

Regular

Council meets in formal session this day at 6:03 o'clock p.m., in the Council Chambers.

Members Present:

Councillor Brister
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Postma
Councillor Valentinis [Acting Mayor]

Members Absent:

Mayor Francis
Councillor Dilkens
Councillor Gignac
Councillor Lewenza
Councillor Marra

Call to Order

Following the playing of the Canadian National Anthem, a moment of reflection is observed.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Hatfield discloses an interest and abstains from voting on Communication No.12 being correspondence from the Greater Essex County District School Board regarding "W.D. Lowe Secondary School", as his spouse is an elected Trustee and Chair of the Greater Essex County District School Board.

Councillor Brister discloses an interest and abstains from voting on Report No. 1 of the Town and Gown Committee as St. Clair College, which employs his spouse, has representation on that Committee.

Councillor Valentinis discloses an interest and abstains from voting on Report No. 1 of the Town and Gown Committee as St. Clair College, which employs him, has representation on that Committee.

Councillor Brister discloses an interest and abstains from voting on Communication No.22 being an application for Site Plan Approval from St. Clair College, which employs his spouse.

Councillor Valentinis discloses an interest and abstains from voting on Communication No.22 being an application for Site Plan Approval from St. Clair College, which employs him.

Councillors Brister discloses an interest and abstains from voting on Report No. 3 of the Planning Advisory Committee respecting "Hendrikus Van Aspert, rezoning, 677 Victoria Avenue, convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and requests a site specific amendment to permit a lodging house use", as reference is made to the growing presence of St. Clair College in the downtown area, and the College employs his spouse.

Councillors Valentinis discloses an interest and abstains from voting on Report No. 3 of the Planning Advisory Committee respecting "Hendrikus Van Aspert, rezoning, 677 Victoria Avenue, convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and requests a site specific amendment to permit a lodging house use", as reference is made to the growing presence of St. Clair College in the downtown area, and the College employs him.

Minutes

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That the Minutes of the regular meeting of Council held February 8, 2010. **BE ADOPTED**
as presented.

Carried.

Notice of Proclamations

Canspell Day – February 21, 2010

James and Robert Dunn Week – February 21 – 27, 2010

Rotary International World Peace & Understanding Week – February 21 – 27, 2010

Committee of the Whole

Moved by Councillor Postma, seconded by Councillor Hatfield,
That Council do now rise and move into Committee of the Whole with the Acting Mayor presiding
for the purpose of dealing with:

- (a) communication items;
- (b) consent agenda;
- (c) hearing requests for deferrals or referrals of any items of business;
- (d) hearing presentations and delegations;
- (e) consideration of business items;
- (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
 - (ii) **Report No. 276 of the Windsor Heritage Committee** of its meeting held January 13, 2010;
 - (iii) **Report No. 1 of the Town & Gown Committee** of its meeting held January 22, 2010;
and
- (g) consideration of by-laws 28-2010 through 34-2010 (inclusive).

Carried.

Communications

Moved by Councillor Postma, seconded by Councillor Jones,
M62–2010 That the following Communication Items 1 to 9, 11 to 13, 15 to 25 and 27 to 31 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 26 which is to be dealt with at the request for deferrals stage of the meeting, and Communication No. 10 and 14 which are dealt with as follows:

Communication No.10:

Moved by Councillor Brister, seconded by Councillor Hatfield,
M63-2010 That the sponsorship request from the Faculty of Law, University of Windsor dated February 1, 2010 regarding “Private Property, Planning, and the Public Interest – 11-12 March, 2010”, **BE NOTED AND FILED.**

Carried.

Communication No.14:

Moved by Councillor Hatfield, seconded by Councillor Postma,

M64-2010 That the correspondence (Communication No. 14 at the February 22, 2010 Council Meeting) from the University of Windsor dated January 28, 2010 respecting “Odette RoundTable 2010 Conference”

BE REFERRED to 2010 Budget Deliberation Process.

Carried.

