

Regular

Council meets in formal session this day at 6:20 o'clock p.m., in the Council Chambers.

Members Present:

Councillor Brister
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Lewenza
Councillor Marra
Councillor Postma (Acting Mayor)
Councillor Valentinis

Members Absent:

Mayor Francis (presenting Windsor's bid to host the 2013
International Children's Games (ICG) to the
ICG Selection and Executive Committees, in Bahrain)

Call to Order

Following the playing of the Canadian National Anthem, Reverend Wendy Paterson from Paulin Memorial Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Brister discloses an interest and abstains from voting on Item 3, being the report of the City Engineer respecting "M156-2009 Baseline Road Posted Speed", as a family member resides on the affected street.

Minutes

Moved by Councillor Valentinis, seconded by Councillor Brister
That the Minutes of the regular meeting of Council held June 14, 2010, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

None presented.

Committee of the Whole

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That Council do now rise and move into Committee of the Whole with the Acting 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 No. 282 of the Windsor Heritage Committee** of its meeting held May 12, 2010;
 - (iii) **Report No. 283 of the Windsor Heritage Committee** of its meeting held June 9, 2010;
 - (iv) **Report No. 284 of the Windsor Heritage Committee** of its meeting held June 9, 2010; and
 - (v) **Report No. 285 of the Windsor Heritage Committee** of its meeting held June 9, 2010.
 - (g) consideration of by-laws 103-2010 through 111-2010 (inclusive).
- Carried.

Communications

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M178-2010 That the following Communication Items 1 to 12, 14 to 21 and 23 to 28 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that the minutes of the Transit Windsor Board of Directors and Windsor Chartabus Inc., of their meetings held June 16, 2010 **BE ADOPTED**; and Communication No. 13 and Communication No. 22 which are dealt with as follows:

Communication No. 13:

Moved by Councillor Gignac, seconded by Councillor Hatfield,
M179-2010 That the City of Windsor **CONTRIBUTE** \$10,000 to the “MMS (Municipal Maintenance Standards) Litigation Fund” in support of the Ontario Good Roads Association’s intention to file notice with the Superior Court on behalf of its municipal members, to oppose an application to have the Minimum Maintenance Standards declared null and void.
Carried.

AL2010

Communication No.22:

Moved by Councillor Marra, seconded by Councillor Lewenza,
M180-2010 That Communication No. 22 from the June 28, 2010 meeting of Council, authored by the Chief Building Official respecting “M383-2008 – Amica at Windsor – 4909 Riverside Drive E.” **BE DEALT WITH** at the “request for deferrals” stage of the meeting.
Carried.

AS/9844

Item	From	Description
1	Office of the Premier of Ontario	More Ontario Children in Full-Day Kindergarten Community Development & Health Commissioner Note & File SSC/6751
2	Ministry of Transportation	City of Windsor – Connecting Link Funding Request City Engineer Executive Director of Operations City Treasurer Note & File SW2010
3	Ministry of Training, Colleges and Universities	Minor Modifications Being Made to the Second Career Program Community Development & Health Commissioner Note & File GP2010
4	Ministry of the Environment	Finalized Regulations Regarding the Development and Implementation of Source Protection Plans Under the <i>Clean Water Act, 2006</i> City Engineer Manager of Environmental Services City Planner Windsor Utilities Commission Note & File EI/10108
5	Federation of Canadian Municipalities (FCM)	City of Windsor – Resolution Update: Emerging Concerns in Conventional Print Media Note & File MMF2010
6	Association of Municipalities of Ontario (AMO)	Task Force Continues Partnership Building Note & File MMA2010
7	Association of Municipalities of Ontario (AMO)	Timely Martin Prosperity Institute Study Assists in Ongoing Debate on the Impact of Implementing the AODA A/ Diversity & Accessibility Officer Note & File MMA2010
8	Association of Municipalities of Ontario (AMO)	Update on MHSW Negotiations City Engineer Note & File MMA2010
9	Association of Municipalities of Ontario (AMO)	Long Awaited Provincial Affordable Housing Policy Not Ready to Go Until Fall 2010 Community Development & Health Commissioner Executive Director of Housing & Children's Services Note & File GH/6905

10	Ontario Municipal Board (OMB)	Decision/Order of the Board regarding the appeal of the Corporation of the Town of LaSalle, Anna Lynn Meloche and Nancy Pancheshan, under the <i>Planning Act, R.S.O. 1990</i> regarding proposed Official Plan Amendment No. 67 and By-Law 232-2007 City Planner Chief Building Official & Executive Director of Building City Solicitor Zoning Clerk Note & File ZO/7802
11	Muscular Dystrophy Canada	Letter of Thanks to Windsor Professional Fire Fighters Association for Fundraising and Donations Note & File APR2010
12	Windsor Utilities Commission	Council Question CQ43-2009 Council Meeting May 2009 re: Water Rate Assistance Program (WRAP) Note & File MU2010
13	Ontario Good Roads Association (OGRA)	Request for Donation in Support of the Minimum Maintenance Standards (MMS) Litigation Fund COUNCIL DIRECTION REQUESTED City Engineer Executive Director of Operations City Solicitor Chief Financial Officer & City Treasurer AL2010
14	Community Organizer, Pathway to Potential	Poverty Reduction Roundtable Co-Chair – Call for Applications Community Development & Health Commissioner Note & File SS/10488
15	Federation of Canadian Municipalities	Pests and Urban Forests Work Group/Cities of Migration Conference, October 3-4, 2010 Executive Director of Parks & Facilities Note & File SR2010
16	Community Living Essex County	City of Windsor's Housing and Children's Services Department recipient of Community Inclusion Award Community Development & Health Commissioner Note & File SS2010
17	Transit Windsor Board of Directors	Minutes of the Transit Windsor Board of Directors meeting held June 16, 2010 and the minutes of the Windsor Chartabus Inc. meeting held June 16, 2010 TO BE ADOPTED MB2010
18	Ontario Realty Corporation	Potentially Surplus Provincial Property City Solicitor Note & File APM2010

19	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, June 30, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor	Note & File ZC2010
20	Chief Financial Officer & City Treasurer	ISF/RInC Project Updates – as at May 31, 2010	Note & File AFB/10064
21	Executive Director of Human Resources	Ministry of Labour Orders issued regarding Adie Knox-Herman Arena & Swimming Pool	Note & File AS/5686
22	Chief Building Official	M383-2008 – Amica at Windsor – 4909 Riverside Drive E.	Note & File AS/9844
23	City Engineer	Howard Avenue / CP Rail Grade Separation – Memorial Drive Closure	Note & File SW/9173
24	Executive Director of Parks & Facilities	Migratory Nesting Birds – Riverfront Amphitheatre Site	Note & File SR/10696
25	City Engineer	Reply to CQ45-2010 – General Motors Transmission Plant – Water Treatment Facilities	Note & File EI2010
26	Windsor Bicycling Committee	Minutes of meeting held June 8, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request)	Note & File MB2010
27	Windsor-Essex County Environment Committee	Minutes of meeting held June 3, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request)	Note & File MB2010
28	Windsor Heritage Committee	Minutes of meeting held June 9, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request)	Note & File MB2010

