

Regular

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

Members Present: Councillor Borrelli
Councillor Elliott [Acting Mayor]
Councillor Francis
Councillor Gignac
Councillor Holt
Councillor Kusmierczyk
Councillor Marra
Councillor Payne
Councillor Sleiman

Members Absent: Mayor Dilkens [away on City business]
Councillor Bortolin

Call to Order

Following the playing of the Canadian National Anthem and a moment of silent reflection, the Acting Mayor calls the meeting to order.

Disclosures of Pecuniary Interest and the General Nature Thereof

None disclosed.

Minutes

Moved by Councillor Francis, seconded by Councillor Gignac,
That the Minutes of the regular meeting of Council held July 6, 2015, **BE ADOPTED**
as presented.

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

Notice of Proclamations

-No. 7 Elementary Flying Training School (EFTS) 75th Anniversary Week July 20-24, 2015
-Hepatitis Awareness Week – July 27-31, 2015

Committee of the Whole

Moved by Councillor Holt, seconded by Councillor Kusmierczyk,
That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals or referrals of any items of business;

- (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
 - (ii) **Report of the Striking Committee** of its meeting held July 6, 2015
 - (g) consideration of by-laws 98-2015 through 100-2015 (inclusive).
- Carried.

Communications

Moved by Councillor Marra, seconded by Councillor Payne,
M236–2015 That the following Communication Items 1 to 9 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

Item	From	Description
1	Ministry of Municipal Affairs and Housing	2015 Ontario West Municipal Conference – November 20, 2015. Note & File SS2015
2	Ministry of the Environment and Climate Change	Certificate of Approval – Construct sanitary and storm sewers on Jos St. Louis Avenue (from Rose Street to Jos. St. Louis cul-de-sac). City Engineer Note & File SW/12239
3	Special Investigations Unit (SIU)	Special Investigations Unit Annual Report 2014-2015 (Clerk's Note: Due to size, this report is available to view on the City website). Police Chief Note & File SP2015
4	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Thursday, July 30, 2015, Council Chambers, 3 rd Floor, Windsor City Hall. Note & File ZC2015
5	Manager, Records and Elections	Review of Municipal Elections Act – Government of Ontario. Note & File ACEE/12107
6	City Engineer	Response to CQ13-2013 – Control of White-tailed Deer west of Huron Church Road. Note & File SR2015
7	City Engineer	CQ32-2015 To amend Parks By-Law to allow for horses currently owned by residents abutting city parks to use trails. Note & File SR2015
8	City Engineer	Street Light Citywide LED Conversion Project Charter. Note & File ST/12267

9	Transport Canada	Letter dated July 17, 2015 addressed to President and CEO of Essex Terminal Railway regarding Notice and Order – Inspections between July 14-16, 2015	City Engineer Note & File MTR2015
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Carried.

Moved by Councillor Marra, seconded by Councillor Payne,
M276–2015 That Rule 13.9 of the Procedure By-law 98-2011 regarding business not already before Council **BE WAIVED** to permit the introduction of a motion from Councillor Gignac for consideration without prior notice regarding Communication No. 3 (SIU) Special Investigations Unit Annual Report 2014-2015.

Carried.

Moved by Councillor Gignac, seconded by Councillor Marra,
M277–2015 That Council **ENDORSE** the following motion:
 June of this year OAPSB (Ontario Association of Police Service Boards) at its AGM (Annual General Meeting) passed the following resolution:

THEREFORE BE IT RESOLVED that the Ontario Association of Police Service Boards respectfully requests the Attorney General to take measures as may be necessary to improve the timelines of SIU (Special Investigations Unit) investigation including but not necessarily limited to providing such additional and other resources to the SIU as may be necessary to effectively and efficiently carry out its mandate.

Carried.

Consent Agenda

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

- Item 2 Declaration of the Vacant Parcel of Land Municipally Known as 0 Cataraqui Street (at the northeast corner of Aylmer Avenue and Cataraqui Street) Surplus and Authority to Offer the Land for Sale
- Item 3 2015-2017 Motorola Communication Systems Support Agreement
- Item 4 Site Plan Application for the WFCU Pool at 8787 McHugh Street
- Item 7 Compensation/Salary Market Comparison 2015-2016 – Non-Union Employees
- Item 8 Devonshire Road from Riverside Drive East to Wyandotte Street East, Road Pavement and Streetscape Improvements—Tender 60-15
- Item 9 Pay As You Go Leasing Reserve Fund (PAYG) Transfer to Windsor Police Service Equipment Reserve Fund for 2015 to 2019

Consent Committee Reports

<i>Executive Standing Committee</i>		
No.		Description
1	Report No. 192	Policy on Policies Framework
2	Report No. 193	Amendment of By-Law 366-2003
3	Report No. 194	Code of Ethics and Conflict of Interest Policy – Review and Update
4	Report No. 195	Capital Project Variance Report as at march 31, 2015

<i>Planning, Heritage & Economic Development Standing Committee</i>		
No.		Description
1	Report No. 306	Amiraco Properties Incorporated – 76 Tecumseh Road East, application to permit the conversion of an 8-storey, 72 unit residential apartment building from rental to condominium status

<i>Social Development, Health & Culture Standing Committee</i>		
No.		Description
1	Report No. 308	Downtown Windsor Business Improvement Association (DWBIA) Fiesta Latina Windsor
2	Report No. 309	RUNNINGFLAT LTD. Craft Draft 5K Run/Walk – August 8, 2015
3	Report No. 313	Windsor Essex 2014 Annual Report to the Community on the 10 Year Housing and Homelessness Plan

Carried.

