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Windsor, Ontario, May 22, 2013.

A meeting of the **Environment Transportation & Public Safety Standing Committee** is held this day commencing at 4:30 o'clock p.m. in Council Chambers there being present the following members:

Present: Councillor Gignac
Councillor Halberstadt
Councillor Jones
Councillor Payne
Councillor Valentinis (Chair)

Also present are the following from Administration:

Mike Palanacki, Executive Director of Operations
Josette Eugeni, Manager of Transportation Planning
Gary Cian, Manager of Policy, Gaming and Licensing/Deputy Licence Commissioner
Craig Robertson, Supervisor of Licensing (A)
Wira Vendrasco, Deputy City Solicitor
Ann Kalinowski, Manager of By-law Enforcement
Agatha Armstrong, Deputy City Clerk

Delegations:

David Cree (Report No. 72 of WECEC)
Mary Bull (Report No. 71 of WECEC)
Nancy Pancheshan (Report No. 71 of WECEC)
Jesse Gardner-Costa (Report No. 71 of WECEC)
Virginia Cosco-Pizzuti (Item 4)
T.J. Griffin (Item 1)
Kim Tucker (Item 2)

1. CALL TO ORDER

The Chair calls the meeting to order at 4:30 o'clock p.m.

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None.

4. **COMMUNICATIONS**

None.

5. **PRESENTATIONS AND DELEGATIONS**

Report No. 72 of the Windsor-Essex County Environment Committee (Windsor Port Authority, Ojibway Shores property, biological survey of the property)

David Cree, President & CEO, Windsor Port Authority

David Cree, President & CEO, Windsor Port Authority appears before the committee to provide an update, stating that the Port Authority is in the process of completing an environmental inventory in the next 2 months, and concludes by stating that a public hearing will be held towards the end of June.

Moved by Councillor Jones, seconded by Councillor Gignac,

THAT Report No. 72 of the Windsor Essex County Environment Committee regarding Windsor Port Authority, Ojibway Shores property, biological survey of the property **BE RECEIVED** for information.

Carried.

Report No. 71 of the Windsor-Essex County Environment Committee (1223244 Ontario Ltd., Sprucewood Avenue between Ojibway Parkway & Matchette Road)

Nancy Pancheshan, Save Ojibway

Nancy Pancheshan, Save Ojibway appears before the committee and provides the following comments relating to the Big Box proposal:

- In 2007, the zoning designation of the said lands was changed from residential and commercial corridor to commercial centre
- An appeal has been submitted to the Ontario Municipal Board
- The development will have a negative impact on the Ojibway Prairie area
- The Ojibway Prairie Nature Reserve is a rare five park system that holds some of Canada's and the globe's most endangered ecosystems
- Save Ojibway is concerned that traffic and widening of Matchette Road will harm animals that cross
- The development will increase traffic tremendously

Jesse Gardner Costa, President, Essex County Nature

Jesse Gardner Costa, President, Essex County Nature 1 appears before the committee to request that City Council reconsider Council Resolution CR433/2007 relating to the rezoning, stating that there are no adequate plans for the mitigation of identified species.

Mary Bull, Solicitor representing 1223244 Ontario Inc. and Allen Benson, Senior Biologist

Mary Bull, Solicitor and Allen Benson, Senior Biologist appear before the committee and provide the following comments relating the proposed development at the northwest corner of Sprucewood Avenue and Matchette Road:

- Urge the Committee and City Council to receive the WECEC resolution for information purposes and continue to support the proposed development and the planning instruments
- This brownfield site was actively used as part of the Windsor Raceway, this site is not considered a greenfield site
- The proposal is to develop a brownfield site for commercial uses
- The Zoning By-law specifically requires that the species at risk report be updated in accordance with the requirement of the Ministry of Natural Resources ("MNR") prior to the removal of the Holding symbol and prior to the development proceeding
- The matter is before the Ontario Municipal Board and the client is currently dealing with the MNR to obtain the necessary permit
- A buffer of 300 metres to be created to protect and enhance the ecological features
- In order to prevent species road mortality, mitigation measures will include the placement of a barrier between the development and the conveyance lands which will not destroy connectivity to the park, and the construction of snake exclusion fencing as a permanent feature
- Once a permit is drawn up, the Minister of Natural Resources has 30 days to make a decision on the project

Moved by Councillor Jones, seconded by Councillor Gignac,

THAT Report No. 71 of the Windsor Essex County Environment Committee (1223244 Ontario Ltd., Sprucewood Avenue between Ojibway Parkway & Matchette Road) **BE NOTED AND FILED** and that no further action be taken on this matter as it is currently before the OMB.

Carried.

Item 1 Amendment of Schedule 4 to Public Vehicle Licensing By-law 137-2007

T.J Griffin, Myers Towing & Recovery

T.J Griffin representing Myers Towing & Recovery appears before the committee to speak in support of the administrative recommendation to amend By-law 137-2007, stating that Myers Towing & Recovery complies with the all By-law regulation, and concludes by stating that the tow drivers will contact Windsor Police Services prior to towing a motor vehicle without the consent of the owner/operator of the vehicle.

