

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, March 29, 2023

Time: 4:30 o'clock p.m.

Location: Council Chambers, 1st Floor, Windsor City Hall

All members will have the option of participating in person in Council Chambers or electronically and will be counted towards quorum in accordance with Procedure By-law 98-2011 as amended, which allows for electronic meetings. The minutes will reflect this accordingly. Any delegations have the option to participate in person or electronically.

MEMBERS:

Ward 2 – Councillor Fabio Costante (Chairperson)

Ward 3 – Councillor Renaldo Agostino

Ward 4 – Councillor Mark McKenzie

Ward 8 – Councillor Gary Kaschak

Ward 9 – Councillor Kieran McKenzie

ORDER OF BUSINESS

Item #	Item Description
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1.	CALL TO ORDER
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We [] would like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The City of Windsor honours all First Nations, Inuit and Métis peoples and their valuable past and present contributions to this land.

2.	DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
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3.	ADOPTION OF THE MINUTES OF THE ETPS STANDING COMMITTEE
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3.1.	Adoption of the Environment, Transportation & Public Safety Standing Committee Minutes held February 22, 2023 (excluding Transit Matters) (SCM 64/2023)
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Adoption of the Environment, Transportation & Public Safety Standing Committee Minutes held February 22, 2023 (Transit Matters only) **(SCM 64/2023)**

4.	REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS
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5.	COMMUNICATIONS
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6.	PRESENTATIONS AND DELEGATIONS
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7.	COMMITTEE MATTERS
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7.1.	Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held September 14, 2022 (SCM 56/2023)
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7.2.	Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held February 7, 2023 (SCM 91/2023)
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8. **ADMINISTRATIVE ITEMS**

- 8.1. CQ 18-2021 Truck Routes Progress Update- City-wide (**S 30/2023**)
- 8.2. Follow-up to CR30/2023 - Essex Terminal Railway Whistling Cessation - Ward 4 (**S 17/2023**)
- 8.3. South National Street (Pilette to Jefferson) Traffic Calming - Ward 8 (**S 27/2023**)
- 8.4. Panhandling Statistics re Council Question CQ 11-2022 - City Wide (**S 31/2023**)

9. **TRANSIT BOARD ITEMS**

10. **ADOPTION OF TRANSIT BOARD MINUTES**

11. **QUESTION PERIOD**

12. **ADJOURNMENT**



Committee Matters: SCM 64/2023

**Subject: Adoption of the Environment, Transportation & Public Safety
Standing Committee Minutes held February 22, 2023**

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, February 22, 2023

Time: 4:30 o'clock p.m.

Members Present:

Councillors

Ward 2 - Councillor Fabio Costante - Chairperson

Ward 3 - Councillor Renaldo Agostino

Ward 4 - Councillor Mark McKenzie

Ward 8 - Councillor Gary Kaschak

Ward 9 - Councillor Kieran McKenzie

ALSO PARTICIPATING ARE THE FOLLOWING FROM ADMINISTRATION:

Shawna Boakes, Deputy City Engineer / Executive Director of Operations

Andrew Lewis, Coordinator Right-of-Way & Field Services

Tyson Cragg, Executive Director Transit Windsor

Jeff Hagan, Transportation Planning Senior Engineer

Fahd Mikhael, Manager Design

Adam Pillon, Manager of Right-of-Way

Aojeen Issac, Engineer II

James Chacko, Executive Director Parks & Facilities

Tony Ardovini, Deputy Treasurer Financial Planning

Mark Spizzirri, Manager Performance Management and Business Case Development

Kathy Buis, Financial Planning Administrator

Kathleen Quenneville, Active Transportation Coordinator

Anna Ciacelli, Deputy City Clerk / Supervisor of Council Services

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Phong Nguy, Manager Contracts Field Services & Maintenance

Sandra Gebauer, Council Assistant

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1. CALL TO ORDER

Following the reading of the Land Acknowledgement, the Chairperson 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 OF THE ETPS STANDING COMMITTEE

3.1. Minutes of the Environment, Transportation & Public Safety Standing Committee meeting held January 25, 2023

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Gary Kaschak

That the minutes of the Environment, Transportation & Public Safety Standing Committee meeting held January 25, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 26/2023

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None requested.

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7. COMMITTEE MATTERS

7.1. Windsor Bicycling Committee 2022 Annual Report

Councillor Kieran McKenzie provides a brief overview of the Windsor Bicycling Committee 2022 Annual Report and thanks all the committee members for their participation and great work over the 4 years.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: ETPS 925
That the Windsor Bicycling Committee 2022 Annual Report **BE APPROVED**.
Carried.

Report Number: SCM 3/2023
Clerk's File: MB2023

7.2. Minutes of the Windsor Bicycling Committee of its meeting held December 13, 2022

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Renaldo Agostino

Decision Number: ETPS 926
That the Minutes of the Windsor Bicycling Committee of its meeting held December 13, 2022 **BE RECEIVED**.
Carried.

Report Number: SCM 22/2023
Clerk's File: MB2023

8. ADMINISTRATIVE ITEMS

8.5. Grove Avenue (Janette Avenue to Bruce Avenue) Traffic Calming - Ward 3

Jennifer Kimmerly, Area Resident

Jennifer Kimmerly, area resident, appears before the Environment, Transportation & Public Safety Standing Committee in support of the administrative recommendation in the report "Grove Avenue (Janette Avenue to Bruce Avenue) Traffic Calming-Ward 3" citing safety concerns related to children in the area and speeding/volume of cars; and concludes by reading a letter on behalf of the neighbours in the area, in support of this welcome traffic calming initiative and urges the Committee to approve the recommendation in the report.

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Councillor Gary Kaschak commends Ms. Kimmerly for supporting this initiative.

Councillor Renaldo Agostino commends Ms. Kimmerly and the young children in the community for advocating for the area traffic calming initiative.

Councillor McKenzie commends Ms. Kimmerly and the children for advocating for this initiative.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: ETPS 927

That Administration **BE DIRECTED** to install speed humps and associated signs and pavement markings on Grove Avenue between Bruce Avenue and Janette Avenue.

Carried.

Report Number: S 8/2023

Clerk's File: ST/13863

8.7. West Windsor Flood Risk Study - Climate Change Risk Assessment - Report Endorsement - Wards 1 & 2

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Kieran McKenzie

Decision Number: ETPS 928

That Council **ENDORSE** the "West Windsor Flood Risk Study – Climate Change Risk Assessment", attached as Appendix A, as a planning document with recommendations and conclusions, as identified and prepared by Dillon Consulting, dated January 2023.

Carried.

Report Number: S 20/2023

Clerk's File: SW2023

8.1. E-Scooter Update - City-wide

Councillor Kieran McKenzie thanks administration for the quick turn around related to this report, and inquires whether they are on track with the timelines. Kathy Quenville, Active Transportation Coordinator appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report "E-Scooter Update City Wide" and indicates that the report related to the RFP will be moving forwarding to Monday's Council Meeting.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

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Decision Number: ETPS 929

That the report of the Active Transportation Coordinator dated January 10, 2023 regarding E-Scooter Update – City-wide **BE RECEIVED** for information.

Carried.

Report Number: C 7/2023

Clerk's File: SW/13715

8.2. Response to CQ 9-22 – Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs

Councillor Kieran McKenzie provides a brief background of a previous report related to flood mitigation related to failing culverts that was presented to Council. Councillor Kieran McKenzie requests clarification related to failing culverts, and conveyance and ability to flow water through the open drainage system and the basement subsidy program. Andrew Lewis, Right of Way & Field Services Coordinator appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report “Response to CQ 9-2022- Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs” and provides details related to the subsidy program, which attempts to mitigate flooding events on properties and the implementation of the Sewer Master Plan and DMAF funding as well as the types of culverts that exist.

Councillor Kieran McKenzie inquires about financial matters related to the Funding envelope of these programs. Adam Pillon, Manager of Right of Way Engineering, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report “Response to CQ 9-2022- Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs” and provides the amounts that have been leveraged from these programs.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Mark McKenzie

Decision Number: ETPS 930

That the report of the Right of Way & Field Services Coordinator dated January 4, 2023 regarding the Response to CQ 9-22 – Driveway Culvert Rehabilitation & Backyard Drainage Implementation Programs **BE RECEIVED** by Council for information; and

That Administration **BE REQUESTED** to create a program for Private Culvert rehabilitation for Council's consideration.

Carried.

Report Number: C 2/2023

Clerk's File: SW2023

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8.3. Effectiveness of Salting Residential Streets During Winter Control Incident Response to Prevent Ice Formation

Councillor Gary Kaschak commends administration for their report and their current process.

Councillor Kieran McKenzie inquires about the financials related to costs to implement this type of program throughout the City. Phong Nguy, Manager Contracts Field Services, Maintenance appears via Zoom before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report “Effectiveness of Salting Residential Streets During Winter Control Incident Response to Prevent Ice Formation” and will provide details related to financials as he doesn’t have that information currently.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Gary Kaschak

Decision Number: ETPS 931

That the report of the Maintenance Coordinator dated December 21, 2022 regarding Effectiveness of Salting Residential Streets during Winter Control Incident Response to Prevent Ice Formation, **BE RECEIVED** for information; and

That Administration **BE REQUESTED** to report back to Council with a high-level cost estimate to implement the service as envisioned in the administrative report; and

That the information **BE PROVIDED** to Council when this report is considered at a future Council meeting.
Carried.

Report Number: C 227/2022
Clerk’s File: SW2022

8.4. Response to CQ 15-2021 – July 16, 2021 Rain Event (City Wide)

Councillor Fabio Costante inquires about why Wards 2, 3, and 4 received the bulk of basement flooding. Shawna Boakes, Executive Director Operations/Deputy City Engineer, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report “Response to CQ 15-2021—July 16, 2021 Rain Event-City Wide” and refers to the maps in the administrative report related to rain events in the City with the majority of issues occurring in that area.

Councillor Renaldo Agostino inquires as to how many of the issues are related to infrastructure for example the flooding on Victoria. Ms. Boakes indicates that the infrastructure all over the city is aging, with many pockets that can at anytime be overloaded, as rain fall events have increased in number and severity over the last few years.

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Moved by: Councillor Renaldo Agostino
Seconded by: Councillor Mark McKenzie

Decision Number: ETPS 932

That the report of the Executive Initiative Coordinator, Infrastructure Services dated January 11, 2023 regarding Response to CQ 15-2021 – July 16, 2021 Rain Event (City Wide) **BE RECEIVED**.
Carried.

Report Number: C 8/2023
Clerk's File: SW2023

8.6. CQ5-2022 Non-BIA Commercial Areas as Community Safety Zones - City-wide

Councillor Kieran McKenzie, inquires as to why South Windsor wasn't included in the report as a proposed community safety zone. Jeff Hagan, Transportation Planning Senior Engineer, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report "CQ5-2022 Non-BIA Commercial Areas as Community Safety Zones-City Wide" and indicates that the safety zones started with the main streets schedule and is identified in the report, in future other areas of the city can be considered.

Councillor Kieran McKenzie inquires about specific criteria that should be considered. Mr. Hagan refers to the Community Safety Zone Policy that was recently approved by Council which identifies areas where these zones may be appropriate, most of those areas are not commercial areas and most are located around schools.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Renaldo Agostino

Decision Number: ETPS 933

That the report of the Transportation Planning Senior Engineer dated January 16, 2023 regarding CQ5-2022 Non-BIA Commercial Areas as Community Safety Zones **BE RECEIVED** for information.
Carried.

Report Number: C 4/2023
Clerk's File: ST2023

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9. TRANSIT BOARD ITEMS

9.1. Change to the Transit Windsor Charter Policy- City Wide

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: ETPS 934

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, and City Council:

- i. **APPROVE** the recommended Transit Windsor Charter Policy (Appendix A);
 - ii. **RESCIND** all previous policies related to Transit Windsor charters;
 - iii. **APPROVE** the recommended Transit Windsor Charter Rates (Appendix C), detailed within this report, and their inclusion into the User Fee Schedule, with annual increases tied to general fare increases as prescribed in the 2019 *Fare Structure Review*; and,
 - iv. **APPROVE** the changes to take effect for all charters booked after April 1, 2023.
- Carried.

Report Number: S 2/2023
Clerk's File: MT/13708

9.2. Transit Windsor 2023 Operating Budget - City Wide

Councillor Kieran McKenzie inquires about implementing the Transit Master Plan, and how that is being kept on track. Tyson Cragg, Executive Director, Transit Windsor appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report "Transit Windsor 2023 Operating Budget –City Wide" and indicates that the service plan accomplishes the majority of year 2 and 3 items in the Transit Master Plan with a focus on providing services, and being mindful of fleet and resources.

Councillor Kieran McKenzie indicates that fleet size will become an increasing challenge and in order to continue to move forward with the Transit Master Plan, how will this be addressed. Mr. Cragg indicates that transit is working on a number of efficiency initiatives, including new scheduling software, which will improve processes and will benefit the transit system overall.

Councillor Kieran McKenzie inquires about financial details. Mr. Cragg provides the details.

Councillor Renaldo Agostino inquires about the scheduling software and the anticipated timeline of completion. Mr. Cragg indicates that they have been working with the vendor, the software is installed and they should be beginning to train at the end of March, with the new software fully operational by the fall.

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Councillor Gary Kaschak inquires about ridership numbers and whether they have increased/decreased since pre-pandemic levels. Mr. Cragg indicates that ridership has increased to 114% of the 2019 ridership rates.

Councillor Gary Kaschak inquires about the gas tax reduction. Mr. Cragg provides details related to the gas tax.

Councillor Gary Kaschak inquires about the naming of the new routes as numbers and requests clarification. Mr. Cragg indicates this was a part of the Transit Master Plan and they wanted to ensure there was a clear separation between old routes and new routes. This is anticipated to make it easier for passengers to navigate the system, while allowing routes to be easily identifiable and not using duplicate numbers.

Councillor Gary Kaschak inquires about the loss of Greyhound Bus revenue and will this be a fee based system out of the transit terminal if the services resumes. Mr. Cragg indicates if they do operate out of the terminal they will pay a fee although there is nothing operating now out of the terminal. Ms. Boakes adds that they do have one out of town bus that stops in front of the police station. This service applied for a permit with just a pick up and drop off service with no standing permitted.

Councillor Kieran McKenzie inquires about the gas tax and the BSR funding for fuel increases and the funding intentions moving forward. Tony Ardovini, Deputy Treasurer, Financial Planning, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report "Transit Windsor 2023 Operating Budget –City Wide" and indicates that this is consistent with how the Corporation handles inflation and fuel costs across the corporation. Mr. Ardovini adds that a 5 year average was determined, and administration will continue to monitor the amounts for coming years. Mr. Ardovini states that if the amounts continue to rise funding from the Budget Stabilization Reserve Fund won't be sustainable it will have to be built into the base budget.

Councillor Fabio Costante inquires about fleet and efficiency and whether this was part of the Master Plan or is it something separate from that. Mr. Cragg indicates that the efficiencies, specifically the new software was decided upon prior to the Transit Master Plan being approved as the current software was 20 years old and requires upgrading.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: ETPS 935

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **RECOMMEND** Transit Windsor's 2023 Operating Budget reflective of a Property Tax Levy Contribution of \$17,831,080 which is \$1,409,537 (or 8.58%) greater than the 2022 Property Tax Levy contribution; and,

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That Transit Windsor's 2023 Operating Budget **BE REFERRED** to City Council for consideration as part of the City's 2023 Operating Budget deliberations.

Carried.

Report Number: S 19/2023

Clerk's File: MT/13708

9.3. Update to Transit Windsor Signing Authorities - City Wide

Moved by: Councillor Gary Kaschak

Seconded by: Councillor Mark McKenzie

Decision Number: ETPS 936

That the Environment, Transportation & Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors and City Council **AUTHORIZE** the following positions at Transit Windsor to be signing authorities for the Transit Windsor Imprest Account:

- The Executive Director, Transit Windsor and the Director, Fleet and Facility Development, Transit Windsor as the primary signing authorities; and
- The Director, Operations and Planning, Transit Windsor and the Maintenance Manager-Fleet, Transit Windsor as the secondary signing authorities; and further,

That the secondary signing authorities **BE UTILIZED** only in the event that one of the primary signatories be unavailable; and further,

That the CAO **BE AUTHORIZED** to approve future amendments in signing authorities for the Transit Windsor Imprest Account where such changes are deemed administrative or housekeeping in nature.

Carried.

Report Number: S 18/2023

Clerk's File: MT/13708

10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

11. QUESTION PERIOD

None registered.

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12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 5:28 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held March 29, 2023.

Ward 2 – Councillor Costante
(Chairperson)

Deputy City Clerk /
Supervisor of Council Services

Item No. 7.1



Committee Matters: SCM 56/2023

Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board

Meeting held September 14, 2022



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, September 14, 2022

Time: 4:00 PM

Location: Council Chambers
Essex County Civic & Education Centre
360 Fairview Ave. West
Essex, Ontario

Attendance

Board Members:

Gary Kaschak – Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Ed Sleiman	City of Windsor
Aldo DiCarlo – Vice Chair	County of Essex
Marc Bondy	County of Essex
Gary McNamara	County of Essex (Ex-Officio)

EWSWA Staff:

Michelle Bishop	General Manager
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Teresa Policella	Executive Assistant

City of Windsor Staff:

Anne Marie Albidone	Manager of Environmental Services
Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations

County of Essex Staff:

Mary Birch	Director of Council & Community Services/Clerk
Sandra Zwiers	Director of Financial Services/Treasurer

Absent:

Cindy Becker	Financial Planning Administrator
Steffan Brisebois	Manager of Finance & Administration
Drew Dilkens	City of Windsor (Ex-Officio)
Fabio Costante	City of Windsor
Mike Galloway	County of Essex CAO
Hilda MacDonald	County of Essex
Chris Nepszy	City Engineer/Commissioner of Infrastructure Services

1. Call to Order

The Chair called the meeting to order at 4:03 PM.