Deferrals and/or Referrals and Withdrawals

None.

Presentations & Delegations:

DELEGATIONS

Waiver of Fees for the 57th Tour di Via Italia – September 6, 2015

Aldo Sfalcin, Chairman, Tour di Via Italia

Aldo Sfalcin, Chairman, Tour di Via Italia, appears before Council regarding the Administrative Report—Waiver of Fees for the 57th Tour di Via Italia – September 6, 2015, displaying a short video and indicates that the request for the waiver of fees in the amount of \$1300.00 be approved, and concludes by indicating that this sporting event has historical significance and draws a number of spectators to the area each year.

SR2015 1

(For final disposition of this matter, see Clause **CR131/2015** in Schedule “A” attached hereto.)

Site Plan Application for the University of Windsor’s School of Creative Arts at 58 Park Street East

David Hanna, Ward 1 Resident

David Hanna, Ward 1 Resident, appears before Council in favour of the recommendation of the Administrative Report—Site Plan Application for the University of Windsor’s School of Creative Arts at 58 Park Street East, and concludes by suggesting that more innovation is necessary and suggesting a possible reconfiguration of some pedestrian walkways in the area.

ZS/12096 5

(For final disposition of this matter, see Clause **CR135/2015** in Schedule “A” attached hereto.)

Moved by Councillor Marra, seconded by Councillor Francis

M293-2015 That in accordance with Rule 10.9 of the Procedure By-law 98-2011 with respect to deadline for registering as a delegation, that Kelly Briffa, resident of Ward 6, **BE ALLOWED** to be heard regarding CQ22-2014 Multiple Complaints regarding Landscaping in Right-of-Way.

Carried

CQ22-2014 Multiple Complaints regarding Landscaping in Right-of-Way

Kelly Briffa, resident of Ward 6

Kelly Briffa, resident of Ward 6, appears before Council speaking against the recommendation in the Administrative report regarding—CQ22-2014 Multiple Complaints regarding Landscaping in Right-of-Way sighting several safety concerns which resulted in erecting the fence in its current location, and concludes by suggesting that in the future the process outlined by administration should be followed.

SW2015 6

(For final disposition of this matter, see Clause **CR136/2015** in Schedule “A” attached hereto.)

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

Nil.

Consideration of Committee Reports

Moved by Councillor Francis, seconded by Councillor Gignac,

M278-2015 That the **Report of the special In-camera** meeting held July 20, 2015, **BE ADOPTED** as presented.

Carried.

ACO2015

Moved by Councillor Francis, seconded by Councillor Gignac,

M279-2015 That the **Report of the Striking Committee** of its meeting held July 6, 2015, **BE ADOPTED** as presented.

Carried.

ACO2015

By-laws

Moved by Councillor Holt, seconded by Councillor Kusmierczyk,

That the following By-laws No. 98-2015 through 100-2015 (inclusive), be introduced and read a first and second time:

98-2015 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 12M-591 IN THE CITY OF WINDSOR”, authorized by By-Law 139-2013, adopted August 26, 2013

- 99-2015 “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 CAO3139, approved July 7, 2015
- 100-2015 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTIETH DAY OF JULY, 2015”
Carried.

Moved by Councillor Marra, seconded by Councillor Payne,
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) Communication Items (as amended)
- 2) Consent Agenda (as amended)
- 3) Items Deferred
Items Referred
- 4) Consideration of the Balance of Business Items (see Schedule “A”)
- 5) Committee Reports (as amended)
- 6) By-laws given first and second readings (as presented)

Carried.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
That the following By-laws No. 98-2015 through 100-2015 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Petitions

None presented.

Council Questions

Moved by Councillor Payne, seconded by Councillor Holt,
M280-2015 That the following Council Question by Councillor Payne **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council’s instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ38-2015

Asks for a report on the feasibility of the Woodlawn and Parkwood pavements being rehabilitated in 2016.

SW2015

Carried.

Moved by Councillor Holt, seconded by Councillor Francis,

M281-2015 That the following Council Question by Councillor Holt **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:

CQ39-2015

Asks that Administration, on behalf of Council and the citizens of Windsor compose a letter to Detroit City Council requesting them to uphold and enforce their noise ordinance (Sec 36-12) (*attached*) restricting outdoor speakers with an audible range of more than fifty (50) feet, or any additional by-laws or legislation.

GM2015

Carried.

Moved by Councillor Gignac, seconded by Councillor Francis,

M282-2015 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:

CQ40-2015

Currently Jefferson Blvd. is being used as a detour route during road work on Wyandotte for City buses – this is very challenging as there are boulevards, on street parking etc. The water main work has been completed between Raymo & Pillette so can the bus traffic now be re-routed to keep on Wyandotte to Pillette.

SW2015

Carried.

