

**Regular**

Council meets in formal session this day at 6:00 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**

Following the playing of the Canadian National Anthem, Pastor Ernie Harris from New Beginnings Christian Assembly, offers the Opening Prayer.

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

None disclosed.

**Minutes**

Moved by Councillor Jones, seconded by Councillor Lewenza,  
That the Minutes of the regular meeting of Council held August 23, 2010 **BE ADOPTED**  
as presented.

Carried.

Moved by Councillor Jones, seconded by Councillor Lewenza,  
That the Minutes of the special meeting of Council held September 1, 2010 **BE ADOPTED**  
as presented.

Carried.

**Notice of Proclamations**

United Way Month – September 1 – 30, 2010

United Way Day – September 17, 2010

Legion Week – September 19 – 25, 2010

Committee of the Whole

Moved by Councillor Marra, seconded by Councillor Jones,

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) communication items;
  - (b) consent agenda;
  - (c) hearing requests for deferrals or referrals of any items of business;
  - (d) hearing presentations and delegations;
  - (e) consideration of business items;
  - (f) consideration of Committee reports:
    - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council;**
    - (ii) **Report No. 287 of the Windsor Heritage Committee** of its meeting held July 14, 2010; and
    - (iii) **Report No. 288 of the Windsor Heritage Committee** of its meeting held July 14, 2010;
  - (g) consideration of by-laws 143-2010 through 149-2010.
- Carried.

Communications

Moved by Councillor Valentinis, seconded by Councillor Brister,

**M254-2010** That the following Communication Items 1 to 31 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

Item	From	Description
1	Ministry of Municipal Affairs & Housing	Invitation to Provincial Policy Statement Five Year Review Regional Workshops  <b>City Planner Note &amp; File SS2010</b>
2	Ministry of Transportation; and The Corporation of the City of Windsor	Improvements to the Canadian Plaza of the Windsor-Detroit Tunnel – Notice of Invitation for Public Comment  <b>City Engineer Executive Director of Windsor-Detroit Tunnel Corporation Note &amp; File SW/7961</b>
3	Ministry of the Environment	Update Re: Applications for 2010-11 Ontario Drinking Water Stewardship Program  <b>City Engineer Executive Director of Operations Windsor Utilities Commission Note &amp; File EW2010</b>
4	Association of Municipalities of Ontario (AMO)	AMO Report to Members on August 2010 Board Meeting  <b>Note &amp; File MMA2010</b>

5	Association of Municipalities of Ontario (AMO)	Proposed Integrated Accessibility Regulation Posted for 45 Day Public Review  <b>A/ Diversity &amp; Accessibility Officer WAAC Coordinator General Manager of Transit Windsor Customer Service Coordinator Note &amp; File GPL/3263</b>
6	Association of Municipalities of Ontario (AMO)	New Municipal Representatives Appointed to MPAC's Board <b>Chief Financial Officer &amp; City Treasurer Note &amp; File ACEA2010</b>
7	Ontario Catholic School Business Officials Association	Hotel Dieu-Grace Hospital Foundation Gala <b>COUNCIL DIRECTION REQUESTED Chief Financial Officer &amp; City Treasurer APR2010</b>
8	Canadian Cancer Society	Recommendations for Potential Cancer Prevention By-Laws <b>COUNCIL DIRECTION REQUESTED City Solicitor Chief Building Official Community Development &amp; Health Commissioner APR2010</b>
9	Municipal Employer Pension Centre of Ontario (MEPCO)	Second Phase of Pension Reform Unveiled by Finance Minister <b>Chief Financial Officer &amp; City Treasurer Executive Director of Human Resources Note &amp; File MMA2010</b>
10	Essex Region Source Protection Committee	Offshore Wind Discussion Paper Currently Posted on the Environmental Bill of Rights Registry (Registry No.011-0089) <b>Executive Director of Operations Manager of Environmental Services City Planner Note &amp; File EI/10108</b>
11	Xentel DM Incorporated	Welcome to the Oldtimers' Classic Hockey Challenge 21 <sup>st</sup> Anniversary 2010 <b>COUNCIL DIRECTION REQUESTED Chief Financial Officer &amp; City Treasurer Executive Director of Recreation APR2010</b>
12	Essex-Windsor Solid Waste Authority	Minutes of the Essex-Windsor Solid Waste Authority Board Meeting – June 1, 2010  <b>Note &amp; File MB2010</b>
13	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, September 8, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor  <b>Note &amp; File ZC2010</b>

