CITY OF WINDSOR MINUTES

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, January 31, 2024
Time: 4:30 PM

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

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant
Rob Martini, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

Mark Winterton, Commissioner, Infrastructure Services & City Engineer (Interim)
Jelena Payne, Commissioner, Economic Development
Shawna Boakes, Executive Director of Operations / Deputy City Engineer
Stacey McGuire, Executive Director of Engineering / Deputy City Engineer
Matthew Johnson, Executive Director, Economic Development
Ian Day, Senior Manager Traffic Operations & Parking
Mark Spizzirri, Manager Performance Measurement & Bus Case Development
Alex Vucinic, Purchasing / Risk Management
Karina Richters, Supervisor Environmental Sustainability & Climate Change
Jim Leether, Administrator Waste Collection Control
Michelle Moxley-Peltier, Energy Plan Administrator
Anna Ciacelli, Deputy City Clerk

1. CALL TO ORDER

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. Adoption of the Environment, Transportation & Public Safety Standing Committee minutes (Excluding Transit matter items) of its meeting held November 29, 2023

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

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee (Excluding Transit matter items) meeting held November 29, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 321/2023

3.2 Adoption of the Environment, Transportation & Public Safety Standing Committee minutes (Transit matter items only) of its meeting held November 29, 2023

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

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee (Transit matter items only) meeting held November 29, 2023 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 321/2023

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

See Item 8.4

5. COMMUNICATIONS

None presented.

7. COMMITTEE MATTERS

None presented.

7.1. Minutes of the Windsor Licensing Commission of its meeting held December 7, 2023

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

Decision Number: **ETPS 981**
THAT the minutes of the Windsor Licensing Commission meeting held December 7, 2023 **BE RECEIVED** as presented.
Carried.

Report Number: SCM 340/2023

7.2. Essex Windsor Solid Waste Authority (EWSWA) Board Meeting Minutes from November 7, 2023

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

Decision Number: **ETPS 982**
THAT the minutes of the Essex Windsor Solid Waste Authority (EWSA) board meeting held November 7, 2023 **BE RECEIVED** as presented.
Carried.

Report Number: SCM 322/2023

8. ADMINISTRATIVE ITEMS

8.1. Energy Access and Poverty Pillar (EAPP) Report Requirement - Global Covenant of Mayors for Climate and Energy - City Wide

Councillor Kieran McKenzie inquires whether the City is at the implementation stage in the process. Karina Richters, Supervisor Environmental Sustainability and Climate Change appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report entitled “Energy Access and Poverty Pillar (EAPP) Report Requirement - Global Covenant of Mayors for Climate and Energy - City Wide” and indicates that the implementation has begun and that new requirements have been added to the EAPP and will continue to be added to continue to raise the bar on reporting in order to ensure that we are making progress towards implementation of our plans.

Councillor Kieran McKenzie requests that Administration characterize the process in terms of reductions versus our targets. Ms. Richters provides details of the process.

Councillor Kieran McKenzie requests an outline of the process for creating the plan and implementation. Ms. Richters indicates that data for the mandatory criteria is already being collected, and a fulsome report back is going to be required, but not yet available. Ms. Richters adds that they will still be looking to some partners and service providers such as, Enwin and Hydro One to see what the effects of the Energy Poverty piece on Windsor residents is. Windsor has been selected to participate in the 2024 GCom International Cities Initiative, funded by the European Union. This is one option to pursue in order to get a fulsome report back.

Councillor Kieran McKenzie inquires whether the plan will come back to council for review and approval or if it will go through the administrative process and come forward next year. Ms. Richters indicates that the Energy Access and target setting should be completed in 2024 and information will come back to council as a report. Once that is complete administration will review the plan to determine how it will hit the targets set forth and there may be further recommendations thereafter.

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

Decision Number: **ETPS 983**
THAT the report of the Community Energy Plan Administrator dated December 19, 2023 regarding the Energy and Poverty Pillar (EAPP) Report Requirement from the Global Covenant of Mayors for Climate and Energy **BE RECEIVED** for information; and,

THAT Council **RECEIVE** Windsor's Carbon Disclosure Project (CDP) 2023 Report Card as included in Appendix A for information; and,

THAT Council **ENDORSE** the development of the Energy Access and Poverty Badge requirements; and,

THAT Administration **BE DIRECTED** to report back to Council with the finalized Energy Access and Poverty Assessment, Targets, and Plan.
Carried.

Report Number: S 168/2023
Clerk's File: EI/14519

8.2. Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide

Councillor Renaldo Agostino inquires as to the number of homes that participated in the study. Jim Leether, Administrator Waste Collection and Contract Operations appears before the Environment, Transportation & Public Safety Committee regarding the administrative report entitled "Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide" and indicates that 178 homes participated and only 8 homes in the first week were non-compliant or forgot. Letters were delivered to the residents that were non-compliant.

