

**Regular**

Council meets in formal session this day at 6:07 o'clock p.m., in the Council Chambers.

**Members Present:**

Mayor Francis  
Councillor Brister  
Councillor Dilkens  
Councillor Gignac  
Councillor Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Lewenza  
Councillor Marra  
Councillor Postma [departs at 7:45 o'clock p.m.]  
Councillor Valentinis

**Members Absent:**

None.

**Call to Order**

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

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

Councillor Lewenza discloses an interest and abstains from voting on Report No. 96 of the Windsor Licensing Commission respecting the taxicab and livery vehicle industry, as the CAW, which is a stakeholder with regards to this issue, employs him.

**Minutes**

Moved by Councillor Jones, seconded by Councillor Dilkens,  
That the Minutes of the Budget meeting of Council held May 2, 2007 **BE ADOPTED** as amended, and further, that the regular meeting of Council held May 7, 2007 **BE ADOPTED** as presented.  
Carried.

**Notice of Proclamations**

**“SAFE KIDS WEEK”** – May 27-June 2, 2007

**Committee of the Whole**

Moved by Councillor Jones, 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:
    - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
    - (ii) **Report of the Special In-Camera Meeting** held May 2, 2007;
    - (iii) **Report No. 62 of the Board of Directors, Willistead Manor Inc.** of its meeting held April 5, 2007;
    - (iv) **Report No. 231 of the Windsor Heritage Committee** of its meeting held April 11, 2007; and,
    - (v) **Report No. 96 of the Windsor Licensing Commission (Recommendation No. 33 and 34)** of its meeting held July 18, 2007
  - (g) consideration of by-laws 88-2007 through 97-2007 inclusive.
- Carried.

### Communications

Moved by Councillor Dilkens, seconded by Councillor Jones,  
**M123-2007** That the following Communication Items 1 to 6 and 8 to 27 inclusive as set forth in the Council Agenda **BE REFERRED** as noted, and further, that Item 7 be dealt with as follows:

#### Communication No. 7:

Moved by Councillor Marra, seconded by Councillor Jones,  
**M132-2007** That CR184/2007 adopted May 7, 2007 and pertaining to “Application to close part of the north/south alley between Sunset and California south of Wyandotte Street West” **BE AMENDED** to include the following:

That the alley lands **BE CONVEYED** to the University of Windsor for \$1.00 plus survey costs for the lands abutting property zoned RD1.3.

Carried.

Councillors Brister and Gignac voting nay.

Item	From	Description
1	Ministry of the Environment	Certificate of Approval and Municipal and Private Sewage Works in accordance with Section 53 of the <i>Ontario Water Resources Act</i> , for approval of storm sewers, an oil/grit separator, a storm sewage pumping station, and forcemains to be constructed to transport stormwater to the Grand Marais Drain on Walker Road and Grand Marais Road East <b>General Manager of Public Works</b> <b>Executive Director of Environmental Services</b> <b>SW/7961</b>
2	Ministry of the Environment	Certificate of Approval and Municipal Drinking Water Systems in accordance with Part V of the <i>Safe Drinking Water Act, 2002</i> , for the construction of watermains on Howard Avenue, Neil Boulevard, and Bartlet Drive, as part of the Howard/North Talbot Intersection Improvements, in the City of Windsor <b>General Manager of Public Works</b> <b>Executive Director of Environmental Services</b> <b>SW/8971</b>

3	Ministry of the	Certificate of Approval and Municipal and Private Sewage Works in
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	Environment	accordance with Section 53 of the <i>Ontario Water Resources Act</i> , for the construction of storm sewers on Howard Avenue and North Talbot Road, as part of the Howard/North Talbot Intersection Improvements, in the City of Windsor  <b>General Manager of Public Works Executive Director of Environmental Services SW/8971</b>
4	Ministry of Community and Social Services	Regarding successful partnership with Sutherland Global Services and request for employment assistance funding to provide appropriate opportunities in the Ontario Works (OW) program <b>General Manager of Social and Health Services SS/9640</b>
5	Association of Municipalities of Ontario (AMO)	Government Introduces Fire Services Cancer Bill <b>Fire Chief Executive Director of Human Resources City Solicitor GP/9540</b>
6	Secretary/Treasurer, Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, May 23rd, 2007, in the Town of Sandwich Meeting Room, Lower Level (Basement), Windsor City Hall, 350 City Hall Square West, Windsor <b>File ZC2007</b>
7	Danny A. Castellan, P.Eng. University of Windsor, Facilities Services	Requesting reconsideration of the application to close part of the north/south alley between Sunset and California south of Wyandotte Street East ( <i>previously distributed</i> is a copy of Council Resolution CR184/2007, adopted May 7, 2007, for your information.) <b>Chief Building Official COUNCIL FOR DECISION SAA/8182</b>
8	Ministry of Municipal Affairs and Housing	Publishing of Service Manager Federal Funding for Social Housing – 2008 to 2012 <b>General Manager of Social and Health Services Chief Financial Officer and City Treasurer GH/6905</b>
9	A. Milliken Heisey, Solicitor for burger King Restaurants of Canada Inc.	Notifying the City of an appeal filed with the Ontario Municipal Board on behalf of Burger King Restaurants of Canada Inc. pertaining to the refusal of the Zoning Amendment Application for lands located at 73-75 University Avenue East by the City of Windsor <b>Chief Building Official Manager of Development City Solicitor Acting City Planner Zoning Clerk ZB/9623</b>
10	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for condominium conversion for residential apartment building located at 260-262 Randolph Place <b>Note and File ZP/9686</b>

