

**Regular**

Council meets in formal session this day at six 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 Gilvan Azevedo from First Lutheran Church, offers the Opening Prayer.

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

Councillor Payne discloses an interest and abstains from voting on Planning Standing Committee Reports No. 17, 19, 20, 22, 23, 24 & 25 due to his involvement in the **BUHDAG** Application to quash certain by-laws related to the boarded-up-houses west of the Ambassador Bridge.

Councillor Dilkens discloses an interest and abstains from voting on Planning Standing Committee Report No. 14 regarding the application to convert a multiple residential apartment building from rental to condominium status at 9553-9555 & 9563-9565 Tecumseh Road East, as his employer is involved with this matter.

**Minutes**

Moved by Councillor Hatfield, seconded by Councillor Jones,  
That the Minutes of the regular meeting of Council held August 29, 2011 **BE ADOPTED** as presented.

Carried.

**Notice of Proclamations**

Legion Week – September 11-17, 2011

Committee of the Whole

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
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);
    - (ii) **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011
    - (iii) **Report No. 28 & 29 of the Executive Committee** of its meeting held August 30, 2011
    - (iv) **Reports 13-26 of the Planning Standing Committee** of its meeting held August 15, 2011
  - (g) consideration of by-laws 147-2011 and 155-2011 through 158-2011
- Carried.

Communications

Moved by Councillor Payne, seconded by Councillor Sleiman,  
**M227 –2011** That the following Communication Items 1 to 5 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

ITEM	FROM	DESCRIPTION
1	Ontario Ministry of Tourism & Culture	2012 Premier's Awards for Excellence in the Arts. <b>Executive Director of Recreation &amp; Culture Note &amp; File GP2011</b>
2	State of Michigan, Department of Environmental Quality	Renewable Operating Permit for Detroit Renewable Power, LLC approval regarding M147-2010 " <i>That the City of Windsor SUPPORTS the attached objection of the Citizens Environmental Alliance of Southwestern Ontario, to the Renewable Operating Permit for the Greater Detroit Resource Recovery Facility, SRN M4148, Wayne County, also known as the Detroit Incinerator.</i> " <b>Note &amp; File EI2011</b>
3	Town & Gown Association of Ontario (TGAO)	Welcoming Councillor Ron Jones to the Board. <b>Note &amp; File MB2011</b>
4	Office of the City Solicitor, Asset/Lease Administrator	Interactive Science and Technology Centre Inc. (Canada South Science City). <b>Note &amp; File APM/1894</b>
5	Federation of Canadian Municipalities (FCM)	Message from FCM's President on Canada-EU trade talks. <b>Note &amp; File MMF2011</b>

Carried.

### Consent Agenda

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

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

- Item 1 Approval for Bell Centrex Agreement Renewal
  - Item 2 Railway Agreements – College Avenue Bridge
  - Item 3 1 Riverside Drive West – Request from Windsor Asset Management GP Ltd., Leasehold Owner, Tripartite Agreement, Accession Agreement and Estoppel Certificates
- Carried.

### Deferrals and/or Referrals and Withdrawals

#### Report No. 17 of the Planning Standing Committee (741-745 Rosedale Avenue – Interim Control By-law 19-2007 Exemption Request)

Moved by Councillor Maghnieh, seconded by Councillor Marra,

**M217-2011** That Report No. 17 of the Planning Standing Committee of its meeting held August 15, 2011, pertaining to 741-745 Rosedale Avenue – Interim Control By-law 19-2007 exemption request **BE REFERRED** to Administration in order for the Applicant to provide acceptable elevation drawings.

Carried.

#### Report No. 19 of the Planning Standing Committee (563 Indian road – Interim Control By-law 19-2007 Exemption Request)

Moved by Councillor Gignac, seconded by Councillor Marra,

**M219-2011** That Report No. 19 of the Planning Standing Committee of its meeting held August 15, 2011, entitled “563 Indian Road – Interim Control By-law 19-2007 Exemption Request” **BE WITHDRAWN**.

Carried.

#### Report No. 20 of the Planning Standing Committee (357-359 Indian Road – Interim Control By-law 19-2007 Exemption Request)

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,

**M228-2011** That Report No. 20 of the Planning Standing Committee of its meeting held August 15, 2011 pertaining to 357-359 Indian Road – Interim Control By-law 19-2007 exemption request **BE REFERRED** to the September 12, 2011 meeting of the Planning Standing Committee to allow for administration to meet with the Applicant to explore options for achieving compliance with the Sandwich Heritage Conservation District Design Guidelines.

Carried.

**Presentations & Delegations:****PRESENTATIONS:****City Solicitor Presents the New Fire Chief, Bruce Montone to Mayor and Members of Council**

City Solicitor presents the new Fire Chief, Bruce Montone to Mayor and Members of Council, outlining the Fire Chiefs numerous accomplishments; a Deputy Fire Chief for 9 years responsible for Fire Prevention, Public Fire Safety Education, the Communications Division, Special Operations, Haz-Mat, Chemical, Biological Radiological and Nuclear Response, all Rescue activities including Water and Ice, Auto Extrication, High Angle, Confined Space, Collapse and Urban Search and Rescue Operations, The Divisions of Training, Recruitment Incidence Safety, Maintenance, Community Standards Education, Planning and Innovation, and concludes by welcoming Fire Chief , Bruce Montone to the City of Windsor.

**DELEGATIONS****Report No. 15 of the Planning Standing Committee (Rezoning – P.X. Smith Medicine Professional Corporation, 7831 Riverside Drive East)****John Stein, abutting property owner to 7831 Riverside Drive East**

John Stein, abutting property owner, appears before Council to express concerns regarding the proposed commercial use of the property abutting his property, stating that the west side entrance doors, lighting and the exit on Lauzon Road, affect his property directly, concludes by providing suggestions that could assist with the concerns that have been expressed.

**Jason Thibert, Architect for Associate, Architectural Design Associates Inc.,**

Jason Thibert, Architect for, Architectural Design Associates Inc., appears before Council and is available for questions regarding the rezoning of the property at 7831Riverside Drive East.

**MB2011**

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

**Report No. 25 of the Executive Committee (City of Windsor Post Construction Review of WFCU Centre Project)****Paul Ross, Partner at KPMG**

Paul Ross, Partner at KPMG, appears before Council and is available for questions regarding the post construction review of the WFCU Centre project.

**Merv dePendleton, Resident of Ward 6**

Merv dePendleton, resident of Ward 6, appears before Council to express concerns with the Audit being initially started internally and then tendered to an outside accounting firm to complete, and concludes by stating that the Audit may perhaps have been completed by the internal staff at the Corporation.

**Al Nelman, Resident of Ward 8**

Al Nelman, resident of Ward 8, appears before Council to express concerns with the Audit being initially started internally and then tendered to an outside accounting firm.

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

**MB2011**

Mayor Francis leaves the meeting at 7:50 o'clock p.m. and Councillor Dilkens assumes the Chair.

Mayor Francis returns to the meeting at 7:53 o'clock p.m. and Councillor Dilkens returns to his seat at the Council table.

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

None.

**Consideration of Committee Reports**

M229-2011 Moved by Councillor Hatfield, seconded by Councillor Jones,  
That the **Report of the special In-camera** meeting held September 6, 2011 **BE ADOPTED**  
as presented.

Carried.

ACO2011

M213-2011 Moved by Councillor Hatfield, seconded by Councillor Jones,  
That **Report No. 13 of the Planning Standing Committee** of its meeting held August 15, 2011  
comprised of the following **BE ADOPTED** as presented:

**PSC13/11** - Report No. 13 Rezoning – 4909 Riverside Drive East – 2248090 Ontario Ltd. Amica (Windsor)  
Inc.

Carried.

