

**Regular**

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

**Members Present:**

Mayor Francis  
Councillor Dilkens  
Councillor Gignac  
Councillor Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra  
Councillor Payne  
Councillor Sleiman  
Councillor Valentinis

**Members Absent:**

None.

**Call to Order**

Following the playing of the Canadian National Anthem, Reverend Murray Steacy from New Beginnings Christian Centre, offers the Opening Prayer.

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

Councillor Valentinis discloses an interest and abstains from voting on Item No. 8, being the report of the City Engineer dated January 24, 2011 entitled "Economic Development –Clarification" as St. Clair College which employs him has a partnership for education and training with respect to the subject development.

APM/10883

**Minutes**

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
That the Minutes of the regular meeting of Council held January 17, 2011 **BE ADOPTED**  
as presented; and the Minutes of the Strategic Planning meeting of Council held January 11, 2011  
**BE ADOPTED** as presented.  
Carried.

**Notice of Proclamations**

Employee Mentoring Week, January 24 – 28, 2011  
Family Literacy Day, January 27, 2011

Committee of the Whole

Moved by Councillor Jones, seconded by Councillor Maghnieh,

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 No. 138 of the Windsor Licensing Commission** of its meeting held October 19, 2010.
  - (g) consideration of by-laws 14-2011 through 17-2011 (inclusive).
- Carried.

Communications

Moved by Councillor Marra, seconded by Councillor Payne,

**M25-2011** That the following Communication Items 1 to 9 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

Carried.

| Item | From   | Description   |
|------|--|---|
| 1    | Ministry of Environment                        | Second Extension of the 2007 Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem.<br><b>Executive Director of Operations<br/>City Engineer<br/>Note &amp; File<br/>EW/9643</b>  |
| 2    | Ministry of Environment                        | Update on <i>Clean Water Act</i> , 2006 – Completion of assessment reports.<br><b>Executive Director of Operations<br/>City Planner<br/>City Engineer<br/>Note &amp; File<br/>EI/10108</b>  |
| 3    | Association of Municipalities of Ontario (AMO) | Draft Supply Mix Directive (EBR Posting 011-1701)<br><b>Executive Director of Operations<br/>Windsor Utilities Commission<br/>Chief Financial Officer &amp; City Treasurer<br/>Note &amp; File<br/>MMA2011</b>  |
| 4    | Association of Municipalities of Ontario (AMO) | Ontario determined to get a better deal for New Canadians - McGuinty government begins talks with the Federal government to negotiate a new Canada Ontario Immigration Agreement (COIA).<br><b>Community Development and Health Commissioner<br/>Note &amp; File<br/>GP2011</b> |

|   |   |   |
|---|---|---|
| 5 | Town of Tecumseh  | Notice of the passing of a Zoning By-Law amendment by The Corporation of the Town of Tecumseh.<br><br><b>City Solicitor<br/>City Planner<br/>Note &amp; File<br/>ZB2011</b>   |
| 6 | AIDS Committee of Windsor   | Request for sponsorship for annual event "Memories: An Appreciation Celebration".<br><br><b>COUNCIL DIRECTION REQUESTED<br/>Chief Financial Officer &amp; City Treasurer<br/>Note &amp; File<br/>APR2011</b>                    |
| 7 | Manager of Urban Design   | Application of Ground Effects Ltd. for Site Plan Approval to permit existing industrial use located at 2875 St. Etienne.<br><br><b>Note &amp; File<br/>ZS/10879</b>   |
| 8 | The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) | The City of Windsor's Employee Mentoring Program has been recognized with an E.A. Danby Award in the category of Municipal Administration.<br><br><b>Executive Director of Human Resources<br/>Note &amp; File<br/>AS/10269</b> |
| 9 | Executive Director of Human Resources and Chair of Employee Mentoring Committee | City of Windsor Employee Mentoring Program Update<br><br><b>Note &amp; File<br/>AS/10269</b>  |

Carried.

