

Regular

Council meets in formal session this day at 6:02 o'clock p.m., in the Council Chambers.

Members Present:

Councillor Dilkens
Councillor Gignac [Acting Mayor]
Councillor Halberstadt
Councillor Hatfield
Councillor Maghnieh
Councillor Marra
Councillor Payne
Councillor Sleiman
Councillor Valentinis

Members Absent:

Mayor Francis [tending to city business with respect
to economic development]
Councillor Jones [attending the Town & Gown Symposium
CMHC Symposium in Cambridge, Ontario]

Call to Order

The Acting Mayor calls the meeting to order at 6:02 o'clock p.m.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Payne discloses an interest and abstains from voting on the Report of the Striking Committee dated May 9, 2011, specifically as it relates to the Town & Gown Committee, as he is a landlord around the University area.

Minutes

Moved by Councillor Maghnieh, seconded by Councillor Marra,
That the Minutes of the regular meeting of Council held May 3, 2011, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

- Recreation & Parks Month – June 2011
- Spina Bifida & Hydrocephalus Awareness Month – June 2011
- Peace Tree Day – June 1, 2011
- Canadian Corps of Commissionaires Week – June 12-19, 2011 and Flag Raising
- Associazione Nazionale combattenti E Reduci Italiana Flag Raising May 29, 2011
- Canadian Italian Business & Professional Association (CIBPA) of Windsor - Charitable Endeavours Inc. and Flag Raising, June 2, 2011

Committee of the Whole

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

- (a) communication items;
 - (b) consent agenda;
 - (c) hearing requests for deferrals or referrals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
 - (ii) **Report of the Striking Committee** of its meeting held May 9, 2011; and
 - (iii) **Report No. 139 of the Windsor Licensing Commission** of its meeting held November 16, 2010, 2011
 - (g) consideration of by-laws 89-2011 through 96-2011 (inclusive).
- Carried.

Communications

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
M117–2011 That the following Communication Items 1 to 16 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:
Carried.

| Item | From | Description |
|------|--|--|
| 1 | PPP Canada | P3s offer unique approach to public infrastructure delivery, ensure greater savings and value for taxpayers. Chief Financial Officer & City Treasurer City Engineer Note & File GP2011 |
| 2 | Ministry of Tourism and Culture | Creative Communities Prosperity Fund. Executive Director of Recreation & Culture Note & File AF2011 |
| 3 | Essex Region Conservation Authority (ERCA) – Source Protection Committee | Draft of Proposed Changes for Updated & Amended Assessment Report for the Essex Region Source Protection Area. City Engineer Note & File GCE2011 |
| 4 | Municipal Property Assessment Corporation (MPAC) | 2010 Annual Report and Financial Statements. Chief Financial Officer & City Treasurer Note & File ACEA2011 |
| 5 | Canadian Cancer Society, Essex County Unit, Ontario Division | Letter of thank you for the opportunity to present members of Council with a daffodil pin and for declaring April 2011 as Daffodil Month in Windsor. Note & File APR2011 |

| | | |
|----|--|--|
| 6 | University of Windsor, Odette School of Business | Request for sponsorship for 27 th Annual CCSBE Conference Entrepreneurship and Community. Chief Financial Officer & City Treasurer Note & File ME2011 |
| 7 | Secretary/Treasurer Committee of Adjustment | Consent Authority Agenda Record Hearing to be held on Wednesday, May 18, 2011, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor Note & File ZC2011 |
| 8 | Transit Windsor | Response to CQ71-2010 – need for islands at the new transit centre to be power washed. Note & File MT2011 |
| 9 | City Engineer | Relocation of Remaining Parking Enforcement Staff to 1266 McDougall. Note & File ACLP2011 |
| 10 | Windsor Heritage Committee | Minutes of meeting held March 9, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 11 | Windsor Heritage Committee | Minutes of meeting held April 13, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 12 | Windsor-Essex County Environment Committee | Minutes of meeting held April 7, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 13 | Board of Directors, Willistead Manor Inc. | Minutes of meeting held April 7, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 14 | Executive Committee Board of Directors, Willistead Manor | Minutes of meeting held April 7, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 15 | Seniors Advisory Committee | Minutes of meeting held April 28, 2011(<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011 |
| 16 | Department of Justice Canada | Response to request to transfer Windsor Airport from Her Majesty the Queen to the City of Windsor. City Engineer City Solicitor Note & File APM/9795 |

Carried.

Consent Agenda

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

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

Item 1 Francois Court and Watson Avenue, Sewer Rehabilitation

Item 2 88285 Ontario Ltd. Request for Extension of Draft Plan Approval, East Riverside – South Neighbourhood

Carried.

Deferrals and/or Referrals and Withdrawals**Report of the Striking Committee meeting dated May 9, 2011**

At the request of Councillor Jones, the portion dealing with Town & Gown Committee on the Report of the Striking Committee dated May 9, 2011 is being deferred for a 2-week period to June 7, 2011 to allow for Councillor Jones to be in attendance.

Moved by Councillor Maghnieh, seconded by Councillor Marra,

M118-2011 That the Report of the Striking Committee meeting dated May 9, 2011, specifically related to the Town & Gown Committee only **BE DEFERRED** to the June 7, 2011 meeting of Council to allow for Councillor Jones to be in attendance.

Carried.

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

Presentations & Delegations:**DELEGATIONS****NLC Management Limited, rezoning, 801-819 Ouellette Avenue, to permit a temporary commercial parking lot on the site****Karl Tanner, Dillon Consulting, representing the Applicant**

Karl Tanner, Dillon Consulting, representing the Applicant, appears before Council and is available for questions regarding the zoning request of NLC Management Limited, to permit a temporary commercial parking lot at 801-819 Ouellette Avenue.

ZB/10902 PAC 2

(For final disposition of this matter, see Clause **CR170/2011** in Schedule “A” attached hereto.)