M214-2011 Moved by Councillor Hatfield, seconded by Councillor Jones,  
That **Report No. 14 of the Planning Standing Committee** of its meeting held August 15, 2011  
comprised of the following **BE ADOPTED** as presented:

**PSC14/11** - Report No. 14 Application to convert a multiple residential apartment building from rental to  
condominium status – Maple Glen Apartments Limited, 9553-9555 & 9563-9565  
Tecumseh Rd. East

Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M215-2011** That **Report No. 15 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as amended:

**PSC15/11** - Report No. 15 Rezoning – P.X. Smith Medicine Professional Corporation, 7831 Riverside Drive East

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M216-2011** That **Report No. 16 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC16/11** - Report No. 16 68 University Avenue West – Milk Coffee Bar New Mini Café

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M217-2011** That **Report No. 17 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as amended:

**PSC17/11** - Report No. 17 741-745 Rosedale Avenue – Interim Control By-law 19-2007 Exemption Request

Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M218-2011** That **Report No. 18 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC18/11** - Report No. 18 507 Ouellette Avenue o/a Bistro 507 Sidewalk Café Extension into Maiden Lane

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M219-2011** That **Report No. 19 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED AS AMENDED**:

**PSC19/11** – Report No. 18 563 Indian Road – Interim Control By-law 19-2007 Exemption Request.

Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M220-2011** That **Report No. 20 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as amended:

**PSC20/11** - Report No. 20 357-359 Indian Road – Interim Control By-law 19-2007 Exemption Request

Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M221-2011** That **Report No. 21 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC21/11** - Report No. 21 Request to close the north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240 & 254 Tuscarora Street

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M222-2011** That **Report No. 22 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC22/2011** – Report No. 22 337 South Street – Interim Control By-law 19-2007 Exemption Request  
Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M223-2011** That **Report No. 23 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC23/11** - Report No. 23 3461 Peter Street – Interim Control By-Law 19-2007 Exemption Request  
Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M224-2011** That **Report No. 24 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC24/11** - Report No.24 571 Brock Street– Interim Control By-law 19-2007 Exemption Request  
Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M225-2011** That **Report No. 25 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC25/11** - Report No. 25 Request to demolish the existing storage building and replace it with a new storage structure at 3471 Sandwich Street

Carried.

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

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M226-2011** That **Report No. 26 of the Planning Standing Committee** of its meeting held August 15, 2011 comprised of the following **BE ADOPTED** as presented:

**PSC26/11** - Report No. 26 Request to close Chatham Street West from Church Street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West

Carried.

MB2010

Moved by Councillor Hatfield, seconded by Councillor Jones,  
**M230-2011** That **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011 comprised of the following **BE ADOPTED** as presented:

**EC24/11** - Report No. 24 Hotline Case #2009-03 Risk & the City's Operation of CHMC's Homeowner Residential Assistance Program

**EC25/11** - Report No. 25 City of Windsor Post Construction Review of WFCU Centre Project

**EC26/11** - Report No. 26

**EC27/11** - Report No. 27

Carried.

WFCU Audit Project Fees

Verbal direction of the Audit Committee

MB2010



Moved by Councillor Hatfield, seconded by Councillor Jones,

**M231-2011** That **Report No. 28 & 29 of the Executive Committee** of its meeting held August 30, 2011 comprised of the following **BE ADOPTED** as presented:

**EC31/11** - Report No. 28 Status Report – Compliance with Applicable Laws and Regulations, 2<sup>nd</sup> Quarter 2011

**EC32/11** – Report No. 29 The Corporation of the City of Windsor 2010 Consolidated Financial Statements  
Carried.

MB2010

### **By-laws**

Moved by Councillor Maghnieh, seconded by Councillor Marra,

That the following By-laws No. 147-2011 and 155-2011 through 158-2011 be introduced and read a first and second time:

147-2011 “A BY-LAW TO ESTABLISH STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF ALL PROPERTY IN THE CITY OF WINDSOR AND TO REPEAL BY-LAW 156-2005, AS AMENDED”

155-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 3-2006, BEING A BY-LAW TO ESTABLISH STANDARDS RESPECTING YARD WASTE & EXTERIOR PROPERTY MAINTENANCE AND TO PROHIBIT LITTERING IN THE CITY OF WINDSOR”

156-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 2-2006, BEING A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF WINDSOR”

157-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “CITY OF WINDSOR ZONING BY-LAW”

158-2011 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SIXTH DAY OF SEPTEMBER, 2011”

Carried.

Moved by Councillor Payne, seconded by Councillor Sleiman,

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**

Moved by Councillor Halberstadt, seconded by Councillor Jones,

**M232-2011** WHEREAS the provinces of British Columbia and Quebec have both provided funding to municipalities in order to enhance bicycling infrastructure; and

WHEREAS cycling is a growing mode of transportation and recreation in Ontario and in the city of Windsor; and

WHEREAS the province of Ontario through the Ministry of Transportation is now updating the provincial bicycle policy;

THEREFORE BE IT RESOLVED THAT all provincial parties in Ontario be encouraged to proceed with the MTO Bicycle Policy Update and to provide sustainable funding to municipalities so as to enhance bicycling infrastructure in Ontario and thus encourage the ensuing benefits bicycling provides by way of enhanced community liveability, public health and safety.

Carried.

Moved by Councillor Dilkens, seconded by Councillor Jones,

That rule 13.8 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 encroachment fees at 3391 Glenwood.

Carried.

Moved by Councillor Dilkens, seconded by Councillor Maghnieh,

**M233-2011** That the application, permit and encroachment fees, at an upset limit of \$2709.13, **BE WAIVED** for the Applicant at 3391 Glenwood, and further that all required permits and agreements be entered into with respect to the construction of the fence including the material used to ensure adequate site lines and ensure safety.

Carried.

Moved by Councillor Dilkens, seconded by Councillor Maghnieh,

That rule 13.8 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 Economic Development Standing Committee meeting scheduled for Wednesday September 7, 2011.

Moved by Councillor Dilkens, seconded by Councillor Sleiman,

**M234-2011** That the Economic Development Standing Committee meeting scheduled for Wednesday September 7, 2011 at 4:30 o'clock p.m. in Council Chambers **BE CANCELLED** and further that all matters on the agenda be forwarded directly to Council for adoption.

**Third Reading of By-laws**

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

That the following By-laws No. 147-2011 and 155-2011 through 158-2011, 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.

**Petitions**

None presented.

**Council Questions**

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M235-2011** That the following Council Question by Councillor Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ57-2011**

Asks administration what maintenance work is planned for Riverside Drive between Lauzon/Riverdale until Phase I of the Vista is undertaken – the roadbed has deteriorated considerably and abutting residents are concerned with it.

SW2011 (September 6, 2011)

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M236-2011** That the following Council Question by Councillor Sleiman **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a verbal response to the Executive Committee, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ58-2011**

Asks Administration to bring back costs to establish a one time per year pick up of large household goods in our city.

EI2011(September 6, 2011)

Carried.

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M237-2011** That the following Council Question by Councillor Payne **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of ,a written report to the Executive Committee, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ59-2011**

Asks for a report on the feasibility of installing baseball lights in Walker Homesite Park.

SR2011 (September 6, 2011)

Carried.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,  
**M238-2011** That the following Council Question by Councillor Maghnieh **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of an email response, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

**CQ60-2011**

Asks Administration to follow up with Turtle Island Group about complaints that garbage trucks are releasing "garbage juice" on neighbourhood streets. Also asks Administration to ensure action is taken on the matter.

EI2011 (September 6, 2011)

Carried.

**Adjournment**

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
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 8:20 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**DEPUTY CITY CLERK/SUPERVISOR OF COUNCIL SERVICES**

Valentinis  
Dilkens

CR239/2011

THAT the CAO and City Clerk **BE AUTHORIZED** to sign the Bell *Centrex Agreement (Non-Tariffed)*, at a rate of \$30.74/line and \$41.39/line with voice mail, to an estimated maximum of 200 lines, subject to review as to form by the City Solicitor, satisfactory in technology content to the Executive Director of Information Technology and in financial matters to the Chief Financial Officer/ City Treasurer.

Carried.

Report Number **15457 MC/8305 C1**

Valentinis  
Dilkens

CR240/2011

THAT the report of the City Engineer dated August 23, 2011 regarding Railway Agreements/Delegation of Authority **BE RECEIVED FOR INFORMATION**; and

THAT COUNCIL CONFIRM and RATIFY its decision to approve the following recommendations in the report:

1. THAT Council **AUTHORIZE** the City Engineer to sign the necessary agreement with the Canadian Pacific Railway (CPR) regarding construction of the College Avenue Bridge, subject to technical content satisfactory to the City Engineer, financial content satisfactory to the City Treasurer and in form satisfactory to the City Solicitor; and
2. **THAT** approval and execution of railway agreements **BE DELEGATED** to the City Engineer, such agreements to be between The Corporation of the City of Windsor and various railway companies to permit work where City infrastructure will cross existing Railway infrastructure and in cases where a cost is involved, that this be within preapproved budgets, and that the agreements be subject to technical content satisfactory to the City Engineer, financial content satisfactory to the City Treasurer and form satisfactory to the City Solicitor.

