

**Regular**

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

**Members Present:**

Mayor Francis  
Councillor Dilkens  
Councillor Gignac  
Councillor Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra  
Councillor Sleiman  
Councillor Valentinis

**Members Absent:**

Councillor Payne

**Call to Order**

Following the playing of the Canadian National Anthem, Pastor Murray Steacy from New Beginnings Christian Centre, offers the Opening Prayer.

**Disclosures of Pecuniary Interest and the General Nature Thereof**

Councillor Marra discloses an interest with regards to the Proclamation for “The Schulich School of Medicine & Dentistry – Windsor Program Way – April 2012”, as his employer is the applicant.

APRP2012

Councillor Valentinis discloses an interest and abstains from voting on the Notice of Motion put forward by City Council regarding the appeals for rezoning of 1800 Talbot Road, Schlegel Villages, construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses, as St. Clair College, which employs him, is involved with the proposal.

**Minutes**

Moved by Councillor Marra, seconded by Councillor Sleiman,  
That the Minutes of the regular meeting of Council held March 19, 2012, **BE ADOPTED**  
as presented.

Carried.

**Notice of Proclamations**

- “The Schulich School of Medicine & Dentistry – Windsor Program Way” – April 2012
- International Day of Pink – April 11, 2012

**Clerk’s Note:** Councillor Marra discloses an interest with regards to the Proclamation for “The Schulich School of Medicine & Dentistry – Windsor Program Way – April 2012”.

Committee of the Whole

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

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: None presented.
- (g) consideration of by-laws 37-2012 through 42-2012 (inclusive).

Carried.

Communications

Moved by Councillor Valentinis, seconded by Councillor Halberstadt,

**M167-2012** That the following Communication Items 2, 3, 4, 6 to 10 and 12 to 21 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 1, 5 and 11 which are dealt with as follows:

Communication No. 1:

Moved by Councillor Sleiman, seconded by Councillor Jones,

**M168-2012** That the correspondence from the Chief Administrative Officer of Greater Sudbury dated March 27, 2012 proposing a collaborative approach in responding to the recent decision by the Ontario Government to terminate the revenue sharing agreement in racetrack facilities **BE RECEIVED**, and further, that Helga Reidel, Chief Administrative Officer for the City of Windsor **BE AUTHORIZED** to represent Windsor, in conjunction with other affected municipalities that were impacted by that decision, and to collaborate accordingly.

Carried.

Communication No. 5:

Moved by Councillor Gignac, seconded by Councillor Halberstadt,

**M169-2012** That the correspondence from the Association of Municipalities of Ontario (AMO) date-stamped March 28, 2012 **BE RECEIVED** for information, and further, that the City Clerk **BE REQUESTED** to issue a meeting request between members of Council and the members of provincial parliament for Windsor, to discuss the impact of the 2012 budget, including but not limited to such matters as infrastructure and interest arbitration.

Carried.

Communication No. 11:

Moved by Councillor Halberstadt, seconded by Councillor Dilkens,

**M170-2012** That the correspondence from the Past Chair – Willistead Manor, dated March 14, 2012 entitled "Tourism Windsor Essex Pelee Island Centre Closure" **BE RECEIVED** for information, acknowledging that the Province has agreed to keep the Centre open for an additional year, and further, that this correspondence **BE FORWARDED** to the Board of Directors of Tourism Windsor Essex Pelee Island, and to the provincial government representatives, for future information purposes on a go-forward basis.

Carried.

Item	From	Description
1	Chief Administrative Officer – Greater Grand Sudbury	Ontario Government’s decision to terminate the revenue sharing agreement in racetrack slot facilities – CAO’s participation on committee <b>COUNCIL DIRECTION REQUESTED GP2012</b>
2	Ontario Ministry of Transportation (MTO) and the Corporation of the City of Windsor	Improvements to the Canadian Plaza of the Windsor-Detroit Tunnel, Notice of Invitation for public comment, Tuesday April 3, 2012 from 4:00 p.m. – 8:00 p.m., Hilton Windsor <b>City Engineer City Planner Note &amp; File MTW/1137</b>
3	Association of Municipalities of Ontario (AMO)	New Feed-in Tariff (FIT) Program Rules Changed <b>City Engineer Chief Financial Officer &amp; City Treasurer Note &amp; File MMA2012</b>
4	Association of Municipalities of Ontario (AMO)	AMO’s 2012 Pre-Budget Submission Urges, “Let’s Get This Right” <b>Chief Financial Officer &amp; City Treasurer City Engineer Note &amp; File MMA2012</b>
5	Association of Municipalities of Ontario (AMO)	The 2012 Provincial Budget <b>Chief Financial Officer &amp; City Treasurer Executive Director of Human Resources City Solicitor City Engineer City Clerk/Licence Commissioner Community Development &amp; Health Commissioner Note &amp; File GP2012</b>
6	Service Ontario - Business Development Division	Update on Ontario’s Proposed 2012 Budget <b>Chief Financial Officer &amp; City Treasurer Note &amp; File GP2012</b>
7	Association of Municipalities of Ontario (AMO)	Ontario’s Provincial and Municipal Budgets Must be Sustainable <b>Chief Financial Officer &amp; City Treasurer Note &amp; File GP2012</b>
8	Association of Municipalities of Ontario (AMO)	Federal Budget 2012 Details <b>Chief Financial Officer &amp; City Treasurer City Solicitor City Engineer City Clerk/Licence Commissioner Community Development &amp; Health Commissioner Note &amp; File MMA2012</b>