**89-2022
Carried**

2. Roll Call of Board Members Present

Marc Bondy – Present
Fabio Costante – Not present
Aldo DiCarlo – Present
Gary Kaschak - Present
Hilda MacDonald – Not present
Kieran McKenzie – Present
Gary McNamara – Present
Jim Morrison - Present
Ed Sleiman - Present

3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

Moved by Aldo DiCarlo
Seconded by Gary McNamara
THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated August 10, 2022, be approved and adopted.

**90-2022
Carried**

5. Business Arising from the Minutes

There were no items raised for discussion.

6. Delegations

There were no delegations for September 14, 2022.

7. Waste Disposal

A. Regional Landfill Leachate Management

The Manager of Waste Disposal provided an overview regarding the management of leachate and effects of increasing demands on the collection system. The Authority will be engaging with the Town of Essex and their Consulting Engineer (Stantec) to study available treatment plant capacity and to explore the possibility of accepting leachate from the Regional Landfill at the Essex Pollution Control Plant (Essex PCP).

The Authority contacted RWDI AIR Inc. (RWDI) in May 2022 to assist with evaluating leachate generation at the Regional Landfill and to identify the main causes and potential options reduce leachate. The RWDI report attached to the agenda outlines the various ways to evaluate the patterns of leachate generation.

On January 12, 2022, Administration provided the Board with Contaminating Lifespan Evaluations prepared by consulting firm WSP Canada Inc. These reports evaluated the active lifespan for closed Landfill No. 2 and closed Landfill No. 3 where leachate is still generated and needs to be treated. According to these reports, leachate management indicates a great financial burden. Over the past year the Authority has been reviewing leachate volumes and evaluating trends that contribute to leachate. An obvious trend is precipitation. The less obvious trend is the impactful intensification of vine disposal and spent growing medium.

The Manager of Waste Disposal provided a cost breakdown of leachate trucking and treatment costs if vines were to fully decay in one year and how this would impact the 2022 budget. He noted that the current leachate hauling contract ends of June 30, 2027 with an option to extend for a one-year period. Administration is looking at other ways to treat leachate to coincide with the expiration of the current leachate hauling contract.

The Manager of Waste Disposal stated that he has had discussions with staff from the Town of Essex regarding the potential treatment of leachate from the Regional Landfill. The Town of Essex has consulted with their engineer to provide a study to explore this possibility. The estimated cost to engage with the Town of Essex and their engineer will be approximately \$30,000. Administration intends to utilize \$10,000 of existing leachate management funds from the 2022 budget. The remaining \$20,000 will be incorporated into the 2023 budget. He also noted that Administration is preparing cost estimates for the placement of additional clay capping at the Regional Landfill. If budget considerations allow, some clay capping may be done in 2022.

The Manager of Waste Disposal asked if there were any questions.

Mr. Sleiman asked if leachate is harmful to the environment.

The Manager of Waste Disposal stated that leachate is a substance that needs to be treated.

Mr. McNamara stated he read the report with a lot of interest. In regards to the volume of organics, if we remove organics from the landfill will we still need to move forward with the project with the Town of Essex.

The Manager of Waste Disposal stated that we have Landfill 2 and 3 to use as models. Neither landfill received vine material and continue to produce a significant amount of leachate. The Regional Landfill will continue to generate leachate well over hundred plus years. Even in the absence of vines, the Authority will be need to treat leachate at the Regional Landfill as we do at Landfill 2 and Landfill 3.

Mr. McNamara stated that a forcemain may be right thing to do.

Mr. Morrison asked if we are going to have any issues in the next few years.

The Manager of Waste Disposal stated that we are learning to deal with it and we want to build in the extra capacity. We have to accommodate for extra precipitation as a result of wet springs and melting snow that turns into leachate. Now is the right time to be planning for the future and utilizing other treatment plants as well as other technologies to treat leachate.

Mr. Morrison commented that there has been a lot of discussion regarding greenhouse waste during this term and asked if greenhouse waste was going to the United States before and he asked if there was an issue receiving this waste at the landfill.

The General Manager stated that prior to 2015 there was facility in the area that was recycling the greenhouse material. The business is no longer in operation. The Authority started to receive vines when that facility closed. Greenhouse operators do not usually bring this waste across the border. The greenhouse industry has grown very fast which has led them to deliver the waste to the Authority. This will most likely continue until the government places a ban on the receipt of organic waste to landfills. Administration has to be proactive and look into the perpetual care and ways to reduce costs.

Mr. Bondy stated that the vine material is causing increased leachate treatment costs. He asked how much revenue is received from the disposal of greenhouse material.

The General Manager stated that in 2021 the Authority received revenue of approximately \$4 million from vine and greenhouse waste.

Mr. Bondy asked if the Authority has to accept this waste.

The General Manager stated that the landfill was built for the residents and businesses of Windsor-Essex. The Authority will most likely be accepting this waste until the government places a ban on organics at the landfill.

Mr. McNamara stated that both the City and the County have adopted climate change initiatives and we should not lose focus of the concept to reduce our carbon footprint. He noted that Administration is managing this financially and there are new technologies to process the plastics in vines. Mr. McNamara commended the Manager of Waste Disposal and Administration for looking at this holistically and the number of trucks that can be taken off the road is a good plan.

Mr. Kaschak asked how the leachate is treated at the Lou Romano plant.

The Manager of Waste Disposal and Ms. Albidone, City of Windsor's Manager of Environmental Services, described the transport and treatment process.

Moved by Gary McNamara

Seconded by Kieran McKenzie

THAT the Board receive this report as information.

THAT the Board receive the report by RWDI as information.

**91-2022
Carried**

8. Waste Diversion

A. Organics Survey Update

The Manager of Waste Diversion provided an update from the Organics Survey that was issued in the spring. The survey was open for one month and promoted by the Authority and all municipal partners and through social media.

The survey attracted approximately 2,500 residents across Essex-Windsor. Approximately 43% were residents from the County and 57% from the City. From the County, there was an average of 5% participation from each municipality. Of the 2,500 residents that participated in the survey, 75% of the responses said they would participate in an organics program. Of the 22% of the responses that said they would not participate in an organics program, they identified concerns such as smell, inconvenience of separating food waste, space constraints, they were already composting and it would attract wildlife and rodents.

Residents were also asked if they would support alternative garbage collection frequencies. Of the 2,400 responses, 42% said they would not support an alternative garbage collection frequency and 41% said they would.

Residents were also asked to rank certain aspects of an organics program. Residents ranked diversion from the landfill as most important. The lowest ranking priorities were energy production, cost and odour.

The Manager of Waste Diversion noted many positive comments were received through the survey and at the Earth Day Event. Residents are excited about an organics program. Administration received good information to develop a campaign. There are no financial implications to report at this time.

The Manager of Waste Diversion asked if there were any questions.

Mr. Sleiman asked if there will be a penalty enforced if residents do not participate in the program.

The Manager of Waste Diversion stated that the purpose of the survey was to receive feedback regarding the upcoming organics program. She noted that the Envirotips newsletter that will be issued soon will focus on food waste and the importance of an organics program. There is definitely a lot of interest in the program and that 75% participating in the survey is excellent feedback.

Mr. McKenzie stated it was great to see such enthusiasm regarding organics. He asked if there will be another survey conducted after public discussion happens.

The Manager of Waste Diversion stated this survey was almost a pre-survey. Another survey will most likely be conducted after the program launches. She noted that public feedback is very important. We need to know what residents need in order to do a better job.

Mr. McKenzie stated to keep up the great work.

Mr. Kaschak asked what were the results of the survey when the recycling program was first proposed.

The Manager of Waste Diversion stated that a survey was probably not conducted in the early 2000's. She noted that it is important to do a pre and post survey to see if behaviour changes. Education will be very important to get residents to participate and for the program to be successful.

Mr. McNamara stated that they all have a responsibility as leaders and the province is mandating this program. The education portion is going to be a critical piece. He stated that we have to start educating residents now and this will be easy when 75% of the people are saying yes to the program. He noted that people like convenience and that residents in multi-residential will have the most difficulty to participate in the program. The survey response is better than he anticipated.

Moved by Kieran McKenzie

Seconded by Ed Sleiman

THAT the Board receive the report as information.

**92-2022
Carried**

B. Blue Box Recyclable Material Commodity Update

The Manager of Waste Diversion provided an update on Blue Box recyclable material commodity prices and its impact on the Authority budget due to the volatility of recycling markets.

At the August Board meeting a report was provided indicating a favourable variance. At that time, the Board was advised that there was a decrease in some markets due to supply and demand issues. In the first six months of 2022, the Authority was in a favourable position because of under supply and over demand of products. In July 2022, there was a drop in plastic prices (HDPE and PET). The Authority was informed by the buyers that this was due to the oversaturation of these products in the plastics market. Prices are now starting to stabilize.

In August and September there was a decrease in prices for fibre materials due to export issues, coastal regions being oversaturated, as well as a slower economy. There is a lower demand when there is a lot of material in the market. During COVID there was an increase in demand for cardboard boxes. The Authority has been consistent with buyers over recent years and the buyers like the Authority's quality. She noted that this market should level out. Tin, steel and aluminum prices remained high due to shortage of materials in these markets. Also, in the spring of this year and due to hardening of markets, the Authority was able to market residual material. This allowed the Authority to earn revenue and divert waste from the landfill.

Mr. McKenzie asked how will Administration will plan for the next budget given the volatility in 2022 and moving into a recession period.

The Manager of Waste Diversion stated they will build their price off of 5-year averages and current trends. Due to the election, this can be postponed a little longer and actual numbers should be available.

Mr. Sleiman thanked Administration for getting the best prices.

Moved by Kieran McKenzie

Seconded by Marc Bondy

THAT the Board receive the report as information.

**93-2022
Carried**

C. Blue Box Update (Verbal report)

The General Manager provided an update regarding the Blue Box transition to Extended Producer Responsibility (EPR) and what the focus will be for the remainder of this year.

Circular Materials Ontario (CMO) has not communicated their decision on how or if municipalities with new contracts will be compensated if we chose to engage with CMO to continue collection until 2026. There are approximately 20 municipalities that have new collection contracts.

Data collection from municipalities continues and the Manager of Waste Diversion has been working with municipalities to collect and report data to the Resource Productivity and Recovery Authority (RPRA). The Authority has submitted the required data for each municipality for the Transition Report. RPRA is now requesting supplemental information regarding public spaces, municipal buildings and facilities. The Authority will need to work again with municipalities to obtain this information.

Waste audit planning meetings have been scheduled with the first of 4 curbside audits starting this fall.

An RFQ has been released for contract labour to assist with the collection of ineligible source data. The Producers will not be required to collect this material after transition.

Mr. Sleiman commended Administration on providing thorough reports.

Moved by Gary McNamara

Seconded by Jim Morrison

THAT the Board receive the verbal report as information.

**94-2022
Carried**

9. Finance & Administration

A. Thank you to Board Members

The General Manager stated that due to the upcoming municipal election, the September meeting would be the last meeting of the current Board. She provided the Board with a summary of some of the significant achievements that were made by the Board during the current term including the acquisition of significant capital assets, the award of large contracts and the approval of a regional organic waste program all while continuing to work towards achieving a balanced budget.

The General Manager thanked the Board for their service and presented each Board member with a "Gold" recycling box as a thank you.

Mr. Kaschak noted much was accomplished during this term.

Mr. Bondy thanked the Administrative team for providing very detailed reports. He commented the Board and Administrative staff have been great to work with as well as the supporting staff.

10. Other Items

No other items were raised for discussion.

11. By-Laws

A. By-Law 14-2022

Moved by Aldo DiCarlo
Seconded by Marc Bondy

THAT By-Law 14-2022, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 14th day of September, 2022.

**95-2022
Carried**

12. Future Meeting Dates

To be determined.

13. Adjournment

Moved by Aldo DiCarlo
Seconded by Marc Bondy

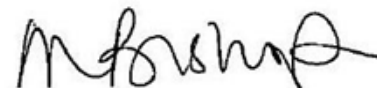
THAT the Board stand adjourned at 5:34 PM.

**96-2022
Carried**

All of which is respectfully submitted.



Gary Kaschak
Chair



Michelle Bishop
General Manager

Item No. 7.2



Committee Matters: SCM 91/2023

Subject: Minutes of the Essex-Windsor Solid Waste Authority Regular Board Meeting held February 7, 2023



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Tuesday, February 7, 2023

Time: 4:00 PM

Location: Council Chambers
Essex County Civic & Education Centre
360 Fairview Ave. West
Essex, Ontario

Attendance

Board Members:

Gary McNamara - Chair	County of Essex
Hilda MacDonald	County of Essex (Ex-Officio)
Michael Akpata	County of Essex
Rob Shepley	County of Essex
Kirk Walstedt	County of Essex
Gary Kaschak – Vice Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Mark McKenzie	City of Windsor

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Teresa Policella	Executive Assistant

City of Windsor Staff:

Tony Ardovini	Deputy Treasurer Financial Planning
Shawna Boakes	Executive Director of Operations

County of Essex Staff:

Mary Birch	Interim CAO and Director of Legislative and Community Services/Clerk
Sandra Zwiers	Director of Financial Services/Treasurer
Kate Hebert	Manager, Records & Accessibility/Deputy Clerk

Absent:

Drew Dilkens	City of Windsor (Ex-Officio)
Anne Marie Albidone	Manager of Environmental Services

1. Call to Order

The General Manager called the meeting to order at 4:04 PM as the Board's Chair and Vice Chair had yet to be elected for 2023.

2. Board Members for 2023-2026

The General Manager welcomed four new Board members - Deputy Mayor Michael Akpata, Deputy Mayor Rob Shepley, Deputy Mayor Kirk Walstedt and Councillor Mark McKenzie. She also welcomed back Board members Councillor Gary Kaschak, Warden and Mayor Hilda MacDonald, Mayor Gary McNamara, Councillor Kieran McKenzie and Councillor Jim Morrison.

3. Introduction of EWSWA Management Team

The General Manager introduced the EWSWA Management Team and Administrative staff – Tom Marentette, Manager of Waste Disposal, Steffan Brisebois, Manager of Finance and Administration, Cathy Copot-Nepszy, Manager of Waste Diversion and Teresa Policella, Executive Assistant. She also introduced Shawna Boakes, City of Windsor Executive Director of Operations and Tony Ardovini, City of Windsor Deputy Treasurer Financial Planning. She noted that various members of County of Essex and City of Windsor Administration attend most Board meetings to assist with clarification of agenda items, if needed.

The General Manager stated that agendas will be distributed electronically. If a hard copy of the agenda is required, Board members can advise Teresa Policella, Executive Assistant.

4. Election of Chair and Vice Chair for 2023

The General Manager stated that per the agreement between the City of Windsor and the County of Essex that created the Authority, the positions of Chair and Vice Chair rotate between the City and the County on a yearly basis. She noted that for 2023, the Chair will be a County of Essex Board member and the Vice Chair will be a City of Windsor Board member.

The General Manager called for any declarations of pecuniary interest in regards to the elections of the Chair and Vice Chair. None were noted.

The General Manager called for nominations for the position of Board Chair among the County of Essex representatives.

Board Member Walstedt nominated Board Member Gary McNamara for Board Chair.

Board Member MacDonald seconded the nomination.

The General Manager called three (3) additional times for nominations for the position of Board Chair. There were no other nominations.

The General Manager asked Mr. McNamara if he would stand for the position of Board Chair.

Mr. McNamara accepted the nomination as Board Chair.

The General Manager declared Mr. McNamara as Chair for 2023.

The General Manager asked for a motion for the nominations for Chair to be closed.

Moved by Kieran McKenzie

Seconded by Robert Shepley

THAT Gary McNamara is named as Board Chair for the period ending December 31, 2023.

**1-2023
Carried**

The General Manager called for nominations for Vice Chair among the City of Windsor representatives.

Board Member Morrison nominated Board Member Gary Kaschak for the position of Vice Chair.

The General Manager called three (3) additional times for nominations for the position of Board Vice Chair. There were no other nominations.

The General Manager asked Mr. Kaschak if he would stand for the position of Board Vice Chair.

Mr. Kaschak accepted the nomination of Board Vice Chair.

The General Manager declared Mr. Kaschak as Vice Chair for 2023.

The General Manager asked for a motion for the nominations of Vice Chair to be closed.

Moved by Hilda MacDonald

Seconded by Robert Shepley

THAT Gary Kaschak is named as Board Vice Chair for the period ending December 31, 2023.

**2-2023
Carried**

5. Declaration of Pecuniary Interest

Chair McNamara called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

6. Approval of the Minutes

Moved by Kieran McKenzie
Seconded by Hilda MacDonald

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated September 14, 2022, be approved and adopted.

**3-2023
Carried**

7. Business Arising from the Minutes

Mr. Kaschak asked if there were any updates to the Organics program. The Manager of Waste Diversion stated there were no further updates.

8. Correspondence

There are no items for discussion.

9. Delegations

There were no delegations for February 7, 2023.

10. Waste Disposal

A. Appointment of Board Member to the Regional Landfill Liaison Committee for 2023

The Chair called for nominations to appoint a Board member to the Regional Landfill Liaison Committee.

Mr. Kaschak nominated Board member Morrison.

The Chair called for any other nominations.

There were no other nominations.

The Chair asked Mr. Morrison if he accepted the nomination.

Mr. Morrison accepted the nomination.