14	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, September 22, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor  <b>Note &amp; File ZC2010</b>
15	Manager of Urban Design & Deputy City Planner	Application of Spirol Industries Limited for Site Plan Approval to permit the addition of a 21,000 square foot warehouse located at 3103 St. Etienne  <b>Note &amp; File Z/10767</b>
16	Manager of Urban Design & Deputy City Planner	Application of Windsor/Essex County Humane Society for Site Plan Amendment to permit a veterinary clinic located at 1375 Provincial Rd.  <b>Note &amp; File ZS/10329</b>
17	Manager of Urban Design & Deputy City Planner	Application of Academie Ste Cecile International School for Site Plan Amendment to permit an additional 2 storey dormitory with basement located at 925 Cousineau  <b>Note &amp; File ZS/10380</b>
18	Manager of Urban Design & Deputy City Planner	Application of Hashim Abass/2118340 Ontario Limited for Site Plan Approval to permit a retail and restaurant plaza located at 9985 Tecumseh Rd. East  <b>Note &amp; File ZS/10768</b>
19	Manager of Urban Design & Deputy City Planner	Application of 2248144 Ontario Ltd. for Site Plan Approval to permit commercial retail located at 3155 Banwell Rd.  <b>Note &amp; File ZS/10769</b>
20	Manager of Urban Design & Deputy City Planner	Application of Amico Properties Inc. for Site Plan Approval to permit construction of a 16 space asphalt parking lot located at 5155 Rhodes Drive, as well as an office trailer  <b>Note &amp; File Z/10766</b>
21	City Solicitor	Thom Hunt, Executive Director/City Planner Wins 2010 OACCAC Award for Excellence  <b>Note &amp; File AS2010</b>
22	Office of the Chief Administrative Officer	2010 United Way City of Windsor Campaign  <b>Note &amp; File APR2010</b>
23	City Engineer	Award of Tender 06-10 – Dawson Road / Eastlawn Avenue Sewer, Watermain and Pavement Rehabilitation  <b>Note &amp; File SW/10534</b>
24	City Engineer	LED Streetlighting – Pilot Project  <b>Note &amp; File SW2010</b>
25	Community Development & Health Commissioner	Staffing to Implement the Employment Ontario Transformation Initiative  <b>Note &amp; File GP/10258</b>

26	Chief Financial Officer & City Treasurer	The Residential Tenancies Act – Automatic Rent Reduction and Tax Decreases  <b>Note &amp; File AF2010</b>
27	Audit Committee	Minutes of meeting held August 26, 2010 ( <i>attached</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2010</b>
28	Executive Committee Board of Directors, Willistead Manor Inc.	Minutes of meeting held June 3, 2010 ( <i>attached</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2010</b>
29	Board of Directors, Willistead Manor Inc.	Minutes of meeting held June 3, 2010 ( <i>attached</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2010</b>
30	Service Delivery Review Steering Committee	Minutes of meeting held June 24, 2010 ( <i>attached</i> for members of Council only) ( <b>copy available upon request</b> )  <b>Note &amp; File MB2010</b>
31	Corporation of the County of Essex	2013 International Children's Games <b>COUNCIL DIRECTION REQUESTED APR/10694</b>

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 4 Farmer's Market
- Item 6 Pedestrian Generator Sidewalk on Cedarview from Isack to Riverdale
- Item 7 South Neighbourhood Subdivision – Request to Transfer Fees Related to 38 Building Permits from Aspenshore Avenue to Cypress Avenue
- Item 8 Indemnification of the Mayor and Councillors regarding Legal Action by The Canadian Transit Company

Report No. 287 of the Windsor Heritage Committee at its meeting held July 14, 2010  
(See Committee Report Section).