Moved by Councillor Gignac, seconded by Councillor Francis,

M283-2015 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:

CQ41-2014

Asks regarding complaints on the closure of the riverfront walking/cycle path during some of the paid events on Festival Plaza, I would ask a report back to the Social Development, Health & Culture Standing Committee including an update on discussion with user groups regarding seating/shade options on the plaza and options for keeping the walkway bike path open at all times.

SR2015

Carried.

Moved by Councillor Gignac, seconded by Councillor Francis,

M284-2015 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:

CQ42-2015

The issue of the Fire-Medic model has surfaced in Ontario and is proposed to be implemented on a pilot basis without any consultation from the affected parties or employers. This is a very complex issue involving training, response time and ultimately labour relations. The issue in our community would be further complicated by the fact that the County is responsible for EMS. I would ask the CAO to bring a report to Council.

SF2015

Carried.

Adjournment

Moved by Councillor Holt, seconded by Councillor Kusmierczyk,

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Carried.

Accordingly, the meeting is adjourned at 7:46 o'clock p.m.

ACTING MAYOR

CITY CLERK

THIS IS A DRAFT COPY

SUPERVISOR OF COUNCIL SERVICES

Francis
Gignac

CR131/2015

THAT the request from the Via Italia Bike Race Action-Group (VIBRA) for waiver of fees in the amount of \$1,300. **BE APPROVED** for the 57th Tour di Via Italia bike race event, which will be held on Erie Street on Sunday, September 6, 2015; and further,

That the amount **BE FUNDED** from the Mayor's office budget; and

That this item **BE CONSIDERED** for the permanent listing as part of the Waiver of Fees and Grant Funding Policy review.

Carried.

Report Number **17687 SR2015 1**

Sleiman
Borrelli

CR132/2015

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

- Municipal address:
 - 0 Catarqui Street – situated on the north side of Catarqui Street and east side of Aylmer Avenue
- Legal Description:
 - Part of Lots 1 and 2, Block B, Registered Plan 134
- Lot size: 211.34' X irregular (12,632 sq ft)

II. That the Real Estate Division **BE AUTHORIZED** to offer the vacant parcel of land municipally known as 0 Catarqui Street and legally described as Part of Lots 1 and 2, Block B, Registered Plan 134 for sale on the Multiple Listing Service ("**MLS**") at a list price commensurate with an independent appraisal.

Carried.

Report Number **17827 APM2015 C2**

Sleiman
Borrelli

CR133/2015

THAT the Chief Administrative Officer and/or City Clerk **BE AUTHORIZED** to sign Motorola Communication Systems Support Agreement, #630-0610 for the period June 1, 2015 through May 31, 2017, at a cost of \$25,530 per month (\$306,360 annually) plus HST, which agreement shall contain a suitable "escape clause" or other means to address any systems upgrade, to be satisfactory in form to the City Solicitor, in technical content to the Fire Chief, and in financial content to the City Treasurer, to **BE FUNDED** from Pay As You Go (PAYG) Lease Reserve Fund 170.

Carried.

Report Number **17770 MC/12263 C3**

Sleiman
Borrelli

CR134/2015

- I. THAT the application by the City of Windsor (File No.: AMT-002/15) **BE APPROVED** permitting development in accordance with the following drawings:
1. Site Plan: Map No. AMT-002/15 (A1.01)
 2. Elevations: Map No. AMT-002/15 (A3.01)
- II THAT the following **BE REQUIRED**, prior to the issuance of a construction permit:
1. General Provisions of the Site Plan Approval:
 - i. The following conditions are prerequisites for the construction permit issuance:
G-11(2) Fire Route, G-15 Street opening permit, and G-18 Lot grading Plan to the satisfaction of PW-Engineering and Building Department.
 2. Special provisions of the Site Plan Approval:
 - i. To provide a permit from the Essex region conservation authority (ERCA) prior to the issuance of a construction permit.
- III THAT in accordance with By-law 11275, Administration **BE AUTHORIZED** to approve future changes to the approved site plan and building elevations.

Carried.

Report Number **17823 SR/11963 C4**

Appendices

Site Plan: Map No. AMT-002/15 (A1.01)
Elevations: Map No. AMT-002/15 (A3.01)

Sleiman
Francis

CR135/2015

- I. THAT the application by the University of Windsor (File No.: SPC-042/14) **BE APPROVED** permitting development in accordance with the following drawings:
1. Site Plan: Map No. SPC-042/14 (A1.10)
 2. Elevations: Map No. SPC-042/14 (A4.00)
- II THAT the following **BE REQUIRED**, prior to the issuance of a construction permit:
1. General Provisions of the Site Plan Approval:
 - i. The following conditions are prerequisites for the construction permit issuance:
G-3(1)&(2) Landscape Plan prepared by a landscape architect; G-4(1) Storm detention scheme to the satisfaction of the City Engineer, G-7(1)&(2) Photometric Plan and Full cut off light fixtures, G-11(2) Fire Route, G-15(1) Street Opening Permit, G15(2) Site

Servicing Drawings, G-17 Parkland Dedication, and G-18 Lot grading Plan to the satisfaction of PW-Engineering, Fire and Building Departments, and City Planner.