Carried.

Report Number **15481 SW/11133 C2**

Valentinis  
Dilkens

CR241/2011

THAT the report of the City Solicitor regarding the mortgage refinancing documents of Windsor Asset Management GP Ltd., **BE RECEIVED** for information.

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the following documents, satisfactory to the City Solicitor:

Tripartite Agreement  
Accession Agreement  
Estoppel Certificate for the Reciprocal Rights Agreement

Estoppel Certificate for the Commercial Airspace Lease  
Estoppel Certificate for the Master Agreement  
Estoppel Certificate for the City's Space Lease

Carried.

Report Number **15482 APM2011 C3**

ADOPTED by Council at its meeting held September 6, 2011 [M229-2011]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
September 6, 2011**

**Meeting called to order at: 4:38 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  
R. Warsh, Community Development and Health Commissioner and  
Corporate Leader Social Development, Health, Recreation and Culture  
G. Wilkki, City Solicitor and Corporate Leader Economic Development and  
Public Safety  
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public  
Engagement and Human Resources

**Verbal Motion is presented by Councillor Valentinis, seconded by  
Councillor Sleiman,  
that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following  
Agenda items:**

- 2. Property matter – Economic Development;**
- 3. Property/Legal matter – security of the property/potential litigation;**
- 4. Property matter – security of property/advice subject to solicitor-client  
privilege.**

**Motion Carried.**

**Verbal Motion is presented by Councillor Payne, seconded by Councillor Marra,  
to move in Camera for discussion of the following item(s), adding Items 2, 3 and 4:**

<u>Item No.</u>	<u>Subject</u>	<u>Section - Pursuant to Municipal Act, 2001, as amended</u>
1.	Personal matter - about an identifiable individual	239(2)(b)(e)(f)
2.	Property matter - Economic Development - ADDED	239(2)(a)
3.	Property/Legal matter - security of the property/potential litigation - ADDED	239(2)(a)(e)
4.	Property matter - security of the property/advice subject to solicitor-client privilege - ADDED	239(2)(a)(f)

**Motion Carried.**

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

Councillor Marra declares an interest and abstains from voting on Item 3 as his wife's uncle has a financial interest in the subject property.

#### **Discussion on the items of business. (Items 1, 2, 3 and 4)**

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

**Moved by Councillor Halberstadt, seconded by Councillor Dilkens, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 6, 2011 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the City Solicitor and Corporate Leader Economic Development and Public Safety, Senior Legal Counsel and Executive Director of Human Resources respecting a personal matter about an identifiable individual **BE APPROVED.**
2. That the confidential verbal update from Mayor Francis respecting a property matter – Economic Development **BE RECEIVED.**
3. That the confidential verbal update from Mayor Francis respecting a property/legal matter – security of the property/potential litigation **BE RECEIVED.**



4. That the confidential verbal update from Mayor Francis respecting a property matter – security of the property/advice subject to solicitor-client privilege **BE RECEIVED**.

**Motion Carried.**

**Moved by Councillor Jones, seconded by Councillor Gignac,  
That the special meeting of council held September 6, 2011 BE ADJOURNED.  
(Time: 5:32 p.m.)**

**Motion Carried.**

# **STANDING COMMITTEE RESOLUTIONS**

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

**M217-2011** Moved by Councillor Maghnieh, seconded by Councillor Marra,  
**PSC17/11** That Report No. 17 of the Planning Standing Committee of its meeting held August 15, 2011, pertaining to 741-745 Rosedale Avenue – Interim Control By-law 19-2007 exemption request **BE REFERRED** to Administration in order for the Applicant to provide acceptable elevation drawings.  
Carried.

Report Number 15406 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Manager of Urban Design [Neil Robertson]

City Planner

Chief Building Official

City Solicitor

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)

**REFERRED** to Administration in order for the Applicant to provide acceptable elevation drawings as adopted by Council at its meeting held September 6, 2011 [M217-2011 PSC17/11] AC/  
Windsor, Ontario September 6, 2011

**REPORT NO. 17** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** Councillor Bill Marra, Chair  
Councillor Percy Hatfield  
Councillor Al Maghnieh  
Councillor Joanne Gignac

**Regrets:** Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Maghnieh,  
**PSC 17/11** That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 **BE GRANTED** to Kevin Flood, the owner of the duplex located at 741-745 Rosedale Avenue, to allow the installation of solar voltaic panels on the condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and that any exterior renovations/changes will be required to be shown on elevation drawings and be subject to approval of the City Planner prior to issuance of a building permit.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "741-745 Rosedale Avenue" dated July 11, 2011 is attached as background information.

LIVELINK 15406 FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Gignac, seconded by Councillor Marra,

**M219-2011**

**PSC19/11** That Report No. 19 of the Planning Standing Committee of its meeting held August 15, 2011, entitled "563 Indian Road – Interim Control By-law 19-2007 Exemption Request" **BE WITHDRAWN.**

Carried.

Report Number 154019 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)

**BE WITHDRAWN as adopted by Council  
at its meeting held September 6, 2011 [M219-2011 PSC19/11]**

**AC/  
Windsor, Ontario September 6, 2011**

**REPORT NO. 19** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                   **Councillor Bill Marra, Chair**  
  **Councillor Percy Hatfield**  
  **Councillor Al Maghnieh**  
  **Councillor Joanne Gignac**

**Regrets:**                                   **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee  
**BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Marra,  
**M219-2011** That Report No. 19 of the Planning Standing Committee of its meeting held August 15, 2011,  
entitled "563 Indian Road – Interim Control By-law 19-2007 Exemption Request"  
**BE WITHDRAWN.**  
Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "563 Indian Road"  
dated July 19, 2011 is attached as background information.

LIVELINK 15419 FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,

**M220-2011**

**PSC20/11** That Report No. 20 of the Planning Standing Committee of its meeting held August 15, 2011 pertaining to 357-359 Indian Road – Interim Control By-law 19-2007 exemption request **BE REFERRED** to the September 12, 2011 meeting of the Planning Standing Committee to allow for administration to meet with the Applicant to explore options for achieving compliance with the Sandwich Heritage Conservation District Design Guidelines.

Carried.

Report Number 15405 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)

**REFERRED** to the Planning Standing Committee's meeting of September 12, 2011 by Council at its meeting held September 6, 2011 [M220-2011 PSC20/11]  
[M220-2011 REFERRED back to Planning Standing Committee at September 6, 2011 Council meeting]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 20** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** Councillor Bill Marra, Chair  
Councillor Percy Hatfield  
Councillor Al Maghnieh  
Councillor Joanne Gignac

**Regrets:** Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Gignac,  
**PSC 20/11** That Report No. 20 of the Planning Standing Committee of its meeting held August 15, 2011 pertaining to 357-359 Indian Road – Interim Control By-law 19-2007 exemption request **BE REFERRED** to the September 12, 2011 meeting of the Planning Standing Committee to allow for administration to meet with the Applicant to explore options for achieving compliance with the Sandwich Heritage Conservation District Design Guidelines.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "357-359 Indian Road" dated July 18, 2011 is attached as background information.

LIVELINK 15405 FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK



**ADOPTED by Council at its meeting held September 6, 2011 [M213-2011 PSC13/11]**  
AC/  
Windsor, Ontario September 6, 2011

**REPORT NO. 13** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**

**Councillor Bill Marra, Chair**  
**Councillor Percy Hatfield**  
**Councillor Al Maghnieh**  
**Councillor Joanne Gignac**  
**Merrill Baker**  
**Cheryl Cross-Leal**  
**Barbara Bjarneson**

**Regrets:** **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

- Moved by M. Baker, seconded by B. Bjarneson,
- PSC13/11** That an amendment to Zoning By-law 8600 **BE APPROVED** removing the site specific requirement for a gate separation between Riverside Drive and Pleasant Place for the property located at 4909 Riverside Drive East; CON 1 LOT 85; PLAN 96; SOUTH PART LOT 14; NORTH PART LOT 154, (PIN 011800181) by removing sub-section iii(c) from Section 20(1) H-69.
- II. That the “H” be removed from the zoning and supplemental 4909 Riverside Drive East.  
Carried.

Clerk's Note: The Report from the Executive Director of Planning/City Planner, entitled “Rezoning – 4909 Riverside Drive East – 2248090 Ontario Ltd.” dated July 11, 2011 is **attached** as background information.

