

Regular

Council meets in formal session this day at 6:05 o'clock p.m., in the Council Chambers.

Members Present:

Mayor Francis
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Lewenza
Councillor Postma
Councillor Valentinis

Members Absent:

Councillor Brister
Councillor Marra

Call to Order

Following the playing of the Canadian National Anthem, Pastor Kenneth Knight, Chaplain for the Canadian Historical Aircraft Association, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

None disclosed.

Minutes

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That the Minutes of the special meeting of Council held July 19, 2010 and the regular meeting of Council held July 26, 2010 **BE ADOPTED** as presented.
Carried.

Notice of Proclamations

None presented.

Committee of the Whole

Moved by Councillor Jones, seconded by Councillor Lewenza,
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);
 - (ii) **Report of Special In-Camera Meeting** held June 24, 2010; and
 - (iii) **Report No. 85 of the Windsor Accessibility Advisory Committee** of its meeting held June 22, 2010.
- (g) consideration of by-laws 100-2010 and 124-2010 through 128-2010 (inclusive).
Carried.

Communications

Moved by Councillor Hatfield, seconded by Councillor Postma,
M221-2010 That the following Communication Items 1 to 11, 14 to 15, 18, 21 to 25 and 27 to 33 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 16, 17 and 26 which are dealt with at the request for deferrals stage, and Communication No. 12, 13, 19 and 20 which are dealt with as follows:

Communication No. 12:

Moved by Councillor Valentinis, seconded by Councillor Jones,
M222-2010 That the correspondence from A. Aziz Chowdhury dated July 28, 2010 **BE RECEIVED**, and further, that Administration **BE DIRECTED** to remove the sign that is blocking the front of the Bangladesh Peace Clock on Ouellette Avenue.

Carried.

Councillors Gignac and Postma voting nay.

MH/9899

Communication No. 13:

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M223-2010 That the ERCA reports entitled "Point Pelee Peninsula Eastern Shoreline Erosion Mitigation Study" and the "Colchester to Southeast Shoal Beach Nourishment Study" **BE RECEIVED**, and further, that these **BE REFERRED** to the Chief Financial Officer and City Treasurer for a report on the financial impact of these reports.

Carried.

GCE2010

Communication No. 19:

Moved by Councillor Lewenza, seconded by Councillor Halberstadt,
M238-2010 That the report of the Chief Administrative Officer dated July 20, 2010 entitled "Request for Preliminary Findings of Water Management Governance and Organizational Review SDR Project" **BE RECEIVED** for information, and further, that members of Council **BE AFFORDED THE OPPORTUNITY** to attend any future working group meetings on this matter.

Carried.

Councillor Gignac voting nay.

GM/10567

Communication No. 20:

Moved by Councillor Gignac, seconded by Councillor Lewenza,
M239-2010 That the report of the City Planner dated July 26, 2010 entitled “CQ79-2009 – Policy for Riverfront Property Acquisition” **BE RECEIVED**, and further, that Administration **BE DIRECTED** to commence the process for a policy amendment to the City’s Official Plan in order to have a policy for acquiring riverfront parkland formalized in the Official Plan.

Carried.

Item	From	Description
1	Ministry of Community Safety and Correctional Services	Appointment as Fire Co-ordinator City Solicitor Fire Chief Note & File SF2010
2	Ministry of Transportation	Ministry of Transportation Owned Properties Building Demolitions Chief Building Official Note & File SB2010
3	Federation of Canadian Municipalities (FCM)	Municipal Partners for Economic Development (MPED) Note & File MMF2010
4	Association of Municipalities of Ontario (AMO)	Ontario’s Environmental Commissioner Delivers Straight Talk on Waste Diversion City Engineer Executive Director of Operations Manager of Environmental Services Note & File EI2010
5	Association of Municipalities of Ontario (AMO)	Report of the Secretary-Treasurer on Nominations to the 2010-2012 AMO Board of Directors Note & File MMA2010
6	Association of Municipalities of Ontario (AMO)	All Categories Very Close in Final Week of Power Pledge Campaign City Engineer Manager of Environmental Services Manager of Real Property Asset Planning Marketing & Communications Officer Note & File MMA2010
7	Citizenship and Immigration Canada	Inter-Action: Canada’s New Multiculturalism Grants and Contributions Program – Updated Objectives, Funding Guidelines and Processes Executive Director of Recreation & Culture Diversity Committee Note & File GP2010

