will act as Service Manager to deliver a funding allocation for Years 1 to 6 of the IAH (2014 Extension) and further that the City will be a participating municipality in the program, provided the cost of the program does not exceed the funding received from the Federal and Provincial governments, with the exception of the Rental Housing capital program component requirement to set property taxes at the single residential rate for any units receiving funds under the program; and,
- d) That Community Development and Health Commissioner **BE AUTHORIZED** to submit Program Delivery and Fiscal Plan to the Ministry of Municipal Affairs and Housing outlining, among other things, how the Windsor/Essex funding allocation will be used over the life of the IAH (2014

Extension) program as required; and,

- e) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute the Administration Agreement to secure funding and deliver the IAH (2014 Extension) in Windsor Essex provided further the IAH Administration Agreement and documents are in a form satisfactory to the City Solicitor; satisfactory in financial content to the Chief Financial Officer and satisfactory in content to the Executive Director of Housing and Children's Services; and,
- f) That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to make the necessary submissions to secure funding and deliver the IAH (2014 Extension) in Windsor Essex; and,
- g) That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to approve amendments to the IAH (2014 Extension) delivery and submissions and submit the amended submissions to the Ministry of Municipal Affairs and Housing over the program duration; and
- h) That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to acquire at the appropriate time, additional resources and partner or agency support to deliver components of the IAH (2014 Extension) at a cost not to exceed the administration fees provided by the Federal and Provincial governments related to the program; and,
- i) That the City Treasurer **BE AUTHORIZED** to set the property tax rate equivalent to the single residential rate for units receiving funding under the Rental Housing capital component of the IAH (2014 Extension) located in the City of Windsor; and,
- j) That the Executive Director of Housing and Children's Services **BE AUTHORIZED**, to establish a Revolving Fund to manage and re-deliver program funds repaid by IAH Program and IAH (2014 Extension) recipients provided the fund is established in compliance with City policies and requirements and managed in compliance with Ministry of Municipal Affairs and Housing program requirements; and,
- k) That the Executive Director of Housing and Children's Services **BE AUTHORIZED**, to establish the minimum number of Revolving Fund accounts and pool and manage funds repaid by recipients from any round, version or extension of the Canada Ontario Affordable Housing Program and the IAH Program to the extent permitted by and in compliance with policies and requirements of the City and the Ministry of Municipal Affairs and Housing; and,
- l) That the Executive Director of Housing and Children's Services **BE AUTHORIZED**, throughout the duration of the IAH (2014 Extension), to take such actions required to implement, operationalize and manage the program, apply practical operational tasks and activity, approve projects, allocate funds, withdraw, negotiate and re-allocate program funds, including re-allocation between the different IAH (2014 Extension) components and program recipients, agencies and organizations to maintain and ensure compliance with program rules and criteria and/or to enable full take-up of program funds and/or to address local community housing needs; and,
- m) That the Community Development and Health Commissioner **BE AUTHORIZED** to execute the necessary agreements and documents related to any program Revolving Fund and the IAH (2014 Extension) provided such agreements and documents comply with the governing program requirements and are in a form satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Housing and Children's Services.

Carried.

Internal Distribution

Housing and Children’s Services [Debbie Cercone]
 Program Coordinator, Housing and Children’s Services [Rob Oleynik]
 Community Development and Health Commissioner
 Chief Financial Officer and City Treasurer
 City Solicitor

Gignac
 Halberstadt

CR218/2014

I. That the following land **BE DECLARED** surplus:

- Municipal address:
 - 0 Wyandotte Street East – located on the south side of Wyandotte Street East extending southerly to the northerly limit of Jerome Street, abutting the westerly lot lines of 8549 Wyandotte Street East and 8560 Jerome Street and the rear lot lines of 819-821 Isack Drive to 861 Isack Drive
- Legal Description:
 - Part of Lot 130 Concession 1 save and except an approximate 15’ wide X 10’ deep parcel of land abutting the southerly limit of the Wyandotte Street East right-of-way.
- Lot size: approximate 15’ X 710’
- Improvements: none-vacant land