LIVELINK 15371  
FILE ZB/10887

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M214-2011 PSC14/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 14** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                               **Councillor Bill Marra, Chair**  
  **Councillor Percy Hatfield**  
  **Councillor Al Maghnieh**  
  **Councillor Joanne Gignac**  
  **Merrill Baker**  
  **Cheryl Cross-Leal**  
  **Barbara Bjarneson**

**Regrets:**                               **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Barbara Bjarneson, seconded by Councillor Hatfield,

**PSC 14/11** That the application of Maple Glen Apartments Limited for approval of a draft plan of condominium for a property legally described as Part Lot 134, Concession 2, as designated as Part 1, 12R-2459, City of Windsor, located at 9553-9555 & 9563-9565 Tecumseh Road East, to permit the conversion of two 3-storey apartment buildings containing 48 residential dwelling units from rental to condominium status, as shown on the attached Map No. CDM-002/11-2, **BE APPROVED** subject to the following:

- A. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
- B. That the draft plan approval shall lapse on September 6, 2014 (3 years from the date of approval);
- C. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- D. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
- E. The owner shall agree to remedy all site and building defects as documented in the:
  1. Building Condition Assessment report prepared by AMEC Earth & Environmental, dated January 5, 2011, with all corrections and improvements to be cleared as completed by an engineer retained by the owner;
  2. Works Department - Engineering and Corporate Projects comments listed in Appendix 'A' of this report;

3. Works Department – Transportation Planning comments listed in Appendix ‘A’ of this report;
4. Planning Policy comments listed in Appendix ‘A’ of this report;

All corrections and improvements shall be to the satisfaction of the Fire Chief, Chief Building Official and the City Engineer;

- F. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated June 20, 2011 and attached as Appendix ‘A’. All corrections and improvements shall be to the satisfaction of the Chief of Police;
  - G. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department’s Landscape Architect, dated March 25, 2011, as attached as Appendix ‘A’, and to submit a photometric plan. The photometric plan will be reviewed in consultation with Windsor Police Services and will be to the satisfaction of the Landscape Architect.
  - H. All landscaping improvements will be to the satisfaction of the Planning Department’s Landscape Architect and to the satisfaction of the City Planner.
  - I. The owner shall agree to provide adequate screened storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws to the satisfaction of the Manager of Environmental Services and Chief Building Official.
  - J. The owner shall agree to ensure accessibility to the building, at grade, where feasible and provide a minimum of 1 handicap parking spaces and a bicycle rack facility accommodating a minimum of 5 bicycles. All improvements are to be to the satisfaction of the City Engineer and Chief Building Official;
- II Final approval of the plan of condominium shall not be considered until all of the required works under ‘1. Recommendations I’ have been completed to the satisfaction of the respective departments and a condominium agreement has been registered against the subject lands.  
Carried.

*Clerk’s Note:* The Report from the Executive Director of Planning/City Planner, entitled “Application to convert a multiple residential apartment building from rental to condominium status” dated June 25, 2011 is **attached** as background information.

LIVELINK 15423  
FILE ZP/11129

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M215-2011 PSC15/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 15** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                               **Councillor Bill Marra, Chair**  
  **Councillor Percy Hatfield**  
  **Councillor Al Maghnieh**  
  **Councillor Joanne Gignac**  
  **Merrill Baker**  
  **Cheryl Cross-Leal**  
  **Barbara Bjarneson**

**Regrets:**                               **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Merrill Baker

**PSC 15/11** That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property owned by P.X. Smith Medicine Professional Corporation, described as Part Lot 127 Concession 1, Part 2 on Reference Plan 12R-9171, and municipally known as 7831 Riverside Drive East (Roll No. 060-260-03400), by adding a site specific provision to permit a parking area on the subject land, for a neighbourhood commercial use on the lands next east; and that loading spaces and refuse facilities are prohibited on the subject site;

- II That the applicant/owner agree to undertake the required archaeological assessment for the subject site;
- III That the applicant/owner **BE REQUIRED** to comply with the following with respect to the subject property (7831 Riverside Dr. E.), in combination with the associated lands (7843 & 7875 Riverside Dr. E.), through the Site Plan Approval process:
  - (a) submit a site plan showing mitigation measures to be used in minimizing the impact of the proposed commercial use on the neighbouring sensitive land uses, to the satisfaction of the City Planner. The site plan shall include provision of adequate landscape buffer and separation; and shall be consistent with the character of the neighbourhood;
  - (b) submit a tree survey indentifying species, location, and condition of all trees on the subject lands; and
  - (c) submit a tree protection plan to the satisfaction of the Planning Department (City of Windsor Landscape Architect), identifying which trees are to be retained and proposed preservation techniques to be implemented.

Carried.

Councillor Gignac voting nay.

Clerk's Note: The Report from the Executive Director of Planning/City Planner, entitled "Rezoning—P.X. Smith Medicine Professional Corporation, 7831 Riverside Dr. E." dated July 22, 2011 is attached as background information.

LIVELINK 15422  
FILE ZB/11127

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CHAIRPERSON

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DEPUTY CITY CLERK

ADOPTED by Council at its meeting held September 6, 2011 [M216-2011 PSC16/11]  
AC/  
Windsor, Ontario September 6, 2011

**REPORT NO. 16** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                      **Councillor Bill Marra, Chair**  
    **Councillor Percy Hatfield**  
    **Councillor Al Maghnieh**  
    **Councillor Joanne Gignac**

**Regrets:**                                        **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Gignac  
**PSC 16/11** That the application by Angelo Marignani operator of Milk Coffee Bar, for permission to erect a Mini Café at 68 University Avenue West, as shown on the **attached** Drawing C-3113, **BE APPROVED** subject to the following conditions:

1. Applicant and owner comply with all other requirements of the sidewalk cafe handbook except for the 12' sidewalk width.
2. Maintain a minimum 8-foot wide (2.4 metres) clear sidewalk aisle adjacent to the Mini Café tables and chairs for pedestrians on University Avenue West.
3. Mini cafe is limited to the area identified on drawing C-3113.
4. The City requires a certificate of insurance from the applicant that is satisfactory to the Risk Management Supervisor.
5. ation fees for 2011 are waived, including the reduction of the Street Opening Permit fee of \$132.00 to \$1.00 for 2011 as per council motion M96-2011 on April 6, 2011;

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "68 University Avenue West – Milk Coffee Bar New Mini Cafe." dated July7, 2011 is **attached** as background information.

LIVELINK 15389 FILE SE2011

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CHAIRPERSON

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DEPUTY CITY CLERK

**REFERRED** to Administration in order for the Applicant  
**to provide acceptable elevation drawings as adopted**  
**by Council at its meeting held September 6, 2011** [M217-2011 PSC17/11]

**AC/**  
Windsor, Ontario September 6, 2011

**REPORT NO. 17** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** **Councillor Bill Marra, Chair**  
**Councillor Percy Hatfield**  
**Councillor Al Maghnieh**  
**Councillor Joanne Gignac**

**Regrets:** **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Maghnieh,  
**PSC 17/11** That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 **BE GRANTED** to Kevin Flood, the owner of the duplex located at 741-745 Rosedale Avenue, to allow the installation of solar voltaic panels on the condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and that any exterior renovations/changes will be required to be shown on elevation drawings and be subject to approval of the City Planner prior to issuance of a building permit.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "741-745 Rosedale Avenue" dated July 11, 2011 is **attached** as background information.

LIVELINK 15406  
FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M218-2011 PSC18/11]  
AC/  
Windsor, Ontario September 6, 2011

**REPORT NO. 18** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                **Councillor Bill Marra, Chair**  
    **Councillor Percy Hatfield**  
    **Councillor Al Maghnieh**  
    **Councillor Joanne Gignac**

**Regrets:**                                **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Gignac,  
**PSC 18/11** That the application by Jason Sabba operator of Bistro 507 on behalf of Hyun Sook Youn owner of the property at 507 Ouellette Avenue, for permission to extend the existing sidewalk cafe at 507 Ouellette Avenue into the Maiden Lane right-of-way, as shown on the **attached** Drawing C-3065, **BE DENIED**.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "507 Ouellette Avenue o/a Bistro 507 Sidewalk Cafe Extension into Maiden Lane" dated July14, 2011 is attached as background information.