9	Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)	<p>Helping Ontario Achieve its Budget Goals – Advice from AMCTO – the Municipal Experts</p> <p style="text-align: right;"><b>City Engineer Chief Financial Officer &amp; City Treasurer City Solicitor Executive Director of Human Resources City Clerk/Licence Commissioner Note &amp; File GP2012</b></p>
10	Corporation of The City Of Windsor, Chief Administrative Officer (CAO)	<p>Comments on the Proposed Recovery Strategy for Northern Madtom under Canada's <i>Species at Risk Act</i></p> <p style="text-align: right;"><b>City Engineer Naturalist Ojibway Nature Centre Executive Director of Parks &amp; Facilities Note &amp; File GF2012</b></p>
11	Past Chair, Willistead Manor Inc.	<p>Tourism Windsor Essex Pelee Island Centre Closure located on Huron Church Road</p> <p style="text-align: right;"><b>Note &amp; File AT2012</b></p>
12	Secretary/Treasurer, Committee of Adjustment	<p>Consent Authority Agenda Record Hearing to be held on Wednesday, April 4, 2012, Room 402, 400 City Hall Square East, Windsor</p> <p style="text-align: right;"><b>Note &amp; File ZC2012</b></p>
13	Manager of Development Applications	<p>Application of The Congregation of Grace &amp; Truth Chapel for zoning amendment to permit a private park for lands located at North Service Rd. &amp; Rockwell Blvd.</p> <p style="text-align: right;"><b>Note &amp; File ZB/11346</b></p>
14	Manager of Urban Design	<p>Application of Windsor-Essex Catholic District School Board for Site Plan Approval to permit a single storey addition to St. Christopher Elementary School located at 1213 North Service Road</p> <p style="text-align: right;"><b>Note &amp; File ZS/11335</b></p>
15	Manager of Urban Design	<p>Application of Windsor-Essex Catholic District School Board for Site Plan Approval to permit a single storey addition to Our Lady of Mt. Carmel Elementary School located at 1400 Cousineau Road</p> <p style="text-align: right;"><b>Note &amp; File ZS/11336</b></p>
16	Ministry of Transportation	<p>Government of Ontario Transit-Supportive Guidelines (2012)</p> <p style="text-align: right;"><b>General Manager Transit Windsor City Planner MT2012</b></p>
17	City Treasurer	<p>2011 United Way Campaign Summary</p> <p style="text-align: right;"><b>Note &amp; File AS2012, Livelink 15843</b></p>
18	City Treasurer	<p>PC Maintenance/Support Transfer for 2011 Related Expenses</p> <p style="text-align: right;"><b>Note &amp; File AE2012, Livelink 15811</b></p>

19	City Treasurer	Pay As You Go Transfer (PAYG) For Eligible 2011 Computer Equipment Related Expenses  <b>Note &amp; File AE2012, Livelink 15812</b>
20	City Engineer	Windsor Essex Parkway Project Update – March 2012  <b>Note &amp; File ST/8821, Livelink 15826</b>
21	City Clerk	Performance Appraisal Report (for period of January – December 2011)  <b>Note &amp; File AS2012, Livelink 15836</b>

Carried.

