

**Regular**

Council meets in formal session this day at 6:05 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  
Councillor Valentinis

**Members Absent:**

None.

**Call to Order**

Councillor Brister as Acting Mayor calls the meeting to order. Following the playing of the Canadian Anthem, Reverend A.W. Schiemann from Peace Lutheran Church, offers the Opening Prayer.

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

Councillor Marra discloses an interest and abstains from voting on Report No. 1 of the Planning Advisory Committee respecting "Dean Anthony Favot, rezoning, 1095 Janette Avenue, supplementary use for the indoor storage of collection vintage motor vehicles", as his employer owns property at nearby 1045 Janette Avenue.

**Minutes**

Moved by Councillor Jones, seconded by Councillor Lewenza,  
That the Minutes of the regular meeting of Council held May 3, 2010, BE **ADOPTED** as presented.

Carried.

Mayor Francis was absent from the meeting when the vote was taken on this matter.

**Notice of Proclamations**

None.

**Committee of the Whole**

Moved by Councillor Marra, seconded by Councillor Postma,  
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); and
    - (ii) **Report of the Striking Committee** of its meeting held May 3, 2010; and
    - (iii) **Report No. 136 of the Windsor Licensing Commission** of its meeting held April 20, 2010;
  - (g) consideration of by-laws 70-2010 and 73-2010 through 81-2010 (inclusive).
- Carried.

Mayor Francis arrives at the meeting at 6:10 o'clock p.m., and Councillor Brister returns to his seat at the Council table.

### Communications

Moved by Councillor Valentinis, seconded by Councillor Brister,  
**M139-2010** That the following Communication Items 1 to 8 and 10 to 16, and 18 and 19 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that the Minutes of the Transit Windsor Board of Directors and Windsor Chartabus Inc., all held April 21, 2010 **BE ADOPTED**; and further, that Communication No. 9, No. 17 and No. 20 be dealt with as follows:

#### Communication No. 9:

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
**M140-2010** That Notice of Revision to CN Three-Year Rail Network Plan, dated April 28, 2010 (Communication No. 9) **BE REFERRED** to the Rail Issues Committee for further review and consideration  
Carried.

MTR2010

#### Communication No. 17:

Moved by Councillor Hatfield, seconded by Councillor Postma,  
**M141-2010** That the report of the City Clerk dated May 4, 2010 entitled "CQ35-2010 – Deputy Mayor Position", **BE RECEIVED**, and further, that no further action or consideration on the issue of Deputy Mayor be taken.

Carried.  
Councillors Halberstadt and Lewenza voting nay.

GM/10657

#### Communication No. 20:

Moved by Councillor Gignac, seconded by Councillor Marra,  
**M142-2010** That the report of the City Solicitor dated May 10, 2010 with respect to an application by the Town of Tecumseh for a public vehicle operating licence for the transportation of passengers on a scheduled service between the Town of Tecumseh and the City of Windsor **BE RECEIVED** for information, and that the City Solicitor **BE AUTHORIZED** to file an objection to the Tecumseh application on behalf of the City and its transit operator, Transit Windsor; and further that the City Clerk **ENDEAVOUR** to have this matter placed on the agenda for the next joint meeting of City and County Councils.

Carried.

ST2010

Item	From	Description
1	Ministry of the Environment	Certificate of Approval – Municipal and Private Sewage Works – Municipal Sewage Treatment Works at Little River Pollution Control Plant  <b>City Engineer Executive Director of Operations Manager of Environmental Services Note &amp; File SW2010</b>
2	Ministry of Children and Youth Services	Child Care Licensing  <b>Community Development &amp; Health Commissioner Executive Director of Housing &amp; Children’s Services Note &amp; File SS2010</b>
3	Association of Municipalities of Ontario (AMO)	Bill 16 Proposes Transfer of OHIP and Related Costs to Municipalities (See also Communication No. 4)  <b>City Solicitor Chief Financial Officer &amp; City Treasurer Note &amp; File MMA2010</b>
4	Association of Municipalities of Ontario (AMO)	Update: Government Withdraws OHIP Costs Transfer Proposal  <b>City Solicitor Note &amp; File GP2010</b>
5	Environment and Land Tribunals Ontario, Ontario Municipal Board	Acknowledgement of Receipt of Appeal by Granite Design Works Inc. and Antonietta Investments Ltd., Regarding By-Law Number 43-2010 and Property Located at 1255 Crawford Ave.  <b>City Planner City Solicitor Chief Building Official Zoning Clerk Note &amp; File ZB/10474</b>
6	Ontario Municipal Board (OMB)	Decision/Order of the Board regarding the appeal of Piroli Group Developments and its associated numbered companies, under the <i>Planning Act, R.S.O. 1990</i> for zoning by-law amendment for lands known as 464 Lauzon Road, and 463 and 469 Frank Avenue  <b>City Planner Chief Building Official City Solicitor Zoning Clerk Note &amp; File ZB/10471</b>
7	Municipal Property Assessment Corporation (MPAC)	Tentative Settlement with Ontario Public Service Employees Union (OPSEU)  <b>Manager of Property Taxation Deputy Treasurer Note &amp; File ACEA2010</b>

