

**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 Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra [arrives at 6:25 o'clock p.m.]  
Councillor Payne  
Councillor Sleiman  
Councillor Valentinis

**Members Absent:**

Councillor Gignac

**Call to Order**

Following the playing of the Canadian National Anthem, Reverend Bill Muresan from Parkwood Gospel Temple, offers the Opening Prayer.

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

Councillor Valentinis discloses an interest and abstains from voting on Item No. 6, being the report of the City Treasurer respecting "Capitol Theatre Operating Lease/Windsor Symphony Orchestra", as St. Clair College, which employs him, is indirectly involved with this particular file.

Councillor Valentinis discloses an interest and abstains from voting on Report No. 56 of the Planning Standing Committee regarding "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.

Councillor Marra discloses an interest and abstains from voting on Item No. 8, being the report of the Chief Building Official regarding the "former Grace Hospital Site – 339 Crawford Avenue", as a family member has an interest in the subject property.

**Minutes**

Moved by Councillor Hatfield, seconded by Councillor Jones,  
That the Minutes of the regular meeting of Council held February 6, 2012

**BE ADOPTED** as presented.

Carried.

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

**Notice of Proclamations**

Canspell Day – February 26, 2012

Kidney Health Month – March 2012

Nutrition Month – March 2012

Italian Canadian Handicapable Association (ICHA) Recognition Week – March 4-10, 2012

**Committee of the Whole**

Moved by Councillor Maghnieh, seconded by Councillor Jones,

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:  
Nil.
- (g) consideration of by-laws 20-2012 through 26-2012 (inclusive).

Carried.

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

**Communications**

Moved by Councillor Payne, seconded by Councillor Sleiman,

**M83-2011** That the following Communication Items 1 to 11 and 13 to 28 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that the Minutes of the Transit Windsor Board of Directors meeting held January 31, 2012 and the minutes of the Windsor Chartabus Inc. meeting held January 31, 2012 **BE ADOPTED**;

and that Communication No. 12 be dealt with as follows:

**Communication No. 12:**

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M84-2011** That the correspondence from the “9-1-1 Ontario Advisory Board” dated February 7, 2012 regarding “9-1-1 Advisory Board Seeks Your Assistance” **BE RECEIVED** for information; and further that,

Whereas the Ontario 9-1-1 Advisory Board was formed at the request of Ontario municipalities; and

Whereas lack of ongoing Provincial funding for the Ontario 9-1-1 Advisory Board has resulted in the need of financial assistance from other sources in order to continue to represent our ratepayers in the face of ever-increasing technological advancement; and

Whereas technological advancement and deregulation of the local telephone market makes it necessary to represent municipalities and ratepayers at the Canadian Radio Telecommunications Commission (CRTC) and the CRTC Interconnection Steering Committee (CISC) on a regular basis;

Therefore **BE IT RESOLVED** that the municipality of the City of Windsor contributes \$100.00 to the Ontario 9-1-1 Advisory Board in order to allow it to continue to advance a safe delivery of 9-1-1 system for police, fire and ambulance emergency services in our municipalities and throughout the Province.

Carried.

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

**MC2012**

| <b>Item</b> | <b>From</b>   | <b>Description</b>   |
|-------------|---|--|
| 1           | Ministry of Tourism, Culture and Sport; and Ministry of Citizenship and Immigration | Introducing Grants Ontario – A Better Way to Apply for Grants.<br><b>Executive Director of Recreation &amp; Culture</b><br><b>Note &amp; File</b><br><b>GP2012</b>   |
| 2           | Ministry of Citizenship and Immigration   | Lincoln M. Alexander Award 2012 call for nominations.<br><b>Note &amp; File</b><br><b>GP2012</b>   |
| 3           | Ministry of Citizenship and Immigration   | Newcomer Champion Awards call for nominations.<br><b>Note &amp; File</b><br><b>GP2012</b>  |
| 4           | Ministry of Finance   | Release of the Ontario Municipal Partnership Fund (OMPF) allocations for 2012.<br><b>City Treasurer</b><br><b>Community Development &amp; Health Commissioner</b><br><b>Note &amp; File</b><br><b>GP2012</b>   |
| 5           | Ontario Municipal Board (OMB)   | Appellant Randall Farr Submitting an appeal to the Ontario Municipal Board – hearing to be held Thursday, April 19, 2012 at 10:30 a.m., 407-400 City Hall Square East.<br><b>City Planner</b><br><b>City Solicitor</b><br><b>Council Services, Senior Secretary</b><br><b>Note &amp; File</b><br><b>ZC2012</b> |
| 6           | Ontario Municipal Board (OMB)   | Notice that the appeal, Case Number PL070349, by Burger King Restaurants of Canada Inc. was withdrawn.<br><b>City Solicitor</b><br><b>City Planner</b><br><b>Council Services, Senior Secretary</b><br><b>Note &amp; File</b><br><b>ZB/19623</b>   |
| 7           | Association of Municipalities of Ontario (AMO)                                      | Leading with Sustainability: Social and Cultural Sustainability for Municipalities.<br><b>Community Development &amp; Health Commissioner</b><br><b>Executive Director of Recreation &amp; Culture</b><br><b>Manager of Cultural Affairs</b><br><b>Note &amp; File</b><br><b>MMA2012</b>                       |