Carried.

**Deferrals and/or Referrals and Withdrawals****Notice of Motion by Councillor Halberstadt:**

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
**M255-2010** That Councillor Halberstadt's notice of motion regarding the Share the Road Cycling Coalition of Ontario, scheduled to be presented by him at the September 13, 2010 meeting of Council, as outlined below, **BE DEFERRED** to the September 27, 2010 meeting of Council, to allow for interested individuals to appear as conditional delegations:

*"That the City of Windsor apply to the Share the Road Cycling Coalition of Ontario for the designation as a Bicycling Friendly Community."*

Carried.

**Presentations & Delegations:****PRESENTATIONS:****UNITED WAY PRESENTATION****Patrick Goggins, Lorraine Goddard and Gemma Grey-Hall, representing United Way**

Patrick Goggins, Lorraine Goddard and Gemma Grey-Hall, representing United Way, appear before Council to provide an overview of the United Way Campaign for 2010, including a brief overview of the priorities identified by the residents of Windsor-Essex, the need to focus on areas where they can have the biggest impact as they are a partner and leader in addressing social issues, and conclude by thanking the City of Windsor for its continued support, and conclude by announcing their annual kick off, which will be held at Charles Clark Square on Friday September 17, 2010.

Moved by Councillor Jones, seconded by Councillor Dilkens,  
**M256-2010** That the presentation by representatives from the United Way pertaining to the 2010 United Way campaign, **BE RECEIVED FOR INFORMATION.**

Carried.

**DELEGATIONS****Campaign 911 Report Drunk Drivers – MADD Request for Signage****Chaouki Hamka, Community Leader, and Florence Holzel, volunteer, MADD Windsor & Essex County Chapter**

Chaouki Hamka, Community Leader, and Florence Holzel, volunteer, MADD Windsor & Essex County Chapter, appear before Council to speak in support of the administrative report for signage respecting "Campaign 911 Report Drunk Drivers" along entry points into Windsor and the downtown area, including a brief overview of the campaign and how it will contribute to the safety, health and wellness of Windsorites.

**APR2010 1**

(For final disposition of this matter, see Clause **CR332/2010** in Schedule "A" attached hereto.)

**Reply to CQ53-2010 Wyandotte Street West Streetscaping****Mike Cardinal, Ward 2 resident**

Mike Cardinal, Ward 2 resident, appears before Council to speak in support of the administrative recommendation to facilitate a community workshop for potential design improvements to the Wyandotte Street West right-of-way between Sunset Avenue and Campbell Avenues, suggesting that the streetscaping initiatives are modern and progressive.

**Dr. Jeff Noonan, Ward 2 resident**

Dr. Jeff Noonan, Ward 2 resident, appears before Council to speak in support of the administrative recommendation to facilitate a community workshop for potential design improvements to the Wyandotte Street West right-of-way between Sunset Avenue and Campbell Avenues, suggesting that the streetscaping initiatives are modern and progressive and provides a brief overview of the importance of Wyandotte St. West, as it is a gateway into the City of Windsor, and further suggests that the University of Windsor students be engaged in this initiative.

**David Hanna, Ward 1 resident**

David Hanna, Ward 1 resident, appears before Council to speak in support of the administrative recommendation to facilitate a community workshop for potential design improvements to the Wyandotte Street West right-of-way between Sunset Avenue and Campbell Avenues, suggesting that the streetscaping initiatives are modern and progressive and concludes by suggesting various options available for Council, such as Greening initiatives.

**MD2010 2**

(For final disposition of this matter, see Clause **CR333/2010** in Schedule "A" attached hereto.)