### Consent Agenda

Moved by Councillor Sleiman, seconded by Councillor Marra,

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

- Item 1 Revised Emergency Response Plan
- Item 2 Infrastructure Stimulus Fund / RInC Deadline Extension
- Item 3 Retain LED Street Light Supplier for Pilot Project
- Item 4 Self-Insurance Reserve Fund – Actuarial Review
- Item 5 Local Immigration Partnership
- Item 6 Part-Lot Control By-law Exemption Request, 1495680 Ontario Inc. (R. Babister), east and west sides of Curry and McKay Avenue
- Item 8 Economic Development - Clarification

Carried.

Councillor Valentinis discloses an interest and abstains from voting on Item No. 8.

**Deferrals and/or Referrals and Withdrawals****Windsor Licensing Commission Report No. 138****Caroline Postma, resident of Ward 3**

Caroline Postma, resident of Ward 3 requests that Report No. 138 of the Windsor Licensing Commission respecting “Urban Chickens” be referred “to the Pathway to Potential anti poverty roundtable for a period of 6 months for review, within a broader context of the Windsor Essex Food Security issues discussion.”

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

That Report No. 138 of the Windsor Licensing Commission respecting “Urban Chickens”

**BE REFERRED** “to the Pathway to Potential anti poverty roundtable for a period of 6 months for review, within a broader context of the Windsor Essex Food Security issues discussion”.

The motion is put and is lost.

Aye Votes: Councillors Halberstadt, Hatfield and Marra.

Nay Votes: Councillors Dilkens, Gignac, Jones, Maghnieh, Payne, Sleiman and Valentinis.

**Clerks Note:** As the motion to refer did not obtain majority support, the matter will be heard this evening.

**Presentations & Delegations:****PRESENTATIONS:****2011 International Children’s Winter Games**

Mayor Francis and Members of Council recognize and congratulate the 22 athletes and 5 coaches representing Windsor and Essex County at the upcoming 2011 International Children’s Winter Games to be held in Kelowna B.C., commencing January 27, 2011. Mayor Francis introduces the athletes and coaches, and in closing wishes the team all the best at the 2011 International Children’s Winter Games. The Athletes present Mayor Francis with a team hockey stick and hat as a token of appreciation

**2010 Customer Service Awards, Corporation of the City of Windsor****Alena Sleziak, Customer Service Coordinator; Marianne D’Alessandro, STAR Vice Chair; and Jason Moore, Senior Manager of Communications and Customer Service**

Alena Sleziak, Customer Service Coordinator; Marianne D’Alessandro, STAR Vice Chair; and Jason Moore, Senior Manager of Communications and Customer Service, along with Mayor Francis and Helga Reidel, Chief Administrative Officer, present the Customer Service and Pride in Workplace Recipients for 2010 as follows:

Exceptional Customer Service:

- Karen Kadour, 211/311 Operator
- Vita Macri, Tax Account and Collection Control Clerk
- Mike Smithson, Supervisor of Maintenance Contracts

Pride in Workplace:

- Mike Stamp, Property Supervisor
- Jim Boscarior, Manager of Inspections

**Employee Mentoring Committee-Awards Presentation, Harry Turnbull, Chair of the Employee Mentoring Committee**

Harry Turnbull, Chair of the Employee Mentoring Committee, appears before Council to provide a brief overview of the City of Windsor's Mentoring Program, established in 2006, announces that the City of Windsor has been recognized by receiving the E.A. Danby Award in the category of municipal Administration for its innovative Employee Mentoring Program, and concludes by thanking the Employee Mentoring Committee for their hard work and dedication.

Mayor Francis and Helga Reidel, Chief Administrative Officer, present the Mentor and Protégé of the Year Award Recipients for 2010 as follows:

Mentor of the Year:

- Rita Pennesi

Protégé of the Year:

- Karina Richters, Environmental Coordinator

**DELEGATIONS**

**Windsor Licensing Commission Report No. 138**

**Jody Percy, resident of Ward 4**

Jody Percy, resident of Ward 4, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that the number of staff assigned to the committee can be decreased to ensure administrative resources are utilized wisely, and concludes by suggesting that numerous municipalities be researched in order to determine how this issue is dealt with across the province.

**Philippa Von Ziegenweidt, resident of Ward 6**

Philippa Von Ziegenweidt, resident of Ward 6, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that the number of staff assigned to the committee can be decreased to ensure administrative resources are utilized wisely, and concludes by stating that readily available research already exists on this issue.