II. That Section 5.3.1.3 of Schedule “A” of By-Law 52-2014 **BE WAIVED**.

III. That the Manager of Real Estate Services **BE DIRECTED** to offer the subject parcel of land (save and except an approximate 15’ X 10’ parcel of land abutting the southerly limit of the Wyandotte Street East right-of-way) to the abutting property owners as follows:

Land to be Offered	Abutting Owner
Full width abutting the westerly property limits of the following properties: 8549 Wyandotte St. E., 819-821 Isack Dr., 0 Isack Dr., and an east-west alley next west of Isack Dr.	Valente Development Corp. 8475 Wyandotte St. E.
Full width abutting the westerly property limit of 833 Isack Dr.	Cynthia Lloyd 833 Isack Dr.
Full width abutting the westerly property limit of 839 Isack Dr.	Bryan Lockett & Rochelle Emery-Lockett 839 Isack Dr.
Full width abutting the westerly property limit of 845 Isack Dr.	Cheryl Williams 845 Isack Dr.
Full width abutting the easterly property limit of 8466 Kingston Cr.	Michelle Lowes 8466 Kingston Cr.
Full width abutting the easterly property limit of 8478 Kingston Cr.	Arnoldo & Edda Bartoli 8478 Kingston
Full width abutting the easterly property limit of 8490 Kingston Cr.	Daniela Bulz 8490 Kingston Cr.
Full width abutting the easterly property limit of 8540 Jerome St.	Brian & Tammy Trudell 8540 Jerome St.

- h) **Basic Gross Rental** _____ \$31,255.08 (plus HST) per year
- i) **Monthly Basic Rental** _____ \$2,604.59 (plus HST) per month
- j) **Security Deposit** None
- k) **Land Taxes** Included in basic rent
- l) **Utilities** Included in basic rent
- m) **Permitted Use** Office/Meeting
- n) **Insurance** General Liability Insurance
Minimum Limit \$2,000,000.00
 Tenant's Legal Liability Insurance
 Minimum Limit \$300,000.00
- o) **Renewal** None
- p) **Special Provisions:** None

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a Sublease Agreement, to be satisfactory in form and content with the City Solicitor, and in financial content to the City Treasurer.

Carried.

Report Number **17315 APM/11855 C11**

Internal Distribution

Legal [Tony Sabelli]

Manager of Real Estate Services, Mike Stamp

Community Development and Health Commissioner

City Solicitor

Chief Financial Officer & City Treasurer

Gignac

Halberstadt

CR220/2014

That Council **APPROVE** the selection of Silver Springs Construction as the successful Bidder to provide the improvements to the service counter at the Windsor International Transit Terminal, 300 Chatham St. W. in the City of Windsor for a total tender price of \$188,260.00 plus HST to **BE CHARGED** to account 007-5410-2874-04151-7141001; and further,

That the CAO and City Clerk **BE AUTHORIZED** to sign an agreement satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facility Operations, and in financial content to the City Treasurer.

Carried.

Report Number 17335 APM/11981 C12

Internal Distribution

Parks and Facilities [Tom Graziano]
Executive Director of Parks and Facilities
City Engineer
Manager of Purchasing and Risk Management
Chief Financial Officer & City Treasurer
City Solicitor

Gignac
Halberstadt

CR221/2014

- I) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with Pupatello & Sons Ltd. In the amount of \$1,811,656.00, satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- II) That the provisional work related to the retaining wall at the Elm Interceptor not be done; and,
- III) That a transfer from the Pump Station Reserves (Fund 133) up to a maximum of \$50,000, **BE APPROVED** to assist with the cost of constructing a new washroom on the riverfront; and further,
- IV) That the additional \$1,243,541.15 required to cover the shortfall in funding for the project **BE FUNDED** through a transfer from the Pump Station Reserve (Fund 133).

Carried.