11	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for
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		condominium conversion for residential apartment building located at 666 Chippawa Street  <b>Note and File ZP/9695</b>
12	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for condominium conversion for residential apartment building located at 5407-5411 Empress Street  <b>Note and File ZP/9696</b>
13	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for condominium conversion for residential apartment building located at 3576 Peter Street  <b>Note and File ZP/9697</b>
14	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for condominium conversion for residential apartment building located at 5110-5150 Wyandotte Street East  <b>Note and File ZP/9699</b>
15	Manager of Development	Application of Boardwalk REIT Properties Holdings Ltd. for condominium conversion for residential apartment building located at 3400 Erskine Street  <b>Note and File ZP/9699</b>
16	Supervisor of Development Application Teams	Application of Conseil Scolaire De District Des Ecoles Catholique Du Sud-Ouest for site plan approval to permit an addition of 4 classrooms to an existing elementary school at 3225 California Avenue and to expand the existing parking area to include 11 additional vehicle parking spaces, 1 loading zone, a screened refuse area; bicycle parking incorporated on-site; and work to the play-ground areas will include additional asphalt pavement placement, relocation of play structures and play area fencing  <b>Note and File ZS/9700</b>
17	Manager of Development	Application of 2124320 Ontario Limited to rezone property located at 2644 Howard Avenue to permit a car wash (currently a convenience store)  <b>Note and File ZB/9702</b>
18	General Manager of Corporate Services	Ward Fund Expenditures (August 1, 2005-November 30, 2006)  <b>Note and File ACO2007</b>
19	General Manager of Social and Health Services	Responding to Council Question CQ34-2007(C) "Asks that in place of building additional affordable housing what do we need to do to make private sector vacant apartments eligible for use by eligible geared to income renters"  <b>Note and File GH/6905</b>

20	General Manager of	Tender 18-07 – Reedmere Road –
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	Public Works	Sewer, Watermain, and Pavement Rehabilitation from Raymond Avenue to CNR Tracks  <b>Note and File SW/9430</b>
21	City Centre Transit Terminal Steering Committee	Minutes of meeting held March 15, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
22	Essex-Windsor Solid Waste Authority	Minutes of meeting held April 3, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
23	Windsor Accessibility Advisory Committee	Minutes of meeting held April 17, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
24	Windsor Citizens' Crime Prevention Committee	Minutes of meeting held April 19, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
25	Windsor-Essex County Environment Committee	Minutes of meeting held May 3, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
26	Greater Windsor Recreation & Sports Centre Steering Committee	Minutes of meeting held May 3, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>
27	Windsor Bicycling Committee	Minutes of meeting held May 8, 2007 ( <b><i>enclosed</i></b> for members of Council only) ( <b>copy available upon request</b> )  <b>File MB2007</b>

Carried.

### **Consent Agenda**

Moved by Councillor Hatfield, seconded by Councillor Marra,

That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 2 A By-law for the Construction of Curbs and Gutters and Boulevard Restoration on Lloyd George from Tecumseh Road East to Rose Avenue as a Local Improvement
- Item 3 Amendment to the Sign By-law 250-2004, Warp Drive Go-Carts
- Item 5 Glengarda Residences Inc. – Essex Condominium No. 89, Request to Amend Description
- Item 6 Homeownership Component of the Canada – Ontario Affordable Housing Program: 1) Program Preliminary Response and Delivery, 2) Establishment of a Homeownership Revolving Fund
- Item 7 McHugh Street Extension Phase 2 (Including the Bridge over Little River) Retain Consultant
- Item 8 HBC Run for Canada – Special Events at City Facilities & Parks, Noise By-law Exemption, Temporary Road Closure – Sunday, July 1, 2007 (6a.m. – 11a.m.)
- Item 10 Award of Tender 57-07 – Renovations to 930 Mercer Street

Carried.

**Deferrals and/or Referrals and Withdrawals**

None.

**Presentations & Delegations:**

**DELEGATIONS**

**CQ89-2006 Sidewalk on Watson Avenue between Jerome Street and Little River Road**

**Ron Fredericks, area resident**

Ron Fredericks, area resident, appears before Council to present Council with a petition by residents in opposition to the construction of a sidewalk on the west side of Watson Avenue between Jerome Street and Little River Road, stating that it would hinder the already limited parking available to the affected residents and that elderly are concerned about having to keep sidewalks shovelled during winter months, thus causing an inconvenience for the residents.

SW2007 1

(For final disposition of this matter, see Clause **CR200/2007** in Schedule "A" attached hereto.)

**Recommendations 33 & 34 of the Windsor Licensing Commission Report No. 96**

**Leon Paroian, Solicitor for various plate owners; John Clark, Solicitor; and Gerry Farnham, Chair of Vets Cab**

Leon Paroian, Solicitor for various plate owners; John Clark, Solicitor; and Gerry Farnham, Chair of Vets Cab, appear before Council to advise Council that the three did meet on May 3, 2007, as directed by City Council on April 16, 2007 and that consensus was not reached with regards to the issue of transferring existing taxicab plates with new restrictions.

Moved by Councillor Gignac, seconded by Councillor Brister,

That Council **APPROVE** recommendations no. 33 and 34 as presented by BMA Management and Consulting Inc., pertaining to the transferring of existing taxicab plates, as part of the "New Taxi and Livery Schedules - New Public Vehicle Licensing By-law".

