



CITY OF WINDSOR MINUTES 08/26/2020

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, August 26, 2020

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

Members Present:

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 4 - Councillor Holt (Chairperson)

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Clerk's Note: Members participated via video conference, in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

ALSO PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Mark Winterton, City Engineer

Dwayne Dawson, Executive Director of Operations / Deputy City Engineer

Pat Delmore, Executive Director of Transit Windsor

Shawna Boakes, Senior Manager of Traffic Operations & Parking

Anne Marie Albidone, Manager of Environmental Services

Karina Richters, Supervisor of Environmental Sustainability & Climate Change

Jeff Hagan, Transportation Planning Senior Engineer

Bill Kralovensky, Coordinator of Parking Services

Anna Ciacelli, Supervisor of Council Services

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1. CALL TO ORDER

The Chairperson calls the meeting of the Environment, Transportation & Public Safety Standing Committee to order at 4:31 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 of its meeting held July 22, 2020

Moved by: Councillor Francis

Seconded by: Councillor Costante

THAT the Minutes of the Environment, Transportation & Public Safety Standing Committee meeting held July 22, 2020 **BE ADOPTED** as presented.

Carried.

Report Number: SCM 234/2020

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

6. PRESENTATIONS AND DELEGATIONS

None presented.

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7. COMMITTEE MATTERS

7.1. EWSWA Regular Board Meeting Minutes - May 5, 2020

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: **ETPS 776**

THAT the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) of its Regular Board meeting held May 5, 2020 **BE RECEIVED**.

Carried.

Report Number: SCM 206/2020

Clerk's File: MB2020

8. ADMINISTRATIVE ITEMS

8.1. Waiver of School Neighbourhood Policy - New James L. Dunn Public School - Ward 3

Councillor McKenzie inquires as to what extent active transportation infrastructure is considered when a new school is built. J. Hagan, Transportation Planning Senior Engineer appears via video conference for the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Waiver of School Neighbourhood Policy – New James L. Dunn Public School – Ward 3 and indicates that new schools are required to create an Active Transportation Plan as stated in the Official Plan and is referenced in the School Neighbourhood Policy. Mr. Hagan adds that there is scoring criteria in the Active Transportation Master Plan that looks at various characteristics of an area or roadway and it is reviewed on a detailed level as the application comes forward from the school, and at a higher level network wide in terms of prioritizing different routes and different segments.

Moved by: Councillor Kaschak

Seconded by: Councillor McKenzie

Decision Number: **ETPS 777**

1. THAT the School Neighbourhood Policy **BE WAIVED** to allow a time-limited accessible parking zone on McDougall Street at the Windsor Residence (1101 McDougall Street); and,
2. THAT Parking By law 9023 **BE AMENDED** as listed and attached in Appendix 1 of this report; and,
3. THAT Traffic By-law 9148 **BE AMENDED** as listed and attached in Appendix 2 of this report; and,

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4. THAT the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by law; and,
 5. THAT a pre-commitment of \$7,003 against 2022 for the School Neighbourhood Policy program (project OPS-001-18) **BE APPROVED**; and,
 6. THAT Administration **BE REQUESTED** to provide the active transportation analysis for this area when this report proceeds to Council for their consideration.
- Carried.

Report Number: S 56/2020

Clerk's File: ST2020

8.2. Wyandotte Street East Road Narrowing - Environmental Assessment Requirements - Ward 6

Councillor Costante inquires as to what administration would recommend at this juncture moving forward. Mr. Hagan indicates that for any prime projects or higher, they do recommend that some sort of consultation or notification process occurs that is fitting for the impact of the project. Mr. Hagan adds that there are some concerns that need to be reviewed through a traffic analysis. Details related to traffic shifting as a result of the Riverside Drive Vista Improvement Environmental Assessment are identified. Mr. Hagan adds that some traffic forecasts, current traffic flows and expectant growth will require review. Mr. Hagan comments that this will be the first step towards identifying what sort of road diet would be possible for this area. Mr. Hagan states that in the Active Transportation Master Plan this section of Wyandotte is identified as a multi-modal corridor, so in these corridors, it is important to do a detailed review to identify the best solution that accommodates all of the different road issues.

Councillor Costante comments that if this report is received for information, it essentially means that the City won't move forward with an EA, but will move forward with the ATMP process. Mark Winterton, City Engineer appears before the Environment, Transportation and Public Safety Standing Committee via video conference and indicates that the Environmental Assessment is a provincially legislated requirement for a public process and whether an EA is required legislatively or not, does not preclude the city from doing anything on the right-of-way. Mr. Winterton adds that due to the impact on infrastructure and the use of capital funds, the impact on Riverside Drive Vista and the traffic flow on an arterial road that would be impacted, the City would want to carry out due diligence before proceeding with a project of this sort. Mr. Winterton adds that there are two parallel processes to undertake prior to making the physical changes to the road which are to review the impacts to the commuters as well as the impact to the adjacent businesses and residents along the way.