Application for Financial Incentives under the Economic Revitalization Community Improvement Plan**Tyler Stevens, Contract Glaziers; and Michal Chlumecky, owner of property**

Tyler Stevens, Contract Glaziers and Michal Chlumecky, appear before Council to provide an overview of their company, and request that Council approve the maximum incentives possible under the Economic Revitalization Community Improvement Plan for the continued successful growth of Contract Glaziers.

(For final disposition of this matter, see Clause **CR168/2011** in Schedule “A” attached hereto.)

Official Plan and Zoning Amendments – Methadone Clinics

Pat Reid, resident of Ward 4

Pat Reid, resident of Ward 4, appears before Council to speak in support of the proposed Official Plan and Zoning Amendments for methadone clinics, stating that her neighbourhood in the 1500 block of Lincoln Road was safe and affordable prior to the opening of the methadone clinic at 1574 Lincoln Road, and that since its opening there has been a decrease in the value of homes as well as an increase in transient traffic, harassment of homeowners, and increased vandalism.

Michael Webb, resident of Ward 4

Michael Webb, resident of Ward 4, appears before Council to speak in support of the proposed Official Plan and Zoning Amendments for methadone clinics, stating that the experiences of those in the 1500 block of Lincoln Road should be considered, and concludes by stating that the proposed amendments would serve in the best interests of all residents, and would be a useful tool for providing direction in terms of the location of all future methadone clinics, specifically by imposing a requirement for a 150 metre buffer between any clinic and a residential neighbourhood.

Donna Vollans, resident of Ward 4

Donna Vollans, resident of Ward 4, appears before Council to speak in support of the proposed Official Plan and Zoning Amendments for methadone clinics, stating that the 1500 block of Lincoln Road has changed in a negative way since the opening of the Methadone/Addiction Treatment Centre at 1574 Lincoln Road, suggesting that property values have since declined, with an increase in transient traffic, and concludes by applauding the proposed by-law, specifically the proposed buffer zone in residential areas.

Janine Kissner, Windsor Essex County Community Drug Strategy

Janine Kissner, Windsor Essex County Community Drug Strategy, appears before Council to speak in opposition to the proposed Official Plan and Zoning Amendments for methadone clinics, which would include a 150 metre buffer between these types of clinics and residential neighbourhoods, suggesting it promotes stigmatization and in turn would be a detriment to those that need this type of medical assistance.

Joyce Zuk, Executive Director, Citizen Advocacy; and Colleen Higgins, Addiction Counsellor at Crossroads

Joyce Zuk, Executive Director, Citizen Advocacy; and Colleen Higgins, Addiction Counsellor at Crossroads, appear before Council to speak in opposition to the proposed Official Plan and Zoning Amendments for methadone clinics, suggesting that such a by-law is discriminatory to the patients and sets up a two-tier system, and conclude by stressing that such clinics must be easily accessible and on a transit route line.

Richard Pollock, citizen

Richard Pollock, citizen, appears before Council to speak in opposition to the proposed Official Plan and Zoning Amendments for methadone clinics, suggesting that such a by-law would be discriminatory and lead to the marginalization of those in need, and concludes by stating that adoption of such a by-law would be contrary to the Human Rights Code.

Kathy Huisman, resident of Ward 4

Kathy Huisman, resident of Ward 4, appears before Council to speak in support of the proposed Official Plan and Zoning Amendments for methadone clinics, stating that the 1500 block of Lincoln Road has changed in a negative way since the opening of the Methadone/Addiction Treatment Centre at 1574 Lincoln Road, suggesting that property values have since declined, with an increase in transient traffic.

ZB/10940 ZO/10941 PAC 1

(For final disposition of this matter, see Clause **CR169/2011** in Schedule "A" attached hereto.)

Windsor Christian Fellowship, rezoning, 4490 7th Concession Road, construction of a shelter on the site to permit the creation of a caretaker or pastoral residence within the existing church structure**Jennifer Suzor, Solicitor representing Applicant; and Kathryn Hengl, Solicitor representing Rosati Construction**

Jennifer Suzor, Solicitor representing Applicant; and Kathryn Hengl, Solicitor representing Rosati Construction, appear before Council and are available for questions regarding the rezoning request at 4490 7th Concession Road, for construction of a shelter on the site to permit the creation of a caretaker or pastoral residence within the existing church structure.

ZB/10901 PAC 3

(For final disposition of this matter, see Clause **CR171/2011** in Schedule "A" attached hereto.)

Official Plan 5 year Review**David Hanna, Ward 1 resident**

David Hanna, Ward 1 resident, appears before Council to speak in support of the "Official Plan 5-Year Review", stating that it is a step in the right direction, and concludes by reiterating the importance of public participation and citizen engagement.

ZO/8949 PAC 4

(For final disposition of this matter, see Clause **CR172/2011** in Schedule "A" attached hereto.)

Windsor Licensing Commission Report No. 139**John Clark, Legal Counsel; and Virginia Cosco-Pizzuti, Chair, Downtown Windsor Business Improvement Association (DWBIA)**

John Clark, Legal Counsel; and Virginia Cosco-Pizzuti, Chair, Downtown Windsor Business Improvement Association, appear before Council to provide a response to the draft by-law respecting body rub parlours, stating that they support the introduction of licensing with respect to these businesses, but further suggest the need for the inclusion of provisions restricting locations, more stringent punishment for violations, limiting the use of promotional material and reducing the overall hours of operation would be appropriate.

Elizabeth Balazsy, Cleopatra's

Elizabeth Balazsy, Cleopatra's, appears before Council to speak in opposition to the draft bylaw with respect to body rub parlours, suggesting that any restrictions on her hours of business serve no value, and concludes by stating that any restrictions would be discriminatory against her business.

Violet Pedias, Infinity Spa

Violet Pedias, Infinity Spa, appears before Council regarding the draft by-law with respect to body rub parlours, seeking clarification as to who exactly would be affected by such a by-law.