2. Special provisions of the Site Plan Approval:
 - i. To submit a geo-technical report to the satisfaction of the City Engineer and Chief Building Official prior to the issuance of a construction permit.
 - ii. To submit an Application to Encroach, and execute an agreement with the Corporation for any servicing/utilities located within the municipal right of way or alley, prior to the issuance of a construction permit.
 - iii. To conduct a video inspection of the existing connections prior to servicing the development, to determine the condition of the connections. All work is to be completed at the applicant's expense, all to the satisfaction of the City Engineer.
 - iv. To remove existing interlocking brick along the Park Street frontage of the subject lands, and replace same with stamped, coloured concrete as approved by the City Engineer and City Planner.
 - v. To provide separate private drain connections to the property line, ready for future mainline sewer separation construction (In accordance with City of Windsor Engineering Best Practice BP 1.1.1) prior to the issuance of a construction permit.
 - vi. To contribute the sum of \$500.00 payable to the City of Windsor and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor prior to the issuance of a construction permit.
 - vii. Compliance with the June 1, 2014 Sale, Licence and Redevelopment Agreement between the Corporation of the City of Windsor, Windsor-Detroit Tunnel Corporation and the University of Windsor.

III THAT in accordance with By-law 11275, Administration **BE AUTHORIZED** to approve future changes to the approved site plan and building elevations.

Carried.

Report Number **17822 ZS/12096 5**

Appendices

Site Plan: Map No. SPC-042/14 (A1.10)

Elevations: Map No. SPC-042/14 (A4.00)

Gignac

Marra

CR136/2015

- I. THAT Council **DIRECT** Administration to utilize the 2006 User Fee Schedule in charging Mr. Briffa for his encroachment application at his property located at 892 Smeeton Drive with respect to the encroachment of his fence in the public Right-of-Way; and further,
- II. THAT Council **DIRECT** Administration to resume enforcement of encroachments in the public right-of-way as per By-law 25-2010; and further

- III. THAT Council **DIRECT** Administration to uphold previous orders written under By-law 25-2010 but held in abeyance; and
- IV. THAT the amended Engineering “Best Practice – BP3.2.2 Landscaping in the Right Of Way” attached as Appendix “A”, **BE ADOPTED**.

Carried.

Report Number **17783 SW2015 6**

Appendices
Appendix A

Sleiman
Borrelli

CR137/2015

THAT the Terms of Reference for the Salary Market Comparison Review Working Committee for the 2015-2016 salary market review **BE RECEIVED** for information.

THAT Council **APPROVE** a change in the City of Windsor’s benchmark positions by adding additional benchmark positions within salary bands 7 through 11, while maintaining the total number of comparison positions at approximately 70.

Carried.

Report Number **17834 AS/10646 C7**

Sleiman
Borrelli

CR138/2015

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

TENDERER: Pierascenzi Construction Limited
7405 Broderick Road
LaSalle, Ontario N9H 1W7

TENDER NO.: 60-15

TOTAL TENDER PRICE: \$470,915 (excluding HST)

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder, satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor. The costs will be charged to chartfield 007-5410-1790-02942-7149000.

- II. That **APPROVAL BE GIVEN** to undertake a net expenditure of \$ \$637,686 for the construction of Devonshire Road with streetscape improvements from Riverside Drive East to Wyandotte Street East, to be funded from Project ID # 7149000 (Wyandotte – Gladstone/Devonshire)
- III. That **APPROVAL BE GIVEN** to transfer \$144,000 from Project ID #7033118 (East Riverside Planning District) to Project ID #7149000 (Wyandotte – Gladstone/Devonshire).
- IV. That **APPROVAL BE GIVEN** to transfer \$50,000 from Project ID # 7141046 (VIA Rail-land acq Riverside Drive) to Project ID # 7149000 (Wyandotte – Gladstone/Devonshire).

- V. That **APPROVAL BE GIVEN** to transfer \$96,289 from Project ID # 7121018 (Hall Ave – Riverside/Wyandotte) to Project ID # 7149000 (Wyandotte – Gladstone/Devonshire).

Carried.

Report Number **17817 SW/12264 C8**

Sleiman
Borrelli

CR139/2015

That Council authorize administration to **REDIRECT** the Windsor Police Service's annual contribution of \$622,564 to the Pay As You Go Leasing Reserve Fund #170 to the Windsor Police Equipment Replacement Reserve Fund #195 for the next five years, effective 2015 to 2019 inclusive; and

That Council authorize administration in consultation with Windsor Police Service (WPS) **TO DETERMINE** a repayment schedule beginning in the year 2020 and **TO RESUME** contributions to the Pay As You Go Leasing Reserve Fund #170, with consideration of budgets and reserves; and

That Council **APPROVE** that all current and eligible Windsor Police Service PAYG expenditures continue to be funded from the Pay As You Go Leasing Reserve Fund #170, with the understanding that some flexibility may be required as business and technology evolve; and

That Council **APPROVE** the Windsor Police Service to follow the same process as the City of Windsor Information Technology Department with respect to managing, tracking and reporting PAYG expenditures to City Council for the annual reserve fund transfer.

Carried.

Report Number **17821 SI2015 C9**

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M285-2015 That **Report No. 192 of the Executive Committee of Council** of its meeting held June 29, 2015 regarding "Policy on Policies Framework" **BE ADOPTED** as presented.
Carried.

