

REPORT NO. 312 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE
of its meeting held October 21, 2015

Present: **Councillor Fred Francis**
 Councillor Chris Holt
 Councillor Hilary Payne (Vice Chair)
 Councillor Paul Borrelli

Regrets: **Councillor Bill Marra**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Francis, seconded by Councillor Borrelli,
That the report of the City Engineer dated August 14, 2015 entitled "CQ35-2015 – Review designating City owned property within the Little River corridor as a park" be **RECEIVED FOR INFORMATION**.
Carried.

LiveLink 17911 ST2015

Clerk's Note: The report of the City Engineer dated August 14, 2015 entitled "CQ35-2015 – Review designating City owned property within the Little River corridor as a park" is **attached** as background information.

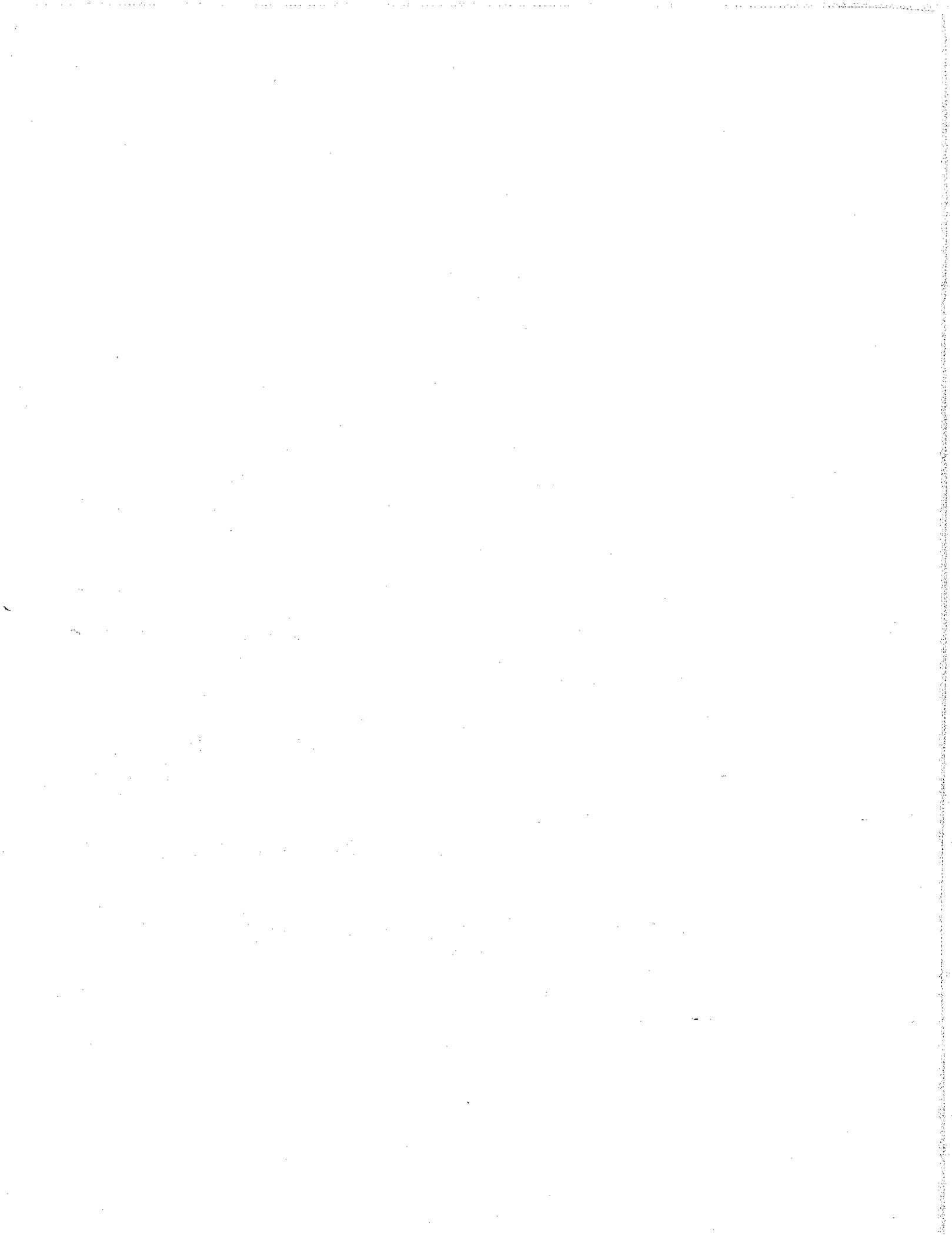


CHAIRPERSON



SUPERVISOR OF COUNCIL SERVICES

NOTIFICATION:	
NAME	CONTACT INFORMATION
Tom Henderson, Chair, Public Advisory Council, Detroit River Canadian Cleanup	Henderson99@gmail.com



**THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY ENGINEER- Parks**

**MISSION STATEMENT:**

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 17911 ST2015	Report Date: August 14th, 2015
Author's Name: Phil Roberts	Date to Standing Committee: October 21, 2015
Author's Phone: 519 253-2300 ext. 2707	Classification #:
Author's E-mail: proberts@citywindsor.ca	

P&R#15-136

To: Environment, Transportation & Public Safety Standing Committee

Subject: CQ35-2015 – Review designating City owned property within the Little River corridor as a park.