**Consent Agenda**

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

- Item 2 Windsor Essex Parkway, Infrastructure Agreement – Windsor-Essex Mobility Group
- Item 3 Site Plan Application for the Family Aquatic Centre at 401 Pitt Street West
- Item 4 Forster High School 90<sup>th</sup> Anniversary Celebration, Temporary Road Closure of Sandwich Street, Waiver of Noise By-law #6716 Exemption
- Item 5 Request to close the east/west alley between Edward Avenue and Isabelle Place, south of Edgar Street (Rescind M76-2012)
- Item 6 Appointment of External Auditor
- Item 7 Employment Ontario Transformation
- Item 8 Heritage Trees/Rare Trees – JCP-MTCU Grant
- Item 10 Settlement of Assessment Appeals
- Item 11 Recommended Appointment of Executive Director of Employment and Social Services

**Consent Committee Reports**

<i>Economic Development Standing Committee</i>		
<b>No.</b>		<b>Description</b>
1	Report No. 23	Windsor Heritage Committee minutes of November 9, 2011
2	Report No. 10	Windsor Heritage Committee minutes of January 11, 2012
3	Report No. 24	Report No. 304 of the Windsor Heritage Committee – Windsor Municipal Heritage Register – Add and remove listings
4	Report No. 25	Application for Financial Incentives under the Brownfield Redevelopment Community Improvement Plan, 3001 Dougall Avenue
5	Report No. 26	Temporary sign erected – 3001 Dougall Avenue

Carried.

**Deferrals and/or Referrals and Withdrawals**

None requested.

**Presentations & Delegations:****PRESENTATIONS:****John Toth, Manager, Resource Development; and Penny Marrett, CEO, United Way Centraide Windsor Essex County**

John Toth, Manager, Resource Development; and Penny Marrett, CEO, United Way Centraide Windsor Essex County appear before Council to provide a brief overview of the 2011 United Way Campaign, which received tremendous support from City of Windsor employees, City Council, CUPE 543 and CUPE 82, Windsor Police Services and Windsor Police Association, Windsor Fire and Rescue, Windsor Essex County Health Unit, the Windsor Public Library, Transit Windsor, and retirees, and conclude by announcing that \$151,213 was raised by these groups, which shows a commitment to the community.

Moved by Councillor Dilkens, seconded by Valentinis,

**M171-2012** That the presentation to City Council on April 2, 2012 by John Roth, Manager – Resource Development, and Penny Marrett, CEO, United Way Centraide Windsor Essex County regarding an update on the 2011 United Way Campaign **BE RECEIVED** for information.

Carried.

**DELEGATIONS****Providing Wi-Fi in the Downtown BIA****Larry Horwitz, Chair, Downtown Windsor Business Improvement Association**

Larry Horwitz, Chair, Downtown Windsor Business Improvement Association, appears before Council to request that Wi-Fi devices be approved to be installed on city owned street poles in the Downtown BIA and that authorization be granted for the signing of an agreement with the DWBIA for the installation of Wi-Fi devices on city street light poles between Riverside Drive and Erie Street and between Bruce Avenue and McDougall Avenue, and concludes by stating that having an entire downtown core enabled with free wireless internet would contribute to Windsor's ranking as one of the Top Seven Intelligent Communities of the Year, and the large influx of both University of Windsor and St. Clair College students and faculty would benefit from being able to access email, course materials and research sites while taking classes and visiting downtown Windsor.

Mayor Francis leaves the meeting at 6:48 o'clock p.m., and Councillor Dilkens assumes the Chair.

Mayor Francis returns to the meeting at 6:49 o'clock p.m., and Councillor Dilkens returns to his seat at the Council table.

**MI/11342 1**

(For final disposition of this matter, see Clause **CR66/2012** in Schedule "A" attached hereto.)

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

Item 9 2011 Year-End Operating Budget Variance Report

**Consideration of Committee Reports**

None presented.

**By-laws**

Moved by Councillor Dilkens, seconded by Councillor Gignac,

That the following By-laws No. 37-2012 through 42-2012 (inclusive), be introduced and read a first and second time:

- 37-2012      “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BYLAW””
- 38-2012      “A BY-LAW TO CLOSE, STOP UP AND CONVEY TO THE ST. CLAIR COLLEGE OF APPLIED ARTS AND TECHNOLOGY, ANASTASIA STREET, PLAN 1299 SANDWICH WEST, EAST OF JANISSE AVEUE, CITY OF WINDSOR”
- 39-2012      “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR”
- 40-2012      “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUICIPAL PARKING LOTS AND PRIVATE PROPERTIES”
- 41-2012      “A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS”
- 42-2012      “A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SECOND DAY OF APRIL, 2012.”

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 (none presented)**
- 6)            **By-laws given first and second readings (as presented)**

Carried.