Mayor Francis leaves the meeting at 6:48 o'clock p.m. and Councillor Dilkens assumes the Chair.

**Dr. Mike Petrik, Veterinarian**

Dr. Mike Petrik, Veterinarian, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, outlines the concerns he has as it relates to backyard hens, Bird Welfare, Public Health Issue, and Environmental Issues, and concludes by stating that he would be available to assist with the committee.

**Melanie Coulter, Executive Director, Windsor-Essex County Humane Society**

Melanie Coulter, Executive Director, Windsor-Essex County Humane Society, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, and requests that the Humane Society be added as a committee participant.

Mayor Francis returns to the meeting at 6:56 o'clock p.m. and Councillor Dilkens returns to his seat at the Council table.

**Dr. Lynne Phillips, representing Food Advisory Working Group**

Dr. Lynne Phillips, representing Food Advisory Working Group, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Windsor Licensing Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that the City of Windsor assist in a collaborative effort to develop a local food charter.

**Adam Vasey, representing Pathway to Potential**

Adam Vasey, representing Pathway to Potential, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that a comprehensive food policy would be a useful tool, and concludes by stating that everyone must have avenues available for healthy options to access food.

**Sarah Kacso, resident of Ward 4**

Sarah Kacso, resident of Ward 4, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, and concludes by asking Council to vote with common sense regarding this issue.

**Caroline Postma, resident of Ward 3**

Caroline Postma, resident of Ward 3, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that the committee must determine whether or not such a by-law can be enforced and the resources required.

**Colin McMahon, resident of Ward 4**

Colin McMahon, resident of Ward 4, appears before Council in support of the Windsor Licensing Commission recommendation that a committee be established to report back to the Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, suggesting that prior to owning chickens himself he was doubtful that such animals would serve as wonderful pets, and concludes by stating that chickens make great pets and are wonderful animals.

Moved by Councillor Dilkens, seconded by Councillor Gignac,  
**M26-2011** That Report No. 138 of the Windsor Licensing Commission respecting “Urban Chickens”,  
**BE NOTED AND FILED.**

Carried.

Aye votes: Councillors Dilkens, Gignac, Valentinis, Maghnieh, Jones and Mayor Francis.

Nay votes: Councillors Hatfield, Halberstadt, Payne, Sleiman and Marra.

**Councillor Valentinis’s Notice of Motion****John Corrent, Solicitor**

John Corrent, Solicitor representing neighbouring parking lot owners, appears before Council to speak in support of the motion being presented by Councillor Valentinis, which would have enforcement of Council Resolution 297/2009 held in abeyance suggesting that the owners of the subject parking lots have been faced with increasing costs, and concludes by requesting that administration work with the owners of the parking lots within Blocks C and D of Glengarry- Marentette to meet the necessary requirements in order to gain compliance.

Mayor Francis leaves the meeting at 8:18 o’clock p.m. and Councillor Dilkens assumes the Chair.

Mayor Francis returns to the meeting at 8:25 o’clock p.m. and Councillor Dilkens returns to his seat at the Council table.

Moved by Councillor Valentinis, seconded by Councillor Halberstadt,  
**M27-2011** That any enforcement of Council Resolution 297/2009 **BE HELD IN ABEYANCE** pending Planning Department Administration meeting with the owners of parking lots within Blocks C and D of the Glengarry-Marentette Waterfront Village CIP with respect to the Site Plan Control Application Agreements and **REPORT BACK TO COUNCIL** regarding timelines for bringing the lots into compliance; potential phasing of the work and any potential incentives under the proposed Economic Revitalization CIP’s.

Carried.

Councillor Gignac voting nay

Z/6274

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

PAC 1 Official Plan Amendment No. 77, Implementation of the Brownfield Redevelopment Strategy: Planning Policy Recommendations

PAC 2 Official Plan Amendment #78 – Community Improvement Policies – Official Plan Review

Item 7 International Children’s Games (ICG) – Budget Commitment

**Consideration of Committee Reports**

**M28-2011** Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
as presented. That the **Report of the special In-camera** meeting held January 24, 2011, **BE ADOPTED**

Carried.