8	Environment and Land Tribunals Ontario	Ontario Municipal Board Hearing Adjournment City Planner City Solicitor Chief Building Official Zoning Clerk Note & File Z/8581
9	Town of Tecumseh Committee of Adjustment	Notice of Public Hearing of Application for Minor Variance City Planner City Solicitor Chief Building Official Zoning Clerk Note & File ZC2010
10	The Corporation of the Municipality of Leamington	Letter of Thanks Regarding City of Windsor's Assistance in the Aftermath of the Recent Tornado Note & File APR2010
11	The Regional Municipality of Halton	Request to the Province to Cover All Appeal Costs to the Ontario Municipal Board for Growth Plan Conformity Exercises Note & File GM2010
12	A. Aziz Chowdhury	Request to Remove a Sign Blocking the Bangladesh Peace Clock City Solicitor City Planner City Engineer COUNCIL DIRECTION REQUESTED MH/9899
13	Essex Region Conservation Authority (ERCA)	Copies of Requested ERCA Reports for City of Windsor Administration (Reports <i>enclosed</i> for Mayor and Council Only) Note & File GCE2010
14	Drinking Water Source Protection	Funding is Now Available – Cost Sharing Grants to Property Owners Under the Ontario Drinking Water Stewardship Program (ODWSP) City Engineer Executive Director of Operations Windsor Utilities Commission Note & File EW2010
15	Stantec Consulting Ltd.	Town of Amherstburg Water (Distribution) Master Plan and Water Tower Class Environmental Assessment – Final Report City Engineer Executive Director of Operations Note & File EI2010
16	R.J. Williams, Hospitality Resource Panel	City of Windsor Patio Agreement Application Procedures COUNCIL DIRECTION REQUESTED Chief Building Official Licence Commissioner City Planner MI2010

17	McKenzie Lake Lawyers LLP	Boardwalk REIT Properties Holdings Ltd. – Condominium Conversions COUNCIL DIRECTION REQUESTED City Planner City Solicitor ZP/9530
18	Manager of Urban Design / Deputy City Planner	Application of East Windsor Cogeneration LP for Site Plan Amendment to permit painting of parking space lines, restoration of hedge and seeding, addition and relocation of fencing, etc. located at 3000 Riverside Dr. East Note & File ZS/9973
19	Office of the Chief Administrative Officer	Request for Preliminary Findings of Water Management Governance and Organizational Review SDR Project Note & File GM/10567
20	City Planner	CQ79-2009 – Policy For Riverfront Property Acquisitions Note & File APM2010
21	City Planner	Response to CQ43-2010 – Operating Guidelines for BIA's Note & File SPL2010
22	Executive Director of Recreation and Culture	Results of RFP for Lakeview Park Marina Note & File SR2010
23	Community Development & Health Commissioner	Disposal of Material and Equipment – Municipal Child Care Centres Note & File SSC/6751
24	City Engineer	Tender 64-10 – Gail Road / Somme Avenue – Somme Avenue to Head Avenue / East of Chilver Avenue to Kildare Road Sewer and Pavement Rehabilitation Note & File SW/10534
25	City Engineer	Tender 67-10: Aubin Road from CNR to Franklin Street Sewer, Watermain, and Pavement Rehabilitation Note & File SW2010
26	City Engineer	M313-2009 Clover Street Closure Petition Note & File ACO/10302
27	City Engineer	Award of Tender 39-10 – Clemenceau Boulevard from Rose Street to Grand Boulevard - Sewer, Watermain, and Pavement Rehabilitation Note & File SW/10290
28	Executive Director of Human Resources	Ministry of Labour Little River Pollution Control Plant Field Visit Report Note & File AS2010
29	Windsor Bicycling Commission	Minutes of meeting held July 13, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

30	Diversity Committee: One City, One People	Minutes of meeting held July 15, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
31	Housing Advisory Committee	Minutes of meeting held June 30, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
32	Committee to Review Employee Benefits	Minutes of meeting held July 21, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
33	Windsor Heritage Committee	Minutes of meeting held July 14, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

Carried.

Consent Agenda

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

- Item 1 Letter of Credit – Pepsi Bottling Group (Canada), Co.
- Item 2 Residential Rehabilitation Assistance Program (RRAP) 2010/2011 Budget Allocation Agency Agreement
- Item 3 Part Lot Control Exemption Request – Olivia Construction Homes Inc., Lots 694-696, inclusive, and part of closed alley, Registered Plan 883, now designated as Parts 49, 50, 104 and 105 in Reference Plan 12R- 21561 west side of St. Patrick’s Avenue, south of Ojibway Street
- Item 4 Part Lot Control Exemption Request – South Windsor Properties Inc., Lots 1301-1305, inclusive, Part Lot 1306 and part of closed alley, Registered Plan 1023, now designated as Parts 1 to 8, all inclusive in Reference Plan 12R-24407, east side of California Avenue, south of Norfolk Street
- Item 5 Request by the Rotary Club of Windsor (1918) for Temporary Signage at the Children’s Safety Village, south of 7515 Forest Glade Drive
- Item 6 Request for Draft Plan Extension, Sixth Concession Development Limited
- Item 7 Extension of Tree Removal Contract (Tender 46-09) for an additional 1 year term
- Item 9 Provincial Road / Cabana Road East Intersection Improvements, Retain a Consultant
- Item 10 McHugh Street – East of Lauzon Road and South of Little River Acres, Temporary Unregistered Easements and Permanent Easements along McHugh Street to Union Gas
- Item 12 McNorton Street Multi-use Trail – North side of McNorton Street from Radcliff Avenue to East City Limits – CR395/2009

Carried.

