

Tuesday, August 02, 2016
6:00 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 10 - Councillor Borrelli
Ward 3 - Councillor Bortolin
Ward 2 - Councillor Elliott
Ward 1 - Councillor Francis
Ward 6 - Councillor Gignac
Ward 4 - Councillor Holt
Ward 7 - Councillor Kusmierczyk
Ward 8 - Councillor Marra
Ward 5 - Councillor Sleiman

Absent

Ward 9 - Councillor Payne

1. ORDER OF BUSINESS

2. CALL TO ORDER - Playing of the National Anthem

Following the playing of the Canadian National Anthem, the Mayor calls the meeting to order at 6:05 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Minutes of the July 18, 2016 Windsor City Council meeting

Moved by: Councillor Gignac
Seconded by: Councillor Holt

That the Minutes of the regular meeting of Council held July 18, 2016 **BE ADOPTED** as presented.
Carried.

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
- (d) hearing presentations and delegations;
- (e) consideration of business items;
- (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
- (g) consideration of by-laws 119-2016 through 121-2016 (inclusive).

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence - August 2, 2016

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

Decision Number: CR470/2016

That the following Communication Items 7.1.1 and 7.1.2 as set forth in the Council Agenda **BE REFERRED** as noted:

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No.	Sender	Subject
7.1.1	Town of Tecumseh	Notice of Public Meeting – Proposed Official Plan Amendment and Zoning By-Law Amendment City Planner City Solicitor Z2016 Note & File
7.1.2	City of Windsor	Notice of Completion Municipal Class Environmental Assessment Central Box Study Area. Note & File SW2016

Carried.

7.2. Response to CQ51-2015 - Level of Residential Intensification since 2006 - City Wide

Moved by: Councillor Bortolin

Seconded by: Councillor Holt

Decision Number: CR476/2016

That the report of the City Planner dated June 12, 2016 entitled “Response to CQ51-2015 – Level of Residential Intensification since 2006” **BE REFERRED** back to Administration so that the report include raw data as an overlay of population density across the city as is represented with respect to intensification and that that report **BE DIRECTED** to the Downtown Windsor Planning Study as it directly relates to the efforts being made for that study.

Carried.

Report Number: C 57/2016

Clerk’s File: GPL2016 7.2

7.3. Ministry of Labour Field Visit Report with No Orders at the Windsor International Aquatic & Training Centre

Moved by: Councillor Sleiman

Seconded by: Councillor Borrelli

Decision Number: CR477/2016

THAT City Council **RECEIVE FOR INFORMATION** the report from the Executive Director of Human Resources with respect to the July 8th, 2016 Field Visit Report issued by the Ministry of Labour (MOL) in relation to a reported injury to a worker at the Windsor International Aquatic & Training Centre (WIATC); and

THAT Council and Administration **BE MADE AWARE** that the Recreation & Culture Department, Human Resources and the MOL have worked to ensure that the WIATC is in compliance with the *Occupational Health & Safety Act*. There were no orders issued.
Carried.

Report Number: CM 38/2016
Clerk's File: SR/11026 7.3

7.4. New Sandwich Town Library be Named to Honour John Muir

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

Decision Number: CR478/2016

THAT the report from the Office of Mayor dated July 29, 2016, entitled "New Sandwich Town Library be Named to Honour John Muir" **BE RECEIVED** for information.
Carried.

Report Number: CM 41/2016
Clerk's File: ML2016 7.4

8. CONSENT AGENDA

8.1. Tender 110-16: Construction of New Fire Hall No. 5 - Ward 10

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR472/2016

- I. THAT the report regarding the Award of Tender for Tender 110-16, Construction of New Fire Hall No. 5 **BE RECEIVED FOR INFORMATION**, and
- II. THAT **APPROVAL BE GIVEN** to enter into an agreement with Amico Design-Build Inc. for the construction of Fire Hall No. 5 in the amount of \$4,202,500.00 (excluding HST) and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and
- III. THAT in keeping with the Disposal of Land Policy, Section 4.1.3 the following improved real property **BE DECLARED** surplus to the needs of the Corporation:
Municipal address:

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- 1905 Cabana Road West – situated on the south side of Cabana Road West opposite the Charlevoix Avenue intersection.
- Legal Description: Part Lot 2, Concession 4 or 2, Sandwich West; McNiff L'Assumption, designated as Part 2 on Plan 12R-2766
- Lot size: 180 feet X 183 feet
- Building size: approximately 5,546 square feet

and,

- IV. That the Manager of Real Estate Services **BE DIRECTED** to list the improved property municipally known as 1905 Cabana Road West on the MLS at a time as determined by the City Solicitor, and
- V. THAT in order to supply the required new line of service as it relates to ongoing Ministry of Natural Resources and Forestry (MNRF) commitments under s.17(2)(c) of the Endangered Species Act, 2007, Council **APPROVE** a pre-commitment of \$50,000 to the 2017 Operating Budget for the Parks Department, and
- VI. THAT Council **APPROVE** use of the \$218,000 park land dedication costs within the Fire Hall 2 Project as a funding source for mitigation costs required for commitments under s.17(2)(c) of the Endangered Species Act, 2007, Species at Risk Mitigation Plan for the construction of Fire Hall 5, and
- VII. THAT Council **APPROVE** funding of the estimated project shortfall of \$1,194,941 (including non-recoverable taxes) from the following sources:

Anticipated proceeds from the sale of surplus Fire Halls 2, 6 & 5	\$900,000
Parkland dedication fees - Long Park	\$218,000
Unallocated Capital Placeholder Contingency	\$76,941

and that the overall project budget **BE REVISED** to be \$10,194,941.

Carried.

Report Number: C 124/2016
Clerk's File: SF/11843 8.1

8.2. Extension of Services Agreement for Parking Enforcement for 2017

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR473/2016

I. THAT City Council **APPROVE** the extension of the Services Agreement for Parking Enforcement for one (1) year to Canadian Corps of Commissionaires Ottawa Windsor Division as provided in the current contract at a cost of \$630,773.44. (excluding HST) to be adjusted on January 1, 2017 by the inflationary factor as per the terms of the contract; and further,

II. THAT the CAO and City Clerk **BE AUTHORIZED** to execute the extension agreement with Canadian Corps of Commissionaires Ottawa Windsor Division for the provision of parking enforcement services as per the Services Agreement for Parking Enforcement, to an upset limit of \$630,773.44 (excluding HST) plus inflationary adjustment for 2017, satisfactory in form to the City Solicitor, in financial content to City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number: C 134/2016
Clerk's File: ST2016 8.2

**8.3. Declaration of Vacant Parcel on Howard Avenue Surplus and Authority to Offer the Land for Sale
Ward 4**

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR474/2016

I. That the following vacant parcel of land **BE DECLARED** surplus:

- Municipal address:
 - Part of 0 Howard Avenue – the easterly triangular portion of the lands situate on the east side of Howard Avenue, north of Lens Avenue and southwest of Fraser Avenue
- Legal Description:
 - Part of Lots 340 and 341, Registered Plan 908, to be further described on a new reference plan of survey
 - Easements, subject to their being accepted in the City's standard form and in accordance with the City's standard practise, in favour of Cogeco Cable Canada GP Inc., EnWin Utilities Ltd. and Bell Canada
- Lot area: approximately 1,851.4 sq ft (172 m²)

- II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the vacant parcel of land municipally known as part of 0 Howard Avenue and legally described as Part of Lots 340 and 341 on Registered Plan 908, to be further described on a new reference plan of survey, for sale to the abutting property owners at 2397 Fraser Avenue at a list price to be determined by the Manager of Real Estate Services or an independent appraisal, as appropriate.

Carried.

Report Number: C 139/2016
Clerk's File: APM2016 8.3

8.4. Amendments to the Sign By-law 250-2004, for Children's Fest-2016 Temporary Signs on Fencing at the Children's Safety Village by the Rotary Club of Windsor (1918) at 7515 Forest Glade Drive Ward 8

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR475/2016

That the Rotary Club of Windsor (1918) request to erect 12 to 20 temporary signs on the existing fencing along Lauzon Parkway at the Children's Safety Village at 7515 Forest Glade Drive in order to promote the fundraising campaign during the Children's Fest event from August 15th to September 30th, 2016, **BE APPROVED** subject to the following terms and conditions:

- a) Sign permits shall be obtained from the Building Division; and
- b) The signs shall be erected no earlier than August 15th, 2016 and shall be removed no later than September 30th, 2016.

Carried.