Item	From	Description
1	Ministry of the Environment	Certificate of Approval – Municipal and Private Sewage Works – Construct Sanitary Sewers on Walker Road City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010
2	Association of Municipalities of Ontario (AMO)	Letter Regarding Arbitration Process and ‘Ability to Pay’ Executive Director of Human Resources City Clerk Chief Financial Officer & City Treasurer Chief Administrative Officer Note & File MMA2010 ASU2010
3	Association of Municipalities of Ontario (AMO)	AMO Report to Members on January 2010 Board Meeting Note & File MMA2010
4	Association of Municipalities of Ontario (AMO)	AMO Releases Municipal Gas Tax Agreement Amendment Chief Financial Officer & City Treasurer General Manager of Transit Windsor City Engineer Note & File GM/9037
5	Association of Municipalities of Ontario (AMO)	Bill 236, an Act to Amend the <i>Pension Benefits Act</i> Executive Director of Human Resources City Clerk Chief Financial Officer & City Treasurer Note & File MMA2010
6	Association of Municipalities of Ontario (AMO)	Buy American Deal Opens Municipal Procurement City Solicitor Note & File MMA2010
7	Hydro One Networks Inc.	Notice of Completion of the Draft Environmental Study Report Supply to Essex County Transmission Reinforcement City Planner City Engineer Enwin Utilities Note & File MU2010

8	Essex-Windsor Solid Waste Authority	Minutes of the Essex-Windsor Solid Waste Authority Board Meeting – January 13, 2010 Note & File EI2010
9	Assumption Heritage Trust National Foundation	Letter of Thanks Regarding City of Windsor Support of Windsor Heritage Committee's Grant Recommendation City Planner Heritage Planner Windsor Heritage Committee Note & File MB2010
10	Faculty of Law, University of Windsor	"Private Property, Planning, and the Public Interest" 11-12 March 2010, Faculty of Law, University of Windsor COUNCIL DIRECTION REQUESTED ACOC2010
11	Land Use Council	Conservation Authorities in Ontario – Land Management in Ontario City Planner Note & File GCE2010
12	Greater Essex County District School Board	W.D. Lowe Secondary School – 874 Giles Boulevard East, Windsor, Ontario – Declaration of Surplus Property City Solicitor Note & File ME2010
13	Pitch-In Ontario	Pitch-In Ontario City Engineer Executive Director of Operations Manager of Environmental Services Note & File SR2010
14	Chief of Staff, Office of the Mayor	Odette Roundtable 2010 Conference – University of Windsor (Deferred at the February 8, 2010 Council meeting to allow for additional discussions with the University of Windsor regarding other options available for consideration) [Clerk's Note: Professor Georgie (Faculty Advisor to Roundtable 2010) and Andre Capaldi (Student Chair) will be available for questions regarding the roundtable or the sponsorship] COUNCIL DIRECTION REQUESTED ACOC2010
15	Windsor Public Library	Education Assistance Program – Response to Council Inquiry Executive Director of Human Resources Note & File AS2010
16	Executive Director of Housing & Children's Services; and Shannon Porcellini, Parents for Public Child Care	Closure of Public Child Care Centres Community Development & Health Commissioner Note & File SS2010
17	Supervisor of Development Application Teams	Application of Grand Central Business Park Inc. for Site Plan approval to permit a warehouse and outdoor storage located at 3035 Pilette Rd. Note & File ZS/10581

18	Supervisor of Development Application Teams	Application of Grand Central Business Park Inc. for Site Plan approval to permit a warehouse and outdoor storage located at 3035 Pillette Rd. Note & File ZS/10580
19	Supervisor of Development Application Teams	Application of Matteo Sauro, Edward Facca, Diego Danelon, Antonietta (Toni) Danelon & John Paul Corrent for Site Plan approval to permit a parking lot located at Glengarry Ave. Note & File ZS/10579
20	Supervisor of Development Application Teams	Application of MRB Hardwares of Windsor Ltd. for Site Plan approval to permit commercial – hardware store located at 3930 Seminole St. / 1482 Aubin Rd. Note & File ZS/10584
21	Supervisor of Development Application Teams	Application of City of Windsor – Corporate Projects for Site Plan approval to permit Windsor Fire Station Number 7 located at 1380 Matthew Brady Blvd. Note & File ZS/10585
22	Supervisor of Development Application Teams	Application of St. Clair College for Site Plan approval to permit College – Parking Lot located at 2000 Talbot West Note & File ZS/10578
23	Supervisor of Development Application Teams	Application of Eco Developments Windsor Inc. for Site Plan amendment to permit moving Buildings, Communication Tower, garbage bins, as well as bicycle and parking spaces, on properties located at 5950 & 6000 Rhodes Dr. Note & File ZS/9599
24	Manager of Development	Application of MRB Hardware of Windsor for zoning amendment to permit commercial uses for lands located at 1482 Aubin Road Note & File ZB/10590
25	City Engineer	Installation of Gas Lines – Bayswater Crescent – Resident Petition – M430-2009 Note & File ACO/10546
26	City Clerk	EnWin Utilities Ltd. Public Relations and Communications Consulting Services RFP # 2010-001 Note & File APR2010
27	AMO Conference Team Windsor-Essex Task Force Committee	Minutes of meeting held February 4, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
28	Windsor-Essex County Environment Committee	Minutes of meeting held February 4, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

29	Mayor's Youth Advisory Committee	Minutes of meeting held January 27, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
30	Lou Romano Water Reclamation Plant Steering Committee	Minutes of meeting held March 6, 2009 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
31	Windsor Heritage Committee	Minutes of meeting held February 10, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

Carried.

