



THE CITY OF WINDSOR

COUNCIL SERVICES DEPARTMENT

VALERIE CRITCHLEY
CITY CLERK

IN REPLY, PLEASE REFER
TO OUR FILE NO. _____



December 10, 2013

TO: ALL MEMBERS OF THE WINDSOR-ESSEX COUNTY ENVIRONMENT COMMITTEE

* The minutes of the Committee meeting held December 5, 2013 are attached.

The next meeting of the Windsor-Essex County Environment Committee is scheduled as follows:

**Thursday, January 9, 2013
5:30 o'clock p.m
Lou Romano Water Reclamation Plant
4155 Ojibway Parkway**

Please notify the undersigned at 519-255-6222, ext. 6430, if you are unable to attend.

Yours very truly,

Karen Kadour
Committee Coordinator

KK/
Windsor, Ontario December 5, 2013

A meeting of the **Windsor Essex County Environment Committee** is held this day commencing at 5:30 o'clock p.m. in the Board Room, Lou Romano Water Reclamation Plant, there being present the following members:

Charlie Wright, Co-Chair
Frank Butler
Derek Coronado
Jesse Costa Gardner
Roger Dzugan
Paul Henshaw
John Miller
Lindita Prendi
Tamara Stomp
Radwan Tamr (arrives at 5:37 p.m.)

Regrets received from:

Councillor Alan Halberstadt (meeting conflict)
Councillor Hilary Payne
Pauline Cheslock
Evan Freeman-Gibbs
Mike Nelson

Also present are the following resource personnel:

Paul Drca, Manager, Environmental Quality
Averil Parent, Environment & Sustainability Coordinator
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

Charlie Wright, Co-Chair calls the meeting to order at 5:34 o'clock p.m. and the Committee considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. ADDITIONS TO THE AGENDA

None.

3. **DECLARATIONS OF CONFLICT**

None disclosed.

4. **MINUTES**

Moved by J. Miller, seconded by J. Costa Gardner,
That the minutes of the Windsor Essex County Environment Committee at its meeting held November 7, 2013 **BE ADOPTED** as presented.
Carried.

5. **PRESENTATIONS**

5.1 **Liat Podolsky, Staff Scientist, Eco Justice and Paul Drca, Manager Environmental Quality, City of Windsor**

Liat Podolsky participates in the meeting via conference call. The salient points of discussion relating to the Great Lakes Sewage Report Card 2013 are as follows:

- A 22 question survey was sent to 25 municipalities within the Great Lakes Basin in Ontario in June 2012.
- The survey included questions such as the treatment level, number and volume of CSOs and bypasses, relevant sewer use by-laws, current and future plans for sewage management, use of green infrastructure, and expectations for compliance with the federal regulations.
- Grades were assigned based on the level of treatment, bypasses and combined sewer overflow frequency and volumes, final effluent testing, sewer-use by-laws, current and future sewage management plans, use of green infrastructure and renewable energy.
- Greater weight was given to questions that directly relate to surface water quality, such as the level of sewage treatment provided and the quantity of volume of combined sewer overflows and bypasses.
- The ideal city would have tertiary treatment to remove contaminants such as phosphorous and nitrogen. It would also use non-chlorine based disinfection and would have no CSOs or bypasses, comprehensive final effluent testing, a recently updated sewer use by-law, and innovative sewage management plans that include the use of green infrastructure.
- Of all of the cities and regions included in the report, Windsor received the worst grade, followed by London and Toronto.

P. Drca does not concur with the grading system, in particular the low grade given to the City of Windsor. He notes some of the municipalities graded in the survey are regional with upper and lower tiers which means one level will operate the collection system and the other operates the water treatment system. This may result in

communication issues when talking about combined sewer overflows.. He states the City of London has 6 water treatment plants; the City of Windsor has two. He indicates the City of Windsor eliminated the use of chlorine gas as a disinfectant and replaced it with ultraviolet light. He adds the Sewer Use By-law was updated in 2011. He states major improvements have been undertaken which includes the Detroit River Remedial Action Plan, the CSO retention basin and the potential delisting of the Detroit River in 2018.

In response to a question asked by C. Wright, Co-Chair regarding if the ECO Justice group will be undertaking a follow-up report in terms of improvements made by municipalities, L. Podolsky replies there are no plans at this time.

L. Podolsky remarks most municipalities were not pleased with their grades. She notes this exercise was not meant to “burst bubbles” or impede progress. J. Costa Gardner notes this exercise opened up a bridge of communication with the 12 municipalities that were graded.

C. Wright, Co-Chair thanks Ms. Podolsky for her presentation.

5.2 Meghan Jeffery, Campaign Director, Idle Hands Ontario

Meghan Jeffery distributes a backgrounder relating to the current problems with the City of Windsor’s Anti-Idling By-law, attached as Appendix “A”. The PowerPoint presentation entitled “Idle Hands Ontario – A re-evaluation of the City of Windsor’s Idling By-laws” is attached as Appendix “B”. By-law 233-2001 (A By-law to prohibit excessive idling of vehicles and boats) is distributed and attached as Appendix “C”.