**Tender 104-10 – Erie Street B.I.A. Streetscaping****Frank Fazio, Solicitor and Rick Spencer, P.Eng**

Frank Fazio, Solicitor and Rick Spencer, P.Eng, appear before Council in support of the administrative recommendations for the Erie Street B.I.A. Streetscaping, and are available for questions.

**Vincenza Miceli, Ward 3 resident**

Vincenza Miceli, Ward 3 resident, appears before Council to request that Council reject the administrative recommendations pertaining to the Erie Street BIA Streetscaping, suggesting that this will create revenue loss to business owners on Howard Avenue due to the lack of parking already in existence and that there was a lack of proper consultation on this file.

**David Hanna, Ward 1 resident**

David Hanna, Ward 1 resident, appears before Council to speak in support of administrative recommendations pertaining to the Erie Street BIA Streetscaping, and further provides a suggestion of launching a pilot project perhaps funded by a bank to improve the affected neighbourhood.

MI/10278 5

(For final disposition of this matter, see Clause **CR339/2010** in Schedule “A” attached hereto.)

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

Item 3 North/south alleys and east/west alley between Princess and Westminster south of Haig Avenue and north of Pasadena Court

**Consideration of Committee Reports**

**M257-2010** Moved by Councillor Jones, seconded by Councillor Lewenza,  
as presented. That the **Report of the special In-camera** meeting held September 13, 2010 **BE ADOPTED**  
Carried.

ACO2010

**M258-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,  
**BE ADOPTED** That **Report No. 287 of the Windsor Heritage Committee** of its meeting held July 14, 2010  
as presented. Carried.

MB2010

**M259-2010** Moved by Councillor Jones, seconded by Councillor Lewenza,  
**BE ADOPTED** That **Report No. 288 of the Windsor Heritage Committee** of its meeting held July 14, 2010  
as amended, to reflect the removal of the following bullet point from the recommendation as it is  
outside of the City’s jurisdiction:

“Wyandotte Street East at Drouillard Road – Canadian National RR Bridge – 1920s –  
Underpass intersection & street retaining walls – Ford City”

Carried.

MB2010

**By-laws**

Moved by Councillor Marra, seconded by Councillor Postma,  
That the following By-laws No. 143-2010 through 149-2010 be introduced and read a first and  
second time:

143-2010 “A BY-LAW TO AMEND BY-LAW NUMBER 53-2007, BEING A BY-LAW TO PRESCRIBE  
A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS” *authorized*  
*by Council Resolution CR220/2010, adopted June 14, 2010*



- 144-2010 “A BY-LAW TO ESTABLISH DECREASE LIMITS FOR CERTAIN PROPERTY CLASSES”  
*authorized by Council Motion M242-2010, adopted August 23, 2010*
- 145-2010 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "WINDSOR CORE AREA ZONING BY-LAW"” approves the removal of the ‘H’ symbol, *authorized by Council Resolution CR786/2003, adopted December 3, 2003*
- 146-2010 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "WINDSOR CORE AREA ZONING BY-LAW"” approves the removal of the ‘H’ symbol, *authorized by By-Law 11275, adopted January 4, 1993*
- 147-2010 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW"” approves the rezoning to permit the demolition of current residence and construction of a convenience store located on the north side of Tecumseh Road East, east of Little River, *authorized by Council Resolution CR304/2008, adopted July 21, 2008*
- 148-2010 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 395-2004, BEING A BY-LAW RESPECTING THE ISSUANCE OF CERTAIN LICENCES” *authorized by Procedure By-Law 420-2001, adopted November 19, 2001*
- 149-2010 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE THIRTEENTH DAY OF SEPTEMBER, 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 presented)**
- 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**

**#1** Councillor Lewenza gives notice that he intends to introduce a motion for consideration at the September 20, 2010 meeting of Council regarding the removal of certain properties from the list of urban blight properties in the City of Windsor.

**#2** Moved by Councillor Gignac, seconded by Councillor Hatfield,  
**M260-2010** That Rule 13.9 (a) of the Procedure By-law regarding business not already before Council  
**BE WAIVED**, to permit Mayor Francis to introduce motions for consideration without prior notice respecting the 2013 International Children's Games.  
Carried.