Report Number: C 135/2016
Clerk's File: SBS2016 8.4

8.5. Declaration of 604 South Pacific Avenue Surplus and Authority to Offer the Improved Property for Sale Ward 10

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR476/2016

- I. That the following improved parcel of land **BE DECLARED** surplus:
 - a. Municipal address:
 - i. 604 South Pacific Avenue – situate on the north side of South Pacific Avenue, east of Howard Avenue and south of the Canadian Pacific Railway tracks
 - b. Legal Description:
 - i. Lot 4, Registered Plan 1137 and Part Alley, Registered Plan 1137 closed by CE495465 designated as Part 1 on Plan 12R-24753
 - c. Lot area: approximately 6,778 sq ft (630 m²)
- II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the improved property municipally known as 604 South Pacific Avenue and legally described as Lot 4, Registered Plan 1137 and Part Alley, Registered Plan 1137 closed by CE495465 designated as Part 1 on Plan 12R-24753 (the “**Property**”), for sale at a list price to be determined by the Manager of Real Estate Services and confirmed by the MTO.

Carried.

Report Number: C 140/2016
Clerk’s File: APM2016 8.5

8.6. Report No. 110 of the Windsor Accessibility Advisory Committee regarding the retrofit of five existing Audio Pedestrian Signals to the Windsor Standard (voice message)

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR479/2016 SDHC 411

That Report No. 110 of the Windsor Accessibility Advisory Committee regarding the retrofit of five existing Audio Pedestrian Signals to the Windsor Standard **BE APPROVED**.

Carried.

Report Number: SCM 107/2016
Clerk’s File: MB2016 8.6

8.7. Minutes of the Executive Committee and Board of Directors, Willistead Manor, Inc. meetings held June 9, 2016

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR480/2016 SDHC 412

That the Minutes of the Executive Committee and Board of Directors, Willistead Manor, Inc. meetings held June 9, 2016 **BE RECEIVED** for information.

Carried.

Report Number: SCM 106/2016
Clerk's File: MB2016 8.7

8.8. Minutes of the Housing Advisory Committee of its meeting held April 26, 2016

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR481/2016 SDHC 413

That the Minutes of the Housing Advisory Committee of its meeting held April 26, 2016

BE RECEIVED for information.

Carried.

Report Number: SCM 105/2016
Clerk's File: MB2016 8.8

8.9. Report No. 17 of the Seniors Advisory Committee Email poll--Participation in United Nations International Day of Elders Event

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR482/2016 SDHC 414

THAT Report No. 17 of the Seniors Advisory Committee Email poll--Participation in United Nations International Day of Elders Event **BE APPROVED**; and

THAT the request for waiver of fees or any additional financial contribution by the City for this event **BE NOT APPROVED**, but that the costs come from the Committees approved budget.

Carried.

Report Number: SCM 98/2016
Clerk's File: MB2016 8.9

8.10. Minutes of the Windsor Accessibility Advisory Committee of its meeting held March 29, 2016

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR484/2016 SDHC 415

That the Minutes of the Windsor Accessibility Advisory Committee of its meeting held March 29, 2016 **BE RECEIVED** for information.

Carried.

Report Number: SCM 95/2016
Clerk's File: MB2016 8.10

8.11. Minutes of the Seniors Advisory Committee of its meeting held May 5, 2016

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR485/2016 SDHC 416

That the Minutes of the Seniors Advisory Committee of its meeting held May 5, 2016 **BE RECEIVED** for information.

Carried.

Report Number: SCM 104/2016
Clerk's File: MB2016 8.11

8.12. Zoning Bylaw Amendment Application to add "Haunted House" use as additional permitted use on the property known as 1441 McDougall; Applicant - Shawn Lippert; File No.: Z-007/16; ZNG/4681; Ward # 3

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR483/2016 PHED 388

- I. THAT an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the land located on the west side of McDougall Street, south side of Ellis Street East and north side of Shepherd Street East, described as Pt Lot 85, Concession 1, and Part 3 on Plan 12R 14001, by adding a site specific zoning provision allowing "*a haunted house*" as additional permitted use in an existing building on the subject land;
- II. THAT the City Planner **BE DIRECTED** to conduct a study of the area affected by Special Zoning Provision s.20(1)50 of By-law 8600 and prepare a Planning Report for Council's consideration.

Carried.