Report Number 17330 SW/11801 C13

Internal Distribution

Public Works [John Guidolin]
City Engineer
Senior Manager Pollution Control, Chris Manzon
Manager of Purchasing and Risk Management
Chief Financial Officer and City Treasurer
City Solicitor

Gignac
Jones

CR222/2014

That City Council **SUPPORT** the request from the Tour di Via Italia for a waiver of fees for the 56th Tour di Via Italia on August 31, 2014 as follows, and that this **BE FUNDED** from the Mayor's office:

- Posting banner prior to the event - \$317.00
- Noise by-law exemptions - \$75.00
- Road Closure permit - \$95.00
- Special Events Permit - \$111.00
- Police Support and Auxiliary - \$250.00
- Barricade Rental - \$300.00

- Notification of Neighbourhood Residents as required by City - \$150.00.

Carried.

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

Report Number **17348 SR/10742 14**

Internal Distribution

Finance [Joe Mancina]
Executive Director of Recreation and Culture
Financial Accountant, Jocelyn De Luna
Chief Financial Officer and City Treasurer
Manager of Cultural Affairs, Cathy Masterson
Financial Planning, Marco Aquino
Mayor's Office, Norma Coleman
Executive Initiatives Coordinator, Stephen Cipkar

Marra

Jones

CR223/2014

That the report of the City Engineer dated August 8, 2014 entitled "RFP No. 71-14: Opportunities for Advertising in the Public Right-of-Way" **BE DEFERRED** peremptory to the September 8, 2014 meeting of Council.

Carried.

Report Number **17298 SE/11996 15**

Internal Distribution

Public Works [Tiffany Pocock]
City Engineer
Executive Director of Human Resources
General Manager, Transit Windsor
Purchasing Manager
Chief Financial Officer and City Treasurer
City Solicitor

Jones

Valentinis

CR224/2014

THAT the renewal of the license agreement with Windsor Express Basketball Inc. (Ontario Corporation Number 002333069), a team of the National Basketball League of Canada, for the use of the WFCU Centre for the upcoming season **BE APPROVED** as per Option 3 as amended of this Administrative report as follows; and further,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute and sign the agreement, satisfactory in technical content to the Executive Director of Recreation and Culture, in financial content to the Chief Financial Officer and City Treasurer, and in form to the City Solicitor:

Terms and Conditions:

- a) Term – One year period from October 1, 2014 to September 30, 2015.
- b) Fees – To cover all direct costs at a flat rate of \$3,500/game (with annual CPI increase) which would include, but not be limited to, conversion costs, event staff, bowl/floor rental, two dressing rooms, sports medic and game day box office staff. Additional services may be selected at the applicable rates including credit card service, VIP Parking and security services.
- c) Scheduling – the Team will have access to 16 regular season home game dates to be confirmed by no later than August 31st for the upcoming season. The City reserves the right to request a change of up to 2 games per season for major events.
- d) Ticket surcharge – The ticket surcharge will apply to all sold tickets. No surcharge on complimentary tickets and there is no maximum on the number of complimentary tickets that the Team is allowed to distribute in the community.
- e) Sponsorship and Advertising – the Team will be responsible for securing its own sponsorship and advertising and must comply with existing agreements in place at the WFCU Centre.
- f) Signage - a permanent sign “Home of the Windsor Express”, would be installed at the WFCU Centre, the location of which will be subject to the City’s approval. The Windsor Express will be responsible for the costs to create the sign and the City of Windsor will be responsible for its installation.
- g) Office Space and Dedicated Dressing Room – the Team will be provided space for an office and dedicated dressing/locker room at no charge. The Team will be responsible for the fit-up costs of the spaces.
- h) Practices – The Team will be provided practice time at the WFCU Centre at no charge during non prime hours based on availability.
- i) Insurance – The Team will provide liability insurance (at its own cost) in the minimum amount of \$5,000,000.00 with other specific terms satisfactory to the Manager of Purchasing and Risk Management and the City Solicitor.
- j) Box Office Services – the City will provide box office services and will retain convenience fees. The net proceeds from all ticket sales will flow directly to the Windsor Express team.
- k) Equipment – the City will provide the flooring required to host basketball games for the season, as well as access to the general west end score clock, house PA system, and media suite. The Team will provide the basketball standards, backboards and nets. The Team is responsible for arranging the use of additional scoreboards (i.e. Jumbotron) and shot clocks at its own expense.
- l) Staffing – The City will provide staffing for the set up and cleaning of the facility. The Team will provide staffing required for team medical services, officials, game day promotions and security as required.
- m) Parking – Eight (8) spaces at the back of house will be provided on game days only.
- n) Suites – the City has the right to rent suites consistent with current agreements relating to suite licensing. The Team retains the ticket revenue from each suite.
- o) The Team will be allocated one (1) suite on game days for their use.