Deferrals and/or Referrals and Withdrawals**Communication No. 16:**

Moved by Councillor Valentinis, seconded by Councillor Postma,
M224-2010 That the correspondence from R.J. (Bob) Williams – Coordinator, Hospitality Resource Panel, dated August 6, 2010 respecting the request for a “temporary reprieve from encroachment bylaws for food service, tobacco licensed, non-liquor licensed establishments with a maximum of two tables and a capacity of eight persons”, **BE REFERRED** to the City Planner to allow for an administrative report providing an interim update on this matter for the August 23, 2010 meeting of Council, and to allow for delegations.

Carried.

MI2010

Communication No. 17:

Moved by Councillor Hatfield, seconded by Councillor Lewenza,
M225-2010 That the correspondence from Holden Rhodes dated July 30, 2010 respecting “Boardwalk REIT Properties Holdings Ltd. – Condominium Conversions” **BE REFERRED** to the City Planner for the preparation of an administrative report on this matter for the August 23, 2010 meeting of Council, and to allow for delegations.

Carried.

ZP/9530

Communication No. 26:

Moved by Councillor Hatfield, seconded by Councillor Gignac,
M226-2010 That the report of the City Engineer dated July 23, 2010 entitled “M313-2009 Clover Street Closure Petition” **BE DEFERRED** to the August 23, 2010 meeting of Council, to allow for delegations on this matter as a regular agenda item.

Carried.

ACO/10302

Item 11 – Installation of Photovoltaic (PV) Rooftop System

At the request of Council this matter is being deferred to the August 23, 2010 meeting of Council to allow for consultation with Enwin.

Presentations & Delegations:**PRESENTATIONS:****Windsor Chief of Police Gary Smith; and Deputy Chief – Administration, Al Frederick**

Windsor Chief of Police Gary Smith; and Deputy Chief – Administration, Al Frederick, appear before Council to present and give an overview of the Windsor Police Service’s 2009 Annual Report and the 2010-2012 Business Plan.

Moved by Councillor Lewenza, seconded by Councillor Gignac,
M227-2010 That the presentation by Windsor Chief of Police Gary Smith; and Deputy Chief – Administration, Al Frederick on August 9, 2010 respecting “Windsor Police Services 2010-2012 Business Plan and 2009 Annual Report” **BE RECEIVED** for information.

Carried.

Mayor’s Youth Advisory Committee (MYAC) – 2009/2010 Accomplishments and Announcement regarding the Youth Plan Application

Denny Timm and Jennifer Luu, Co-Chairs of MYAC

Denny Timm and Jennifer Luu, Co-Chairs of the Mayor’s Youth Advisory Committee (MYAC), appear before Council to provide a brief overview of the Committee’s 2009/2010 accomplishments, providing a historical overview of the committee, the current situation, community events that they have been involved with, the awards and recognition bestowed onto the committee and its members, as well additional initiatives such as committing \$1,000 towards the repainting of Atkinson Skateboard Park, as well as a preview of future goals that the committees wishes to pursue, and concludes by advising that the committee’s “Youth Plan” application was successful in that Windsor was recognized as a youth friendly community and the only gold status city in Ontario for 2009 due to the fact that Windsor met 14 out of 16 criteria, and advise Council that Windsor will be formally recognized at Queen’s Park on October 4, 2010.

Moved by Councillor Dilkens, seconded by Councillor Gignac,
M228-2010 That the presentation by Denny Timm and Jennifer Luu, Co-Chairs of the Mayor’s Youth Advisory Committee (MYAC) on August 9, 2010 respecting “2009/2010 accomplishments and announcement regarding the Youth Plan Application” **BE RECEIVED**.

Carried.

DELEGATIONS

1509/1511 Elsmere Tree Concerns

Robert Drescher, Applicant

Robert Drescher, Applicant, appears before Council to speak to the importance of removing hazardous trees that can cause injuries or damage to property and that silver maple trees are easily knocked over by thunderstorms, and concludes by stating that there is a dangerous tree in front of 1509 and 1511 Elsmere and which is twice the size of the homes, putting to risk both their property and safety and should therefore be cut down by the city immediately.