Shari Cascadden, citizen

Shari Cascadden, citizen, appears before Council with regards to the draft by-law pertaining to body rub parlours, stating that it needs further adjusting in order to meet the needs of these types of small businesses.

Moved by Councillor Valentinis, seconded by Councillor Maghnieh,

That the **Report No. 139 of the Windsor Licensing Commission** of its meeting held November 16, 2010, **BE ADOPTED** as amended, approving the draft by-law along with the following:

- Impose restrictions requiring body rub parlours to be located 400 metres away from establishments that are not compatible with adult entertainment, such as schools, day care centres, places of worship, residential areas and major tourist destinations;
- Prohibit a new body-rub parlour from opening within 1 kilometre of any other body-rub parlour in existence at the time when the application is submitted;
- Prohibit the ability to distribute and post promotional material;
- Limit the hours of operation of body rub parlours to between 9 am and 8 pm, in order to minimize late night disturbances and nuisances associated with these businesses;
- Where there have been violations of the bylaw, there would be a revocation of their operating licence.

The motion is **put** and is **lost** due to an equality of votes.

At the request of Councillor Payne a recorded vote is taken:

RESULTS OF RECORDED VOTE:

| | |
|-----------|---|
| In Favour | Councillors Valentinis, Maghnieh, Halberstadt and Marra |
| Opposed | Councillors Payne, Hatfield, Sleiman and Gignac |
| Abstain | None |
| Absent | Councillors Dilkens and Jones and Mayor Francis |

(For final disposition of this matter, see Report Section).

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

PAC 5 Zoning By-law 8600 Housekeeping Amendment 2011-1

Consideration of Committee Reports

M119-2011 Moved by Councillor Payne, seconded by Councillor Valentinis,
That the **Report of the special In-camera** meeting held May 16, 2011, **BE ADOPTED**
as presented.

Carried.

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

ACO2011

M120-2011 Moved by Councillor Payne, seconded by Councillor Valentinis,
That the **Report of the Striking Committee** of its meeting held May 9, 2011 save and except the
portion dealing with the Town and Gown Committee **BE ADOPTED** as presented.

Carried.

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

MB2011

M121-2011 Moved by Councillor Halberstadt, seconded by Councillor Valentinis,
That **Report No. 139 of the Windsor Licensing Commission** of its meeting held
November 16, 2010, **BE ADOPTED** as amended, approving the draft body rub parlour by-law and also including
a provision which would prohibit a new body-rub parlour from opening within 1 kilometre of any other body-rub
parlour in existence at the time when the application is submitted.

Carried.

Councillors Sleiman, Payne and Hatfield voting nay.

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

MB2010

By-laws

Moved by Councillor Valentinis, seconded by Councillor Sleiman,
That the following By-laws No. 89-2011 through 96-2011 (inclusive), be introduced and read a
first and second time:

89-2011 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9148 BEING A BY-LAW TO
REGULATE TRAFFIC WITHIN THE LIMITS OF THE CITY OF WINDSOR"

90-2011 "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"

91-2011 "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"

- 92-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS NORTH TALBOT ROAD, IN THE CITY OF WINDSOR”
- 93-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS HOWARD AVENUE, IN THE CITY OF WINDSOR”
- 94-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS NEAL BOULEVARD, IN THE CITY OF WINDSOR”
- 95-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BY-LAW””
- 96-2011 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SIXTEENTH DAY OF MAY, 2011”

Carried.

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

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) **Communication Items (as presented)**
- 2) **Consent Agenda (as presented)**
- 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.

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

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Maghnieh, seconded by Councillor Marra,

That the following By-laws No. 89-2011 through 96-2011 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

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

Petitions

Moved by Councillor Payne, seconded by Councillor Valentinis,
M122-2011 That the petition presented by Councillor Hatfield from residents of Bellagio requesting the addition of a cul-de-sac on the south side of Bellagio Drive (1100 block) as a traffic calming measure to prevent commuter traffic from both Wyandotte Street East and Little River Road, **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Executive Director of Operations for the purpose of an examination of the requested works or undertakings; and further that a report **BE PROVIDED** consistent with the direction provided.

Carried.

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

ACO/11189

Council Questions

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,
M123-2011 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.

Councillors Dilkens and Marra were absent from the meeting when the vote was taken on this matter.

ACQ2011

Adjournment

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

Carried.

Councillors Dilkens and Marra were absent from the meeting when the vote was taken on this matter.

Accordingly, the meeting is adjourned at 9:54 o'clock p.m.

ACTING MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Halberstadt
Hatfield

CR166/2011

- I.** That **APPROVAL BE GIVEN** to undertake a total expenditure of \$2,000,000 for the construction of infrastructure on Francois Court – Ellrose Avenue to Wyandotte Street East (\$1,000,000) and Watson Avenue – Cedarview Street to Menard Street (\$1,000,000) to **BE FUNDED** as follows:
- i. \$1,232,241 from Project No. 7082008
(Ida – Somme/Memorial)
 - ii. \$270,111 from Project No. 7083005
(Parent – Lens/Ypres Storm Sewer)
 - iii. \$497,648 from Project No. 7091008
(Terminal Storage – Woodlawn/Ypres/Memorial)
- II.** That in order to proceed with construction of the Francois Court and Watson Avenue infrastructure, the City Engineer **BE AUTHORIZED** to proceed with the Award of Tender to the low bidders, subject to the tenders meeting project specifications and being within the approved budget and subject to the terms and conditions of the City's Purchasing By-law 400-2004 (as amended); and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign contracts with the low Tenderer, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number **15239 SW2011 C1**

Internal Distribution

Public Works [Wesley Hicks]
City Engineer
Manager of Purchasing & Risk Management
Chief Financial Officer & City Treasurer
City Solicitor

Halberstadt
Hatfield

CR167/2011

- I.** That the request of 882885 Ontario Ltd. for an extension to the date of expiration for the draft plan of subdivision for lands located west of Magnolia Avenue between Firgrove Drive and Little River Boulevard, as shown on Map No. Z-050/98-2 (Attachment No. 2) **BE APPROVED** to specify that draft approval shall lapse on January 24, 2014.
- II.** That the request of 882885 Ontario Ltd. for an extension to the date of expiration for the draft plan of subdivision for lands located between Little River Boulevard and the VIA Rail railway line, east of the proposed Florence Avenue/stormwater pond, as shown on Map No. SDN-002/03 (Attachment No. 3) **BE APPROVED** to specify that draft approval shall lapse on January 24, 2014.