Carried.

At the request of Councillor Gignac a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Jones, Valentinis, Maghnieh, Halberstadt, Marra, Kusmierczyk and Dilkens
Opposed	Councillors Payne, Gignac, Sleiman and Mayor Francis
Abstain	None
Absent	None

Internal Distribution

Recreation and Culture [Ray Mensour]
Finance [Andrew Daher]
Community Development and Health Commissioner
Executive Director of Recreation and Culture
Purchasing Manager
City Solicitor
Chief Financial Officer & City Treasurer

Gignac
Kusmierczyk

CR225/2014

That the report from the Executive Director of Recreation and Culture, the Executive Director of Parks and Facilities, and the Chief Financial Officer/City Treasurer regarding the re-use/disposition of the warm up pool required for the 2016 FINA Short Course World Swimming Championship **BE RECEIVED**;
and,

That Administration **BE DIRECTED** to not pursue the purchase of the competitive pool supplied by FINA for the 2016 World Championships; and,

That Council **APPROVE** OPTION #2 - the permanent installation of the required warm up pool in an addition to be built at the WFCU Centre as its preferred course of action as it relates to the warm up pool;
and,

That the project budget for the Design/Build pool addition at the WFCU Centre **BE APPROVED** at a total cost of \$6,500,000 which includes the following:

25m Pool	\$1,700,000
Splash Pool	\$ 300,000
Therapy Pool	\$ 200,000
Building	\$2,000,000
Other costs	\$2,300,000; and,

That the net capital costs of \$6,500,000 **BE FUNDED** from the following funding sources:

- \$500,000 – Retention Treatment Basin (RTB) Project #7092013- Pay-as-you-go funding surplus
- \$1,800,000 – WFCU Centre Capital Project #7064900- estimated construction surplus
- \$4,200,000 – A portion of the Samsung Solar Farm Lease Revenues; and,

That Administration **BE AUTHORIZED** to engage a heating and electrical consultant to assist with the development of the Owners Statement of Requirements (OSR) to be funded from the engineering line item of the capital budget; and,

That Administration **BE AUTHORIZED** to issue and award a Design/Build Request for Proposal for the addition of an east end pool at the WFCU Centre which will include the specifications required for a pool system that meets the 2016 FINA World Swimming Championships requirements and options for a Children's wading pool and therapy pool, and optional Combined Heat and Power Plant for the WFCU Centre; and,

That Administration **BE AUTHORIZED** to seek resources to manage this project which may include the engagement of an external project manager through either an employment contract or other means; and,

That the estimated initial annual incremental operating costs of approximately \$627,000 that would need to be funded within the city's operating budget **BE INCLUDED** as part of Recreation & Culture's and Parks & Facilities' proposed 2016 Operating Budget, with details including the full FTE staffing requirements to be provided in the 2016 budget documents, for final approval; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign any agreements necessary to achieve the above purposes, subject to the contract being within the approved budget, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facilities and/or the Executive Director of Recreation and/or the City Engineer as maybe applicable, and in Financial content to the City Treasurer.

Carried.