Councillor Hatfield discloses an interest and abstains from voting on Communication No. 12.
Councillors Brister and Valentinis disclose an interest and abstain from voting on Communication No. 22.

Consent Agenda

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,

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

- Item 3 Sponsorship of Ontario Municipal Administrators' Association (OMAA) Spring Conference hosted by Windsor Essex, April 28 to 30, 2010
- Item 4 Initiation of Construction of Curbs and Gutters and Boulevard Restoration on Lloyd George Boulevard from Rose Street to Grand Boulevard
- Item 6 Lou Romano Water Reclamation Plant Expansion Project Award of Tender for the Administration Building Modifications and Process Improvements (Tender 106-09)
- Item 7 Recommended Projects – Capital Funding Component of the Canada-Ontario Affordable Housing Program Extension 2009 (COAHPE)
- Item 9 Bridge Rehabilitation – Lauzon and Bruce Structures – Tender #09-10
- Item 10 Computerized Traffic Signal System (CTSS)/Advanced Traffic Management System (ATMS) – Controller and Communications System Upgrade – Pilot Project

Carried.

Deferrals and/or Referrals and Withdrawals

PAC 2 **Zeno Hadadean, rezoning, 3501 Victoria Boulevard, to permit vehicular access to a garage from Beals Street West**

Karl Tanner, agent for the Applicant

Karl Tanner, agent for the Applicant, appears before Council to request that the matter regarding “Zeno Hadadean, rezoning, 3501 Victoria Boulevard, to permit vehicular access to a garage from Beals Street West” be deferred to the March 29, 2010 meeting of Council to allow for the collection of additional background information that may be of importance to Council in the decision making process, and to allow for Councillor Dilkens to be in attendance. Based on this request, Council agrees to defer the matter to the March 29, 2010 meeting of Council.

Communication No. 26 – “EnWin Utilities Ltd. Public Relations and Communication Consulting Services RFP #2010-001”

Moved by Councillor Halberstadt, seconded by Councillor Jones,

M65-2010 That the report of the City Clerk dated February 17, 2010 entitled “EnWin Utilities Ltd. Public Relations and Communications Consulting Services RFP#2010-001” (Communication No. 26 on the February 22, 2010 Agenda) **BE DEFERRED** to the March 8, 2010 meeting of Council as a regular agenda item, to allow for delegations as requested by Mr. Al Nelman, and further, that Administration also provide a verbal response in terms of similar possibilities for Police, Fire and Transit and other agencies.

Carried.

Councillor Hatfield voting nay.

Item 1 – Response to CQ107-2009, 3945 Matchette Road**Deanna Lavery, Ward 2 resident**

Deanna Lavery, Ward 2 resident, appears before Council to speak in support of a two-week deferral to allow for all parties to exchange and review additional information pertaining to the response to CQ107-2009 involving 3945 Matchette Road.

Elaine Whitmore, Executive Director, John McGivney Children’s Centre

Elaine Whitmore, Executive Director, John McGivney Children’s Centre, appears before Council to speak in support of a two-week deferral to allow for all parties to exchange and review additional information pertaining to the response to CQ107-2009 involving 3945 Matchette Road.

At the request of Councillor Jones, this matter is being deferred to the March 8, 2010 meeting of Council to allow for all the involved parties to exchange further information regarding 3945 Matchette Road.

Presentations & Delegations:**DELEGATIONS**

KFJ Holdings Ltd., rezoning, 3215 Jefferson Avenue, to permit the following additional uses: athletic or sports facility; club; health studio; entertainment and recreation; private hall; garden center; micro-brewery; self-storage

Erica Krygsman, Solicitor representing KFJ Holdings Ltd.

Erica Krygsman, Solicitor representing KFJ Holdings Ltd., appears before Council and is available for questions with regards to the request for rezoning at 3215 Jefferson Avenue, to permit the following additional uses: athletic or sports facility; club; health studio; entertainment and recreation; private hall; garden centre; micro-brewery; self storage.

ZB/10511 PAC 1

(For final disposition of this matter, see Clause **CR72/2010** in Schedule “A” attached hereto.)