LIVELINK 15388  
FILE SE/10182

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CHAIRPERSON

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DEPUTY CITY CLERK



**BE WITHDRAWN** as adopted by Council  
at its meeting held September 6, 2011 [M219-2011 PSC19/11]

**AC/**  
Windsor, Ontario September 6, 2011

**REPORT NO. 19** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** Councillor Bill Marra, Chair  
Councillor Percy Hatfield  
Councillor Al Maghnieh  
Councillor Joanne Gignac

**Regrets:** Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Marra,  
**M219-2011** That Report No. 19 of the Planning Standing Committee of its meeting held August 15, 2011,  
entitled "563 Indian Road – Interim Control By-law 19-2007 Exemption Request"  
**BE WITHDRAWN.**  
Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "563 Indian Road"  
dated July 19, 2011 is attached as background information.

LIVELINK 15419 FILE Z/8581

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CHAIRPERSON

DEPUTY CITY CLERK

**REFERRED to the Planning Standing Committee's meeting of September 12, 2011** by Council at its meeting held September 6, 2011 [M220-2011 PSC20/11]  
[M220-2011 REFERRED back to Planning Standing Committee at September 6, 2011 Council meeting]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 20** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** Councillor Bill Marra, Chair  
Councillor Percy Hatfield  
Councillor Al Maghnieh  
Councillor Joanne Gignac

**Regrets:** Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Gignac,  
**PSC 20/11** That Report No. 20 of the Planning Standing Committee of its meeting held August 15, 2011 pertaining to 357-359 Indian Road – Interim Control By-law 19-2007 exemption request **BE REFERRED** to the September 12, 2011 meeting of the Planning Standing Committee to allow for administration to meet with the Applicant to explore options for achieving compliance with the Sandwich Heritage Conservation District Design Guidelines.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "357-359 Indian Road" dated July 18, 2011 is attached as background information.

**LIVELINK 15405**  
**FILE Z/8581**

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M21-2011 PSC21/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 21** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                   **Councillor Bill Marra, Chair**  
  **Councillor Percy Hatfield**  
  **Councillor Al Maghnieh**  
  **Councillor Joanne Gignac**

**Regrets:**                                   **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Hatfield,  
**PSC 21/11** That the 4.01 metre (13'2") wide north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240 & 254 Tuscarora Street as shown Drawing Number CC-1612 attached hereto as Appendix "A" **BE ASSUMED** for subsequent closure and conveyance to the abutting property owner and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

II. That the 4.01 metre (13'2") wide north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240 & 254 Tuscarora Street as shown on Drawing Number CC-1612 attached hereto as Appendix "A" **BE CLOSED AND CONVEYED** to the abutting property owner subject to the following:

- Easements are required in favour of:  
Bell Canada  
Enwin Utilities – Hydro Division  
Cogeco Cable Systems Inc.
- The conveyance costs are as follows:  
Abutting properties zoned CD3.6: \$8.00 per square foot (\$86.11 per square metre) no easements and \$4.00 per square foot (\$43.06) per square metre) with easements.

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

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "Request to close the north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240&254 Tuscarora Street" dated July15, 2011 is attached as background information.

**LIVELINK 15402**  
**FILE SAA2011**

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M222-2011 PSC22/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 22** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                **Councillor Bill Marra, Chair**  
   **Councillor Percy Hatfield**  
   **Councillor Al Maghnieh**  
   **Councillor Joanne Gignac**

**Regrets:**                                **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Hatfield,  
**PSC 22/11**      That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition Control By-law 20-2007, **BE GRANTED** to Michael LeClair owner of the single detached dwelling at 337 South Street, to demolish the existing rear addition (8' 8" x 8') for the construction of a new 21'1" x 27' 9 3/4" rear addition on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and that drawings of the proposed construction be subject to approval of the City Planner.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "337 South Street" dated July 14, 2011 is attached as background information.

LIVELINK 15397  
FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M223-2011 PSC23/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 23** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                                **Councillor Bill Marra, Chair**  
   **Councillor Percy Hatfield**  
   **Councillor Al Maghnieh**  
   **Councillor Joanne Gignac**

**Regrets:**                                **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,

**PSC 23/11** That City Council authorize the issuance of a building permit to Oliver Perry of Weathertech Restoration Services Inc. on behalf of Boardwalk Reit Properties Holdings Ltd., the owner of 3461 Peter Street (Sandwich Tower), for the repair and restoration of existing balconies for multiple dwelling units, located at 3461 Peter Street since it complies with par 1.c of Interim Control By-law 19-2007 as amended, in Olde Sandwich Towne.

- II. That any future repairs for 3461 Peter Street that are necessary to comply with the conditions of condominium approval that require an exemption to Interim Control By-law 19-2007 as amended in Olde Sandwich Towne **BE GRANTED** on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and the drawings of the proposed construction be subject to approval of the City Planner

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "3461 Peter Street" dated July 18, 2011 is attached as background information.

LIVELINK 15415  
FILE ZP/9690

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M224-2011 PSC24/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 24** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                               **Councillor Bill Marra, Chair**  
   **Councillor Percy Hatfield**  
   **Councillor Al Maghnieh**  
   **Councillor Joanne Gignac**

**Regrets:**                               **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Hatfield,  
**PSC 24/11**     That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition Control By-law 20-2007, **BE GRANTED** to Jamila Doumet owner of the single detached dwelling at 571 Brock Street, to demolish a 3' x 7' portion of the existing rear addition (11' x 7') for the construction of a new 8' x 7' rear addition to bring the property into compliance with Zoning By-law 8600, on the condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and the drawings of the proposed construction be subject to approval of the City Planner.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "571 Brock Street" dated July 18, 2011 is attached as background information.

**LIVELINK 15416**

**FILE Z/8581**

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CHAIRPERSON

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DEPUTY CITY CLERK

**ADOPTED** by Council at its meeting held September 6, 2011 [M225-2011 PSC25/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 25** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:**                           **Councillor Bill Marra, Chair**  
   **Councillor Percy Hatfield**  
   **Councillor Al Maghnieh**  
   **Councillor Joanne Gignac**

**Regrets:**                           **Councillor Ed Sleiman**

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,  
**PSC 25/11** That an exemption from the Demolition Control By-Law 20-2007 (CR45/2007) and the Interim Control By-Law 19-2007, as amended by By-Law 35-2008, **BE GRANTED** to Zoltan Balog, the owner of the property at 3471 Sandwich Street, to allow the demolition of the existing storage building at the back of the existing building; followed by the construction of a new 48'x 23' storage building (as indicated on Appendices B and C) on the condition that the Olde Sandwich Town Community Improvement Plan, the Olde Sandwich Town Supplemental Development and Urban Design Guidelines be incorporated into this development, and that any exterior renovations/changes will be required to be shown on elevation drawings and be subject to the approval of the City Planner prior to issuance of a building permit.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "Request to demolish the existing storage building and replace it with a new storage structure at 3471 Sandwich Street" dated July 26, 2011 is attached as background information.

LIVELINK 15418  
FILE Z/8581

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CHAIRPERSON

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DEPUTY CITY CLERK



**ADOPTED** by Council at its meeting held September 6, 2011 [M226-2011 PSC26/11]

AC/

Windsor, Ontario September 6, 2011

**REPORT NO. 26** of the  
**PLANNING STANDING COMMITTEE**  
of its meeting held August 15, 2011

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**Present:** Councillor Bill Marra, Chair  
Councillor Percy Hatfield  
Councillor Al Maghnieh  
Councillor Joanne Gignac

**Regrets:** Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Hatfield

**PSC 26/11** That the 20.1 metre (66.0 feet) wide portion of Chatham Street West from Church Street to Bruce Avenue and the 3.0 metre (10.0 feet wide flaring to 18.96 feet wide at the northernmost point) north/south alley east of Bruce Avenue north of Chatham Street West and the 3.0 metre (10.0 feet) wide alley, south of Chatham Street West, all as shown on Drawing Number CC-1616 attached hereto as Appendix "A" **BE CLOSED FOR MUNICIPAL PURPOSES** subject to the following:

- Easements are required in favour of:  
Bell Canada  
Enwin Utilities – Hydro Division  
Windsor Utilities Commission – Water Division  
Cogeco Cable Systems Inc.
- The by-law to close not be registered until construction of the aquatic family centre begins

and further, that the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing CC-1616, attached hereto as Appendix "A", the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice, and further, that the City Solicitor **BE REQUESTED** to prepare the by-law to close, and further, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

III. THAT Council Resolution 753/91 and Council Resolution 175/92 concerning the closure of Chatham Street West from Church Street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West **BE RESCINDED**.

IV. THAT By-Law 10793 and By-Law 11176 concerning the closure of Chatham Street West from Church Street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West **BE REPEALED**.