Ms. Jeffery succinctly provides the following comments relating to the City of Windsor’s Anti-Idling By-law:

- In By-law 233-2001, Subsection 2 (1) states “*No person shall cause or permit a vehicle or boat to idle for more than five minutes in a sixty minute period.* This does not apply to police, fire or ambulance vehicles while engaged in operational activities, vehicles assisting in emergency activity, transit vehicles while passengers are embarking or disembarking enroute or in terminals, transit vehicles while at a layover or stopover location except where idling is substantially for the convenience of the operator and vehicles where the ambient temperature is above 27C or below 5C.
- Only 2 charges have been recorded since the By-law was introduced in 2001.
- Transit Windsor vehicles idle 35-40% of the time.
- Police vehicles idle for approximately 67% of their usage time.
- One police vehicle emits 4,234kg of carbon each year
- One police vehicle wastes \$1,764 on gas due to idling
- Ambulances idle from 40-60% of their usage time. They are idling for a large amount of time when no one is critically injured. Ambulances emit 4.5 tonnes of CO2 into the air each year.

- Local transportation is the third largest contributor to air pollution in Windsor.
- Suggestion to amend the current idling by-law to state the following:
 1. No person shall permit a vehicle or boat to idle for longer than 1 minute.
 2. Transit vehicles while at layover or stopover are not permitted to idle for longer than 3 minutes.
 3. Windsor Police Service and Essex Windsor EMS must not idle for the convenience of the operator.
 4. Ambient temperatures are no longer included in current by-law.

D. Coronado suggests the Air Subcommittee be tasked with amending the current Anti-Idling By-law.

C. Wright, Co-Chair thanks Ms. Jeffery for her presentation.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Milkweed Enforcement

A. Parent indicates in conversation with the Manager of By-law Enforcement the following information was provided:

Under By-law 3-2006, "*A By-law to establish standards respecting yard waste and exterior property maintenance*", weeds are defined as those items found in the Weed Control Act. The City of Windsor By-law Enforcement Unit does not interpret or enforce the Weed Control Act. They ensure the grass is kept below 12 inches as outlined in the By-law and require property owners to maintain this minimum standard. . Therefore, if Milkweed is planted on a property in part of a Naturalized Area, as defined in the by-law, with a buffer strip of 2 feet to other properties, it does not need to be killed or cut down.

6.2 Tree By-law Update

A. Parent states at the Environment, Transportation and Public Safety Standing Committee at its meeting held November 20, 2013; it was communicated that the establishment of a Subcommittee must be approved by City Council when staff resources are required.

7. COORDINATOR'S REPORT

A. Parent provides an overview of the Coordinator's Report.

8. SUBCOMMITTEE REPORTS

8.1 Air

D. Coronado advises comments will be provided at a future meeting relating to the City of Windsor's recently released Report on the State of our Environment.

8.2 Transportation

F. Butler provides the report of the Transportation Subcommittee, attached as Appendix "D".

T. Stomp leaves the meeting at 7:10 o'clock p.m.

8.3 Provincially Significant Wetlands

J. Costa Gardner advises a preliminary biological inventory of the Ojibway lands will commence this month. He notes a "Bio-Blitz" that identifies species will be undertaken.

8.4 Water Quality

No report.

9. NEW BUSINESS

9.1 It is generally agreed further information be obtained before inviting Dr. Saad Jasim, Director, International Joint Commission to a future meeting of WECEC to discuss the algae bloom toxins and the effects on human health as well as ways to mitigate this threat.

9.2 In terms of alternates for members of WECEC, it is agreed organizations must send a letter to Council Services identifying the alternate member.

9.3 The Co-Chair requests members provide suggestions for future Green Speakers.

10. COMMUNICATIONS

10.1 The Municipal Class Environmental Assessment 6th Concession Road/North Talbot Road is received for information.

10.2 The Great Lakes E-News, Fall 2013 is received for information.

10.3 A. Parent states the Walkerville BIA requested WECEC provide a letter in support of their proposed streetscaping design promoting walkability as discussed during the Green Speaker Series with Dan Burden.

10.4 The Windsor Star article entitled "Windsor needs more tree planting, less energy use, denser population" is received for information.

10.5 The Windsor Star article entitled "Human activity kills birds by the millions, study finds" is received for information.

11. **DATE OF NEXT MEETING**

The next meeting will be held on January 9, 2014 at 5:30 p.m. at the Lou Romano Water Reclamation Plant.

12. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 7:21 o'clock p.m.