Report Number **17776 AF/11247**

Appendices
Policy

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M286-2015 That **Report No. 193 of the Executive Committee of Council** of its meeting held June 29, 2015 regarding "Amendment of By-Law 366-2003" **BE ADOPTED** as presented.
Carried.

Report Number **17780 AL2015**

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M287-2015 That **Report No. 194 of the Executive Committee of Council** of its meeting held June 29, 2015 regarding “Code of Ethics and Conflict of Interest Policy – Review and Update” **BE ADOPTED** as presented.
Carried.

Report Number **17781 ACO/7690**

Appendices
Code of Ethics
Conflict of Interest Policy

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M288-2015 That **Report No. 195 of the Executive Committee of Council** of its meeting held June 29, 2015 regarding “Capital Project Variance Report as at March 31, 2015” **BE ADOPTED** as presented.
Carried.

Report Number **17749 AFB/11935**

Appendices
Report

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M289-2015 That **Report No. 306 of the Planning, Heritage & Economic Development Standing Committee** of its meeting held June 9, 2015 regarding “Amiraco Properties Incorporated – 76 Tecumseh Road East, application to permit the conversion of a 8-storey, 72 unit residential apartment building from rental to condominium status” **BE ADOPTED AS AMENDED**, attached hereto as Appendix “A”.

Report Number **17723 ZP/12121**

Appendices
Appendix A
Map No. CDM-002/15-2

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M290-2015 That **Report No. 308 of the Social Development, Health & Culture Standing Committee** of its meeting held July 8, 2015 regarding “Downtown Windsor Business Improvement Association (DWBIA) Fiesta Latina Windsor” **BE ADOPTED** as presented.
Carried.

Report Number **17787 SR/12253**

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M291-2015 That **Report No. 309 of the Social Development, Health & Culture Standing Committee** of its meeting held July 8, 2015 regarding “RUNNINGFLAT LTD. Craft Draft 5K Run/Walk – August 8, 2015” **BE ADOPTED** as presented.
Carried.

Report Number **17786 SR/12147**

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
M292-2015 That **Report No. 313 of the Social Development, Health & Culture Standing Committee** of its meeting held July 8, 2015 regarding “Windsor Essex 2014 Annual Report to the Community on the 10 Year Housing and Homelessness Plan” **BE ADOPTED** as presented.

Carried.

Report Number **17793 GH/11710**

Adopted by Council at its meeting held July 20, 2015 [M285-2015]
/SV
Windsor, Ontario July 20, 2015

REPORT NO. 192 of the
EXECUTIVE COMMITTEE
of its meeting held June 29, 2015

Members Present:

- Mayor Dilkens
- Councillor Borrelli
- Councillor Bortolin
- Councillor Elliott
- Councillor Francis
- Councillor Gignac
- Councillor Kusmierczyk
- Councillor Marra
- Councillor Payne
- Councillor Sleiman

Regrets: Councillor Holt

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

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
THAT City Council **RECEIVE** the report of the Corporate Policy Coordinator for information; and further
THAT City Council **APPROVE** the Policy on Policies Framework attached as Appendix A.
Carried.

LIVELINK 17776, AF/11247

Clerk's Note: The report authored by Corporate Policy Coordinator dated May 25, 2015 entitled "*Policy on Policies Framework*" is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held July 20, 2015 [M286-2015]

/SV

Windsor, Ontario July 20, 2015

REPORT NO. 193 of the
EXECUTIVE COMMITTEE
of its meeting held June 29, 2015

Members Present:

Mayor Dilkens
Councillor Borrelli
Councillor Bortolin
Councillor Elliott
Councillor Francis
Councillor Gignac
Councillor Kusmierczyk
Councillor Marra
Councillor Payne
Councillor Sleiman

Regrets: **Councillor Holt**

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

Moved by Councillor Bortolin, seconded by Councillor Kusmierczyk,

A. THAT the report of the City Solicitor regarding the amendment of By-law 366-2003 **BE RECEIVED** for information;

B. AND THAT By-Law 366-2003 **BE AMENDED** by adding a new paragraph 3, stating:

“Where registration of documents in the Land Registry Office is authorized by statute, the City Solicitor, or his or her designate(s), in the City Solicitor’s discretion, is authorised to bind the Corporation by signing, by electronic means, any documents on behalf of the Corporation requiring electronic registration relating to such transaction and to represent that the City Solicitor is authorized to bind the Corporation.”

C. AND THAT By-Law 366-2003 **BE FURTHER AMENDED** by adding a new paragraph 4, stating:

“Transactions completed prior to the coming into force of this bylaw, by electronic means in accordance with the applicable statute authorizing the statute, save and except that such transaction identified a person as binding the corporation without express designation are hereby ratified.”

D. AND THAT By-law 366-2003 **BE FURTHER AMENDED** by renumbering the final paragraph, which states, *“this by-law shall come into force and take effect on the day of its final passing”* as paragraph 5.

E. AND THAT the City Solicitor **BE DIRECTED** to prepare an amending By-Law in accordance with this recommendation.

Carried.