ACO2011

**By-laws**

Moved by Councillor Jones, seconded by Councillor Maghnieh,  
That the following By-laws No. 14-2011 through 17-2011 (inclusive), be introduced and read a first and second time:

14-2011 “A BY-LAW TO AMEND BY-LAW 5348 BEING A BYLAW TO CLOSE AND STOP UP PART OF HILL STREET BETWEEN THE DETROIT RIVER AND RUSSELL STREET AND TO AUTHORIZE LEASE OF THE LANDS TO THE ABUTTING OWNER, J. KOVINSKY AND SONS LIMITED”

15-2011 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN *REGISTERED PLANS 12M567 and 12M520*, IN THE CITY OF WINDSOR”

16-2011 “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”

17-2011 “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-FOURTH DAY OF JANUARY, 2011”

Carried.

Moved by Councillor Marra, seconded by Councillor Payne,  
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

**Clerk's Note:** Councillor Payne advises that he has decided to not put these 2 motions forward at this point in time:

1. Moved by Councillor Payne, seconded by Councillor \_\_\_\_\_,  
That Administration **CREATE** a Jobs Action Committee of Council to become further involved in addressing the current serious jobs situation in the City of Windsor.

MB2011

2. Moved by Councillor Payne, seconded by Councillor \_\_\_\_\_,  
**WHEREAS** the final Report of the Community Based Strategic Rail Study dated April 2008 proposed in Phase 3 the removal of the CASO Sub and Pelton Spur from the CPR/CN Yard to the Airport; and  
**WHEREAS** such removal would provide an option for the conversion of the railway right-of-way to a landscaped recreational trail with a possible extension to Riverside Drive thus providing a people-friendly non-vehicular green access all through the City to the Waterfront for pedestrians, wheelchair users and cyclists; and  
**THEREFORE BE IT RESOLVED** that a preliminary report be prepared on the feasibility of such a concept and outlining the steps required to accomplish it.

SR2011

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

That the following By-laws No. 14-2011 through 17-2011 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Petitions

None presented.

Council Questions

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

**M29-2011** 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.

ACOQ2011

**PROPOSED IN-CAMERA AGENDA FOR JANUARY 31, 2011**

M30-2011 Moved by Councillor Jones, seconded by Councillor Maghnieh,  
That the following proposed In Camera Agenda for January 31, 2011 **BE APPROVED:**

| <u>Item No.</u> | <u>Subject</u>                | Section – Pursuant to Municipal Act, 2001, as amended |
|-----------------|-------------------------------|---|
| 1.              | Property matter – lease       | 239(2)(c)   |
| 2.              | Legal matter – order          | 239(2)(e)   |
| 3.              | Personal matter – recruitment | 239(2)(b)   |
| 4.              | Legal matter – appeal         | 239(2)(e)   |
| 5.              | Personal matter – agreement   | 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.

ACO2011

**Adjournment**

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

Carried.

Accordingly, the meeting is adjourned at 8:55 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

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

**SUPERVISOR OF COUNCIL SERVICES**

Sleiman  
Marra

CR34/2011

That Council **APPROVE** the revised Emergency Response Plan for the City of Windsor in accordance with By-Law #98-2005 as amended.

Carried.

Report Number 15029 SWE/3069 C1

Sleiman  
Marra

CR35/2011

I. **WHEREAS** the federal and provincial governments are providing a one-time extension of the deadline for funding of projects under the Infrastructure Stimulus Fund, Building Canada Fund – Communities Top-Up, the Recreational Infrastructure Canada/Ontario Recreation Program, and the Knowledge Infrastructure Program from March 31, 2011 to October 31, 2011;