Carried.

*Clerk's Note:* The Report from the Executive Director of Planning/City Planner, entitled "Request to close Chatham Street West from church street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West" dated July15, 2011 is attached as background information.

LIVELINK 15401  
FILE SAA2011

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CHAIRPERSON

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DEPUTY CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M213-2011**

**PSC13/11** That an amendment to Zoning By-law 8600 **BE APPROVED** removing the site specific requirement for a gate separation between Riverside Drive and Pleasant Place for the property located at 4909 Riverside Drive East; CON 1 LOT 85; PLAN 96; SOUTH PART LOT 14; NORTH PART LOT 154, (PIN 011800181) by removing sub-section iii(c) from Section 20(1) H-69.

III. That the "H" be removed from the zoning and supplemental 4909 Riverside Drive East.  
Carried.

Report Number 15371 ZB/10887

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [John Revell]

Manager of Development Applications

City Planner

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M214-2011**

**PSC 14/11** That the application of Maple Glen Apartments Limited for approval of a draft plan of condominium for a property legally described as Part Lot 134, Concession 2, as designated as Part 1, 12R-2459, City of Windsor, located at 9553-9555 & 9563-9565 Tecumseh Road East, to permit the conversion of two 3-storey apartment buildings containing 48 residential dwelling units from rental to condominium status, as shown on the attached Map No. CDM-002/11-2, **BE APPROVED** subject to the following:

- K. The owner shall enter into a condominium agreement to provide for the following together with all items contained in the Consultation section of this report;
- L. That the draft plan approval shall lapse on \_\_\_\_\_ (3 years from the date of approval);
- M. Existing tenants shall be given a right of first-refusal to purchase the dwelling unit they presently occupy;
- N. In the event that existing tenants do not exercise their option to purchase their dwelling unit, they shall be offered a life time non-transferable lease which shall be registered on title and binding on all subsequent owners. Such lease shall be satisfactory in form and content to the City Solicitor;
- O. The owner shall agree to remedy all site and building defects as documented in the:
  - 1. Building Condition Assessment report prepared by AMEC Earth & Environmental, dated January 5, 2011, with all corrections and improvements to be cleared as completed by an engineer retained by the owner;
  - 2. Works Department - Engineering and Corporate Projects comments listed in Appendix 'A' of this report;
  - 3. Works Department – Transportation Planning comments listed in Appendix 'A' of this report;
  - 4. Planning Policy comments listed in Appendix 'A' of this report;

All corrections and improvements shall be to the satisfaction of the Fire Chief, Chief Building Official and the City Engineer;

- P. The owner shall agree to remedy all safety and security deficiencies as identified in the report of the Windsor Police Service dated June 20, 2011 and attached as Appendix 'A'. All corrections and improvements shall be to the satisfaction of the Chief of Police;
- Q. The owner agrees to address the requirements and deficiencies identified in the report from the Planning Department's Landscape Architect, dated March 25, 2011, as attached as Appendix 'A', and to submit a photometric plan. The photometric plan will be reviewed in consultation with Windsor Police Services and will be to the satisfaction of the Landscape Architect.

- R. All landscaping improvements will be to the satisfaction of the Planning Department's Landscape Architect and to the satisfaction of the City Planner.**
- S. The owner shall agree to provide adequate screened storage space for appropriate and approved garbage, recycling and yard waste containers, in compliance with municipal by-laws to the satisfaction of the Manager of Environmental Services and Chief Building Official.
- T. The owner shall agree to provide at a minimum, one accessible entrance (i.e. including sidewalk, signage, ramp and door opener button) to each building and provide a minimum of 1 handicap parking space and a bicycle rack facility accommodating a minimum of 5 bicycles. All improvements are subject to reasonable health and safety concerns and are to be to the satisfaction of the Chief Building Official and Diversity and Accessibility Officer;

**II** Final approval of the plan of condominium shall not be considered until all of the required works under '**1. Recommendations I**' have been completed to the satisfaction of the respective departments and a condominium agreement has been registered against the subject lands.

Carried.

Report 15423 ZP/11129

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [Thomas J. Cadman]

Manager of Development Applications

City Planner

External Distribution

Maple Glen Apartments

Suite 201, 20358 64 Avenue

Langley, BC V2Y 1V5

Rashid Farhat

McTague law Firm LLP

445 Pelissier Street

Windsor, ON N9A 6Z9

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Gignac, seconded by Councillor Marra,

**M215-2011**

**PSC 15/11** That an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the property owned by P.X. Smith Medicine Professional Corporation, described as Part Lot 127 Concession 1, Part 2 on Reference Plan 12R-9171, and municipally known as 7831 Riverside Drive East (Roll No. 060-260-03400), by adding a site specific provision to permit a parking area on the subject land, for a neighbourhood commercial use on the lands next east; and that loading spaces and refuse facilities are prohibited on the subject site;

- II That the applicant/owner agree to undertake the required archaeological assessment for the subject site;
- III That the applicant/owner **BE REQUIRED** to comply with the following with respect to the subject property (7831 Riverside Dr. E.), in combination with the associated lands (7843 & 7875 Riverside Dr. E.), through the Site Plan Approval process:
  - (d) submit a site plan showing mitigation measures to be used in minimizing the impact of the proposed commercial use on the neighbouring sensitive land uses, to the satisfaction of the City Planner. The site plan shall include provision of adequate landscape buffer and separation; and shall be consistent with the character of the neighbourhood;
  - (e) submit a tree survey indentifying species, location, and condition of all trees on the subject lands; and
  - (f) submit a tree protection plan to the satisfaction of the Planning Department (City of Windsor Landscape Architect), identifying which trees are to be retained and proposed preservation techniques to be implemented;
- IV And that abutting property owner is included in the site plan process.  
Carried.

Report Number 15422 ZB/11127

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [Justina Nwaesei]  
Manager of Development Applications  
City Planner

External Distribution

Councillor Gignac

Pat Smith

[pxsmith@cogeco.ca](mailto:pxsmith@cogeco.ca)

Jason Thibert

[jthibert@ada-architect.ca](mailto:jthibert@ada-architect.ca)

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M216-2011**

**PSC 16/11** That the application by Angelo Marignani operator of Milk Coffee Bar, for permission to erect a Mini Café at 68 University Avenue West, as shown on the **attached** Drawing C-3113, **BE APPROVED** subject to the following conditions:

1. Applicant and owner comply with all other requirements of the sidewalk cafe handbook except for the 12' sidewalk width.
2. Maintain a minimum 8-foot wide (2.4 metres) clear sidewalk aisle adjacent to the Mini Café tables and chairs for pedestrians on University Avenue West.
3. Mini cafe is limited to the area identified on drawing C-3113.
4. The City requires a certificate of insurance from the applicant that is satisfactory to the Risk Management Supervisor.
5. ation fees for 2011 are waived, including the reduction of the Street Opening Permit fee of \$132.00 to \$1.00 for 2011 as per council motion M96-2011 on April 6, 2011;

Carried.

Report Number 15389 SE2011

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Engineering [Stacey Shyshak]

City Planner

City Engineer

City Solicitor

Risk Management [Dana Straus]

Windsor Accessibility Advisory Committee [Gail Jones]

Windsor Police [Barry Horrobin]

[bhorrobin@police.windsor.on.ca](mailto:bhorrobin@police.windsor.on.ca)

Councillor Fulvio Valentinis

External Distribution

Angelo Marignani

[milkcoffeebar@gmail.com](mailto:milkcoffeebar@gmail.com)

304830 Ontario Limited

Rosario Cosco

[rcosco@mnsi.net](mailto:rcosco@mnsi.net)

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Maghnieh, seconded by Councillor Marra,

**M217-2011**

**PSC 17/11** That Report No. 17 of the Planning Standing Committee of its meeting held August 15, 2011, pertaining to 741-745 Rosedale Avenue-Interim Control By-law 19-2007 exemption request **BE REFERRED** to Administration in order for the Applicant to provide acceptable elevation drawings.

Carried

Report Number 15406 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Manager of Urban Design [Neil Robertson]

City Planner

Chief Building Official

City Solicitor

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)



**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M218-2011**

**PSC 18/11** That the application by Jason Sabba operator of Bistro 507 on behalf of Hyun Sook Youn owner of the property at 507 Ouellette Avenue, for permission to extend the existing sidewalk cafe at 507 Ouellette Avenue into the Maiden Lane right-of-way, as shown on the **attached** Drawing C-3065, **BE DENIED**.