MH/9899 8

(For final disposition of this matter, see Clause **CR300/2010** in Schedule “A” attached hereto.)

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

None.

Consideration of Committee Reports

M229-2010 Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
as presented. That the **Report of the special In-camera** meeting held August 9, 2010, **BE ADOPTED**

Carried.

ACO2010

M230-2010 Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
as presented. That the **Report of the Special In-Camera** meeting held June 24, 2010 **BE ADOPTED**

Carried.

MB2010

M233-2010 Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
June 22, 2010 **BE ADOPTED** as presented. That **Report No. 85 of the Windsor Accessibility Advisory Committee** of its meeting held

Carried.

MB2010

By-laws

Moved by Councillor Jones, seconded by Councillor Lewenza,
That the following By-laws No. 100-2010 and 124-2010 through 128-2010 (inclusive),
be introduced and read a first and second time:

100-2010 "A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.65 METRE (12 FOOT) WIDE
NORTHERLY AND SOUTHERLY PORTIONS OF CLEARY STREET, EASTERLY FROM
GLENWOOD AVENUE, CITY OF WINDSOR"

124-2010 "A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO
CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 883, IN THE CITY OF
WINDSOR"

125-2010 "A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO
CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 1023, IN THE CITY OF
WINDSOR"

126-2010 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "WINDSOR
CORE AREA ZONING BY-LAW"

127-2010 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600"

128-2010 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE
CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE NINTH
DAY OF AUGUST, 2010"

Carried.

Moved by Councillor Hatfield, seconded by Councillor Postma,
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.

Notices of Motion

Moved by Councillor Dilkens, seconded by Councillor Postma,
M231-2010 That Rule 13.9(a) of the Procedure By-law regarding business not already before Council
BE WAIVED to permit the introduction of a motion for consideration by Mayor Francis without prior notice respecting the designation of the entire municipal boundary as a "Community Improvement Project Area".
Carried.

Moved by Mayor Francis, seconded by Councillor Postma,
M232-2010 **WHEREAS** the Provincial Policy Statement requires that Planning Authorities promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs of the community and to provide opportunities to diversify the local economic base; and
WHEREAS Windsor's Community Strategic Plan (2006) includes an objective to "Grow Business" by cultivating a positive and diverse economic environment for business growth; and
WHEREAS the City of Windsor is committed to promoting economic development and competitiveness by encouraging the diversification of the city's economic base and the creation of jobs; and
WHEREAS Section 28(2) of the *Planning Act, R.S.O. 1990*, as amended, provides that where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council of the municipality may, by by-law, designate all or any part of an area covered by such an official plan as a community improvement project area; and
WHEREAS the Corporation has an Official Plan in effect which contains provisions relating to community improvement; and
WHEREAS it is deemed desirable to designate the entire City of Windsor as a community improvement project area and prepare a Community Improvement Plan for the purposes of diversifying the local economy and generating job creation;
THEREFORE BE IT RESOLVED that the City Planner be directed to prepare the necessary by-law to designate the entire municipal boundary a Community Improvement Project Area; and
BE IT FURTHER RESOLVED that the City Planner be directed to prepare a Community Improvement Plan for the purposes of diversifying the local economy and encouraging job creation.
Carried.

SPL/10759

Moved by Councillor Valentinis, seconded by Councillor Lewenza,
M234-2010 That Rule 13.9(a) of the Procedure By-law regarding business not already before Council
BE WAIVED to permit the introduction of a motion for consideration regarding the rumours that both the Tourism and Economic Development offices are contemplating moving from the city centre.
Carried.

Moved by Councillor Valentinis, seconded by Councillor Lewenza,
M235-2010 That the City Clerk **BE DIRECTED** to send letters to Tourism Windsor Essex and Pelee Island, and the Windsor Essex Development Commission requesting an update report on their office locations and to address rumours that they are both contemplating moving from the City Centre, and what could be done to encourage them to remain as part of City Centre revitalization, and that they also **BE REQUESTED** to appear before Council to answer questions regarding their update report.

Carried.

MD/10090

Third Reading of By-laws

Moved by Councillor Valentinis, seconded by Councillor Postma,
That the following By-laws No. 100-2010 and 124-2010 through 128-2010 (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

Moved by Councillor Dilkens, seconded by Councillor Gignac,
M236-2010 That the petition presented by Councillor Valentinis from residents requesting a ban on dangerous, noisy, polluting and heavy rigs from the narrow business/residential and historically significant Wyandotte Street **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Executive Director of Operations 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.

ACO/10546

Council Questions

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M237-2010 That the Council Questions arising from the previous meeting of Council and listed by the Clerk **BE NOW CONSIDERED** for purposes of discussion , and further, that the Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Questions consistent with Council's instructions.