8	Make-A-Wish® Southwestern Ontario	Request for Contributions / Donations to Make-A-Wish Foundation® of Southwestern Ontario  <b>COUNCIL DIRECTION REQUESTED Chief Financial Officer &amp; City Treasurer APR2010</b>
9	Canadian National Railway Company (CN)	Notice of Revision to CN Three-Year Rail Network Plan  <b>City Engineer Note &amp; File MTR2010</b>
10	Transit Windsor Board of Directors	Minutes of the Transit Windsor Board of Directors meetings held April 21, 2010 and the minutes of the Windsor Chartabus Inc. meeting held April 21, 2010  <b>TO BE ADOPTED MB2010</b>
11	Manager of Development Applications	Application of N&D Property Management for Site Plan Amendment to permit the removal of addition, remodeling exterior, extended dumpster area and relocate drive-thru order station, etc., located at 7955 Tecumseh Rd. E.  <b>Note &amp; File ZS/10643</b>
12	Manager of Development Applications	Application of Dr. Wissam Kamouni & Stan Francic for Site Plan Approval to permit a two-storey medical and business offices including a 900 square foot pharmacy located at 3295, 3305, 3315, 3325 & 3345 Dougall Rd.  <b>Note &amp; File ZS/10644</b>
13	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, May 19, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor  <b>Note &amp; File ZC2010</b>
14	Executive Director of Housing and Children's Services	A Great Big Thank You from the City of Windsor Housing Services Regarding Canada-Ontario Affordable Housing Program  <b>Note &amp; File SS2010</b>
15	Children's Services Systems Manager	Early Learning Bulletin #5  <b>Note &amp; File SS2010</b>
16	Chief Building Official	International Building Safety Month  <b>Note &amp; File SB2010</b>
17	City Clerk	C.Q. 35-2010 – Deputy Mayor Position  <b>Note &amp; File GM/10657</b>
18	Chief Financial Officer & City Treasurer	Atlantic Institute for Market Studies (AIMS) – Canadian Benchmarking Initiative  <b>Note &amp; File GP2010</b>
19	Windsor Business Improvement Area Advisory Committee	Minutes of meeting held April 15, 2010 ( <i>previously distributed</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2010</b>

20	City Solicitor	The Corporation of the Town of Tecumseh Application to the Ontario Highway Transport Board for a Public Vehicle Operating Licence <b>Transit Windsor ST2010</b>
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Carried.

### Consent Agenda

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

- Item 1 Application to close the northerly portion of Weaver Road, easterly from Cherry Blossom Drive
- Item 2 Relay for Life Request for Waiver of Fees – Showmobile
- Item 3 CR394/2009 – St. Leonard’s House Agreement
- Item 4 Development Charges By-law 70-2010
- Item 5 Supply of Two (2), 60’ (foot), Articulating Aerial Bucket Trucks for the Forestry Division
- Item 6 Joint Emergency Planning Program Funding (JEPP) 2010-2011
- Item 8 Utility Cut Restoration – Asphalt Repairs – Tender No. 28-10
- Item 10 Tender 72-10 – Sunset Avenue from University Avenue West to Wyandotte Street West

Carried.

### Deferrals and/or Referrals and Withdrawals

None.