Moved by Gary Kaschak

Seconded by Mark McKenzie

THAT the Board appoint Jim Morrison who is not a member of the Council of the Town of Essex, to the Landfill Liaison Committee for a one-year term for 2023.

**4-2023
Carried**

11. Finance & Administration

A. 2023 Budget Deliberation

The General Manager referred to the budget report on page 13 of the agenda package. The purpose of the report is to recommend approval of the 2023 expenditure budget estimates as well as the budget estimates related to non-municipal revenue. The report also recommends approval of a 4.1% increase to the 2022 base amount budgeted to the City of Windsor and the seven (7) County municipalities. This increase equates to \$566,240 and is comprised of two components. The first component is a \$1.00 increase on tipping fees assessed on waste delivered for disposal. The tipping fee will increase from \$40.00 to \$41.00 per tonne. This increase is approximately \$111,350. The other component is an increase in the fixed amount assessed to the municipalities based on population which equates to approximately \$454,890.

The General Manager stated that the municipal tonnage is projected to increase from 111,350 tonnes in 2022 to 112,370 tonnes in 2023.

The General Manager stated that the budget is normally deliberated in November and then presented to both the City of Windsor and County of Essex Council meetings for approval. The 2023 budget year was an exception due to the Board only forming in January 2023 due to the municipal election. She noted that if the budget is approved at this meeting, Authority Administration would arrange to appear before each of the respective Councils seeking approval.

The General Manager explained that the Technical Staff Committee, which is comprised of both City of Windsor and County of Essex staff, meets annually to review and discuss the budget. The Technical Staff Committee met in November 2022 and was provided an update in February 2023 when supplemental information was available. The Technical Staff reached a consensus regarding the 2023 Budget details and recommendations. She noted that the Technical Staff Committee was guided by the February 2018 recommendation from the CAOs of the City of Windsor and the County of Essex to reach a balanced budget by 2027 with 2018 being Year 1 of the 10-year period.

The General Manager stated that in addition to the annual budget process, a 15-year forecast is also prepared. To reach the goal of a balanced budget by 2027, an increase of 4.1% will need to be assessed to the City of Windsor and the seven (7) County municipalities. She noted that the Rate Stabilization Reserve is used to balance out large swings in episodic waste and fluctuations in Blue Box funding and revenue. There are estimates built into the budget and 15-year forecast documents. One estimate identified in the 15-year forecast document is the significant decrease of \$10 million in expenditures and the decrease in non-municipal revenue of \$5 million in the 2025 to 2026 calendar years on account of the transition of the Blue Box program to Extended Producer Responsibility. The \$3.9 million projected deficit in 2025 will be dependent on whether the transition to the Producer occurs in 2024 or January 1, 2026.

The General Manager stated that Administration tries to ensure that there is a healthy balance in the Rate Stabilization Reserve. The goal is to have 15% of our expenditures in the Reserve.

The General Manager asked if there were any questions. No questions were asked.

The General Manager stated that a zero-based budgeting approach is utilized. The budget assumes service levels stay the same. The budget does not include any new programs or any funding for the Green Bin program. The Budget does include the cost for additional labour to support the Waste Diversion program.

The General Manager explained the variances in the Budget Summary on page 16 of the agenda package. The fixed cost allocation represents the total amount the Authority will invoice to the City of Windsor and 7 County municipalities in the year. In summary, there was a favourable variance of \$2,468,850 between the 2022 budgeted deficit of (\$1,187,300) and the 2022 projected surplus of \$1,281,550. The 2022 budgeted deficit, when compared to the 2023 budgeted deficit, is expected to generate an unfavourable variance of \$2,570,080.

The Rate Stabilization Reserve in 2022 had an opening balance of \$9.8 million. The surplus from 2022 of \$1.28 million plus the interest will form the opening budgeted balance for 2023. In 2023, the Rate Stabilization Reserve is estimated to generate interest of approximately \$350,000. A draw from the reserve of \$103,000 is budgeted to fund the Clay Capping Project and the expected draw relating to the 2023 budgeted deficit amounts to \$3.75 million. The Rate Stabilization Reserve in 2023 is budgeted to have an ending balance of \$7.71 million.

The General Manager summarized additional charts contained in the report regarding revenue and expenditures.

The General Manager referred to page 19 of the agenda package which breaks down the municipal assessment between the City of Windsor and the County of Essex municipalities. The difference in the combined total municipal assessment from 2022 to 2023 is expected to be \$608,060.

The tables on pages 19 to 21 aid to present the significant variances (amounts over \$50,000) relating to the 2022 budgeted deficit and the 2022 projected surplus, and the 2022 budgeted deficit to the 2023 budgeted deficit. The General Manager spoke in detail to the significant variances.

The General Manger asked if there were any questions.

The Chair questioned the rationale for the 2022 unfavourable variance from municipal and residential tip fees.

The General Manager referred to the tonnage received from the City and the seven (7) County municipalities and stated that less material was collected at the curb and delivered to the depots than budgeted in 2022.

The Chair stated that he finds it interesting that the number is going down instead of maintaining or growing.

The General Manager stated that there were increases in 2020 and 2021 and speculate that the reduction could be due to residents returning to the office and school after the pandemic. Administration will continue to monitor incoming material.

The Chair asked if there were any further questions.

Mr. K. McKenzie asked about the projections and variances and how they relate to the reserves. He asked if we need to start preparing for worst case scenario if there is a lot of risk in the variances. He would like to understand the risks.

Mr. Morrison asked about the risks and reducing the reserve balance. He is concerned but understands that this is an estimate and there is a plan to build it up to \$5 million. Mr. Morrison referred to page 30 and the 2021 census population figures used to calculate the fixed cost allocation.

The General Manager stated that the most current census figures are used until the next census is released.

The General Manager continued to speak to the 2022 and 2023 variances.

The General Manager stated that the 2022 landfillable tonnes amounted to 336,600 which is approximately 79,000 tonnes over the 2022 budget. Approximately 257,000 tonnes of landfilled waste was budgeted for 2022 and approximately 300,000 tonnes of landfilled waste was budgeted for 2023. A 3-year trend is used to build this number.

The Chair spoke to assumptions used in order to budget municipal tipping fee revenue by stating that the only discretion would be a year of an anomaly, a flood, for example.

The General Manager responded that anomalies are not included in the budget. They are considered episodic waste and are not included in the budget estimates.

The General Manager made a general statement that the majority of the expenditure increases in 2023 are driven by contractual increases which tend to be a constant theme as it relates to Authority expenditures.

Mr. K. McKenzie asked if the government has offered any funding to help mitigate the cost of the implementation of the organics program.

The General Manager responded that London and Essex-Windsor are the last large municipalities in the province to introduce an organics program and at this time she is not aware of any funding being offered.

Mrs. MacDonald asked if other municipalities that have an organics program received funding many years ago and if we are being treated the same.

The General Manager responded that she did not know but would attempt and find out.

Mrs. MacDonald replied that we should have been doing this along time ago.

The Chair added that Mr. K. McKenzie has a good point. Why wouldn't the government look at this region to get the program up and running. He also noted that AMO has been doing their part for years. The Chair stated that maybe there is an opportunity to ask, the worst thing they could say is no.

The General Manager stated that the Authority could look into this and other funding opportunities.

The General Manager referred to Landfilled Tonnes chart on page 10 of the budget document. The potential risks are that the large volume waste haulers only deliver the minimum tonnes of material based on their Put or Pay contracts and not their budgeted tonnes. Historically, these large volume waste haulers have delivered more tonnes than what they were obligated to deliver and the budget is built on a 3-year trend. Other risks associated with revenue in the 2023 budget figures that were discussed related to contaminated episodic waste.

The General Manager highlighted the Recycling Revenue Chart on page 12 of the budget document. The Authority had record revenues in 2021 which were similar in 2011 and now there is a downward trend.

The General Manager summarized how significant budget estimates were calculated and how risks are mitigated within the document. Examples included using conservative estimates to calculate anticipated blue box material commodity prices and using 3 years of data to estimate the amount of tonnage that will be delivered for disposal. She further explained that while Essex-Windsor is scheduled to transition the blue box program in August 2024 the 15-year forecast allows for that date to be postponed to December 31, 2025.

The General Manager stated that the 2023 Capital Budget projects will be funded by various reserves. She noted that the Authority is trying not to invest unnecessary funds in the recycling centres due to transition but needs to maintain equipment repairs to ensure the facility is operational.

The General Manager asked if there were any questions.

Mr. Walstedt stated that he did not see any funding for clay capping of Landfill Number 3. He asked is there are any plans for this.

The General Manager stated that the line item of \$50,000 for site and grounds maintenance included in the budget. The previous large clay capping project is now complete and currently the \$50,000 is used for maintenance related projects. It was identified that some leachate wells need replacement and that has been included in the budget.

Mr. Walstedt questioned the future use of Landfill Number 3.

The General Manager explained that the Board received correspondence from the Municipality of Lakeshore in May 2022 regarding the end use plan of Landfill Number 3 and the Board received a report from Administration in June 2022. The General Manager indicated that the end use of a landfill site is a period of 25 years from the time the site ceases to accept waste. Landfill Number 3 closed in 1997 which in turn suggests 2023 would be the earliest that a plan could be implemented. The General Manager highlighted that \$10,000 has been included in the consulting budget to be used to explore end use options for the site.

Mr. Walstedt is concerned about the amount of years that leachate treatment will be required. He noted that there should be a long-term solution.

The General Manager stated that the Authority is dealing with this on an on-going basis for all sites and referred to the contamination study report that was presented to the Board in 2022.

Mr. K. McKenzie asked if the Board can expect a report on the recommendation regarding this issue.

The General Manager stated there have been ongoing discussions with the Town of Essex and the Municipality of Lakeshore. At the September 2022 Board meeting, it was reported that the consulting firm Stantec is investigating

the potential strategies of pre-treatment of leachate, long-term leachate studies and the feasibility of installing a force main to the Town of Essex Pollution Control Treatment Plant similar to the force main used at Closed Landfill 2.

Mr. K. McKenzie asked if the Board will be provided with the Stantec report.

The General Manager replied yes.

The General Manager referred to the Schedule of Fees on page 30 of the agenda package. What was noted on this schedule is the increase to the ICI rate for small businesses of \$2 per tonne and the increase of \$9 per tonne for greenhouse vines. She explained that vines historically had a reduced rate because the material did not take up significant space in the landfill but this waste has resulted in significant amounts of leachate, which results in an increase of leachate treatment and hauling costs as well as other operational challenges.

The Chair asked if there are any risks to shipping vines to the United States.

The General Manager stated that a large volume hauler is under contract until 2024 so any impact would be post that contract expiration date. The General Manager continued to speak to other reasons why vines are problematic to the Authority's landfilling operations.

Mr. Kaschak asked if vines could potentially go to an organics facility.

The General Manager stated that Authority Administration has had the opportunity to visit Seacliff Energy. Administration were able to ask the operators of the facility if vines could be accepted at the facility. The response was that vines have proven challenging to process in an anaerobic digester.

The Chair asked if there were any questions. No further questions were asked.

Moved by Hilda MacDonald
Seconded by Gary Kaschak
THAT the Board

1. Approve the 2023 **Expenditure and Revenue budget estimate figures** excluding the municipal Total Waste Management Fee (Tip Fee) and the municipal Fixed Cost Assessment.
2. Increase the **Total Waste Management Fee** by \$1.00 per tonne to \$41.00/tonne from \$40.00/tonne. This is the fee assessed to municipalities for each tonne of refuse delivered for disposal.
3. Increase the **Fixed Cost Assessment** to Windsor and the 7 County municipalities based on the following chart. Fixed costs are assessed based on population.

	2021 Census Population	2023 Amount	2022 Amount	Difference
WINDSOR	229,660	\$5,331,706	\$5,084,516	\$247,190
AMHERSTBURG	23,524	546,125	520,805	25,320
ESSEX	21,216	492,543	469,708	22,835
KINGSVILLE	22,119	513,507	489,700	23,807
LAKESHORE	40,410	938,144	894,650	43,495
LASALLE	32,721	759,639	724,421	35,219
LEAMINGTON	29,680	689,040	657,095	31,946
TECUMSEH	23,300	540,925	515,846	25,079
TOTAL	422,630	\$9,811,630	\$9,356,740	\$454,890

4. Approve the Fee Schedule, as attached to this report, exclusive of the municipal Total Waste Management Fee but inclusive of the per tonne rate increases outlined in the Fee Schedule for 2023.
5. That any resultant (deficit)/surplus from 2022 operations be contributed to or funded by the Rate Stabilization Reserve.
6. That any resultant (deficit)/surplus for 2023 be contributed to or funded by the Rate Stabilization Reserve.

**5-2023
Carried**

B. Authority’s Banker, Auditor and Solicitor

The Manager of Finance and Administration stated that the banker for the Authority is Canadian Imperial Bank of Commerce (CIBC). He noted that the

Authority partnered with the County of Essex in order to leverage the cash assets of both organizations.

The Authority's auditor is KPMG. The Manager of Finance also noted that the Authority partnered with the County of Essex at the time of the selection of an external auditor and further that KPMG is also the City of Windsor auditor.

The Manager of Finance stated that the Authority's solicitor is Mr. David Sundin from the County of Essex.

Moved by Kieran McKenzie
Seconded by Mark McKenzie

THAT the Board receive the report as information.

**6-2023
Carried**

C. Legal Invoice

Moved by Kirk Walstedt
Seconded by Robert Shepley

THAT the Board authorize the payment of the legal account as summarized.

**7-2023
Carried**

D. 2023 EWSWA Board Meeting Schedule

The General Manager referred to the 2023 meeting schedule presented in the agenda package and stated that the August 1st meeting will be cancelled due to a conflict with the City of Windsor Development & Heritage Standing Committee meeting on the same day. Three of the four City of Windsor representatives are on this committee. She noted that if there are agenda items that need to be addressed, a meeting will be scheduled at a later date.

The General Manager also noted that traditionally when a holiday falls on the first Monday of the month, the Board meeting is rescheduled to the following Wednesday to accommodate municipal Council meetings being rescheduled to the Tuesday. However, in October, two holidays fall in the first two weeks of the month. October 5th has been scheduled as an alternative meeting date.

Moved by Gary Kaschak
Seconded by Hilda MacDonald

THAT the Board approve the 2023 Essex-Windsor Solid Waste Authority Regular Board Meeting Schedule.

**8-2023
Carried**

12. Waste Diversion

A. Blue Box Extended Producer Responsibility presentation and update

The Manager of Waste Diversion provided a presentation and update regarding the transition of the Blue Box program to Extended Producer Responsibility.

The Chair left the meeting at 6:12 PM. The Vice Chair assumed the role of Chair.

At the end of the presentation, the Manager of Waste Diversion asked if there were any questions.

Mr. Morrison thanked the Manager of Waste Diversion for a very informative presentation. He asked when do we have to make some of the decisions, like opting out, for example.

The Manager of Waste Diversion stated that municipalities were willing to opt in but now they are steering to opt out due to the terms and conditions and unbalanced risk that CMO has set out in their agreements. She stated that a decision will have to be made early this year. She stated that the Authority has already opted out of being a receiving facility service provider last year. The Authority will also have to make a decision to opt in or out as a collection service provider early this year.

Mr. Morrison asked which direction is the province taking.

The Manager of Waste Diversion stated that municipalities have brought this up numerous times through AMO and other networks. There are many contracts that have not been signed by the municipalities, but that municipalities really are still trying to be supportive for a smooth transition to EPR.

Mr. K. McKenzie asked how will these changes impact residents on what service is provided and the changes that will be happening. He noted that these changes could be significant. He asked what does Administration and the Board have to do so that residents do not feel like their level of service is downgraded.

The Manager of Waste Diversion stated that this is definitely a concern of Administration. Administration participates on collaboration groups and are learning from the first group that is transitioning and what things we need to look at. By the time our region transitions, there will be enough information from other municipalities that are going through it now. She referred to the plastic bag ban and how the Authority provided information months in advance to residents before the program was implemented.

Moved by Michael Akpata
Seconded by Mark McKenzie

That the Board receive the presentation as information.

**9-2023
Carried**

13. Other Items

There were no other items raised for discussion.

14. By-Laws

A. By-Law 1-2023

Moved by Mark McKenzie

Seconded by Kirk Walstedt

THAT By-Law 1-2023, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 7th day of February, 2023

**10-2023
Carried**

15. Next Meeting Date

Tuesday, March 7, 2023

16. Adjournment

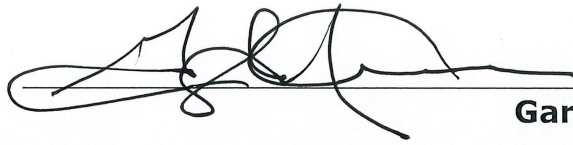
Moved by Robert Shepley

Seconded by Hilda MacDonald

THAT the Board stand adjourned at 6:25 PM.

**11-2023
Carried**

All of which is respectfully submitted.



Gary McNamara
Chair



Michelle Bishop
General Manager



Subject: CQ 18-2021 Truck Routes Progress Update - City-wide

Reference:

Date to Council: March 29, 2023
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6100 ext 6003
jhagan@citywindsor.ca
Public Works - Operations
Report Date: March 8, 2023
Clerk's File #: ST2023

To: Mayor and Members of City Council

Recommendation:

THAT report S 30/2023, "CQ 18-2021 Truck Routes Progress Update," **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At the July 26, 2021 meeting of Council, Councillor Gignac asked the following Council question:

CQ 18-2021

Asks that Administration review the current truck routes in Windsor and bring a report with recommendations to Council on updating it as soon as possible.

This report provides the requested response.