Residential Rehabilitation Assistance Program (RRAP)**Nicole Logan, Ward 3 resident**

Nicole Logan, Ward 3 resident, appears before Council to state that she has personal experiences and concerns related to the Residential Rehabilitation Assistance Program (RRAP), and would be in support of discussing the matter with members of administration.

SB/10486 2

(For final disposition of this matter, see Clause **CR63/2010** in Schedule "A" attached hereto.)

Hendrikus Van Aspert, rezoning, 677 Victoria Avenue, convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and requests a site specific amendment to permit a lodging house use**Dave Couvillion, Board Member, Downtown Residents Association**

Dave Couvillion, Board Member, Downtown Residents Association, appears before Council to speak in opposition to the rezoning application for 677 Victoria Avenue to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and an amendment to permit a lodging house use, stating that another lodging house is not needed due to high vacancy rates that are already in existence, and that approval of this would be detrimental to the existing neighbourhood.

Jonathon Gillespie, Ward 2 resident

Jonathon Gillespie, Ward 2 resident, appears before Council to speak in opposition to the rezoning application for 677 Victoria Avenue to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and an amendment to permit a lodging house use, stating that the neighbourhood is at a critical point at the present time, due to a slow deterioration and is concerned that a lodging house is not in the best interests of the Victoria Avenue residents.

Peg Dorner, Ward 2 resident

Peg Dorner, Ward 2 resident, appears before Council to speak in opposition to the rezoning application for 677 Victoria Avenue to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and an amendment to permit a lodging house use, stating that she has resided in that neighbourhood for many years and can recall past problems including fires as well as existing drug deals that take place in the alley, and that approval of this would be detrimental to the existing neighbourhood.

Mercedes Levoy, Ward 2 resident

Mercedes Levoy, Ward 2 resident, appears before Council to speak in opposition to the rezoning application for 677 Victoria Avenue to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and an amendment to permit a lodging house use, suggesting that its approval would add yet another negative burden to this area.

Jerry Udell, Solicitor; and Hank Van Aspert, Applicant

Jerry Udell, Solicitor; and Hank Van Aspert, Applicant, appear before Council to speak in support of the rezoning application for 677 Victoria Avenue to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and an amendment to permit a lodging house use, stating that this meets all planning policies, and that the owner of the property wants to protect his investment by having the best tenants possible, and has a good track record as a landlord, and concludes by claiming that there is a need for this, as St. Clair College has a growing presence in the nearby downtown area, and therefore there is a market for this.

As the Applicant has made reference to St. Clair College, Councillors Valentinis and Brister disclose an interest and abstain from voting on this matter.

Councillor Valentinis as Acting Mayor leaves the meeting at 7:00 o'clock p.m., and Councillor Jones assumes the Chair.

ZB/10541 PAC 3

(For final disposition of this matter, see Clause **CR74/2010** in Schedule "A" attached hereto.)

Councillor Valentinis as Acting Mayor returns to the meeting at 7:02 o'clock p.m., and Councillor Jones returns to his seat at the Council table.

Retain Consultant re: Sandwich South Employment Lands Trunk Sanitary Sewer, Phase 4D**David Hanna, Ward 1 resident**

David Hanna, Ward 1 resident, appears before Council to speak in support of the recommendation to retain a consultant regarding the Sandwich South Employment Lands Trunk Sanitary Sewer, Phase 4D, and concludes by providing some additional options and planning tools that might be beneficial for this project.

SW/10582 5

(For final disposition of this matter, see Clause **CR66/2010** in Schedule "A" attached hereto.)

Tender 05-10 – Walker Road – Wyandotte Street East Intersection Improvements**Jake Rondot, President, Walkerville BIA**

Jake Rondot, President, Walkerville BIA, appears before Council to speak in support of the tender for Walker Road – Wyandotte Street East Intersection Improvements, and concludes by requesting that the matter include upgrades to eight street light poles to be replaced during construction of the new intersection, and the cost of those upgrades be borne by the City of Windsor, as they lie at the entranceway to a BIA, and what is designated one of Windsor's "Theme Street" areas.

SW/10587 8

(For final disposition of this matter, see Clause **CR69/2010** in Schedule "A" attached hereto.)

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

Nil.

Consideration of Committee Reports

Moved by Councillor Brister, seconded by Councillor Jones,
M66-2010 That **Report No. 276 of the Windsor Heritage Committee** of its meeting held January 13, 2010,
BE DEFERRED to the March 1, 2010 meeting of Council to allow for clarification from Administration.
Carried.

MB2010

Moved by Councillor Postma, seconded by Councillor Hatfield,
M67-2010 That **Report No. 1 of the Town & Gown Committee** of its meeting held January 22, 2010,
BE ADOPTED as presented.
Carried.
Councillors Brister and Valentinis disclose an interest and abstain from voting on this matter.