Carried/

Consent Agenda

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

- Item 1 SDR Asset Management Governance Consultants
- Item 8 Lease Agreement between the City of Windsor and Essex County Soccer Association (ECSA) for the Clubhouse Facility in McHugh Park Soccer Complex
- Item 9 2010 Negotiations, Windsor Police Services Board and Windsor Police Association
- Item 11 Building Department – Old Indemnities and Replacement of By-law 7942
- Item 13 City of Windsor & County of Essex Working Protocol for Addressing Items of Regional Interest

- Item 14 Response to CQ44-2010 Enforcement of Garbage around the University of Windsor
Item 15 Drainage Report for the Grand Marais Drain Improvements – Phase 2
Item 17 A By-law for the Construction of Curbs and Gutters and Boulevard Restoration on Lloyd George Boulevard from Rose Street to Grand Boulevard as a Local Improvement
Item 18 Request for Letter of Support – Confirm and Ratify

Carried.

Deferrals and/or Referrals and Withdrawals

Item 5 Response to CR185/2010 (Medical Office / Methadone Clinic)

Donna Vollans, Ward 3 resident

Donna Vollans, Ward 3 resident, appears before Council to request that the report of the City Planner respecting the “Response to CR185/2010 (Medical Office/Methadone Clinic)” be deferred to either the July 12 or July 26 meeting of Council, as opposed to August 23 as requested by Dr. Hammer, stating that the matter needs to be dealt with as soon as possible.

ZB/10547 5

(For final disposition of this matter, see Clause **CR255/2010** in Schedule “A” attached hereto.)

City Council agrees to defer this matter to the July 26, 2010 meeting.

Communication No. 22: M383-2008 – Amica at Windsor – 4909 Riverside Drive East

Moved by Councillor Marra, seconded by Councillor Lewenza,
M181-2010 That the report of the Chief Building Official dated June 15, 2010 entitled “M383-2008 – Amica at Windsor – 4909 Riverside Drive E.” **BE DEFERRED** to the July 26, 2010 meeting of Council, as requested by Mr. David Langford, in order to allow for delegations as a regular agenda item.

Carried.

Item 12 – Willistead Manor Catering Service Agreement

Colleen Soulliere, Metro Executive Class Catering

Colleen Soulliere, Metro Executive Class Catering, appears before Council to speak in opposition to any request for deferral of the report of the Executive Director of Recreation and Culture respecting “Willistead Manor Catering Service Agreement”, as the proper process was followed in terms of the request for proposals.

Leo Deluca, Koolini’s Catering

Leo Deluca, Koolini’s Catering, appears before Council to request that Council defer consideration of the report of the Executive Director of Recreation and Culture respecting “Willistead Manor Catering Service Agreement”, as there are many unanswered questions regarding the criteria used to determine the final recommendation.

Moved by Councillor Marra, seconded by Councillor Valentinis,

That the report of the Executive Director of Recreation and Culture dated June 9, 2010 entitled “Willstead Manor Catering Service Agreement” BE DEFERRED at minimum to the July 26, 2010 meeting of Council in order for Council to review additional information and that the existing service provider be extended for a period of 60 days.

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

Aye votes: Councillors Marra, Valentinis, Lewenza and Jones.

Nay votes: Councillors Brister, Halberstadt, Gignac, Hatfield and Dilkens.

Presentations & Delegations:

Employment Ontario Transformation Project

Teresa Piruzza, Executive Director of Employment and Social Services; and Mary Ellen Bernard, Project Manager, Employment Ontario Transformation Project

Teresa Piruzza, Executive Director of Employment and Social Services; and Mary Ellen Bernard, Project Manager, Employment Ontario Transformation Project, appear before Council to provide a brief overview of the “Employment Ontario Transformation Project Transitional and Service Delivery Plans”, including the process for achieving a transformation, creating partnerships with employers and identifying job opportunities.

GP/10258 2

(For final disposition of this matter, see Clause **CR253/2010** in Schedule “A” attached hereto.)

Revised Financial Plan for Windsor Utilities Commission (WUC) 2010-2015

John Wladarski, General Manager, Windsor Utilities Commission (WUC); Victoria Zuber, Vice President Finance & Chief Financial Officer; and Councillor Ken Lewenza, Chair, WUC

John Wladarski, General Manager, Windsor Utilities Commission (WUC); Victoria Zuber, Vice President Finance & Chief Financial Officer; and Councillor Ken Lewenza, Chair, WUC, appear before Council to provide Council with a brief overview of the Windsor Utilities Commission’s revised six year financial plan, for Council’s consideration.

Paul Synnott, Ward 2 resident

Paul Synnott, Ward 2 resident, appears before Council to provide comments regarding proposed water rates by the Windsor Utilities Commission, suggesting that other factors such as the sewer surcharge, are contributing to excessively high rates.

Moved by Councillor Dilkens, seconded by Councillor Valentinis,

That the revised recommendation forwarded to City Council on June 28, 2010 by administration at the Windsor Utilities Commission (WUC), "Option 2 – the reduced Capital Option", which was not supported by WUC, BE APPROVED as the financially viable 6-Year Financial Plan, and further, that administration BE DIRECTED to forward this resolution to the Ministry of Municipal Affairs and Housing.

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

Aye votes: Councillors Dilkens, Valentinis, Marra and Gignac.

Nay votes: Councillors Lewenza, Halberstadt, Hatfield, Jones and Brister.

Absent: Mayor Francis

Moved by Councillor Lewenza, seconded by Councillor Jones,

That the revised recommendation forwarded to City Council on June 28, 2010 by administration at the Windsor Utilities Commission (WUC), "Option 1" which was supported by WUC, BE APPROVED as the financially viable 6-Year Financial Plan, and further, that administration BE DIRECTED to forward this resolution to the Ministry of Municipal Affairs and Housing.

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

At the request of Councillor Lewenza, a recorded vote is taken.

Aye votes: Councillors Halberstadt, Lewenza, Hatfield and Jones.

Nay votes: Councillors Brister, Gignac, Marra, Valentinis, Dilkens and Postma.

Abstain: Nil.

Absent: Mayor Francis (out of town on city business).

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

M182-2010 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 reconsideration without prior notice respecting a viable 6-Year Financial Plan for the Windsor Utilities Commission.

Carried.

Councillors Brister, Lewenza and Jones voting nay.