Carried.

ACQ2010

Adjournment

Moved by Councillor Jones, seconded by Councillor Lewenza,
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 8:42 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Valentinis
Postma

CR293/2010

That City Council **AUTHORIZE** the City's Chief Financial Officer and City Treasurer to sign a letter to Royal Bank of Canada confirming the City's agreement to cancel Letter of Credit # P137958TO4092 issued by the Royal Bank of Canada on April 28, 1999 in the amount of \$150,000, on the basis that Pepsi Bottling Group (Canada), Co. will provide the City with an undertaking to provide a new Letter of Credit to the City of Windsor if it is subsequently determined by the City that such Letter of Credit is required.

Carried.

Report Number **14834 SR/10170 C1**

Internal Distribution

Finance [Tano Ferraro]
Chief Financial Officer/City Treasurer
City Solicitor

Valentinis
Postma

CR294/2010

That the Community Development and Health Commissioner **BE AUTHORIZED** to execute the Residential Rehabilitation Assistance Program (RRAP) 2010/2011 Budget Allocation Agency Agreement between Canada Mortgage and Housing Corporation (CMHC) and the City of Windsor provided the agreement is in a form and content 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.

Report Number **14839 SB/10486 C2**

Internal Distribution

Social & Health Services [Lucy Sobczyk]
Executive Director of Housing and Children's Services
Community Development and Health Commissioner
Chief Financial Officer/City Treasurer
City Solicitor

Valentinis
Postma

CR295/2010

I That the application of Olivia Construction Homes Inc. – (Robert J. Reynolds, agent) for part lot control exemption for the lands legally described as Lots 694-696, inclusive, and part of closed alley, Registered Plan 883, now designated as Parts 49,50,104 and 105 in Reference Plan 12R-21561, all located on the west side of St. Patrick's Avenue, south of Ojibway Street (see attached Map No.

PLC-002/10) to allow for the lands to be sold for single unit dwellings **BE APPROVED** for a period of 3 years.

II That By-law No. 124-2010 **BE ENACTED.**

Carried.

Report Number 14832 ZPLC2010 C3

Appendices

Map No. PLC-002/10

Internal Distribution

Planning [Jim Abbs]

City Planner

Manager of Development Applications

City Solicitor

Valentinis

Postma

CR296/2010

- I** That the application of South Windsor Properties Inc. – (Karl Tanner, Dillon Consulting, agent) for part lot control exemption for the lands legally described as **Lots 1301-1305, inclusive, Part Lot 1306 and part of closed alley, Registered Plan 1023**, now designated as Parts 1 to 8, all inclusive as shown on Reference Plan 12R-24407, all located on the east side of California Avenue, south of Norfolk Street (see attached Map No. PLC-002/10-2) to allow for the lands to be sold for single unit dwellings **BE APPROVED** for a period of 3 years.
- II** That By-law No. 125-2010 **BE ENACTED**.

Carried.

Report Number 14841 ZPLC2010 C4

Appendices

Map No. PLC-002/10-2

Internal Distribution

Planning [Jim Abbs]

City Planner

Manager of Development Applications

City Solicitor

Valentinis

Postma

CR297/2010

That Council **APPROVE** the request by the Rotary Club of Windsor (1918) for permission to erect approximately 20 signs on the existing fencing at the Children's Safety Village (Lauzon Parkway, south of Place Concorde, 7515 Forest Glade Drive) to advertise fundraising for various Rotary projects from August 15, 2010 to September 30, 2010 subject to the applicant complying with the following terms and conditions:

- a) Sign permits shall be obtained from the Building Department;
- b) The signs shall be erected no earlier than August 15, 2010 and shall be removed no later than September 30, 2010.

Carried.

Report Number 14825 SBS2010 C5

Internal Distribution

Building [Lee Anne Doyle, Chief Building Official]
City Planner
City Solicitor

Valentinis
Postma

CR298/2010

I That the request of Sixth Concession Development Limited for an extension to the date of expiration for the draft plan of subdivision for lands located east of the Sixth Concession Road, between Holburn Street and the Canadian National Railway line, as shown on Map No. SDN-004/03-4 (attached) **BE APPROVED** and further, that Recommendation III, Item 1 of Council Resolution 861/2004 **BE AMENDED** to specify that draft approval shall lapse on September 13, 2013.

Carried.

Report Number **14822 ZP/7405 C6**

Appendices

Map No. SDN-004/03-4

Internal Distribution

Planning [Tom Cadman]
City Planner
Manager of Development Applications
City Solicitor

Valentinis
Postma

CR299/2010

That the following low compliant tender for tree removal on city property **BE EXTENDED** for an additional one (1) year term in accordance with the terms and conditions of the original tender call in accordance with Purchasing Policies and Procedures, By-law No 400-2004, Section 39, Exercise of contract Renewal Options and further that the City Solicitor **AMEND** the agreement for an additional one (1) year term.