MB2010

By-laws

Moved by Councillor Postma, seconded by Councillor Hatfield,
That the following By-laws No. 28-2010 through 34-2010 (inclusive), be introduced and read a first and second time:

- 28-2010 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600"
- 29-2010 "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"
- 30-2010 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600"
- 31-2010 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600"
- 32-2010 "A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS CALIFORNIA AVENUE, IN THE CITY OF WINDSOR"
- 33-2010 "A BY-LAW TO APPOINT VALERIE CRITCHLEY AS LICENCE COMMISSIONER FOR THE CORPORATION OF THE CITY OF WINDSOR, AND TO APPOINT GARY CIAN AS A DEPUTY LICENCE COMMISSIONER FOR THE CORPORATION OF THE CITY OF WINDSOR AND TO APPOINT MICHAEL CHANTLER AS A DEPUTY LICENCE COMMISSIONER FOR THE CORPORATION OF THE CITY OF WINDSOR AND TO AMEND THE DEFINITION OF LICENCE COMMISSIONER IN VARIOUS BYLAWS OF THE CORPORATION OF THE CITY OF WINDSOR"
- 34-2010 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWENTY-SECOND DAY OF FEBRUARY, 2010"

Carried.

Moved by Councillor Brister, seconded by Councillor Jones,
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 Postma, seconded by Councillor Halberstadt,
That the following By-laws No. 28-2010 through 34-2010 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and 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 Brister, seconded by Councillor Postma,
M68-2010 That the Council Questions arising from the previous meeting of Council and listed by the Clerk **BE NOW CONSIDERED** for purposes of discussion, and further, that the Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Questions consistent with Council's instructions.

Carried.

ACOQ2010

PROPOSED IN-CAMERA AGENDA FOR MARCH 1, 2010

Moved by Councillor Postma, seconded by Councillor Hatfield,
M69-2010 That the following proposed In Camera Agenda for March 1, 2010, **BE APPROVED:**

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Border Update – update on Legal matters (verbal report as necessary)	239(2)(a), (c), (e) and (f)

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.

ACO2010

Adjournment

Moved by Councillor Brister, 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 7:35 o'clock p.m.

ACTING MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Jones
Postma

CR62/2010

That the report of the City Planner dated January 11, 2010 entitled "Response to CQ107-2009 – 3945 Matchette Rd." **BE DEFERRED** two weeks to allow for further information exchange between the involved parties.

Carried.

Report Number 14496 ZS/10093 1

Internal Distribution

Planning [Don Wilson]
City Planner
Chief Building Official
City Solicitor
Council Secretariat - re Council Question

Brister
Postma

CR63/2010

I. That **APPROVAL BE GIVEN** for Administration to amend the existing *Residential Rehabilitation Assistance Program* (RRAP) dated October 16, 1995 and continue to act as the Delivery Agent on behalf of *Canada Mortgage and Housing* (CMHC) with a termination date of June 30, 2011, and that no new commitments shall be made by the City after March 31, 2011. Following March 31, 2011 until the termination date, the City shall work only on existing/open files, with an option to renew on an annual basis, and that the Chief Administrative Officer and the Clerk **BE AUTHORIZED** to sign a Letter of Amendment satisfactory in form to the City Solicitor; and,

II. That **APPROVAL BE GIVEN** to Administration to execute the 2009/2010 budget Allocation Agency Agreement with the amended Guidelines and Procedures between CMHC and the City of Windsor; and,

III. That Administration undertake follow-up discussions with Ms. Nicole Logan regarding her concerns pertaining to the RRAP program.

Carried.

Report Number 14262 SB/10486 2

Internal Distribution

Building [Lee Anne Doyle, Chief Building Official]
Community Development & Health Commissioner
Executive Director, Housing & Children's Services
City Solicitor

Hatfield
Halberstadt

CR64/2010

THAT City Council **APPROVE** a request for sponsorship in the amount of \$2,000 for the Ontario Municipal Administrators' Association Spring Conference hosted by Windsor Essex and held at Caesars Windsor April 28 to 30, 2010, to **BE FUNDED** from the existing economic development budget in the CAO's Office.

Carried.