At the request of Mayor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Gignac, Sleiman, Payne, Maghnieh, Kusmierczyk, Valentinis, Jones, Dilkens and Mayor Francis
Opposed	Councillors Halberstadt and Marra
Abstain	None
Absent	None

Report Number **17309 SR/11543 17**

Internal Distribution

Recreation and Culture [Jan Wilson, Executive Director]
 Executive Director of Parks and Facilities
 Community Development and Health Commissioner
 City Engineer
 Purchasing Manager
 Chief Financial Officer & City Treasurer
 City Solicitor
 Gignac
 Halberstadt

CR226/2014

That City Council **RATIFY** the decision of Administration as described in the report of the City Engineer dated August 20, 2014 regarding the "request for signage erected on fencing at the Children's Safety Village by the Rotary Club of Windsor (1918), south of 7515 Forest Glade Drive":

Whereas, Sign By-law 250-2004 prohibits this type of sign, Council has in the past permitted such signs for a temporary time period. Normally, prohibited signs would need an amendment to the Sign By-law. However, based on the Council's previous decisions regarding temporary signs for charitable organizations, it is recommended that these signs be approved for the time period requested by the **Rotary Club**.

Carried.

Report Number **17351 SB2014 C18**

Internal Distribution

Building [Wm Jean]
Chief Building Official
City Planner
City Engineer

Gignac
Halberstadt

CR227/2014

- I. That, in compliance with the provisions of Tender No. 24-14, **APPROVAL BE GIVEN** to enter into an agreement with De Angelis Construction Inc. to construct a Multi-Modal Cargo Development at the Windsor International Airport for a negotiated price of \$14,122,373.86 (excluding HST), and under the condition of first receiving written endorsement from Federal Express Canada Ltd. (FedEx) and the Institute for Border Logistics and Security (IBLS), and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with De Angelis Construction Inc., satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,
- II. That **APPROVAL BE GIVEN** to amend the gross expenditures budget and undertake expenditures for a total project cost of \$16,819,911 (excluding refundable HST) with a net cash outlay by the City of Windsor of \$4,176,911 (excluding the \$290,526 recovery from FedEx and \$530,000 recovery from IBLS) for the Multi-Modal Cargo Development at the Windsor International Airport to be funded from Project ID# 7139003; and,
- III. That Council **APPROVE** the use of the full allocation of \$3.0 million, previously approved in principal, from the approved 2013 Enhanced Capital Budget for the Windsor International Airport; and,
- IV. That **APPROVAL BE GIVEN** to transfer \$356,385 from the Aubin Road – Franklin/Seminole Project ID# 7111018 currently in surplus to the Multi-Modal Cargo Development Project ID# 7139003 to cover the project budget shortfall; and,
- V. That the City Clerk and Chief Administrative Officer **BE AUTHORIZED** to sign any amendments to the agreement with Federal Express Canada Limited as a result of negotiations, satisfactory in form for technical content to the City Engineer, financial content to the Chief Financial Officer and City Treasurer and in form satisfactory to the City Solicitor; and,
- VI. That YQG **CONFIRM** the above agreement (in Recommendation V) is satisfactory to the YQG Board.

Carried.

Report Number 17334 APM/11989 C19

Internal Distribution

Public Works [Joe Baker]
City Engineer
Senior Manager, Development & Geomatics, France Isabelle-Tunks
Purchasing Manager
Chief Financial Officer and City Treasurer
City Solicitor

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Gignac, seconded by Councillor Valentinis,
M333-2014 That **Report No. 198** of the **Environment, Transportation & Public Safety Standing Committee** of its meeting held April 23, 2014 regarding “Report No. 78 of the Windsor-Essex County Environment Committee (Phase 3 of the Swamp Wetland Restoration Project on airport lands)”
BE NOTED AND FILED.

Carried.

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

MB2014

Internal Distribution

City Engineer

Environmental & Sustainability Coordinator, Averil Parent

City Planner

City Solicitor

Coordinator, Environment, Transportation & Public Safety Standing Committee

Moved by Councillor Gignac, seconded by Councillor Valentinis,
M334-2014 That **Report No. 221** of the **Environment, Transportation & Public Safety Standing Committee** regarding Report No. 84 of the Windsor-Essex County Environment Committee (WECEC – Request YQG Board of Directors to waive meeting room rental fees) **BE RECEIVED.**

Carried.