|    |  |  |
|----|--|--|
| 8  | Association of Municipalities of Ontario (AMO) | <p>Drummond Commission Report Recommendations and Drummond Recommendations that may have a municipal impact or interest: An Inventory.</p> <p style="text-align: right;"> <b>Community Development &amp; Health Commissioner</b><br/> <b>Chief Financial Officer &amp; City Treasurer</b><br/> <b>City Engineer</b><br/> <b>City Solicitor</b><br/> <b>City Clerk</b><br/> <b>Chief Administrative Officer</b><br/> <b>Note &amp; File</b><br/> <b>GP2012</b> </p> |
| 9  | Association of Municipalities of Ontario (AMO) | <p>LAS/AMO 2012 Town Hall Sessions.</p> <p style="text-align: right;"> <b>Chief Financial Officer &amp; City Treasurer</b><br/> <b>Executive Director of Operations</b><br/> <b>Manager of Purchasing &amp; Risk Management</b><br/> <b>Note &amp; File</b><br/> <b>MMA2012</b> </p>   |
| 10 | Association of Municipalities of Ontario (AMO) | <p>Ministry of Environment (MOE's) Direction to Waste Diversion Ontario.</p> <p style="text-align: right;"> <b>City Engineer</b><br/> <b>Note &amp; File</b><br/> <b>EI2012</b> </p>   |
| 11 | Municipality of Chatham-Kent                   | <p>Chatham Western Transportation Link, Notice of Study Commencement.</p> <p style="text-align: right;"> <b>City Solicitor</b><br/> <b>City Engineer</b><br/> <b>City Planner</b><br/> <b>Note &amp; File</b><br/> <b>MT2012</b> </p>  |
| 12 | Ontario 9-1-1 Advisory Board                   | <p>Request for Financial Assistance from municipalities in order to continue as the technical and information authority respecting the implementation and operation of 9-1-1 Emergency Number systems in Ontario.</p> <p style="text-align: right;"> <b>Acting Police Chief</b><br/> <b>Fire Chief</b><br/> <b>COUNCIL DIRECTION REQUESTED</b><br/> <b>MC2012</b> </p>   |
| 13 | Windsor Endowment for the Arts (WEA)           | <p>Call for Nominations for 2012 Arts Awards and Grants.</p> <p style="text-align: right;"> <b>Executive Director of Recreation &amp; Culture</b><br/> <b>Manager of Cultural Affairs</b><br/> <b>Note &amp; File</b><br/> <b>APR2012</b> </p>   |
| 14 | Secretary/Treasurer Committee of Adjustment    | <p>Consent Authority Agenda Record Hearing to be held on Wednesday, February 22, 2012, Room 407-400 City Hall Square East, Windsor</p> <p style="text-align: right;"> <b>Note &amp; File</b><br/> <b>ZC2012</b> </p>   |
| 15 | Manager of Urban Design                        | <p>Application of 2047337 Ontario Inc. for Site Plan Approval to permit a commercial plaza located at 3001 Dougall Avenue.</p> <p style="text-align: right;"> <b>Note &amp; File</b><br/> <b>ZS/11276</b> </p>   |
| 16 | Manager of Urban Design                        | <p>Application of Schlegel Villages Inc. for Site Plan Approval to permit a long term care facility and accessory uses located at 1800 Talbot Road.</p> <p style="text-align: right;"> <b>Note &amp; File</b><br/> <b>ZS/11277</b> </p>  |
| 17 | Manager of Development                         | <p>Application of Modern Property Management for Zoning Amendment to</p>   |

|    |   |   |
|----|---|---|
|    | Applications                                | <p>permit the green space to be zoned commercial for a development for lands located at 0 Huron Church Road.</p> <p style="text-align: right;"><b>Note &amp; File<br/>ZB/11282</b></p>  |
| 18 | Community Development & Health Commissioner | <p>“Seed &amp; Feed” One-Time Grant Funding to support Community Garden Expansion Projects in Windsor-Essex County.</p> <p style="text-align: right;"><b>Note &amp; File<br/>GM2012</b></p>   |
| 19 | Community Development & Health Commissioner | <p>Business Case for Additional Administration Fees for Fiscal Year 1 (2011-12).</p> <p style="text-align: right;"><b>Note &amp; File<br/>GH/6905</b></p>   |
| 20 | City Engineer                               | <p>Tender 95-11 – Tourangeau Road – Sewer, Pavement and Watermain Rehabilitation from Seminole Street to Milloy Street and Reginald Street – Pavement and Watermain Rehabilitation from George Avenue to Rossini Boulevard.</p> <p style="text-align: right;"><b>Note &amp; File<br/>SW/11278</b></p> |
| 21 | City Engineer                               | <p>Tender No. 117-11 – Road Rehabilitation III – Road &amp; Watermain Reconstruction.</p> <p style="text-align: right;"><b>Note &amp; File<br/>SW/11279</b></p>   |
| 22 | Chief Administrative Officer                | <p>Robert Pulleybank Municipal Achievement Award – City of Windsor.</p> <p style="text-align: right;"><b>Note &amp; File<br/>GCE2012</b></p>  |
| 23 | Chief Administrative Officer                | <p>Quinn Roofing Solutions Donation of Roofing Services for the Capitol Theatre.</p> <p style="text-align: right;"><b>Note &amp; File<br/>APM/9485</b></p>  |
| 24 | City Solicitor                              | <p>Fire Protection Agreement with the Town of Tecumseh.</p> <p style="text-align: right;"><b>Note &amp; File<br/>SF/11171</b></p>   |
| 25 | City Treasurer                              | <p>Tax Deferral Report.</p> <p style="text-align: right;"><b>Note &amp; File<br/>AF2012</b></p>   |
| 26 | City Treasurer                              | <p>2012 Property Tax Sales.</p> <p style="text-align: right;"><b>Note &amp; File<br/>AF2012</b></p>   |
| 27 | Transit Windsor Board of Directors          | <p>Minutes of the Transit Windsor Board of Directors meeting held January 31, 2012 and the minutes of the Windsor Chartabus Inc. meeting held January 31, 2012.</p> <p style="text-align: right;"><b>TO BE ADOPTED<br/>MB2012</b></p>   |
| 28 | Windsor Symphony Orchestra                  | <p>Eight Candidates for Music Director Selected from 153 Applicants<br/>(<u>Clerk’s Note</u>: Refer to Agenda Item 6)</p> <p style="text-align: right;"><b>Note &amp; File<br/>APM/9485</b></p>   |

Carried.

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

**Consent Agenda**

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

- Item 1 Execution of Assignment Agreement re. Myrtha Pool System
- Item 2 Presentation – Heritage Recognition
- Item 3 Bruce Avenue Park – Downtown Windsor Community Collaborative Garden
- Item 4 City of Windsor to host Regional Planning Commissioners of Ontario (RPCO) Spring Meeting  
(May 25, 2012)
- Item 7 Plymouth Drive Roundabout Construction

**Consent Committee Reports**

| <i><b>Environment &amp; Transportation Standing Committee</b></i> |               |   |
|---|---------------|---|
| <b>No.</b>  |               | <b>Description</b>  |
| 1   | Report No. 38 | Minutes of the Essex-Windsor Solid Waste Authority meeting held October 4, 2011   |
| 2   | Report No. 39 | Minutes of the Essex-Windsor Solid Waste Authority meeting held November 1, 2011  |
| 3   | Report No. 40 | Minutes of the Committee of Revision meeting held October 26, 2011  |
| 4   | Report No. 41 | Minutes of the Windsor-Essex County Environment Committee meeting held November 3, 2011   |
| 5   | Report No. 42 | Minutes of the Windsor-Essex County Environment Committee meeting held December 1, 2011   |
| 6   | Report No. 43 | Minutes of the Windsor Bicycling Committee meeting held November 29, 2011   |
| 7   | Report No. 44 | Windsor Bicycling Committee Report No. 52   |
| 8   | Report No. 47 | 2011 Environmental Attitudes Survey   |
| 9   | Report No. 48 | By-Laws for Assumption of Public Highways and Municipal Services  |
| 10  | Report No. 49 | A By-Law for the Construction of Curbs and Gutters, and Boulevard Restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement ( <u>Clerk's Note</u> : See By-law 25-2012 attached) |
| 11  | Report No. 50 | Environmental Master Plan Progress  |
| 12  | Report No. 52 | Source Water Protection Draft Policies  |
| 13  | Report No. 53 | Source Water Protection Plan Process Presentation   |

| <i><b>Executive Committee</b></i> |               |  |
|-----------------------------------|---------------|--|
| <b>No.</b>                        |               | <b>Description</b>   |
| 1                                 | Report No. 48 | Delegation of Authority Semi-Annual Report for period July 1, 2011 through December 31, 2011 |
| 2                                 | Report No. 49 | Chief Administrative Officer Objectives for 2012 and Accomplishments for 2011                |

Carried.