**Notices of Motion**

Councillor Hatfield gives notice that he intends to introduce the following motion for consideration at the April 16, 2012 meeting of Council, petitioning the Province of Ontario to maintain its support and commitment to the horse racing industry so that it may be preserved and enhanced:

Whereas the Ontario Lottery and Gaming Commission (OLG) made the unilateral decision to close the OLG Slots at Windsor Raceway; and

Whereas there was no meaningful consultation with any of the OLG's Partners prior to this sudden announcement; and

Whereas this unilateral decision puts nearly three hundred people out of work in one of the areas in the province with the highest unemployment rate; and

Whereas part of the city's share from the revenues from the OLG Slots was used for nutritional school breakfast programs for children in need; and

Whereas this unilateral decision is seen by many of our residents as the beginning of the end for the local harness racing industry; and

Whereas that could lead to the loss of another estimated two thousand local jobs; and

Whereas to date, no one in authority has met with or had meaningful dialogue with local industry leaders to discuss the future of Harness Racing in Ontario; and

Whereas to date none of our local MPPs have stepped up to coordinate efforts to help transition the affected employees with employment and career counselling , job retraining possibilities, and other employee assistance programs; and

Whereas many of these employees will without doubt struggle to find suitable employment elsewhere; and

Whereas the Ontario government has not announced the provision of budgeted amounts to assist in these re-employment initiatives; and

Whereas the Windsor Raceway has been an integral part of this area's entertainment, tourism and gaming initiatives since 1964; and

Whereas a vibrant, viable and sustainable horse racing industry is a key component to our regional economic health as well as our local tourism and entertainment sector; and

Whereas the spinoff jobs associated with the harness racing industry include, among others, those who operate the farms where feed and bedding is grown; those who breed horses; train horses; groom horses; blacksmiths, veterinarians; massage therapists; those who make and supply the tack, the carts, as well as those who build and sell the horse trailers and the pickup trucks which haul them, and those who repair and service these vehicles; and

let us not forget those who sell the tickets to the customers, and those who cleanup after them as well as those who televise the races and provide security and start the races, and check the horses, and police the industry as well as the many others, such as those who mend the broken bones of injured drivers and horses and all others who earn a living either full time or part-time in Ontario's harness racing industry; and

Whereas there are estimates of as many as sixty thousand people working in Ontario's horse racing and breeding industry; and

Whereas the government's actions have led to uncertainty in the industry's future in so much as breeders are reporting cancellations because of this uncertainty; and



Whereas we need assurance that the Ontario government is mindful of the Importance of this industry to the economic well being of our Province; and

Whereas without meaningful dialogue and consultation these issues remain unaddressed and a concern to us and to those directly and indirectly affected by everything mentioned above; and

Whereas these issues are also a concern to the County of Essex, and the cities of Sarnia, Fort Erie, and Greater Sudbury, among others;

Therefore be it resolved that the City of Windsor hereby petitions the Province of Ontario to maintain its support and commitment to the horse racing industry so that it may be preserved and enhanced;

AND FURTHER , that the Honourable Dalton McGuinty, Premier of Ontario, take immediate steps to bring together the many partners associated with this industry for a meaningful consultation on what has transpired and what the future holds;

AND FURTHER, that immediate steps be taken to assist those impacted by the OLG's unilateral decision with on-site counselling and government or OLG paid retraining opportunities;

AND FURTHER, that this motion be brought to the attention of Mr. McGuinty as well as our local MPPs and our local MPs as well as the leaders of the two opposition parties at Queen's Park;

AND FURTHER, that this item be added to the next agenda of a City – County meeting for further discussion and action.

Moved by Councillor Dilkens, seconded by Councillor Marra,

**M172-2012** That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding appeals for the rezoning of 1800 Talbot Road, Schlegel Villages.

Carried.

Councillor Valentinis discloses an interest and abstains from voting on this item.

Moved by Councillor Jones, seconded by Councillor Gignac,

**M173-2012** That Administration (Planning and Legal Departments and any other appropriate resources) **BE AUTHORIZED** to accelerate the City's response to all OMB appeals made under *The Planning Act* that have been filed with regards to the rezoning of 1800 Talbot Road, Schlegel Villages, construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses.

Carried.

Councillor Valentinis discloses an interest and abstains from voting on this item.

### **Third Reading of By-laws**

Moved by Councillor Jones, seconded by Councillor Maghnieh,

That the following By-laws No. 37-2012 through 42-2012 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

### **Petitions**

None registered.

**Council Questions**

Moved by Councillor Dilkens, seconded by Councillor Jones,  
**M174-2012** That the following Council Question by Councillor Dilkens **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ9-2012**

Asks that Administration review the intersection of Cousineau Road and Country Club (SE Bound) to determine what safety improvements can be made to gain compliance with the stop sign at that intersection.