Councillor Costante inquires whether the process prescribed in the Active Transportation Master Plan is sufficient to review these implications. Mr. Winterton indicates that there is Council direction to proceed with the implementation of the ATMP and there are capital dollars associated with that.

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Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: **ETPS 778**

THAT the report of the Transportation Planning Senior Engineer dated July 15, 2020 entitled "Wyandotte Street East Road Narrowing - Environmental Assessment Requirements – Ward 6" **BE RECEIVED** for information.

Carried.

Report Number: S 95/2020

Clerk's File: ST2020

8.3. Windsor Deep Energy Efficiency Retrofit Program Grant Opportunity

Councillor Francis inquires about the surplus funds outlined in the recommendation. Karina Richters, Supervisor Environmental Sustainability and Climate Change appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Windsor Deep Energy Efficiency Retrofit Program Grant and indicates that FCM Grants are eligible for up to eighty per cent of the total payment costs of \$175,000, and it is necessary to leverage those funds in order to be able to apply for the grant.

Councillor McKenzie inquires about considering a Municipal Service Corporation or potentially a private sector service partner. Ms. Richters indicates that what they want to achieve through the Program Design Study is to identify exactly what the best path for the municipality is. Ms. Richters adds that there will be opportunities to look at non profit or some other entity to provide this service and at this point, it is basically designing the program for the best interests of the city.

Councillor McKenzie inquires whether the surplus funds amount will be sufficient. Ms. Richters indicates that the amount is sufficient and it is in excess of the 20% that is required, and adds that administration does not know how many external consultants will be required to review some of the aspects of the program design.

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: **ETPS 779**

1. THAT the report of the Community Energy Plan Administrator dated August 6, 2020 entitled Windsor Deep Energy Efficiency Retrofit Program Grant Opportunity **BE RECEIVED** for information.
2. THAT City Council **DIRECT** Administration to submit an application to the Federation of Canadian Municipalities' Community Efficiency Financing program (the "FCM CEF Program") for grant funding ("the Grant") in order to complete a Program Design Study, along with the following recommendations:

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- a. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application for the Grant;
 - b. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer;
 - c. That in the event the City receives written confirmation of the Grant being awarded to the City, implementation of the DEER Project does not result in a need for additional City funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:
 - i. The Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims and applicable schedules and other such documents required as part of the request for payment to the Supervisor, Environmental Sustainability & Climate Change or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,
 - ii. The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
 - iii. The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders or RFPs as may be required to effect the recommendations noted above, subject to all specification being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer.
3. THAT City Council **APPROVE** the transfer of surplus funds of \$72,722 from the Corporate and Community Climate Change Mitigation (Project ID #7159001) to a new project ID for the development of the Deep Energy Efficiency Retrofit ("DEER") Business Plan.

Carried.

Report Number: S 107/2020

Clerk's File: MU/8327

8.4. Response to Council Directive Requesting Administration to Report Back to Council with Gap-Filling Opportunities in Community Gardens on Municipal Property Policy- City-Wide

Councillor McKenzie inquires about options to achieve a middle ground that would alleviate the public's concerns related to Option 2 as outlined in the report. Ms. Richters indicates that in terms of the community gardens, there are many who favour the status quo as they are able to use the community gardens as a leadership tool to encourage participation within their local communities. Ms. Richters adds that the city is trying to allow participants that may not be registered as a legal entity to form a community garden and to reduce the burden of a legal license agreement and

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insurance that is currently required. Ms. Richters provides some risk background and states that the community gardens are insured similar to any part of a city park and the insurance that was required was more to protect the person that was leasing the plot. Ms. Richters adds that when they researched other municipalities across Ontario that no other municipalities currently require insurance.

Councillor McKenzie inquires about details related to costs incurred by the city related to Option 2 and whether there may potentially be new revenues to offset those costs. Ms. Richters indicates that other municipalities do charge a fee to individual gardeners which helps to offset any of the costs associated with the servicing, i.e. water and mulch. Ms. Richters provides details related to Option 1 and the construction of the garden which is up to whoever wants to take part in the garden and may be a barrier to getting more gardens in place. Ms. Richters indicates they are also considering the Environmental Master Plan which has a reserve of \$5,000 to be used for building plots if needed as well as future park redevelopment.

Councillor Costante requests clarification related to the policy for community gardens and whether it only applies to City of Windsor property. Ms. Richters responds affirmatively.

Councillor Francis inquires as to whether the City is looking to fill the gap that the United Way left when they reallocated their funding to different areas. Ms. Richters indicates that they are responding to the Council directive and she adds that Option 2 as outlined in the report is one way to address the United Way funding and how to make it more accessible to everyone in the city.

Councillor Francis inquires about funding requirements related to option 2. Ms. Richters indicates that if the funding requirements are greater than what was called for in the report, they would seek Council direction each time. Ms. Richters adds that they already have preapproved parks so if a community group chooses to build a community garden in one of those parks, the group can go through an administrative process to be able to leverage the \$5,000 and if the proposed site is not on a preapproved list it would have to come to Council for approval.