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

**Deferrals and/or Referrals and Withdrawals****Report No. 49 of the Planning Standing Committee (Rezoning, 675 Goyeau, Days Inn, 1037109 Ontario Limited)**

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,  
**M85-2012** That the request of Robert Tomas, Legal Counsel for 1037109 Ontario Limited respecting Report No. 49 of the Planning Standing Committee (Rezoning, 675 Goyeau, Days Inn, 1037109 Ontario Limited) **BE DEFERRED** to the March 19, 2012 meeting of Council to allow for interested parties to be in attendance.

Carried.

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

Report Number 15673 ZB/11240

**Presentations & Delegations:****St. Patrick's Day Celebration, Saturday March 17, 2012, Downtown Windsor Old Bus Depot Parking Lot, Temporary Road Closure of Chatham Street East, Waiver of Noise By-law #6716 Exemption**

**(Note: Revised recommendation appended to this report)**

**Doug Maroon, Maroon Bros. Pub & Grill**

Doug Maroon, Maroon Bros. Pub & Grill, appears before Council and is available for questions regarding his request to have the Chatham Street East St. Patrick's Day Celebrations 2012 take place in the parking lot location at the Downtown Old Bus Depot on Chatham Street East on March 17, 2012 and for a waiver of Noise By-law No. 6716 exemption.

**SR2012 5**

(For final disposition of this matter, see Clause **CR37/2011** in Schedule "A" attached hereto.)

**Richard Wyma, General Manager/Secretary-Treasurer, and Vice Chair Joe Bachetti; (Essex Region Conservation Authority (ERCA))**

Richard Wyma, General Manager/Secretary-Treasurer, and Vice Chair Joe Bachetti, Essex Region Conservation Authority (ERCA), appear before Council to present the City of Windsor with a cheque in the amount \$343,000.00 for the Spring Garden ANSI.

**Communication No. 23 - Quinn Roofing Solutions Donation of Roofing Services for the Capitol Theatre**

Ken and Sue Quinn, owners of Quinn Roofing Solutions, at the request of Mayor Francis and Members of Council, appear before Council to be formally recognized and thanked for their generous donation of \$25,000 toward roofing services to the Capitol Theatre and are presented with a framed artist rendering of the Capitol Theatre as a token of appreciation.

**Presentation – Heritage Recognition****Robin Easterbrook, Chair – Windsor Heritage Committee; and John Calhoun, Heritage Planner**

Robin Easterbrook, Chair – Windsor Heritage Committee; and John Calhoun, Heritage Planner, appear before Council in recognition of Heritage Week in Ontario, February 20-26, 2012 to present the following:

**Built Heritage Awards:**

- Yorktown Square Sign, 1341 Grand Marais Road West ~ Tom Dobrich
- House with cobblestone foundation, 1165 Ouellette Avenue ~ Deborah Severs
- Buckland-Montreuil-Vichos House, 4187 Riverside Drive East ~ Stephen Berrill and Jerry Kavanaugh
- Dillon Hall, University of Windsor, 401 Sunset Avenue ~ Dr. Alan Wildeman

**Heritage Designation Plaques:**

- Miers-Fraser House, 841 Kildare Road
- Y.M.C.A., 511 Pelissier Street
- Hong Family House, 1566 Pillette Road ~ Patricia Hong and James Hong
- Our Lady of the Rosary Church, 2879 Riverside Drive East ~ Marina Clemens
- Ross-Struthers House, 2161 Riverside Drive West ~ Frank Massimino
- St. Rose of Lima Church, 891 St. Rose Avenue ~ Frank Chauvin
- Tunnel Ventilation Building, 70 University Avenue East ~ Mark Galvin
- Semi-detached house, 715 Walker Road

**Capitol Theatre Operating Lease/Windsor Symphony Orchestra****Barb Kuker, President, and Stephen Savage, 1<sup>st</sup> Vice President, Board of Directors, Windsor Symphony Orchestra**

Barb Kuker, President, and Stephen Savage, 1st Vice President, Board of Directors, Windsor Symphony Orchestra, appear before Council to speak in support of the recommendation (Option 1) for Council to authorize administration to sign an operating/lease agreement with the Windsor Symphony Orchestra effective September 2012, relative to operations and management of the Capitol Theatre for a ten year period with an option to extend for a further 10 year period, stating that this option provides for better stability and preserves an important cultural jewel, and conclude by requesting an expanded line of credit.



**Stephen Pender, Board Member, Artcite Inc.**

Stephen Pender, Board Member, Artcite Inc. , appears before Council to speak in support of the recommendation (Option 1) for Council to authorize administration to sign an operating/lease agreement with the Windsor Symphony Orchestra effective September 2012, relative to operations and management of the Capitol Theatre for a ten year period with an option to extend for a further 10 year period, and concludes by stating that as a tenant at the Theatre, he hopes for a long-term lease at an affordable rate and suggests a tax exemption status be contemplated.

**Mark Lefebvre, Canada South Performing Arts and the Stilt Guys**

Mark Lefebvre, Canada South Performing Arts and the Stilt Guys, appears before Council to speak in support of the recommendation (Option 1) for Council to authorize administration to sign an operating/lease agreement with the Windsor Symphony Orchestra effective September 2012, relative to operations and management of the Capitol Theatre for a ten year period with an option to extend for a further 10 year period, and concludes by applauding all parties for coming to the table to preserve this cultural gem.

**APM/9485 6**

(For final disposition of this matter, see Clause **CR38/2011** in Schedule “A” attached hereto.)

**Report No. 56 of the Planning Standing Committee (Rezoning, 1800 Talbot Road, Shlegel Villages, construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses)****James Schlegel, Schlegel Villages Inc. and Glenn Wellings, Planning Consultant**

James Schlegel, Schlegel Villages Inc. and Glenn Wellings, Planning Consultant, appear before Council and are available for questions regarding the rezoning application for 1800 Talbot Road, Schlegel Villages, to construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses.

**Jim Chambers, Resident of Ward 1**

Jim Chambers, Resident of Ward 1, appears before Council to express his concerns regarding the rezoning application for 1800 Talbot Road, Schlegel Villages, to construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses, suggesting that St. Clair College should reconsider the odd shaped and very narrow plot of land and provide either more land or a different plot to the Schlegels, in order that this needed facility can be built where it is neither going to run afoul of this requirement of the MTO nor the wishes of the neighbours.