### Presentations & Delegations:

#### DELEGATIONS

#### Yvonne Vandebovenkamp, rezoning, 2052 Ottawa Street, site specific additional use of a medical office within the existing building

#### Yvonne Vandebovenkamp, Applicant and Ali Parla, Solicitor representing Applicant

Yvonne Vandebovenkamp, Applicant and Ali Parla, Solicitor representing Applicant, appear before Council and are available for questions with respect to the rezoning request for 2052 Ottawa Street for site specific additional use of a medical office within the existing building.

- Moved by Councillor Lewenza, seconded by Councillor Hatfield,
- I That the amendment to Zoning By-law 8600 requested by Yvonne Vandebovenkamp **BE APPROVED** for Lot 164, Registered Plan 684, municipally known as 2052 Ottawa Street adding an additional permitted use, a medical office, within the existing building with the following conditions:
- i) That four (4) parking spaces be provided on-site;

- ii) That a minimum 4.5 metre rear yard landscape area be provided between four parking spaces and the existing north building wall.
  - iii) Up to four parking spaces may be provided in a required rear yard.
- II That a Holding 'H' site specific provision be added with the following conditions required prior to the removal of the 'H' Holding symbol:
- i) Alley Contribution – The owner(s) agrees, prior to the issuance of a Building Permit, to contribute the sum of \$500.00 payable to Public Works and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.
  - ii) Sampling Manhole – Prior to the issuance of a Building Permit, the applicant(s) shall agree to install a sanitary sewer-sampling manhole, if one does not already exist, at the property line of the subject lands to the satisfaction of the Corporation's City Engineer.
  - iii) Confirm provision of 4 parking spaces at the rear of 2052 Ottawa Street and the reinstatement of a minimum 4.5 metre landscape area from the existing north building wall, all to the satisfaction of the Planning Department.
- III. That a methadone clinic not be allowed as a permitted use under the regulations for "medical office".

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

Aye votes: Councillors Hatfield, Lewenza, Marra and Dilkens.

Nay votes: Councillors Gignac, Halberstadt, Brister, Postma, Valentinis and Jones.

**ZB/10547 PAC 2**

(For final disposition of this matter, see Clause **CR184/2010 and CR185/2010** in Schedule "A" attached hereto.)

**Dean Anthony Favot, rezoning, 1095 Janette Avenue, supplementary use for the indoor storage of collection vintage motor vehicles**

**John Corrent, Solicitor for the Applicant**

John Corrent, Solicitor for the Applicant, appears before Council and is available for questions regarding the rezoning application for 1095 Janette Avenue, for supplementary use for the indoor storage of collection vintage motor vehicles.

**ZB/10616 PAC 1**

(For final disposition of this matter, see Clause **CR183/2010** in Schedule "A" attached hereto.)

**Ojibway Nature Centre – Recreational Infrastructure Canada (RinC) Project****David Hanna, Ward 1 resident**

David Hanna, Ward 1 resident, appears before Council to speak in support of the tender for the new Ojibway Nature Centre to supply all labour and materials to construct a new nature center building in Ojibway Park, stating that this will have positive environmental benefits for this very important area.

SR/10639 7

(For final disposition of this matter, see Clause **CR179/2010** in Schedule “A” attached hereto.)

**Report No. 136 of the Windsor Licensing Commission****Mike Bennett, Research Assistant, Education & Evaluation; and Deb Bennett, Director of Health Protection, Windsor-Essex County Health Unit**

Mike Bennett, Research Assistant, Education & Evaluation and Deb Bennett, Director of Health Protection, Windsor-Essex County Health Unit, appear before Council to provide an overview of the Health Unit’s “Safe Food Counts Program”, including an overview of the program’s goals, program development and stakeholder consultation program, consultation results, a synopsis of the star ratings, inspection scoring, compliance with legislation, statistics to-date, exempt premises and special events.

Mayor Francis leaves the meeting at 7:18 o’clock p.m. and Councillor Brister assumes the Chair.

Mayor Francis returns to the meeting at 7:24 o’clock p.m. and Councillor Brister returns to his seat at the Council table.

Moved by Councillor Marra, seconded by Councillor Lewenza,  
**M143-2010** That **Report No. 136 of the Windsor Licensing Commission** of its meeting held April 20, 2010,  
**BE ADOPTED** as presented.

Carried.

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

MB2010

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

Item 9 Response to CQ113-2009, Chairperson Microphone in Council Chambers

**Consideration of Committee Reports**

Moved by Councillor Jones, seconded by Councillor Lewenza,  
**M144-2010** That the **Report of the special In-camera** meeting held May 10, 2010, **BE ADOPTED**  
as presented.