Moved by Councillor Halberstadt, seconded by Councillor Dilkens,

M183-2010 That the following lost motion that was recorded at the June 28, 2010 City Council meeting **BE RECONSIDERED**:

That the revised recommendation forwarded to City Council on June 28, 2010 by administration at the Windsor Utilities Commission (WUC), "Option 2 – the reduced Capital Option", which was not supported by WUC, BE APPROVED as the financially viable 6-Year Financial Plan, and further, that administration BE DIRECTED to forward this resolution to the Ministry of Municipal Affairs and Housing.

Carried.

Councillors Brister, Jones and Lewenza voting nay.

(For final disposition of this matter, see Clause **CR243/2010** in Schedule “A” attached hereto.)

Nefibo Inc., draft plan of condominium approval, 737 Ouellette Avenue conversion of an existing 20-storey apartment building from rental to condominium status

Ray Colautti, Solicitor representing Applicant

Ray Colautti, Solicitor representing the Applicant, appears before Council and is available for questions with regards to the request for draft plan of condominium approval for 737 Ouellette Avenue, to convert an existing 20-storey apartment building from rental to condominium status.

ZP/10568 PAC 2

(For final disposition of this matter, see Clause **CR263/2010** in Schedule “A” attached hereto.)

Report No. 283 of the Windsor Heritage Committee

John Tartaro, owner, 1181 Ouellette Avenue

John Tartaro, owner, 1181 Ouellette Avenue, appears before Council and is available for questions regarding Report No. 283 of the Windsor Heritage Committee which recommends that no action be taken in response to the proposed demolition of the building on the subject property, which is listed on the Windsor Municipal Heritage Register under provisions of *Part IV of the Ontario Heritage Act*.

Moved by Councillor Marra, seconded by Councillor Jones,

M184-2010 That **Report No. 283 of the Windsor Heritage Committee** of its meeting held June 9, 2010,
BE ADOPTED as presented.

Carried.

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

MB2010

Response to Council Question CQ37-2010 Respecting Excessive Vehicle Noise

Andy Furlong, Ward 3 resident

Andy Furlong, Ward 3 resident, appears before Council and is available for questions with regards to the report of the Chief Building Official respecting excessive vehicle noise.

Deputy Chief Jerome Brannagan, representative from the Windsor Police Services

Deputy Chief Jerome Brannagan, representative from the Windsor Police Services, appears before Council and is available for questions with regards to the report of the Chief Building Official respecting excessive vehicle noise.

SB2010 7

(For final disposition of this matter, see Clause **CR251/2010** in Schedule “A” attached hereto.)

M156-2009 Baseline Road Posted Speed**Cecile Crouchman, Ward 4 resident**

Cecile Crouchman, Ward 4 resident appears before Council to state that the residents on Baseline Road request that speed limit signs set at 60 km be installed on Baseline Road, as the current limit of 80 km creates a dangerous situation, and that this request has been outstanding for way too long.

Lorant Baksa and John Baksa, Ward 4 residents

Lorant Baksa and John Baksa, Ward 4, residents appear before Council to request that speed limit signs set at 60 km be installed on Baseline Road, as the current limit of 80 km creates a dangerous situation.

Greg Maxwell, Ward 4 resident

Greg Maxwell, Ward 4 resident, appears before Council to request that speed limit signs set at 60 km be installed on Baseline Road, as the current limit of 80 km creates a dangerous situation and there is a need for consistency with the surrounding area.

ST2010 3

(For final disposition of this matter, see Clause **CR54/2010** in Schedule “A” attached hereto.)

Request for Waiver of Building Permit Fees, parkland Dedication Fees and Development Charges – Windsor-Essex Humane Society – 1375 Provincial Road**Melanie Coulter, Executive Director, Windsor-Essex County Humane Society**

Melanie Coulter, Executive Director, Windsor-Essex County Humane Society, appears before Council to request a waiver of building permit fees, parkland dedication fees and development charges, to be applied towards their \$2.4-million shelter expansion project to renovate and expand their 40-year old building.

ZS/10329 4

(For final disposition of this matter, see Clause **CR249/2010** in Schedule “A” attached hereto.)

Willistead Manor Catering Service Agreement**Leo Deluca, representing Koolini’s Catering**

Leo Deluca, representing Koolini’s Catering, appears before Council to request that Council reject the administrative recommendation to approve Metro Executive Class as the Catering Service provider at Willistead Manor, and that Koolini’s Catering should be the selected proponent, suggesting that many of the evaluation criteria were not addressed, and concludes by providing an overview of Koolini’s credentials.

APM/6272 12

(For final disposition of this matter, see Clause **CR248/2010** in Schedule “A” attached hereto.)

Moved by Councillor Halberstadt, seconded by Councillor Brister,
M185-2010 That in accordance with Section 3.5 (b) of the Procedure By-law, the time of the meeting
BE EXTENDED beyond 11:00 o'clock p.m., to permit the continuation of the Agenda.
Carried unanimously.

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

PAC 1 Transitional Public Parking Area Regulations

Item 6 Windsor Essex County Environment Committee (WECEC) and City of Windsor Environmental
Coordinator Office Staffing

Item 10 Improvements to Charles Clark Square

Item 16 Staff Accommodation Plan Resulting from the Phase Two – Corporate Re-organization and Re-alignment

Consideration of Committee Reports

Moved by Councillor Valentinis, seconded by Councillor Brister,
M186-2010 That the **Report of the special In-camera** meeting held June 28, 2010, **BE ADOPTED**,
as presented.
Carried.

ACO2010

Moved by Councillor Valentinis, seconded by Councillor Brister,
M187-2010 That **Report No. 282 of the Windsor Heritage Committee** of its meeting held May 12, 2010,
BE ADOPTED as presented.
Carried.

MB2010

Moved by Councillor Valentinis, seconded by Councillor Brister,
M188-2010 That **Report No. 284 of the Windsor Heritage Committee** of its meeting held June 9, 2010,
BE ADOPTED as presented.
Carried.

Moved by Councillor Valentinis, seconded by Councillor Brister,
M189-2010 That **Report No. 285 of the Windsor Heritage Committee** of its meeting held June 9, 2010,
BE ADOPTED as presented.
Carried.