Traffic By-law 9148 identifies Windsor's truck route network. The current truck route map is attached as Appendix A. Vehicles over 4,500 kg gross vehicle weight rating or registered gross weight are not permitted on streets other than designated truck routes, except for:

- Commercial vehicles proceeding by the shortest route from the truck route network to their destination for loading and unloading goods, or for housing or repair of the vehicle;

- City vehicles, emergency vehicles, and public transit vehicles;
- Coal and oil trucks on delivery; and
- Privately-owned commercial vehicles proceeding to or from the residence of their owner.

Discussion:

Initial steps included a cursory review of the existing network to determine the extent of the work necessary to review both existing routes and changes to the road network, along with recent and anticipated developments. Upon review of the project, it was determined that internal staff did not have the capacity to complete this task.

Administration approached a Consultant from the City's roster to request a budgetary estimate of the effort for this work. The estimate indicated that the work would be above the value allowed for a roster assignment.

Administration is currently preparing a request for proposal for a consultant assignment to review the existing truck route network and make recommendations for updates.

Key elements of the project include:

- Consultation with stakeholders, including:
 - The goods movement community, including trucking associations, bridges, the Detroit-Windsor Tunnel, Windsor Airport, and the Windsor Port Authority;
 - Business Improvement Areas;
- Meetings with a moderated/facilitated focus group to be recruited;
- Two rounds of public information centres;
- Presentation of recommendations, including an updated truck route network and any policy recommendations, to the Environment, Transportation & Public Safety Standing Committee and to Council.
- As a provisional item, the undertaking of structural assessments for bridges or overpasses where there may be a question of their suitability for higher volumes of heavy truck traffic.

The main deliverables of the study will include a final report and a recommended updated truck route network.

The project schedule proposed by the recommended service provider will be identified when a report is brought forward to Council for award of the request for proposal.

Risk Analysis:

There are no critical or significant risks associated with this informational report.

There are no significant or critical risks identified associated with the upcoming request for proposals. Administration mitigates purchasing risks to a low level by following the processes prescribed by the Purchasing By-law.

Climate Change Risks**Climate Change Mitigation:**

N/A

Climate Change Adaptation:

N/A

Financial Matters:

No expenditures are recommended by this informational report.

Funding for the upcoming truck route study will be addressed in the Council report recommending the RFP award. Based on annual funding currently in the recommended 2023 Capital Budget and the previously committed studies, there are sufficient funds available in the Environmental Study Reports capital project (OPS-009-07) to carry out this work.

Consultations:

N/A

Conclusion:

Council Question CQ 18-2021 requested a review of truck routes in Windsor and recommendations to Council for updates to the truck route network. This work will be carried out through a consultant assignment; Administration is currently working to finalize and issue the request for proposals.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator
Shawna Boakes	Executive Director of Operations and Deputy City Engineer
Chris Nepszy	Commissioner of Infrastructure Services and City Engineer
Joe Mancina	Commissioner of Corporate Services and Chief Financial Officer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Councillor Gignac		

Appendices:

N/A



Subject: Follow-up to CR30/2023 - Essex Terminal Railway Whistling Cessation - Ward 4

Reference:

Date to Council: March 29, 2023
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6100 ext 6003
jhagan@citywindsor.ca

Report Date: February 2, 2023
Clerk's File #: MTR2023

To: Mayor and Members of City Council

Recommendation:

THAT report S 17/2023, "Follow-up to CR30/2023 - Essex Terminal Railway Whistling Cessation - Ward 4," **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

At its January 16, 2023 meeting, Council passed the following resolution:

CR30/2023

Whereas there has been an increase in train whistle noise in the South Walkerville area of the City of Windsor, and;

Whereas the Essex Terminal Railway Company lines located east of Howard Avenue and west of Walker Road, are located in heavily populated residential areas, and;

Whereas residents regularly call with complaints regarding trains blowing whistles late at night, affecting those who live near these train tracks and crossings, and ask that train whistling be stopped between the hours of 21:00 and 07:00 hours unless absolutely necessary, and;

Whereas the process per Transport Canada to apply to stop train whistling begins with a Citizen or group expressing interest followed by the municipality consulting with the railway company;

THEREFORE BE IT RESOLVED that Council **DIRECT** Administration to follow the procedures of Transport Canada and engage with the railway company to initiate the process to request train whistling be limited and used only if absolutely necessary on the Essex Terminal Railway Company lines located east of Howard Avenue and west of Walker Road.

This report provides the results of the engagement with the Essex Terminal Railway Company that Administration was directed to carry out.

The portion of the Essex Terminal Rail line referred to in the resolution is shown in Figure 1. Table 1 summarizes the grade crossings on this segment.

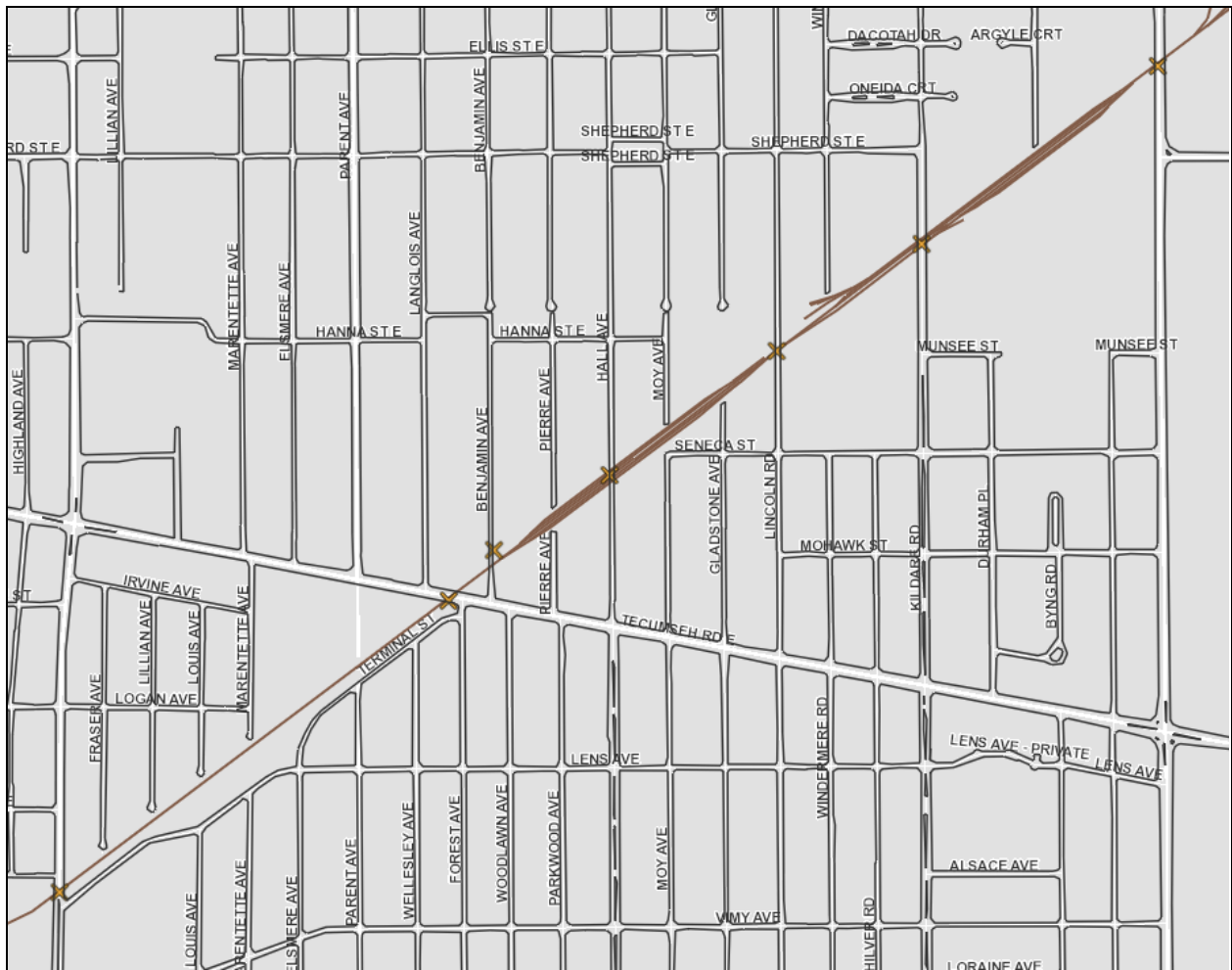


Figure 1: Essex Terminal Rail Line, Howard to Walker

Table 1: Summary of Grade Crossings

Cross Street	Crossing Protection	Number of Tracks	Notes
Tecumseh Road East	Flashing lights (with cantilever) & bells	1	
Benjamin Avenue	Stop sign	1	No warning system
Hall Avenue	Stop sign	5	No warning system
Lincoln Road	Flashing lights & bells	1	
Kildare Road	Flashing lights (with cantilever) & bells	3	

Train Whistling and Whistling Cessation

The operating rules mandated by the Railway Safety Act require trains to sound their whistle before crossing a roadway at a public grade crossings unless in an area where whistling cessation has been implemented.

The Railway Safety Act (along with the Grade Crossing Regulations and Grade Crossing Standards) mandates the process to be followed to implement whistling cessation:

1. The municipality initiates a review by notifying the railway that they wish to implement whistling cessation at a grade crossing (or several crossings along a corridor),
2. The railway confirms whether whistling cessation is feasible at the requested crossing(s);
3. The municipality notifies the public;
4. The municipality and the railway carry out an assessment to confirm that the crossing(s) meet the requirements for whistling cessation provided in the Railway Safety Act, Grade Crossing Regulations, and Grade Crossing Standards,
5. The municipality passes a resolution saying that train whistles should not be used at the crossing(s);
6. The municipality notifies the railway and certain stakeholders of the resolution;
7. The railway ceases whistling at the crossing;
8. On an ongoing basis, the municipality and the railway continue to ensure that the requirements for whistling cessation continue to be met.

For whistling cessation to be implemented at a public grade crossing, a number of conditions must be met:

- The grade crossing must have a warning system;

- The warning system must meet certain requirements:
 - Flashing lights and bells (and gates, depending on the number of tracks and railway speed) must be provided,
 - The warning system must meet various technical requirements (e.g. battery backup duration and timing criteria for signal activation),
- There must not be repeated incidents of trespassing on the railway in that area;
- Trains must not be required to whistle at the crossing for their approach to another crossing outside the whistling cessation area.

Discussion:

As directed by Council, Administration engaged with senior management of Essex Terminal Railway (ETR) to pursue potential whistling cessation along the corridor identified. A summary of ETR’s response is provided in Table 2.

Table 2: Feasibility of Whistling Cessation – Existing Conditions

Cross Street	Crossing Protection	Is Whistling Cessation Feasible?	Rationale
Tecumseh Road East	Flashing lights (with cantilever) & bells	No	Distance to nearby crossings where whistling is required
Benjamin Avenue	Stop sign	No	No warning system
Hall Avenue	Stop sign	No	No warning system
Lincoln Road	Flashing lights & bells	No	Distance to nearby crossings where whistling is required
Kildare Road	Flashing lights (with cantilever) & bells	No	Distance to nearby crossings where whistling is required

ETR further noted the changes that would be required to implement whistling cessation in this area:

- At Benjamin Avenue: install a warning system (flashing lights and bells), and
- At Hall Avenue: install a warning system (flashing lights, bells and gates) or completely close Hall Avenue on either side of the grade crossing.

This work would be predominantly or entirely at the City’s cost.

In addition to these changes, it is possible that a detailed review of the remaining grade crossings will identify additional items required (e.g. warning system upgrades, pedestrian crossings or mazes or other adjustments).

Closing of Hall Avenue is not recommended by this report; however, should Council direct Administration to pursue this option, a street closure application could be prepared and presented in a report to the Development and Heritage Standing Committee. Issues that would need to be addressed before this report could be finalized:

- Impacts of the closure on emergency response and neighbourhood traffic patterns,
- Accommodating turnarounds for larger vehicles such as fire apparatus, waste pickup vehicles, snow plows, and delivery vehicles, or – if turning bulbs cannot be accommodated on Hall – impacts of the lack of turnaround facilities on larger vehicles

Alternative Methods to Address Whistling Concerns

The Council resolution identified night-time whistling (specifically between 9:00 p.m. and 7:00 a.m.) as of special concern. Administration met with ETR staff and explored alternative methods to address concerns around whistling; ETR's responses are summarized below:

- **Ceasing or limiting nighttime operations in the area of concern.** This would directly address concerns about nighttime noise, but would also directly impact ETR's operations, revenue, and ability to meet customer needs. ETR staff have indicated that they would not support this option.
- **Reducing locomotives' horn volume.** Federal rules set the minimum volume of locomotive horns; ETR staff have indicated that their horn volume is regularly measured and adjusted to be as close as possible to the required minimum volume.
- **Exploring alternative mounting locations for locomotive horns.** Normally, horns are placed on top of the locomotive cab. In at least one case (American commuter rail operator Caltrain), horns were relocated to the underside of the locomotive to minimize neighbourhood disturbance while still complying with American federal law. ETR staff have indicated that they will explore whether this change would be compliant with Canadian operating rules and whether it would be feasible on their equipment.

Risk Analysis:

No critical or significant risks are associated with this informational report.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

No expenditures are recommended by this informational report.

The estimated cost to install warning systems at the Benjamin Avenue and Hall Avenue grade crossings is in the range of \$3,000,000. It is likely that other crossings along the corridor would need upgrades to meet the standards for whistling cessation. Should Council direct that whistling cessation be pursued further, a detailed review of each grade crossing would be needed to determine any required upgrades and the associated costs.

Should Council choose to proceed with consideration of installing a warning system at Benjamin Avenue or Hall Avenue, or of closing Hall Avenue, a separate report to Council will be prepared to outline the associated costs and identify a source of funds.

It is important to note that there are no budgets in the current 10-Year Capital Plan to fund these initiatives.

Consultations:

Brian Nagata, Planning

Conclusion:

As directed by CR30/2023, Administration engaged with the Essex Terminal Railway to begin the whistling cessation process for their rail crossings between Howard Avenue and Walker Road. Based on a preliminary review and discussions with ETR, whistling cessation is currently not feasible in this area.

Planning Act Matters:

N/A

Approvals:

Name	Title
Shawna Boakes	Executive Director of Operations and Deputy City Engineer
Cindy Becker	Financial Planning Analyst
France Isabelle Tunks for Chris Nepszy	Commissioner of Infrastructure Services and City Engineer
Joe Mancina	Commissioner of Corporate Services and Chief Financial Officer

Name	Title
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Councillor Mark McKenzie		
Tony De Thomasis, President and CEO Essex Terminal Railway	1600 Tecumseh Road East Windsor ON N8W 1C5	
Requesting resident (contact details provided to Clerks)		

Appendices:

N/A



Subject: South National Street (Pillette to Jefferson) Traffic Calming - Ward 8

Reference:

Date to Council: March 29, 2023
Author: Jeff Hagan
Transportation Planning Senior Engineer
519-255-6100 ext 6003
jhagan@citywindsor.ca
Public Works - Operations
Report Date: March 1, 2023
Clerk's File #: ST/13863

To: Mayor and Members of City Council

Recommendation:

THAT Report S 27/2023, "South National Street (Pillette to Jefferson) Traffic Calming," **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

South National Street was identified as a candidate for traffic calming based on a resident service request received in October 2019. In response to this request, a traffic calming review was carried out. South National Street was confirmed to meet the speed and traffic volume criteria for traffic calming.

In December 2020, a survey was carried out for a one-block segment of South National Street to confirm sufficient resident support to proceed with a detailed study; the notification letter is provided as Appendix A. This survey met the approval threshold (required support: 25%; achieved: 50%) and a detailed warrant & prioritization review for the full project area (Pillette Road to Jefferson Street) was carried out in May 2021. Based on the results of this review, South National was placed in the prioritization list for traffic calming studies. South National reached the top of the prioritization list in October 2021 and development of a traffic calming plan was initiated.

Discussion:

Development of the traffic calming plan took a number of key factors into account, as summarized in Table 1.

Table 1: Key Issues and Design Constraints

Factor	Details	Implications
Key Issues for Traffic Calming		
Traffic Speed	<ul style="list-style-type: none"> Speed limit: 50 km/h 85th percentile speed: 67 km/h 	These results indicate a high degree of speeding.
Traffic Volumes	<ul style="list-style-type: none"> 11,600 vehicles per day Target maximum traffic volume (Class 1 Collector): 6,000 vehicles per day 	These results indicate high traffic volumes for a street of this classification.
Cut-Through Traffic	<ul style="list-style-type: none"> 37% percent of traffic on South National does not have its origin or destination in the surrounding neighbourhood 	These results indicate that a significant amount – though not a majority – of the traffic on South National is cut-through traffic.
Collision History (2015-2019)	<ul style="list-style-type: none"> In the 5-year history, 17 collisions reducible by traffic calming were identified in the project area. The largest cluster (8 collisions) was at the South National / Jefferson intersection – a collision pattern involving left-turning vehicles was identified. 	These results indicate that traffic calming along the corridor would likely be effective at reducing collisions, and also that addressing the collision pattern involving left turns at the South National/Jefferson intersection should be considered a key goal for the traffic calming plan.
Key Design Constraints		
Road Classification	<ul style="list-style-type: none"> South National Street is a Class 1 Collector road 	South National Street is intended for relatively high volumes of traffic. Displacement of traffic onto nearby local streets would not be a desirable outcome.
Roadway Type	<ul style="list-style-type: none"> East of Norman Road, South National Street has a rural cross-section (i.e. ditches without curbs or catch basins) and gravel shoulders or no shoulders 	The rural cross-section of South National Street limits which traffic calming measures would be appropriate.