ST2012

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
**M175-2012** That the following Council Question by Councillor Halberstadt **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ10-2012**

Asks for a report back to Council as a follow-up to the November 22, 2010 resolution of Council asking for information on legislation and noise by-law enforcement to prosecute violators of motorcycle noise emission standards through the use of illegal pipes as opposed to mufflers. Ask that Ann Kalinowski, Manager of Compliance and Enforcement collaborate with Deputy Chief Jerome Brannagan to prepare that report. My preference would be that the report comes back to Council within a month's time because the spring and summer weather leads to the acceleration of motorcycle activity on city streets.

EI2012

Carried.  
Councillor Marra voting nay.

**Adjournment**

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

Carried.

Accordingly, the meeting is adjourned at 7:06 o'clock p.m.

**MAYOR****THIS IS A DRAFT COPY****CITY CLERK****DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES**

Valentinis  
Dilkens

CR66/2012

- I. That Wi-Fi devices **BE APPROVED** to be installed on city owned street poles in the Downtown BIA; and
- II. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the DWBIA for the installation of Wi-Fi devices on city street light poles between Riverside Drive and Erie Street and between Bruce Avenue and McDougall Avenue, satisfactory in technical content to the City Engineer and City Planner, in financial content to the City Treasurer, and in form to the City Solicitor.

Carried.

Report Number **15827 MI/11342 1**

Hatfield  
Jones

CR67/2012

That **APPROVAL BE GIVEN** to enter into an agreement with the Windsor Essex Mobility Group (WEMG) for design and construction of new and removal of existing City Infrastructure necessitated by the Windsor Essex Parkway.

That the CAO and City Clerk **BE AUTHORIZED** to sign an agreement with the Windsor Essex Mobility Group (WEMG), for design and construction of new and removal of existing City Infrastructure necessitated by the Windsor Essex Parkway, subject to approval as to technical content by the City Engineer, in form to the City Solicitor and in financial content to the Chief Financial Officer and Treasurer.

Carried.

Report Number **15825 ST/8821 C2**

Hatfield  
Jones

CR68/2012

- I That the application by the City of Windsor (File No.: SPC-007/12) **BE APPROVED** permitting development in accordance with the following drawings:

1. Site Plan: Map No.: SPC-007/12-1A
2. Site Data: Map No.: SPC-007/12-1B
3. Elevations: Map No.: SPC-007/12-3A
4. Elevations: Map No.: SPC-007/12-3B

- II That the following **BE REQUIRED**, prior to the issuance of a construction permit:

1. General Provisions of the Site Plan Control Agreement;
2. Special provisions :

- i. That the owner submit an Archaeological Study to the satisfaction of Ministry of Tourism, Culture and Sport;
  - ii. **Archeological Resources - the owner(s) agree to the following requirements:**
    - a) Should archaeological deposits be found during construction activities, all work in the area must stop immediately and the City's Manager of Cultural Affairs and the Ontario Ministry of Culture (OMC) must be notified and clearance be given by the Ministry of Culture; and,
    - b) In the event that human remains are encountered during construction, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Heritage Operations Unit of the Ontario Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Commercial Relations must then be notified, and clearance be given by the Ministry of Culture.
  3. **Land Conveyances** –the applicant agrees to convey as public right-of-way, land sufficient to create a 24m right-of-way on Bruce Ave and a 20m right-of-way on Church St. This conveyance shall be 1.5m on Bruce Ave and 2.5m on Church St along the entire frontages of the subject lands.
- III That in accordance with By-law 11275, Administration **BE AUTHORIZED** to approve future changes to the approved site plan and building elevations.

Carried.

Report Number **15841 SR/11026 C3**

Hatfield  
Jones

CR69/2012

That the request from Olde Sandwich Towne Business Association to host the Forster High School 90<sup>th</sup> Anniversary Celebration 7:00 p.m. – 1:00 a.m., May 18, 2012, for a Temporary Street Closure of Sandwich Street between Detroit Street and Brock Street from 6:00 p.m. to 3:00 a.m., and for a waiver of Noise By-Law #6716 Exemption **BE APPROVED** and further;

That provision of a Letter of Non Objection to the Alcohol and Gaming Commission of Ontario (AGCO) for local establishments within the road closure to apply for extensions to the liquor service areas (patios), signed by the Chief Administrative Officer **BE APPROVED BY COUNCIL** and further;

That authority **BE DELEGATED** to the CAO and City Clerk or designate, sign-off of future Letters of Non-Objections as it refers to Alcohol and Gaming Commission of Ontario Liquor Licence Applications requirements following staff consultation with Ward Councillor and other stakeholders **BE APPROVED BY COUNCIL**.