Report Number: S 113/2016
Clerk's File: ZB/12562 8.12

8.13. Ontario Heritage Conference 2016 Report, City of Stratford and Town of St Mary's May 12 – May 15, 2016 (Citywide)

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR488/2016 PHED 389

That the report of the City Planner dated June 2, 2016 entitled "Ontario Heritage Conference 2016 Report, City of Stratford and Town of St. Marys – May 12-May 15, 2016" **BE RECEIVED** for Information.

Carried.

Report Number: S 115/2016
Clerk's File: MBA2016 8.13

8.14. Conveyance of part of closed Clairview Avenue abutting 429 Fairview – PIN 01070-0173 SAS/4677, Ward 6

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR489/2016 PHED 391

I. That former Town of Riverside conveyance By-law 2791 **BE AMENDED** to authorize the conveyance of part of closed Clairview Avenue described as Part Clairview Avenue, Plan 1164, Riverside, closed by R310550 abutting Lots 1, 2, 3, Plan 1164; Windsor, being PIN 01070-0173 closed by former Town of Riverside By-law 2760 registered on title August 19, 1964 as Instrument Number R310550 to the owners of 429 Fairview, and the lands **BE CONVEYED** at \$1.00 plus deed preparation costs.

II. Easements, subject to their being accepted in the City's standard form and in accordance with the City standard practice **BE GRANTED** to:

i. Enwin Utilities Ltd. and Bell Canada.

III. That the City Solicitor **BE DIRECTED** to prepare the amending by-law for Council's consideration; and further, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor, and any subsequent transactions **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number: S 110/2016
Clerk's File: SAA2016 8.14

8.15. The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2015

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR486/2016 ETPS 412

THAT the Environment, Transportation & Public Safety Standing Committee and the Transit Windsor Board of Directors:

- I. **APPROVE** the Actuarial Valuation of the Contributory Pension Plan for Employees of Transit Windsor as at December 31, 2015; and,
- II. **APPROVE** increasing the Letter of Credit from a cumulative total of \$4,185,450, to \$4,379,400 based on the allowed maximum of 15% of the assets market value of \$29,196,000 as shown in the Actuarial Valuation as at December 31, 2015 for Transit Windsor's Contributory Pension Plan, with all the remaining charged to the operating budget; and,
- III. **DIRECT** that this report be forwarded to City Council for approval; and,
- IV. **DIRECT** the Plan Administrator to forward the Actuarial Valuation as at December 31, 2015 to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency.

Carried.

Report Number: S 131/2016
Clerk's File: MT2016 8.15

8.16. The Contributory Pension Plan for Employees of Transit Windsor – Audited Financial Statements for the year ended December 31, 2015

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR487/2016 ETPS 410

- I. That the Audited Financial Statements as at December 31, 2015 of the Contributory Pension Plan Fund for Employees of Transit Windsor **BE APPROVED**; and
- II. That the Executive Director of Transit Windsor, as the Plan Administrator, file the financial statements with the Office of the Superintendent of Financial Institutions Canada (OSFI).

Carried.

8.17. Request to waive Councillor Conference Attending Policy

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR490/2016 EC 270

THAT the existing Councillor Conference Attending Policy **BE WAIVED** to allow all Members of Council to register for the upcoming Association of Municipalities of Ontario (AMO) Conference to be held in Windsor the week of August 14-17, 2016.

Carried.

Report Number: SCM 121/2016
Clerk's File: ACO2016 8.17

11.2. Canada 150 Intake Two

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

Decision Number: CR498/2016

I. THAT, as required in the DOA By-law 208-2008, City Council **CONFIRM** the following projects and their order of priority as submitted to the Canada 150 Community Infrastructure Program based on the noted DOA by-law:

- a) Sandwich Library (in partnership with the Windsor Public Library)
- b) Gino Marcus Family Change Room
- c) Windsor Loop
- d) Dieppe River Walk
- e) Willistead Manor
- f) Accessible Playgrounds

and

Subject to being awarded funding:

II. THAT City Council **APPROVE** the following funding strategies for the City's portion of the two projects submitted which currently have funding approved only in principle in the 5-year plan:

Dieppe River Walk

1. Pre commitment of \$500,000 from the approved in principle 2019 Central Riverfront capital project (PFO-001-14)

Willistead Manor

2. Pre commitment of \$750,000 from the approved in principle 2017 Willistead Complex Capital Improvements capital project (HCP-010-07).