By-laws

Moved by Councillor Dilkens, seconded by Councillor Gignac,

That the following By-laws No. 103-2010 through 111-2010 (inclusive), be introduced and read a first and second time:

103-2010 “A BY-LAW TO PROVIDE FOR DRAINAGE WORKS IN THE CITY OF WINDSOR, IN THE COUNTY OF ESSEX, KNOWN AS THE GRAND MARAIS DRAIN IMPROVEMENTS – PHASE 2” – PROVISIONAL

104-2010 “A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF CONCRETE CURBS AND GUTTERS AND BOULEVARD RESTORATION ON LLOYD GEORGE BOULEVARD FROM ROSE STREET TO GRAND BOULEVARD, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT”

105-2010 “A BY-LAW TO AUTHORIZE THE ENTERING INTO OF A MUNICIPAL FUNDING AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF WINDSOR AND THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO FOR THE TRANSFER OF FEDERAL GAS TAX REVENUES”

106-2010 “A BY-LAW TO THE DEPOSIT OF MONIES TO MEET THE COST OF REPAIRING ANY DAMAGE TO THE SIDEWALK, CURBING OR PAVED BOULEVARD IN THE CITY OF WINDSOR”

107-2010 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 4.26 METRE (14 FEET) WIDE PORTION OF THE NORTH/SOUTH ALLEY WEST OF MALDEN ROAD, FROM MARIETTA AVENUE NORTHERLY FOR A DISTANCE OF 30.48 METRES (100 FEET), CITY OF WINDSOR

108-2010 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.26 METRE (14 FEET) WIDE PORTION OF THE NORTH/SOUTH ALLEY WEST OF MALDEN ROAD, FROM MARIETTA AVENUE NORTHERLY FOR A DISTANCE OF 30.48 METRES (100 FEET), CITY OF WINDSOR”

109-2010 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 3.963 METRE (13 FEET) WIDE SOUTHERLY PORTION OF TRANBY AVENUE WESTERLY FROM JANISSE DRIVE, CITY OF WINDSOR”

110-2010 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.963 METRE (13 FEET) WIDE SOUTHERLY PORTION OF TRANBY AVENUE WESTERLY FROM JANISSE DRIVE, CITY OF WINDSOR”

111-2010 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTY-EIGHTH DAY OF JUNE, 2010”

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
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 Marra,
M190-2010 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 reconsideration without prior notice respecting an application to close the north/south alley and east/west alley between St. Patrick's Drive and Randolph Avenue southerly from Labelle Street.

Carried.

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

Moved by Councillor Dilkens, seconded by Councillor Marra,
M191-2010 That Council Resolutions 241/2010 and CR242/2010 adopted by Council on June 14, 2010 **BE RECONSIDERED**:

CR241/2010

That the whole width of the 4.27 metre (14 feet) wide east/west alley between St. Patrick's Drive and Randolph Avenue **BE ASSUMED** for subsequent closure and conveyance to Pauline Maria Trealout, owner of 2999 Randolph Avenue (Lot 149, Plan 1193) and to James Gillis, 2986 St. Patrick's Drive (Pt. Lots 1-4 and Block I, Plan 1193), and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law; and further,

That consideration of the north/south alley between St. Patrick's Drive and Randolph Avenue **BE DEFERRED** until Administration comes back with a report on how the City can better deal with having residents take ownership of land once the alley is closed.

CR242/2010

That the whole width of the 4.27 metre (14 feet) wide east/west alley between St. Patrick's Drive and Randolph Avenue **BE CLOSED AND CONVEYED** to Pauline Maria Trealout, owner of 2999 Randolph (Lot 149, Plan 1193) and James Gillis, owner of 2986 St. Patrick's Drive (Pt. Lots 1-4 and Block I, Plan 1193) subject to the following:

- Easements required in favour of:
- Cogeco Cable Systems Inc
- Enwin Utilities – hydro division for pole line
- Bell Canada for maintenance of their plant/cable

the lands are to be conveyed at \$1.00 plus deed preparation cost (approximately \$400.00) plus a proportionate share of survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor for land abutting property zoned RD1.4

and further, the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1598, attached hereto as Appendix "A", and the City Solicitor or a delegate, **BE AUTHORIZED** to publish the required legal notice and **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

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

M192-2010 AMENDED BY CR131/2011 ADOPTED APRIL 11, 2011

Moved by Councillor Dilkens, seconded by Councillor Marra,

M192-2010 That the 4.27 metre (14 feet) wide east/west alley and a portion of the 4.27 metre (14 feet) wide north/south alley to the northerly property limit of 2999 Randolph Avenue between St. Patrick's Drive and Randolph Avenue next north of Grand Marais Road West **BE ASSUMED** for subsequent closure and conveyance to the owners of 2999 Randolph Avenue and 2986 St. Patrick's Drive and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

Carried.

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

M193-2010 AMENDED BY CR131/2011 ADOPTED APRIL 11, 2011

Moved by Councillor Dilkens, seconded by Councillor Marra,

M193-2010 I. That the 4.27 metre (14 feet) wide east/west alley and a portion of the 4.27 metre (14 feet) wide north/south alley to the northerly property limit of 2999 Randolph Avenue between St. Patrick's Drive and Randolph Avenue next north of Grand Marais Road West **BE CLOSED AND CONVEYED** to the owners of 2999 Randolph Avenue and 2986 St. Patrick's Drive subject to the following:

- (a) Easements required in favour of:
 - Cogeco Cable Systems Inc
 - Enwin Utilities – hydro division for pole line
 - Bell Canada for maintenance of their plant/cable

(b) the lands are to be conveyed at \$1.00 plus deed preparation cost (approximately \$400.00) plus a

proportionate share of survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor for land abutting property zoned RD1.4.

and further, the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1598, *attached* hereto as Appendix "A", and the City Solicitor or a delegate, **BE AUTHORIZED** to publish the required legal notice and **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

II. That consideration of the north/south alley between St. Patrick's Drive and Randolph Avenue north of 2999 Randolph **BE DEFERRED** until Administration comes back with a report on how the City can better deal with having residents take ownership of land once the alley is closed;

and further, that CR241/2010 and CR242/2010 **BE RESCINDED**.

Carried.

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

Third Reading of By-laws

Moved by Councillor Jones, seconded by Councillor Gignac,

That the following By-laws No. 104-2010 through 111-2010 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and Deputy City Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Petitions

Moved by Councillor Marra, seconded by Councillor Halberstadt,

M194-2010 That the petition presented by Councillor Halberstadt from residents of the 700, 800 and 900 blocks of Monmouth, requesting to have Monmouth Road closed to vehicular traffic at the intersection of Monmouth Road and Tuscarora Street, **BE RECEIVED** by the Deputy City Clerk and the Deputy City Clerk **BE DIRECTED** to forward the petition to the City Engineer for the purpose of an examination of the requested works or undertakings; and further that a report **BE PROVIDED** consistent with the direction provided, prior to the completion of construction at Wyandotte and Walker Road.

Carried.

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

ACO/10546

Council Questions

Moved by Councillor Valentinis, seconded by Councillor Brister,

M195-2010 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.

ACOQ2010

Adjournment

Moved by Councillor Dilkens, seconded by Councillor Gignac,
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 11:12 o'clock p.m.

ACTING MAYOR

DEPUTY CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Halberstadt
Hatfield

CR243/2010

That the revised recommendation forwarded to City Council on June 28, 2010 by administration at the Windsor Utilities Commission (WUC), "Option 2 – the reduced Capital Option" (attached hereto as Appendix A), which was not supported by WUC, **BE APPROVED** as the financially viable 6-Year Financial Plan, and further, that administration **BE DIRECTED** to forward this resolution to the Ministry of Municipal Affairs and Housing.