Factor	Details	Implications
Transit	<ul style="list-style-type: none"> Existing: transit route (Ottawa 4) on South National between Pillette and Ford Future (Transit Master Plan): no change to current routing in the project area. 	The traffic calming plan should accommodate transit buses between Pillette and Ford, including bus turning movements at intersections where the transit route turns off of South National.
Cycling	<ul style="list-style-type: none"> Existing: multi-use trail along the north side of South National. East of Norman, the trail is at road level. Future (Active Transportation Master Plan): no change 	<p>The traffic calming plan should be compatible with existing and future cycling infrastructure.</p> <p>The traffic calming plan should be designed to ensure that drivers do not drive on the multi-use trail to avoid traffic calming measures.</p>

Traffic Calming Plan and Public Open House

The traffic calming plan that was developed and presented to the public at the December 5, 2022 public open house included the following features:

- Installation of a median on Jefferson Boulevard at South National Street to prevent left turns;
- Speed tables along South National Street;
- Traffic calming curbs between South National Street and the adjacent multi-use trail;
- A pedestrian crossover on South National Street at Westminster Avenue; and,
- An uncontrolled cyclist crossing on South National Street at Balfour Avenue.

The presentation boards can be seen in Appendix A.

18 residents filled out the sign-in sheet at the public open house.

Residents were invited to express their opinion on the traffic calming plan presented and provide additional comments, if any. Feedback was accepted by comment forms at the open house as well as via 311 and online poll following the meeting. A summary of feedback received is provided in Appendix B.

Approval Poll

An approval poll of residents and business owners in the project area was carried out from January 25, 2023 to February 26, 2023. Respondents were invited to contact 311

or complete an online survey form. The notice letter, including the traffic calming plan presented for resident approval, is provided in Appendix C.

Residents were notified of the approval poll by a variety of methods:

- Mailouts to all property owners and tenants in the project area (January 25, 2023)
- One round of social media posts, geo-targeted on the postal codes for the project area (January 2023)
- Notification signs posted on South National Street

The results of the poll are summarized in Table 2. As noted, the resident approval criteria are not met; therefore, it is recommended that the traffic calming plan not be implemented.

Table 2: Approval Poll Results

Criteria	Minimum Required	Received	Criteria Met?
Response rate	50% response (78 out of 156 households & commercial properties)	12% (19 out of 156)	No
Level of support	60% of respondents voting “yes”	26% “yes” (5 out of 19 responses)	No
Overall	Both Criteria Above Are Met		No

An additional 58 responses were received from people outside the project area. Of these responses, 45% (26 responses) were in favour of the traffic calming plan. These responses from outside the project area are not included in Table 2.

In addition to a “yes” or “no” vote on the traffic calming plan, the poll provided an open-ended question where respondents could provide comments. The comments provided are attached as Appendix D.

Next Steps

Elements of the traffic calming plan may still be able to proceed separate from the Traffic Calming Policy process:

- **Pedestrian crossover on South National at Westminster:** can be prioritized against other pedestrian crossovers as a standalone project, or be installed at the time that the future active transportation railway grade crossing on the Via line at Westminster is installed.
- **Uncontrolled cyclist crossing on South National at Balfour:** can be installed as part of the future Reginald Street bikeway project.

- **Physical separators between multi-use trail and South National travel lanes:** can be prioritized against other projects in the Active Transportation Master Plan.

South National Street will be eligible for a new traffic calming review 3 years after this most recent review.

Risk Analysis:

The analysis for the traffic calming plan identified locations in the project area where traffic calming would provide a safety benefit and a likely reduction in collision frequency. If the traffic calming plan is not implemented, these likely benefits will not be realized.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

No expenditures are recommended by this report.

The estimated initial cost to install the South National traffic calming plan is \$517,000. Although not recommended to proceed, Should Council direct that this traffic calming plan be approved, it would become a priority over other plans currently under consideration. There currently is approximately \$545,000 in uncommitted funding in the Traffic Calming Capital Project available to implement the for traffic calming plans. This would be sufficient to fund the South National traffic calming plan. Funding for additional plans would be referred to future capital budgets.

Consultations:

Staff Consultation

The following departments were consulted during the development of the traffic calming plan:

- Operations
- Engineering
- Traffic Operations
- Operations – Maintenance

- Essex Windsor EMS
- Windsor Fire Rescue Services
- Windsor Police Service
- Transit Windsor
- Human Resources (Accessibility Coordinator)

Public Consultation

Key points of public consultation were as follows:

- Public open house (December 5, 2022)
 - Notification for the public information centre was by mailout to all property owners and tenants in the project area and geo-targeted social media posts.
 - Presentation boards were posted to the City website.
- Mailout to all property owners and tenants in the project area (January 25, 2022)
- One round of social media posts, geo-targeted on the postal codes for the project area (January 2023)
- Notification signs posted on South National Street

Conclusion:

Because the approval poll for traffic calming on South National Street between Pillette Road and Jefferson Boulevard failed to meet both the minimum response rate and minimum level of support given in the Traffic Calming Policy, Administration recommends that the traffic calming plan not be approved.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator
Shawna Boakes	Executive Director of Operations & Deputy City Engineer
Chris Nepszy	Commissioner of Infrastructure Services and City Engineer
Joe Mancina	Commissioner of Corporate Services and Chief Financial Officer
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email
Councillor Kaschak		
Windsor Bicycling Committee		
Area residents and survey respondents (list provided to Clerks)		

Appendices:

- 1 Appendix A - Public Open House Display Boards
- 2 Appendix B - Feedback Summary - Comment Period Following Public Open House
- 3 Appendix C - January 25, 2023 Letter to Residents - Approval Poll
- 4 Appendix D - Approval Poll Open-Ended Responses



South National Street Traffic Calming

Pillette Road to Jefferson Boulevard

December 5th, 2022 – Public Open House
4:00 PM – 8:00 PM

What is Traffic Calming?

Traffic Calming is the implementation of mainly physical measures to:

- Reduce negative effects of motor vehicle use
- Alter driver behaviour
- Improve conditions for non-motorized street users



The objective of Traffic Calming are to:

- Reduce vehicle speeds
- Reduce cut-through traffic volume
- Reduce the number and severity of collisions
- Improve the neighbourhood environment

Background on South National Street

The speeding on South National Street from Pillette Road to Jefferson Boulevard were the original concerns.

The City reviewed the volume, speed, and other data such as collisions and general demographic of the area to determine that South National Street qualified for traffic calming measures.



South National Street at Westminster Boulevard (looking East)



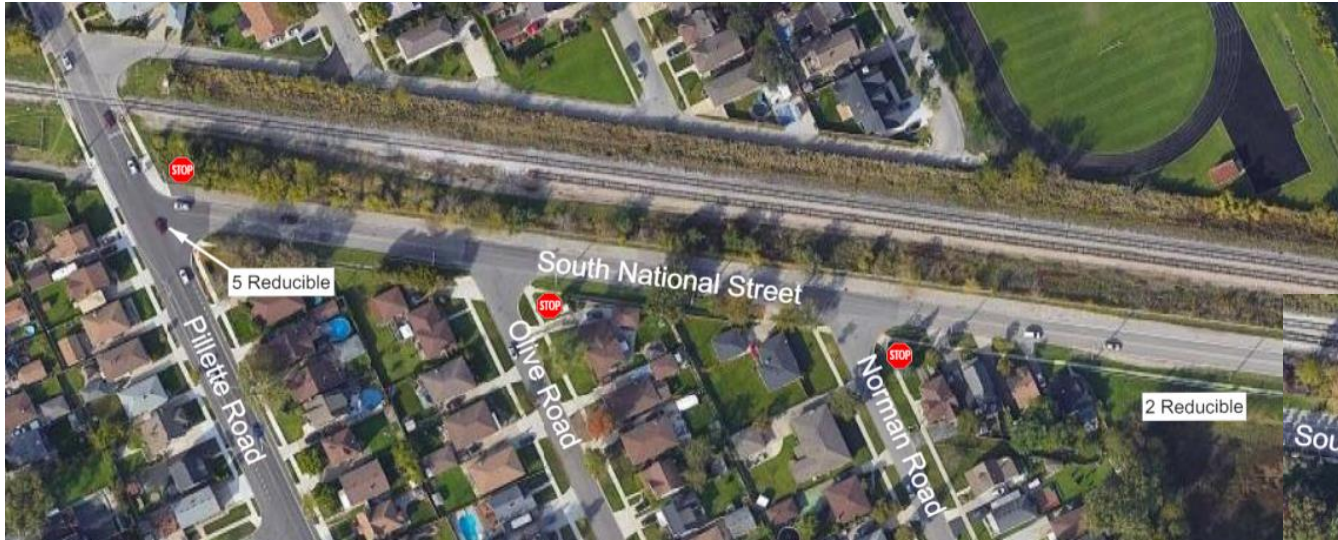
South National Street West of Jefferson Boulevard (looking East)



South National Street (looking West)

South National Street - Collisions Data (2015-2019)

Pillette Road to Norman Road



At Jefferson Boulevard



Polonia Park Place to Ford Boulevard



South National Street - Speed & Volume Data

Vehicles Per Day	Speed Limit	85 th Percentile Speed
11,573	50 km/h	67.0 km/h

South National Street – Cut Through Traffic

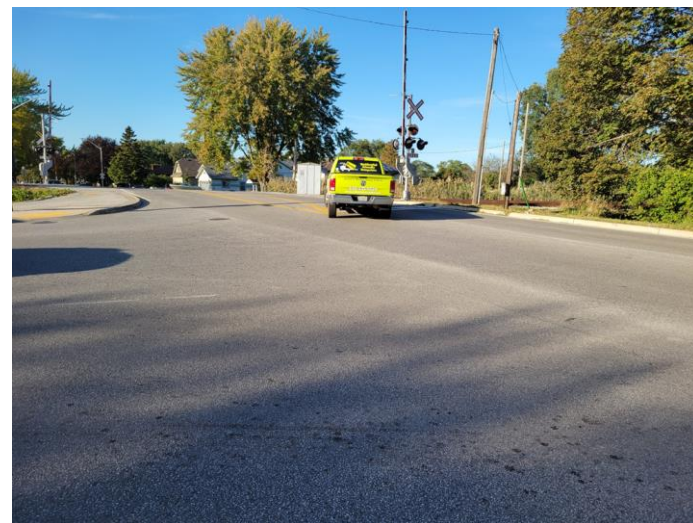
Based on our analysis we have found that 37% of the traffic volume is cut through traffic.



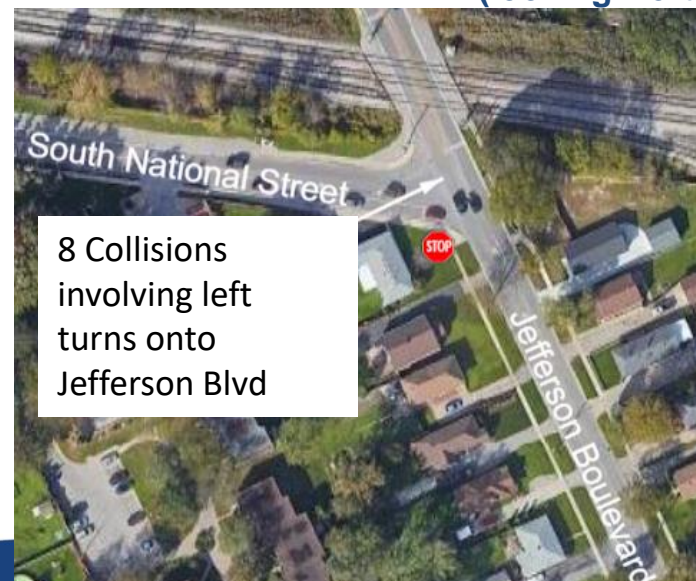
- To reduce speed and traffic volume the city is proposing to add **speed tables** from Pillette Road to Jefferson Boulevard along with **traffic calming curbs and planters**.

South National Street at Jefferson Boulevard

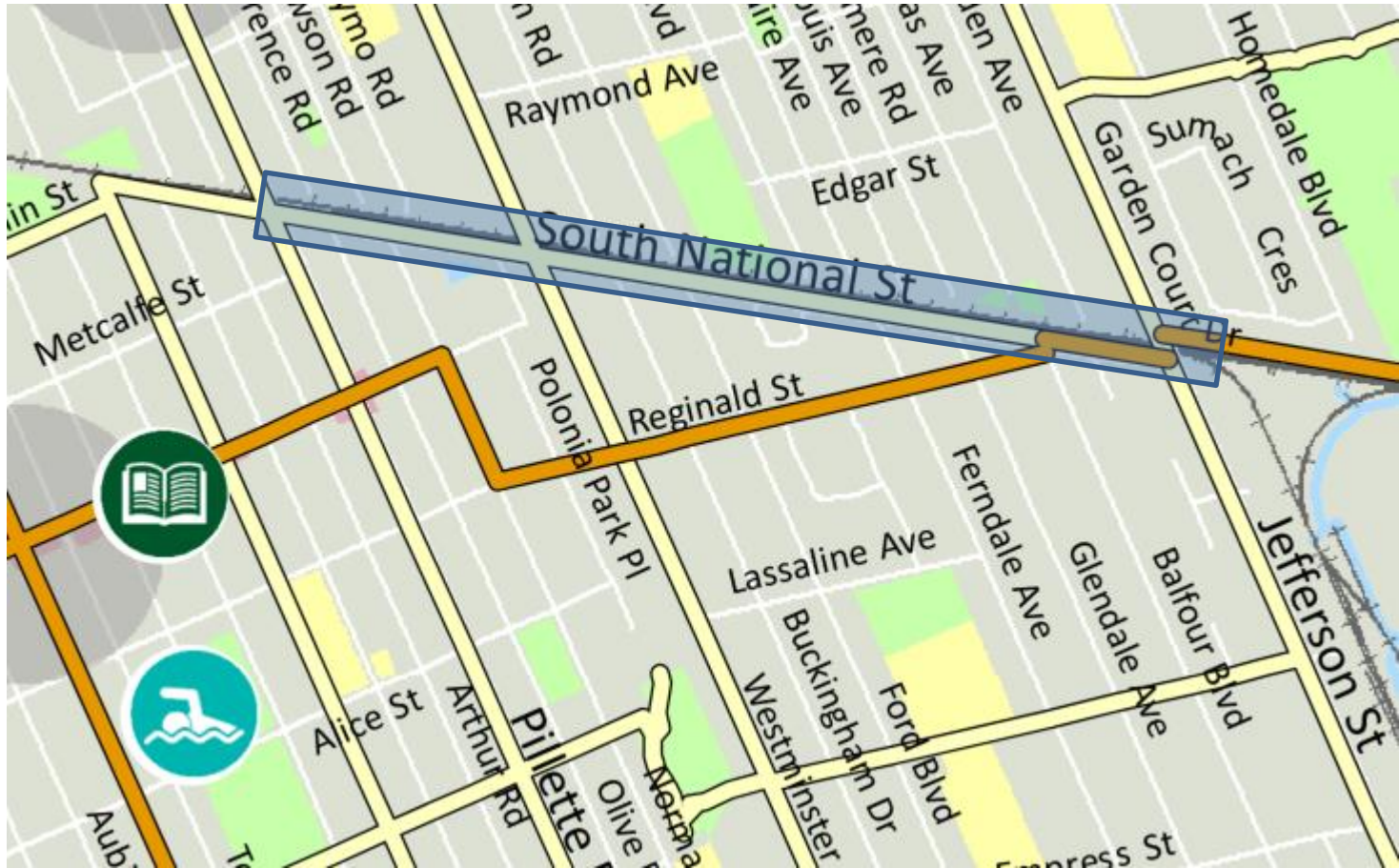
- A sight line review was completed at the intersection of South National Street and Jefferson Boulevard. As a result the city improved the grade of the road on Jefferson Boulevard in 2016.
- However, our current data suggests that the sight line issues are still present and has resulted in a number of left turn collisions.



South National Street at Jefferson Boulevard
(looking North)



South National Street - Active Transportation



- Study Area
- Downtown Grid
- Regional Spine
- Connector

South National Street - Active Transportation

As shown in the active transportation master plan, there are two locations where future cycling facilities are crossing South National Street.

- Westminster Avenue (including a future rail crossing for pedestrians and cyclists)
- Reginald Street / Balfour Boulevard

The city has taken this into consideration and has proposed for a **pedestrian crossover** at Westminster Avenue and an **uncontrolled crosswalk for cyclist only** at Balfour Avenue.