1. RECOMMENDATION: City Wide: X Ward(s): 9

That Council **RECEIVE FOR INFORMATION** the position of Parks Administration with respect to designating the City Owned Property within the Little River corridor as a park.

2. BACKGROUND:

On the July 6th, 2015 Council meeting Councillor Payne asked the following question:

"Asks for a report from Parks Administration regarding the potential for identifying City owned lands along the Little River through Twin Oaks Business park as a natural heritage feature park to be included in the inventory of City Parks."

The section of the Little River which is under consideration in this request is approximately 1150 meters in length and bound by the E.C.Row Expressway at its northern limit, the Canadian Pacific Railway at the southern limit and parallels the Lauzon Parkway to the west (map Appendix A)

This section of the Little River is considered a municipal drain as identified under By-law 504 of the former Township of Sandwich East. By-law 504 was adopted in 1910 which establishes the Little River a *drainage work* constructed under the Drainage Act. The drainage area contributing to Little River upstream of E.C. Row Expressway is approximately 45 sq. km. within the south-east portion of Windsor and the western portion of the Town of Tecumseh. The most recent drainage report for portions of this section of the Little River was done in 1982 and the City is responsible for maintenance in accordance of By-law 504 and the Drainage Act.

When the former Twin Oaks Golf Course was purchased and planned for industrial land development, stormwater management was required for the plan of industrial subdivision. In

1992 this section of the Little River was recognized as degraded for both water and environmental quality due to previous unregulated practices. By 1997 when stormwater management was being planned for the industrial lands development, the City of Windsor partnered with the Essex Region Conservation Authority (ERCA), Environment Canada, Ontario Ministry of Environment, and local environmental community (Little River Enhancement Group and the Essex County Field Naturalists' Club) to develop and implement a plan to use the Little River channel and corridor as both stormwater conveyance and storage with the goal of enhancing natural habitat. Approximately \$188,000.00 was committed to the project and further innovative habitat design elements were considered to mitigate the attraction of species considered to be hazardous to aviation as this section of the Little River is directly below the approach to Windsor Airport Runway 25.

Once the project goals were realized in the creation of linear stormwater features (wildlife mitigation), river bank stabilization, re-establish a natural flood plain and low flow channel, establish a riparian habitat and other tree and shrub plantings and the installation of a paved trail, the corridor, owned by the City of Windsor was zoned GD1.1 (green district designation or parkland).

None of these works were undertaken under a municipal drainage report (as defined by the Drainage Act) and therefore are not covered under the provisions of By-law 504. As this is an old by-law and associated drainage report a provision for a maintenance corridor immediately adjacent the drain (the Little River) has not been designated and established as it would be under more recent drainage reports.

There are currently 209 parks within the City of Windsor.

3. DISCUSSION:

The current condition of the Little River in this segment would easily be classified as a successional natural heritage feature now supporting ecological function. Recognized as a City park it would be identified and managed as a natural heritage park similar to those currently in the City park inventory (Ojibway, Black Oaks, Herb Gray). This site would be unique to current City park holdings in that it is exclusively a river valley / flood plain affording some topographic changes uncommon to our geography.

The site does suffer from illegal dumping activity and destructive recreational use in the form of all terrain vehicles (ATV) access. These activities should be curtailed regardless of the land use designation and as a recognized park would have the protection of the parks by-laws which prohibit such activities.

The Airport Wildlife Specialists that routinely monitor several wildlife attracting sites in the vicinity of the airport, including this site, report they have not found it to be an attractant for Gull (species) or Canada Goose which are considered the two most hazardous species to aviation. Raptor species are a considered risk, although with relatively low frequency, which is mitigated through an aggressive trap and relocation program.

The primary function of this corridor is to provide stormwater conveyance and outlet. Maintenance of the channel is required to maintain this function. Aspects of drain maintenance, specifically the identification of a maintenance corridor would need to be incorporated into the

park's management scheme as not to prohibit access to the drain for protection of established habitat.