Clerk's Note: The report authored by Legal Counsel dated June 9, 2015 entitled "*Amendment of By-law 366-2003*" is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held July 20, 2015 [M287-2015]

/SV

Windsor, Ontario July 20, 2015

REPORT NO. 194 of the
EXECUTIVE COMMITTEE
of its meeting held June 29, 2015

Members Present:

Mayor Dilkens
Councillor Borrelli
Councillor Bortolin
Councillor Elliott
Councillor Francis
Councillor Gignac
Councillor Kusmierczyk
Councillor Marra
Councillor Payne
Councillor Sleiman

Regrets: **Councillor Holt**

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

Moved by Councillor Sleiman, seconded by Councillor Borrelli,
THAT City Council **APPROVE** the revised City of Windsor Code of Ethics and Conflict of Interest Policy for City Administration (attached as Appendix A).
THAT City Council **REPEAL** the previously approved City of Windsor Code of Ethics and Conflict of Interest Policy, CR402/2010.
Carried.

LIVELINK 17781, ACO/7690

Clerk's Note: The report authored by the Manager of Corporate Administration dated June 11, 2015 entitled "Code of Ethics and Conflict of Interest Policy – Review and Update" is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held July 20, 2015 [M288-2015]

/SV

Windsor, Ontario July 20, 2015

REPORT NO. 195 of the
EXECUTIVE COMMITTEE
of its meeting held June 29, 2015

Members Present:

Mayor Dilkens
Councillor Borrelli
Councillor Bortolin
Councillor Elliott
Councillor Francis
Councillor Gignac
Councillor Kusmierczyk
Councillor Marra
Councillor Payne
Councillor Sleiman

Regrets: **Councillor Holt**

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

Moved by Councillor Bortolin, seconded by Councillor Gignac,
THAT Council **RECEIVE FOR INFORMATION** the 2015 Life-to-Date Capital Project Variance Report as at March 31, 2015 from the Chief Financial Officer and City Treasurer (refer to Appendix A).

Carried.

LIVELINK 17749, AFB/11935

Clerk's Note: The report authored by the Manager of Capital Budget and Corporate Reserves dated May 8, 2015 entitled "Capital Project Variance Report as at March 31, 2015" is **attached** as background information.

CHAIRPERSON

CITY CLERK

APPENDIX "A"ADOPTED AS AMENDED by Council
at its meeting held July 20, 2015 [M289-2015]

BE DEFERRED to the July 20, 2015 meeting of Council
to allow for additional information to be provided
and consultation with the applicant to occur
as Adopted by Council at its meeting held July 6, 2015 [M265-2015]

/SG

Windsor, Ontario July 6, 2015

REPORT NO. 306 of the
PLANNING, HERITAGE & ECONOMIC DEVELOPMENT STANDING COMMITTEE
of its meeting held June 9, 2015

Present:

Councillor Chris Holt
Councillor Irek Kusmierczyk
Councillor Hilary Payne
Councillor Ed Sleiman (Acting Chair)
Barbara Bjarneson
Anthony Gyemi
Dorian Moore

Regrets: **Councillor Bill Marra**

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

Moved by Councillor Payne, seconded by Councillor Holt

- I That the application of Amiraco Properties Incorporated for approval of a draft plan of condominium for a property legally described as Lots 51 to 56, inclusive, Plan 891, City of Windsor known municipally as 76 Tecumseh Road East, to permit the conversion of an 8-storey apartment building containing 72 residential dwelling units from rental to condominium status, as shown on the attached Map No. CDM-002/15-2 in Report 306 of the PHEDSC (Report No. 17723), **BE APPROVED** subject to the following:
- A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
- That the draft plan approval shall lapse on July 20, 2018 (3 years from the date of approval);
- B. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- C. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;

- D. The owner shall agree to remedy all site/building defects and deficiencies as contained in the:
1. Building Condition Assessment report prepared by TSS Building Science (London) Incorporated, completed June 12, 2014 with all corrections and improvements to be cleared as completed by a Professional Engineer retained by the owner;
 2. Works Department - Engineering - Development, Projects & Right-of-Way comments listed in Appendix 'A' of Report 306 of the PHEDSC (Report No. 17723);
 3. Diversity and Accessibility Officer - comments listed in Appendix 'A' of Report 306 of the PHEDSC (Report No. 17723);
- All corrections and improvements shall be to the satisfaction of the Chief Building Official and the City Engineer.
- E. The owner shall agree to provide for and remedy all building defects and deficiencies, including certificates as identified below to the satisfaction of the Chief Building Official or designate:
1. Provision of a Technical Standards & Safety Authority (TSSA) certificate of clearance for the vertical elevating devices within the building;
 2. Repair or replace all defective self-closing devices at all garbage chute doors and replace any missing garbage chutes in the building;
 3. Provide an Electrical Safety Authority (ESA) clearance for the entire building;
 4. Repair or replace all defective self closing devices at the laundry and east stairwell door(s) on the first floor;
 5. Maintain sufficient continuous ventilation in all common areas and provide an approved Underwriters' Laboratories of Canada (ULC) Listed fire stopping system at all required mechanical penetrations and openings through fire separations in the garage areas.
- F. The owner shall agree to provide a Fire Alarm Certificate for approval by the Fire Chief of Windsor Fire & Rescue Services.
- G. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated March 16, 2015, as included in Appendix 'A' of Report 306 of the PHEDSC (Report No. 17723). All corrections and improvements shall be to the satisfaction of the Chief of Police;
- H. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated February 25, 2015, as included in Appendix 'A' of Report 306 of the PHEDSC (Report No. 17723).
- I. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the Manager of Development.
- J. The owner shall agree to provide a cash-in-lieu of payment for 5% parkland conveyance as per The Planning Act, to the satisfaction of the Executive Director of Parks;
- K. The owner shall agree to provide adequate screened storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws and to ensure acceptable access for pickup, to the satisfaction of the Manager of Environmental Services and Chief Building Official;