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

Aye votes: Councillors Gignac and Brister

Nay votes: Councillors Halberstadt, Marra, Valentinis, Jones, Dilkens, Postma and Hatfield.

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

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

**M124-2007** That Rule 13.9(a) of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for reconsideration of M82-2007 without prior notice, respecting recommendation no. 37 and no. 38 as presented by BMA Management and Consulting Inc. as follows:

No. 37 - "Estate has 12 months to transfer the remainder of the plates to anyone meeting the Drivers' List criteria".

No. 38 - "Executor or heir to the estate can make an application to the Commission for an extension if all plates could not be transferred within the one year time frame - not to exceed 2 years".

Carried.

Councillors Brister and Gignac voting nay.

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

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,

**M125-2007** That Council **APPROVE** recommendations no. 33 and 34 (Report No. 96 of the Windsor Licensing Commission) as presented by BMA Management and Consulting Inc., pertaining to the transferring of existing taxicab plates, as part of the "New Taxi and Livery Schedules - New Public Vehicle Licensing By-law", as follows:

No. 33 – Existing Taxicab Plates can continue to be transferred but with new restrictions:

- Transfer to those individuals meeting all eligibility criteria as set out in the Driver's List
- Plates must be:
  - First offered to those individuals with their names on the Drivers' List;
  - Second to those meeting the eligibility criteria of the Drivers' List but are not included on the Drivers' List

No. 34 – All transferees of existing Taxicab Plates will be required to complete a detailed statutory declaration as set out by the City;

and further, that Council **APPROVE** recommendation no. 37 and 38 **AS AMENDED**:

No. 37 - "Estate has 24 months to transfer the remainder of the plates to anyone meeting the Drivers' List criteria".

No. 38 - "Executor or heir to the estate can make an application to the Commission for an extension if all plates could not be transferred within a two-year time frame - not to exceed 3 years".

Carried.

Councillors Brister, Gignac and Dilkens voting nay.

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

**River Garden Homes (Windsor) Inc. – Mortgage Financing Arrangements – Second Proposal****Anthony Blak, Alexander Menzies, John Kowalski and John Jedlinski**

Anthony Blak, Alexander Menzies, John Kowalski and John Jedlinski, appear before Council to provide a brief overview of River Garden Homes as a federal social housing provider, and conclude by requesting that Council approve the recommendation by administration that would allow for a change to the River Garden mortgage financing arrangements and further, that Council approve the use of \$210,000 from the Social Housing Reserve Fund to be directly advanced to the City of Windsor to offset outstanding property taxes owed by River Garden Homes Inc., and to replenish the fund in full over time as Federal Block funding is received.

Mayor Francis leaves the meeting at 7:35 o'clock p.m. and Councillor Gignac assumes the Chair.

Mayor Francis returns to the meeting at 7:45 o'clock p.m., and Councillor Gignac returns to her seat at the Council table.

GH2007 9

(For final disposition of this matter, see Clause **CR208/2007** in Schedule "A" attached hereto.)

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

Item 4            Site Plan Approval for Conseil Scolaire de District du Centre-Sud-Ouest, south side of Totten Street between Partington Avenue and Mark Avenue, 1775 Totten Street

**Consideration of Committee Reports**

Moved by Councillor Gignac, seconded by Councillor Lewenza,  
**M126-2007**      That the Report of the special In-camera meeting held Report of the Special In-Camera Meeting held May 2, 2007 **BE ADOPTED** as presented.  
Carried.

MB2007

Moved by Councillor Gignac, seconded by Councillor Lewenza,  
**M127-2007**      That the Report No. 62 of the Board of Directors, Willistead Manor Inc. of its meeting held April 5, 2007 **E ADOPTED** as presented.  
Carried.

ACO2007

Moved by Councillor Gignac, seconded by Councillor Lewenza,  
**M128-2007**      That the Report No. 231 of the Windsor Heritage Committee of its meeting held April 11, 2007 **BE ADOPTED** as presented.  
Carried.

MB2007

**By-laws**

Moved by Councillor Lewenza, seconded by Councillor Gignac,  
That the following By-laws No. 88-2007 through 97-2007 inclusive be introduced and read a first

and second time:

- By-law 88-2007 “A By-law to close and stop up part of Firgrove Drive, Plan 12M-521, east and west of Magnolia Avenue, for the purpose of creating 0.30 metre (1 foot) reserves, east and west of Magnolia Avenue, in the City of Windsor”
- By-law 89-2007 “A By-law to authorize the construction of concrete curbs and gutters and boulevard restoration on Lloyd George Boulevard from Tecumseh Road East to Rose Avenue, in the City of Windsor, as a local improvement”
- By-law 90-2007 “A By-law to assume for public use as a public highway the 3.6 metre (12 foot) wide east/west alley between Holden Avenue and Eugenie Street east from McDougall Street to Doty Place, Registered Plan 748, in the City of Windsor”
- By-law 91-2007 “A By-law to close, stop up and convey the 3.6 metre (12 foot) wide east/west alley between Holden Avenue and Eugenie Street east from McDougall Street to Doty Place, Registered Plan 748, in the City of Windsor”
- By-law 92-2007 “A By-law to assume for public use as a public highway, part of the north/south alley between Ford Boulevard and Thompson Boulevard, northerly from Wyandotte Street East to the south limit of 275 Thompson Boulevard, in the City of Windsor”
- By-law 93-2007 “A By-law to close, stop up and convey part of the north/south alley between Ford Boulevard and Thompson Boulevard, northerly from Wyandotte Street East to the south limit of 275 Thompson Boulevard, in the City of Windsor”
- By-law 94-2007 “A By-law to further amend By-law Number 52-1999, being a by-law to appoint Municipal Enforcement Officers for the Corporation of the City of Windsor”
- By-law 95-2007 “A By-law to adopt Amendment No. 62 to the Official Plan of the City of Windsor”
- By-law 96-2007 “A By-law to further amend Zoning By-law Number 8600”
- By-law 97-2007 “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-second day of May, 2007”

Carried.