Carried.

ACO2010

**M145-2010** Moved by Councillor Jones, seconded by Councillor Lewenza,  
as presented. That the **Report of the Striking Committee** of its meeting held May 3, 2010, **BE ADOPTED**

Carried.

MB2010

### By-laws

Moved by Councillor Marra, seconded by Councillor Postma,  
That the following By-laws No. 70-2010 and 73-2010 through 81-2010 (inclusive), be introduced  
and read a first and second time:

70-2010 "A BY-LAW TO IMPOSE DEVELOPMENT CHARGES"

73-2010 "A BY-LAW TO AMEND BY-LAW NUMBER 11900 BEING A BY-LAW TO CLOSE AND STOP UP FOR MUNICIPAL PURPOSES PARTS OF ATKINSON STREET, CHARLES STREET, CAPITOL STREET AND VANIER STREET, ABUTTING THE EASTERLY LIMIT OF HOWARD AVENUE"

74-2010 "A BY-LAW TO AMEND BY-LAW 3-2009 BEING A BYLAW TO CLOSE, STOP UP AND CONVEY THE 20.1 METRE (65.9 FOOT) WIDE PORTIONS OF LARKIN STREET AND VIMY STREET SOUTH OF TECUMSEH ROAD EAST, CITY OF WINDSOR"

75-2010 "A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 4.88 METRE (16 FEET) WIDE PORTION OF THE EAST/WEST ALLEYS, NORTH OF CABANA ROAD WEST, IMMEDIATELY EAST AND WEST OF CURRY AVENUE, CITY OF WINDSOR"

76-2010 "A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 4.88 METRE (16 FEET) WIDE PORTION OF THE EAST/WEST ALLEYS, NORTH OF CABANA ROAD WEST, IMMEDIATELY EAST AND WEST OF CURRY AVENUE, CITY OF WINDSOR"

77-2010 "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"

78-2010 "A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR"

79-2010 "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"

80-2010 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600"

81-2010 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TENTH DAY OF MAY, 2010"

Carried.



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

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

Carried.

### **Notices of Motion**

Moved by Councillor Halberstadt, seconded by Councillor Lewenza,  
**M146-2010** That Rule 13.9(a) of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice respecting a renewable Operating Permit for the Greater Detroit Resource Recovery Facility, SRN M4148, Wayne County, also known as the Detroit Incinerator.

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
**M147-2010** That the City of Windsor **SUPPORTS** the attached objection of the Citizens Environmental Alliance of Southwestern Ontario, to the Renewable Operating Permit for the Greater Detroit Resource Recovery Facility, SRN M4148, Wayne County, also known as the Detroit Incinerator.

Carried.

EI2010

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

Moved by Councillor Dilkens, seconded by Councillor Gignac,  
That the following By-laws No. 70-2010 and 73-2010 through 81-2010 (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 Jones, seconded by Councillor Lewenza,  
**M148-2010** 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 MAY 17, 2010

Moved by Councillor Marra, seconded by Councillor Postma,  
**M149-2010** That the following proposed In Camera Agenda for May 17, 2010 **BE APPROVED**:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal matter – litigation	239(2)(e)(f)
2.	Personal matter – about identifiable individuals	239(2)(b)(d)(f)
3	Personal matter – about identifiable individual(s)	239(2)(b)
4.	Personal matter – contract	239(2)(b)

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 Valentinis, seconded by Councillor Brister,  
 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 7:40 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Dilkens  
Gignac

CR173/2010

That a northerly portion measuring 7.19 metres (23.6 feet) wide of Weaver Road easterly from Cherry Blossom Drive and abutting 600 Weaver Road, as shown on Drawing No. CC-1590, attached hereto as Appendix "A" **BE CLOSED AND CONVEYED TO** 701259 Ontario Limited (Guy Lachance, representing Danruss Contracting Inc.) subject to the following:

- (a) Easements being retained in favour of:
  - Windsor Utilities – water division for the existing watermain
  - City of Windsor for access purposes to the 1050 mm storm sewer
- (b) Daylight corner, measuring 4.57 m (15') x 4.57 m (15') being retained at the southwest corner of the subject property
- (c) No fencing of the closed right-of-way, which would restrict access to the City of Windsor for sewer maintenance purposes
- (d) Lands to be maintained as landscaped open space with no encumbrances
- (e) the lands are to be conveyed as follows:
  - \$14.85 per square metre (\$1.38 per square foot) for lands abutting properties zoned MD2.5 with no easements and
  - \$7.43 per square metre \$0.69 per square foot for lands abutting properties zoned MD2.5 with easements
  - the survey cost, as invoiced to the City of Windsor by an Ontario Land Surveyor is additional
  - deed preparation fee is included

and further the City Solicitor or a delegate **BE AUTHORIZED** to publish the required legal notice, and the City Solicitor **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number 14667 SAS/10453 C1

APPENDICES

Drawing No. CC-1590

Aerial Photo

Internal Distribution

Legal [Sharon Amlin] - Prepare Ad

Building [Don Wilson]

Chief Building Official

Legal - Documents Clerk - Laura MacDonald

City Planner

City Engineer

Chief Financial Officer/City Treasurer

Legal [Frank Scarfone; Cheryl Glassford] - Prepare the Easement/Assuming/Closing By-law

City Solicitor

Dilkens  
Gignac

CR174/2010

That the request Canadian Cancer Society's "Relay for Life" Steering Committee to waive rental fees for the Parks and Recreation Showmobile in lieu of adding the City of Windsor as an event sponsor

**BE DENIED.**

Carried.

Report Number **14661 SR2010 C2**

Internal Distribution

Recreation [Walt Metulynsky]  
Community Development and Health Commissioner  
Executive Director of Recreation and Culture  
Chief Financial Officer/City Treasurer

Dilkens

Gignac

CR175/2010

That City Council **APPROVE** the report of the Chief Building Official dated April 23, 2010, regarding St. Leonard's House Graffiti Removal Program, and furthermore, that the City Clerk and the Chief Administrative Officer **ENTER** into an agreement satisfactory in form and content to the City Solicitor regarding the program, and further, that those costs associated with the agreement not exceed \$22,000 and that all those expenses be paid through line items given to By-law Enforcement, Building Department for graffiti removal in the 2010 budget.

Carried.

Report Number **14663 SP/8993 C3**

Internal Distribution

Legal [Ann Kalinowski]  
Chief Building Official  
Chief Financial Officer/City Treasurer  
City Solicitor

Dilkens

Gignac

CR176/2010

- 1) That City Council **PASS** the Development Charges By-law #70-2010 effective June 1, 2010 with the rates outlined below, and policies & CPI indexing as recommended by the Development Charges Task Force and approved by Council.

City-wide development charges are imposed on all lands in the City of Windsor. The schedule of development charges imposed by Schedule B of the City-wide By-law #70-2010 is as follows:

Single Detached Units:	\$15,787/unit
Semi, Row, Townhouse Units:	\$12,135/unit
Apartment:	\$ 7,924/unit
Industrial Development:	\$ 0/sq ft of GFA
Retail Development:	\$ 3.50/sq ft of GFA

Other Non-Residential Development \$ 3.07/sq ft of GFA

In addition, the City-wide development charge By-law #70-2010 establishes development charges for specific areas of the City which are applicable only with respect to development occurring within these areas. The development charges imposed included in Schedule C, D, and E of the By-law are as follows:

**Schedule C – Area 1**

Single Detached Units:	\$13,291/unit
Semi, Row, Townhouse Units:	\$10,196/unit
Apartment:	\$ 6,443/unit
Industrial Development:	\$ 0/sq ft of GFA
Retail Development:	\$ 3.50/sq ft of GFA
Other Non-Residential Development	\$ 3.07/sq ft of GFA

**Schedule D – Area 2**

Single Detached Units:	\$10,794/unit
Semi, Row, Townhouse Units:	\$ 8,256/unit
Apartment:	\$ 4,962/unit
Industrial Development:	\$ 0/sq ft of GFA
Retail Development:	\$ 3.50/sq ft of GFA
Other Non-Residential Development	\$ 3.07/sq ft of GFA

**Schedule E – Area 3**

Single Detached Units:	\$ 8,298/unit
Semi, Row, Townhouse Units:	\$ 6,315/unit
Apartment:	\$ 3,480/unit
Industrial Development:	\$ 0/sq ft of GFA
Retail Development:	\$ 3.50/sq ft of GFA
Other Non-Residential Development	\$ 3.07/sq ft of GFA

A map illustrating the specific areas is contained in the by-law referenced above.