- L. The owner shall agree to revise the parking plan to ensure access for waste collection services, resurface the pavement in all parking areas and re-line the parking spaces, all to the satisfaction of the Manager of Development Applications, City Engineer and Chief Building Official;
 - M. The owner shall agree to provide a minimum of 1 Type 'A' (3.5m x 5.5m) accessible parking space designated with appropriate signage and a bicycle rack facility accommodating a minimum of 4 bicycles. All improvements are to be to the satisfaction of the City Engineer and Chief Building Official;
 - N. The owner agrees to include a warning clause in the condominium agreement to the satisfaction of the City Solicitor, indicating to future condominium owners that there are a limited number of on-site parking spaces available and that a designated parking space for every dwelling unit may not be available.
- II That the owner shall enter into an Encroachment Agreement with the City to provide for the parking spaces fronting Dufferin Place and Goyeau Street, to the satisfaction of the City Engineer and Chief Building Official.
- III Final approval of the plan of condominium shall not be considered until all of the required works or undertakings identified in '1. Recommendation' of this report, have been completed to the satisfaction of the respective departments and a Condominium Agreement has been registered against the subject lands.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 20, 2015 [M290-2015]

/AC

Windsor, Ontario, July 20, 2015

REPORT NO. 308 of the
**SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held July 8, 2015

Present:

Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor Rino Bortolin
Councillor John Elliott
Councillor Jo-Anne Gignac

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Bortolin, seconded by Councillor Gignac,

THAT the request from the Downtown Windsor Business Improvement Association (DWBIA) to stage the first “Fiesta Latina Windsor” in downtown Windsor, and for a Temporary Road Closure of Ouellette Avenue between Riverside Drive and Park Street; University Avenue East and West between Freedom Way and Pelissier Street; and Victoria Avenue between Chatham Street West and University Avenue West between 3:00 p.m. August 14, 2015 and 11.59 p.m. August 16, 2015 **BE APPROVED**; and further

THAT the temporary Road Closure of Chatham Street East and West between Goyeau Street Parking Garage entrance and Dougall Avenue; Ferry Street between Chatham Street West and Pitt Street West; Pitt Street East and West between Ferry Street and the egress of the Parking Garage at Goyeau Street; and Pelissier Street between University Avenue West and Chatham Street West between the hours of 5:00 p.m. on August 14, 2015 and 11.59 p.m. on August 16, 2015 **BE APPROVED**; and further

THAT the temporary Road Closure of Ouellette Avenue between Riverside Drive and Pitt Street between the hours of 9:00 a.m. – 12:00 p.m. noon on Friday, August 7, 2015 to host the Fiesta Latina Windsor Kick Off News Conference subject to the standard Special Events Terms and Conditions **BE APPROVED**; and further

THAT provisions of Schedule H1 to Business Licensing By-Law 395-2004 **BE WAIVED** for the duration of the special event providing that The Downtown Windsor Business Improvement Association provide the License Commissioner a list of all vendors with their contact information; and further

THAT the Temporary Road Closure be subject to the following terms and conditions as requested by Windsor Police Services:

- The DWBIA is responsible for the secure erection/fastening of "no parking" signs and traffic signs along the entire route of the road closure; this will include the "bagging" of parking meters and where controlled by signage, posting of signs on posts, poles and existing signs inclusive of marked handicapped zones. Erection of all signs shall not commence earlier than 7:00 p.m. on August 13, 2015. The DWBIA will remove all erected signage at the conclusion of the event along the entire road closure **BE APPROVED**; and further

THAT the Chief Administrative Officer and City Clerk SIGN a letter of non-objection to the Alcohol and Gaming Commission of Ontario (AGCO) regarding the event organizer's and/or participants AGCO applications(s) for service of liquor sales for the above event **BE APPROVED** subject to the terms and conditions of the Special Event Agreement.

Carried.

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

Liveline #17787 SR/12253

Clerk's Note: The administrative report authored by the Coordinator of Special Events dated June 18, 2015 entitled "*Downtown Windsor Business Improvement Association (DWBIA) Fiesta Latina Windsor*" is **attached** as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 20, 2015 [M291-2015]

/AC

Windsor, Ontario, July 20, 2015

REPORT NO. 309 of the
**SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held July 8, 2015

Present:

Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor Rino Bortolin
Councillor John Elliott
Councillor Jo-Anne Gignac

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Bortolin, seconded by Councillor Borrelli,

THAT the request from RUNNINGFLAT LTD. to stage the Craft Draft 5K Run/Walk, and for a temporary road closure from Argyle Road between Wyandotte Street East and Brant Street from 12:00 p.m. (noon) – 10:00 p.m. August 8, 2015, and for a temporary closure of Argyle Road between Wyandotte Street East and Assumption Street, Assumption Street between Argyle Road and Devonshire Road, Devonshire Road between Assumption Street and Riverside Drive East, Riverside Drive East and West between Walker Road and Askin Avenue during the event from 6:00 p.m. - 10:00 p.m. on August 8, 2015 **BE APPROVED**, subject to the to the terms and conditions of the Special Event Agreement and further;

THAT should pending road construction impact any streets on the route identified above, the Coordinator of Special Events **BE AUTHORIZED** to develop an alternate route, subject to the approval of the Special Events Resource Team and Executive Director of Operations.