Moved by Councillor Lewenza, seconded by Councillor Dilkens,  
**M261-2010** That Council **SUPPORT** the formation of an Administrative Committee tasked with preparing a Business Plan by December 2010, examining the capital and operating costs associated with the construction and ongoing operation of a 50 metre pool within Windsor-Essex.  
Carried.

APR/10694

Moved by Councillor Lewenza, seconded by Councillor Gignac,  
**M262-2010** That Council **SUPPORT** the appointment of two City of Windsor representatives and two County representatives to sit on the Organizing Committee for the 2013 International Children's Games and that all other local municipalities in the County **BE AFFORDED** the opportunity to attend those Committee meetings as observers.  
Carried.

APR/10694

### Third Reading of By-laws

Moved by Councillor Dilkens, seconded by Councillor Gignac,  
That the following By-laws No. 143-2010 through 149-2010, 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,  
**M263-2010** 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 SEPTEMBER 20, 2010**

Moved by Councillor Marra, seconded by Councillor Postma,  
**M264-2010** That the following proposed In Camera Agenda for September 20, 2010 **BE APPROVED**:

<b>Item No.</b>	<b>Subject</b>	<b>Section – Pursuant to Municipal Act, 2001, as amended</b>
1.	Property matter – acquisition of lands for easement	239(2)(c)
2.	Property matter – lease	239(2)(a)(c)

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 7:58 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**SUPERVISOR OF COUNCIL SERVICES**

**DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES**

Gignac  
Postma

CR332/2010

That Council **APPROVE** the request by Mothers Against Drunk Driving (MADD) Windsor and Essex County Chapter on a full cost recovery basis to:

1. **INSTALL** “Campaign 911 – Report Drunk Driving” along entry points into Windsor and the downtown area; and
2. Use of oversized 24” x 24” signage for the program signage **BE ALLOWED**.

Carried.

Report Number **14870 APR2010 1**

Internal Distribution

Manager of Traffic Operations [John Wolf]  
Executive Director of Operations  
City Engineer  
Chief of Police

Jones  
Postma

CR333/2010

THAT the summary of the community meeting on July 28, 2010, attached as Appendix ‘A’ **BE RECEIVED** for information; and,

THAT the City Planner **BE DIRECTED** to facilitate a community workshop to further explore potential design improvements to the Wyandotte Street West right-of-way between Sunset Avenue and Campbell Avenue; and,

THAT a report **BE PREPARED** by the City Planner and City Engineer recommending measures to improve the appearance, function and safety of the right-of-way on Wyandotte Street West, including a timeline and cost estimate for undertaking such measures in conjunction with the road and sewer reconstruction on Wyandotte Street West scheduled for 2011; and further,

THAT the City Planner **BE DIRECTED** to contact representatives from the University of Windsor to commence dialogue respecting the University of Windsor’s Master Plan, as soon as possible.

Carried.

Report Number **14869 MD2010 2**

Appendices

Meeting Summary

Internal Distribution

Planning [Chris Brown]  
City Planner  
City Engineer  
City Solicitor

Marra  
Dilkens

CR334/2010

I That the following alleys **BE ASSUMED** for subsequent closure and conveyance:

- the two 4.27 metre (14 feet) wide north/south alleys between Princess Avenue and Westminster Boulevard from Haig Avenue to Pasadena Court, identified as Alleys "A" and "C" on Drawing No. CC-1581, attached hereto as Appendix "A"
- the 4.27 metre (14 feet) wide east/west alley between Princess Avenue and Westminster and between Haig Avenue and Pasadena Court, identified as Alley "B" on Drawing No. CC-1581, attached hereto as Appendix "A"

and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law(s).

Carried.