South National Street – Key Issues

- Based on the review, the study team identified the following key issues to be addressed with the traffic calming plan:
 - Left turn collisions at Jefferson Boulevard & South National Street
 - Speeds on South National Street
 - Cut-through traffic on South National Street

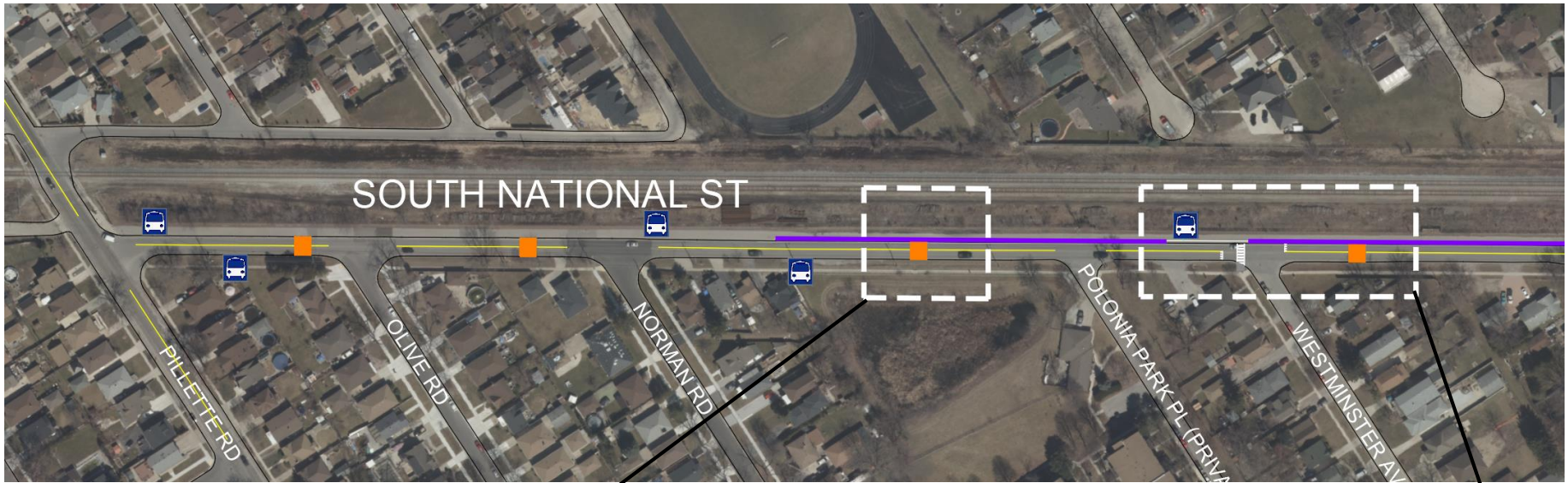
South National Street - Proposed Concepts



- Adding **speed tables** from Pillette Road to Jefferson Boulevard
- Adding a **pedestrian crossover (PXO)** at Westminster Avenue
- Adding an **uncontrolled crossroad** for cyclists only at Balfour Boulevard
- Adding a **1m buffered lane with planters** and **traffic calming curbs** from Norman Road to Jefferson Boulevard.
- Adding a **median** to remove **left turns** at Jefferson Boulevard

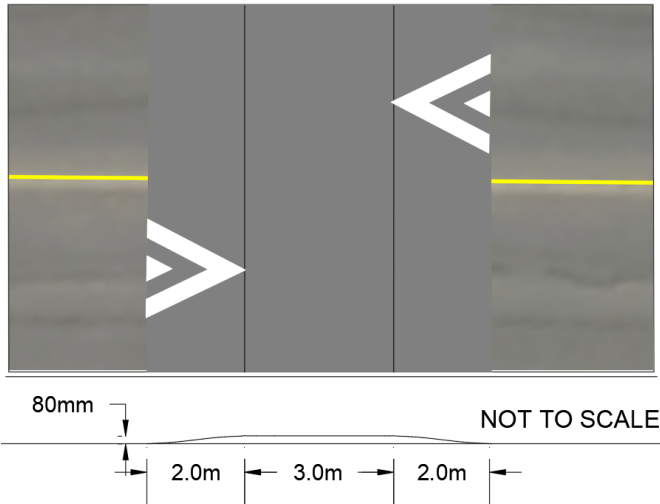
- The estimated construction cost is approximately \$ 517,018.86

South National Street – Pillette Rd to Westminster Ave (Section 1)

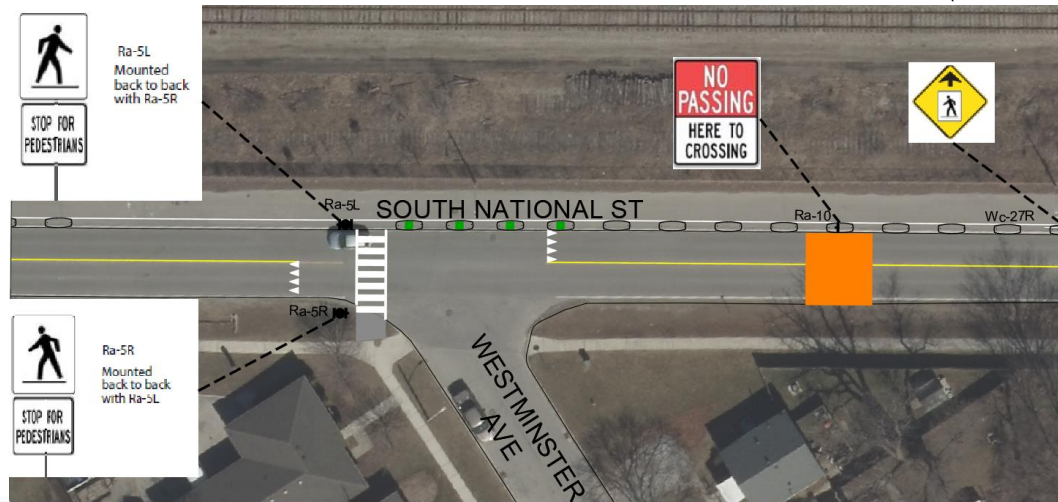


1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

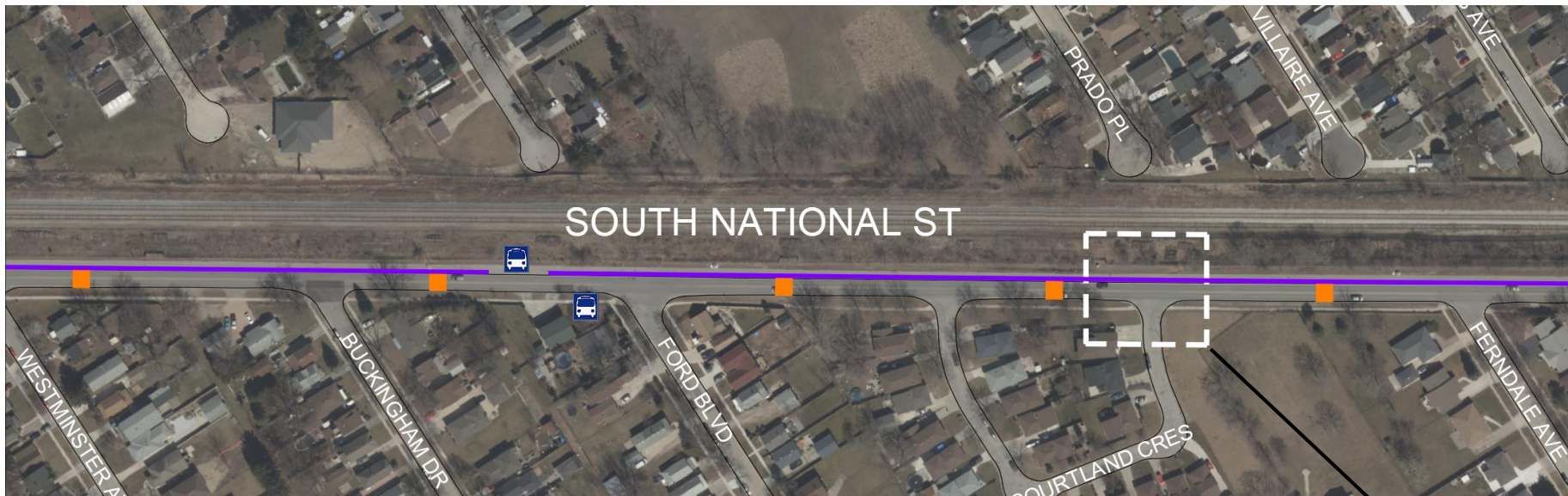
Speed Table



Pedestrian Crossover at Westminster Ave

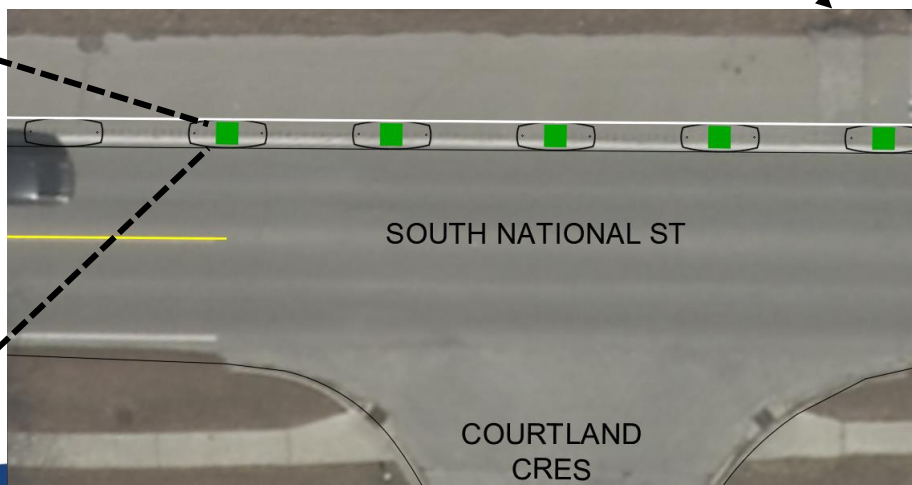


South National Street – Westminster Ave to Ferndale Ave (Section 2)



1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

Traffic Calming Curbs with Planters



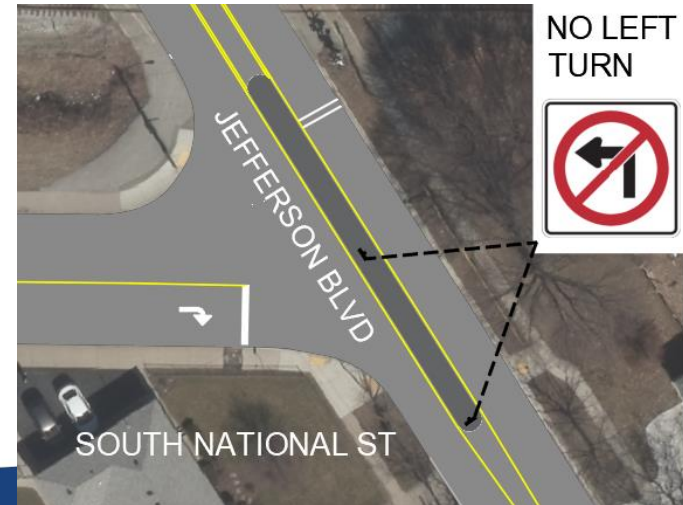
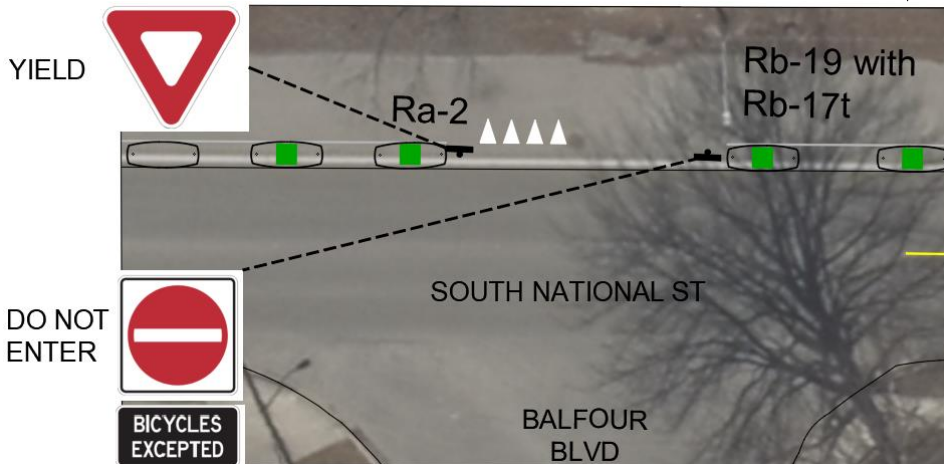
South National Street – Ferndale Ave to Jefferson Blvd (Section 3)



1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

Median at Jefferson Blvd

Uncontrolled Crossing for Cyclist at Balfour Blvd



South National Street – Next Steps

Review feedback from residents and stakeholders

Please provide feedback by January 9, 2023

Finalize the Traffic Calming Plan

Resident Approval Survey

Report to Environment, Transportation and Public Safety Standing Committee

Council Approval

Thank You!



South National Street Traffic Calming

Pillette Road to Jefferson Boulevard

Please provide comments by January 9th, 2023

<https://tiny.one/southnationalsurvey>



Appendix B

Feedback Summary – Public Open House December 5, 2022

South National Street (Pilette to Jefferson) Traffic Calming

This summary reflects comments received at the public open house and during the subsequent public comment period (December 5, 2022 to January 9, 2023). Residents were able to provide comments by:

- Paper form (in person at the PIC)
- Online survey
- 311 (by any of the methods available to contact 311)

Survey questions were the same for all response methods. 39 responses were received, though not all respondents answered all survey questions.

The survey asked respondents to rate their support for features of the proposed traffic calming plan on a scale from “strongly disagree” to “strongly agree”. Responses are summarized in Table 1. Percentages may not total to 100% due to rounding.

Table 1: Response Summary – Post-Open House Survey

<i>Please Express Your Opinions on the Proposed Traffic Plan:</i>	Response				
	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Speed Tables from Pilette Rd to Jefferson Blvd	8% (3 responses)	0% (0 responses)	15% (6 responses)	18% (7 responses)	59% (23 responses)
Adding a Median at Jefferson Blvd and removing left turning lanes	26% (10 responses)	18% (7 responses)	11% (4 responses)	18% (7 responses)	26% (10 responses)
Pedestrian Cross-over at Westminster	5% (2 responses)	11% (4 responses)	11% (4 responses)	32% (12 responses)	42% (16 responses)
Uncontrolled Crossing for Cyclists at Balfour Blvd	11% (4 responses)	0% (0 responses)	39% (15 responses)	29% (11 responses)	21% (8 responses)

The survey also included an open-ended question to allow respondents to provide comments on the proposed traffic calming plan. Responses that were provided to this question are given in Table 2.

Table 2: Open-Ended Survey Responses

<i>Do you have any comments about the design concepts?</i>
Live almost at corner of Jefferson and S National. Have heard accidents and near-misses for decades. Urged City in the past to investigate having traffic light co-ordinated with train times at this corner but realize that is impossible due to huge expense. Happy to see something now being discussed to make this area safer, but sorry there may be no L turn from S National heading N on Jefferson.
Living 1.5 blocks from southnational , i make a left turn from jefferson every single day to get to work. Blocking this will add 5-10 minute longer commute
Taking away the left turn will cause all traffic wanting to turn left, will turn right and use our houses driveways as the left turn. This now happens when there is a train crossing the tracks. This would be unacceptable and no way to be able to stop this from happening.
All this money to what? You offer stopping left turns at Jefferson? Where does all the extra traffic go? THIS is the only thing that should physically be fixed.
Taking away the left turn lane on Jefferson is an idiotic idea. A couple of speed bumps for traffic traveling south placed about seven apart would reduce speeding at that intersection.
In my opinion South National is great for efficient westbound Jefferson to Pillette traffic(avoid many lights on Tec. or Wyandotte) the road is underused,and surprising has few speeders(with little or no police presence/enforcement). The angle of South N. allows left hand turns from Jefferson to be made at a decent speed, rather than starting from standing stop when turning north on jefferson from SN ...I'm VERY MUCH OPPOSED to prohibiting lefts onto SN from Jefferson....I suspect southbound Jefferson through speeders are the leading cause of accidents here. If lefts are banned from Jefferson onto SN, essentially SN would become a one way street. I'm guessing a high percentage of westbound SN traffic is from end to end, rather than neighbourhood street traffic emptying onto SN. I don't think speed tables(mini speed bumps) are needed because again I rarely see speeders on SN...Again all of these are my anecdotal point of views, your stats may vary lol
A problem: Due to the removal of the left turn onto Jefferson, I think many people will go down to East Gate Estates (Lassaline entrance) to perform a turn-around and cause further traffic issues. A traffic light could be the answer instead.
No left turn at Jefferson, will redirect the traffic to residential streets, which will increase traffic and speed on the streets. If the hill at the tracks was removed left turn's would not be an issue.
At the open house, one of the posters showed a raised median where the current left turn lane is located. Our driveway exits onto South National. From what I saw and was told that I would only be able to turn right. That is unacceptable. We need at cut-away in that median to allow us to turn left onto South National.
I love any improvement to South National. When the bike/walking path was added it helped with pedestrians and bikes having to cross to the south side of SN.
Uncontrolled, wrong we need flashing light system where pedestrian push button, lights start flashing. Especially at night time and worse late October to late March when sun up and sun down it is dark out. This could have been on a display board; "How the Field's control Railways" because my first response was to put lights on both ends of South National. Kind man explained how Transit Canada controls/over rides what can and can not happen plus there would have to be a section of land or median 50m from the tracks before any stop lights are considered. That was something new for me and could have been presented. Also, DROP THE SPEED DOWN TO 40KM/H.
Glad something is being done
Much needed changes to the intersection at Jefferson and South National. I work in the area and travel these roads frequently and see issues often. I think these changes will be very helpful!

<i>Do you have any comments about the design concepts?</i>
I like the idea of traffic calming on South National but it is just such a convenient cut through, which I know you are all trying to prevent. Safety first! I think we all appreciate a safer street especially neighbours
Glad to see the bike/pedestrian lane protected. Removing the left turn will help make it safer.
Happy to see protected paths
We think it's a good plan.
Great ideas, the addition of a median at Jefferson seems so basic and we should have implemented this decades ago.
Absolutely ridiculous, my question is how much did this survey already cost us.
Better than expected!
<ol style="list-style-type: none"> 1. Uncertain about the "Uncontrolled " crossing for cyclists - what is the level of safety for the cyclists? 2. With the addition of a median at S.National & Jefferson will northbound traffic on Jefferson move over to Balfour Blvd in order to make a left turn onto South National? (also creating more of a safety issue for cyclists at the uncontrolled crossing at Balfour?)
Speed bumps only work if people slow down
Jefferson should have a controlled traffic light at south national to ensure safety left turns, and will slow cars flying over the tracks which are hard to see at times.
So we put in these tables that know make a new obstacle to avoid at high speed. Great ! Crossing is not the issue. If you wait a bit , the traffic will allow for crossing. I do this daily. I have seen so many accidents from motor vehicles and motorcycles that it is tragic. None of these suggestions in my mind will make any difference with people who decide to use it as a raceway. Too long a stretch without a full stop. Road is far too narrow for a median. Plus, that won't make a difference speeding.