Gino Marcus

3. Pre commitment of \$1,100,000 from the approved in principle 2020 Gino Marcus Family Change Room capital project (REC-005-16)

III. THAT Administration **BE AUTHORIZED** to prepare and issue RFP(s) to retain appropriate consultants for the design, tender and contract administration services as required for the above noted projects and subject to falling within allocated budget amounts, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreements with the successful proponents, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer; and

IV. THAT the City Engineer or designate, for any and all projects approved for Canada 150 Community Infrastructure funding, **BE AUTHORIZED** to issue requisite tenders for the construction works required at each of the sites, and that subject to the tenders falling within the approved capital budget, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor, in technical content with the City Engineer, and in financial content to City Treasurer, and further, that the results of these tenders be subsequently reported to City Council for information purposes.

Carried.

Report Number: C 126/2016
Clerk's File: GFG/12228 11.2

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

None requested.

10. PRESENTATIONS AND DELEGATIONS (5 Minute maximum per delegate)

Healthy Kids Community Challenge

Jelena Payne, Community Development and Health Commissioner

Jelena Payne, Community Development and Health Commissioner appears before Council to provide a brief overview of the “Healthy Kids Community Challenge”, which was launched at the Open Streets event held July 17, 2016 to promote drinking tap water using refillable water containers and to encourage children to pledge to drink more water and less sugary beverages, and concludes by asking Mayor Dilkens and Councillor Gignac to assist in presenting to the winner of the challenge via a draw - four-year old Trajan Masse along with his parents Sean and Luisa Masse - a new bicycle generously donated by Mr. Ted Farron from Farron’s Gourmet Butcher Shop.

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11.1. Adoption of the City of Windsor Neighbourhood Market Value Analysis as the ‘Comprehensive Planning Study’ for refined Development Charge Exemptions. - City Wide

Lori Hill, resident of Ward 4

Lori Hill, resident of Ward 4, appears before Council to provide comment regarding the City of Windsor Neighbourhood Market Value Analysis as the Comprehensive Planning Study for refined Development Charge Exemptions, suggesting that the city should use caution and fight against urban sprawl, stating that growth should happen naturally when it is required, and gives an example of the proposed mega hospital which is slated to be built near Windsor Airport of growth that is not warranted at that location at this time.

Caroline Taylor, resident of Ward 2

Caroline Taylor, resident of Ward 2, appears before Council to provide comment regarding the City of Windsor Neighbourhood Market Value Analysis as the Comprehensive Planning Study for refined Development Charge Exemptions, suggesting that new development has been allowed without the required population growth to justify it, and that core neighbourhoods need to be made more viable again and concludes by recommending that the city consider implementing a vacant building registry.

Moved by: Councillor Francis
Seconded by: Councillor Gignac

Decision Number: CR496/2016
THAT the City of Windsor Neighbourhood Market Value Analysis **BE ADOPTED & APPROVED** as the ‘comprehensive planning study’ referred to by M151-2015.

Development Charge Exemptions Boundary Adjustment Recommendations

THAT the current Schedule A to By-law 60-2015 – Development Charge Exemptions **BE REPLACED** with the proposed Schedule A to By-law 60-2015 – Development Charge Exemptions as shown in Appendix 'E'; and

THAT the current Schedule A.1 to By-law 60-2015 – Development Charge Exemptions: West **BE REPLACED** with the proposed Schedule A.1 to By-law 60-2015 – Development Charge Exemptions: West as shown in Appendix 'F'; and

THAT the current Schedule A.2 to By-law 60-2015 – Development Charge Exemptions: Central **BE REPLACED** with the proposed Schedule A.2 to By-law 60-2015 – Development Charge Exemptions: Central as shown in Appendix 'G'; and,

THAT the current Schedule A.3 to By-law 60-2015 – Development Charge Exemptions: East **BE REPLACED** with the proposed Schedule A.3 to By-law 60-2015 – Development Charge Exemptions: East as shown in Appendix 'H'.