**AND WHEREAS** all funding from the Government of Canada and Ontario will cease after October 31, 2011;

**AND WHEREAS** the City of Windsor has asked the provincial government for an extension to federal and provincial funding to October 31, 2011 for the following projects:

| Program | Project number | Project title                              | Total eligible cost |
|---------|----------------|--|---------------------|
| ISF     | 2687           | Airport Operations Building Rehabilitation | \$2,250,000         |
| ISF     | 2783           | Airport Parallel Taxiway Construction      | \$7,000,000         |
| ISF     | 2807           | Central Riverfront Festival Plaza          | \$2,000,000         |
| ISF     | 2804           | Jackson Park Renewal                       | \$800,000           |
| ISF     | 2814           | Retention Treatment Basin                  | \$60,000,000        |
| ISF     | 2794           | Sandwich South Employment Lands Servicing  | \$30,400,000        |
| ISF     | 2749           | Tecumseh Road East Improvements            | \$8,400,000         |
| ISF     | 2766           | Walker Road Reconstruction                 | \$11,866,666        |
| RInC    | R2518          | Ojibway Prairie Complex                    | \$1,500,000         |

**THEREFORE BE IT RESOLVED THAT** the City of Windsor **ATTESTS** that it will continue to contribute its share of the required funding for the aforementioned projects;

**AND BE IT FURTHER RESOLVED THAT** actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned projects must be and will **BE SUBMITTED** no later than April 30, 2011;

**AND BE IT FURTHER RESOLVED THAT** the City of Windsor will **ENSURE** that the project will be completed; and

II. THAT the Administration **BE AUTHORIZED** to amend the original Infrastructure Stimulus Fund Contribution Agreement between The Corporation of the City of Windsor and Her Majesty the Queen in right of Ontario, as represented by the Minister of Energy and Infrastructure as required and further that the Mayor and Chief Administrative Officer **BE AUTHORIZED** to execute the amended agreement; and

III. THAT Administration **BE AUTHORIZED** to amend the original RInC Contribution Agreement between The Corporation of the City of Windsor and Her Majesty the Queen in right of Ontario, as represented by the Minister of Energy and Infrastructure and the Minister of Health Promotion and further that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute the amended agreement.

Carried.

Report Number 15043 AFB/10064 C2

Sleiman  
Marra

CR36/2011

That the CAO and the City Clerk **BE AUTHORIZED** to sign the LED Roadway Lighting for the 100 days Fixture Trial 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 15042 SW/10870 C3

Sleiman  
Marra

CR37/2011

That Sigma Risk Management Inc. (“Sigma”) **BE ENGAGED** at a cost of \$15,000 plus applicable taxes to conduct an actuarial review of the City’s Self-Insurance Reserve Fund (“SIRF”) and to provide recommendations for insurance premium allocation with the cost of this engagement being charged directly to the City’s Self Insurance Reserve Fund 142 and further that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with Sigma, approved by the City Solicitor as to legal content, the Chief Financial Officer and City Treasurer as to financial content, and the Manager of Purchasing and Risk Management as to technical content.

Carried.

Report Number 15018 MT/10869 C4

Sleiman  
Marra

CR38/2011

THAT the report of the Executive Director of Employment and Social Services regarding the report entitled “Moving Forward...A Supplement to A Community Plan to Promote the Settlement and Integration of Immigrants in Windsor and Essex County” **BE ACCEPTED**; and

THAT, the Executive Director of Employment and Social Services **BE AUTHORIZED** to continue to participate in the Local Immigration Partnership Initiative and related program extensions provided that all related costs are funded 100% in full by the Federal and/or Provincial government and there are no net costs to the City; and

THAT, the Executive Director of Employment and Social Services **BE AUTHORIZED** to acquire the resources and support to implement the research and planning initiatives of the Local Immigration Partnership Council at a cost not to exceed the funding provided by the Federal and/or Provincial governments; and

THAT the Community Development and Health Commissioner **BE AUTHORIZED** to execute the necessary agreements and documents related to the Local Immigration Partnership Initiative and associated programs provided such agreements and documents are in a form and content satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Employment and Social Services.

Carried.

Report Number 15045 SS/10673 C5

Sleiman  
Marra

CR39/2011

I That the application of 1495680 Ontario Inc. (R. Babister) for part-lot control exemption for the lands legally described as Lots 1 to 29, Plan 12M-567 and Blocks 34 and 35, Plan 12M-520, now designated as Parts 1 to 89 inclusive, Reference Plan 12R-24576, as identified on attached Map No. PLC-009/10-1, located on the east and west side of Curry and McKay Avenue, between Kenora Street and the Manitoba Street right-of-way, west of Dominion Boulevard, to allow the development single detached dwelling units, **BE APPROVED** for a period of 3 years.