Charlie Wright, Co-Chair

Committee Coordinator



AGENDA

WINDSOR-ESSEX COUNTY ENVIRONMENT COMMITTEE

held on Thursday, December 5th, 2013

Meeting at 5:30p.m. At the Lou Romano Water Reclamation Plant (4155 Ojibway)

1. **CALL TO ORDER**

2. **ADDITIONS TO THE AGENDA**

3. **DECLARATION OF CONFLICT**

4. **MINUTES**

Adoption of the minutes of the meeting held November 7th, 2013 – *emailed separately.*

5. **PRESENTATION**

5.1 Liat Podolsky, Staff Scientist, Eco Justice and Paul Drca, Manager Environment Quality, City of Windsor – Discussion regarding “The Great Lakes Sewage Report Card” – *attached.*

5.2 Meghan Jeffery, Campaign Director, Idle Hands Ontario – Introduction to their anti-idling campaign.

6. **BUSINESS ARISING FROM THE MINUTES**

6.1 Milkweed enforcement by City of Windsor By-law

6.2 Tree by-law update

7. **COORDINATORS REPORT**

WECEC Coordinator Monthly Report – *attached*

8. **SUBCOMMITTEE REPORTS**

8.1 Air

8.2 Transportation

8.3 Provincially Significant Wetlands

8.4 Water Quality

9. **NEW BUSINESS**

9.1 Invitation to Dr. Saad Jasim, Director, International Joint Commission, to discuss the algae bloom toxins and the effects on human health as well as ways to mitigate this threat.

9.2 Administrative Item: Letters designating alternates

9.3 Next Green Speaker Series ideas

10. **COMMUNICATIONS**

10.1 Municipal Class Environmental Assessment 6th Concession Road/North Talbot Road– *attached.*

10.2 Great Lakes E-News, Fall 2013 – *attached.*

10.3 WECEC letter in support of Walkerville Streetscaping – *attached.*

10.4 The Windsor Star: *Report: Windsor needs more tree planting, less energy use, denser population* – *attached.*

10.5 The Windsor Star: *Human activity kills birds by the millions, study finds-* *attached.*

11. **DATE OF NEXT MEETING**

The date of the next meeting will be **January 9th, 2014** at the Lou Romano Water Reclamation Plant at 5:30 o'clock p.m.

12. **ADJOURNMENT**

1. Current problems with the City of Windsor's bylaw, issued in 2001:

A]

1. It is outdated
2. It is not enforced
 - a. It is difficult to enforce due to time frame and temperature exemptions
3. It does not coincide with Clean Air Partnership and does not promote sustainability and reduced emissions
4. Civil servants do not exemplify it

B] Statistics on the idling bylaw in the past five years:

- 2009 – 13 complaints
- 2010 – 8 complaints
- 2011 – 17 complaints
- 2012 – 7 complaints
- 2013 – 14 complaints

- Two tickets have been issued since the bylaw was implemented, taken from Ann Kalinowski, Manager of Bylaw Enforcement

2. Major contributors to idling, and exempt from the bylaw:

- A] Transit Windsor – 45-40% idle time
B] Windsor Police Service – 67% idle time
C] Essex Windsor EMS – 40-60% idle time

3. Environmental effects of idling:

- A] Local transportation is the third largest contributor to air pollution in Windsor
B] Poor air quality is directly linked to health issues, including respiratory problems, asthma in children, and premature death

4. What the City of Windsor can do:

- A] Revamp current idling bylaw
- i. No person shall permit a vehicle or boat to idle for longer than 1 minute within a 60 minute time period.
 - ii. Transit vehicles at layover or stopover are not permitted to idle for longer than 3 minutes within a 60 minute time period



IDLE HANDS ONTARIO



A reevaluation of the City of Windsor's Idling Bylaws

A By-Law to Prohibit Excessive Idling of Vehicles and Boats

Bill No. 242 – By – Law Number 233-2001

Passed the 18th day of June 2001

- 2) **1) No person shall cause or permit a vehicle or boat to idle for more than five (5) minutes in a sixty minute period.**

Subsection 2(1) does not apply to:

- (a) Police, fire or ambulance vehicles while **engaged in operational activities**, including training activities, except where idling is substantially for the convenience of the operator
- (b) Vehicles assisting in emergency activity
- (c) Mobile workshops while they are in the course of being used for their basic function
- (d) Transit vehicles while passengers are embarking or disembarking enroute or in terminals
- (e) Transit vehicles while at a layover or stopover location except where idling is substantially for the convenience of the operator
- (f) Vehicles where the ambient temperature is above 27C or below 5C



Is the idling bylaw working?