- 2) That effective May, 31, 2010, City Council **REPEAL** the existing Development Charges By-law # 125-2009;
- 3) That Council **APPROVE** the 10-year average service levels detailed in the March 2010 Background Study prepared by Hemson Consulting Limited and **APPROVE** the concept of maintaining that level of service as the municipality grows;
- 4) That Council indicates its **INTENT** to ensure that the increase in the need for services attributable to the anticipated development, including any capital costs, will be met, by updating its capital budget and forecast where appropriate;
- 5) That Council indicates its **INTENT** that the future excess capacity identified in the Development Charges Background Study, dated March 2010, prepared by Hemson Consulting Limited, shall be paid for by development charges or other similar charges;
- 6) That no further public meeting pursuant to Section 12 of the Development Charges Act, 1997 is necessary prior to the passage of Bylaw #70-2010.

Carried.

Report Number 14665 GPL/3905 C4

Internal Distribution

Finance [Tony Ardovini]  
Chief Building Official  
Chief Financial Officer/City Treasurer  
City Solicitor

Dilkens  
Gignac

CR177/2010

That Council **AUTHORIZE** the purchase of two complete aerial unit bucket trucks from Wajax for \$271,500 plus applicable taxes by way of a sole source.

Carried.

Report Number 14677 SR2010 C5

Internal Distribution

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

Dilkens  
Gignac

CR178/2010

That City Council **APPROVE** the purchase of various Hazmat equipment at a total cost of \$72,846 to be funded as follows: \$36,423 from JEPP funding, \$36,423 from the Ontario Fire Service Grant Reserve Account 1768, which has a balance of \$157,672; and further,

That the CAO and the City Clerk **BE AUTHORIZED** to sign the JEPP Application Funding Approval Form, which agreement shall be satisfactory as to form to the City Solicitor, and as to financial content to the Chief Financial Officer & City Treasurer and as to technical content to the Fire Chief.

Carried.

Report Number 14660 SF/10638 C6

Internal Distribution

Fire & Rescue [Sherri Arsenault; Tim Dennis]  
Fire Chief  
Manager of Purchasing and Risk Management  
Chief Financial Officer/City Treasurer  
City Solicitor  
Marra  
Lewenza

CR179/2010

**THAT** Tender No. #81-10 for the New Ojibway Nature Centre **BE APPROVED** to supply all labour and materials as stipulated in the tender to construct a new nature centre building in Ojibway Park; and

**THAT** the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a contract with the lowest compliant tenderer (DeAngelis Construction Inc. in the amount of \$1,592,746.00,) (Including contingency and testing allowances, separate alternate prices 2, 6 and 8a, excluding GST), satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facilities and in financial content to the City Treasurer and Chief Financial Officer; and further,

**THAT** Council **APPROVE** additional funding of \$317,626 from project #7095000 (Capital Contingency – 5 Year Plan), due to an increase in total project costs from \$1,500,000 to \$1,817,626.00.

Carried.

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

Report Number 14662 SR/10639 7

Internal Distribution

Parks and Facilities [Mike Clement]  
 Executive Director of Parks and Facilities  
 City Engineer  
 Manager of Purchasing and Risk Management  
 Chief Financial Officer/City Treasurer  
 City Solicitor

Dilkens  
 Gignac

CR180/2010

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

<b>Tenderer:</b>	<b>DiPonti Paving Ltd.</b> 6690 Disputed Road Lasalle, Ontario N9H 1Y1
<b>Work:</b>	Utility Cut Restoration – Asphalt Repairs Tender No. 28-10
<b>Total Tendered Price:</b>	\$359,675.00
<b>Account Charged:</b>	001 2980 989P 03556 0162601 001 2980 101P 93400 0162031 001 2980 550P 93400 0172303

**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 City Treasurer, with DiPonti Paving Ltd. for Tender No. 28-10.

II. **THAT APPROVAL BE GIVEN** to undertake an expenditure of \$359,675.00 for the Restoration of Utility Cuts and Asphalt Repairs, as a charge to the Current Operating Budget.

Carried.