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

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

Carried.

**Notices of Motion**

None presented.

**Third Reading of By-laws**

Moved by Councillor Hatfield, seconded by Councillor Gignac,  
That the following By-laws No. 88-2007 through 97-2007 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 Halberstadt, seconded by Councillor Marra,  
**M129-2007** That the Council Questions arising from the previous meeting of Council and listed by the Clerk **BE NOW CONSIDERED** for purposes of discussion, and further, that the Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Questions consistent with Council's instructions.

ACOQ2007

Carried.

**PROPOSED IN-CAMERA AGENDA FOR MAY 28, 2007**

Moved by Councillor Marra, seconded by Councillor Halberstadt,  
**M130-2007** That the following proposed In Camera Agenda for May 28, 2007 **BE APPROVED**:

- 1) Legal Matter - settlement
- 2) Personnel Matter - update
- 3) Property Matter - update

and further, that in accordance with By-law 46-2003, the Chief Administrative Officer, in consultation with the Mayor **BE AUTHORIZED** to add matters deemed to be of an urgent or time sensitive nature.

Carried.

**Adjournment**

Moved by Councillor Jones, seconded by Councillor Marra,  
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 8:10 o'clock p.m.

**MAYOR**

**ACTING CITY CLERK**

**THIS IS A DRAFT COPY**

**MANAGER OF COUNCIL/COMMITTEE SERVICES/DEPUTY CLERK**

Valentinis  
Halberstadt

CR200/2007

That Council **APPROVE** the construction of a sidewalk on the west side of Watson Avenue between Jerome Street and Little River Road, and that the estimated cost of \$30,000.00 **BE CHARGED** to the Pedestrian/Vehicle Safety Improvement Project, (Project ID 7045034), and that the response to CQ89-2006 **BE RECEIVED FOR INFORMATION**.

Carried, Councillor Brister voting nay.

Report Number 12709 SW2007 1

Hatfield  
Marra

CR201/2007

That Council **ADOPT** By-law 89-2007 for the construction of curbs and gutters and boulevard restoration on Lloyd George from Tecumseh Road East to Rose Avenue as a local improvement in accordance with Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.

Carried.

Report Number 12785 SW/9627 C2

Hatfield  
Marra

CR202/2007

That the application of Warp Drive Go-Carts for an amendment to By-law 250-2004 (City of Windsor Sign By-law) to permit the provision of fence signs and temporary signs in the airport area on the property described as Part of Lot 97, Concession 3, Windsor Airport, known municipally as 3200 County Road 42, and shown on Map No. SGN-002/07-2 attached, **BE APPROVED**.

Carried.

Report Number 12796 SBS2007 C3

#### APPENDICES

Map No. SGN-002/07-2

Jones  
Halberstadt

√√SV

CR203/2007

I That the Site Plan Application of **CONSEIL SCOLAIRE DE DISTRICT DU CENTRE-SUD-OUEST (File No.: SPC-006/07)** permitting the construction of a two-storey French School (for 500 students), 110 on-site motor vehicle parking spaces, two bus bays for 11 school buses, and one Kiss & ride lay-by-lane,

**BE APPROVED** in accordance with Map Nos. SPC-006/07-1 (Site Plan); SPC-006/07-1a (Site Statistics); SPC-006/07-6a&b(Exterior Elevations); SPC-006/07-7a&b (Part Exterior Elevations); SPC-006/07-9a(Fence Plan); and SPC-006/07-9b(Fence Construction Details);

II That the owner **ENTER INTO** a site plan control agreement with the Corporation, providing for the following at the expense of the owner, prior to the issuance of a construction permit:

- (a) Basic Provisions
- (b) General Provisions
- (c) Special Provisions

1. Bonding:

Landscaping	\$ 60,000.00
Curbing	\$ 42,670.00
Screening	\$ 2,000.00 <i>(for refuse enclosure only)</i>
Standard Board fence	\$ 9,900.00 <i>(90meters length of screening fence)</i>
Chain link Fencing	\$ 37,160.00 <i>(for 445meters length of fence)</i>
Gates	\$ 9,600.00 <i>(for 12 gates at \$800 each)</i>
<u>Lighting</u>	<u>\$ 10,000.00</u>
Total	\$171,330.00