January 25, 2023

**RE: APPROVAL POLL
Traffic Calming Plan – South National Street (Pilette Road to Jefferson Boulevard)**

Dear Resident,

We heard your concerns about the traffic safety on South National Street. As a result, a Public Open House was held to present a draft traffic calming plan to the public for feedback on Monday December 5, 2023. Below are the main features for traffic calming that we have proposed:

Traffic Calming Features	
• Speed Tables	• From Pilette Road to Jefferson Boulevard
• Traffic Calming Curbs and Planters	• Traffic calming curbs are from Norman Road to Jefferson Boulevard • Planters on the traffic calming curbs are located at the intersections
• Pedestrian Crossover	• Located at Westminster Avenue
• Uncontrolled Crossing	• Located at Balfour Boulevard
• Median	• Located at Jefferson Boulevard preventing vehicles from turning left onto Jefferson Boulevard and South National Street
Total Estimated Cost for Traffic Calming: \$517,000	

The plan will be brought forward to Council for consideration if the required level of residential approval described below is reached:

- A minimum of 50% of the households and commercial properties must respond within the polling area, and from this 60% must indicate their support for the Traffic Calming Plan.

Project related information including this document can be located at <https://tinyurl.com/tcalming> or search for “traffic calming” on the City website (www.citywindsor.ca).

To determine the level of support, we are asking neighborhood residents and property owners to respond by completing our survey online at <https://tiny.one/southnationalstsurvey>.



Alternatively, you can vote by calling 311:

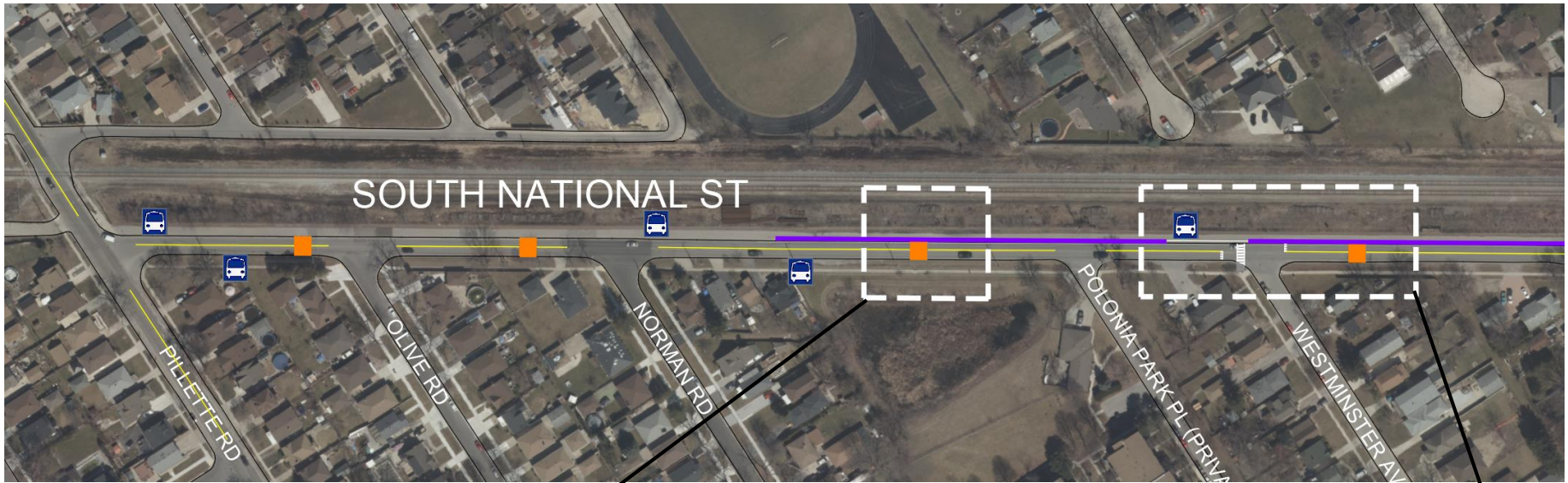
- Identify that you are calling about the South National Street traffic calming plan
- Provide your name and address
- Indicate whether you support the traffic calming plan

Note that the City’s 311 Call Centre is open from 8:00 a.m. to 5:00 p.m., Monday to Friday. The survey will be open until **February 26, 2023** (Only one vote per household will be considered).

If you have further comments or questions on this project, please do not hesitate to contact Shannon Deehan, Transportation Planning Coordinator, at 519-255-6100, ext. 6188 at your convenience.

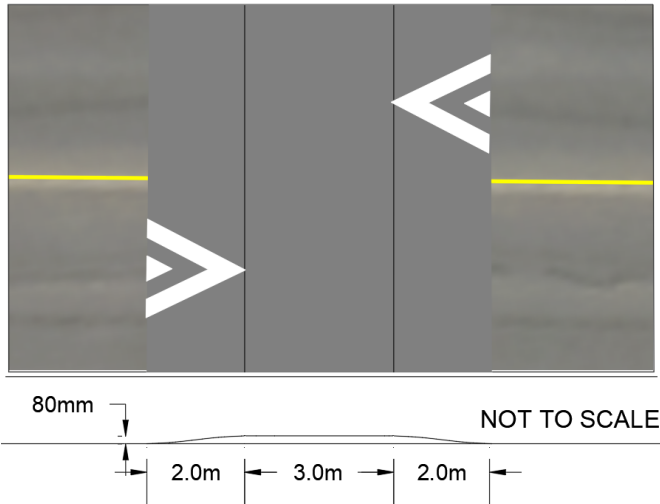
Yours Truly,
 Jeff Hagan, P. Eng, PTOE
 Transportation Planning Senior Engineer
 cc: Deputy City Engineer of Traffic Operations, Ward 8 Councilor

South National Street – Pillette Rd to Westminster Ave (Section 1)

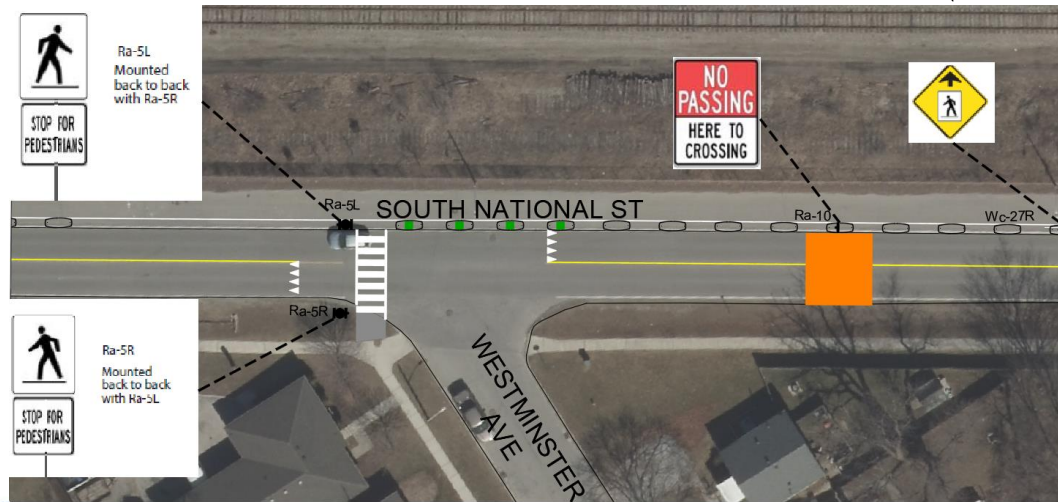


1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

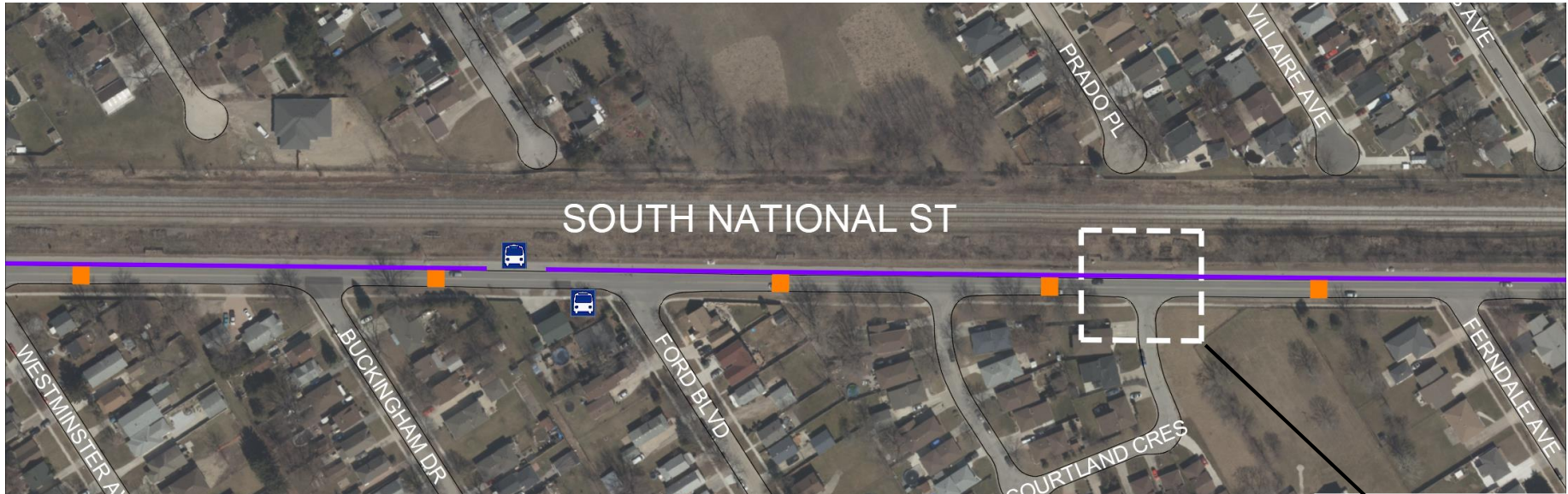
Speed Table



Pedestrian Crossover at Westminster Ave

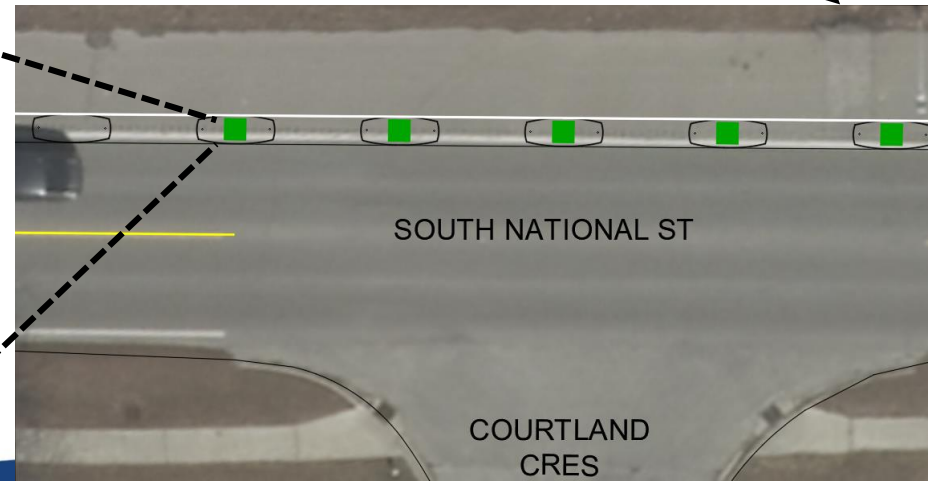


South National Street – Westminster Ave to Ferndale Ave (Section 2)



1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

Traffic Calming Curbs with Planters



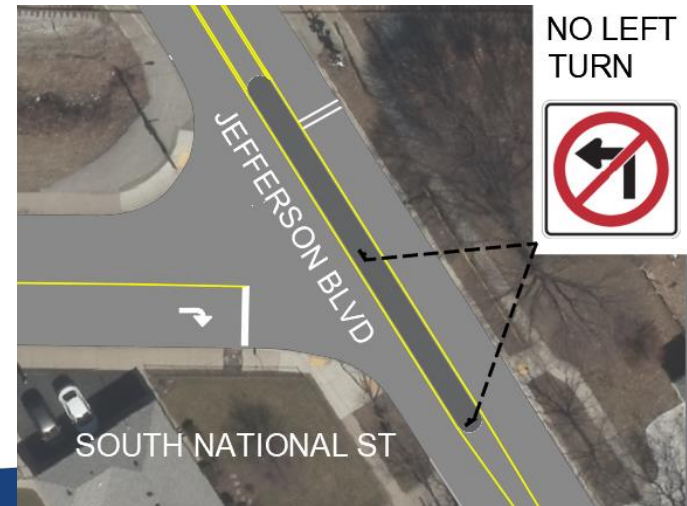
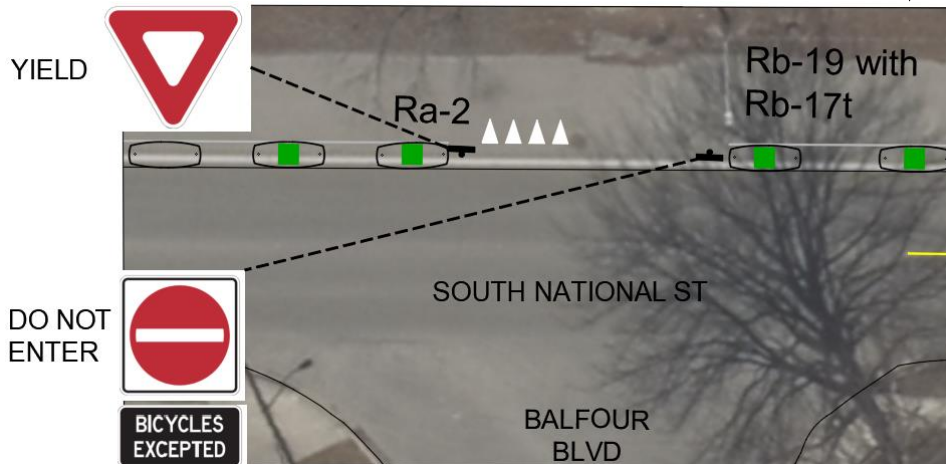
South National Street – Ferndale Ave to Jefferson Blvd (Section 3)



1m BUFFER WITH TRAFFIC CALMING CURBS; PLANTERS AT INTERSECTION

Median at Jefferson Blvd

Uncontrolled Crossing for Cyclist at Balfour Blvd



Appendix D

Approval Poll – Open-ended Question Responses

South National Street (Pillette to Jefferson) Traffic Calming

Do You Have Any Further Comments?
Not a good idea.
I travel quite regularly using Wyandotte east of Jefferson. The only options to access Wyandotte would be to drive west down South National to Pillette and down to Wyandotte to go east or turn right (because no left) onto Jefferson to Tecumseh to Lauzon Parkway to Wyandotte. This not only adds to time drive time but adds to fuel costs. Pillette north of the tracks is already congested at most times. This is the same issue with Jefferson south of the tracks. This area is already quite busy and backed up regularly. All this will do is make this problem worse. South National doesn't have a lot of traffic so I'm not sure why we need a crosswalk light. Myself and many others use the bike path to bike, rollerblade, walk our dogs ect. I've never seen anybody have trouble safely cross the street. Like I said we just don't have a steady traffic it's very sporadic. I do agree we need some barriers along the path but I'd prefer cement flower pots that could beautify the area. The reason this area has asked for this and traffic calming is not because of the amount of traffic that is on South National but those few that like to use this street like a drag strip. There is a small percentage because it is such a long street like to speed, do burn outs or just see how fast their bike/car can go. It happens all year long with the summer being the worst. You hear bikes screaming going full out and vehicles doing burn outs all hours of the night. I've also seen impatient drivers use the bike lane to pass vehicles that aren't moving fast enough for them. The bike lane is used a lot and sooner or later someone is going to get hurt. We used to have a regular police presence on South National which curbed this behavior...I know because they would park on our corner on Courtland. It's not that we need fewer vehicles using South National, we need to control those that seem to think it's their personal drag strip.
The people cannot turn left from South National to Jefferson and that is how she would get out of her driveway.
Typical of the city doing things the hard way . Why not just put a light at Jefferson. I use this route frequently and if Jefferson traffic going North used their turn signals properly,I think there would be far fewer accidents. I personally never have seen a single accident. I do think people travelling on Jefferson travel a bit to fast while those on South national usually don't speed in my view...My opinion is the city is fixing things that aren't broken....It is also a waste of taxpayer dollars....!
I live on the north side of the south national tracks and something has to be done , it's like a mile long drag strip and it goes on nightly , put in speed bumps !
When can we expect it to proceed
Area residents will be forced to use the dangerous Wyndotte/Pillete intersection to access the Riverside area if you take away the left turns at Jefferson.
I frequently turn left off Jefferson onto South National.
An additional railway crossing is needed as well as a light at this crossing
To add to my previous comments, speeding isn't really an issue here, there are only FIVE houses and 1 commercial property fronting on this entire 1 mile stretch of Jefferson->Pillette..to lose the ability to travel easily and quickly from Jefferson to Pillette, means longer travel times(by needing to deal with traffic and traffic lights on Wyandotte or Tecumseh) and needless idling /wasting gas. Why would we do this when have a perfectly flowing east/west artery route. This would also create more traffic/congestion on both Wyandotte and Tecumseh....Who would benefit??? the people in the FIVE houses???What would be the advantage of doing this???? sincerely Robert Collins
Speed tables - No; Barriers along the walkway on the North side of South National adjacent the rail road for pedestrian safety - Yes; Restricting left turns onto Jefferson - No; Addressing sightline issues at Jefferson and South National - Yes
There should be small more gaps in the traffic calming curb to allow easier access to the protected area for people walking and wheeling. People in wheelchairs can't simply step over the curb.