Carried.

Report Number **15814 SR2012 C4**

Hatfield  
Jones

CR70/2012

That the 4.26 metre (14 feet) wide east/west alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1624, attached hereto as Appendix "A" **BE ASSUMED** for subsequent closure and to be consolidated into the City's own land municipally known as 1150 Edward Avenue for eventual sale and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

Report Number **15832 SAA/LL 2334 C5**

APPENDICES

Drawing No. CC-1624

Hatfield  
Jones

**CR71/2012 AMENDED BY CR248/2012 ADOPTED BY COUNCIL NOVEMBER 5, 2012**

CR71/2012

That the 4.26 metre (14 feet) wide east/west alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1624, attached hereto as Appendix "A" **BE CLOSED AND RETAINED** by the Corporation of the City of Windsor for lot consolidation purposes subject to the following:

- i. Easements are required in favour of:
  - EnWin Utilities Ltd.
  - Bell Canada
  - Cogeco Cable Systems

and further:

- ii. The City Engineer and City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1624, attached hereto as Appendix "A"
- iii. The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- iv. The City Solicitor **BE REQUESTED** to prepare the by-law to close
- v. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor,
- vi. The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

That Council resolution M76-2012 **BE RESCINDED**.

Carried.

Report Number **15832 SAA/LL 2334 C5**

APPENDICES

Drawing No. CC-1624

Hatfield  
Jones

CR72/2012

That, consistent with the provisions of Request for Proposal Number 21-07, Windsor City Council **APPROVE**:

1. The exercising of the option to extend the contract with KPMG as the External Auditors for the City of Windsor including Agencies, Boards and Commissions for the years 2012 through 2016 in accordance with the following:
  - a. KPMG be appointed as the external auditor in accordance with the *Municipal Act, 2001*, as amended;
  - b. costs for 2012 and 2013 to be at the 2011 rate based on the 2011 scope of work;
  - c. KPMG to provide the City a credit of \$10,000 annually, which may be carried forward if not used, towards additional tax, advisory, or assurance services in each of 2012 and 2013;
  - d. costs for 2014 through 2016 to be agreed by KPMG, City Administration, and approved by City Council by December 31, 2013 otherwise the contract terminates after the 2013 audit services;
2. That City Council **AUTHORIZE** the CAO and Chair of the Audit Committee to sign the annual engagement letter with KPMG for the term of external auditor appointment and that the CAO and the City Clerk sign any other documents necessary to give effect to this recommendation, all to be satisfactory in form to the City Solicitor and in financial content to the City Treasurer.

Carried.

Report Number 15840 **AF2012 C6**

Hatfield  
Jones

CR73/2012

**THAT** the Community Development & Health Commissioner **BE AUTHORIZED** to sign Employment Ontario Service Contracts and related documents with the Ministry of Training, Colleges and Universities (the "MTCU") up to October 31, 2014, such that it does not exceed a maximum of \$1,000,000 gross expenditures. For contracts in excess of \$1,000,000 gross expenditure, that in addition to the Community Development and Health Commissioner signature, the Chief Administrative Officer **BE REQUIRED** to sign as secondary authority. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to legal content by the City Solicitor, and as to financial content by the Chief Financial Officer and City Treasurer or designate, and subject to there being no required net city contribution;

**AND THAT** the foregoing authorization **BE EXTENDED TO** any and other further **AMENDMENTS** to the Employment Ontario Service Contracts and related documents for amounts under \$1,000,000 gross expenditure. For **AMENDMENTS** in excess of \$1,000,000 gross expenditure, that in addition to the Community Development and Health Commissioner signature, the Chief Administrative Officer **BE REQUIRED** to sign as secondary authority. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to legal content by the City Solicitor, and as to financial content by the Chief Financial Officer and City Treasurer or designate, and subject to there being no required net City contribution.

Carried.

Report Number 15833 **SS2012 C7**

Hatfield  
Jones

CR74/2012

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to apply for funding and execute an agreement with MTCU for the Heritage Trees/Rare Trees project under the Job Creation Partnership Program for an estimated materials contribution of \$115,313 from MTCU and in-kind contribution from the City of Windsor of \$125,000, and a cash contribution from the City of Windsor Tree planting Reserve Fund of \$6,000 which, with a contribution of labour costs by MTCU estimated at \$291,870 results in a total project cost of \$538,123; and further,

THAT the necessary agreement **BE EXECUTED** by the Chief Administrative Officer and the City Clerk with CUPE Local 82, satisfactory in form to the City Solicitor and in content to the Executive Director of Human Resources and in financial content to the CFO/City Treasurer.