Carried.

Report Number **15244 ZP/7350 C2**

Appendices

Map No. Z-050/98-2

Map No. SDN-002/03

Internal Distribution

Planning [Thomas J. Cadman]

City Planner

Manager of Development Applications

City Solicitor

Marra

Maghnieh

CR168/2011

- I. THAT Council Report Number 15254 dated May 2, 2011 regarding an application for a Business Retention and Expansion Grant pursuant to the City of Windsor Economic Revitalization Community Improvement Plan submitted by Chlumecky Holdings Inc. and Windsor Glass/Contract Glaziers Inc. (Michal Chlumecky, Owner) **BE RECEIVED**; and
- II. THAT the request by Chlumecky Holdings Inc. (Windsor Glass/Contract Glaziers Inc.) under the Business Retention and Expansion Grant Program **BE APPROVED** for one hundred percent of the municipal portion of the tax increment for up to ten years pursuant to the City of Windsor Economic Revitalization Community Improvement Plan; and
- III. THAT staff **BE DIRECTED** to prepare an agreement to implement the Business Retention and Expansion Grant Program in accordance with all applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan to the satisfaction of the City Planner as to content, the City Solicitor as to legal form, and the CFO/City Treasurer as to financial implications; and
- IV. THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Business Retention and Expansion Grant Agreement.

Carried.

Report Number **15254 SPL/10759 3**Internal Distribution

Planning [Greg Atkinson]

City Planner

Chief Financial Officer & City Treasurer

City Solicitor

CR169/2011 PART III RESCINDED BY M381-2015 ADOPTED BY COUNCIL SEPTEMBER 8, 2015

Payne

Valentinis

CR169/2011

- I That in response to Council's directive contained in CR276/2010, the following amendments to the City of Windsor Official Plan **BE APPROVED** so as to provide policy direction regarding location of Methadone Clinics in the City of Windsor:

- (1) Delete paragraph (a) Section 6.3.2.2 (Residential Policies: Ancillary Uses) and replace with the following:

Paragraph (a) – community services including libraries, emergency services, community centres and similar public agency uses, but does not include a Methadone Clinic.

- (2) Delete Section 6.3.2.8 (Residential Policies: Neighbourhood Commercial Definition) and replace with the following:

Section 6.3.2.8 - For the purposes of this Plan, Neighbourhood Commercial uses include commercial uses which are intended to primarily serve the day to day needs of residents within the immediate neighbourhood or neighbourhoods, but does not include a Methadone Clinic.

- (3) Add to Section 6.4.3.2 (Industrial Policies: Ancillary Uses) the following paragraph:

(e) Methadone Clinics provided that:

- (i) such uses are located a minimum of 150 metres from
 - lands used or zoned for residential, institutional or open space purposes, excluding lands used for Hospitals, Universities, and Community Colleges; and
 - any lands used for a Methadone Clinic
- (ii) such uses satisfy the evaluation criteria set out in Section 6.5.3.7 of the Commercial Corridor Policies, with the exception of the requirement that the proponent demonstrate that a proposed commercial development is acceptable in terms of the proposal's market impact on other commercial areas; and
- (iii) the use is supported by a Planning Rationale Report, provided by the applicant/agent, containing details of the application including proximity to public transit and supporting reasons why the application should be approved, to the satisfaction of the Municipality;

- (4) Add to Section 6.4.4.2 (Business Park Policies: Ancillary Uses) the following paragraph:

(g) Methadone Clinics provided that:

- (i) such uses are located a minimum of 150 metres from
 - lands used or zoned for residential, institutional or open space purposes, excluding lands used for Hospitals, Universities, and Community Colleges; and
 - any lands used for a Methadone Clinic
- (ii) such uses satisfy the evaluation criteria set out in Section 6.5.3.7 of the Commercial Corridor Policies, with the exception of the requirement that the proponent demonstrate that a proposed commercial development is acceptable in terms of the proposal's market impact on other commercial areas; and
- (iii) the use is supported by a Planning Rationale Report, provided by the applicant/agent, containing details of the application including proximity to public transit and supporting reasons why the application should be approved, to the satisfaction of the Municipality;

- (5) Add to Section 6.6.2.2 (Institutional Policies: Ancillary Uses) the following paragraph:

(c) A Methadone Clinic is not a permitted Ancillary Use in any Institutional land use designation, except when the Methadone Clinic is located within a Hospital.

II That in response to Council's directive contained in CR276/2010, the following amendments **BE APPROVED** to further amend Zoning By-law 8600:

(1) Add the following definition to Section 7 of the By-law:

Methadone Clinic means a building or structure, or part thereof, in which methadone maintenance treatment is provided. The term "methadone maintenance treatment centre" shall mean the same as a Methadone Clinic.

(2) Delete Section 7, subsection 94 of B/L 8600 replace with the following:

(94)"**Medical Office**" means the office of any one (1) or more of the following persons: chiroprapist, acupuncturist; alternative medicine practitioner; chiropractor; dentist; denturist; dietician; nurse; nutritionist; occupational therapist; optometrist; osteopath; physician; physiotherapist; podiatrist; psychiatrist; surgeon; any other professional person offering treatment services for the physical, mental or emotional health of people. A medical office does not include a Methadone Clinic.