- 2. Servicing Agreement – That the owner(s) enter into a Servicing Agreement with the City of Windsor for construction of municipal services AND any requirements of the Traffic Impact & Operations Study Report deemed necessary for servicing the site.
- 3. Traffic Impact Study – That the owner(s) agree to submit a revised Traffic Impact and Operations Study report acceptable to the City of Windsor Operations Department prior to entering into the above servicing agreement.
- 4. Sanitary Sewers – That the owner(s) shall construct sanitary sewers with the necessary appurtenances and service connections from the sewer to the front property line of each building.
- 5. Sidewalks – That the owner(s) further agree to construct at their own expense, and to the City of Windsor Standard Specification, a concrete sidewalk along the south limit of Totten Street from Partington Avenue intersection to Mark Avenue intersection. All work is to be to the satisfaction of the City Engineer.
- 6. Curb and Gutter – That the owner(s) agree to contribute to a concrete curb and gutter along the entire Totten Street frontage of the subject property, at an estimated cost of \$5,550.42
- 7. Land Conveyance – That the owner(s) agree to gratuitously convey to the Corporation 0.95 metres along the Totten Street frontage.
- 8. Surveys and Land Description – That the owner(s) further agree to provide at their own expense all surveys and land plans or descriptions for the lands to be conveyed to the Corporation.
- 9. Ditch Enclosure – That the owner(s) agree to enclose the roadside ditch on Totten Street abutting the subject property in a manner satisfactory to the City Engineer.
- 10. Servicing Study – The owner(s) agree to prepare a Servicing Study to provide a sanitary sewer to service the site. All work is to be to the satisfaction of the City Engineer.
- 11. a.) Portables – That the owner(s) agree to limit the future installation of portable classrooms to a total of

four units for a period not to exceed two years from time of approval and only for the purpose of allowing the School Board to obtain approval for, finance and construct up to a total of four additional classrooms on the site.

- b.) Portables – That the owner(s) agree that any installation of Portables on the site shall require site plan approval prior to obtaining a construction permit, notwithstanding the fact that the Planning Act currently exempts portables from the site plan review process.
12. a.) Chain link Fence with/without gate – Partington Avenue – That the owner(s) agree to retain the existing 6' high chain link fence along the rear lot lines of all adjoining properties fronting Partington Avenue (from 1885 Totten Street to 1790 Partington Avenue, inclusive); and to provide, at the request of adjoining property owners, a gate allowing rear access from each of the properties, as shown on the attached Map Nos. SPC-006/07-9a&b(fence plan and fence construction details). Such gates to include hardware such that the adjacent owners can lock/unlock them.
- b.) Chain link Fence with/without gate – Mark Avenue - That the owner(s) agree to install, at their own cost, a new commercial grade 6 ft. high chain link fence along the centreline of the closed north-south alley (being the mutual boundary line) at the rear of the properties fronting Mark Avenue (from 1703 to 1795 Mark Avenue, inclusive); and to provide, at the request of adjoining property owners, a gate allowing rear access from each of the properties, as shown on the attached Map Nos. SPC-006/07-9a&b(fence plan and fence construction details); such gates to include hardware such that the adjacent owners can lock/unlock them.
- c.) Additional Fence – Mark Avenue – That, in addition to the 6' high chain link fence, the owner(s) agree to provide a 6 ft. high standard wood screening fence at their own cost on the east side of the new chain link fence at the rear of √1703√, 1723, 1731, 1769, & 1783 Mark Avenue, as requested by the property owners, and in accordance with the attached Map Nos. SPC-006/07-9a&b(fence plan and fence construction details).
13. Noise control measures – HVAC - That the owner(s) agree to install HVAC units or other mechanical/electrical equipment in such a manner as to avoid emitting sound that adjacent residents would consider problematic; and that the owner(s) agree to make reasonable effort to resolve any issues resulting from the installation of HVAC units or other mechanical/electrical equipment.
14. Noise control measures – Speakers - That the owner(s) agree not to install exterior speakers, bells, or other audible signals on the school to announce period changes or the start and end of the school day, but reserves the right to install speakers that are not audible on adjacent properties.
15. Signage - That clause G-10 in the general provisions be amended to include the following as sub clause (3): “no stopping” signage be installed along the south side of Totten Street right of way between Partington Avenue and Mark Avenue, to the satisfaction of the Manager of Transportation Planning.
16. Landscape Plan – That clause G-3(1) of the general provisions be amended to have two parts √and b√; the existing requirement of clause G-3(1) be noted as G-3(1a), AND the following be noted as G-3(1b): The owner(s) agree to provide on the required Landscape Plan, a double row of plants to provide year round visual screening along the east and west sides of the school property, and that all trees installed as part of the landscaping be a minimum calliper of 70mm.
- III That Administration **BE AUTHORIZED** to approve any minor modifications to the approved site plan without notifying the residents of the area, provided that such modifications have no direct negative impact on any of the residents.

- IV That the applicant submit 8 ½ x 14” site plan showing fire route (hatched) for signature from Chief Fire Official and Chief Building Official prior to receiving a building permit.
- V That the fire route bylaw **BE AMENDED** so that the fire access be designated a fire route with no vertical deflections
- VI That the south side of Totten Street right of way, between Mark Avenue and Partington Avenue, be **BE DESIGNATED and SIGNED** a “NO STOPPING ZONE”.

Carried, Councillor Brister voting nay.

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

Report Number **12804 ZS/9624 4**

### APPENDICES

Map Nos. SPC-006/07-9a&b

Hatfield  
Marra

CR204/2007

- I** That the request of Harry and Gwendolyn Fowler (M. Keefner, Agent) for an amendment to the description of Glengarda Residences Inc. – Essex Condominium No. 89, located at 4955 Riverside Drive East to allow for Unit 3 on Level 6 to be described as Unit 3, Level 6 and Unit 4, Level 6 **BE APPROVED**.
- II** That the Manager of Development **BE AUTHORIZED** to sign an amendment to the description for Essex Condominium No. 89 on behalf of City Council, in a form that is satisfactory to the City Solicitor.

Carried.