Report Number **14658 SW/10640 C8**

Internal Distribution

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

Gignac  
Hatfield

CR181/2010

That the report of the Executive Director of Information Technology dated April 29, 2010 entitled "Response to CQ113-2009, chairperson microphone in Council Chambers **BE RECEIVED** for information.

Carried.

Councillor Halberstadt voting nay.

Report Number **14431 SI2010 9**

Internal Distribution

Information Technology [Matt Caplin]  
Executive Director of Information Technology  
Chief Financial Officer/City Treasurer

Dilkens  
Gignac

CR182/2010

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

<b>TENDERER:</b>	SLR Contracting Group Inc. 6260 Westar Dr. Suite 100 Windsor, ON N9J 3W3
<b>TENDER NO.:</b>	72-10
<b>TOTAL TENDER PRICE:</b>	\$1,850,000.00 (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 007-5410-1790-02942-7094001.

**II.** That **APPROVAL BE GIVEN** to undertake a net expenditure of \$2,030,700.00 (excluding GST), for the construction of Sunset Avenue – from University Avenue West to Wyandotte Street West, to be funded from Project ID# 7094001 (Sunset Avenue – from University Avenue West to Wyandotte Street West)



along with transfer of surplus funds of \$430,700.00 from Project ID #7082016 (Alexis Road from Alice Road to Tecumseh Road East). All costs will be charged to Project #7094001.

Carried.

Report Number **14697 SW/10660 C10**

Internal Distribution

Public Works [FahdMikhael; Paul Mouorad]  
City Engineer  
Manager of Purchasing and Risk Management  
Chief Financial Officer/City Treasurer  
City Solicitor

Valentinis  
Hatfield

CR183/2010

That the amendment to Zoning By-law 8600 requested by Dean Favot **BE APPROVED** changing the zoning of Lots 16 and 17, Registered Plan 612, by adding a site specific provision to allow the indoor storage of motor vehicles as an additional permitted use.

Carried.

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

Report Number **14673 ZB/10616 PAC 1**

Internal Distribution

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

Postma  
Dilkens

CR184/2010

- I That the amendment to Zoning By-law 8600 requested by Yvonne Vandebovenkamp **BE APPROVED** for Lot 164, Registered Plan 684, municipally known as 2052 Ottawa Street adding an additional permitted use, a medical office, within the existing building with the following conditions:
- i) That four (4) parking spaces be provided on-site;
  - ii) That a minimum 4.5 metre rear yard landscape area be provided between four parking spaces and the existing north building wall.
  - iii) Up to four parking spaces may be provided in a required rear yard.

- II That a Holding 'H' site specific provision be added with the following conditions required prior to the removal of the 'H' Holding symbol:
- i) Alley Contribution – The owner(s) agrees, prior to the issuance of a Building Permit, to contribute the sum of \$500.00 payable to Public Works and deposited in the General Fund intended for the upkeep of alleys within the City of Windsor.
  - ii) Sampling Manhole – Prior to the issuance of a Building Permit, the applicant(s) shall agree to install a sanitary sewer-sampling manhole, if one does not already exist, at the property line of the subject lands to the satisfaction of the Corporation's City Engineer.
  - iii) Confirm provision of 4 parking spaces at the rear of 2052 Ottawa Street and the reinstatement of a minimum 4.5 metre landscape area from the existing north building wall, all to the satisfaction of the Planning Department.

Carried.

Councillor Halberstadt voting nay.

Report Number 14670 ZB/10547 PAC 2

Internal Distribution

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

Jones

Valentinis

CR185/2010

That the City Planner **BE DIRECTED** to prepare a report outlining options to redefine the use of "medical offices" in order to restrict or limit the use of future methadone clinics.

Carried.

Report Number 14670 ZB/10547 PAC 2

Internal Distribution

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

ADOPTED by Council at its meeting held May 10, 2010 [M143-2010]  
MC/kk  
May 10, 2010

**REPORT NO. 136** of the  
**WINDSOR LICENSING COMMISSION**  
of its meeting held April 20, 2010

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**Present:** Councillor Ron Jones, Chairperson  
Councillor Alan Halberstadt  
Councillor Caroline Postma  
Jack Fathers

Your Committee submits the following recommendation:

That the report of the Deputy Licence Commissioner regarding the Windsor-Essex County Health Unit *Safe Food Counts Program* **BE ENDORSED** and further, that the report **BE FORWARDED** to City Council to adopt the following resolution:

That all licensing Schedules being Entertainment Lounge (EI), Food Stores (FI), Hospitality Services (H4) and Mobile Vendors of Food (M2) **BE AMENDED** to mandate that all food premises post their "Safe Food Counts" rating in a conspicuous place, clearly visible to members of the public prior to entering.

