

AC/
Windsor, Ontario, October 22, 2014

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 Valentinis (Chair)
Councillor Gignac
Councillor Jones
Councillor Halberstadt

Absent: Councillor Payne

Also present are the following from Administration:

Mario Sonego, City Engineer
Mark Winterton, Executive Director of Operations
Robert Vani, Manager of Inspections
Gary Cian, Manager of Policy, Gaming, Licensing & By-Law Enforcement/Deputy License Commissioner
Ann Kalinowski, Manager of By-Law Enforcement
Averil Parent, Environment & Sustainability Coordinator
Karina Richters, Environmental Coordinator
Monica Ciriello, Articling Student—Legal
Anna Ciacelli, Corporate Policy Coordinator (A)

Delegations:

Steve Green, Coordinator, Windsor Essex Community Garden Network (Item 3)
Robert Bell, resident Ward 7 (Item 1)
Gary Waghorn, resident Ward 7 (Item 1)

1. **CALL TO ORDER**

The Chair calls the meeting of the Environment, Transportation & Public Safety Standing Committee to order at 4:30 o'clock p.m.

2. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

3. **ADOPTION OF THE MINUTES**

Moved by Councillor Gignac, seconded by Councillor Jones,
THAT the minutes of the meeting of the Environment, Transportation and Public Safety Standing Committee held August 27, 2014 **BE ADOPTED** as presented.
Carried.

4. **REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

None requested.

5. **COMMUNICATIONS**

None presented.

6. **PRESENTATIONS AND DELEGATIONS**

Item 3 Update to Community Gardens on Municipal Property Policy

Councillor Halberstadt inquires about the type of insurance that is required and whether it would be an impediment to the program.

Averil Parent, Environment & Sustainability Coordinator, appears before the Environment, Transportation & Public Safety Standing Committee and indicates that the type of insurance required is General Liability insurance of \$2,000,000.00 which is a standard throughout the Corporation. She indicates it wouldn't be an impediment to any group affiliated with a non-profit group.

Steve Green, Coordinator, Windsor Essex Community Garden Network, appears before the Environment, Transportation & Public Safety Standing Committee and agrees with Ms. Parent that the insurance requirement wouldn't be considered an impediment when the smaller group is affiliated with the non-profit group.

- Moved by Councillor Jones, seconded by Councillor Gignac,
I. **THAT** the following documents **BE APPROVED** by City Council:
- A) Community Gardens on Municipal Property Policy attached as Appendix A;
 - B) Municipal properties recommended for Community Gardens attached as Appendix B;

II. THAT the Chief Administrative Officer **BE AUTHORIZED** to approve a Community Garden Template Licence Agreement or Renewal Agreements, as the case may be; **AND FURTHER** that the Delegation of Authority Bylaw (208-2008) **BE AMENDED** to reflect that such authority has been granted;

III. THAT the Chief Administrative Officer **BE AUTHORIZED** to execute the Community Garden Licence Agreement, to be satisfactory in content to the Executive Director of Parks, or designates, and in financial content to the City Treasurer and to be in the approved template form or satisfactory to the City Solicitor, or designate.

IV. THAT the Executive Director of Parks **BE AUTHORIZED** to execute any renewals of the Community Garden Template Licence Agreement, to be satisfactory in content to the City Planner or designate and to be in an approved template form.

Carried.

Item 1 Supplementary Report to Housekeeping Amendment to By-law 170-2012—A By-law to Prescribe the Height & Description of Fences in the City of Windsor

Robert Bell, resident of Ward 7, appears before the Environment, Transportation & Public Safety Standing Committee and expresses concern with the proposed amendments to By-law 170-2012—A By-law to Prescribe the Height & Description of Fences in the City of Windsor. His concern is with the enforcement of the height of the fences and hedges in the Riverside Drive area. Mr. Bell provides an example of an OMB decision regarding removing a deck which is attached as Appendix A. Mr. Bell provides examples of hedges which are in excess of the approved restriction. He also agrees that the setback from the water should remain.

Gary Waghorn, resident Ward 7, appears before the Environment, Transportation & Public Safety Standing Committee and expresses concern with the proposed amendments to By-law 170-2012—A By-law to Prescribe the Height & Description of Fences in the City of Windsor. He provides information regarding a neighbour's hedges that are currently very tall and dense which restricts his and neighbouring views of the river.