Report No. 14792 MU/10720 19

Carried.

Councillors Brister, Lewenza and Jones voting nay.
Mayor Francis was absent from the meeting.

Appendices

Option 2 – the reduced Capital Option

Internal Distribution

Chief Financial Officer/City Treasurer

Jones
Lewenza

CR244/2010

That the report of the City Solicitor dated June 15, 2010, **BE RECEIVED** for information and that The Corporation of the City of Windsor through the City Solicitor **BE AUTHORIZED** to pay the legal accounts of Hicks Morley (Glenn Christie) for representation of the Windsor Police Services Board with respect to labour negotiations, mediations and arbitrations with the Windsor Police Association for new Collective Agreements for the sworn officers and civilian employees of the Windsor Police Service, the cost to **BE CHARGED** to a reserve account as designated by The Chief Financial Officer and City Treasurer.

Carried.

Report Number **14775 ASU2010 C9**

Internal Distribution

Legal [George Wilkki, City Solicitor]
Chief Financial Officer/City Treasurer

Jones
Lewenza

CR245/2010

THAT **APPROVAL BE GIVEN** to retain CH2MHILL to provide consulting services to assist the City of Windsor in developing a complete Asset Governance strategy in accordance with their proposal in response to City of Windsor RFP Number 63-10 at a cost not to exceed \$350,000, inclusive of taxes; and

THAT the City Solicitor **BE AUTHORIZED** to prepare a contract for those services, and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the contract, satisfactory in form to the City Solicitor, in technical content by the Executive Director of IT and financial content to the City Treasurer and CFO.

Carried.

Report Number 14733 MB/10678 C1

Internal Distribution

Manager of Project Management and Application [Melissa Urban]
Chief Financial Officer/City Treasurer
Executive Director, Information Technology
SDR Program Manager

Halberstadt
Lewenza

CR246/2010

THAT the capital improvements to Charles Clark Square presented in the May 25, 2010 report of the City Planner estimated to total \$160,563 **BE ACCOMPLISHED** using existing funds designated for Charles Clark Square in Capital Budget Project #7033086; and

THAT routine refurbishment and maintenance improvements to Charles Clark Square in the amount estimated to be \$10,000 **BE COMPLETED** by Parks & Facility Operations, as summarized in Appendix A of the May 25, 2010 report of the City Planner using existing funds in the Parks and Facilities Operations 2010 operating budget; and

THAT the City Planner **BE DIRECTED** to report back on improving the functionality of the Civic Esplanade, with emphasis on the blocks between Chatham Street and Riverside Drive.

Carried.

Councillor Valentinis voting nay.

Report Number 14764 SR2010 10

Internal Distribution

Planning [Chris Brown]
City Planner
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor
Executive Director of Recreation and Culture
Executive Director of Parks and Facility Operations

Jones
Lewenza

CR247/2010

- I. That the Building Department **ADVERTISE** in the local newspaper to allow the claiming of old indemnities (issued prior to 2003), conditional that proof of Building Permit must be provided and that the period to claim old indemnities be open for only 30 days after the advertisement date;
- II. That the Building Department **BE AUTHORIZED**:
 - In cases where the indemnity is from a corporation that is now dissolved, to forfeit the money to the Office of the Public Guardian and Trustee on behalf of the Crown in accordance with the *Business Corporations Act*;
 - In cases where the indemnity is from an active corporation, to send a notice letter to the corporation's place of business informing them that the indemnity moneys are being held by the City and that the permit requires finalization in order to have the moneys returned.
- III. That the Building Department **BE AUTHORIZED** following the advertised period, to retain any unclaimed amount (of approximately \$308,789.27) of outstanding Building permit Indemnity Deposit funds collected prior to 2003, allocating the funds as follows:
 - Transfer to the **Building Permit Reserve Fund**, \$303,789.27 (Chartfield #180-6990-0152710).
 - Transfer to the **Building Department**, \$5,000 in consideration of costs incurred in identifying individual receipts, research, matching and related administrative work, (Chartfield #001-6990-1790-02942-0152710);
- IV. That City Council **PASS** By-law 106-2010 pertaining to the collection and refunding of Building Permit Indemnity Deposits and that this By-law become effective August 3, 2010.
- V. That effective August 3, 2010, City Council **REPEAL** the existing Building Indemnities By-law #7942-1984;
- VI. That the Building Department **ADVERTISE** in conjunction with Recommendation (I) (an addendum to the same ad) as a matter of public notification the establishment of the new By-law 106-2010 along with excerpts from the new By-law highlighting the new indemnity amount required and seven year time limit at which point the Chief Building Official can determine an Indemnity deposit to become forfeited.

Carried.

Report Number **14757 SB2010 C11**

Internal Distribution

Building [Don Nantais]

Chief Building Official

Chief Financial Officer/City Treasurer

City Solicitor

Gignac
Brister

CR248/2010

That Council **APPROVE** Metro Executive Class as the Catering Service provider at Willistead Manor, as per the terms included in their proposal in response to RFP 54-10; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the catering agreement in form satisfactory to the City Solicitor, in financial content to the City Treasurer and in technical content to the Executive Director of Recreation and Culture.

Carried.

Councillors Marra and Valentinis voting nay.

Report Number **14748 APM/6272 12**

Internal Distribution

Recreation [Pam Labute]

Executive Director, Recreation & Culture

Community Development & Health Services Commissioner

Chief Financial Officer/City Treasurer

City Solicitor

Council Secretariat

Jones
Hatfield

CR249/2010

That the request from The Windsor Essex County Humane Society at 1375 Provincial Road for

1. The refund of the Site Plan Control Application fee in the amount of \$2,326.00;
2. The refund of \$19,677 comprised of building permit fees totaling \$7,146.00, parkland dedication fees of \$2,159.00 and development charges of \$10,372.00 for the Phase 1 addition already constructed;
3. The waiver of \$3,255 comprised of building permits fees totaling \$856.00, parkland dedication fees of \$304.00 and development charges of \$2,095.00 for the construction of the Phase 2 addition, and
4. The waiver of building permit fees in the amount of \$240.00 for the future Phase 2 roof addition already constructed **BE APPROVED**; and further,

That the monies **BE PROVIDED** as a grant-in-lieu from the Budget Stabilization Reserve Fund.

Carried.

Councillors Gignac, Brister and Valentinis voting nay.