MB2014

Internal Distribution

City Engineer

Coordinator, Environment, Transportation & Public Safety Standing Committee

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M335-2014 That **Report No. 222** of the **Environment, Transportation & Public Safety Standing Committee** of its meeting held July 23, 2014 regarding “Minutes of the Windsor-Essex County Environment Committee meeting held June 5, 2014” **BE ADOPTED** as presented.

Carried.

MB2014

Internal Distribution

City Engineer

Coordinator, Environment, Transportation & Public Safety Standing Committee

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M336-2014 That **Report No. 223** of the **Environment, Transportation & Public Safety Standing Committee** of its meeting held July 23, 2014 regarding “2595 Dougall Avenue – Parking, Landscape, Block Wall and Billboard Encroachment” **BE ADOPTED** as presented.

Carried.

Report Number 17157 SE2014

APPENDICES

Drawing

Internal Distribution

City Engineer

Public Works [Adam Pillon]

Manager of Administration – Peter Breault

City Engineer

Chief Building Official

City Planner

Purchasing & Risk Management, Risk & Purchasing Analyst, Dana Straus

Risk Management Supervisor Corporate Services, Dana Paladino

City Solicitor

Coordinator, Environment, Transportation & Public Safety Standing Committee

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M337-2014 That **Report No. 224** of the **Environment, Transportation & Public Safety Standing Committee** of its meeting held July 23, 2014 regarding “Community Gardens on Municipal Property Policy” **BE ADOPTED** as presented.

Carried.

Report Number 17234 SR2014Internal Distribution

City Engineer

Environmental & Sustainability Coordinator [Averil Parent]

Senior Manager, Pollution Control [Chis Manzon]

Executive Director, Parks and Facilities

City Planner

City Solicitor

Chief Financial Officer and City Treasurer

Policy Coordinator(A)

Coordinator, Environment, Transportation & Public Safety Standing Committee

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M338-2014 That the Minutes of the Museum Development Project Steering Committee meeting held July 22, 2014 **BE ADOPTED** as presented.

Carried.

MB2014Internal Distribution

Coordinator, Museum Development Project Steering Committee

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M339-2014 That **Report No. 235 of the Planning & Economic Development Standing Committee** of its meeting held July 14, 2014 regarding “Rezoning – 5350 North Service Road, 679711 Ontario Limited” **BE ADOPTED** as presented.

Carried.

Report Number 17259 ZB/11903Internal Distribution

City Planner

Planner II, Development Review [Justina Nwaesei]
City Solicitor
Manager of Development Applications, Don Wilson
Chief Building Official
City Engineer
Zoning Clerk – Council Services
Deputy Licence Commissioner
Supervisor of Licensing
City Clerk and Licence Commissioner

BE NOTED AND FILED as adopted by Council
at its meeting held August 25, 2014 [M333-2014]
/AC

Windsor, Ontario August 25, 2014

REPORT NO. 198 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held April 23, 2014

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

Reference: Report No. 78 of the Windsor-Essex County Environment
Committee (Phase 3 of the Swamp Wetland Restoration Project
on airport lands)

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

Moved by Councillor Gignac, seconded by Councillor Jones,
THAT City Council and the Board of Directors of Your Quick Gateway (Windsor)
Inc. **BE REQUESTED TO ENDORSE** Phase 3 of the Swamp Wetland Restoration Project
on the YQG airport lands as submitted by the Little River Enhancement Group subject to a
report from Administration outlining concerns to the overall planning of the area as well as
abutting properties.

Carried.

Councillor Payne was absent at the time the vote was taken.