Councillor Gignac asks the delegates about their opinion regarding which part of their house would be the front yard. Mr. Bell and Mr. Waghorn indicate that their front yard would be facing the road side.

Mr. Bell inquires about the fences portion of the by-law being enforced and not the hedge portion of the By-law.

Councillor Halberstadt inquires if Mr. Bell has made formal complaints. Mr. Bell indicates he hasn't made any formal complaints.

Councillor Jones inquires whether Mr. Bell would prefer a uniform or staggering row of hedges as well as the enforcement of a proposed amendment being complaint driven instead of a

proactive approach. Mr. Bell indicates he would prefer the uniform approach and complaint driven enforcement would be acceptable.

Councillor Gignac inquires about the current by-law and whether site specific details in small areas can be adopted, whether differences in requirements for pools exist, as well as some clarification regarding grandfathering clauses. Rob Vani, Manager of Inspections indicates that area specific by-laws already exist. He also indicates specific restrictions for pool enclosures and grandfathering clauses require a comprehensive inventory of what currently exists, which the City doesn't have.

Moved by Councillor Gignac, seconded by Councillor Jones,

THAT By-law 170-2012-A By-law to Prescribe the Height & Description of Fences in the City of Windsor, **BE AMENDED** to include the following changes:

- THAT the height limitation for fences/hedges in rear yards (water side) of any lot located on the North Side of Riverside Drive East between Drouillard Road and Lakeview Avenue **BE RESTRICTED** to a maximum allowable height of 1.2 m.
- THAT the height limitation for fences/hedges for side yards on the North Side of Riverside Drive East between Drouillard Road and Lakeview Avenue **BE RESTRICTED** to a maximum allowable height of 2.2 m.
- THAT the height limitation for hedges in front yards (road side) of any lot located on the North Side of Riverside Drive East between Drouillard Road and Lakeview Avenue **BE RESTRICTED** to a maximum allowable height of 2.4 m; and
- THAT the height limitation for fences in front yards of any lot located on the North Side of Riverside Drive East between Drouillard Road and Lakeview Avenue **BE RESTRICTED** to a maximum allowable height of 1.2 m.

Carried.

7. **COMMITTEE MATTERS**

Minutes of the Essex-Windsor Solid Waste Authority Board meeting held July 9, 2014

Moved by Councillor Gignac, seconded by Councillor Jones,

THAT the minutes of the Essex-Windsor Solid Waste Authority Board Meeting held July 9, 2014 **BE RECEIVED** for information.

Carried.

Minutes of the Windsor Bicycling Committee meeting held July 16, 2014

Moved by Councillor Gignac, seconded by Councillor Halberstadt,

THAT the minutes of the Windsor Bicycling Committee meeting held July 16, 2014 **BE RECEIVED** for information.

Carried.

Minutes of the Windsor Essex County Environment Committee meeting held September 4, 2014

Moved by Councillor Halberstadt, seconded by Councillor Gignac,
THAT the minutes of the Windsor Essex County Environment Committee meeting held September 4, 2014 **BE RECEIVED** for information.
Carried.

Minutes of the Windsor Licensing Commission meeting held September 24, 2014

Moved by Councillor Jones, seconded by Councillor Halberstadt,
THAT the minutes of the Windsor Licensing Commission meeting held September 24, 2014 **BE RECEIVED** for information.
Carried.

8. ADMINISTRATIVE ITEMS

Item 2 The Good Food Charter of Windsor Essex County

Councillor Halberstadt inquires as to whether the School Boards are a part of the Charter and if administration is aware of the reason for the delay in implementation. Averil indicates that several school boards are a part of the charter and it has been determined that mid to late 2015 is a target date to implement the Charter.

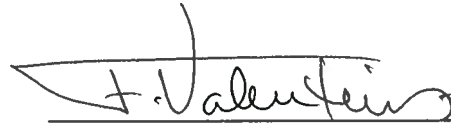
Moved by Councillor Jones, seconded by Councillor Gignac,
That the report authored by the Environment & Sustainability Coordinator dated October 2, 2014 entitled "The Good Food Charter of Windsor Essex County" **BE RECEIVED** for information.
Carried.

9. QUESTION PERIOD

None noted.

10. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 5:25 o'clock p.m. The next meeting of the Environment, Transportation and Public Safety Standing Committee will be held November 19, 2014.



CHAIRPERSON


for

DEPUTY CITY CLERK