Tender #46-09

Tenderer: Landgraff Forestry Limited
5975 North Service Road East
Windsor, ON N8T 3P2

Original Tender Price: \$184,500 plus G.S.T.

Extended Option Price: Same.

Carried.

Report Number **14828 SR/10391 C7**

Internal Distribution

Parks [Bill Roesel]
Executive Director of Parks & Facilities
City Engineer
Manager of Purchasing & Risk Management
Chief Financial Officer/City Treasurer
City Solicitor

Dilkens
Hatfield

CR300/2010

That the report of the Executive Director of Parks and Facilities dated July 28, 2010 entitled “1509/1511 Elsmere Tree Concerns” **BE RECEIVED** for information.

Carried.

Councillor Valentinis voting nay.

Report Number **14842 MH/9899 8**

Internal Distribution

City Engineer
Executive Director of Parks & Facilities
Manager, Forestry & Horticulture – Bill Roesel

Valentinis
Postma

CR301/2010

That the firm of Stantec Consulting Ltd. **BE RETAINED** for the design, preparation of contract drawings and specifications, inspection and contract administration for the Provincial Road /Cabana Road East Intersection Improvements at a maximum fee of **\$574,824** plus HST, in accordance with their response to the Request for Proposal No. 113-10 and charged to Project ID 7086003; and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer.

Carried.

Report Number **14840 SW/10746 C9**

Internal Distribution

Public Works [Jane He]
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor

Valentinis
Postma

CR302/2010

- A. THAT the report of the City Solicitor dated July 20, 2010 regarding the granting of easements to Union Gas along and within McHugh Street **BE RECEIVED** for information; and
- B. THAT **APPROVAL BE GIVEN** for the granting of *temporary unregistered easements* along McHugh Street, to Union Gas, for the sum of \$2.00, being the 1 foot reserve abutting the southerly limits of Little River Acres, with an approximate legal description of BLKS 115, 116, 117, PL M60 WINDSOR AND BLKS 48 AND 49, PL M59 WINDSOR; and with such temporary unregistered easement to expire upon:
- the granting of a permanent easement in accordance with this Recommendation, subparagraph (D), AND
 - the dedication of the 1 foot reserve over Darfield Road as a public highway; and
- C. THAT **APPROVAL BE GIVEN** for the granting of *temporary unregistered easements* along and within McHugh Street, to Union Gas, for the sum of \$2.00, located along the southern border of Little River Acres, legally described as PCL 129-1 SEC WINDSOR SE-1; PART FARM LTS 129w, 129e, 130, 132, 133 CON 1 (SANDWICH EAST) PTS 1-3 EXR23 EXCEPT PT 8 12R425 EXCEPT PTS 6, 8, 9 12R578 EXCEPT PTS 1A, 1B, 12R742, EXCEPT PTS 1, 1C, 2B, 2C, 2, 2D, 2A, 2E, 3, 3A, 4, 4A 12R1063, EXCEPT BLK 16 M59, BLK 97 M60 WINDSOR; and with such temporary unregistered easement to expire upon:
- the granting of the permanent easement in accordance with this Recommendation, subparagraph (E), AND
 - the dedication of these lands as a public highway save and except for the estimated 158 metres, as described in subparagraph (E); and
- D. THAT **APPROVAL BE GIVEN** for the granting of a *permanent easement* along McHugh Street, to Union Gas, for the sum of \$2.00, being the 1 foot reserve abutting the southerly limits of Little River Acres, with an approximate legal description of BLKS 115, 116, 117, PL M60 WINDSOR AND BLKS 48 AND 49, PL M59 WINDSOR; save and except the portion of the 1 foot reserve which crosses Darfield Road; and
- E. THAT **APPROVAL BE GIVEN** for the granting of a *permanent easement* within McHugh Street, to Union Gas, for the sum of \$2.00, being approximately the easterly 158 metres of the lands legally described as PCL 129-1 SEC WINDSOR SE-1; PART FARM LTS 129w, 129e, 130, 132, 133 CON 1 (SANDWICH EAST) PTS 1-3 EXR23 EXCEPT PT 8 12R425 EXCEPT PTS 6, 8, 9 12R578 EXCEPT PTS 1A, 1B, 12R742, EXCEPT PTS 1, 1C, 2B, 2C, 2, 2D, 2A, 2E, 3, 3A, 4, 4A 12R1063, EXCEPT BLK 16 M59, BLK 97 M60 WINDSOR; and
- F. THAT the transaction **BE COMPLETED** electronically, for the property where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction in accordance with the terms of the Agreement.