Statistics from the past five years:

2009 – 13 complaints

2010 – 8 complaints

2011 – 17 complaints

2012 – 7 complaints

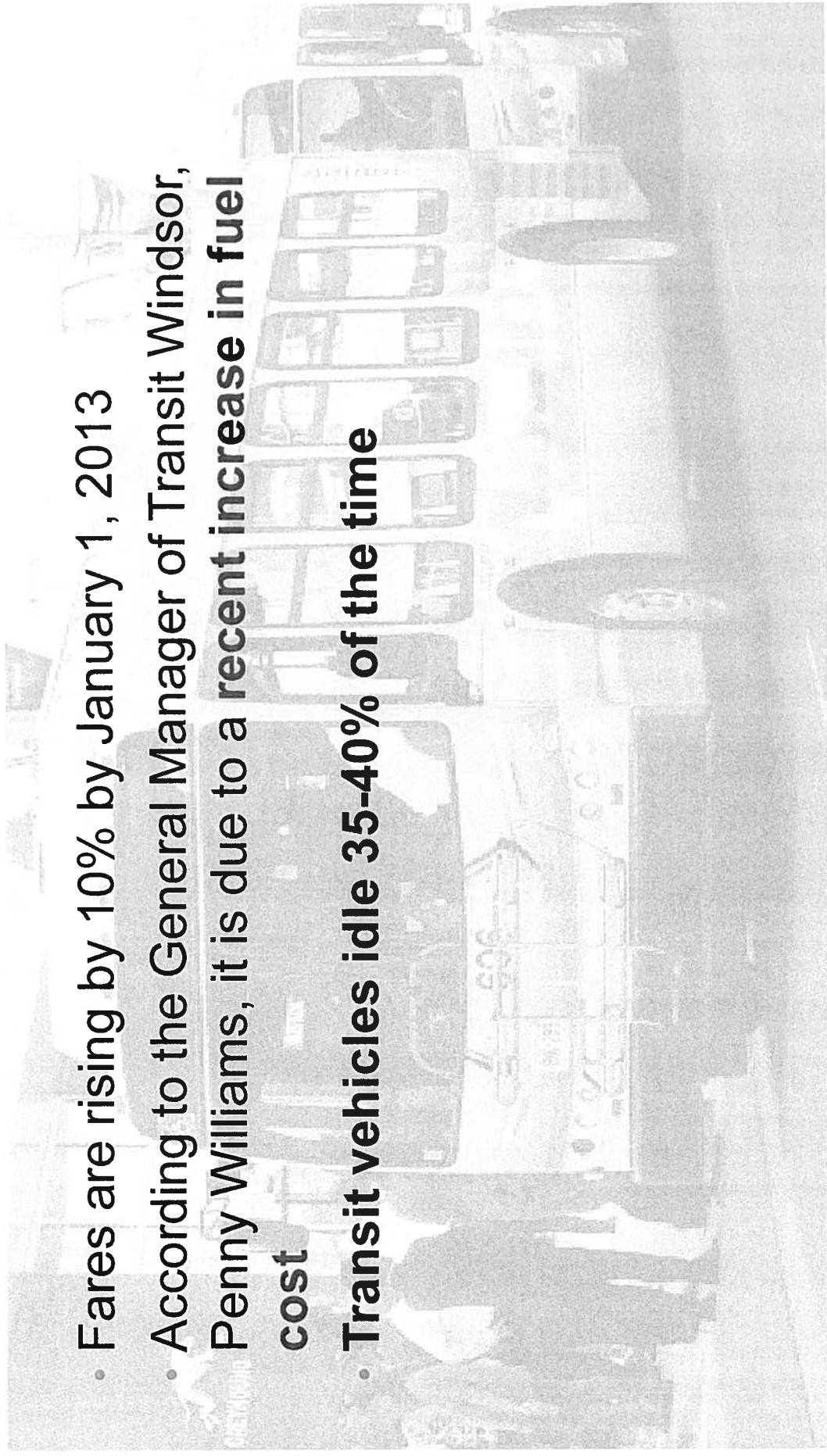
2013 – 14 complaints

- Two charges have been recorded since the bylaw was introduced in 2001

TRANSIT WINDSOR:

Fleet of 104 buses

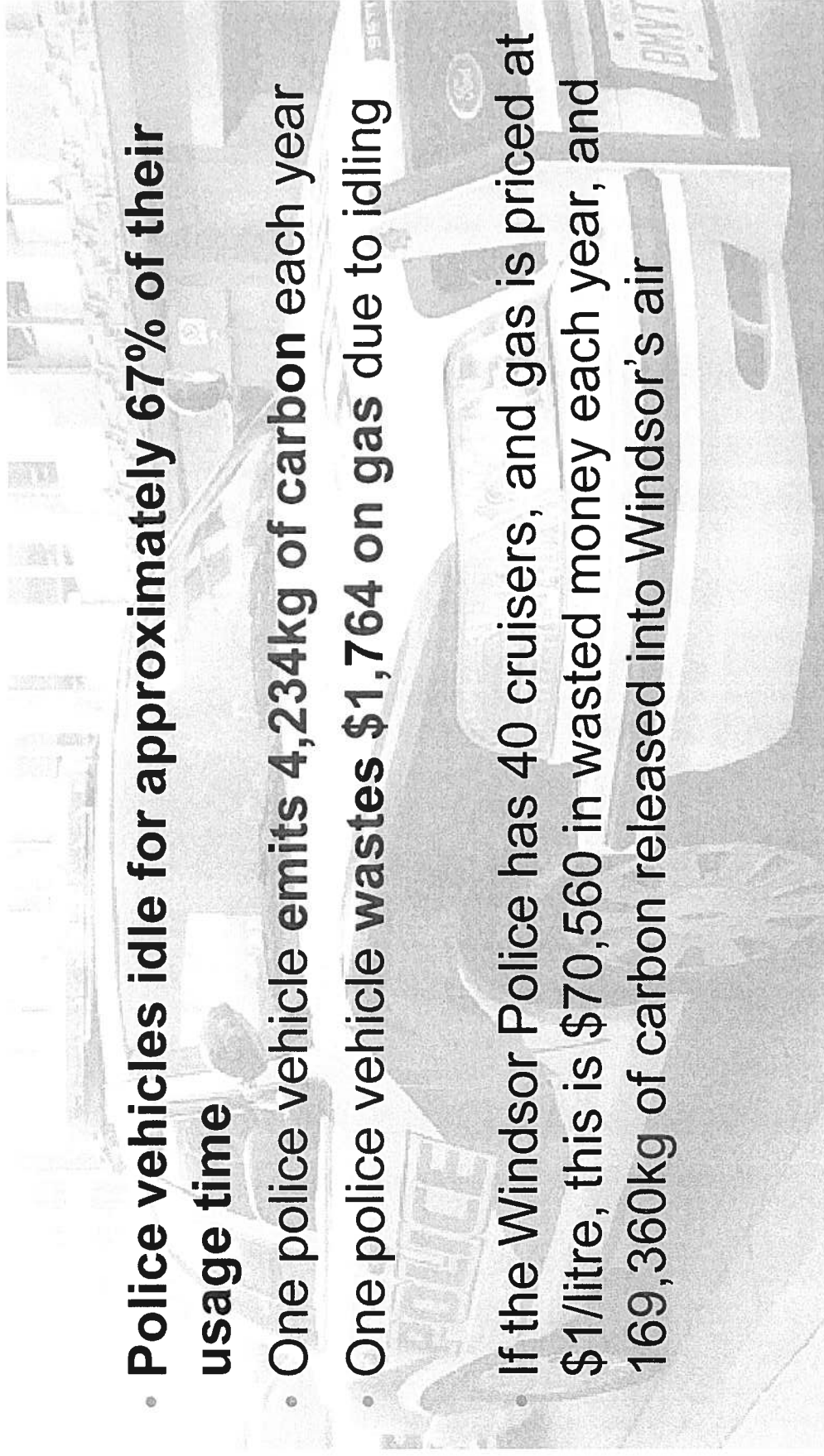
- Fares are rising by 10% by January 1, 2013
- According to the General Manager of Transit Windsor, Penny Williams, it is due to a **recent increase in fuel cost**
- **Transit vehicles idle 35-40% of the time**