**Walter Pizzolitto, Resident of Ward 1**

Walter Pizzolitto, Resident of Ward 1, appears before Council to express his concerns regarding the rezoning application for 1800 Talbot Road, Schlegel Villages, to construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses, suggesting that afternoon sun for their backyard will be blocked, affecting the enjoyment of their backyard pool, as well as increased pressure on infrastructure, and concludes by suggesting that the proposal should be revised to include a requirement for a berm to separate the building from the homes, to block sight and sounds and light from the facility, and that no additional development be allowed in the area, unless and until the current residential flooding situation has been rectified.

**David Hanna, Resident of Ward 1**

David Hanna, Resident of Ward 1, appears before Council to provide comments for consideration with regards to the rezoning application for 1800 Talbot Road, Schlegel Villages, to construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses, stating that good architecture and planning is a must and that neighbourhood quality of life issues need to be addressed, and concludes by questioning whether or not the proposed location is the most ideal location for this facility, and that another option for consideration would be for the development to have a jointly-shared parking garage with St. Clair College.

**Tony Jovcevski, Resident of Ward 1**

Tony Jovcevski, Resident of Ward 1, appears before Council to express concerns regarding the rezoning application for 1800 Talbot Road, Schlegel Villages, to construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses, stating that what is being proposed would be at the expense of the privacy of nearby residents and that at minimum, the design should be reduced to a two-storey structure, and concludes by stating that this project is being rushed through.

Moved by Councillor Jones, seconded by Councillor Sleiman,  
**M86-2012** That **Report No. 56 of the Planning Standing Committee** of its meeting held February 13, 2012 respecting “Rezoning, 1800 Talbot Road, Schlegel Villages, construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses” **BE ADOPTED** as presented.

Carried.

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

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

Report Number 15720 ZB/11249

**Former Grace Hospital Site – 339 Crawford Avenue****Tony Battaglia, President & CEO of West Park Avenue Developments Inc.**

Tony Battaglia, President & CEO of West Park Avenue Developments Inc., appears before Council as a mortgagee with a registered mortgage on title to the Grace Hospital property, requesting a further extension of the City’s Work Order to Repair, thus allowing them to continue with remediation efforts.

Mayor Francis leaves the meeting at 7:58 o'clock p.m., and Councillor Dilkens assumes the Chair.

Mayor Francis returns to the meeting at 8:07 o'clock p.m., and Councillor Dilkens returns to his seat at the Council table.

SB2012 8

(For final disposition of this matter, see Clause **CR40/2011** in Schedule "A" attached hereto.)

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

Nil.

**Consideration of Committee Reports**

Nil.

**By-laws**

Moved by Councillor Hatfield, seconded by Councillor Jones,  
That the following By-laws No. 20-2012 through 26-2012 (inclusive), be introduced and read a first and second time:

- |         |   |
|---------|---|
| 20-2012 | "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW""   |
| 21-2012 | "A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS"   |
| 22-2012 | "A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS"   |
| 23-2012 | "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, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES", authorized by CAO1820, approved January 1, 2012 |
| 24-2012 | "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, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES"  |

25-2012        “A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF CONCRETE CURBS AND GUTTERS, AND BOULEVARD RESTORATION ON ST. ROSE AVENUE FROM ISABELLE PLACE TO LAUZON ROAD, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT”

26-2012        “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-FIRST DAY OF FEBRUARY, 2012”

Carried.

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
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**

None presented.

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

Moved by Councillor Payne, seconded by Councillor Sleiman,  
That the following By-law No. 20-2012 through 26-2012 (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 presented.

**Council Questions**

Moved by Councillor Payne, seconded by Councillor Halberstadt,  
**M87-2011** That the following Council Question by Councillor Marra **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:

**CQ8-2012**

Asks that Administration prepare a report for the purpose of discussing the planning of a Signature Celebratory Event to coincide with the formal closure and eventual redevelopment of the Windsor Arena. Given the very historic nature of the 1924 facility (the second oldest known arena in North America), the event should contemplate the involvement of major stakeholders including but not limited to all local and regional hockey organizations; the Windsor Spitfires and their alumni organization; the Windsor Essex Sports Hall of Fame; the Detroit Red Wings; the Detroit Red Wings Alumni Association; Bill and Les Butcher who owned the arena for many years; Lou Bendo and several partners purchased the Barn and kept it operating; Peter Karmanos brought the Compuware Spitfires to Windsor, nearly winning a Memorial Cup in 1984; Steve Riolo a former owner of the Spitfires; Fred Sorrell etc. I also recommend that a committee be struck with council representation in order to oversee the planning of the event and ensure public and stakeholder input and involvement.

SR2012

Carried.

**Adjournment**

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

Accordingly, the meeting is adjourned at 8:42 o'clock p.m.

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

Valentinis  
Dilkens

CR33/2012

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute an assignment agreement to assign the purchase of the Myrtha Pool system (the “Pool Contract”) to EllisDon Corporation and DeAngelis Construction (in joint venture) (the “Contractor”) subject to the approval of the City Treasurer as to financial content, the Project Manager as to technical content, and the City Solicitor as to legal content.

Carried.

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

Report Number **15738 SR/11026 C1**

Valentinis  
Dilkens

CR34/2012

I. That, in recognition of Heritage Week in Ontario, February 20-26, 2012, the owners of the following four properties which have been selected by the Windsor Heritage Committee **BE PRESENTED** “Built Heritage Award” certificates in recognition of their continuing stewardship of some of the City’s most interesting heritage buildings:

- Yorktown Square Sign, 1341 Grand Marais Road West
- House with cobblestone foundation, 1165 Ouellette Avenue
- Buckland-Montreuil-Vichos House, 4187 Riverside Drive East
- Dillon Hall, University of Windsor, 401 Sunset Avenue

II. That the owners of the following eight buildings which the City Council has designated under Part IV of the *Ontario Heritage Act* **BE PRESENTED** with heritage marker plaques in recognition of their continuing stewardship:

- Miers-Fraser House, 841 Kildare Road
- Y.M.C.A., 511 Pelissier Street
- Hong Family House, 1566 Pillette Road
- Our Lady of the Rosary Church, 2879 Riverside Drive East
- Ross-Struthers House, 2161 Riverside Drive West
- St. Rose of Lima Church, 891 St. Rose Avenue
- Tunnel Ventilation Building, 70 University Avenue East
- Semi-detached house, 715 Walker Road.

Carried.