Development Charge Exemptions Rate Adjustment Recommendations

THAT the current Schedule C (Area 1) to By-law 60-2015 **BE REPLACED** with Schedule C to By-law 60-2015 as shown in Appendix 'I' which increases the partial 75% Development Charge Exemption to 100% of the hard service costs; and,

THAT Schedule D (Area 2) to By-law 60-2015 **BE DELETED** eliminating the 50% partial Development Charge Exemption; and,

THAT Schedule E (Area 3) to By-law 60-2015 **BE DELETED** eliminating the 25% partial Development Charge Exemption; and further,

That Administration **BE DIRECTED** to make the raw data available as deemed appropriate.
Carried.

Moved by: Councillor Holt
Seconded by: Councillor Bortolin

Decision Number: CR497/2016

That administration **BE DIRECTED** to report back to the Planning, Heritage and Economic Development Standing Committee with recommended options to create a Community Improvement Plan focusing on the area highlighted in the Lyon Consultants Report for intensification, addressing their recommendations and others that can increase the population density of the area.
Carried.

Report Number: C 138/2016
Clerk's File: GPL/3905 11.1

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10.1. City of Windsor Lancaster Bomber FM 212 and Stewardship Agreement with the Canadian Historical Aircraft Association 2016 through to 2023

John Robinson, President, Canadian Historical Aircraft Association

John Robinson, President, Canadian Historical Aircraft Association, appears before Council to provide a general overview of the Canadian Historical Aircraft Association and speaks in support of a Stewardship Agreement for the City of Windsor Lancaster Bomber FM 212 as well as an appropriate funding level that would be a positive for Windsor in terms of honouring our veterans.

Stephen Richards, Treasurer of Canadian Historical Aircraft Association

Stephen Richards, Treasurer of Canadian Historical Aircraft Association, appears before Council to provide comment regarding the City of Windsor Lancaster Bomber FM 212 and Stewardship Agreement with the Canadian Historical Aircraft Association, specifically by providing an update on the restoration project, including the restoration phases and funding requirements.

Don Christopher, Vice President, Canadian Historical Aircraft Association

Don Christopher, Vice President, Canadian Historical Aircraft Association, appears before Council to provide comment regarding the City of Windsor Lancaster Bomber FM 212 and Stewardship Agreement with the Canadian Historical Aircraft Association, specifically by providing an update on the restoration plans.

Jim VanDyk, Chief Engineer, Canadian Warplane Heritage Museum

Jim VanDyk, Chief Engineer, Canadian Warplane Heritage Museum, appears before Council and is available for questions regarding the City of Windsor Lancaster Bomber FM 212 and Stewardship Agreement with the Canadian Historical Aircraft Association.

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR495/2016 SDHC 417

THAT City Council **APPROVE** the funding level for the Canadian Historical Aircraft Association to support the restoration as presented in Option Two of the administrative report – up to \$50,000/year (10 year agreement) subject to the development of a suitable Stewardship Agreement with the Canadian Historical Aircraft Association for the restoration of the Lancaster Bomber FM 212, which outlines expectations for restoration and reporting, projected timelines, and measurable results including benchmarks moving forward for a term to be reviewed and determined by Council; and further,

THAT City Council **RATIFY AND CONFIRM** the notice of non-renewal (attached as Appendix “A”) sent to the Canadian Historical Aircraft Association on June 22, 2016 to inform them that the current agreement would not be renewed under the existing terms and conditions as required within the agreement; and further,

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the Stewardship Agreement, and any other documents required to bring effect to these resolutions, in form satisfactory to the City Solicitor, in financial content satisfactory to the City Treasurer/Chief Financial Officer, and in technical content to the Commissioner of Community Development and Health and the Executive Director of Recreation and Culture; and further,

THAT a procedure **BE ESTABLISHED** whereby any future funding requests from the Association **BE SENT** to the Executive Director of Recreation and Culture and then directly to City Council in order for it to be dealt with expeditiously.

Carried.

Councillor Elliott voting nay.

Report Number: S 104/2016
Clerk's File: APR/1699 10.1

Appendices

Notice

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

Nil.

12. CONSIDERATION OF COMMITTEE REPORTS

Moved by: Councillor Holt
Seconded by: Councillor Kusmierczyk

Decision Number: CR499/2016
That the **Report of the Special In-Camera** meeting held August 2, 2016 **BE ADOPTED**
as presented.
Carried.