Carried.

Livelink #17786 SR/12147

Clerk's Note: The administrative report authored by the Coordinator of Special Events dated June 18, 2015 entitled "*RUNNINGFLAT LTD. Craft Draft 5K Run/Walk – August 8, 2015*" is **attached** as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 20, 2015 [M292-2015]
/AC

Windsor, Ontario, July 20, 2015

REPORT NO. 313 of the
**SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held July 8, 2015

Present:
Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor Rino Bortolin
Councillor John Elliott
Councillor Jo-Anne Gignac

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Borrelli, seconded by Councillor Elliott,

THAT the Windsor Essex 2014 Annual Report to the Community **BE RECEIVED** for information purposes; and

THAT the Windsor Essex 2014 Annual Report to the Community **BE APPROVED** for submission to the Ministry of Municipal Affairs and Housing in July as outlined in the Housing Services Act.

Carried.

Liveline #17793 GH/11710

Clerk's Note: The administrative report authored by the Coordinator of Housing Administration & Development dated May 21, 2015 entitled "*Windsor Essex 2014 Annual Report to the Community on the 10 Year Housing and Homelessness Plan*" is **attached** as background information.

CHAIRPERSON

SUPERVISOR OF COUNCIL SERVICES

Adopted by Council at its meeting held July 20, 2015 [M278-2015]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
July 20, 2015**

Meeting called to order at: 5:00 p.m.

Members in Attendance:

Councillor J. Elliott (Acting Chair)
Councillor F. Francis
Councillor C. Holt
Councillor B. Marra
Councillor J. Gignac
Councillor P. Borrelli
Councillor H. Payne
Councillor E. Sleiman
Councillor I. Kusmierczyk

Members Absent:

Mayor D. Dilkens (attending City business)
Councillor R. Bortolin (due to illness)

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Winterton, City Engineer and Corporate Leader Environmental Protection and
Transportation
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
O. Colucci, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic Development
and Public Safety
C. Brown, CEO for YQG and WDTC/Corporate Leader of Transportation Services
J. Wilson, Executive Director of Recreation (Item 1)

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

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – lease	239(2)(c)
2.	Legal matter – deficiencies	239(2)(a)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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

Moved by Councillor Francis, seconded by Councillor Sleiman, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 20, 2015 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Asset/Lease Administrator, Executive Director Recreation and Culture, Acting Manager of Real Estate Services, Manager Arenas and WFCU Centre, City Engineer and Corporate Leader Environmental Protection and Transportation, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture respecting a property matter - lease **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Senior Manager Development Projects and Deputy City Engineer, City Engineer and Corporate Leader Environmental Protection and Transportation, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal matter - deficiencies **BE APPROVED, AS AMENDED.**

Motion Carried.

**Moved by Councillor Borrelli, seconded by Councillor Payne,
That the special meeting of council held July 20, 2015 BE ADJOURNED.
(Time: 5:26 p.m.)**

Motion Carried.

Adopted by Council at its meeting held July 20, 2015 [M279-2015]

VC/bm

Windsor, Ontario, July 20, 2015

REPORT OF THE STRIKING COMMITTEE
of its meeting held
July 6, 2015

PRESENT: Mayor D. Dilkens
Councillor F. Francis
Councillor J. Gignac
Councillor J. Elliott
Councillor H. Payne
Councillor I. Kusmierczyk
Councillor E. Sleiman
Councillor B. Marra
Councillor R. Bortolin
Councillor P. Borrelli

ABSENT: Councillor C. Holt (attending a conference approved by Council)

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Winterton, City Engineer and Corporate Leader Environmental
Protection and Transportation
J. Guthrie, Acting Chief Financial Officer/City Treasurer and Corporate Leader
Finance and Technology
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
S. Askin Hager, City Solicitor and Corporate Leader Economic Development
and Public Safety

Declarations of Pecuniary Interest:

Councillor Marra declares a conflict of interest and abstains from voting on Item 1 as the request is from his employer.

Your Committee submits the following recommendations:

(1) That the resignation of Lynne Adams on the *Seniors Advisory Committee* **BE ACCEPTED** and further that the request from Hotel-Dieu Grace Healthcare to amend the Committee structure to allow for a representative from their organization to serve on the Committee **BE APPROVED**.

Councillor Marra declares a conflict on this Item and abstains from voting.

(2) That Councillor Kusmierczyk **BE APPOINTED** to the *Committee/Court of Revision*, for the term expiring November 30, 2018.

(3) That the resignation of Councillor Gignac on the *Rail Issues Committee* **BE ACCEPTED** and further that Councillor Sleiman **BE APPOINTED** to the Committee to fill the vacancy, for the term expiring November 30, 2018.

CHAIR

CITY CLERK