**Clerk's Note: Report No. 78 of the Windsor-Essex County Environment Committee (Phase 3
of the Swamp Wetland Restoration Project on airport lands) is attached as
background information. Also attached as additional information is a memo
dated July 17, 2014 from the Environment & Sustainability Coordinator
regarding request for continued restoration (tree planting) on airport lands.**

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

**BE RECEIVED as adopted by Council
at its meeting held August 25, 2014 [M334-2014]**

/AC

Windsor, Ontario August 25, 2014

**REPORT NO. 221 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held July 23 2014**

Present: Councillor J. Gignac
Councillor R. Jones
Councillor F. Valentinis, Chair

Regrets: Councillor A. Halberstadt
Councillor H. Payne

Reference: Report No. 84 of the Windsor-Essex County Environment
Committee (request to waive meeting room rental fee)

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

Moved by Councillor Gignac, seconded by Councillor Jones,
THAT Report No. 84 of the Windsor-Essex County Environment Committee (WECEC) (Request YQG Board of Directors to waive meeting room rental fees) **BE RECEIVED** for information.

Carried.

Clerk's Note: Report No. 84 of the Windsor-Essex County Environment Committee (WECEC) is attached as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES (A)

Adopted by Council at its meeting held August 25, 2014 [M335-2014]

/AC
Windsor, Ontario August 25, 2014

REPORT NO. 222 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held July 23 2014

Present: **Councillor J. Gignac**
 Councillor R. Jones
 Councillor F. Valentinis, Chair

Regrets: **Councillor A. Halberstadt**
 Councillor H. Payne

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

Moved by Councillor Jones, seconded by Councillor Gignac,
THAT the minutes Windsor-Essex County Environment Committee meeting held June 5, 2014 **BE RECEIVED** for information.
Carried.

Clerk's Note: The minutes of the Windsor-Essex County Environment Committee meeting held June 5, 2014 are attached as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES (A)

Adopted by Council at its meeting held August 25, 2014 [M336-2014]

/AC
Windsor, Ontario August 25, 2014

REPORT NO. 223 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held July 23 2014

Present: **Councillor J. Gignac**
 Councillor R. Jones
 Councillor F. Valentinis, Chair

Regrets: **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,

- I. **THAT** the applicants request for the property at 2595 Dougall Avenue, identified as CON 2PT Lot 79; to permit a billboard and block wall to encroach on the Dougall Avenue right-of-way, **BE APPROVED** subject to the owner entering into an encroachment agreement, satisfactory in form to the City Solicitor, and in technical content to the City Engineer, to comply with the terms and conditions:
- (a) Furnish a copy of the Registered Deed by which ownership to the property was acquired.**
- (b) Pay a \$225.00 (includes 5% G.I.S. charge) encroachment application fee to the Engineering Department. (paid)**
- (c)** 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 Certificate of Insurance with a minimum amount of \$2,000,000.00 per occurrence Commercial General Liability, a cross liability endorsement, the Corporation of the City of Windsor as an additional insured and 30 days notice of cancellation.

The Certificate of Insurance must be satisfactory in form to the Risk Management Supervisor and provided to the Risk Management Supervisor with the commencement of this encroachment and annually thereafter.

For insurance purposes only, the mailing address for the Corporation of the City of Windsor is:

The Corporation of the City of Windsor
Risk Management Division
400 City Hall Square, Suite 403
Windsor, ON N9A 7K6

- (d) Pay a \$250.00 fee to the Engineering Department for the preparation of the agreement, to be signed by the property owner. (paid)
 - (e) **Pay a surcharge in the amount of \$100.00 to the Engineering Department, as required by Council Resolution 699/85. (paid)**
 - (f) Pay an annual encroachment fee of \$795.00, calculated according to Council Resolution 425/81, and any and all applicable provincial and federal land taxes, etc.
 - (g) Pay an annual inspection and billing fee of \$25.00 to the Engineering Department.
 - (h) Remove the encroachment and restore the area within 60 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so.
 - (i) The applicant agrees to obtain a Street Opening Permit at a cost of \$208.00 for the subject encroachment.
 - (j) The applicant agrees to obtain the services of a structural engineer to certify the billboards structural integrity.
 - (k) The applicant agrees to enter into an encroachment agreement with the Detroit River Tunnel Partnership for the possible billboard and block wall encroachment.
- II. **THAT** the encroachment of landscaping boulders and part of 6 parking spaces on the Dougall Avenue right-of-way, as shown on attached drawing C-3221A, **BE APPROVED**, subject to the owner entering into an encroachment agreement, satisfactory in form to the City Solicitor, and in technical content to the City Engineer, to comply with the terms and conditions:
- (a) **Furnish a copy of the Registered Deed by which ownership to the property was acquired.**
 - (b) **Pay a \$225.00 (includes 5% G.I.S. charge) encroachment application fee to the Engineering Department. (paid)**
 - (c) 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 Certificate of Insurance with a minimum amount of \$2,000,000.00 per occurrence Commercial General Liability, a cross liability endorsement, the Corporation of the City of Windsor as an additional insured and 30 days notice of cancellation.