The current paved trail is in very good condition although future consideration for a trail head, parking and other amenities afforded to natural heritage feature parks needs to be reviewed and considered for future capital budgets. The immediate need for this as a park at this time is naming and the posting of appropriate park signage both regulatory and interpretive.

4. RISK ANALYSIS:

There is an inherent risk to inviting the public to recreate in any public park however natural heritage feature parks tend to offer less amenities and therefore less risk to the Corporation.

The risk of litigation and liability from injury by allowing access to this park and the single multi-use trail already exists, is tolerable and would not appear to be any greater than that of any other multi-use trail park in the city network.

The risk to negatively impact aviation safety from hazardous wildlife attraction has already been addressed in the original design however it should be noted that any subsequent habitat restoration or improvement be done with review by the Airport Authority.

The risk to resources is acknowledged and although the Parks Department does not plan to provide any more service than we currently provide and there are no immediate capital considerations, the creation of a park may lend itself to future expectation for an increase in level of service and amenities, like parking, a trail head and improved trail connectivity. This is not required for the proposed park creation and has not been requested.

While enforcement of the Parks bylaw does fall under the responsibility of the By-law Enforcement group and to a degree the Windsor Police Services requests for additional attention is often driven on a complaint basis when submitted through the Parks department. Responding to habitual or illegal activity does not fall outside their normal scope of work. This risk to resources is deemed to be tolerable.

5. FINANCIAL MATTERS:

Parks is currently tasked with general maintenance (trail cutting) and the cleanup of dumped materials. It could be argued that as the site currently is not identifiable as a park it is subject to greater undesirable uses such as dumping and all terrain vehicle abuse. Other parks in the vicinity (Derwent) do have similar issue however to a lesser degree. With the placement of signs, naming and with the support of By-law Enforcement and the Windsor Police Services, Parks may see some relief in illegal and the cost of cleanup.

Financial considerations needs to be made for placement of standard Parks by-law signage and associated hardware. An estimated one time cost for this project is approximately \$250.00 which will be charged to Account 001-2950-2329-02573-0281061. The Parks Department will mitigate this unbudgeted expense.

6. CONSULTATIONS:

Mike Clement, Manager, Parks Design and Development
Yvan Mantha, Manager, Parks Operations
Anna Godo, Engineer III/Drainage Superintendent
Frank Scarfone, Manager of Real Estate Services
Thom Hunt, City Planner
Steve Tuffin, Director of Operations (A), YQG
Richard Wyma, General Manager, Essex Region Conservation Authority

7. CONCLUSION:

This section of the Little River is already zoned parkland / greenspace and is currently being supported by Parks Operations with trail maintenance. The formal designation of this as a park supports concepts for connectivity with Derwent Park to the north of E.C.Row and the Little River corridor to the Ganatchio Trail as well as the potential for expanding a park trail network into the south into the Sandwich South Planning District, at a future time. Parks Administration would concede that by default this is currently a park.

With this recognition the park needs to be named to aid in formal recognition as a park by the public and support for enforcement purpose as well as to geographically locate. There is a formal process as outlined by the Naming and Renaming of Municipal Property Policy (attached in Appendix B).

MIKE CLEMENT
Manager of Parks Design and
Development

PHIL ROBERTS
Executive Director of Parks

YVAN MANTHA
Manager of Parks Operations

MARK WINTERTON
City Engineer and Corporate Leader
Environmental Protection and
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SHELBY ASKIN-HAGER
City Solicitor and Corporate Leader
Economic Development and Public Safety

ONORIO COLUCCI
Chief Financial Officer/City Treasurer and
Corporate Leader Finance and Technology

BR

HELGA REIDEL
Chief Administrative Officer

PR

APPENDICES:

Appendix A: Map – Land under Consideration

Appendix B: Naming /Renaming or Dedicating Of Municipal Property, Buildings and Park Elements

DEPARTMENTS/OTHERS CONSULTED:

Name:

Phone #: 519 ext.

NOTIFICATION :

Name	Address	Email Address	Telephone	FAX
Ian Naisbitt				
Tom Henderson				
Dave Munro				
Claire Saunders				
Richard Wyma				



Parkland Designation Along Little River
CQ 35-2015 **APPENDIX 'A'**

aerial photography april 2013
1:5000

**THE CORPORATION OF THE CITY OF WINDSOR
POLICY**

Service Area:	Community and Protective Services	Policy No.:	
Departments:	Municipal	Approval Date:	
Division:		Approved By:	CR144/2007
		Effective Date:	
Subject:	Naming/Renaming Or Dedicating Of Municipal Property, Buildings And Park Elements	Procedure Ref.:	
		Pages:	Replaces:
			Date:

1. POLICY

1.1 The Naming/Renaming or Dedicating of Municipal Property, Buildings and Park Elements are important for public awareness, promotion and emergency access. In order to ensure fairness and consistency, naming/renaming or dedicating of municipal property, buildings and park elements will be named according to the following principles:

- **Aid in the geographical identification of the municipal property, Buildings and Park elements to assist in emergency response situations.**
- **Maintain long-standing local area identification**
- **Understandable to the majority of Windsorites**
- **Give a sense of place, continuity, and belonging and celebrate distinguishing characteristics and uniqueness of Windsor**
- **Unique, avoiding confusion, name duplication and similar sounding names**
- **Not discriminatory, derogatory or political in nature**
- **Municipal property Buildings and Park amenities will not be named after elected officials currently in office**
- **Where a street is named for a person, the adjacent municipal facility/property or park may not necessarily be named for the person**
- **Corporate names will not be used unless a significant financial or other contribution has been made to the City. See section 1.8 below.**

1.2 In keeping with the above principles, administration will recommend to Council which of the following criteria will be used to naming/renaming or dedicating of municipal property, buildings and park elements

- a) Geographic location (i.e.) major road, City district
- b) A group or individual who has contributed towards the development of the City of Windsor
- c) Purchased naming rights through a competitive process.

1.3 In the case of commemorative or individual naming the following factors will be considered:

- The contribution the group or individual has made to the public life and the well being of the City of Windsor
 - Must be perceived as a role model and open to close scrutiny relative to their character, integrity and values
 - Community involvement must be outstanding and renowned
 - The involvement will have had a dramatic influence/impact on the City/residents over an extended period of time
 - Contribution including length of service, level of commitment, level of responsibility assumed must be extraordinary
 - Have they earned national/international acclaim?
 - In the case of financial gifts, has the donor participated in a large one-time campaign that consumed a minimum of 3-5 years in support of a public venue, or participated in a fundraising campaign in support of a public venue (30-40years/lifetime service)?
 - In the case of service clubs, have they contributed through public service activities in Windsor over multi-years (e.g. 30-40 years)?

1.4 All discussions of naming/renaming or dedicating of municipal property, buildings and park elements will be considered initially at a closed meeting, for the purpose of gaining approval in principle of the majority of Council. In general City administration will bring forward a report for Council containing background information pertinent to one or more suggested names.

1.5 Final decision will be made by Council at a closed meeting and reported publicly at the appropriate time.

1.6 Council retains the right to change any name at any time without notice.

1.7 In the case of purchased naming rights the following additional considerations will apply:

- The significance of the contribution made relative to the construction and/or operating costs of the item being named
- The significance of the contribution relative to the market valuation of the naming opportunity
- Results of a value assessment
- The benefits to and obligations of both the purchaser and the City
- The duration of the naming including a specific sunset clause associated with the length of time that the name will be used
- Whether the naming agreement can be renewed if a further gift or sponsorship is received
- Demonstrated public support for the sale of naming rights of the facility

2. **PURPOSE**

2.1 The purpose of the policy is to ensure consistency and fairness in the naming/renaming or dedicating of municipal property, buildings and park elements.

3. **SCOPE**

3.1 This policy applies to all naming/renaming or dedicating of municipal property, buildings and park elements under the jurisdiction of the City of Windsor.

4. **RESPONSIBILITY**

4.1 Administration is responsible for providing Council with recommendations with regard to the naming/renaming or dedicating of municipal property, buildings and park elements.

4.2 In all cases the Administration will coordinate naming to ensure fairness and consistency.

5. **RECORDS, FORMS AND ATTACHMENTS**

Records pertaining to the naming/renaming or dedicating of municipal property, buildings and park elements will be retained according to the Records Retention By-law 12599.

6. **DEFINITIONS**

"Asset analysis" is a comprehensive look at the asset's overall value as it relates to corporate sponsorship or naming opportunities.

“Commemorative” naming is usually bestowed to honour an individual. Streets and parks are often named in this way. This honour is not usually negotiated for a fee.

“Individual” naming is generally negotiated as recognition for a donor of funds. It can be commemorative, in the sense that it honours an individual, except there is usually a financial transaction involved.

“Corporate” naming is generally negotiated for a specific fee and time period. In addition to recognition on the building, which may include the corporate name and/or logo, the company may receive other marketing or public relations benefits as part of the agreement.

“Naming rights” is the right to name a piece of tangible property or an event in exchange for financial considerations, documented in an agreement signed by all parties.

“Municipal property, buildings and park elements” include City-owned buildings, rooms and elements within those buildings, parks and elements of parks including walkways, bicycle paths, fountains, squares, gardens, landscape features, bridges, etc.

“Value assessment” is a determination of the true value that a sponsor will receive as a purchaser of specified naming rights and may include tangible and intangible benefits.