Report Number 14223 SAA/10198 3

Appendices

Drawing No. CC-1581

Internal Distribution

Building [Don Wilson]

Chief Building Official

Legal - Sharon Amlin

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

Marra  
Dilkens

CR335/2010

That the 4.27 metre (14 feet) wide north/south alley *immediately west of Westminster Boulevard* from Haig Avenue southerly to Pasadena Court, identified as Alley 'C' on Drawing No. CC-1581, attached hereto as Appendix "A" **BE CLOSED AND CONVEYED** subject to the following:

(a) Easements are required for:

- Bell Canada for its aerial plant
- Enwin Utilities to accommodate the existing secondary hydro distribution for the entire width and length
- Cogeco Cable requires an easement for its services

(b) the alley lands will be offered for sale to the abutting property owners at \$1.00 plus deed preparation fees (approximately \$400.00) plus a proportionate share of the survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor

and further, the City Engineer **BE REQUESTED** to supply the appropriate Plan of Survey, in accordance with Drawing No. CC-1581, attached hereto as Appendix "A", the City Solicitor, or a designate, **BE AUTHORIZED** to publish the required legal notice, and **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 14223 SAA/10198 3

APPENDICES

Drawing No. CC-1581  
Aerial Photo

Internal Distribution

Building [Don Wilson]  
Chief Building Official  
Legal - Sharon Amlin - Prepare Ad  
Legal - Documents Clerk - Laura MacDonald  
City Planner  
City Engineer  
City Treasurer  
Legal [Frank Scarfone; Cheryl Glassford] - Prepare the Easement/Assuming/Closing By-law  
City Solicitor

Marra  
Dilkens

CR336/2010

That the 4.27 metre (14 feet) wide *east/west alley between Princess Avenue and Westminster Boulevard* and between Haig Avenue to Pasadena Court, identified as Alley 'B' on Drawing No. CC-1581, attached hereto as Appendix "A" **BE CLOSED AND CONVEYED** subject to the following:

- (a) there are no easements required by any of the Utility Companies in the east/west alley
- (b) that all or part of the 4.27 metre (14 feet) wide east/west alley at the rear of 5066 Pasadena Court be conveyed to the owner of 5066 Pasadena to legalize the garage and the pool, and any remaining part behind 5066 Pasadena not required for the correction of the encroachments be offered for sale to the owner of 5065 Haig Street. The alley lands will be offered for sale at a cost of \$1.00 plus deed preparation fees (approximately \$400.00) plus a proportionate share of the survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor.
- (c) That the east half of the east/west alley between 5097 Haig Avenue and 5098 Pasadena Court be offered for sale to each abutting owner at a cost of \$1.00 plus deed preparation fees (approximately \$400.00) plus a proportionate share of the survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor.

and further, the City Engineer **BE REQUESTED** to supply the appropriate Plan of Survey, in accordance with Drawing No. CC-1581, attached hereto as Appendix "A", the City Solicitor, or a designate, **BE AUTHORIZED** to publish the required legal notice, and **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 14223 SAA/10198 3

APPENDICES

Drawing No. CC-1581  
Aerial Photo

Internal Distribution

Building [Don Wilson]

Chief Building Official

Legal - Sharon Amlin - Prepare Ad

Legal - Documents Clerk - Laura MacDonald

City Planner

City Engineer

City Treasurer

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

City Solicitor

Marra

Dilkens

CR337/2010

That the 4.27 metre (14 feet) wide north/south alley *east of Princess Avenue* from Haig Avenue southerly to Pasadena Court, identified as Alley 'A' on Drawing No. CC-1581, attached hereto as Appendix "A"

**BE CLOSED AND CONVEYED** subject to the following:

- (a) Easements are required for:
  - Bell Canada for its aerial plant
  - Enwin Utilities to accommodate the existing secondary hydro distribution for the entire width and length
  - Cogeco Cable requires an easement for its services
- (b) William Appleyard, the applicant, be required to improve and maintain the drainage immediately abutting his property to facilitate a southerly flow of surface water to the catch basin on Pasadena Court, to the satisfaction of the Chief Building Official.
- (c) the alley lands will be offered for sale to the abutting property owners at a cost of \$1.00 plus deed preparation fees (approximately \$400.00) plus a proportionate share of the survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor

and further, the City Engineer **BE REQUESTED** to supply the appropriate Plan of Survey, in accordance with Drawing No. CC-1581, attached hereto as Appendix "A", the City Solicitor, or a designate, **BE AUTHORIZED** to publish the required legal notice, and **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 14223 SAA/10198 3