The Certificate of Insurance must be satisfactory in form to the Risk Management Supervisor and provided to the Risk Management Supervisor with the commencement of this encroachment and annually thereafter.

For insurance purposes only, the mailing address for the Corporation of the City of Windsor is:

The Corporation of the City of Windsor
Risk Management Division
400 City Hall Square, Suite 403
Windsor, ON N9A 7K6

- (d) Pay a \$250.00 fee to the Engineering Department for the preparation of the agreement, to be signed by the property owner. (paid)

- (e) **Pay a surcharge in the amount of \$100.00 to the Engineering Department, as required by Council Resolution 699/85. (paid)**
 - (f) Pay an annual encroachment fee of \$745.00, calculated according to Council Resolution 425/81, and any and all applicable provincial and federal land taxes, etc.
 - (g) **g fee of \$25.00 to the Engineering Department.**
 - (h) Remove the encroachment and restore the area within 60 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so.
 - (i) The applicant agrees to obtain a Street Opening Permit at a cost of \$208.00 for the subject encroachment.
- III. **THAT** the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in form to the City Solicitor and in technical content to the City Engineer, in accordance with By-law 208-2008 as the authority for encroachments.

Clerk's Note: The report of the City Engineer entitled "2595 Dougall Avenue – Parking, Landscape, Block Wall and Billboard Encroachment" dated May 7, 2014 is attached as background information.

LiveLink #17157 SE2014

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES (A)

Clerk's Note: The report of the City Engineer entitled "Community Gardens on Municipal Property Policy" dated June 23, 2014 is *attached* as background information.

LiveLink #17231 SR2014

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES (A)

Adopted by Council at its meeting held August 25, 2014 [M339-2014]

/AC

Windsor, Ontario August 25, 2014

REPORT NO. 235 of the
PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held July 14, 2014

Present: Councillor Irek Kusmierczyk
Councillor Hilary Payne
Councillor Ed Sleiman
Barbara Bjarneson
Councillor Drew Dilkens
Councillor Bill Marra

Regrets: Merrill Baker

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

Moved by B. Bjarneson, seconded by Councillor Payne

I **THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the north side of the North Service Road East, between Clemenceau Boulevard and Pillette Road, abutting CN & CP Rail Yards, and described as Pt Lots 113 & 114, Concession 2 Sandwich East; Parts 6 to 9 (incl.) on Reference Plan 12R2428, by adding a site specific provision to allow only the following permitted uses under Section 18 subsection 1—Manufacturing District 1.1 (MD1.1) within the existing buildings:

18(1)(a) 9 “**Miscellaneous Manufacturing including:** Manufacture of musical instruments, ceramics, jewellery, toys, cutlery, or other small metal products; manufacture and application of protective coatings”; and

18(1)(a) 12 “**Welding:** A welding shop for the welding of small metal products”; and

II **THAT** the applicant **BE REQUESTED** to address the existing issue of the noise emanating from the exhaust fan at the rear of the building, prior to the report being addressed by City Council.

Carried.

Clerk's Note: The report of the City Planner dated June 17, 2014 entitled “Rezoning – 5350 North Service Road” is **attached** as background information.

LIVELINK 17259 ZB/11903

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES (A)