Carried.

Report Number **15752 SR2012 C8**

Gignac  
Sleiman

CR75/2012

1. THAT Council **RECEIVE FOR INFORMATION** the 2011 Year-end Operating Budget Variance Report, dated March 23, 2012;
2. THAT the unused budget Contingency of \$3,000,000 **BE TRANSFERED** into the Property Tax Appeals Reserve Fund in order to help finance the potential future costs relating to the significant property tax appeals that are currently in process;
3. THAT the final operating surplus of \$644,450 (which is net of \$404,171 one time funding requirements that were approved by Council for various 2012 budget items) **BE TRANSFERED** to the Budget Stabilization Reserve Fund;
4. THAT, in order to avoid the need to re-budget for various items, Council **APPROVE** \$2,686,575 in budget carryovers as detailed in Appendix C – 2011 Budget Carry-Forwards;
5. THAT pursuant to Bill 124 legislation, Council **APPROVE** the transfer of \$757,880 from the Building Permit Reserve to the Operating Fund, in order to recover the net building permits related expenditures incurred during 2011 in the Operating Fund;
6. THAT Council **APPROVE** the transfer of \$131,173 from the Budget Stabilization Reserve Fund to Handi Transit in order to fund their 2011 annual operating deficit.
7. THAT Council **APPROVE** the transfer of \$4,700,000 from the Reserve for Tax Appeals Fund (Fund #192) to the Net Tax Additions/Reductions operating account (Dept ID# 0224140), as previously reported to Council.
8. THAT Council **APPROVE** the following transfers, of a housekeeping nature, to/from various reserves:

- a. The transfer of \$32,370.41 from the Capital Expenditure Reserve Fund #160 to Legal Property Operating Account (Dept ID #0122960) to fund transitional costs related to the temporary upkeep of Riverside and Adstoll Arenas and Edward Community Centre
- b. The transfer of \$121,110 from the Capital Expenditure Reserve (Fund #160) to the City Owned Vacant Lands (Dept ID #0122623), in order to fund the lawn maintenance and grounds upkeep of vacant land owned by the City of Windsor.

Carried.

Report Number **15839 AFB/10824 9**

Hatfield  
Jones

CR76/2012

THAT City Council **AUTHORIZE** the CFO/City Treasurer or designate to execute Minutes of Settlement for the following properties:

- Loblaws Properties Limited, 4371 Walker Rd., Roll No 070-160-03205-0000 for tax years 2004 – 2008
- 277647 Ontario Limited, 1015 Sprucewood Ave, Roll No 080-850-02400-0000 for tax years 2007 & 2008.

Carried.

Report Number **15845 AFTA2012 C10**

Hatfield  
Jones

CR77/2012

That City Council **APPROVE** the recommended appointment to the position of Executive Director of Employment and Social Services; and

That following City Council approval of this appointment, the successful candidate **BE ANNOUNCED**.

Carried.

Report Number **15855 SS2012 C11**

### **STANDING COMMITTEE RESOLUTIONS**

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M176-2012** That **Report No. 23 of the Economic Development Standing Committee** of its meeting held March 7, 2012 regarding Minutes of the Windsor Heritage Committee meeting held November 9, 2011 **BE ADOPTED** as presented.

Carried.

MB2012

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M177-2012** That **Report No. 10 of the Economic Development Standing Committee** of its meeting held March 7, 2012 regarding Minutes of the Windsor Heritage Committee meeting held January 11, 2012 **BE ADOPTED** as presented.

Carried.

MB2012



Moved by Councillor Hatfield, seconded by Councillor Jones,

**M178-2012** That **Report No. 24 of the Economic Development Standing Committee** of its meeting held March 7, 2012 regarding Report 304 of the Windsor Heritage Committee (Windsor Municipal Heritage Register – Add and Remove Listings) **BE ADOPTED** as presented.

Carried.

Report Number 15697 MB2012

**M179-2012 AMENDED BY CR54/2016 ADOPTED BY COUNCIL February 1, 2016**

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M179-2012** That **Report No. 25 of the Economic Development Standing Committee** of its meeting held March 7, 2012 regarding Application for Financial Incentives under the Brownfield Redevelopment Community Improvement Plan – 3001 Dougall Avenue **BE ADOPTED** as presented.

Carried.

Report Number 15764 Z/8955

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M180-2012** That **Report No. 26 of the Economic Development Standing Committee** of its meeting held March 7, 2012 regarding Temporary sign at 3001 Dougall Avenue **BE ADOPTED** as presented.