(3) To add the following to Section 21 (Supplementary Use Regulations) of Bylaw 8600:

Methadone Clinic

(a) Unless otherwise specifically provided in this by-law, no person shall use a building or part thereof for a Methadone Clinic unless the following regulations are complied with:

- (i) The lot on which the building or that part thereof is located is a minimum distance of 150 metres from the nearest lot line of
- any other lot on which a Methadone Clinic is situated;
 - lands used or zoned for residential, institutional and/or open space purposes;
 - any lot on which a school (not including a University or Community College) is situated;

(ii) The regulations of the zoning district in which a Methadone Clinic is situated shall apply

(b) Notwithstanding the provisions of clause (a) above, a Methadone Clinic is permitted within a Hospital.

(4) To amend Section 24, subsection 3, clause (c) (vi) of Bylaw 8600 by adding "Methadone Clinic" to Column I Use.

III That the Planning Department **BE REQUIRED** to maintain a mapping record of all existing and new Methadone Clinics within the City of Windsor so as to facilitate proper implementation of the regulations.

Carried.

Councillors Marra, Hatfield and Dilkens voting nay.

Report Number 15205 ZB/10940 ZO/10941 PAC 1

Internal Distribution

City Planner

Manager of Development

Chief Building Official

City Engineer

City Solicitor

Zoning Clerk – Council Services

Deputy Licence Commissioner

Supervisor of Licensing
City Clerk and Licence Commissioner

Marra
Sleiman

CR170/2011

- I. That an amendment to Zoning By-law 8600 requested by NLC Management Limited changing the zoning of part of Lots 1-3 and Part of Lot 5 and the West Part of Lot 4, Block 4, Registered Plan 256, known municipally as 801-819 Ouellette Avenue, by adding a temporary site specific provision to permit a temporary parking lot on the site, subject to the following additional regulations, **BE APPROVED** for a period of 3 years;
 - i. A 30m x 30m landscaped open space yard be provided at the intersection of Ouellette Avenue and Elliott Street right of ways;
 - ii. Minimum landscaped open space yard from Ouellette Avenue right of way - 10 m;
 - iii. Only one access to Ouellette Avenue is permitted.
- II. That the Site Plan Approval Officer and Site Plan Review Committee BE Directed to incorporate the following additional guidelines when evaluating the site plan control application for a temporary parking area on the subject site:
 - i. Except at vehicular access points, parking areas shall be defined along their street frontages using a decorative fence system composed of painted vertical metal pickets with pillars interspersed at regular intervals with pillars constructed with masonry or concrete in a manner consistent with the colour and design approach used in the surrounding area to the satisfaction of the Manager of Urban Design;
 - ii. Parking Area shall comply with all parking area regulations. Landscaping shall also include lighting, drainage and vegetation consistent with the City's parking area landscape standards;
 - iii. Large trees be placed in the required landscaped open yards provided in the site specific regulation.

Carried.

Report Number 15261 ZB/10902 PAC 2

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk – Council Services
Deputy Licence Commissioner
Supervisor of Licensing
City Clerk and Licence Commissioner

Halberstadt
Sleiman

CR171/2011

I That the application of Windsor Christian Fellowship Church for an amendment to Zoning By-law 8600, changing the zoning of Part of Lot 14, Concession 7, (Part 3, RP 12R-8285) (4490 7th Concession Road) from Agricultural (A) and Agricultural (A-10) (Township of Sandwich South By-law 85-18) **BE APPROVED** on the following basis:

(a) **Permitted Uses**

- (i) A church; church hall;
- (ii) A school; day nursery; a business office and other facilities of a non-profit or charitable organization; a shelter;
- (iii) Any use accessory to the foregoing use, which may include a caretaker or pastoral residence within the main use.

(b) **Regulations**

- (i) Minimum lot area - 19 ha
- (ii) Minimum lot frontage - 150 metres
- (iii) Maximum lot coverage - 20% of the lot area
- (iv) Minimum front yard depth - 6 metres
- (v) Minimum rear yard depth - 15 metres
- (vi) Minimum side yard width - 3 metres.
- (vii) Minimum landscaped open space yard - 20% of the lot area.
- (viii) Maximum building height
 - Main Building - 14 metres
 - Accessory Building - 4.5 metres
- (ix) no building or structure shall be erected closer than 30 metres to the right-of-way limit of a railway.
- (x) The provisions of Section 21(12)(a)(iv) shall not apply to the subject lands;

II That the application of Windsor Christian Fellowship Church for a further amendment of Zoning By-law 8600 adding the following paragraph to Section 7 – Definitions, **BE APPROVED:**

(134a) “Shelter” means a lodging house used exclusively for the provision of temporary accommodation to individuals who are in need of ancillary health care, counselling and social support services.”

III That by-law 85-18 of the Township of Sandwich South, as it applies to the subject land, **BE REPEALED.**

Carried.

Councillors Payne, Maghnieh and Dilkens were absent from the meeting when the vote was taken on this matter.

Report Number 15262 ZB/10901 PAC 3

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk – Council Services
Deputy Licence Commissioner
Supervisor of Licensing
City Clerk and Licence Commissioner

Maghnieh
Marra

CR172/2011

That Official Plan Review Report #29: Official Plan Review Update **BE RECEIVED AND FILED.**

Carried.

Councillors Halberstadt, Sleiman and Dilkens were absent from the meeting when the vote was taken on this matter.