Report Number 12797 ZP/5620 ZP/5204 C5

Hatfield  
Marra

CR205/2007

THAT the report of the Executive Director of Housing and Children Services dated May 8, 2007 entitled “Homeownership Component of the Canada – Ontario Affordable Housing Program, 1. Program Preliminary Response and Delivery, 2. Establishment of a Homeownership Revolving Fund” regarding the Homeownership program **BE APPROVED** and;

- a) THAT City Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to sign the necessary documentation with Scotiabank associated with establishing a bank account for the purpose of a Homeownership Revolving Trust Fund, as required under the Canada-Ontario Affordable Housing Program – Homeownership Component, satisfactory in form to the City Solicitor and in financial content to the City Treasurer and further;
- b) THAT the Mayor and City Treasurer be the authorized signatories on the account and that they **BE AUTHORIZED** to sign the necessary Scotiabank documents, satisfactory in form to the City Solicitor and

in financial content to the City Treasurer.

Carried.

Report Number 12808 GH/6905 C6

Hatfield  
Marra

CR206/2007

- I. That the firm of HGS Limited, in joint venture with McCormick Rankin Corporation **BE RETAINED** for the design & preparation contract drawings and specifications, and contract administration for the McHugh Street Extension Phase 2 (including the Bridge over Little River), at a maximum fee of \$483,760.00 (plus G.S.T.), in accordance with their response to the Request for Proposals, and charged to Project ID 7052901 as commitment in the 2007 Capital Works Budget, and;
- II. That the CAO and the City Clerk **BE AUTHORIZED** to sign an Agreement, satisfactory in form to the City Solicitor, in financial content to the city Treasurer, and in technical content to the City Engineer.

Carried.

Report Number 12775 SR/8880 C7

Hatfield  
Marra

CR207/2007

That the attached application from Trojan One Inc. to stage the HBC Run For Canada at Municipal Parking Lot 34 at Glengarry Avenue and Riverside Drive East, and further, for a Temporary Road Closure of Riverside Drive West from Ouellette Avenue to Sandwich Street, Detroit Street to Russell Street, and Russell Street to Mill Street, and the use of the Riverfront Trail on Sunday, July 1, 2007, from 6 a.m. to 11 a.m. **BE APPROVED** subject to the standard Special Events Terms and Conditions.

Carried.

Report Number 12697 SR/9688 C8

## APPENDICES

Application

Gignac  
Lewenza

CR208/2007

- a) THAT the report of the Executive Director of Housing and Children's Services dated May 9, 2007 entitled "River Garden Homes (Windsor) Inc., Mortgage Financing Arrangements – Second Proposal" report from the Executive Director of Housing and Children Services regarding a proposal from River Garden Homes (Windsor) Inc. to change their mortgage financing **BE APPROVED**; and

- b) THAT the Executive Director of Housing and Children's Services **BE AUTHORIZED** to consent to change the River Garden mortgage financing arrangements and implement the Proposed Strategy described in this report; and
- c) THAT Council approve the use of \$210,000 from the Social Housing Reserve Fund (Fund 141) to be directly advanced to the City of Windsor to offset outstanding property taxes owed by River Garden Homes (Windsor) Inc and to replenish the fund in full over time as Federal Block funding is received and;
- d) THAT the General Manager of Social and Health Services **BE AUTHORIZED** to sign agreements and related documents if necessary to enable implementation of the Proposed Strategy in this report provided the agreements and related documents if any, are in a form satisfactory to the City Solicitor and satisfactory in financial content to the Chief Financial Officer and City Treasurer and satisfactory in content to the Executive Director of Housing and Children Services.

Carried.

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

Report Number 12810 GH2007 9

Hatfield  
Marra

CR209/2007

That Council **APPROVE** the award of Tender 57-07 for the interior renovations to 930 Mercer in the total amount of \$237,801.00 excluding GST to the low tenderer Vince Ferro Construction Ltd. and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low tenderer, satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the Executive Director of Hospitality and Corporate Facility Planning.

Carried.

Report Number 12774 ACR/2689 C10



ADOPTED by Council at its meeting held May 22, 2007 [M126-2007]  
GC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
May 2, 2007**

**Meeting called to order at: 4:55 p.m.**

**Members in Attendance:**

Mayor E. Francis  
Councillor D. Brister  
Councillor D. Dilkens  
Councillor C. Postma  
Councillor R. Jones  
Councillor A.  
Halberstadt  
Councillor F. Valentinis  
Councillor K. Lewenza  
Councillor B. Marra  
Councillor P. Hatfield  
Councillor J. Gignac

**Also in attendance:**

J. Skorobohacz, Chief Administrative Officer  
D. Tyagi, General Manager Public Works  
M. Duben, General Manager of Community and Protective Services  
R. Warsh, General Manager Social and Health Services  
H. Reidel, General Manager of Corporate Services  
G. Cian, Acting City Clerk  
O. Colucci, Chief Financial Officer and City Treasurer  
T. Ardovini, Deputy Treasurer – Financial Planning  
D. Soave, Manager of Operations – Budget Development  
J. Wilson, Executive Director of Recreation (Items 1 and 2)  
V. Mihalo, Executive Director of Human Resources (Items 1, 2, 3, 4, 5 and 6)  
D. Cerconne, Executive Director Housing and Children's Services (Item 7)  
S. Hyatt, System Manager (Item 7)  
L. Higgins, Manager of Intergovernmental Subsidies (Item 7)  
S. Vlachodimos, Deputy Clerk  
N. Coleman, Mayor's Chief of Staff

**Declarations of Pecuniary Interest:**

Councillor Brister declares a conflict and abstains from voting with respect to Item 7 as his spouse is employed in the Ontario Early Years Program.