Report Number **14741 ZS/10329 4**

Internal Distribution

Building [Wm. Jean]

Chief Building Official

City Planner

Chief Financial Officer/City Treasurer

City Solicitor

Hatfield

Halberstadt

CR250/2010

That the Mayor and City Council **APPROVE** the following recommendations with respect to staffing requirements for the Windsor Essex County Environment Committee (WECEC) and for the City's Environmental Coordinator, in accordance with the Environmental Coordinator Assistant/WECEC Coordinator job description attached to this report as Appendix 1:

1. That the position of WECEC Coordinator, left vacant in October 2009, **BE FILLED** (temporary one (1) year contract), as per WECEC's resolution passed at their January 7, 2010 meeting, approved as part of the Communications package at City Council, at the Council Meeting held February 1, 2010:

Moved by D. Clevett, seconded by P. Cheslock,

*"That a job description regarding a one-year contract for the position of Coordinator for the Windsor Essex Environment Committee (WECEC) BE CREATED by the Manager of Environment Quality, and that the job description BE CIRCULATED to the WECEC members for their feedback prior to submission to Windsor City Council for approval.
Carried."*

And further;

2. Through the reallocation of existing funding sources, that the position of Environmental Coordinator Assistant/WECEC Coordinator **BE CREATED** initially for a temporary one (1) year contract (to be re-assessed thereafter), in the Environment and PW Operations Department in response to the January 7, 2010 WECEC resolution and that this Environmental Coordinator Assistant/WECEC Coordinator report directly to the Environmental Coordinator to provide coordination services to WECEC and to assist the Environmental Coordinator with Environmental Master Plan (EMP) initiatives as per the attached Environmental Coordinator Assistant/WECEC Coordinator job description, and further;
3. That the current level of City funding for the WECEC Coordinator position (\$28,000 per annum) **BE MAINTAINED AND DIRECTED TO** the Environmental Master Plan operating budget to assist with funding the position of Environmental Coordinator Assistant/WECEC Coordinator (temporary one (1) year contract), and further;

4. That existing Environmental Master Plan funds budgeted for temporary part time help (up to \$30,000 per annum) **BE DIRECTED** to assist with funding the position of Environmental Coordinator Assistant/WECEC Coordinator (temporary one (1) year contract, and further;
5. That, upon Council's approval of the recommendations in this report, (for a temporary one (1) year contract, the City Clerk **FORWARD** a copy of this report and applicable Windsor City Council Resolution(s) to the Clerk of the County of Essex for County Council approval as per the WECEC Report No. 48 recommendation attached to this document as Appendix 3.

Carried.

Report Number #: **14756 MB2010 6**

Internal Distribution

Appendix 1

Appendix 3

Internal Distribution

Public Works [Paul Drca]

City Engineer

Senior Manager of Pollution Control

Executive Director Operations

Chief Financial Officer & City Treasurer

City Clerk

Gignac

Valentinis

CR251/2010

That City Council **RECEIVE FOR INFORMATION** the report of the Chief Building Official dated June 3, 2010 entitled "Response to Council Question 37-2010 Respecting Excessive Vehicle Noise".

Carried.

Report Number **14702 SB2010 7**

Internal Distribution

Building [Ann Kalinowski]

Chief Building Official

City Clerk/Licence Commissioner

City Solicitor

Council Secretariat – re CQ

Jones
Lewenza

CR252/2010

That the lease agreement between the Essex County Soccer Association (ECSA) and the City of Windsor for the Clubhouse facility located in McHugh Park Soccer Complex for the years 2010 to 2014 with an option to renew for a further 5-year period **BE APPROVED** subject to legal form by the City Solicitor and technical content by the Executive Director of Recreation and subject to the following terms:

1. The rental period will commence upon completion of the building (expected to be in September/October) and end on December 31, 2014 with an option to renew for an additional 5-year period with ECSA having first right of refusal for further 5-year terms for the life of the Association;
2. The annual rental fee for the period is \$1 per year;
3. ECSA will provide public liability insurance in the amount of \$2 million, with the Corporation of the City of Windsor as an additional named insured, and which policy shall contain a cross liability clause and separation of insured clause and shall be in form satisfactory to the City Solicitor. ECSA will provide a 30 days cancellation notice of the lease agreement;
4. ECSA will provide proof of Tenant's Legal Liability in the amount of \$ 300,000;
5. ECSA will be responsible for any repairs of a non-capital nature initiated by ECSA;
6. ECSA will be responsible for the applicable maintenance and utility costs, including the public washrooms;
7. ECSA will be required to obtain permission from the Executive Director of Recreation and Culture prior to making any changes to the interior or exterior of the building;
8. The Clubhouse Facility will be made available to other clubs with similar purposes by ECSA;
9. The City of Windsor exempts ECSA from property tax conditional on compliance with the municipal capital facility provisions of the *Municipal Act*;
10. That the CAO and City Clerk **BE AUTHORIZED** to sign an agreement to be in form satisfactory to the City Solicitor, for content to the City Treasurer and in technical content to the Executive Director of Recreation and Culture and further, that the Clubhouse Facility in McHugh Park Soccer Complex **BE DECLARED** a municipal capital facility and further that the City Solicitor **BE AUTHORIZED** to create a by-law for such purpose.

Carried.

Report Number 14769 SRP/8636 C8

Internal Distribution

Recreation [Walt Metulynsky]

Executive Director of Recreation and Culture

Community Development and Health Commissioner
Chief Finance Officer/City Treasurer
City Solicitor

Lewenza
Valentinis

CR253/2010

That City Council **APPROVE** the Employment Ontario Transformation Project Transitional and Service Delivery Plans, as outlined in the report of the Executive Director of Employment and Social Services dated June 1, 2010.

Carried.

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

Report Number **14749 GP/10258 2**

Internal Distribution

Community Development and Health Services [Mary Ellen Bernard]
Community Development and Health Commissioner
Executive Director, Employment and Social Services
Legal – Cheryl Glassford
Chief Financial Officer/City Treasurer

Marra
Lewenza

CR254/2010

That the report from the City Engineer dated May 20, 2010 regarding “M156-2009 Baseline Road Posted Speed” **BE RECEIVED**; and

That Traffic By-law 9148 **BE AMENDED** to add Baseline Road from 8th Concession Road to the east City Limit to Schedule ‘K’ 60 kilometres per hour Speed Limit.

Carried.

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

Report Number **14743 ST2010 3**

Internal Distribution

Public Works [J.M. Eugeni]
City Engineer
Senior Manager Infrastructure and Transportation Planning/Deputy City Engineer
Manager of Traffic Operations – John Wolf
Supervisor of Signs & Markings, Traffic – Roberto Peticca
Manager of Compliance & Enforcement - Mobile Unit – Sandra Taziker
Chief of Police
City Solicitor – Please prepare the necessary by-law.

Halberstadt
Valentinis

CR255/2010

That the report of the City Planner dated June 16, 2010 entitled “Response to CR185/2010 (Medical Office/Methadone Clinic)” **BE DEFERRED** to the July 26, 2010 meeting of Council, to allow for interested parties to be in attendance, and that administration **BE REQUESTED** to **INVITE** a representative from the LHIN (Local Health Integration Network) to be in attendance at that meeting.

Carried.