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**CHAIRPERSON**

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**SECRETARY**

ADOPTED by Council at its meeting held May 10, 2010 [M144-2010]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
May 10, 2010**

**Meeting called to order at: 4:02 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 (arrives at 4:10 p.m.)  
Councillor K. Lewenza  
Councillor B. Marra (arrives at 4:03 p.m.)  
Councillor P. Hatfield  
Councillor J. Gignac

**Also in attendance:**

H. Reidel, Chief Administrative Officer  
R. Warsh, Community Development and Health Commissioner  
M. Sonego, City Engineer  
G. Wilkki, City Solicitor  
V. Critchley, City Clerk  
O. Colucci, Chief Financial Officer  
N. Coleman, Mayor's Chief of Staff

**Verbal Motion is presented by Councillor Hatfield, seconded by Councillor Postma, that Rule 3.3 (a) of the *Procedure By-law, 420-2001 as amended*, be waived to add the following Agenda item:**

- 5. Property Matter – Economic Development opportunity**

**Motion Carried.**

**Verbal Motion is presented by Councillor Brister, seconded by Councillor Postma, to move in Camera for discussion of the following item(s), moving Item 1 to the public agenda and adding Item 5:**

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Legal matter – potential litigation – <b>MOVED TO PUBLIC AGENDA</b>	239(2)(e)
2.	Personal matter – mediation	239(2)(e)
3.	Personal matter – labour negotiations	239(2)(d)
4.	Property matter – lease (verbal report)	239(2)(c)
5.	Property matter – Economic Development opportunity – verbal report – <b>ADDED</b>	239(2)(c)

**Motion Carried.**

**Declarations of Pecuniary Interest:**

None declared.

**Discussion on the items of business. (Items 2, 3, 4 and 5)**

**Verbal Motion is presented by Councillor Postma, seconded by Councillor Brister,**

**to move back into public session.**

**Motion Carried.**

**Moved by Councillor Postma, seconded by Councillor Brister, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 10, 2010 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from the City Solicitor and General Manager Transit Windsor respecting a legal matter – potential litigation **BE PLACED** on the public agenda.

2. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, City Clerk and City Solicitor respecting a personal matter - mediation **BE APPROVED**.

3. That the in-camera report from the Manager Employee Relations, Executive Director Human Resources, City Clerk, Administrator Huron Lodge, Community Development and Health Commissioner, City Solicitor and Chief Financial Officer and City Treasurer respecting labour negotiations **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed on the verbal direction of Council.

**Councillor Postma voting nay**

4. That the verbal report from Mayor Francis respecting a lease **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

5. That the verbal report from Mayor Francis respecting a property matter – economic development opportunity **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

**Motion Carried.**

**Moved by Councillor Postma, seconded by Councillor Jones,  
That the special meeting of council held May 10, 2010 BE ADJOURNED.**

**(Time: 5:45 p.m.)**

**Motion Carried.**

ADOPTED by Council at its meeting held May 10, 2010 [M145-2010]  
VC/bm  
Windsor, Ontario, May 10, 2010

**REPORT OF THE STRIKING COMMITTEE**  
**of its meeting held**  
May 3, 2010

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**PRESENT:** Mayor E. Francis  
Councillor J. Gignac  
Councillor F. Valentinis  
Councillor A. Halberstadt  
Councillor D. Brister  
Councillor R. Jones  
Councillor K. Lewenza  
Councillor P. Hatfield  
Councillor D. Dilken  
Councillor C. Postma

**ABSENT:** Councillor B. Marra

Your Committee submits the following recommendations:

- (1) That Councillor P. Hatfield **BE NOMINATED** to the National Board of Directors of the *Federation of Canadian Municipalities* (FCM).
  
- (2) That Councillor P. Hatfield **BE NOMINATED** to the *Association of Municipalities of Ontario* (AMO) Board of Directors for the two year term, 2010 to 2012.

CHAIR

CLERK