Report Number 15264 ZO/8949 PAC 4

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk – Council Services
Deputy Licence Commissioner
Supervisor of Licensing
City Clerk and Licence Commissioner

Marra
Valentinis

CR173/2011

That Zoning By-law 8600 **BE AMENDED** on the following basis:

1. That Section 20(1)18 be deleted and replaced with the following paragraph:

“18. For the lands bounded on the north by University Avenue West, on the east by Crawford Avenue, on the west by Oak Avenue and on the south by the south limits of Lot 292, Registered Plan 392, and Lot 62, Registered Plan 71, any use permitted in clause (a), of subsection (2), of Section 13, ID1.2 District, of this by-law, shall be additional permitted uses, subject to the provisions of clause (b), of this subsection. [ZDM3; Z-001/11]”

2. That Section 20(1)44 be deleted and replaced with the following paragraph:

“44. For the lands bounded on the north by Eaton Street, on the south by the north limit of Cleary Street extended to South Cameron Boulevard, on the west by Virginia Park Avenue and on the east by South Cameron Boulevard, the provisions of subclause (a), of clause (ii), of subsection (4), of Section 18, MD1.4 District, of this by-law shall not apply. [ZDM 8; Z-001/11]”

3. That Section 20(1)76 be deleted and replaced with the following paragraph:

“76. For the lands situated on the east and west sides of Riberdy Road between Foster Avenue and Ledyard Avenue, the minimum lot area and minimum lot width shall be as existing on August 1, 2003. [ZDM 12; Z-001/11]”

4. That Section 20(1)78 be deleted and replaced with the following paragraph:

“78. For the lands designated as Part 2, Plan 12R-8022 and Part 2, Plan 12R-11887, situated on the south side of Rhodes Drive, west of Wheelton Drive, business and medical offices and a surgical centre shall be additional permitted uses and the required number of parking spaces for a surgical centre shall be calculated on the basis of one space for each 22 square metres of gross floor area. [ZDM 12; Z-001/11]”

5. That Section 20(1)81 be deleted and replaced with the following paragraph:

“81. For the lands comprising Parts 2 and 3, Plan 12R-14719, situated on the south side of Rhodes Drive, west of Pillette Road, a business, financial and professional offices and a personal service shop shall be additional permitted uses; provided, however, that for Part 2, the total gross floor area of these uses in combination shall not exceed 25% of the total gross floor area of all buildings on Part 2. [ZDM 12; Z-001/11]”

6. That Section 20(1)87 be deleted and replaced with the following paragraph:

“87. For the lands comprising Lots 165 and 166, Part Lot 108 and Part Closed Alley, Registered Plan 1164, situated on the northeast corner of Wyandotte Street East and Fairview Avenue, 8 dwelling units within a multiple dwelling shall be permitted. [ZDM 10; Z-001/11]”

7. That Section 20(1)102 be deleted and replaced with the following paragraph:

“102. For the lands comprising Lots 69 to 73, 74 to 79, 100 to 111, all inclusive, Parts of Kingston Drive (closed) and Parkhill Gate (unopened) and the east/west lanes east and west of Parkhill Gate, Registered Plan 1627, situated on the south side of Wyandotte Street East, east of Watson Avenue, the following provisions shall apply:

1. The minimum lot area shall be 6000 square metres with no less than 140 square metres for each dwelling unit;
2. A minimum separation of 12 metres shall be maintained between a multiple dwelling and an RD1.1 District. [ZDM 14; Z-001/11]”

8. That Section 20(1)122 be deleted and replaced with the following paragraph:

“122. For the lands comprising Lot 128, Registered Plan 841, located on the east side of Prado Place, south of Wyandotte Street East, a 2-unit dwelling shall be an additional permitted use within the building. The maximum lot coverage for a main building, maximum building height, and minimum front, side and rear yards shall be as they exist on August 12, 2002. [ZDM10; Z-001/11]”

9. That Section 20(1)239 be deleted and replaced with the following paragraph:

“239. For the lands comprising Lots 512 to 516 inclusive, the abutting part of Block K from the north limit of Lot 516 to the south limit of Lot 512, all of Registered Plan 1342, situated on the east side of Curry Avenue, south of Tecumseh Road West, a duplex dwelling shall be an additional permitted use provided that the minimum lot area and minimum lot width shall be 450 square metres and 15 metres respectively. A semi-detached dwelling shall also be an additional permitted use provided that the minimum lot area and lot width shall be 450 square metres and 15 metres respectively and the minimum side yard width shall be 1.2 metres for each dwelling unit. [ZDM 4; Z-001/11]”

10. That Section 20(1)273 be deleted and replaced with the following paragraph:

“273. For the lands comprising Lots 2, 4, 6, 8, 10 and 12, Block ‘S’, Registered Plan 211, located on the west side of Walker Road, between Tuscarora and Cataraqui Streets, the uses in clause (a) of subsection (3) of Section 14, CD1.3 District, of this by-law shall be permitted only within a building existing on the effective date of this clause, provided further that the maximum building height, minimum front and rear yard depths and minimum side yard widths shall be as they exist on the effective date of this clause. [ZDM 6; Z-001/11]”

11. That Sections 20(1)45, 20(1)90, and 20(1)93 be deleted.

12. That Sections 20(1)135 and 20(1)*388 be deleted and that Section 20(1)124 be deleted and replaced with the following paragraph:

“124. For the land comprising Lots 16 and 18, Registered Plan 262, situated at the northwest corner of Chilver Road and Assumption Street, the following provisions shall apply:

1. a minimum of 6 on-site parking spaces shall be provided;
2. a business office with a maximum gross floor area of 110 square metres in combination with a single unit or two unit dwelling shall be additional permitted uses within the building existing on the site on January 1, 2003;
3. a business, financial or medical office, a personal service shop, a light repair shop or a professional studio shall be additional permitted uses.
[ZDM 6; Z-001/11]”

13. That Section 20(1)169 be deleted and replaced with the following paragraph:

“169. For the lands comprising Lots 10, 12 and 14, Registered Plan 262, situated on the west side of Chilver Road, north of Assumption Street, a business, financial or medical office, a personal service shop, a light repair shop and/or a professional studio shall be additional permitted uses.
[ZDM 6; Z-001/11]”

14. That Section 20(1)227 be deleted and replaced with the following paragraph:

“227. For the lands comprised as Part of Lot 128, Concession 2 (PIN 013830510) situated on the northeast corner of Lauzon Road and Hawthorne Drive, a convenience store and a take-out food outlet shall be prohibited. [ZDM 15; Z-001/11]”