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

Report Number **15728 MBA/5350 C2**

Valentinis  
Dilkens

CR35/2012

That Council **APPROVE** the request of the Downtown Windsor Community Collaborative (DWCC) 1005 Victoria Ave. Windsor, Bob Cameron , Director, for a non exclusive license of 185 square metres (222.22 sq. yards) of Bruce Ave Park as described on the attached plan (Appendix A) in order to facilitate the installation of a community garden operation on the following conditions:

- 1) Use of 185.8 square metres (2000sq. ft.) of land, as depicted in the sketch attached as appendix 'A', for use as a community garden in accordance with the attached as appendix 'B';
- 2) The term of the license is from April 15, 2012 to September 15, 2012;
- 3) DWCC is obligated to take the land as is to construct and maintain their improvements on the licensed land at their expense.
- 4) A security deposit in the amount of \$500.00 to insure that the property is returned to its original condition at the end of the license term;
- 5) Property taxes for the licensed lands will be the responsibility of the DWCC;
- 6) The rental rate for the licensed land is \$50.00 , payable in advance;
- 7) The licensed area is to be kept free of pests and animals
- 8) The use of pesticides and herbicides is prohibited;
- 9) The use of uncomposted manure and fertilizer is prohibited;
- 10) Liability insurance in the amount of \$2,000,000 with "The Corporation of the City of Windsor" named as an additional insured, in accordance with the Purchasing Bylaw, and satisfactory in form and content to the Manager of Purchasing and Risk Management;
- 11) The DWCC agrees to indemnify and hold harmless The Corporation of the City of Windsor, its affiliates, officers, employees, councillors, and assigns [collectively the "City"], from and against any and losses, damages, costs, and expenses, and all claims, demands, actions, causes of action, suits, proceedings and liability, including all claims made by any third party under or relating to this license, for bodily injury or property damage howsoever arising, unless caused by the City's negligence.
- 12) The City is not responsible in the case of vandalism or theft;
- 13) Tenants must provide plans and specifications of the facility for review and approval to the satisfaction of the Director of Parks and Facility Operations;
- 14) The storage of motor vehicles, tractors, fuel and chemicals is prohibited;
- 15) The use of motorized equipment is limited to the first 30 days of the growing season starting on April 15, 2012;
- 16) DWCC will maintain the licensed lands not under cultivation by controlling weeds and grass on a regular basis;
- 17) The balance of the terms and conditions of this license, except as noted herein, are the standard requirement in other municipal licenses, and;

that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a license agreement, satisfactory in form to the City Solicitor, in content to the Executive Director of Parks and Facilities, and in financial content to the City Treasurer.

Carried.

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

Report Number **15727 SR/11280 C3**

Appendices  
Plan / Sketch

Valentinis  
Dilkens

CR36/2012

THAT City Council **APPROVE** a request for funds not to exceed \$2,000 (net), in order to host the 2012 Regional Planning Commissioners of Ontario Spring Meeting to be held in Windsor on May 25, 2012, the funds for which will come from the Operating Budget of the Planning Department. That the request be received for information with Council's direction.

Carried.

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

Report Number **15725 SPL2012 C4**

Valentinis  
Dilkens

CR37/2012

That the request from Maroon Bros. Pub and Grill to have the Chatham Street East St. Patrick's Day Celebrations 2012 take place in the parking lot location at the Downtown Old Bus Depot on Chatham Street East on March 17, 2012, and for a waiver of Noise By-law No. 6716 Exemption **BE APPROVED**.

Carried.

Report Number **15730 SR2012 5**

Jones  
Dilkens

CR38/2012

That City Council **RECEIVE** the attached report dated January 31, 2012 regarding the Capitol Theatre Operating Lease/Windsor Symphony Orchestra for information and **APPROVE** the following, noted as OPTION 1:

**OPTION 1**

That City Council **AUTHORIZE** the CAO and City Clerk to sign an operating/lease agreement with the Windsor Symphony Orchestra, effective September, 2012, relative to operations and management of the Capitol Theatre for a ten year period with an option to extend for a further 10 year period, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer & City Treasurer and in technical content to the Executive Director of Parks & Facilities and the Executive Director of Recreation & Culture based on the following general terms:

**BASIC TERMS:**

- |                            |                            |
|----------------------------|----------------------------|
| a) <b>Tenant</b>           | Windsor Symphony Orchestra |
| b) <b>Tenant's Address</b> | ***                        |



- c) **Commencement Date** September 1, 2012
- d) **Term** 10 years
- e) **Termination Date** August 31, 2022
- f) **Leased Premises** 121 University Avenue West, Windsor, ON
- g) **Area of Leased Premises** Approximately 25,000 sq. ft.
- h) **Base Rental** \$1.00 per year
- i) **Additional Rent** Nil
- j) **Security Deposit** None
- k) **Land Taxes** Not Applicable – To be designated as a Municipal Capital Facility
- l) **Utilities** Paid by City
- m) **Permitted Use** Performance Facility and Ancillary Facilities
- n) **Insurance** Property Coverage Paid by City, Liability & Tenant  
Property Coverage Paid by Tenant
- o) **Facility Rental Revenues** Paid to Tenant
- p) **Overholding Monthly Rental** \$1.00
- q) **Renewal** Option for one additional ten year term, terms and conditions of renewal term to be negotiated
- r) **Guarantor** None
- s) **Special Provisions:** City to pay all operating costs of the facility, including Preventative Maintenance, Snow Removal, Building Maintenance and Cleaning Maintenance

WSO continues to make the facility available for rental to performing arts and other cultural groups with compatible use.

AND FURTHER, that City Council **APPROVE** a capital expenditure budget of \$1,828,512 plus HST as a first charge to the 2012 Capital Budget to complete the following priority capital work items at the Capitol Theatre, during a close down period in the spring/summer of 2012:

| <i>Description of Capital Works – Immediate Priority</i> | <i>Amount</i>    |
|--|------------------|
| <i>Exterior Wall Masonary Repair</i>                     | <i>\$210,000</i> |
| <i>Roofing Repairs</i>                                   | <i>\$150,000</i> |
| <i>Code Compliance Requirements</i>                      | <i>\$4,000</i>   |
| <i>HVAC Repairs and Modifications</i>                    | <i>\$100,000</i> |

|   |                    |
|---|--------------------|
| <i>Pentastar Rigging System Repairs</i>           | <i>\$6,500</i>     |
| <i>Lift System for Stage</i>                      | <i>\$150,000</i>   |
| <i>Extension of Stage</i>                         | <i>\$30,000</i>    |
| <i>Stage Towers and Canopy</i>                    | <i>\$300,000</i>   |
| <i>Electronic Enhancement System</i>              | <i>\$0</i>         |
| <i>Conversion of Retail Space to office space</i> | <i>\$90,000</i>    |
| <i>Below Stage Improvements</i>                   | <i>\$100,000</i>   |
| <i>Storage Stage Improvements</i>                 | <i>\$150,000</i>   |
| <i>Ground Floor Dressing Room Renovations</i>     | <i>\$40,000</i>    |
| <i>Second Floor Dressing Room Renovations</i>     | <i>\$30,000</i>    |
| <i>Subtotal</i>                                   | <i>\$1,360,500</i> |
| <i>Consulting (12%)</i>                           | <i>\$163,260</i>   |
| <i>Contingency</i>                                | <i>\$304,752</i>   |
| <i>Project total</i>                              | <i>\$1,828,512</i> |