APPENDICES

Drawing No. CC-1581

Aerial Photo

Internal Distribution

Building [Don Wilson]

Chief Building Official

Legal - Sharon Amlin - Prepare Ad

Legal - Documents Clerk - Laura MacDonald

City Planner

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

Dilkens  
Gignac

CR338/2010

That the report of the City Engineer dated August 30, 2010 entitled 'Farmer's Market' **BE RECEIVED** for information; and further,

That the Farmers Market lease **BE EXTENDED** to the year 2011, and that a Committee **BE FORMED** as soon as possible to explore possible options in association with the affected stakeholders, including but not limited to the Downtown Residents Association, the Downtown BIA, as well as the Committee of the Farmers Market.

Carried.

Report Number **14882 APM/10426 C4**

Internal Distribution

City Engineer  
Executive Director of Operations  
City Solicitor  
Chief Financial Officer & City Treasurer  
City Planner

Halberstadt  
Valentinis

CR339/2010

- I. That the results of Tender 104-10 **BE NOTED and FILED**;
- II. That Council formally **APPROVE** the balance of \$700,000 placeholder approved in 2009 for Phase 1A of the Erie Street BIA Streetscaping –La Bella Strada Project;
- III. That **\$692,634 BE APPROVED** as a first charge to 2011 Capital Budget to fund the balance of Phase 1A Erie Street BIA Streetscaping - La Bella Strada Project;
- IV. That **APPROVAL BE GIVEN** to re-tender the new Phase 1A of the Erie Street BIA Streetscaping – La Bella Strada Project for construction in 2011; and
- V. That **\$1,200,000 BE CONSIDERED** in 2012 Capital Budget for Phase 1B Erie Street BIA Streetscaping - La Bella Strada Project.

Carried.

Report Number **14871 MI/10278 5**

Internal Distribution

Engineering [Tiffany Pocock]  
City Engineer



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

Dilkens  
Gignac

CR340/2010

- I. That City Council **APPROVE** the construction of a pedestrian sidewalk on the south side of Cedarview Street from Isack Drive to Riverdale Avenue;
- II. That the estimated cost of \$155,000.00 **BE CHARGED** to the Pedestrian Safety Improvement Project (Project No. 7045034);
- III. That the City Engineer **BE DIRECTED** to send information regarding the “Snow Angels Program” to everyone in the notification list included in the Engineering Department report entitled ‘Pedestrian Generator Sidewalk on Cedarview from Isack to Riverdale’ for information purposes.

Carried.

Report Number **14868 SW/10765 C6**

Internal Distribution

\*Note: It is assumed that the Engineering Department will take care of the notification on this matter, regarding the “Snow Angels Program”.

Engineering [Stacey Shyshak\*]  
City Engineer  
Chief Financial Officer & City Treasurer  
Executive Director of Operations

Dilkens  
Gignac

CR341/2010

That the request of Mastercraft Homes to transfer all fees related to 38 building permits from Aspenshore Avenue to Cypress Avenue in the South Neighbourhood Subdivision **BE APPROVED**.

Carried.

Report Number **14865 SB2010 C7**

Internal Distribution

Building [Bill Jean]  
Chief Financial Officer & City Treasurer  
Chief Building Official  
City Solicitor

Dilkens  
Gignac

√√sv

CR342/2010

That the results of the e-mail polling of the Mayor and Council, approving the indemnification of the Mayor and Councillors for legal expenses incurred in defending the legal action brought by The Canadian Transit Company **BE RATIFIED AND CONFIRMED.**

√Clerk's Note: The defence costs that will be incurred are unknown at this time.  
These costs will be funded from the external legal budget.  
The budget is currently overspent.√

Carried.