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

1. Personnel Matter - **staffing**
2. Personnel Matter - **staffing**
3. Personnel Matter - **update**
4. Personnel Matter - **staffing update**
5. Personnel Matter - **staffing - response to CQ 20-2007**
6. Personnel Matter - **staffing update**
7. Personnel Matter - **staffing issues**

**Motion Carried.**

**Administrative staff leave the meeting at 4:55 p.m. and return at 5:20 p.m.**

**Discussion on the items of business.**

**Verbal Motion is presented by Councillor Brister, seconded by Councillor Valentinis, to move back into public session.**

**Motion Carried.**

**Moved by Councillor Hatfield, seconded by Councillor Marra, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 2, 2007 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from the Executive Director of Recreation dated April 17, 2007 respecting staffing **BE NOTED AND FILED.**

**Councillors Brister and Gignac voting nay.**

2. That the confidential report from the Executive Director of Recreation dated April 17, 2007 respecting staffing **BE NOTED AND FILED.**

**Councillors Brister and Gignac voting nay.**

3. That the confidential report from the Executive Director of Human Resources and General Manager of Corporate Services respecting a personnel matter update **BE RECEIVED FOR INFORMATION.**

4. That the confidential report from the Executive Director of Human Resources, General Manager of Corporate Services, Chief Financial Officer and City Treasurer and City Solicitor respecting a personnel matter update **BE APPROVED** and further, that Administration proceed in accordance with the verbal instructions of Council.

**Councillors Halberstadt, Brister, Dilkens, Valentinis, Gignac and Mayor Francis voting aye.**

**Councillors Hatfield, Marra, Jones, Postma and Lewenza voting nay.**

5. That the confidential report from the Executive Director of Human Resources, General Manager of Corporate Services and Chief Financial Officer and City Treasurer in response to CQ 20-2007 **BE RECEIVED FOR INFORMATION.**

6. That the confidential report from the Executive Director of Human Resources, General Manager of Corporate Services and Chief Financial Officer and City Treasurer respecting a personnel matter update **BE RECEIVED FOR INFORMATION.**

7. That the recommendation of the General Manager of Social and Health Services in the confidential 2007 Recommended Budget Increases and Reductions report respecting a personnel matter **BE APPROVED** and further, that Administration **PROCEED** in accordance with the verbal instructions of Council.

**Councillor Brister declares a conflict and abstains from voting.**

**Motion Carried.**

**Moved by Councillor Brister, seconded by Councillor Valentinis,  
That the special meeting of council held May 2, 2007 BE ADJOURNED.**

**(Time: 7:10 p.m.)**

**Motion Carried.**

ADOPTED by Council at its meeting held May 22, 2007 [M127-2007]

RB

Windsor, Ontario

**REPORT NO. 62**  
of the  
**BOARD OF DIRECTORS,**  
**WILLISTEAD MANOR INC.**  
of its meeting held April 5, 2007

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**Present:** M. J. Dettinger, Chairperson  
Dr. T. Robson  
L. Brown  
C. Gaudette  
J. Evans  
A. Jahns  
S. Marshall  
R. Easterbrook  
R. Gauthier  
B. Clayton  
W. McCall

Your Board submits the following recommendations:

- I. That the Annual Report and Financial Statements on the affairs and operations of Willistead Manor Inc. for the year 2006 **BE ACCEPTED** as presented.
  
- II. That upon acceptance of the 2006 Annual Report by City Council, copies **BE FORWARDED** to the list of appropriate parties as per past practice.
  
- III. That in accordance with Section 6 (c) of the City of Windsor Act, 1981, an amount of 2,290.56 **BE PAID OVER** to City of Windsor Willistead Capital Restoration Reserve Fund and an amount of \$22,352.49 **BE PAID OVER** to the Willistead Capital Maintenance Reserve Fund.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Executive Secretary

ADOPTED by Council at its meeting held May 22, 2007 [M128-2007]

KK/

Windsor, Ontario May 22, 2007

**REPORT NO. 231**

**Windsor Heritage Committee**

of the

at its meeting held

April 11, 2007

at 6:00 o'clock p.m.

Town of Walkerville Meeting Room, City Hall

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**Present:** Greg Heil, Chair  
Councillor Dave Brister  
Councillor Ron Jones  
Lynn Raeburn Baker  
John Bewsher  
Robin Easterbrook  
Sabina Tunea  
Sharron Zahorodney

Your Committee submits the following recommendation:

That in accordance with the Ontario Heritage Act, Notice of Intention to Designate the following property **BE GIVEN**:

**Owners:** Jonathan and Averil Elcombe

**Property:** 712 Devonshire Road (Plan 211, Lot 1, Lot 3, Block Q)

**Statement of Significance/Reasons for Designation:**

**Description of Historic Place:**

The home at 712 Devonshire, referred to as the McDougall-Stodgell house in remembrance of the two prominent Walkerville families that first lived there, is situated on the southeast corner of Devonshire Road and Tuscorara Street in the near east end of the City of Windsor – in the former Town of Walkerville, one of the “Border Cities” amalgamated with Windsor in 1935. The two and a half storey Georgian Revival/Arts & Crafts style house was constructed in 1914 for John A. McDougall, Secretary of Hiram Walker & Sons. In 1920, he sold the property to Charles J. Stodgell, Walkerville mayor and successful businessman. It represents the fine homes being built in Walkerville for prominent citizens during the early decades of the 20<sup>th</sup> century.

