

Council meets in formal session this day at 6:00 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

Disclosures of Pecuniary Interest and the General Nature Thereof

None

Committee of the Whole

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

- (a) hearing requests for deferrals or referrals of any items of business;
- (b) hearing presentations and delegations.

Carried.

Presentations & Delegations:

Site Plan Approval for the proposed development at 790 Goyeau Street

Davide Petretta, Petretta Construction Inc.

Davide Petretta, Petretta Construction Inc., appears before Council to provide an overview of his request for Site Plan Approval for 790 Goyeau Street, stating that what has been proposed balances the operational requirements of the development as well as safety considerations for the overall benefit of the community, and concludes by requesting that with regards to the "south and west elevations" that there be no additional (transparent) glazing beyond that proposed by the developer.

Sam Helou, property owner and Marianna Arpino, Solicitor

Sam Helou, property owner, and Marianna Arpino, Solicitor, appear before Council to state that they are satisfied with the site plan proposed by the developer for the Beer Store at 790 Goyeau Street, subject to the following: a double sided decorated masonry fence along the southerly lot line of the property; the neighbours be allowed to continue to be involved in the development of the entire site, and that if there are any amendments to the approved site plan, that they be provided 10 business days notice; no outdoor refuse container would be shown in the approved site plan; and deed restrictions be provided to the neighbours and registered on title to the property (with the additional use restrictions of a massage parlour or tattoo parlour).

Matthew Pearce, property owner

Matthew Pearce, property owner, appears before Council to speak in support of the site plan application for the proposed development at 790 Goyeau Street, stating that he is comfortable with what the applicant is promising, such as the double sided decorated masonry fence along the lot line.

Barry Horrobin, Director of Planning & Physical Resources, Windsor Police Service

Barry Horrobin, Director of Planning & Physical Resources, Windsor Police Service, appears before Council and is available for questions regarding the site plan application for the proposed development at 790 Goyeau Street, and states his professional opinion that there needs to be a design that maximizes safety and security.

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(For final disposition of this matter, see Clause CR268/2011 in Schedule "A" attached hereto.)

By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
That the following By-law No. 182-2011 be introduced and read a first and second time:

182-2011 "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 OCTOBER, 2011"

Carried.

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee.

- 1) business items listed on the Agenda (as amended)
- 2) by-law given first and second readings (as presented)

Carried.

Moved by Councillor Marra, seconded by Councillor Jones,
M294-2011 That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice respecting the adoption of the phrase “In Sport We are One” for use in conjunction with the 2013 International Children’s Games and to apply under the *Trademarks Act of Canada* for protection of the phrase.
Carried.

Moved by Councillor Marra, seconded by Councillor Dilkens,
M295-2011 That The Corporation of the City of Windsor **ADOPT** the phrase “**In Sport We Are One**” or such similar mark as may be approved by Industry Canada, for use in conjunction with the 2013 International Children’s Games and **AUTHORIZE** the City Solicitor to apply under the *Trademarks Act of Canada* for protection of the phrase as an Official Mark as further investigation deems appropriate.
Carried.

Third Reading of By-law

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That By-Law 182-2011, 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.

Adjournment

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
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 6:45 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Valentinis
Halberstadt

CR268/2011

I That the Site Plan Application by **COR-DEL INC. (File No.: SPC-035/11)** permitting a 2-phased development **BE APPROVED** in accordance with the following drawings:

Map No.: SPC - 035/11-1a (Site Plan)

Map No.: SPC - 035/11-1b (Site Data)

Map No.: SPC - 035/11-3a (South and West Elevations) no additional (transparent)

glazing beyond that proposed by developer, and,

Map No.: SPC - 035/11-3b (North and East Elevations);

II That the owner **ENTER INTO** a site plan control agreement to incorporate the following:

- (a) Basic Provisions
- (b) General Provisions
- (c) Special Provisions

1. **Bonding- Phase I**

| | |
|-------------|--------------|
| Landscaping | \$ 40,000.00 |
| Curbing | \$ 8,760.00 |
| Screening | \$ 8,000.00 |
| Lighting | \$ 10,000.00 |
| Fire Route | |
| Signage | N.A. |

Total \$ 66,760.00

2. **Bonding- Phase II**

| | |
|----------|-------------|
| Lighting | \$ 2,000.00 |
|----------|-------------|

3. **Land Conveyance** – That prior to the issuance of a Building Permit, the owner(s) shall agree to convey to the Corporation, land sufficient to create a 24 meter wide right-of-way on Goyeau Street. This conveyance shall be 1.95 metres in width along the entire Goyeau Street frontage of the property;

4. **Corner Cut-Off** – That prior to the issuance of a Building Permit, the owner(s) shall agree to convey to the Corporation, a 6m x 6m (20' x 20') corner cut-off at the intersection of Goyeau Street and Elliott Street East.

5. **Separate Storm and Sanitary Connections** – That prior to the issuance of a Building Permit, the owner(s) shall agree to provide separate private drain connections to the property line, ready for future mainline sewer separation construction.

6. **Backwater Valve** – The applicant agree to install a backwater valve or similar apparatus on any connection to a municipal combined sewer, as precaution and to mitigate possible damage from surcharge of the sewer.

 7. **Video Inspection** – The applicant shall agree to conduct a video inspection of the existing connections prior to servicing the development, to determine the condition of the connections. All work is to be completed at the applicant’s expense, all to the satisfaction of the City Engineer.

 8. That the owner agrees to provide an easement for the existing services on site to the satisfaction of Enwin Utilities Ltd. (Hydro) prior to the issuance of a Building Permit;

 9. That the owner agrees to upgrade the sidewalk and boulevard along the frontages on Goyeau Street, Elliot Street East and Windsor Avenue to the satisfaction of the Planning Department, Windsor Police Services and Engineering-Development.

 10. **Amend Commencement date for Phase II** - 2 years from the date of completion of Phase I.
- III That the fire route bylaw **BE AMENDED** so that the fire access be designated a fire route with no vertical deflections; and,
- IV That in accordance with By-law 11275, Administration **BE AUTHORIZED** to approve future changes to the approved site plan and elevations.

Carried.
Councillors Hatfield and Payne voting nay.