Carried.

Report Number 15388 SE/10182

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Engineering [Adrian Busa]

City Planner

City Engineer

City Solicitor

Risk Management [Dana Straus]

Windsor Accessibility Advisory Committee [Gail Jones]

Windsor Police [Barry Borrobin

[bhorrobin@police.windsor.on.ca](mailto:bhorrobin@police.windsor.on.ca)

Councillor Fulvio Valentinis

External Distribution

Jason Sabba

[Bistro507@hotmail.com](mailto:Bistro507@hotmail.com)

Downtown Residents Association

Philip Haddad

[philiphaddad@excite.com](mailto:philiphaddad@excite.com)

Essex Condominium Corporation No. 72

Art Ouellette

[ppm@mnsi.net](mailto:ppm@mnsi.net)

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Gignac, seconded by Councillor Marra,

**M219-2011**

**PSC 19/11** That Report No. 19 of the Planning Standing Committee of its meeting held August 15, 2011, pertaining to 563 Indian Road-Interim Control By-law 19-2007 exemption request **BE WITHDRAWN**.  
Carried.

Report Number 15419 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,

**M220-2011**

**PSC 20/11** That Report No. 20 of the Planning Standing Committee of its meeting held August 15, 2011 pertaining to 357-359 Indian Road – Interim Control By-law 19-2007 exemption request BE REFERRED to the September 12, 2011 meeting of the Planning Standing Committee to allow for administration to meet with the Applicant to explore options for achieving compliance with the Sandwich Heritage Conservation District Design Guidelines.

Carried.

Report Number 15405 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Kevin Flood

[Kevin\\_flood@hotmail.com](mailto:Kevin_flood@hotmail.com)

**NOTICE OF COUNCIL DECISION**

**Windsor City Council adopted the following resolution at its meeting held September 6, 2011**

Moved by Councillor Hatfield, seconded by Councillor Jones d,

**M221-2011**

**PSC 21/11** That the 4.01 metre (13'2") wide north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240 & 254 Tuscarora Street as shown Drawing Number CC-1612 ***attached*** hereto as Appendix "A" **BE ASSUMED** for subsequent closure and conveyance to the abutting property owner and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

V. That the 4.01 metre (13'2") wide north/south alley north of Tuscarora Street between 670, 682 & 690 Windsor Avenue and 240 & 254 Tuscarora Street as shown on Drawing Number CC-1612 ***attached*** hereto as Appendix "A" **BE CLOSED AND CONVEYED** to the abutting property owner subject to the following:

- Easements are required in favour of:  
Bell Canada  
Enwin Utilities – Hydro Division  
Cogeco Cable Systems Inc.
- The conveyance costs are as follows:  
Abutting properties zoned CD3.6: \$8.00 per square foot (\$86.11 per square metre) no easements and \$4.00 per square foot (\$43.06 per square metre) with easements.

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

Carried.

Report Number 15402 SSA2011

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [Laura MacDonald]

Street and Alley technical Advisory Committee [John Revell]

Manager of Development Applications

City Planner

City Solicitor

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M222-2011**

**PSC 22/11** That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition Control By-law 20-2007, **BE GRANTED** to Michael LeClair owner of the single detached dwelling at 337 South Street, to demolish the existing rear addition (8' 8" x 8') for the construction of a new 21'1" x 27' 9 3/4" rear addition on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and that drawings of the proposed construction be subject to approval of the City Planner.

Carried.

Report Number 15397 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Michael LeClair

Fax 519-971-8095

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones

**M223-2011**

**PSC 23/11** That City Council authorize the issuance of a building permit to Oliver Perry of Weathertech Restoration Services Inc. on behalf of Boardwalk Reit Properties Holdings Ltd., the owner of 3461 Peter Street (Sandwich Tower), for the repair and restoration of existing balconies for multiple dwelling units, located at 3461 Peter Street since it complies with par 1.c of Interim Control By-law 19-2007 as amended, in Olde Sandwich Towne.

- III. That any future repairs for 3461 Peter Street that are necessary to comply with the conditions of condominium approval that require an exemption to Interim Control By-law 19-2007 as amended in Olde Sandwich Towne **BE GRANTED** on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and the drawings of the proposed construction be subject to approval of the City Planner

Carried.

Report Number 15415 ZP/9690

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk  
January 12, 2012  
/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]  
Manager of Urban Design  
City Planner  
City Solicitor  
Chief Building Official

External Distribution

Perry Oliver  
Fax – 519-258-0787

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones

**M224-2011**

**PSC 24/11** That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition Control By-law 20-2007, **BE GRANTED** to Jamila Doumet owner of the single detached dwelling at 571 Brock Street, to demolish a 3' x 7' portion of the existing rear addition (11' x 7') for the construction of a new 8' x 7' rear addition to bring the property into compliance with Zoning By-law 8600, on the condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development, and the drawings of the proposed construction be subject to approval of the City Planner.

Carried.

Report Number 15416 Z/8581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Senior Planner – Special Projects [Kevin Alexander]

Manager of Urban Design

City Planner

City Solicitor

Chief Building Official

External Distribution

Jamila Doumet

Fax – 519-322-1833

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones

**M225-2011**

**PSC 25/11** That an exemption from the Demolition Control By-Law 20-2007 (CR45/2007) and the Interim Control By-Law 19-2007, as amended by By-Law 35-2008, **BE GRANTED** to Zoltan Balog, the owner of the property at 3471 Sandwich Street, to allow the demolition of the existing storage building at the back of the existing building; followed by the construction of a new 48'x 23' storage building (as indicated on Appendices B and C) on the condition that the Olde Sandwich Town Community Improvement Plan, the Olde Sandwich Town Supplemental Development and Urban Design Guidelines be incorporated into this development, and that any exterior renovations/changes will be required to be shown on elevation drawings and be subject to the approval of the City Planner prior to issuance of a building permit.

Carried.

Report Number 15418 Z/9581

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [Noushy Tavassoli]

Neil Robertson

Thom Hunt

George Wilkki

Lee Anne Doyle

External Distribution

Zoltan Balog

3471 Sandwich Street

Windsor, ON N9C 1B4



**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones

**M226-2011**

**PSC 26/11** That the 20.1 metre (66.0 feet) wide portion of Chatham Street West from Church Street to Bruce Avenue and the 3.0 metre (10.0 feet wide flaring to 18.96 feet wide at the northernmost point) north/south alley east of Bruce Avenue north of Chatham Street West and the 3.0 metre (10.0 feet) wide alley, south of Chatham Street West, all as shown on Drawing Number CC-1616 attached hereto as Appendix "A" **BE CLOSED FOR MUNICIPAL PURPOSES** subject to the following:

- Easements are required in favour of:  
Bell Canada  
Enwin Utilities – Hydro Division  
Windsor Utilities Commission – Water Division  
Cogeco Cable Systems Inc.
- The by-law to close not be registered until construction of the aquatic family centre begins

and further, that the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing CC-1616, attached hereto as Appendix "A", the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice, and further, that the City Solicitor **BE REQUESTED** to prepare the by-law to close, and further, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

VI. THAT Council Resolution 753/91 and Council Resolution 175/92 concerning the closure of Chatham Street West from Church Street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West **BE RESCINDED**.

VII. THAT By-Law 10793 and By-Law 11176 concerning the closure of Chatham Street West from Church Street to Bruce Avenue and the north/south alley east of Bruce Avenue, north and south of Chatham Street West **BE REPEALED**.

Carried.

Report Number 15401 SAA2011

*Agatha Armstrong*

Supervisor of Council Services/Deputy City Clerk

January 12, 2012

/ks

Internal Distribution

Planning [Laura MacDonald]

Street and Alley technical Advisory Committee [John Revell]

Manager of Development Applications

City Planner

City Solicitor

External Distribution

All abutting/affected Property Owners

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M230-2011** That **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011 comprised of the following **BE ADOPTED** as presented:

**EC24/11** - Report No. 24 Hotline Case #2009-03 Risk & the City's Operation of CHMC's Homeowner Residential Assistance Program

**EC25/11** - Report No. 25 City of Windsor Post Construction Review of WFCU Centre Project

**EC26/11** - Report No. 26 WFCU Audit Project Fees

**EC27/11** - Report No. 27 Verbal direction of the Audit Committee

Carried.