15. That the following area specific provision be added to Section 20 as follows:

“For the property at the northwest corner of Tecumseh Road and Huron Church Road between the south limit of College Avenue and the north limit of EC Row Expressway, a landscaped open space yard with a minimum depth of 10 metres along Huron Church Road shall be provided, save and except for Parts 4 and 5, Plan 12R-12366 and Part Lots 1346 to 1360, Part Lot 1829 and Part Block A, Registered Plan 1059 (situated on the west side of Huron Church Road, north of Tecumseh Road West) a minimum landscaped open space yard with a minimum depth of 3 metres along Huron Church Road shall be provided. Buildings and the parking and display of motor vehicles are prohibited within this landscaped open space yard. [ZDM 4 and 5; Z-001/11]”

16. That Sections 20(1)188, 20(1)217 and 20(1)274 be deleted and that Section 20(1)248 be deleted and replaced with the following paragraph:

“248. For the lands comprising of Part of Lots 42 to 44, Registered Plan 997 and Part of Lots 1 and 2, registered Plan 1015 (PIN 015832407), Lots 46 to 49, Registered Plan 997 and part of Lot 74, Registered Plan 1015 (PIN 015830479) and Part of Closed Alley (PIN 015832404) situated on the north side of Northwood Street between Huron Church Road and Daytona Avenue, the following additional provisions shall apply:

1. direct vehicular access to Huron Church Road is prohibited;
2. an Automatic Car Wash shall be an additional permitted use and that minimum of 8 stacking spaces in advance of and a minimum of 3 stacking spaces at the terminus of each wash line shall be provided;
3. a Take-Out restaurant and a Convenience Store shall be additional permitted uses and that a minimum of 15 parking spaces shall be provided.
[ZDM 4; Z-014/09; Z-019/10; Z-001/11]”

17. That Section 25(6) of Zoning By-law 8600 be deleted and replaced with the following:

“(6) Parking Area Separation, Curbing and Screening Fence

(a) The following minimum requirements shall apply to the separation of a parking area:

| | | |
|-----|---|--------|
| (1) | from Huron Church Road between the south limit of College Avenue and the north limit of the EC Row Expressway | 10.0 m |
| (2) | from a street other than Huron Church Road between the south limit of College Avenue and the north limit of EC Row Expressway | 3.0 m |
| (3) | from an interior lot line or alley | 1.5 m |
| (4) | from a building wall in which is located a main pedestrian entrance facing the parking area | 2.0 m |
| (5) | from a building wall containing a habitable room window or containing both a main pedestrian entrance and a habitable room window facing the parking area where the building is located on the same lot as the parking area | 4.5 m |

(b) The area forming the parking area separation shall be maintained exclusively as a landscaped open space yard in which the parking or display of motor vehicles is prohibited.

- (c) A continuous concrete curb having a minimum height and width of 15 centimetres shall be constructed along the entire perimeter of a parking area.
- (d) For any part of a parking area that is located less than 6 metres from a habitable room window of a basement or ground floor dwelling unit on an abutting lot, a screening fence with a minimum height of 1.2 metres shall be provided along the lot line on which the parking area is located. If a parking area abuts an alley that provides access to the parking area, a screening fence that is located within 6 metres of the access area shall have a height of 1 metre.

Carried.

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

Report Number 15263 ZB/11032 PAC 5

Internal Distribution

City Planner
Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk – Council Services
Deputy Licence Commissioner
Supervisor of Licensing
City Clerk and Licence Commissioner

Specifically related to the Town & Gown Committee only **BE DEFERRED** to the June 7, 2011 meeting of Council to allow for Councillor Jones to be in attendance as adopted by Council at its meeting held May 16, 2011 [M118-2011] **ADOPTED** by Council at its meeting held May 16, 2011, save and except the portion dealing with the Town and Gown Committee **BE ADOPTED** as presented [M120-2011] VC/bm
Windsor, Ontario, May 16, 2011

REPORT OF THE STRIKING COMMITTEE
of its meeting held
May 9, 2011

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

Declarations of Pecuniary Interest:

Councillor Valentinis discloses an interest and abstains from voting on the Windsor Essex County Environment Committee as there are applicants from St. Clair College.

Councillor Payne discloses an interest and abstains from voting on the Town and Gown Committee as he is a landlord around the University area.

Your Committee submits the following recommendations:

(1) That the attached list (Appendix A) of citizen appointments to various Agencies, Boards and Commissions **BE APPROVED**, and further that all citizen appointments will be at the pleasure of Council, for the 2011-2014 term, or until successors are appointed.

(2) That the composition of the *Town & Gown Committee* **BE CHANGED** to 2 Councillors and 5 citizens, and further that the citizen appointees will not be representing specific organizations or groups.

- (3) That the composition of the *International Relations Committee* **BE CHANGED** to 4 Councillors and 4 citizens, and further that the citizen appointees will not be representing specific organizations or groups.
- (4) That consideration of citizen appointments to the *Windsor Accessibility Advisory Committee* **BE DEFERRED** pending a report from the Diversity Officer.
- (5) That the composition of the *Windsor Detroit Tunnel Corporation* **BE CHANGED** to the Mayor, 3 Councillors and 1 citizen.
- (6) That the composition of the *Windsor-Essex Health Unit Board* **BE CHANGED** to 4 Councillors and no citizen appointees, and further that Councillors Marra and Gignac **BE APPOINTED** to the Board to fill the 2 vacancies.
- (7) That the CAO Performance Review Committee **BE DELEGATED** to the Executive Standing Committee.
- (8) That consideration of one additional citizen representative on the *Windsor Utilities Commission* **BE DEFERRED** pending additional information.
- (9) That the appointment of the citizen appointee on the Transit Windsor Board of Directors **BE DEFERRED** for further information.