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Marra
Seconded by: Councillor Sleiman

That the following By-laws No. 119-2016 through 121-2016 (inclusive) be introduced and read a first and second time:

119-2016 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 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 CAO3585, approved July 11, 2016

120-2016 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", (See Item 8.12)

121-2016 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SECOND DAY OF AUGUST, 2016
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Borrelli
Seconded by: Councillor Bortolin

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**
- 5** **Committee Reports (as presented)**
- 6** **By-laws given first and second readings (as presented).**

Carried.

15. NOTICES OF MOTION

Councillor Holt gives notice that he intends to introduce a motion for consideration at the August 22, 2016 meeting of Council as follows:

WHEREAS the wording of CR128/2013 stipulates the funds be spent on road rehabilitation work, despite the remaining amount identified to each Ward Councillor in 2016, and

WHEREAS Councillors might like some flexibility in the disbursement of the remaining funds,

THEREFORE BE IT RESOLVED that any remaining funds with the exception of financing costs from CR128/2013 be redirected back to the Ward Councillors and be allowed to be used according to established ward fund policy.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Elliott
Seconded by: Councillor Francis

That the following By-laws No. 119-2016 through 121-2016 (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.

17. PETITIONS

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR493/2016

That the petition presented by Councillor Holt from the residents near Richmond Street and Chilver Road requesting that the City of Windsor erect two stop signs on the east and west corners of Richmond and Chilver running north and south **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Executive Director of Operations/Deputy City Engineer for the purpose of an examination of the requested works or undertakings, and further, that a report **BE PROVIDED** consistent with the direction provided.
Carried.

18. QUESTION PERIOD

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR491/2016
Assigned to the City Engineer

That the following Council Question by Councillor Elliott **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:

CQ32-2016

Asks that an administrative report be done to find out where the recent rat problem that is occurring in the 3400 Block of Barrymore and the 10 hundred blocks at Wigle and Lena. The residents at these streets have been there for 40 years and have never experienced a rat problem until now. The residents have reported to us the rats are coming out in broad daylight in residents yards, around their pools, etc.

Carried.

Clerk's File: SW2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR492/2016
Assigned to the City Engineer

That the following Council Question by Councillor Gignac **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:

CQ33-2016

Asks that again for the pedestrian crossing at Riverside and Ford if we can't install the formal pedestrian crossing outside of the VISTA project, then can we please redirect to another safer area and discourage crossing at that point.

Carried.

Clerk's File: SW/8513

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR493/2016

Assigned to the City Planner

That the following Council Question by Councillor Kusmierczyk **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:

CQ34-2016

Asks Administration report back on updates to design guidelines for fencing along Riverside Drive to require decorative fencing rather than industrial/chainlink on public and private property.

Carried.

Clerk's File: SR2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR494/2016

Assigned to the City Engineer

That the following Council Question by Councillor Francis **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:

CQ35-2016

I would like for the City to send a letter to those responsible for grass/weeds/landscape maintenance in and around the Herb Grey Parkway letting them know that we are concerned with current conditions, weeds, and general unpleasant look. I would like to have a response by them to see what it is they plan to improve upon the current situation and general landscaped condition in and around the Parkway.

Carried.

Clerk's File: ST/8821

21. ADJOURNMENT

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

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 8:15 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held August 2, 2016 (CR499/2016)

VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
August 2, 2016

Meeting called to order at: 5:46 p.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor J. Elliott
Councillor C. Holt
Councillor R. Bortolin
Councillor B. Marra
Councillor J. Gignac
Councillor P. Borrelli (arrives at 5:47 p.m.)
Councillor E. Sleiman
Councillor I. Kusmierczyk

Members Absent:

Councillor H. Payne

Also in attendance:

O. Colucci, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader
Engagement and Human Resources Public
J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader
Finance and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic
Development and Public Safety

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

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<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – expropriation	2 3 9 (2) (c)
2.	Property matter – lease	2 3 9 (2) (c)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

Verbal Motion is presented by Councillor Elliott, seconded by Councillor Francis, to move back into public session.

Motion Carried.

Moved by Councillor Bortolin, 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 August 2, 2016 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 Estate Services, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter - expropriation **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Asset/Lease Administrator, Manager of Real Estate Services, Executive Director of Recreation and Culture, City Solicitor and Corporate Leader

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Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – lease **BE APPROVED**.

Motion Carried.

**Moved by Councillor Gignac, seconded by Councillor Borrelli,
That the special meeting of council held August 2, 2016 BE ADJOURNED.**

(Time: 5:50 p.m.)

Motion Carried.