Councillor Renaldo Agostino inquires about the percentage of residents that always left their containers in the alley. Mr. Leether indicates that 76% of respondents stored their garbage in or near the alley with 41% who stored their material in the alley all the time.

Councillor Mark McKenzie inquires as to how Administration is going to determine affected areas come 2025. Shawna Boakes, Executive Director Operations appears before the Environment, Transportation & Public Safety Committee regarding the administrative report entitled "Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide" and indicates that the majority of the alleys identified as mandatory to retain garbage pick up in the alleys are in the BIA areas where there is limited room for the trucks and affected by right of ways.

Councillor Mark McKenzie inquires how administration will address issues such as narrow streets and traffic congestion with a switch to street garbage collection. Mr. Leether indicates that scheduling and timing during off-peak periods on the roads where parking and traffic are reduced help to alleviate the issue. Mr. Leether adds that automated collection trucks are more efficient than manual collection and will help to reduce the amount of time on the streets.

Councillor Mark McKenzie inquires whether community consultation has taken place with affected residents. Ms. Boakes indicates not specifically, but a resident education program will be implemented to make sure that the affected residents will be prepared for the 2025 contract.

Councillor Renaldo Agostino inquires whether there is any data related to the length of time the containers were left out in front of homes near the street. Mr. Leether indicates that supervisors were deployed to the areas after the collection, no complaints were received through 311 or in the conclusion survey conducted.

Councillor Gary Kaschak requests clarification related to the break down of the cost savings as a result of this pilot project. Administration provides financial details related to garbage collection in the maximum and minimum amount of alleys.

Councillor Fabio Costante requests clarification regarding the administrative recommendation and whether it is specifically related to the pilot area. Ms. Boakes indicates that in order to proceed with the official contract for 2025 with the supplier, they need direction regarding alley collection or no alley collection.

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

Decision Number: **ETPS 984**
THAT the report from the City Engineer dated January 4, 2024 entitled "Results of Test Pilot of Garbage Relocation in Ward 3 – City Wide" **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to move residential garbage and yard waste collection from alley to curbside, wherever possible, effective April 1, 2025.
Carried.
Councillors Mark McKenzie and Fabio Costante voting nay.

8.3. Relocation of Garbage Collection in the Alleys Bounded by Hall/Moy/Riverside Dr E/Assumption – City Wide

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

Decision Number: **ETPS 985**
THAT Council **APPROVE** the permanent relocation of garbage collection from the alley to curbside in the area bounded by Hall, Moy, Riverside Dr E and Assumption, effective immediately.Carried.

Report Number: S 3/2024
Clerk's File: SW2024

8.4. Response to CQ 35-2023 – Out of Town Buses – City Wide

Councillor Renaldo Agostino inquires about the process related to the permit that was issued to FlixBus. Ms. Boakes indicates that the permit was to allow a sign to be placed at that location. The by-law that allows them to stop on city streets is the standard parking by-law that allows busses to actively load and unload at any point in the city where we do not have any no stopping rules in place. This location is conveniently located near the city owned facilities that allows customers to park in order to catch their bus.

Councillor Renaldo Agostino inquires about the possibility of redirecting the FlixBus to the bus station. Ms. Boakes indicates that they would have to put up a no stopping zone in that section and pull the permit for their current signage. Ms. Boakes adds that the concern from Transit Windsor is the potential conflict with scheduling of regular transit. The permit was only issued to FlixBus, but others are also stopping.

Councillor Renaldo Agostino expresses concern related to the negative impact to surrounding businesses related to the busses stopping on the street and inquires whether there are enough bays at the bus station to accommodate the out of town busses. Ms. Boakes indicates that there are enough bays at the transit station to accommodate the busses and there have been discussions with the bus companies to encourage the busses to go there. Ms. Boakes adds that the business model for the out of town bus companies is low cost, if fees were imposed, there is a potential for the companies to make a deal with local businesses to utilize their parking lots.

Councillor Renaldo Agostino inquires whether there is an opportunity to have a discussion with the bus companies to push them towards using the bus station or to require that they construct a shelter in order to continue stopping there. Ms. Boakes indicates that would require investigation related to policy/by-laws.

Councillor Gary Kaschak inquires whether they are able to negotiate a $5000 to $10000 yearly agreement to use the transit terminal. Mark Winterton, Commissioner, Infrastructure Services & City Engineer, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report entitled "Response to CQ 35-2023-Out of Town Buses-City Wide" and indicates that the transit fare schedule dictates the value, but there is

room for discussion to see if we are able to force their hand, although their stop is permitted and is compliant with existing by-laws, so it is a challenging spot to be in.