AND FURTHER, that City Council **APPROVE** the write off of a loan receivable from the Windsor Symphony Orchestra in the amount of \$246,925.76 plus accrued interest to **BE FUNDED** as a first charge to the 2012 Capital Budget;

AND FURTHER that City Council **APPROVE** a reduction in the annual agency grant funding to the Windsor Symphony Orchestra beginning in 2013 from a level of \$300,000 in 2012 to \$125,000 on a transitional basis for calendar years 2013 and 2014 and that the \$125,000 grant amount **BE ELIMINATED** in 2015;

AND FURTHER that City Council **APPROVE** the establishment of a Capitol Theatre Maintenance/Development Reserve Fund and that any surplus funds resulting from the 2012 capital project as described herein **BE TRANSFERRED** to this Reserve Fund for use on future maintenance and development works at the Capitol Theatre facility subject to further approval by City Council;

AND FURTHER that City Council **DIRECT** administration to enter into further discussion with the Windsor Symphony Orchestra as relates to development and implementation of a ticket surcharge on all tickets sold at the Capitol Theatre with said funds to **BE TRANSFERRED** to the Capitol Theatre Maintenance/Development Reserve Fund of the City;

AND FURTHER that City Council **DESIGNATE** the Capitol Theatre as a Municipal Capital Facility for the purposes of the municipality and for public use;

AND FURTHER that the City Solicitor **BE INSTRUCTED** to prepare a bylaw pursuant to s. 2(1), paragraph 16 of O. Reg. 603/06 as amended, for the purpose of exempting the Theatre portion of the facility from taxation under subsection 110 (6) of the Act, authorizing the municipality to enter into an agreement with the WSO under subsection 110 (1) of the Act to provide a municipal capital facility to **BE USED** for cultural, recreational or tourist purposes.

Carried.

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

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

Valentinis  
Dilkens

CR39/2012

- I. THAT Administration **BE AUTHORIZED** to pay to Grand Central Business Park Inc. \$83,655 for the design of a roundabout on Plymouth Drive at the entrance to the Grand Central Business Park, west of Robert Road, as required under Grand Central Business Park Inc.'s Servicing Agreement, and;
- II. THAT Administration **BE AUTHORIZED** to pay to Grand Central Business Park Inc. up to a maximum of \$847,284 for the construction of the said roundabout as required under the same Servicing Agreement, and;
- III. THAT the cost of the recommendations I and II above **BE CHARGED** to the New Infrastructure Development Project (Project No. 7035119), and;
- IV. THAT Administration **BE DIRECTED** to report back to Council, following the tendering of the works described in recommendation II in the event that the cost of the works exceeds the approved amount.

Carried.

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

Report Number **15729 ZS/11078 C7**

Dilkens  
Valentinis

CR40/2012

That City Council **AUTHORIZE** City Administration to proceed with Option II which includes securing building openings along the south end of the main building by wrapping structure with chain link fencing material and secure building openings throughout internal courtyard by installing 2.2m (7 foot) high chain link commercial fencing along the western portion securing the former Grace Hospital site at 339 Crawford Avenue at the appropriate time. Related costs to **BE ADDED** to property taxes.

Carried.

Councillor Payne voting nay.

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

Report Number **15735 SB2012 8**

### **STANDING COMMITTEE RESOLUTIONS**

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

**M88-2012** That **Report No. 48 of the Executive Committee** of its meeting held January 30, 2012 respecting Delegation of Authority Semi-Annual Report for period July 1, 2011 through December 31, 2011 **BE ADOPTED** as presented.

Carried.

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

Report Number 15701 AS/7748

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M89-2012** That **Report No. 49 of the Executive Committee** of its meeting held January 30, 2012 respecting Chief Administrative Officer Objectives for 2012 and Accomplishments for 2011

**BE ADOPTED** as presented.

Carried.

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

Report Number 15705 GM2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M90-2012** That **Report No. 38 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Essex-Windsor Solid Waste Authority meeting held October 4, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M91-2012** That **Report No. 39 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Essex-Windsor Solid Waste Authority meeting held November 1, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M92-2012** That **Report No. 40 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Committee of Revision meeting held October 26, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M93-2012** That **Report No. 41 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Windsor-Essex County Environment Committee meeting held November 3, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M94-2012** That **Report No. 42 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Windsor-Essex County Environment Committee meeting held December 1, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M95-2012** That **Report No. 43 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Minutes of the Windsor Bicycling Committee meeting held November 29, 2011 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M96-2012** That **Report No. 44 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Windsor Bicycling Committee Report No. 52 **BE ADOPTED** as presented.

Carried.

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

MB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M97-2012** That **Report No. 47 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting 2011 Environmental Attitudes Survey **BE ADOPTED** as presented.

Carried.

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

Report Number 15683 SW/8523

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M98-2012** That **Report No. 48 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting By-Laws for Assumption of Public Highways and Municipal Services **BE ADOPTED** as presented.

Carried.

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

Report Number 15667 AB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M99-2012** That **Report No. 49 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting A By-Law for the Construction of Curbs and Gutters, and Boulevard Restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement **BE ADOPTED** as presented.

Carried.

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

Report Number 15667 AB2012

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M100-2012** That **Report No. 50 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Environmental Master Plan Progress **BE ADOPTED** as presented.

Carried.

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

Report Number 15689 SW/8523

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M101-2012** That **Report No. 52 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Source Water Protection Draft Policies **BE ADOPTED** as presented.

Carried.

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

Report Number 15695 EI/10108

Moved by Councillor Valentinis, seconded by Councillor Dilkens,  
**M102-2012** That **Report No. 53 of the Environment and Transportation Standing Committee** of its meeting held January 25, 2012 respecting Source Water Protection Plan Process Presentation **BE ADOPTED** as presented.

Carried.

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

Report Number 15695 EI/10108

DEFERRED to the March 19, 2012 meeting of Council  
as ADOPTED by Council at its meeting held February 21, 2012 [M85-2012]  
DEFERRED to the February 21, 2012 meeting of Council  
as ADOPTED by Council at its meeting held February 6, 2012 [M22-2012]

/AA

Windsor, Ontario February 6, 2012

**REPORT NO. 49** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held January 16, 2012

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**Present:**

**Councillor Bill Marra**  
**Councillor Ed Sleiman**  
**Councillor Joanne Gignac**  
**Councillor Al Maghnieh**  
**Merrill Baker**  
**Barbara Bjarneson**  
**Cheryl Cross-Leal**

**Regrets:** **Councillor Percy Hatfield**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Sleiman,

1) **THAT** an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of 675-687 Goyeau Street; Lots 125, 128, 129, Part of Lots 124 and 132, Plan 1303, located on the northwest corner of the intersection of Goyeau Street and Tuscarora Street; from CD3.1 to CD3.1, with site specific provision as follows:

- (a) A lodging house, multiple dwelling and residential care facility as additional permitted uses;
- (b) Ground floor dwelling units in a lodging house, multiple dwelling and/or residential care facility are permitted;
- (c) A maximum of 100 beds in a lodging home or a residential care facility.