Why not just put an advanced green traffic signal at Jefferson?
I love the no left turn from S National St to Jefferson. Not sure the effectiveness of the planters, but I like the idea of engineered roads to reduce speeds rather than just posting signs and painting lines.
There should traffic calming throughout the entire city. It's ridiculous the amount of accidents and pedestrian fatalities in this city due to bad driving!
Need 3 way stop at Balfour & Coronation. Because Coronation deadends at Balfour people assume there is a stop sign for Coronation. Been almost hit a few times because people expected me to stop.
I live on the other side of the train tracks and especially during the warmer months we can hear cars and motorcycles racing down south national all the time.
This whole project and road are being thrown out the window for how it was intended and used for. The road was installed, to stop people from cutting across CNR (now VIA Rail) property and give access to Tecumseh road and Tecumseh. The road was only put into place from Pillette to Jefferson, as their was building constraints from George ave to Pillette. The road let users get to the town of Tecumseh and Green Giant and other areas. This was before Wyandotte went through and Riverside was having high potential of flooding over. The whole idea was to make the ease of getting from Walkerville to the Warehouse houses was easy route and between and not have a problem. Now move ahead 50+ years, we have changed somewhat, but still Wyandotte does not go into Tecumseh without a zigzag and it goes into neighborhoods, not into the core, Riverside is very residential, while south national is by it self and minimal housing and is a bypass and goes between 2 main arteries. Removing the left, just moves the users to go to Wyandotte at Jefferson. You also have to realize the secondary use of South National was to connect to Seminole/Shepard (originally called Seminole to the west end). Yes the mini zigzags help people get around and also not worry about the wyandotte viaducts and the original design of wyandotte as a 2 lane road for most of Riverside to past pilette village to Walkerville and to the city core. Maybe instead of taking the left turn out, put a street light at Pilette and Jefferson on both ends. It will help the left turn people. Maybe work with Via Rail and also take out a couple houses and widen the Jefferson and South National corner, add-on a street light and work with the railroad. Most accidents happen at Jefferson and South National, after a train has cleared or a train is working around the crossing and the gates go up and down and people are at a rush. Work with Via Rail to fix that. Yes adding in big speed bumps might help, but putting in a 3 way stop at Ford Ave is good and maybe 1 more along that route, to help slow down people. Look at those options. Lots of things can be done and fixed with out major changes.
I believe this would cause other disturbance issues, rerouting traffic with much more difficulties. I believe Balfour St. would become a raceway as well as other neighbouring streets and be a credible danger to residents and children. This calming proposal would only create more congestion in other areas less equipped to handle to on slot of additional traffic in otherwise calm residential streets which I'm sure is unacceptable to a greater number. This is definitely not beneficial for East Gate Estates residents to which there are 125 units. In particular parking lot #'s 1 & 2 where there are at least 30 units left unable to access from Jefferson Ave. This is not the correct answer.
Your proposal for no lt. turns will not work until people stop speeding over the tracks. Getting out of our driveways can be a problem. We can't see them until they are on top of the tracks and then they are going so fast that they start laying on their horns. Also they are going to start turning around in our driveways, which they do already when there is a train.
I support most of the measures However I do not agree with eliminating left hand turns onto South National from Jefferson.
He has a few questions about the diversion of traffic before he can change his opinion
We are all for it!!! should have come sooner
I drive South National every day to and from work. I do not witness cars speeding recklessly during my commute. Occassionaly there will be radar traps set up that seem to keep the drivers in check. I myself (to be honest) will slip a bit past 50, but NEVER past 60 at anytime on the road.
I think it would be more effective to simply have a police officer who is ticketing offenders. I drive this street 5-10 times per week. Yes people speed. They drive in the bike lane. But I have never, in 22 years of living here seen a police officer on South national. Ever.
3 stop at jefferson and south national to many accidents
Pillete from Seminole to Riverside needs assessment. There has been pedestrians killed, and I watch Brennen high school students try to cross Pillete dangerously daily. Absolutely they drag race and speed down south national. Very dangerous. There needs to be better crossing at S. National and at Ontario.

As a person that uses this stretch for running and cycling, I am in strong support of the traffic calming plan. It will make it safer for the area, especially a new median at Jefferson and South National St. to prevent left turns.
No need waste of time and money
Though the radar provided by the police is quite adequate. It isn't effective enough because it isn't frequent enough. Installing speed bumps will result in damages to vehicles just doing the speed limit. Also those that use the road as a drag strip will lose control of their vehicles much easier
Some of the concepts here are good, but I don't think that removing the left turn from Jefferson onto South Nation will help traffic in the area. I think the main problem is the left turn from South National onto Jefferson. I take this route every day and you have a decent line of sight to turn onto south national, but it's really hard to see turning left onto Jefferson, you have to pull up well beyond the stop line on the road to even kinda see.
If left turns are prohibited from South National to Jefferson there will be rear end collisions from drivers attempting to turn around in driveways on the east side of Jefferson so they can go northbound. A traffic light would be better at this intersection.
I believe that instead of eliminating left turns at Jefferson, a tragic signal should be installed. Ever since I started driving 56 years ago, it was obvious that a traffic light was needed there, not just a flashing red/amber. Traffic at Pillette and Wyandotte turning right is dangerous with limited sight lines and busy at most hours. An alternative route is needed, going to the east. Train traffic and the occasional train blocking the Pillette route make another route to the east imperative.
The median on Jefferson to prevent people from turning left is how the residents get to their homes. This issue caller does not agree with it. The turn left from South National to Jefferson is more dangerous because the tracks are there and you cannot see the oncoming traffic. The traffic would just be re routed up Balfour. Survey completed by 311 staff
I live right on South National and cannot wait to see the improvements that will slow the traffic. Sometimes, I think a car is going to come right in my front room. So thank you sooooo much for doing all this work to make it safer on this street!!
I don't think they should stop the left hand turn off of Jefferson also there are to many speed bumps
We should be able to turn left onto South National from Jefferson instead of having to congest Jefferson at Wyandotte to drive west.
left hand turn from Jefferson to South National is his cause for disagreement- still wants to be able to make the left hand turn
major concern is the no left turn coming from Jefferson to South National.
I don't believe the turning left from Jefferson to South National should be taken away...this is only going to cause more gridlock and traffic at Jefferson and Wyandotte further up for anyone needing to turn left onto Wyandotte
Would support if not for speed bumps and median on Jefferson preventing left turn. That would effectively make the street unusable for most.
We do not agree with the proposed median at Jefferson and South National
311 on behalf of resident. Would support speed humps. USA has mobile bumps. Flexible and movable. This would be a good solution as they could be used where needed.
I would agree to the purposed speed tables, traffic calming curb and planters, crossover and crossings. I oppose the median at Jefferson as it restricts access to Wyandotte, potentially restricting emergency vehicle access. This would cause Pillette to become more congested with traffic and cause unsafe conditions for pedestrians and drivers alike.
No left turns at Jefferson. How far must one go when the only other cross streets to Wyandotte are Pillette or Lauzon. A cross walk for who ? People just cross at the ends of their streets . No one is walking all the way to this costly crosswalk when I can just cross over wherever? I have no idea what your speed table even means . I live on the corner and have never had an issue crossing. I do have a problem with the speeders and now we have city buses on this stretch of the road. Talk about traffic calming. How about we address all the cars that pull over and stop on the walkway on the railroad track side of the road with the walking / biking path.
if people are walking on the space between the railroad tracks and the street (pedestrians and cyclists) - a concrete barrier would be suggested

I like the planters. It's very annoying to see so many vehicles that park along the MUT. Also, the intersections at Jefferson and Pillette are extremely tricky for cyclists. I truly hope they will be tested by bike by the traffic folks planning these changes so they can experience this for themselves. I would never want any children to cross with their bikes at these two intersections.

Cars driving on the shared use sidewalk/bike path are an issue. Usually to pass someone turning left, but sometimes just because of inattentive drifting. It's very scary some times. Protected barrier is required to prevent death.

Subject: Panhandling Statistics re Council Question CQ 11-2022 - City Wide

Reference:

Date to Council: March 29, 2023
Author: Shelby Askin Hager
Commissioner, Legal and Legislative Services
519-255-6100 ext 6424
shager@citywindsor.ca
Legal Services, Real Estate & Risk Management
Report Date: March 9, 2023
Clerk's File #: ACOQ2023

To: Mayor and Members of City Council

Recommendation:

That the attached additional information relating to panhandling regulation and statistics **BE RECEIVED**; and,

That by-law ***, being a by-law to regulate panhandling, **BE CONSIDERED**, and, if advisable, **BE PASSED**.

Executive Summary:

n/a

Background:

At the Council meeting of July 11 2022, Councillor Francis asked the following question:

CQ 11-2022

That Administration report back to City Council regarding the feasibility of establishing a by-law that prohibits panhandling in residential, business, and tourism districts within the City of Windsor, including boulevards and pedestrian refuges.

A response to CQ-11 was presented on 30 January 2023, and by CR 36/2023 Council directed administration to bring forward a by-law for Council's consideration to reduce aggressive, intimidating, and dangerous panhandling practices

Council also requested statistics regarding tickets issued under the Ontario Safe Streets Act, as well as information about other Ontario municipalities with like by-laws.

Discussion:

Table 1: Charges Filed per Year by Agency in Windsor-Essex County

Year	Windsor Police Services	Leamington O.P.P.	Essex O.P.P.	All Agencies
2019	65	4	1	75
2020	23	15	0	16
2021	14	2	0	38
2022	75	0	0	70
All Years	177	21	1	199

Table 2: Paid and Unpaid SSA Charges per Year by Defendant Address

Defendant Types and Payment Outcomes	2019	2020	2021	2022	All Years
Total charges, Addressed Defendants	39	27	10	35	111
Paid charges	3	0	1	3	7 (6%)
Unpaid charges	36	27	9	32	104 (94%)
Total Charges, No Fixed Address Defendants	31	11	6	40	88
Paid Charges	2	0	0	1	3 (3%)
Unpaid charges	29	11	6	39	85 (97%)

Table 3: Total SSA Charges by Offender Frequency Type, 2019-2022

Offender Type	Number of Offenders	Total Charges Filed (%)
One-time Offender	45	45 (23%)
Two-time Offender	20	40 (20%)
Three-time Offender	4	12 (6%)
Four-time Offender	3	12 (6%)
Eleven-time Offender	1	11 (5%)
Thirteen-time Offender	1	13 (7%)
Eighteen-time Offender	2	36 (18%)
Thirty-time Offender	1	30 (15%)
All Offenders	77	199 (100%)

Table 4: Survey of Panhandling By-laws in Ontario Municipalities as of October 2022

Municipality	Population	Pop. Density	Findings
Ajax	126,666	1,900.8/km ²	No By-law
Barrie	147,829	1,493.1/km ²	No By-law
Guelph	143,740	1,644.1/km ²	No By-law
Kitchener	256,885	1,877.7/km ²	No By-law
Markham	338,503	1,604.8/km ²	Prohibits “loitering” and “any other activity that is likely to be unwanted or disturbing to persons” under Public Nuisance By-law 2018-55. Minimum fine of \$500 (AMP)
Oakville	213,759	1,538.5/km ²	No response received
St. Catharines	136,803	1,422.1/km ²	No By-law
Waterloo	121,436	1,895.7/km ²	No By-law
London	422,234	1,004.3/km ²	No By-law
Toronto	2,794,356	4,427.8/km ²	No response received

Risk Analysis:

There is no risk in receiving this information.

The risks related to passing a by-law to regulate panhandling include:

- **Effectiveness.** It is unknown as to whether this by-law will lead to a more effective curbing of dangerous or threatening behaviours. By-law officers will focus on compliance and education, and will work with social services to facilitate connection to community resources where desired.
- **Resource Risk.** At this time it is not expected that this by-law will require additional enforcement resources to address, but this cannot be confirmed until after enforcement commences and impacts can be assessed. This includes costs related to any prosecutions that may be undertaken.
- **Safety Risk.** Certain individuals may pose a risk to City staff engaged in enforcement. These situations will be referred to police for enforcement.

- Legal Risk. While there is a risk that a by-law regulating panhandling activities would be challenged, the likelihood of the by-law being successfully upheld is increased by restricting the regulation to the types of matters addressed in the Safe Streets Act, representing a balancing of the right to use of the sidewalk with the right to panhandle.

Climate Change Risks

Climate Change Mitigation:

n/a

Climate Change Adaptation:

n/a

Financial Matters:

There are no financial implications to the receipt of this report. As noted in prior reports, the extent of the effort needed to address this type of infraction is largely speculative at this point, but will not result in a need for additional staffing resources at this time. If the situation changes, Council will be advised through budget submissions.

Consultations:

Provincial Offenses Act Court

Municipal Survey

Conclusion:

Additional information is provided for Council’s consideration.

Approvals:

Name	Title
Shelby Askin Hager	Commissioner, Legal and Legislative Services
Onorio Colucci	Chief Administrative Officer

Notifications:

Name	Address	Email

Appendices:

- 1 Draft Panhandling Bylaw

BY - LAW NUMBER [REDACTED]

A BY-LAW TO ADDRESS AGGRESSIVE, INTIMIDATING
AND DANGEROUS SOLICITATION IN THE CITY OF WINDSOR

Passed the [XX] day of [XXXX], 2023.

WHEREAS section 8(1) of the *Municipal Act* 2001, S.O. 2001, c. 25, as amended, (the “Municipal Act”) provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

AND WHEREAS section 10(2) of the *Municipal Act* empowers a single-tier municipality to regulate matters and pass by-laws respecting the health, safety and well-being of persons of the municipality;

AND WHEREAS section 128(1) of the *Municipal Act* provides a municipality the authority to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS section 425(1) of the *Municipal Act* permits a municipality to pass by-laws providing that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS concerns regarding public safety and public solicitation practices in the City of Windsor have been raised at a number of public meetings of Council;

AND WHEREAS in the interest of public safety and community well-being and to avoid it becoming or continuing to be a public nuisance, the Council of The Corporation of the City of Windsor has deemed it necessary to regulate, abate and prohibit aggressive, intimidating and dangerous solicitation practices in the City of Windsor;

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

1 SHORT TITLE

1.1 This By-law may be referred to as the Panhandling By-law.

2 DEFINITIONS AND INTERPRETATION

2.1 In this By-law:

“**aggressive manner**” means a manner that is likely to cause a reasonable person to be concerned for his or her safety or security;

“**financial institution**” means a bank, credit union, cheque cashing business and trust company;

“**solicit**”, “**soliciting**” or “**solicitation**” means to request, in person, the immediate provision of money or another thing of value, regardless of whether consideration is offered or provided in return, using a spoken, written or printed word, a gesture or other means, for one’s self or for any other person;

“**street**” means any roadway, sidewalk, pedestrian refuge, boulevard, crescent, court, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians;

“**traffic control signal**” means a traffic control signal as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8

3 PROHIBITIONS

3.1 No person shall solicit in an aggressive manner or in a manner that causes an obstruction.

3.2 For the purposes of section 3.1, soliciting in an aggressive manner includes, but is not limited to:

- (a) soliciting involving threats or physical harm, by word, gesture, or other means;
- (b) soliciting involving abusive or intimidating language;
- (c) soliciting while intoxicated by alcohol or drugs; or
- (d) soliciting in a persistent or continuous manner, or proceeding behind, alongside or ahead of the person solicited.

3.3 A person who engages in any one or more of the activities in section 3.2 shall be deemed to be soliciting in an aggressive manner regardless of whether such actions occurred during the solicitation or after the person solicited has made a negative initial response to the solicitation, otherwise indicated a refusal or failed to respond.

3.4 For the purposes of section 3.1, “causes an obstruction” means to:

- (a) sit, stand or lie on a street in a manner which obstructs or impedes the convenient passage of any pedestrian traffic in a street, in the course of solicitation;
- (b) physically approach and solicit from a pedestrian as a member of a group of three or more persons;
- (c) solicit within 10 m of:
 - i. an entrance to a financial institution;
 - ii. an automated teller machine;
 - iii. a taxi stand or public transit stop; or

- iv. a public toilet facility.
- (d) solicit a person who is in or on a public transit vehicle;
- (e) solicit a person who is in the process of getting in, out of, on or off a motor vehicle or who is in a parking lot; or
- (f) while on a street, solicit a person who is in or on a stopped, standing or parked vehicle, including while the motor vehicle is stopped at a traffic control signal.

4 OFFENCE

- 4.1 Any person who contravenes a provision of this By-law, or who consents, allows or permits an act or thing to be done in violation of a provision of this By-law, is guilty of an offence, and shall upon conviction be liable to a fine and any other penalties as provided in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

5 SEVERABILITY

- 5.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

6 FORCE AND EFFECT

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

DREW DILKENS, MAYOR

STEVE VLACHODIMOS, CLERK

First Reading - [XX], 2023
Second Reading - [XX], 2023
Third Reading - [XX], 2023