ACCOUNT NO.: 007-5210-7072118.

Carried.

Report Number 14827 SE/10747 C10

Internal Distribution

Legal [Cheryl Glassford]

City Solicitor

City Engineer

Chief Financial Officer/City Treasurer

Halberstadt
Postma

CR303/2010

That the report of the Manager of Real Property Asset Planning dated June 14, 2010 entitled "Installation of Photovoltaic (PV) Rooftop System" **BE DEFERRED** to the August 23, 2010 meeting of Council, to allow for consultation with Enwin.

Carried.

Report Number **14774 MU/8327 11**

Internal Distribution

Manager of Real Property Asset Planning [Sergio Grando]
City Engineer
Chief Financial Officer/City Treasurer

Valentinis
Postma

CR304/2010

That **APPROVAL BE GIVEN** for the construction of a 4' wide concrete sidewalk on the south side of McNorton Street from Radcliff Avenue to the east City limits (town of Tecumseh) at a cost of approximately \$17,000 from Project ID#7035119-New Infrastructure Development; and further,

That the issue of a multi-use trail on the north side, as outlined in the report of the City Engineer dated July 29, 2010 entitled "McNorton Street Multi-use Trail – North side of McNorton Street from Radcliff Avenue to East City Limits – CR395/2009", **BE DEALT WITH** at a future date.

Carried.

Report Number **1414844 ACO/10302 C12**

Internal Distribution

Public Works [Tony Ruffolo]
City Engineer
Senior Manager, Infrastructure Coordination & Development
Chief Financial Officer/City Treasurer
City Solicitor

ADOPTED by Council at its meeting held August 9, 2010 [M229-2010]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
August 9, 2010**

Meeting called to order at: 3:02 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens
Councillor C. Postma
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza (arrives at 3:16 p.m.)
Councillor P. Hatfield
Councillor J. Gignac

Members Absent:

Councillor B. Marra (participates by phone)
Councillor D. Brister

Also in attendance:

H. Reidel, Chief Administrative Officer
M. Sonogo, City Engineer
G. Wilkki, City Solicitor
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer
N. Coleman, Mayor's Chief of Staff (arrives at 3:25 p.m.)
S. Hutchinson, Legal Counsel (Item 1)
D. Cercone, Executive Director Housing and Children's Services (Item 11)
C. Glassford, Legal Counsel (Item 10)
M. Nazarewich, Senior Legal Counsel (Item 5)
V. Mihalo, Executive Director of Human Resources (Item 11)
F. Nazzani, President and CEO, YQG (Items 9 and 10)
P. Persichilli, Executive Vice President,
Windsor Essex Development Commission (Item 9)
J. McCormack, Director of Finance, YQG (Item 9)

Verbal Motion is presented by Councillor Postma, seconded by Councillor Jones, that Rule 3.3 (a) of the *Procedure By-law, 420-2001 as amended*, be waived to add the following Agenda items:

12. Personal matter – about an identifiable individual – verbal report (Section 239(2)(b))
13. Property matter – Economic Development opportunity – verbal report (Section 239(2)(b)(c))

Motion Carried.

Verbal Motion is presented by Councillor Postma, seconded by Councillor Jones, to move in Camera for discussion of the following item(s), adding items 12 and 13:

<u>o.</u>	<u>Subject</u>	n – Pursuant to Municipal Act, 2001, as amended
1.	matter – litigation update (<u>verbal</u>)	239(2)(e)
2.	ty/Legal matter – consent	239(2)(a)
	ty matter – purchase of property – Walker/Wyandotte intersection improvements	239(2)(c)
	al matter – about an identifiable individual(s)	239(2)(b)
	matter – settlement	239(2)(e)
	matter – litigation update (<u>verbal</u>)	239(2)(e)
	matter – Solicitor-client privilege (<u>verbal</u>)	239(2)(f)
	al matter – about an identifiable individual(s)	239(2)(b)
	ty matter – lease of land (<u>report to be presented at meeting</u>)	239(2)(c)
	ty matter – lease (<u>verbal</u>)	239(2)(c)
	al matter – labour relations	239(2)(d)
	al matter – about an identifiable individual – verbal report – ADDED	239(2)(b)
	ty/Personal matter – Economic Development opportunity – verbal report – ADDED	239(2)(b)(c)

Motion Carried.

Declarations of Pecuniary Interest:

Councillors Dilkens, Valentinis, Lewenza and Hatfield declare an interest and abstain from voting on Item 1 as they all have sat on the Boards of charitable organizations that have participated in charitable bingos.