Report Number 14772 ZB/10547 5

Internal Distribution

Planning [Adam Szymczak]

City Planner

City Solicitor

Jones
Lewenza

CR256/2010

THAT City Council **APPROVE** the Working Protocol for Addressing Items of Regional Interest. as presented in the report of the Chief Administrative Officer dated May 26, 2010 entitled “City of Windsor – County of Essex Working Protocol for Addressing Items of Regional Interest”.

Carried.

Report Number 14778 GM2010 C13

Internal Distribution

Chief Administrative Office [Terri Knight Lepain]

Jones
Lewenza

CR257/2010

That Council **RECIEVE FOR INFORMATION** the report of the Chief Building Official dated June 17, 2010 respecting enforcement within areas around the University of Windsor and **FURTHERMORE**, that Council **ENDORSE** the Compliance & Enforcement Plan of Action around the University of Windsor as it related to discarded items.

Carried.

Report Number 14765 AB2010 C14

Internal Distribution

Buidling [Ann Kalinowski]

Chief Building Official
Executive Director Operations
City Solicitor

Jones
Lewenza

CR258/2010

That Council **ADOPT** the Drainage Report for the Grand Marais Drain Improvements – Phase 2 by Provisional By-law 103/2010 in accordance with Section 45 of the *Drainage Act*.

Carried.

Report Number **14758 SW/9957 C15**

Internal Distribution

Public Works [Paul Mourad]
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor

Briester
Gignac

CR259/2010

THAT City Council **ENDORSE** the staff accommodation plan required due to the organization changes resulting from the Corporate Reorganization, and that the associated costs of \$92,700 **BE FUNDED** as follows: \$21,500 from the existing Parks and Facility Management Amalgamation – 7061037 capital project, within the Parks and Facility Operations Department, and \$71,200 from the existing capital project City Hall Exterior Improvements – 7052170; and

THAT City Council **ENDORSE** the additional priority staff accommodation changes aimed at improving workplace efficiency, and that the costs of \$203,360 **BE FUNDED** as follows: \$72,800 from the existing capital project City Hall Exterior Improvements - 7052170 and \$70,000 from the approved 2010 capital project aimed at renovating 171 Goyeau St. and that the remaining \$60,560 **BE FUNDED** from the existing capital project 4th Floor Renovations/Equipment- 7051020; and

THAT City Council **DIRECT** administration to **PROCEED** with implementation of the Accommodation Plan immediately, with an anticipated completion date of December 31, 2010.

Carried.

Report Number **14763 GM/9468 16**

Internal Distribution

Manager of Real Property Asset Planning [Sergio Grando]
City Planner

City Engineer
Community Development and Health Commissioner
City Clerk/Licence Commissioner
Chief Financial Officer/City Treasurer
City Solicitor

Jones
Lewenza

CR260/2010

That Council **ADOPT** By-law 104/2010 for the construction of curbs and gutters and boulevard restoration on Lloyd George Boulevard from Rose Street to Grand Boulevard as a Local Improvement in accordance with Section 5 of Ontario Regulation 586/06, made under *Municipal Act 2001*.

Carried.

Report Number **14755 SW/10583 C17**

Internal Distribution

Public Works [Paul Mourad]
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor

Jones
Lewenza

CR261/2010

That the results of the poll conducted by the Deputy Clerk on June 23, 2010 approving the following **BE CONFIRMED AND RATIFIED:**

That with regards to the request of the Windsor Professional Health Organization, that the Mayor **BE AUTHORIZED** to sign a letter of support regarding an application to the Ministry of Health and Long Term Care for designation as a Family Health Team (FHT) and related funding support.

Carried.

Report Number **14786 MH2010 C18**

Internal Distribution

Council Services [Steve Vlachodimos]

Halberstadt
Hatfield

CR262/2010

- I That an amendment to Zoning By-law 8600 **BE APPROVED** by deleting subsection 10 of Section 25 of said by-law.
- II That the City Planner **BE DIRECTED** to consider the inclusion of appropriate policies in the Official Plan regarding the provision of additional parking areas associated with commercial, industrial and institutional uses.

Carried.

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

Report Number 14768 ZB/10656 PAC 1

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Manager of Business Administration - Licensing
Adam Szymczak, City Planner

Brister
Valentinis

CR263/2010

- I That the application of Nefibo Incorporated for approval of a draft plan of condominium for a property legally described as Lots 12 & 13, Part Lot 11, in Block 2, Registered Plan 256; Parts 1, 2, 3 & 4 Reference Plan 12R-835, City of Windsor, at 737 Ouellette Avenue to permit the conversion of a 20-storey apartment building containing 200 residential dwelling units and 2 commercial units from rental to condominium status, as shown on the attached Map No. CDM-007/09-2, **BE APPROVED** subject to:
- 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;
- B. That the draft plan approval shall lapse on June 28, 2013 (3 years from the date of approval);
- C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- D. 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;

E. The owner shall agree to remedy all site and building deficiencies as documented in the:

1. Building Condition Assessment report prepared by AMEC Earth & Environmental, dated July 29, 2009 with all corrections and improvements to be cleared as completed by an engineer retained by the owner;
2. Building Department's Order to Repair dated May 3, 2010 as attached as Appendix 'A';
3. Works Department - Engineering and Corporate Projects comments listed as attached as Appendix 'C' of this report;

All corrections and improvements shall be to the satisfaction of the Chief Building Official and the City Engineer;

F. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated May 11, 2010 and attached as Appendix 'B'. All corrections and improvements shall be to the satisfaction of the Chief of Police;

G. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated December 21, 2009, as attached as Appendix 'D', and to submit a photometric plan. The photometric plan will be reviewed in consultation with Windsor Police Services and will be to the satisfaction of the Landscape Architect.

H. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the Manager of Development Applications.

I. 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 to the satisfaction of the Manager of Environmental Services and Chief Building Official.

J. The owner shall agree to ensure accessibility to the building, at grade, where feasible and provide a minimum of 2 handicap parking spaces. All improvements are to be to the satisfaction of the City Engineer and Chief Building Official;

II Final approval of the plan of condominium shall not be considered until all of the required works under '**1. Recommendations I**' have been completed to the satisfaction of the respective departments and a condominium agreement has been registered against the subject lands.

Carried.

Councillor Hatfield voting nay.

Councillors Lewenza and Dilkins were absent from the meeting when the vote was taken on this matter.