MB2010 EC24/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

External Distribution

Nick Thomas, KPMG

ADOPTED by Council at its meeting held September 6, 2011 [M230-2011] - EC24/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 24** of the  
**EXECUTIVE COMMITTEE**  
of its special meeting held July 27 2011

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**Members Present:**

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

**Members Absent:**

- Councillor A. Halberstadt**
- Councillor F. Valentinis**

That the following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,

That the report from the Auditor General's Office dated January, 2011 entitled "Hotline Case # 2009 -03 Risk and the City's Operation of CMHC's Homeowner Residential Assistance Program" **BE RECEIVED FOR INFORMATION**; and further

That the recommendations contained in the report **BE ADOPTED** and that Administration **BE DIRECTED** to proceed accordingly

Carried.

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

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CHAIRPERSON

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CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M230-2011** That **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011 comprised of the following **BE ADOPTED** as presented:

**EC24/11** - Report No. 24 Hotline Case #2009-03 Risk & the City's Operation of CHMC's Homeowner Residential Assistance Program

**EC25/11** - Report No. 25 City of Windsor Post Construction Review of WFCU Centre Project

**EC26/11** - Report No. 26 WFCU Audit Project Fees

**EC27/11** - Report No. 27 Verbal direction of the Audit Committee

Carried.

MB2010 EC25/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

Executive Director of Parks and Facility Operations

External Distribution

Nick Thomas, KPMG

ADOPTED by Council at its meeting held September 6, 2011 [M230-2011] - EC25/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 25** of the  
**EXECUTIVE COMMITTEE**  
of its special meeting held July 27 2011

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**Members Present:**

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

**Members Absent:**

- Councillor A. Halberstadt**
- Councillor F. Valentinis**

That the following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Marra,

That the report from KPMG dated July 27, 2011 regarding "City of Windsor Post Construction Review of WFCU Centre Project" **BE RECEIVED FOR INFORMATION**; and further

That the recommendations contained in the report **BE ADOPTED** and that administration **BE DIRECTED** to proceed accordingly.

Carried.

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

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CHAIRPERSON

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CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M230-2011** That **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011 comprised of the following **BE ADOPTED** as presented:

**EC24/11** - Report No. 24 Hotline Case #2009-03 Risk & the City's Operation of CHMC's Homeowner Residential Assistance Program

**EC25/11** - Report No. 25 City of Windsor Post Construction Review of WFCU Centre Project

**EC26/11** - Report No. 26 WFCU Audit Project Fees

**EC27/11** - Report No. 27 Verbal direction of the Audit Committee

Carried.

MB2010 EC26/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

Executive Director of Parks and Facility Operations

External Distribution

Nick Thomas, KPMG

ADOPTED by Council at its meeting held September 6, 2011 [M230-2011] - EC26/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 26** of the  
**EXECUTIVE COMMITTEE**  
of its special meeting held July 27 2011

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**Members Present:**

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

**Members Absent:**

**Councillor A. Halberstadt**  
**Councillor F. Valentinis**

That the following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Sleiman,

That the correspondence from Paul M. Ross, Partner –KPMG dated July 20, 2011 regarding “WFCU Audit Project Fees” **BE RECEIVED**; and further

That the original estimate of \$80,000.00 by KPMG to complete the WFCU audit project **BE INCREASED** from \$80,000.00 to an upset limit of \$140,000 and that this difference **BE CHARGED** to the Budget Stabilization Reserve Fund.

Carried.

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

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CHAIRPERSON

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CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M230-2011** That **Report No. 24-27 of the Executive Committee** of its meeting held July 27, 2011 comprised of the following **BE ADOPTED** as presented:

**EC24/11** - Report No. 24 Hotline Case #2009-03 Risk & the City's Operation of CHMC's Homeowner Residential Assistance Program

**EC25/11** - Report No. 25 City of Windsor Post Construction Review of WFCU Centre Project

**EC26/11** - Report No. 26 WFCU Audit Project Fees

**EC27/11** - Report No. 27 Verbal direction of the Audit Committee

Carried.

MB2010 EC27/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

City Solicitor

Executive Director of Parks and Facility Operations

Coordinator, Audit Committee

External Distribution

Nick Thomas, KPMG

M. Zalev

G. Sandala

B. Carter



ADOPTED by Council at its meeting held September 6, 2011 [M230-2011] - EC27/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 27** of the  
**EXECUTIVE COMMITTEE**  
of its special meeting held July 27 2011

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**Members Present:**

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

**Members Absent:**

- Councillor A. Halberstadt**
- Councillor F. Valentinis**

The following recommendation of the Audit Committee **BE APPROVED** as follows:

Moved by B. Carter, seconded by M. Zalev,

That the verbal direction of the Audit Committee relating to the In Camera KPMG – Post Construction Review of the WFCU Centre Project **BE RECEIVED**, and, that the KPMG – Post Construction Review of the WFCU Centre Project **BE FORWARDED** to the Executive Committee, and further, that KPMG **BE DIRECTED** to prepare a brief summary of their findings for City Council.

That the verbal direction of the Audit Committee relating to the In Camera Auditor General’s Office Audit Report: Hotline Case 2009-03 **BE RECEIVED**, and further, that Auditor General’s Office Audit Report: Hotline Case 2009-03 **BE FORWARDED** to the Executive Committee.

Carried.

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**CHAIRPERSON**

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CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M231-2011** That **Report No. 28 & 29 of the Executive Committee** of its meeting held August 30, 2011 comprised of the following **BE ADOPTED** as presented:

**EC31/11 - Report No. 28** Status Report – Compliance with Applicable Laws and Regulations, 2<sup>nd</sup> Quarter 2011

**EC32/11 – Report No. 29** The Corporation of the City of Windsor 2010 Consolidated Financial Statements Carried.

MB2010 EC31/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Administrative Office – Andrew Dowie

Chief Financial Officer & City Treasurer

External Distribution

ADOPTED by Council at its meeting held September 6, 2011 [M231-2011] - EC31/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 28** of the  
**EXECUTIVE COMMITTEE**  
of its meeting held August 30, 2011

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**Members Present:**

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

**Regrets:**

**Councillor B. Marra**

The following recommendation of the Audit Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Dilkens  
That the Status Report on Compliance with Applicable Laws and Regulations, 2<sup>nd</sup> Quarter of 2011 dated July 15, 2011 **BE RECEIVED** for information and further, that the report **BE FORWARDED** to City Council.

Carried.

AF2011

**Clerk's Note:** The Report from the Chief Administrative Officer dated July 15, 2011 titled "Status Report – Compliance with Applicable Laws and Regulations, 2<sup>nd</sup> Quarter 2011" is *attached* as background information

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CHAIRPERSON

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CITY CLERK

**NOTICE OF COUNCIL DECISION**

Windsor City Council adopted the following resolution at its meeting held September 6, 2011

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M231-2011** That **Report No. 28 & 29 of the Executive Committee** of its meeting held August 30, 2011 comprised of the following **BE ADOPTED** as presented:

**EC31/11** - Report No. 28 Status Report – Compliance with Applicable Laws and Regulations, 2<sup>nd</sup> Quarter 2011

**EC32/11** – Report No. 29 The Corporation of the City of Windsor 2010 Consolidated Financial Statements  
Carried.

MB2010 EC32/11

*Steve Vlachodimos*

Deputy City Clerk/Senior Manager of Council Services

January 12, 2012

/jr

Internal Distribution

Chief Administrative Officer

Chief Financial Officer & City Treasurer

Finance [Joe Mancina/Dan Seguin]

External Distribution

ADOPTED by Council at its meeting held September 6, 2011 [M231-2011] - EC32/11

/AA

Windsor, Ontario September 6, 2011

**REPORT NO. 29** of the  
**EXECUTIVE COMMITTEE**  
of its meeting held August 30, 2011

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**Members Present:**

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

**Regrets:** **Councillor B. Marra**

The following recommendation of the Audit Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Dilkens,  
That the Audited Consolidated Financial Statements for the year ended December 31, 2010 including the City of Windsor Trust Fund Statements and Sinking Fund Statements **BE RECEIVED AND ACCEPTED** and further, that the Audited Consolidated Financial Statements including Trust Fund Statements and Sinking Fund Statements **BE FORWARDED** to City Council for approval.

Carried.

AF2011

**Clerk's Note:** The Report from the Chief Administrative Officer dated July 19, 2011 titled "The Corporation of The City of Windsor 2010 Consolidated Financial Statements" is *attached* as background information

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CHAIRPERSON

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CITY CLERK