Carried.

Report Number 15764 Z/8955

ADOPTED by Council at its meeting held April 2, 2012 [M176-2012]

/AA

Windsor, Ontario, April 2, 2012

**REPORT NO. 23** of the  
**ECONOMIC DEVELOPMENT**  
**STANDING COMMITTEE**  
of its meeting held March 7, 2012

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**Present:**                      **Councillor Dilkens**  
                                      **Councillor Payne**  
                                      **Councillor Valentinis**  
                                      **Councillor Sleiman**

**Regrets:**                      **Councillor Marra**

That the following recommendation of the Economic Development Standing Committee  
**BE APPROVED** as follows:

Moved by Councillor Valentinis, seconded by Councillor Payne,  
**THAT** the minutes of the Windsor Heritage Committee meeting held November 9, 2012 **BE RECEIVED** for  
information.  
Carried.

Clerk's Note: The minutes of the Windsor Heritage Committee meeting held November 9, 2011 are  
**attached** as background information.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DEPUTY CITY CLERK

**ADOPTED by Council at its meeting held April 2, 2012 [M177-2012]**

**/AA**

Windsor, Ontario, April 2, 2012

**REPORT NO. 10 of the  
ECONOMIC DEVELOPMENT  
STANDING COMMITTEE  
of its meeting held March 7, 2012**

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**Present:**                      **Councillor Dilkens, Chair  
Councillor Sleiman  
Councillor Valentinis  
Councillor Payne**

**Regrets:**                      **Councillor Marra**

That the following recommendation of the Economic Development Standing Committee  
**BE APPROVED** as follows:

**Moved by Councillor Valentinis, seconded by Councillor Payne  
THAT the minutes of the Windsor Heritage Committee meeting held January  
11, 2012 BE RECEIVED for information  
Carried**

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DEPUTY CITY CLERK



Clerk's Note: Report No. 304 of the Windsor Heritage Committee (Windsor Municipal Heritage Register – Add and Remove Listings) is attached as background information.

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CHAIRPERSON

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DEPUTY CITY CLERK

ADOPTED by Council at its meeting held April 2, 2012 [M179-2012]

/AA

Windsor, Ontario, April 2, 2012

**REPORT NO. 25** of the  
**ECONOMIC DEVELOPMENT**  
**STANDING COMMITTEE**  
of its meeting held March 7, 2012

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**Present:**                      **Councillor Dilkens**  
                                      **Councillor Payne**  
                                      **Councillor Valentinis**  
                                      **Councillor Sleiman**

**Regrets:**                      **Councillor Marra**

That the following recommendation of the Economic Development Standing Committee  
**BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Councillor Valentinis,  
**THAT** the request made by 2047337 Ontario Inc. (Andre Abouasli) to participate in the Brownfield Rehabilitation Grant Program **BE APPROVED** pursuant to the City of Windsor Brownfield Redevelopment Community Improvement Plan;  
**THAT** staff **BE DIRECTED** to prepare an agreement to implement the Brownfield Rehabilitation Grant Program in accordance with all applicant policies, requirements, and provisions contained within the Brownfield Redevelopment Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and  
**THAT** the CAO and City Clerk **BE AUTHORIZED** to sign the Brownfield Rehabilitation Grant Agreement.  
Carried.

**Livelink #15764, Z/8955**

Clerk's Note: The report authored by the Senior Planner dated February 15, 2012 entitled "Application for Financial Incentives under the Brownfield Redevelopment Community Improvement Plan – 3001 Dougall Avenue" is attached as background information.

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CHAIRPERSON

\_\_\_\_\_  
DEPUTY CITY CLERK

ADOPTED by Council at its meeting held April 2, 2012 [M180-2012]

/AA

Windsor, Ontario, April 2, 2012

**REPORT NO. 26** of the  
**ECONOMIC DEVELOPMENT**  
**STANDING COMMITTEE**  
of its meeting held March 7, 2012

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**Present:**                      **Councillor Dilkens**  
                                      **Councillor Payne**  
                                      **Councillor Valentinis**  
                                      **Councillor Sleiman**

**Regrets:**                      **Councillor Marra**

That the following recommendation of the Economic Development Standing Committee  
**BE APPROVED** as follows:

Moved by Councillor Payne, seconded by Councillor Valentinis,

That a temporary sign **BE ERECTED** at 3001 Dougall Avenue to raise public awareness  
of the financial incentives available within the City's Brownfield Redevelopment Community  
Improvement Plan.

Carried.

**Livelihood #15764, Z/8955**

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CHAIRPERSON

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DEPUTY CITY CLERK