Councillor Gary Kaschak inquires whether the stop location could be moved onto Chatham Street, near where the old Greyhound terminal was, where there is more space, a parking garage and is a more direct route to the 401. Ms. Boakes indicates that FlixBus was interested in discussing relocation and we can reach out to the other companies that are choosing to stop there to discuss relocation as well.

Councillor Mark McKenzie inquires whether there are any legal implications to pulling the permit. Mr. Winterton indicates that the permit was granted at the agreed upon location, and within the parameters of the current by-laws, the City doesn't have the ability to deny a permit, and as long as they are complying with the *Highway Traffic Act*.

Councillor Mark McKenzie inquires whether there was a reason for the Chatham street location that was selected. Ms. Boakes indicates that the close proximity to Windsor Police was a safe area for customers to wait and to gain revenue from the city-owned garage.

Councillor Mark McKenzie inquires whether Devonshire Mall may be a possible alternative location. Ms. Boakes indicates that they can have a conversation with the companies to encourage them to go to a specified location, but having the stop where it is, brings people into the downtown core.

Councillor Renaldo Agostino inquires whether other cities have created a by-law in regards to this issue. Ms. Boakes indicates that they didn't consult other municipalities specifically related to by-law changes for those using parking lots.

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

THAT the report of the Commissioner, Infrastructure Services & City Engineer dated January 11, 2024 entitled "Response to CQ 35-2023 – Out of Town Buses – City Wide" **BE REFERRED** back to administration; and,

THAT administration **BE DIRECTED** to report back to a future Environment, Transportation and Public Safety Standing Committee and explore options regarding negotiating with the current bus companies that are providing the bus service in the area and encouraging them to park in more favourable locations such as the transit terminal or the Devonshire Mall; and that the information **INCLUDE** an explanation of legal options related to enforcement and/or possible by-law amendments, and **TO CONSULT** with other municipalities to determine what strategies they may be utilizing to curb this type of behaviour.
Carried.

Report Number: S 5/2024
Clerk's File: MT2024

8.5. Response to CQ 32-2023 – Oversight and Authority to Limit Freight Train Traffic Impediments – City Wide

Councillor Gary Kaschak and inquires as to what options are available to address the issue based on the guidelines within the administrative report. Ms. Boakes indicates that the Transport Canada wording is very specific related to a safety issue or concern, and proving to them that there is a safety concern may be very difficult.

Councillor Mark McKenzie inquires whether there has been a grant funding application submitted related to the rail safety grant. Mr. Winterton indicates that there have always been small rail safety grants available, but nothing that would allow funding for a project of a grade separation.

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

Decision Number: **ETPS 986**
THAT the report of the Policy Analyst dated January 10, 2024 entitled "Response to CQ 32-2023 – Oversight and Authority to Limit Freight Train Traffic Impediments – City Wide", **BE RECEIVED** for information.
Carried.

Report Number: S 2/2024
Clerk's File: MTR2024

8.6. Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7

Councillor Mark McKenzie inquires whether there are any anticipated road closures at Banwell Road. Ms. Boakes indicates that there are expected one-day closures in order to complete tie-ins, but there are no long-term closures anticipated. She adds that lane shifts and tie-ins at the roundabout should be able to accommodate the construction.

Councillor Mark McKenzie inquires whether there have been temporary traffic lights implemented. Ms. Boakes indicates that they have been implemented on residential roads or smaller roads, but are not typical for multiple leg intersections. Public Works has used overhead spans on wood poles in construction zones where existing signals have been disturbed.

Councillor Fabio Costante leaves the meeting at 5:22 o'clock p.m. and Councillor Kieran McKenzie assumes the chair.

Councillor Fabio Costante returns to the meeting at 5:24 o'clock p.m. and Councillor Kieran McKenzie returns to his seat at the Council Table.

Councillor Mark McKenzie inquires whether it is possible to implement these temporary traffic signals as a trial without incurring a large cost. Ms. Boakes indicates that a full install would be needed based on the Ontario Transportation Manual standards, which would still be costly. Ms. Boakes adds that a temporary solution should only be used for short periods of 24 hours in

emergency situations and could also cause a big problem once removed from a legal liability standpoint. Ms. Boakes indicates that the Environmental Assessment for that area recommends that the configuration of Tecumseh Road be increased to 3 lanes in each direction with a center left turn lane onto Robinet. Without the turn lane, you create an extremely dangerous situation.