Report Number 14517 GM2010 C3

Internal Distribution

Chief Administrative Officer [Helga Reidel]

Chief Financial Officer/City Treasurer

Hatfield

Halberstadt

CR65/2010

- I. That, in view of the City of Windsor's intention to initiate the construction of curbs and gutters and boulevard restoration on Lloyd George Boulevard from Rose Street to Grand Boulevard, as shown located on **attached** Drawing C-3052, the **attached** report of the City Engineer to address the requirements of Section 6 of Ontario Regulation 586/06, **BE APPROVED** and the requirements regarding the notices to the public and owners of the lots liable to be specially charged with respect to the work, as required by Section 5 of Ontario Regulation 586/06, **BE UNDERTAKEN**, said notices to be in content as per the report of the City Engineer.
- II. That, assuming a sufficiently signed petition against the Lloyd George project is **NOT** received, the City Engineer **BE AUTHORIZED** to proceed with the tendering and Award of Tender to the low bidder, subject to the tender meeting project specifications, and being within the approved estimated budget; and subject to the terms and conditions of the City of Windsor's Purchasing By-law 400-2004; 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 City Engineer.
- III. That the City Engineer **BE REQUIRED** to provide a Reconciliation Report to Council on the Tender Award.

Carried.

Report Number 14489 SW/10583 C4

Appendices

Drawing C-3052

Internal Distribution

Public Works [Paul Mourad]

City Engineer

Manager of Purchasing and Risk Management

Chief Financial Officer/City Treasurer

City Solicitor

Brister

Hatfield

CR66/2010

That CR260/2009 **BE AMENDED** to reflect the revised fees payable to Meo & Associates Inc. for engineering services in conjunction with the Sandwich South Employment Lands Trunk Sanitary Sewer, Phase 4D, in the amount of \$644,572.00 + GST, and that the CAO and City Clerk **BE AUTHORIZED** to sign the necessary

contracts satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer.

Carried.

Report Number 14504 SW/10582 5

Internal Distribution

Public Works [Andrew Dowie]
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor

Hatfield
Halberstadt

CR67/2010

- I. That the Lou Romano Water Reclamation Plant Expansion Project Steering Committee Report on the Award of Tender 106-09, attached as Schedule A, **BE RECEIVED** for information, and
- II. That the following low tender for the Administration Building Modifications and Process Improvements (Tender 106-09) under the Lou Romano Water Reclamation Plant Expansion and Upgrade Project **BE ACCEPTED:**

TENDERER: Oscar Construction Company Ltd.
2025 Blackacre Dr., PO Box 21
Windsor, ON N0R 1L0

TENDER NO.: 106-09
BASE TENDER: \$ 5,727,704.56(plus G.S.T.)
PROVISIONAL ITEMS: \$856,967.33(plus G.S.T.)
TOTAL TENDER PRICE: **\$6,584,671.89 (plus G.S.T.)**

ACCOUNT CHARGED: 007-5410-1790-02942-7014532

and further 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 City Engineer, and

- III. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign an amending agreement with Stantec Consulting Ltd. for additional engineering services at a total cost not to exceed \$273,000 which includes \$17,500 for Site Services related to the provisional items (all including CPI rate adjustments), plus GST, 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 14529 SW/10586 C6

Appendices
Report

Internal Distribution

Public Works [Antonio Bietola]
City Engineer

Manager of Purchasing and Risk Management
Chief Financial Officer/City Treasurer
City Solicitor

Hatfield
Halberstadt

CR68/2010

- a) THAT the report from the Executive Director of Housing and Children Services dated February 8, 2010, regarding the Capital Funding component of the Canada-Ontario Affordable Housing Program Extension 2009 (COAHPE) **BE APPROVED**; and
- b) THAT Council **RECOMMEND** the projects selected by the COAHPE RFP 115-09 Evaluation Committee to the Ministry of Municipal Affairs and Housing.

Carried.

Report Number **14527 GH/6905 C7**

Internal Distribution

Community Health and Development [Rob Oleynik]
Community Development & Health Commissioner
Executive Director, Housing & Children's Services
Chief Financial Officer/City Treasurer
City Solicitor

Halberstadt
Postma

CR69/2010

- I.** That the following low tender **BE ACCEPTED**:

TENDERER: J & J Lepera Infrastructures Inc.
2679 Howard Ave.
Windsor, Ontario N8X 3X2

TENDER NO.: 05-10

TOTAL TENDER PRICE: \$3,325,121.00 (excluding GST)

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low tenderer, satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor. The costs will be charged to chartfield 007-5410-1790-30720-7092018.