WINDSOR POLICE SERVICE

Fleet of approximately 40 vehicles

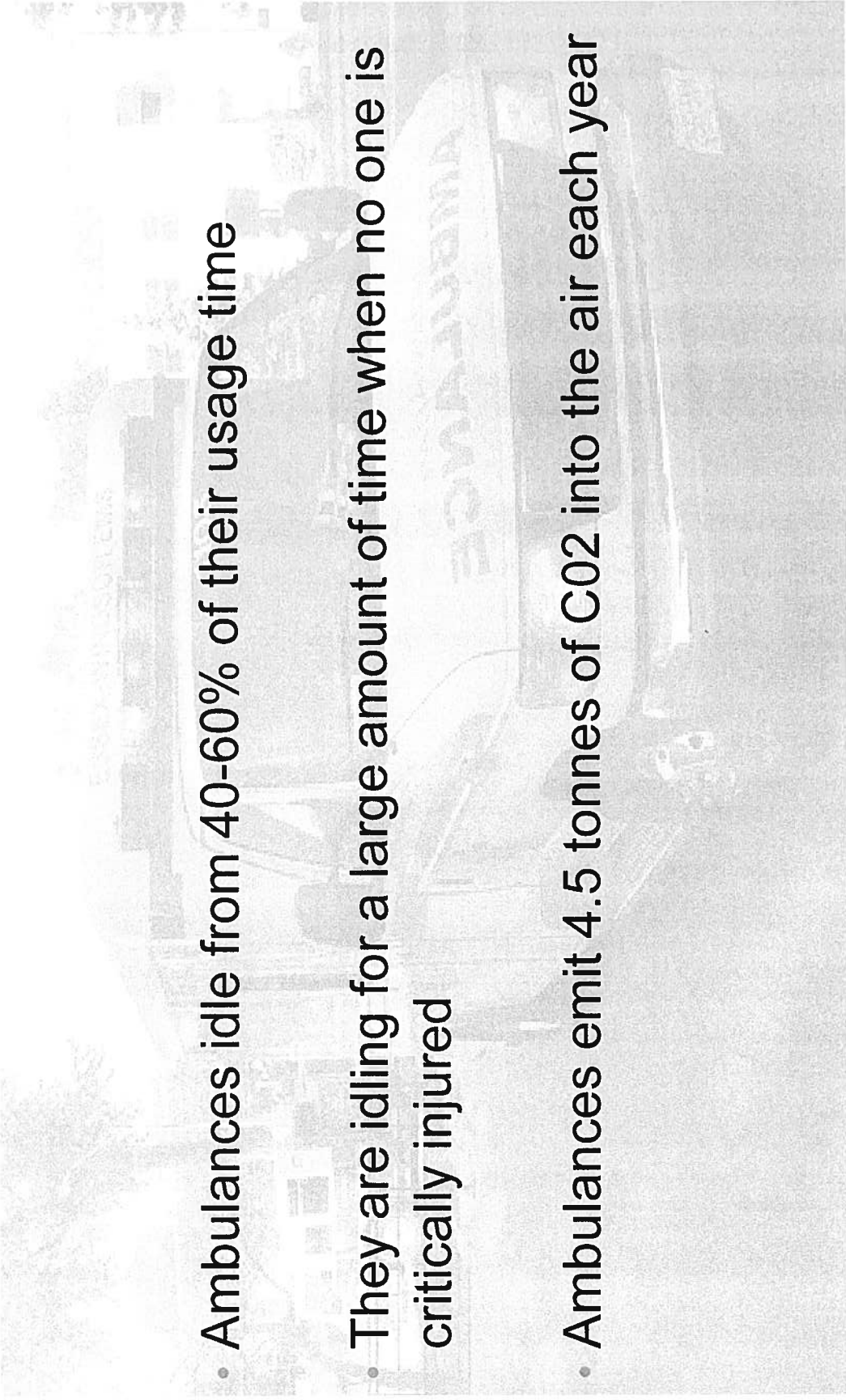
- **Police vehicles idle for approximately 67% of their usage time**
- **One police vehicle emits 4,234kg of carbon each year**
- **One police vehicle wastes \$1,764 on gas due to idling**
- **If the Windsor Police has 40 cruisers, and gas is priced at \$1/litre, this is \$70,560 in wasted money each year, and 169,360kg of carbon released into Windsor's air**



ESSEX WINDSOR EMS:

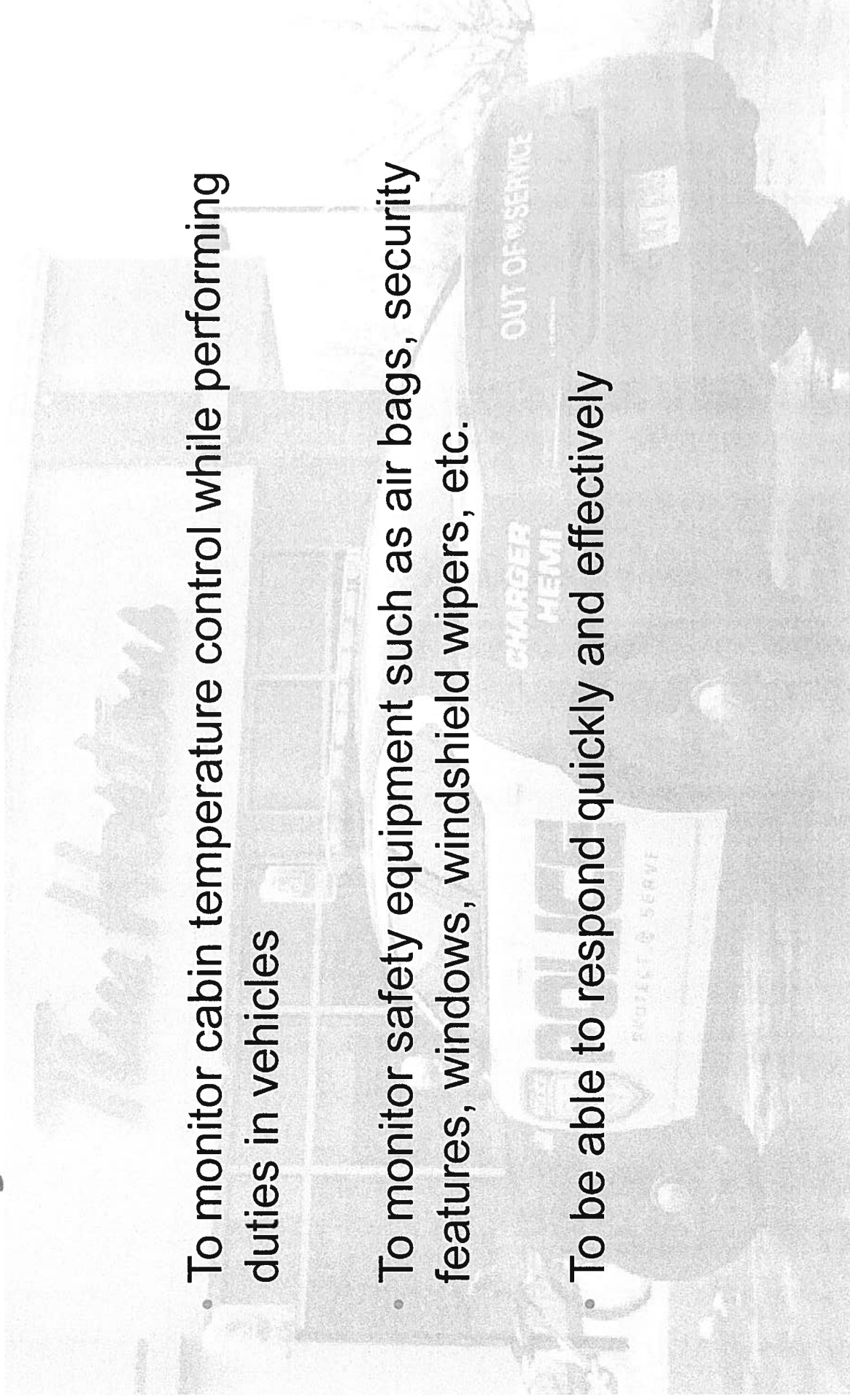
Fleet of approximately 20 ambulances

- Ambulances idle from 40-60% of their usage time
- They are idling for a large amount of time when no one is critically injured
- Ambulances emit 4.5 tonnes of CO₂ into the air each year



Why do these vehicles idle?

- To monitor cabin temperature control while performing duties in vehicles
- To monitor safety equipment such as air bags, security features, windows, windshield wipers, etc.
- To be able to respond quickly and effectively



Why should we care?

(studies received from Fleet Challenge Ontario)

- Ontario's municipal fleets, including transit, contribute approximately 0.8 megatonnes of GHG emissions
- Municipal vehicles idle 30-50% of the time
- Transit vehicles idle 35-40% of the time
- Police cruisers idle 67% of the time
- This is throwing away an important resource. We need to learn how to sustain our resources and contribute to positive climate change



Why should we care?

(Studies received from The City of Windsor website)

- **Local transportation is the third largest contributor to air pollution in Windsor**
- Decreased idling will contribute to Windsor's Clean Air Partnership
- Children are the leaders of our future
- The Ontario Medical Association has linked poor air quality to specific financial and health costs [2005, Essex County]
 - 260 premature deaths
 - 900 hospital admissions
 - 2,750 emergency visits



What have other communities done?

- **City of Edmonton:** Fuel Sense Program
- **Ottawa Police Force:** anti-idling technology for police cruisers
- **Demer's Ambulance:** anti-idling technology
- **City of Toronto:** updated idling bylaw

GRIP Technology – Ancaster, ON

Average Hours per Day of Idling

4

Average Cost of Fuel per Litre

\$1.30

Average Fuel Consumption per Hour

3.7L

Total Cost of Idling per Day

\$19.24

Total Working Days per Week

5

Total Work Weeks

52

Total Cost of Idling per Year per Vehicle

\$5,002.40

Total Number of Vehicles in Fleet

25

Total Cost of Fuel Spent for 25 Vehicles \$125,060

This is only in ONE YEAR!

Imagine over the life of the vehicle!

Immediate Plan:

- **Revamp current idling bylaw:**
 1. No person shall permit a vehicle or boat to idle for longer than 1 minute within a 60 minute time period
 2. Transit vehicles while at layover or stopover are not permitted to idle for longer than 3 minutes within a 60 minute time period.
 3. Windsor Police Service and Essex Windsor EMS must not idle for the convenience of the operator
 4. Ambient temperatures are no longer included in current bylaw



How do we achieve this?

1. Transit Windsor
2. Windsor Police Service
3. Essex Windsor EMS
4. **Enforcement and education**

**Thank you! From the concerned
individuals of Idle Hands Ontario**



BY - LAW NUMBER 233-2001

A BY-LAW TO PROHIBIT EXCESSIVE
IDLING OF VEHICLES AND BOATS

Passed the 18th day of June, 2001.