Carried.

Council Marra voting nay.

Merrill Baker voting nay.

Clerk's Note: The report authored by the Senior Planner dated December 19, 2011 entitled "Rezoning – 675 Goyeau (Days Inn, 1037109 Ontario Limited)" is attached as background information.

Livelihood #15673, ZB/11240

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M86-2012]**

/AA

Windsor, Ontario February 21, 2012

**REPORT NO. 56 of the  
PLANNING STANDING COMMITTEE  
of its meeting held February 13, 2012**

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**Present:**  
**Councillor Bill Marra**  
**Councillor Ed Sleiman**  
**Councillor Al Maghnieh**  
**Merrill Baker**  
**Barbara Bjarneson**  
**Cheryl Cross-Leal**

**Regrets:**  
**Councillor Percy Hatfield**  
**Councillor Joanne Gignac**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Merrill Baker,

I) **THAT** an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of 1800 Talbot Road; (Part of Lot 2, Concession 4, (Geographic Township of Sandwich West) City of Windsor, near the intersection of Talbot Road and Cousineau Road.; from ID 1.3 to H ID 1.3, with site specific provisions as follows:

- (a) Additional Permitted Uses
  - (i) A residential care facility;
  - (ii) A multiple dwelling;
  - (iii) Any use accessory to the additional permitted uses.
- (b) Regulations for Additional Permitted Uses
  - (i) Maximum building height 36 metres
  - (ii) Maximum Gross Floor Area Ratio 1.5:1
  - (iii) Minimum Side Yard Depth adjacent to Talbot Road 0 m
  - (iv) Minimum Side Yard Depth adjacent to Ashfield Crescent 15m
  - (v) Minimum Landscaped Area 25%
  - (vi) Loading Spaces 2
- (c) for the Purpose of a Residential Care Facility or a Multiple Dwelling, the provisions of Section 21 (12) (a) (iv) shall not apply.
- (d) for the Purpose of a Residential Care Facility or a Multiple Dwelling adjacent to Talbot Road, the provisions of Section



25(6) (a) (2) shall not apply, and the Parking Area Separation adjacent to Talbot Road shall be 1m.

- (e) for the Purpose of a Residential Care Facility or a Multiple Dwelling adjacent to another Institutional Use, the provisions of Section 25(6) (a) (3) shall not apply.
- (f) for the Purpose of a Residential Care Facility or a Multiple Dwelling with a Collector Aisle length greater than 50m, the Minimum Collector Aisle width shall be 6.1m.

II) **THAT** H (hold) provision **BE REMOVED** when the following conditions are met:

- (i) an Archaeological assessment is completed to the satisfaction of Heritage Planner;
- (ii) a Noise and Vibration study identifying required mitigation measures is completed to the satisfaction of the City Planner;
- (iii) a Functional Servicing Report (Sanitary and Storm Sewer) is completed to the satisfaction of the City Engineer;
- (iv) a Transportation Impact Study is completed to the satisfaction of City Engineer;
- (v) the applicant has received and provided a copy of a MTO Access Permit for this development; and
- (vi) the applicant has received and provided a copy of a MTO Land use Permit for this development.
- (vii) an executed Site Plan Control agreement that includes any required mitigation measures identified in the studies outlined in (i) through (iv) above.

III) Notification and consultation of the residents at time of the Site Plan Approval meeting.

Carried.

Barbara Bjarneson declares a conflict and abstains from voting on this matter.

Cheryl Cross-Leal voting nay.

Clerk's Note: The report entitled "Rezoning, 1800 Talbot Road, Schlegel Villages, construct a long term care facility, assisted living units, multiple dwellings and associated accessory uses" dated January 26, 2012 is attached as background information.

Livelink #15720, ZB/11249

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**CHAIRPERSON**

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**DEPUTY CITY CLERK**

**ADOPTED** by Council at its meeting held February 21, 2012 **IM88-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 48** of the  
**EXECUTIVE COMMITTEE**  
of its meeting held January 30, 2012

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**Members Present:**

**Mayor E. Francis**  
**Councillor D. Dilkens**  
**Councillor J. Gignac**  
**Councillor A. Halberstadt**  
**Councillor P. Hatfield**  
**Councillor R. Jones**  
**Councillor A. Maghnieh**  
**Councillor B. Marra**  
**Councillor H. Payne**  
**Councillor E. Sleiman**  
**Councillor F. Valentinis**

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

Moved by Councillor Marra, seconded by Councillor Hatfield,

**THAT** Council **RECEIVE** for information the report of the Chief Administrative Officer dated January 9, 2012 entitled “Delegation of Authority Semi-Annual Status Report for period July 1, 2011 through December 31, 2011”.

Carried.

Councillor Marra discloses an interest and abstains from voting on the portion of the report dealing with CAO-1797.

**Clerk’s Note:** The report authored by the Chief Administrative Officer dated January 9, 2012 entitled “Delegation of Authority Semi-Annual Status Report for period July 1, 2011 through December 31, 2011” is *attached* as background information.

**Livelihood 15701, AS/7748**

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*CHAIRPERSON*

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**CITY CLERK**

**ADOPTED** by Council at its meeting held February 21, 2012 **IM89-2012]**

**AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 49** of the  
**EXECUTIVE COMMITTEE**  
of its meeting held January 30, 2012

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**Members Present:**

**Mayor E. Francis**  
**Councillor D. Dilkens**  
**Councillor J. Gignac**  
**Councillor A. Halberstadt**  
**Councillor P. Hatfield**  
**Councillor R. Jones**  
**Councillor A. Maghnieh**  
**Councillor B. Marra**  
**Councillor H. Payne**  
**Councillor E. Sleiman**  
**Councillor F. Valentinis**

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

Moved by Councillor Marra, seconded by Councillor Dilkens,

**THAT** City Council **RECEIVE** the attached report for information, detailing accomplishments of the CAO and City Administration achieved in the 2011 calendar year and surrounding time frame, and

**THAT** City Council **APPROVE** the general objectives for 2012 of the Chief Administrative Officer as contained in this report, subject to the further approval during the 2012 budget process.

Carried.

**Clerk's Note:** The report authored by the Executive Initiatives Coordinator dated November 14, 2011 entitled "Chief Administrative Officer Objectives for 2012 and Accomplishments for 2011" is *attached* as background information.