**Heritage Value:**

**Historical:** The McDougall-Stodgell house is historically significant because of its associations with the influential persons that resided within its walls. It was built in 1914 for John A. McDougall, the managing director of Walker Sons Ltd. – the firm at the foundation of Walkerville – although the lands were not officially conveyed to McDougall until 1917. From 1920 until 1939 it was the home of Charles James Stodgell. Originally from England, Stodgell came to Walkerville in 1884 and was hired on as a farm hand with Hiram Walker & Sons. He quickly moved up the ranks to running the Walkerville general store and acting as assistant postmaster. After resigning from the Walker firm, he engaged in a very successful and visible business career – owner of a wholesale liquor store, vice-president of Butternut Bread Co, and owner of Symes Motor Sales of Leamington. His political life was also highly visible; he served as Mayor of Walkerville (1921-23), on the town council, as well as a member of the Board of Education and the Library Board. Stodgell Park was named after this well-respected gentleman, who as Mayor, presided over the presentation of Willistead to the town by the Walker family.

**Architectural:** The McDougall-Stodgell house is architecturally significant as an example of a Georgian Revival style house with prominent Arts & Crafts elements. It is one of the few stucco clad houses in Walkerville, being unique in that the construction is stucco on hollow tile with brick and concrete foundation walls. On its largely symmetrical form is a two-storey windowed porch on the south and a saltbox roofed ell on the north. The front entrance is accentuated with sidelights/ fanlight transom and a coved-hood columned portico. Above the portico are a flat-arched Palladian window and an eyebrow eave. The side stucco-clad garage is contemporary to the house.

**Contextual:** The McDougall-Stodgell is an important, well-preserved example of the type of quality homes being built by community leaders during Walkerville's second phase of development – when the prosperous town was expanding south of Wyandotte Street. Distinctive houses of various architectural styles, popular in the protracted Edwardian Period (1900 to the 1930s), were constructed along Devonshire Road, Walkerville's "main street."

### **Character Defining Elements**

#### **Items that contribute to the historical value of the McDougall-Stodgell house include:**

- Its existence as a well-preserved example of the fine quality homes being built for Walkerville's prominent citizens in the early part of the 20<sup>th</sup> century.
- Its association with John A. McDougall – Secretary of Hiram Walker & Sons.
- Its association with Charles J. Stodgell – Mayor of Walkerville, self-made successful businessman and civic leader

#### **Exterior features that contribute to the architectural value of the McDougall-Stodgell house include:**

- Its overall symmetrical Georgian Revival domestic design:
  - Gable roof (originally wood shingle clad)
  - Wooden bracketed eaves with diamond motif at brackets
  - Plain end chimneys
  - Multi pane (6/1) double hung windows with shutters
  - Elaborate central doorway with sidelights, and fanlight transom.
  - Palladian style window of diamond motif leaded glass on the second floor over front entrance

- Its construction of hollow tile covered with white stucco.
- Its original freestanding one car garage – stucco clad with small pane windows and chimney
- Its prominent Arts & Crafts elements
  - Enclosed two-storey porch on the south façade with small pane glazing on the second floor and prominent eave with molded projecting wooden brackets between the first and second floors.
  - Saltbox roofed ell on the north with arched porch entrance
  - Coved-hood columned wooden portico with flat-roofed bracketed wings with decorative wooden divides at front entrance.
  - Eyebrow eave above the front entranceway.

**Characteristics that contribute to the contextual value of the McDougall-Stodgell house include:**

- Its location in the heart of the historic core of the former town of Walkerville – on Devonshire Road, Walkerville’s “main street.”
- Its status as an important, well-preserved example of the type of quality homes being built by community leaders during Walkerville’s second phase of development – when the prosperous town was expanding south of Wyandotte Street.

**NOTE:** The report requesting the designation of 712 Devonshire Road considered by the Committee is *attached.*

CHAIR

COMMITTEE COORDINATOR

<b>NOTIFICATION</b>		
Windsor Heritage Committee		
Jon and Averil Elcombe	712 Devonshire Road Windsor, ON N8Y 2M1	<a href="mailto:jelcombe@cogeco.ca">jelcombe@cogeco.ca</a> (519) 252-6865

ADOPTED (**Recommendation No. 33 and 34**) as amended  
by **Council at its meeting held May 22, 2007** [M125-2007]  
ADOPTED as amended by **Council at its meeting held April 16, 2007** [M82-2007]  
April 16, 2007

DEFERRED to **Special Meeting of Council [Date to be determined]**  
by **Council at its meeting held October 10, 2006** [M234-2006]  
October 10, 2006

DEFERRED to **October 10, 2006**  
by **Council at its meeting held September 5, 2006** [M202-2006]  
**DS/kb**  
August 21, 2006

**REPORT NO. 96** of the  
**WINDSOR LICENSING COMMISSION**  
of its meeting held July 18, 2006

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**Present:**                      **Councillor Joyce Zuk, Chairperson**  
                                      **Councillor Ron Jones**  
                                      **Councillor Jo-Anne Gignac**  
                                      **Dr. Paul Ocheje**

Your Committee submits the following recommendation

That City Council **APPROVE** the Licence Commissioner's report dated July 7, 2006 that outlines the study and administrative recommendations for the Taxicab and Livery Vehicle Industry attached hereto.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SECRETARY