II That By-law 15-2011 **BE ENACTED**.

Carried.

Report Number 15035 ZPLC2011 C6

Appendices

Map No. PLC-009/10-1

Marra  
Jones

CR40/2011

That City Council **DIRECT** administration as follows:

- a) That **COUNCIL ALLOCATES** the necessary budget commitment of \$300,000.00 a year for three (3) years totalling \$900,000.00 to host the International Children's Games (ICG), funded through the Capital Budget AND
- b) That **ADMINISTRATION PROCEEDS** with all activities necessary to properly plan and execute the 2013 International Children's Games for Windsor Essex.
- c) That a 2013 Windsor Essex ICG Summer Games Host Committee **BE ESTABLISHED** confirming Mayor Francis and Warden Bain as joint Co-Chairs.

Carried.

Report Number 1 5064 APR/10694 7

Sleiman  
Marra

CR41/2011

That In-Camera Resolution M307-2010 **BE AMENDED** to reflect the following:

1. That City Council **AUTHORIZE** a Sole Source Consulting Contract between The Corporation of the City of Windsor and EBA Engineering Consultants Ltd. (a Tetra Tech Company), of Ottawa for the complete site-work design and contract administration of the Windsor International Airport Service Hangar (MRO), for an upset amount of \$841,000.00, (plus HST), including disbursements, and that the CAO and City Clerk **BE AUTHORIZED** to sign an agreement, in form satisfactory to the City Solicitor, in financial content to the Chief Financial Officer and Treasurer, and in technical content to the City Engineer.
2. That City Council **AUTHORIZE** the CAO and City Clerk to sign a contract with the successful bidder for the construction of municipal services and MRO facility, provided the net cost to the City of Windsor, including engineering, is within the expected City net costs, all in form satisfactory to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer and Chief Financial Officer, and further, the results of the tender be reported separately as information to City Council.
3. That should the tender results and costs be beyond the net City budget, Administration will **PREPARE** a report and financial Business Case for City Council decision.

Carried.

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

Report Number 15067 APM/10883 C8

Dilkens  
Gignac

CR42/2011

- I. That the report concerning implementation of the City's Brownfield Redevelopment Strategy **BE RECEIVED**; and
- II. That Official Plan Amendment No. 77 concerning amendments to the Potentially Contaminated Sites Policies **BE ADOPTED**.

Carried.

Report Number 14997 ZO/10830 PAC 1

Marra  
Dilkens

CR43/2011

- I. That Official Plan Review Report #28: Community Improvement Official Plan Amendment **BE RECEIVED**; and
- II. That Official Plan Amendment No. 78 concerning Community Improvement polices **BE ADOPTED**.

Carried.

Report Number 14998 ZO/10831 PAC 2

NOTED AND FILED by Council at its meeting held January 24, 2011 [M26-2011]

**BE CONSIDERED at the January 24, 2011 meeting of Council**

as adopted by Council at its meeting held November 22, 2010

**DEFERRED INDEFINITELY**

as adopted by Council at its meeting held November 8, 2010 [M308-2010]

KK/

Windsor, Ontario November 8, 2010

**REPORT NO. 138** of the  
**WINDSOR LICENSING COMMISSION**  
at its meeting held October 19, 2010

---

**Present:** Councillor Ron Jones, Chair  
Councillor Alan Halberstadt  
Councillor Caroline Postma  
Joe Barile  
Jack Fathers

The Windsor Licensing Commission submits the following recommendation:

That a Committee **BE ESTABLISHED** to report back to the Windsor Licensing Commission on whether or not chickens should be allowed in a non-agriculturally zoned region, (necessitating a change to the by-laws and a new licensing regime) and further, that the Committee **BE COMPOSED** of the following:

- One (1) City Councillor as Chair
- Four (4) Interested Citizens
- One (1) representative from Licensing
- Two (2) representatives from the Building Department
- One (1) representative from Environmental Services
- One (1) representative from the Planning Department
- One (1) representative from the Windsor-Essex County Health Unit

NOTE: **The report of the Acting Corporate Policy Coordinator dated October 7, 2010 entitled "Urban Chickens" is attached.**