Report Number 14893 Z/8581 C8

Internal Distribution

City Clerk  
City Solicitor

ADOPTED by Council at its meeting held September 13, 2010 [M258-2010]

KK

Windsor, Ontario September 13, 2010

**REPORT NO. 287**

of the

**Windsor Heritage Committee**

at its meeting held

July 14, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

- Present:** Robin Easterbrook, Chair  
 Councillor Percy Hatfield  
 Councillor Fulvio Valentinis  
 Lynn Raeburn Baker  
 Simon Chamely  
 Dr. Paul DeMarco  
 Andrew Foot  
 Janis Marchand  
 Noreen Slack

Your Committee submits the following recommendations:

That the property at 5420 Riverside Drive East, identified as the Stott-Flanders House, **BE REMOVED** from the Windsor Heritage Register, under provisions of the *Ontario Heritage Act*.

J. Marchand, S. Chamely, and N. Slack voting nay.

**NOTE:** The report of the Heritage Planner dated July 7, 2010 is **attached** as background information.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
COMMITTEE COORDINATOR

**ADOPTED AS AMENDED** to reflect the removal of the following bullet point from the recommendation as it is outside of the City's jurisdiction:

“Wyandotte Street East at Drouillard Road – Canadian National RR Bridge 1920–  
Underpass intersection & street retaining walls – Ford City”  
by Council at its meeting held September 13, 2010 [M259-2010]

KK

Windsor, Ontario September 13, 2010

**REPORT NO. 288**

of the

**Windsor Heritage Committee**

at its meeting held

July 14, 2010

5:30 o'clock p.m.

Meeting Room 405, 400 City Hall Square East

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**Present:** Robin Easterbrook, Chair  
Councillor Percy Hatfield  
Councillor Fulvio Valentinis  
Lynn Raeburn Baker  
Simon Chamely  
Dr. Paul DeMarco  
Andrew Foot  
Janis Marchand  
Noreen Slack

Your Committee submits the following recommendations:

That the following properties of cultural heritage value or interest **BE ADDED** to the Windsor Municipal Heritage Register:

- 1218 Devonshire Road – House – c1927 – Arch. Sheppard & Masson; Picturesque - Walkerville
- 1396 Elsmere Avenue – Free Magyar Reform Church – 1933 – Hungarian – Core
- 1650 Howard Avenue – Coca-Cola Bottling Plant – c1938 – Moderne design – Core
- 3982 Howard Avenue – House – c1920 – Dutch Colonial – South Windsor
- 1567 Ouellette Avenue – Ernest Wilby House – 1930 – Arch. Ernest Wilby, Tudor Revival – Core
- 1566 Pillette Road – House – c1929 – Exotic Tudor Revival – Ford City
- 685 University Avenue East – British Methodist Episcopal Church – 1963 – Afro-Canadian Heritage; Contemporary design – Core
- 744 University Avenue East – Multiple family – c1890 – Brick arches – Core
- 3200 Woodland Avenue – Paulin Memorial Presbyterian Church – 1963 – Arch. Johnson & McWhinnie; Contemporary – South Windsor
- Wyandotte Street East at Drouillard Road – Canadian National RR Bridge – 1920s – Underpass intersection & street retaining walls – Ford City
- 465 Wyandotte Street West – Nash Motor Sales – 1929 – Arch. Albert J. Lothian – Core

and further, that the listing of the following property of cultural heritage **BE CORRECTED** on the Windsor Municipal Heritage Register:

*from* • 956/992 McDougall Street – Windsor Utilities Comm. Bldg. – c1929 – Industrial – Core

to • 956 McDougall Street – Windsor Utilities Comm. Bldg. – c1929 – Industrial; one-storey brick part of 350 Erie Street East – Core.

**NOTE:** The report of the Heritage Planner dated July 7, 2010 is **attached** as background information.

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CHAIR

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COMMITTEE COORDINATOR