Moved by Councillor Jones, seconded by Councillor Gignac,

THAT Public Vehicle Licensing Bylaw No. 137-2007 **BE AMENDED** by deleting the wording to Schedule 4, Section 10.1 (a) and replaced with the following:

“10.1 Every tow truck owner or tow truck driver licensed under this schedule for towing vehicles shall comply with the following:

(a) prior to towing a motor vehicle without the consent of the owner or operator of the vehicle, provide the Windsor Police Service with the following information:

- (i) the name of the towing company;*
- (ii) the make, model and licence plate number of the vehicle being towed;*
- (iii) the public parking lot from which the vehicle is being towed;*
- (iv) the location within the City of Windsor to which the vehicle is being towed for storage;*
- (v) the date and time when the vehicle is going to be towed from the parking lot;*
- (vi) that the motor vehicle is being towed without the consent of the owner or operator; and,*
- (vii) any other particulars as the Windsor Police Service may require.”*

and

THAT Council adopt By-Law 87-2013 attached hereto as Appendix A.

Carried.

Item 4 Report Recommendations – Traffic Study in the area of the Family Aquatic Complex

Virginia Cosco-Pizzuti, Past Chair of the DWBIA, & Property Owner of 304830 Ontario Ltd.

Virginia Cosco-Pizzuti, Past Chair of the DWBIA & property owner appears before the committee to speak against the administrative recommendations as it relates to the location of the additional bus stop, and concludes by stating that the amendments are a safety concern.

Moved by Councillor Halberstadt, seconded by Councillor Jones,

THAT the recommendations to convert Victoria Avenue from University Avenue to Chatham Street to two-way traffic including the necessary amendments to on-street – parking and traffic control devices outlined in the report **BE SUPPORTED**; and

THAT Parking Bylaw 9023 and Traffic Bylaw 19148 **BE AMENDED** as per Appendix A and B respectively; and

THAT the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-laws.

THAT Administration **BE DIRECTED** to consult with the Downtown Windsor BIA (DWBIA) and the affected stakeholders in the area.

Carried.

Item 2 2012 Road Safety Report

Kim Tucker, representing Scoot-a-long of Windsor

Kim Tucker, representing Scoot-a-long of Windsor appears before the committee to speak in support of the majority of the administrative recommendations, expressing concern with recommendation B (b) which classifies power assisted bicycles as motor vehicles for collision reporting purposes, and concludes by stating that the definition already exists under federal laws.

Moved by Councillor Halberstadt, seconded by Councillor Jones,

A. That the 2012 Road Safety Report **BE RECEIVED** for information and that the report **BE USED** by Administration as a guiding document for the review and planning of safety improvements to the transportation network, and

B. That Administration **BE DIRECTED** to request the Ministry of Transportation of Ontario to revise collision reporting procedures so that:

Separate vehicle classifications are provided for power assisted bicycles (e-bikes) and conventional bicycles on collision reporting forms.

The motion is **put** and is **lost**:

Aye votes: Councillors Halberstadt and Jones

Nay votes: Councillors Gignac, Payne and Valentinis

Moved by Councillor Gignac, seconded by Councillor Payne,

A. That the 2012 Road Safety Report **BE RECEIVED** for information and that the report **BE USED** by Administration as a guiding document for the review and planning of safety improvements to the transportation network, and

B. That Administration **BE DIRECTED** to request the Ministry of Transportation of Ontario to revise collision reporting procedures so that:

a. Separate vehicle classifications are provided for power assisted bicycles (e-bikes) and conventional bicycles on collision reporting forms, and

b. Power assisted bicycles are considered motor vehicles for collision reporting purposes.

Carried.

Councillor Halberstadt voting nay

6. COMMITTEE MATTERS

Minutes of the Windsor Essex County Environment Committee meeting held April 4, 2013

Moved by Councillor Halberstadt, seconded by Councillor Payne,

THAT the minutes of the Windsor-Essex County Environment Committee meeting held April 4, 2013 **BE RECEIVED** for information.

Carried.

Minutes of the Essex-Windsor Solid Waste Authority Board meeting held February 5, 2013

Moved by Councillor Halberstadt, seconded by Councillor Payne,
THAT the minutes of the Essex-Windsor Solid Waste Authority meetings held
February 5, 2013 **BE RECEIVED** for information.

Carried.

7. **ADMINISTRATIVE ITEMS**

Item 3 Housekeeping Amendments to By-law 3-2006 – A By-law to Establish Standards respecting Yard Waste and Exterior Property Maintenance and to Prohibit Littering in the City of Windsor

Moved by Councillor Halberstadt, seconded by Councillor Gignac,
THAT By-law 3-2006 **BE AMENDED** to include the following changes:

- Remove Schedule “A” from the By-law and add a definition for noxious weeds as defined in the Weed Control Act.
- Add a definition of “*unlicensed*”
- Add unenclosed decks, porches, balconies, carports and garages to the definition of “*yard*”
- Add a definition of “*woodlot*”
- Add a time of seven (7) days for compliance to be gained once a notice is served (Section 10.1)
- Add a provision that enables the Chief Building Official or Designate to authorize work to be completed without notice when a hazard has been identified (Section 10.1.1)
- Add a section that deems a notice sent by prepaid mail to be considered served on the fifth (5th) day after mailing (Section 10.1.2)

Carried.

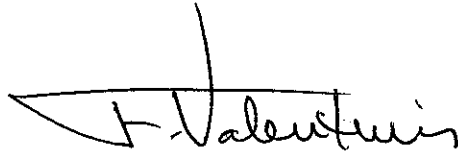
Item 5 Hon. Herb Gray Parkway, Project Update – April 2013

Moved by Councillor Payne, seconded by Councillor Jones,
That the status update on the Hon. Herb Gray Parkway project **BE RECEIVED**
for information.

Carried.

8. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 6:50 o'clock p.m.
The next meeting of the Environment, Transportation and Public Safety Standing
Committee will be held June 19, 2013.



CHAIRPERSON



DEPUTY CITY CLERK