Discussion on the items of business. (Items 9, 1, 2, 3, 4, 5, 6, 7, 8, 11, 10, 12 and 13)

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

**Moved by Councillor Postma, seconded by Councillor Dilkens,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held August 9, 2010 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential verbal report from Legal Counsel respecting litigation update **BE RECEIVED FOR INFORMATION.**

Councillors Dilkens, Valentinis, Lewenza and Hatfield declare an interest and abstain from voting.

2. That the confidential report from Legal Counsel and City Solicitor respecting a property/legal matter – consent **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal directions of Council.

3. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor, Chief Financial Officer and City Treasurer and City Engineer respecting a property matter – purchase of land **BE APPROVED.**

4. That the recommendation contained in the in-camera report from the City Solicitor, Executive Director of Human Resources and Chief Financial Officer and City Treasurer respecting a personal matter about an identifiable individual **BE APPROVED.**

5. That the recommendation contained in the in-camera report from Senior Legal Counsel and City Solicitor respecting a legal matter - settlement **BE DEFERRED.**

6. That the confidential verbal report from City Solicitor respecting a legal matter - litigation **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal directions of Council.

7. That the confidential verbal report from the City Solicitor respecting a legal matter – solicitor-client privilege **BE RECEIVED** and Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

8. That the recommendation contained in the in-camera report from the Manager of Leisure Outreach Services, Executive Director of Recreation and Culture and Community Development and Health Commissioner respecting a personal matter about an identifiable individual **BE APPROVED.**

9. That the recommendation contained in the in-camera report from the Property Supervisor, Legal Counsel, City Solicitor and City Planner respecting a property matter – lease of land **BE APPROVED.**

10. That the confidential verbal report from the Mayor respecting a property matter - lease **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal directions of Council.

11. That the recommendation contained in the in-camera report from the Community Development and Health Commissioner, Executive Director of Housing and Children's Services, Executive Director of Human Resources and Chief Financial Officer and City Treasurer respecting a personal matter – labour relations **BE APPROVED**.

12. That the confidential verbal report regarding a personal matter **BE RECEIVED**.

13. That the confidential verbal report from the Mayor regarding a property matter **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Motion Carried.

**Moved by Councillor Dilkens, seconded by Councillor Postma,
That the special meeting of council held August 9, 2010 BE ADJOURNED.**

(Time: 5:45 p.m.)

Motion Carried.

ADOPTED by Council at its meeting held August 9, 2010 [M230-2010]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
June 24, 2010**

Meeting called to order at: 3:10 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister
Councillor D. Dilkens
Councillor C. Postma (arrives at 3:15
p.m.)
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
G. Wilkki, City Solicitor
V. Critchley, City Clerk
J. Yanchula, Manager of Urban Design and Deputy City Planner (Item 1)

Verbal Motion is presented by Councillor Marra, seconded by Councillor Valentinis, that Rule 3.3 (a) of the *Procedure By-law, 420-2001 as amended*, be waived to add the following Agenda item:

- 2. Property matter – agreement (Section 239(2)(a))**

Motion Carried.

Verbal Motion is presented by Councillor Brister, seconded by Councillor Dilkens, to move in Camera for discussion of the following item(s), adding Item 2:

<u>o.</u>	<u>Subject</u>	1 – Pursuant to Municipal Act, 2001, as amended
1.	ty matter – sale of land	239(2)(c)
2.	ty matter – agreement - ADDED	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 Brister, seconded by Councillor Dilkens, to move back into public session.

Motion Carried.

Moved by Councillor Marra, seconded by Councillor Hatfield, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held June 24, 2010 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Property Supervisor, City Solicitor and Chief Financial Officer and City Treasurer respecting a property matter – sale of land **BE APPROVED.**

Councillor Valentinis voting nay.

2. That the recommendation contained in the in-camera report from the City Solicitor respecting a property matter – agreement **BE APPROVED.**

Motion Carried.

Moved by Councillor Postma, seconded by Councillor Valentinis, That the special meeting of council held June 24, 2010 BE ADJOURNED. (Time: 3:29 p.m.)

Motion Carried.

ADOPTED by Council at its meeting held August 9, 2010 [M233-2010]

KK

Windsor, Ontario August 9, 2010

REPORT NO. 85
of the
WINDSOR ACCESSIBILITY ADVISORY COMMITTEE
at its meeting held on June 22, 2010

Present: Ken Vickers, Chair
Councillor Caroline Postma
Peter Best
Eric Cross
Sandra Friesen
Kathy Iacovone
Wayne Meneguzzi
Reverend Charles Payne

Your Committee submits the following recommendation:

That **APPROVAL BE GIVEN** to an expenditure in the amount of \$4,000 from the Capital Project Account 7086008 for the installation of an automated door with push button access at the Windsor Public Library.

Wayne Meneguzzi voting nay.

CHAIRPERSON

COMMITTEE COORDINATOR