- II.** That **APPROVAL BE GIVEN** to undertake an expenditure of \$3,879,599 (excluding GST), for the construction of Walker Road –Wyandotte Street East Intersection Improvements, to be funded from Project ID# 7092018 (Walker-Wyandotte Intersection Improvements)
- III.** That **APPROVAL BE GIVEN** to transfer \$728,479 from Project ID #7052006 (Wyandotte Rail Structure & Intersection Improvements) to Project ID#7092018 (Walker-Wyandotte Intersection Improvements), AND close Project ID #7052006

- IV. That **APPROVAL BE GIVEN** to transfer \$652,453 from Project ID #7033118 (East Riverside Planning District - Wyandotte East Extension Phase 3) to Project ID#7092018 (Walker-Wyandotte Intersection Improvements),
- V. That **APPROVAL BE GIVEN** to include within the subject tender the "theme street" and lighting upgrades, inclusive of matching the Walkerville Business Improvement Area (BIA) street lights.

Carried.

Report Number **14522 SW/10587 8**

Internal Distribution

Public Works [Jane He]
 City Engineer
 Manager of Purchasing and Risk Management
 Chief Financial Officer/City Treasurer
 City Solicitor

Hatfield
 Halberstadt

CR70/2010

I. THAT the following low tender **BE ACCEPTED**:

Tenderer:	Bear Construction 1074 Crawford Avenue Windsor, Ontario
Work:	Rehabilitation of Lauzon & Bruce Structures Tender #09-10
Total Tendered Price:	\$478,667.00 (excluding GST)
Accounts Charged:	007-5310-1790-02942-7091024

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract, satisfactory in form to the City Solicitor, technical content to the City Engineer, and financial content to the Chief Financial Officer & City Treasurer, with Bear Construction for Tender No. 09-10.

- II. THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$478,667.00 for the bridge rehabilitation of Lauzon & Bruce structures, to be funded from the approved 2009 Capital Budget of \$2,500,000.00 for Bridge Rehabilitation (Project ID No. 7091024). Lauzon Bridge was pre-approved for 2009 Budget under C.R. 469/2008 and administration included Bruce Avenue Structure in same tender to achieve more competitive pricing.
- III. THAT **APPROVAL BE GIVEN** to undertake an expenditure of up to an amount of \$100,000., plus GST, for the retention of R.C. Spencer Inc., for site observation and contract administration of Tender No. 09-10, in accordance with their Proposal for Engineering Services dated May 26, 2009, said fee to be in

accordance with the most recent Schedule of Fees published by the Professional Engineers of Ontario; and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number **14514 SW/10589 C9**

Internal Distribution

Public Works [Mark Winterton]
 City Engineer
 Executive Director of Operations
 Manager of Purchasing and Risk Management
 Chief Financial Officer/City Treasurer
 City Solicitor

Hatfield
 Halberstadt

CR71/2010

That Council **APPROVE** the issuance of a Purchase Order in an amount not to exceed \$264,800.00 U.S. (\$278,729 CDN assuming \$1 CDN = \$0.95 U.S.) to Kimley-Horn and Assoc., Inc. 7878 N. 16th Street, Suite 300, Phoenix, Arizona, 85020 for the following works of the Computerized Traffic Signal System/Advanced Traffic Management System upgrade:

DESCRIPTION OF WORK	\$ COST (U.S. FUNDS)
Controller Firmware Integration	107,500
IP over Fiber Integration	29,500
IP over Copper Integration	32,000
IP over Wireless Integration	32,000
TOC Equipment Upgrade	28,300
Operational and Fielding Testing	15,500
Training	8,500
Summary Report and Deployment Plan	11,500
TOTAL	\$ 264,800

Carried.

Report Number **14502 ST/8768 C10**

Internal Distribution

Public Works [John S. Wolf]
 Executive Director of Operations
 City Engineer
 Manager of Purchasing and Risk Management
 Chief Financial Officer/City Treasurer
 City Solicitor

Brister
 Postma

CR72/2010

- I That an amendment to Zoning By-law 8600 requested by KFJ Holdings Ltd. **BE APPROVED** changing the zoning of Lots 203 and 204, Part of Lots 223 and 216, Part of Block "C", Part of Homesite Avenue, and Part of the alley (designated as Parts 1,2,3,4 and 5, 12R-18423), Registered Plan 1153 by adding a site specific provision to permit the following additional uses:

Athletic or sports facility; club; health studio;
A place of entertainment and recreation; a private hall;
Garden Centre;
Micro-brewery;
Self-storage facility

- II Further, for Lots 203 and 204, Part of Lots 223 and 216, Part of Block "C", Part of Homesite Avenue, and Part of the alley (designated as Parts 1,2,3,4 and 5, 12R-18423), Registered Plan 1153, a minimum of 88 parking spaces shall be required.

Carried.