Councillor Mark McKenzie inquires about the possibility of implementing a no left turn rule at that intersection between certain hours. Ms. Boakes indicates that could be a potential option, but not necessarily warranted given the data from that particular intersection without the signal.

Councillor Kieran McKenzie requests that administration provide the data requested from Councillor Marignani's original Council Question in the report that comes back. Ms. Boakes indicates that the data can be included in the report back if it is helpful.

Councillor Gary Kaschak inquires if future data is considered in the decision to implement a traffic signal given the projected economic growth in the surrounding area of this particular intersection. Mr. Winterton indicates that an EA has been completed and the current recommendation is that it is not warranted. Future growth is considered and acknowledged by this report, but it is not warranted at this intersection at this time.

Councillor Gary Kaschak inquires about the costs associated with putting a temporary signal at that intersection. Stacey McGuire, Executive Director Engineering, appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report "Traffic Signal at Tecumseh Road E and Robinet Road-Ward 7" and indicates that in order to do it properly according to the EA, the cost would be about $5M, which will potentially amount to throw away costs as the project would need to be redone when completing it at a later date.

Councillor Gary Kaschak inquires about the possibility of implementing a no left turn from Robinet Road onto Tecumseh Road. Ms. Boakes indicates that is an option if directed, it will impact the residents in that area, but if administration feels it is a safety concern, they can assess that.

Councillor Gary Kaschak inquires whether there will be an updated EA needed when the project is funded and ready to go. Mr. Winterton indicates that a review of the EA should be included at the time of construction.

Councillor Gary Kaschak inquires if there have been any instances of adding and subsequently removing temporary traffic lights. Ms. Boakes indicates that 4 of 8 intersections were recommended for removal and have been or are being removed at council's direction.

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

Decision Number: **ETPS 987**
THAT the report of the Senior Manager, Traffic Operations & Parking, dated January 12, 2024 entitled "Traffic Signal at Tecumseh Road E and Robinet Road-Ward 7" **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to provide an additional information memo which includes the data requested in the original Council Question; and that the information **ALSO INCLUDE** the potential of a no left turn at Robinet Road onto Tecumseh Road; and,

THAT this information **BE PROVIDED** to Council when the committee report comes forward to a future Council Meeting for Council's consideration.
Carried.

Report Number: S 7/2024
Clerk's File: ST2024

8.7. Windsor's Sustainable Procurement Guide - City Wide

Councillor Kieran McKenzie inquires whether there are any legal risks associated with creating preferences for local suppliers. Alex Vucinic, Manager Purchasing and Risk Management appears before the Environment, Transportation & Public Safety Committee regarding the administrative report entitled "Windsor's Sustainable Procurement Guide – City Wide" and indicates that the guide is complementary to existing policy and by-laws and external legislation guidelines. Administration is not permitted to be biased towards local competition and administration is suggesting looking at all facets of sustainable procurement.

Councillor Kieran McKenzie inquires how this guide will be implemented on any particular item. Mr. Vucinic indicates that procurements under $100,000 are able to go through a closed procurement process, allowing the City to select vendors internally who we want to bid. Any procurements over $100,000 they can go to market through a prequalification and a tender. Administration would imbed these types of sustainable criteria in the prequalification period. Mr. Vucinic adds that it is up to the purchasing and legal departments and those involved to determine the weight of the guide upon the prequalification process. When the City selects a vendor, they can evaluate them through the policy to then consider them for future contracts.

Councillor Kieran McKenzie inquires within all of the different factors, whether there is a role for council to play to direct the analysis in terms of the thresholds that they would like to be able to achieve. Mr. Vucinic indicates that administration would not recommend that as this only applies to where appropriate and applicable.

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

Decision Number: **ETPS 988**

1. THAT the report from the Environmental Sustainability Coordinator dated December 5, 2023 regarding Windsor's Sustainable Procurement Guide – City Wide **BE RECEIVED** for information; and,

2. THAT City Council **SUPPORT** efforts to encourage purchasing decisions to consider environmental criteria and sustainability; and,

3. THAT City Council **APPROVE** the updated version of the City of Windsor's Sustainable Procurement Guide; and,

4. THAT City Council **APPROVE** the updated version of the City of Windsor's Sustainable Procurement Policy.

Carried.

Report Number: S 163/2023
Clerk's File: SW/8523

9. TRANSIT BOARD ITEMS

None presented.

10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

11. QUESTION PERIOD

Councillor Kieran McKenzie requests information related to Transit. Administration will be able to respond to this during the next Council meeting or at the upcoming Environment, Transportation, & Public Safety meeting.

12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 6:01 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held February 28, 2024.
Carried.

Ward 2 – Councillor Costante (Chairperson)	Deputy City Clerk / Supervisor of Council Services