CHAIR

CITY CLERK

Appendix A

AGENCIES, BOARDS AND COMMISSIONS - CITIZEN APPOINTMENTS

| <u>NAME OF Agency, Board, Commission</u> | <u>APPOINTEES</u> |
|--|---|
| International Relations Committee | Jerry Barycki Guy DiPonio Blake Roberts Dr. Frank Simpson |
| Seniors Advisory Committee | Lynne Adams Jill Cadarette Bruce Draper Larry Duffield Frank Duralia Alex Gyemi Kerry Ippolito Calvin Little Lieutenant Colonel Denis Meloche Natalie Taylor |
| Small Business Advisory Panel | Donald Larkin Angelo Marignani Dr. Alfie Morgan Vicky Smith Jim Williams |
| Town & Gown Committee | Lena Angelidis Jane Boyd Andre Capaldi Matt Caron John Fairley <u>NOTE:</u> Councillor Payne declares an interest and abstains from voting |
| Windsor Bicycling Committee | Neil Campbell Tristan Fehrenbach Kari Gignac Michelle Goyeau Charles Griffiths Mark Lindquist Charles Pope Christopher Waters |

| <u>NAME OF Agency, Board, Commission</u> | <u>APPOINTEES</u> |
|---|---|
| Windsor Canada Utilities | Martin Komsa Victor Neufeld |
| Windsor Detroit Tunnel Corporation | Tim Fuerth |
| Windsor Essex County Environment Committee | Charlie Wright (County Council) Tamara Stomp (County Council) Pauline Cheslock (health) Shahbaz Ahmed (health) Paul Henshaw (education) Karen Fallon (education) Jennifer Nantais (citizen) Andrew Pula (county citizen) Mark Bartlett (labour) Ric Coronado (labour) John Miller (industry) Dean Clevett (industry) Phil Roberts (environment field) Derek Coronado (environment field) Matthew Child (ERCA) Juliet Mohammed (business & agriculture) Radwan Tamr (business & agriculture) NOTE: Rules waived to allow Phil Roberts, city employee, to serve on Committee. NOTE: Councillor Valentinis declares an interest and abstains from voting. |
| Windsor Heritage Committee | Lynn Baker Simon Chamely Robin Easterbrook Andrew Foot Jeffrey Mellow Noreen Slack |
| Windsor-Essex Community Housing Corporation | Anna Angelidis (Labour) Marina Clemens (citizen) Louis Lapensee (tenant) Mark Morris (Chamber) Claire Paquette (tenant) Paul Valentine (citizen) |

NAME OF Agency, Board, Commission**APPOINTEES**

Your Quick Gateway (YQG) Board of
Directors

Renato Discenza
Robert Payne
Deborah Dent
Jack Fraser
Ronald Holden
Kevin Laforet
Mike Raymond

ADOPTED by Council at its meeting held May 16, 2011 [M119-2011]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
May 16, 2011**

Meeting called to order at: 5:30 p.m.

Members in Attendance:

Councillor D. Dilkens
Councillor A. Halberstadt
Councillor F. Valentinis (arrives at 5:37 p.m.)
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac (Acting Chair)
Councillor A. Maghnieh (arrives at 5:31 p.m.)
Councillor H. Payne
Councillor E. Sleiman

Members Absent:

Mayor E. Francis (away on City business)
Councillor R. Jones (attending Town & Gown
Symposium)

Also in attendance:

H. Reidel, Chief Administrative Officer
M. Sonego, City Engineer
G. Wilkki, City Solicitor (arrives at 5:32 p.m.)
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer

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

- 3. Personal Matter – contract – matters relating to identifiable individual(s).**

Motion Carried.

Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Dilkens, to move in Camera for discussion of the following item(s), as amended, adding Item 3:

| <u>Item No.</u> | <u>Subject</u> | <u>Section – Pursuant to Municipal Act, 2001, as amended</u> |
|-----------------|---|--|
| 1. | Property matter – lease renewal | 239(2)(c) |
| 2. | Legal matter – settlement | 239(2)(e) |
| 3. | Personal matter – contract – about an identifiable individual (ADDED) | 239(2)(b) |

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Payne discloses an interest and abstains from voting on Item 2, legal matter - settlement, as it is related to litigation which he is a party to.

Discussion on the items of business. (Items 1, 3 and 2)

Verbal Motion is presented by Councillor Dilkens, seconded by Councillor Marra, to move back into public session.

Motion Carried.

Moved by Councillor Sleiman, seconded by Councillor Valentinis, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 16, 2011 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Asset/Lease Administrator, Property Supervisor, City Solicitor and Chief Financial Officer and City Treasurer respecting a property matter – lease renewal **BE APPROVED**.

2. That the recommendation contained in the in-camera report from Senior Legal Counsel and City Solicitor respecting a legal matter - settlement **BE APPROVED**.

Councillor Payne discloses an interest and is absent for the discussion and vote on this item.

3. That the recommendation contained in the in-camera verbal report of the Chief Administrative Officer respecting a contract matter regarding an identifiable individual **BE APPROVED** and that the Chief Administrative Officer and City Clerk **BE DIRECTED** to proceed in accordance with the verbal direction of Council.

Councillor Hatfield voting nay.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Marra,
That the special meeting of council held May 16, 2011 BE ADJOURNED.
(Time: 5:53 p.m.)
Motion Carried.**

ADOPTED AS AMENDED by Council at its meeting held May 16, 2011 [M121-2011]
BE DEFERRED to the April 25, 2011 meeting peremptory
as **ADOPTED** by Council at its meeting held March 28, 2011 [M80-2011]

KK/
Windsor, Ontario January 10, 2011

REPORT NO. 139 of the
WINDSOR LICENSING COMMISSION
at its meeting held November 16, 2010

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

The Windsor Licensing Commission submits the following recommendation:

That the new Body Rub Parlour By-law **BE FORWARDED** to City Council for consideration and approval.

NOTE: The report of the Supervisor of Licensing/Deputy Licence Commissioner dated October 6, 2010 entitled "Body Rub Parlour By-law" is *attached*.

CHAIRPERSON

SECRETARY