**Livelink 15705, GM2012**

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CHAIRPERSON

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CITY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M90-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 38 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That the minutes of the Essex-Windsor Solid Waste Authority meeting held October 4, 2011 **BE RECEIVED** for information.  
Carried.

**Clerk's Note: The minutes of the EWSWA meeting held October 4, 2011 are attached as background information.**

\_\_\_\_\_  
CHAIRPERSON

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

**ADOPTED by Council at its meeting held February 21, 2012 [M91-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 39 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That the minutes of the Essex-Windsor Solid Waste Authority meeting held November 1, 2011 **BE RECEIVED** for information.  
Carried.

**Clerk's Note: The minutes of the EWSWA meeting held November 1, 2011 are attached as background information.**

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M92-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 40** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That the minutes of the Committee of Revision meeting held October 26, 2011  
**BE RECEIVED** for information.  
Carried.

**Clerk's Note: The minutes of the Committee of Revision meeting held October 26, 2011 are attached as background information.**

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M93-2012]**

**/AA**

**Windsor, Ontario February 21, 2012**

**REPORT NO. 41 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,

That the minutes of the Windsor-Essex County Environment Committee meeting held November 3, 2011 **BE RECEIVED** for information.

Carried.

**Clerk's Note: The minutes of the Windsor-Essex County Environment Committee meeting held November 3, 2011 are attached as background information.**

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M94-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 42 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That the minutes of the Windsor-Essex County Environment Committee meeting held December 1, 2011 **BE RECEIVED** for information.  
Carried.

**Clerk's Note:** The minutes of the Windsor-Essex County Environment Committee meeting held December 1, 2011 are attached as background information.

\_\_\_\_\_  
CHAIRPERSON

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DEPUTY CLERK



**ADOPTED by Council at its meeting held February 21, 2012 [M95-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 43 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That the minutes of the Windsor Bicycling Committee meeting held November 29, 2011 **BE RECEIVED** for information.  
Carried.

*Clerk's Note: The minutes of the Windsor Bicycling Committee meeting held November 29, 2011 are attached as background information.*

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*CHAIRPERSON*

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*DEPUTY CLERK*

**ADOPTED by Council at its meeting held February 21, 2012 [M96-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 44 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Halberstadt,  
That Report No. 52 regarding the revised Mandate/Terms of Reference for the Windsor Bicycling Committee **BE ADOPTED** as presented.  
Carried.

***Clerk's Note: The Windsor Bicycling Committee Report No. 52 is attached as background information.***

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M97-2012]**

**AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 47 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

That the administrative report authored by the Environmental Coordinator dated January 4, 2012 entitled “2011 Environmental Attitudes Survey” **BE RECEIVED** for information.

Carried.

LIVELINK #15683 SW/8523

**Clerk’s Note: The administrative report authored by the Environmental Coordinator dated January 4, 2012 entitled “2011 Environmental Attitudes Survey is attached as background information.**

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M98-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 48** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Halberstadt,

That Council **AUTHORIZE** the City Solicitor to prepare by-laws for the assumption by the City of Windsor of public highways and municipal services installed therein, upon notification from the City Engineer that the public highway and municipal services have been installed to the City Engineer's satisfaction by the developer pursuant to a subdivision agreement or servicing agreement, without the need for an individual report to Council each time.

Carried.

Councillor Valentinis was absent when the vote was taken

LIVELINK #15667 AB2012

***Clerk's Note:*** The administrative report authored by the Engineer II dated December 15, 2011 entitled "By-laws for Assumption of Public Highways and Municipal Services" is *attached* as background information.

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*CHAIRPERSON*

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*DEPUTY CLERK*

**ADOPTED by Council at its meeting held February 21, 2012 [M99-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 49** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Sleiman,

That Council **ADOPT** By-law 25-2012 for the construction of curbs and gutters, and boulevard restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement in accordance with Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.

Carried.

Councillor Valentinis was absent when the vote was taken

LIVELINK #15596 SW/11123

**Clerk's Note:** The administrative report authored by the Engineer I dated November 30, 2011 entitled "A By-law for the Construction of Curbs and Gutters, and Boulevard Restoration on St. Rose Avenue from Isabelle Place to Lauzon Road as a Local Improvement" is *attached* as background information.

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M100-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 50** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,  
That the report authored by the Environment and Sustainability Coordinator dated January 6, 2012 entitled “Environmental Master Plan Progress” **BE RECEIVED** for information.

Carried.

Councillor Valentinis was absent when the vote was taken

LIVELINK #15689 SW/8523

***Clerk’s Note:*** The administrative report authored by the Environment and Sustainability Coordinator dated January 6, 2012 entitled “Environmental Master Plan Progress” is *attached* as background information.

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CHAIRPERSON

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DEPUTY CLERK

**ADOPTED by Council at its meeting held February 21, 2012 [M101-2012]**

**/AA**

Windsor, Ontario February 21, 2012

**REPORT NO. 52 of the  
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE  
of its meeting held January 25, 2012**

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**Present:**  
**Councillor Hatfield, Chair**  
**Councillor Payne**  
**Councillor Sleiman**  
**Councillor Halberstadt**  
**Councillor Valentinis**

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Payne,  
That the report authored by the City Engineer dated January 5, 2012 entitled  
“Source Water Protection Draft Policies” **BE RECEIVED** for information.  
Carried.  
Councillor Valentinis was absent when the vote was taken.

LIVELINK #15695 EI/10108

***Clerk’s Note:*** The administrative report authored by the City Engineer dated January 5, 2012 entitled “Source Water Protection Draft Policies” is *attached as background information.*

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CHAIRPERSON

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DEPUTY CLERK

ADOPTED by Council at its meeting held February 21, 2012 [M102-2012]

/AA

Windsor, Ontario February 21, 2012

**REPORT NO. 53** of the  
**ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE**  
of its meeting held January 25, 2012

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**Present:** Councillor Hatfield, Chair  
Councillor Payne  
Councillor Sleiman  
Councillor Halberstadt  
Councillor Valentinis

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Sleiman, seconded by Councillor Payne,

**THAT** the presentation entitled “Source Protection Plan Process” **BE RECEIVED** for information, and

**THAT** Council **ENDORSE** and comment on draft policies; and

**THAT** the City of Windsor support ERCA’s role in assisting with implementation of Source Protection Plan, including Risk Management Official services; and further

**THAT** Provincial funding **BE ENCOURAGED** to support ERCA’s role in assisting with implementation of the Source Protection Plan.

Carried.

Councillor Valentinis was absent when the vote was taken on this matter.

**Clerk’s Note:** The presentation by Stan Taylor, Project Manager, Source Water Protection, Essex Region Conservation Authority entitled “Source Protection Plan Process” is *attached as background information.*

\_\_\_\_\_  
CHAIRPERSON

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DEPUTY CLERK