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
SECRETARY



ADOPTED by Council at its meeting held January 24, 2011 [M28-2011]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
January 24, 2011**

**Meeting called to order at: 5:00 p.m.**

**Members in Attendance:**

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

**Also in attendance:**

H. Reidel, Chief Administrative Officer  
M. Sonogo, City Engineer  
G. Wilkki, City Solicitor  
V. Critchley, City Clerk  
O. Colucci, Chief Financial Officer  
M. Stamp, Property Supervisor (Item 2)

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

- 6. Property matter – Capitol Theatre negotiations;**
- 7. Personal matter – about an identifiable individual**
- 8. Personal matter – about an identifiable individual.**

**Motion Carried.**

**Verbal Motion is presented by Councillor Dilkens, seconded by Councillor Gignac to move in Camera for discussion of the following item(s), adding Items 6, 7 and 8:**

| <u>Item No.</u> | <u>Subject</u>  | <u>Section – Pursuant to Municipal Act, 2001, as amended</u> |
|-----------------|---|--|
| 1.              | Legal matter – claims   | 239(2)(e)  |
| 2.              | Property matter – expropriation   | 239(2)(c)  |
| 3.              | Legal/Property matter – clarification – MOVED TO OPEN AGENDA                    | 239(2)(c)  |
| 4.              | Legal matter – Solicitor-client privilege (report to be distributed at meeting) | 239(2)(f)  |
| 5.              | Legal matter – litigation – <u>verbal report</u>                                | 239(2)(e)(f)   |
| 6.              | Property matter – Capitol Theatre negotiations – ADDED                          | 239(2)(a)  |
| 7.              | Personal matter – about an identifiable individual – ADDED                      | 239(2)(b)  |
| 8.              | Personal matter – about an identifiable individual – ADDED                      | 239(2)(b)  |

**Motion Carried.**

#### **Declarations of Pecuniary Interest:**

Councillor Marra declares a conflict and abstains from voting on Item 5 as his employer holds bingo licences.

Councillors Dilkens, Valentinis and Hatfield declare an interest and abstain from voting on Item 5 as they all have been involved with organizations that have participated in charitable bingos.

Councillor Valentinis declares an interest and abstains from voting on Item 6 as it involves his employer, St. Clair College.

#### **Discussion on the items of business. (Items 1, 2, 4, 5, 7, 8 and 6)**

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

**Motion Carried.**

**Moved by Councillor Hatfield, seconded by Councillor Maghnieh, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 24, 2011 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from Senior Legal Counsel, City Engineer, City Solicitor and Chief Financial Officer and City Treasurer respecting a legal matter – claims **BE RECEIVED FOR INFORMATION**.
2. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and Executive Director of Operations, respecting a property matter - expropriation **BE APPROVED** as amended.
3. That the confidential report from the City Engineer, City Solicitor and Chief Financial Officer and City Treasurer respecting a legal/property matter – clarification **BE REFERRED** to the regular meeting of Council on January 24, 2011.
4. That the recommendation contained in the in-camera report from the City Solicitor, City Engineer and Chief Financial Officer and City Treasurer respecting a legal matter – solicitor-client privilege **BE APPROVED**.
5. That the verbal report from the City Clerk and City Solicitor respecting a legal matter – litigation **BE RECEIVED FOR INFORMATION**.  
**Councillors Marra, Dilkens, Hatfield and Valentinis declare a conflict and abstain from voting.**
6. That the confidential verbal report from the Mayor respecting a property matter – security of the property of the Corporation **BE RECEIVED**.  
**Councillor Valentinis declares an interest and abstains from voting.**
7. That the confidential verbal report of the Mayor regarding a personal matter about an identifiable individual **BE RECEIVED** and that Administration **BE DIRECTED** to proceed on the verbal instructions of Council.
8. That the confidential verbal report of the Mayor regarding a personal matter about an identifiable individual **BE RECEIVED**.

**Motion Carried.**

**Moved by Councillor Dilkens, seconded by Councillor Valentinis,  
That the special meeting of council held January 24, 2011 BE ADJOURNED.  
(Time: 5:42 p.m.)**

**Motion Carried.**