Report Number **14767 ZP/10568 PAC 2**

Appendices

Map No. CDM-007/09-2

Order to Repair
Works Department Comments
Report of Windsor Police Service
Report of Landscape Architect

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Manager of Business Administration - Licensing
Chief of Police
Manager of Environmental Services

ADOPTED by Council at its meeting held June 28, 2010 [M184-2010]

KK

Windsor, Ontario June 28, 2010

REPORT NO. 283

of the

Windsor Heritage Committee

at its meeting held

June 9, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

- Present:** Robin Easterbrook, Chair
 Tony Amato
 Lynn Raeburn Baker
 Gudrin Bildfell
 Simon Chamely
 Dr. Paul DeMarco
 Andrew Foot
 Janice Marchand
 Noreen Slack

Your Committee submits the following recommendation:

That **NO ACTION** be taken in response to the proposed demolition of the building on the property at 1181 Ouellette Avenue which is listed on the Windsor Municipal Heritage Register under provisions of *Part IV of the Ontario Heritage Act*.

NOTE: The report of the Heritage Planner dated May 26, 2010 is attached as background information.

CHAIR

COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held June 28, 2010 [M186-2010]
/SV

SPECIAL MEETING OF COUNCIL – IN CAMERA
June 28, 2010

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

Members in Attendance:

Councillor D. Dilkens
Councillor C. Postma
(Acting Mayor,
as Mayor
Francis is out of
town on city
business)
Councillor R. Jones
Councillor A.
Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza
Councillor B. Marra
(arrives at 5:50
o'clock p.m.)
Councillor P. Hatfield
Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner
M. Sonego, City Engineer
G. Wilkki, City Solicitor
S. Vlachodimos, Deputy City Clerk
O. Colucci, Chief Financial Officer
N. Coleman, Mayor's Chief of Staff
P. Brode, Senior Legal Counsel (Item 1)
T. Piruzza, Executive Director of Employment and Social Services (Item 3)
J. Lechicky, Manager of Employee Relations (Item 4)
V. Mihalo, Executive Director of Human Resources (Item 4)
D. Fields, Fire Chief (Item 4)
A. Reaume, Deputy Fire Chief (Item 4)
J. Saunders, Hicks Morley (Item 4)

**Verbal Motion is presented by Councillor Lewenza, seconded by Councillor Valentinis,
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.	Legal matter – litigation	239(2)(e)
2.	Property matter – easement purchases	239(2)(c)
3.	Personal matter – about an identifiable individual(s) – See Item 2 on regular agenda	239(2)(b)
4.	Personal matter – labour negotiations	239(2)(d)

Motion Carried.

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

Declarations of Pecuniary Interest:

None disclosed.

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

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

Motion Carried.

**Moved by Councillor Brister, 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 June 28, 2010 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the confidential report from the City Solicitor, Senior Legal Counsel, Chief Financial Officer and City Treasurer and City Engineer respecting a legal matter – litigation **BE APPROVED.**
2. That the recommendation contained in the confidential report from the Property Supervisor, City Solicitor, City Engineer, and Chief Financial Officer and City Treasurer respecting a property matter – easement purchases **BE APPROVED.**
3. That the recommendation contained in the confidential report from the Community Development and Health Commissioner, Executive Director Employment and Social Services, Project Manager Employment Ontario Transformation Project, Executive Director of Human Resources, City Solicitor and Chief Financial Officer and City Treasurer respecting a personal matter about an identifiable individual **BE APPROVED.**

4. That the confidential verbal update respecting a personal matter – labour negotiations **BE RECEIVED FOR INFORMATION**, and further, that Administration proceed in accordance with the verbal instructions of Council.

Motion Carried.

Councillors Jones, Lewenza and Hatfield voting nay on Item 3.

**Moved by Councillor Dilkens, seconded by Councillor Brister,
That the special meeting of council held June 28, 2010 BE ADJOURNED.**

(Time: 6:09 p.m.)

Motion Carried.

ADOPTED by Council at its meeting held June 28, 2010 [M187-2010]

KK

Windsor, Ontario June 28, 2010

REPORT NO. 282

of the

Windsor Heritage Committee

at its meeting held

May 12, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

Present: Andrew Foot, Vice Chair
Councillor Percy Hatfield
Councillor Fulvio Valentinis
Lynn Raeburn Baker
Gudrin Bildfell
Simon Chamely
Dr. Paul DeMarco
Jeffrey Mellow
Noreen Slack

Your Committee submits the following recommendation:

That there is **NO OBJECTION** to the proposed demolition of the east most 7.62 m (25 ft) of the Jeanne Mance Residence of Hotel-Dieu Grace Hospital located at 1086 Ouellette Avenue, a listed (not designated) heritage property under provisions of Part IV of the *Ontario Heritage Act*, because removal will not result in a diminution of cultural heritage value or interest.

NOTE: The report of the Heritage Planner dated April 30, 2010 regarding the Proposed Partial Demolition of the Hotel-Dieu Jeanne Mance Residence, 1086 Ouellette is attached.

CHAIR

COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held June 28, 2010 [M188-2010]

KK

Windsor, Ontario June 28, 2010

REPORT NO. 284

of the

Windsor Heritage Committee

at its meeting held

June 9, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

- Present:** Robin Easterbrook, Chair
 Tony Amato
 Lynn Raeburn Baker
 Gudrin Bildfell
 Simon Chamely
 Dr. Paul DeMarco
 Andrew Foot
 Janice Marchand
 Noreen Slack

Your Committee submits the following recommendation:

That **NO ACTION** be taken in response to the proposed demolition of the building on the property at 1493 Parent Avenue which is listed on the Windsor Municipal Heritage Register under provisions of *Part IV of the Ontario Heritage Act*.

NOTE: The report of the Heritage Planner dated June 2, 2010 is attached as background information.

CHAIR

COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held June 28, 2010 [M189-2010]

KK

Windsor, Ontario June 28, 2010

REPORT NO. 285

of the

Windsor Heritage Committee

at its meeting held

June 9, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

Present: Robin Easterbrook, Chair
Tony Amato
Lynn Raeburn Baker
Gudrin Bildfell
Simon Chamely
Dr. Paul DeMarco
Andrew Foot
Janice Marchand
Noreen Slack

Your Committee submits the following recommendations:

I. That the following properties remain on the Windsor Municipal Heritage Register, under provisions of the *Ontario Heritage Act*:

Gordon McGregor Public School, 1646 Alexis Road

Hugh Beaton Public School, 2229 Chilver Road

J. L. Forster Public School, 749 Felix Avenue

David Maxwell Public School, 1648 Francois Road

W. D. Lowe Secondary School, 874 Giles Boulevard East

Prince Edward Public School, 949 Giles Boulevard East

Marlborough Public School, 3557 Melbourne Road

William G. Davis Public School, 2855 Rivard Avenue

Victoria Public School, 1376 Victoria Avenue

II. That the Ministry of Education and the local school boards **BE ENCOURAGED** to provide sufficient funds for ongoing capital maintenance of all school buildings, in order to provide good places for students to learn and staff to work, and to extend the useful life of the buildings and reduce costs of rehabilitation and/or demolition and replacement.

NOTE: The report of the Heritage Planner dated May 31, 2010 is attached as background information.

CHAIR

COMMITTEE COORDINATOR