WHEREAS Section 102 of the Municipal Act authorizes the council of a municipality to pass by-laws and make regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by the Municipal Act:

AND WHEREAS under section 320 of the Municipal Act, by-laws may be passed by council for providing that any person who contravenes any by-law of Council passed under the authority of the Municipal Act is guilty of an offence;

AND WHEREAS motor vehicles are a major source of nitrogen oxides, carbon monoxide, sulphur dioxides and volatile organic compounds (air pollutants) into the outdoor air in the City of Windsor;

AND WHEREAS the levels of air pollutants from vehicle emissions in the City of Windsor are associated with various adverse health effects, including acute and chronic effects on respiratory health, especially among the very young, the elderly and those with respiratory ailments;

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

1. As used in this by-law, the following terms shall have the meanings indicated:
 - (1) **BOAT** – A ship or any other description of vessel not propelled by oars and includes a boat used exclusively for towing purposes, a water taxi and a boat used on water for living purposes.
 - (2) **IDLE** – The operation of the engine of a boat or vehicle while the vehicle or boat is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle or boat, and “idling” has a corresponding meaning.
 - (3) **LAYOVER** – A stopping point along a transit route for a maximum of fifteen (15) minutes used by transit vehicles to allow transit vehicles to adjust to service schedules.
 - (4) **MOBILE WORKSHOP:**
 - (a) A vehicle containing equipment that must be operated inside or in association with the vehicle; or
 - (b) A vehicle serving as a facility for taking measurements or making observations operated by or on behalf of a municipality, public utility or police, fire or ambulance service.
 - (5) **OFFICIAL** – A police officer, police cadet, municipal law enforcement officer or any person authorized to enforce this chapter.
 - (6) **STOPOVER** – A scheduled delay of a maximum of fifteen (15) minutes at a transit vehicle terminal to allow transit vehicles to adjust to service schedule.
 - (7) **TRANSIT VEHICLE** – Public transit vehicles, tour buses and motor coaches.
 - (8) **VEHICLE** – A motor vehicle, trailer, traction engine, farm tractor or road building machine as defined in the Highway Traffic Act and any vehicle drawn, propelled or driven by any kind of non-muscular power, but does

not include cars of electric or diesel electric railways running only upon rails.

2. (1) No person shall cause or permit a vehicle or boat to idle for more than five (5) minutes in a sixty minute period.

(2) Subsection 2 (1) does not apply to:

- (a) Police, fire or ambulance vehicles or boats while engaged in operational activities, including training activities, except where idling is substantially for the convenience of the operator of the vehicle or boat.
- (b) Vehicles and boats assisting in an emergency activity.
- (c) Boats not at anchor or tied to a dock.
- (d) Mobile workshops while they are in the course of being used for their basic function.
- (e) Vehicles or boats where idling is required to repair the vehicle or boat or to prepare a vehicle or boat for service.
- (f) Armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.
- (g) Vehicles or boats required to remain motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the driver has no control.
- (h) Vehicles or boats engaged in a parade or race or any other event authorized by Council.
- (i) Transit vehicles while passengers are embarking or disembarking enroute or in terminals.
- (j) Transit vehicles while at a layover or stopover location except where idling is substantially for the convenience of the operator of the vehicle.
- (k) Vehicles transporting a person where a medical doctor certifies in writing that for medical reasons a person in a vehicle requires that temperature or humidity be maintained within a certain range.
- (l) Vehicles or boats when the ambient temperature inside a vehicle or boat is:
 - (i) More than twenty-seven degrees Celsius (27°C.); or
 - (ii) Less than five degrees Celsius (5°C.).

3. Any person who contravenes any provision of this by-law is guilty of an offence.

4. This by-law shall come into force and take effect on the day of the final passing thereof.

MICHAEL HURST, MAYOR

JOHN SKOROBOHACZ, CITY CLERK

First Reading - June 18, 2001
Second Reading - June 18, 2001
Third Reading - June 18, 2001

Part of the subcommittee met with Councillor Marra on Saturday, November 23rd regarding the Transit Windsor Budget submission. Discussions were good and support for the latest Transit Windsor submission is logical. The subcommittee is willing to put that support in writing or go as a delegation before council.

Transit Windsor has participated in every cost cutting recommendation from departmental audit findings to make internal savings directed at the organization. Though these measures keep the operation steady, the future level of service is unsure.

The chair notes that the recent announcement by the Mayor regarding engaging Proterra was a surprise and did not come up during our discussions with Councillor Marra. Given the history of negotiations with BYD, I find it problematic and logically ask, why would the City engage with this new organization in a right to work state? Don't believe we are learning from our own recent history in promoting sustainable jobs.

Also note the recent Winnipeg Free Press article on their city engaging with New Flyer Industries to test their new electric buses starting next year. This sounds much more realistic and promising for obvious reasons. The article is from Nov 10, '13.

The subcommittee will meet @ 12:30, Friday December 5th.

Submitted by the Chair,

Frank Butler