Report Number **14508 ZB/10511 PAC 1**

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Licence Commissioner

Postma
Brister

CR73/2010

That the report of the Planning Advisory Committee dated February 22, 2010, respecting the rezoning application of Zeno Hadadean, 3501 Victoria Boulevard, to permit vehicular access to a garage from Beals Street West **BE DEFERRED** to the March 29, 2010 meeting of Council to allow the Applicant to gather additional background information that may be of importance to Council in the decision making process, and to allow for Councillor Dilkens to be in attendance.

Carried.

Report Number **14510 ZB/10540 PAC 2**

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Licence Commissioner

Halberstadt
Postma

CR74/2010

That the report of the Planning Advisory Committee dated February 22, 2010, respecting the “rezoning application of Hendrikus Van Aspert, 677 Victoria Avenue, to convert the existing residential unit to provide 6 rooms, 4 bathrooms and a kitchen facility and requests a site specific amendment to permit a lodging house use” **BE DEFERRED** to the March 1, 2010 meeting of Council to allow for a greater number of Councillors to be in attendance.

Carried.

Councillors Brister and Valentinis disclose an interest and abstain from voting on this matter.

Report Number **14511 ZB/10541 PAC 3**

Internal Distribution

City Planner

Manager of Development

Chief Building Official

City Engineer

City Solicitor

Zoning Clerk - Council Services

Licence Commissioner

DEFERRED to the March 1, 2010 meeting of Council
to allow for clarification from Administration
by Council at its meeting held February 22, 2010 [M66-2010]
MLM/
Windsor, Ontario March 1, 2010

REPORT NO. 276
of the
Windsor Heritage Committee
at its meeting held
January 13, 2010
5:30 o'clock p.m.
Meeting Room 407, 400 City Hall Square East

Present: Robin Easterbrook, Acting Chair
Councillor Percy Hatfield
Tony Amato
Andrew Foot
Simon Chamely
Janis Marchand
Jeffrey Mellow
Noreen Slack

Your Committee submits the following recommendation:

That the statement included in Committee Report No. 236, "That the Windsor Heritage Committee be authorized to update the Windsor Heritage Properties Inventory/Register as additional information is brought forward, and to keep Council informed of such updates", **BE RESCINDED**.

NOTE: Committee Report No. 236, dated August 27, 2007, is attached.

ACTING CHAIR

COUNCIL COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held August 27, 2007 [M228-2007]
KK/
Windsor, Ontario August 27, 2007

REPORT NO. 236
of the
Windsor Heritage Committee
at its meeting held
August 1, 2007
at 5:30 o'clock p.m.
Room 405, 400 City Hall Square East

Present: Greg Heil, Chair
Councillor Dave Brister
Tony Amato
Lynn Raeburn Baker
John Bewsher
Robin Easterbrook
Andrew Foot
John Hrovat
Sabina Tunea

Your Committee submits the following recommendation:

That the attached updated Windsor Heritage Properties Inventory **BE APPROVED**; and further,
That the properties listed on the Windsor Heritage Properties Inventory with a "R" (Register) or "D" (Designated) classification **BE ADOPTED** as the municipal Register of properties of cultural heritage value or interest as provided for under the *Ontario Heritage Act*; and further,

That the Windsor Heritage Committee **BE AUTHORIZED** to update the Windsor Heritage Properties Inventory/Register as additional information is brought forward, and to keep Council informed of such updates; and further,

That the Heritage Planner **BE REQUESTED** to post the updated Windsor Heritage Properties Inventory/Register for public access on the City of Windsor website and update the City of Windsor EIS system accordingly.

CHAIR

COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held February 22, 2010 [M67-2010]

MLM

February 22, 2010

REPORT NO. 1
of the
TOWN AND GOWN COMMITTEE
of its meeting held January 22, 2010
Meeting Room 409, 400 City Hall Square East

Present:

Lena Angelidis
Jane Boyd
Janette Calandra
John Fairley
Justin Fox
Robert Nagy
Jeff Noonan
Diane Rawlings
Andrea Rocheleau

Your Committee submits the following recommendation:

That the following Mission Statement for the Town and Gown Committee **BE ACCEPTED** as amended:

“As an Advisory Committee to Windsor City Council, the Town and Gown Committee will develop and enhance relationships between the residents of the City of Windsor and the Communities of the University of Windsor and St. Clair College:

- Provide an open forum for discussion of issues of concern between the residents and the University and/or College
- Encourage open communication between the neighbourhood and the University and/or College
- Identify or provide assistance to solving issues relating to possible areas of conflict between the students and residents in the neighbourhoods
- Assist in developing solutions to problems of common interest
- Promote and support activities to ensure a safe and healthy community”

CHAIRPERSON

COUNCIL COMMITTEE COORDINATOR