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: **ETPS 780**

- I. THAT the report of the Environment & Sustainability Coordinator dated August 6, 2020, entitled "Response to Council Directive Requesting Administration to Report Back to Council with Gap-Filling Opportunities in Community Gardens on Municipal Property Policy" **BE RECEIVED.**
- II. THAT Option 2: City Led Community Gardens **BE APPROVED.**
- III. THAT Administration **BE DIRECTED** to update the Community Gardens on Municipal Property Policy.
Carried.
Councillor Francis voting nay.

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Report Number: C 158/2020

Clerk's File: SR2020

8.5. CQ 5-2020 Additional Metered Parking Spaces in the Wyandotte Street West Business Area - Ward: 2

Moved by: Councillor Costante

Seconded by: Councillor Kaschak

Decision Number: **ETPS 781**

THAT the report of the Coordinator, Parking Services dated August 7, 2020 entitled "CQ5-2020 Additional Metered Parking Spaces in the Wyandotte Street West Business Area - Ward: 2" **BE RECEIVED** for information; and further,

THAT Option A, which includes the addition of the following locations of thirteen (13) new metered spaces with normal operating hours from 9:00 a.m. to 6:00 p.m. **BE APPROVED:**

BRIDGE AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 2

PARTINGTON AVE.

North of Wyandotte

- Potential number of new meter spaces: 1

South of Wyandotte

- Potential number of new meter spaces: 2

RANKIN AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 2

RANDOLPH AVE.

North of Wyandotte

- Potential number of new meter spaces: 2

South of Wyandotte

- Potential number of new meter spaces: 0

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ASKIN BLVD.

North of Wyandotte

- Potential number of new meter spaces: 0

Carried.

Report Number: S 106/2020

Clerk's File: ST2020

8.6. CQ 6-2020 New Residential Permit Areas - City Wide

Councillor McKenzie inquires about requests for residential parking permits and the reasons they are only assessed once every 5 years in a specific area. Shawna Boakes, Senior Manager, Traffic Operations & Parking Services appears before the Environment, Transportation and Public Safety Standing Committee via video conference regarding the administrative report CQ 6-2020 New Residential Permit Areas and indicates that when there is a changeover in a neighbourhood, i.e. someone moves in or out, administration receive many calls related to parking and adds if an area has already been petitioned by another resident, administration does not want to review an area multiple times, hence the 5 year timeline was selected.

Councillor McKenzie inquires whether any neighbourhood in the city would be required to meet the 95% threshold in order to qualify for the residential permits. Ms. Boakes indicates that the initial step is an assessment by Administration and a review of the area as a whole to ensure that one street's problems are not pushed onto another street. Ms. Boakes adds that a report would then go to Council, and if Council decides to designate that area as a residential permit area, the residents would then go forward with a petition.

Councillor Costante inquires when there is an assessment of an area, could there also be room for an assessment of the 95% threshold specifically referring to the area surrounding the University of Windsor and adds there is a high concentration of students who reside there and one of the challenges is in meeting the 95% threshold, which is the nature of the street as transient and it is difficult to acquire the signatures. Ms. Boakes indicates that a threshold has to be selected for the overall policy and then City Council can make the decision to change that number when they review individual reports related to specific areas.

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

THAT the report in response to CQ 6-2020 – New Residential Permit Areas BE RECEIVED by Council for information.

The motion is **put** and is **lost**.

Aye votes: Councillors Francis and Kaschak.

Nay votes: Councillors McKenzie, Costante, and Holt.

Abstain: None.

Absent: None.

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Moved by: Councillor Costante

Seconded by: Councillor McKenzie

Decision Number: **ETPS 782**

THAT should Council wish to make changes to the existing Residential Parking Permit process or area restrictions, that Administration **BE REQUESTED** to recommend updating the Parking Control Changes Policy to include the residential permit program.

Carried.

Councillor Francis voting nay.

Report Number: S 108/2020

Clerk's File: ST2020

9. TRANSIT BOARD ITEMS

9.1. The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2019 - City Wide

Councillor McKenzie inquires about continuing the contributions to the Pension Plan and to defer taking a contributory "holiday" to a later time. Pat Delmore, Executive Director Transit Windsor appears before the Environment, Transportation and Public Safety Standing Committee via video conference regarding the administrative report The Contributory Pension Plan for Employees of Transit Windsor- Actuarial Valuation as at December 31, 2019 and indicates that consideration was given to continuing the payments, however they have to look at each year in its entirety. Mr. Delmore adds that they could have continued to make the payments which would have made the contributions higher for the next year and possibly would not be in a position to take a contributions holiday. Mr. Delmore indicates the contributions are based on the previous year's financial statements and the decision was that they take the holiday this year recognizing some of the financial constraints that the city is encountering this year.

Moved by: Councillor McKenzie

Seconded by: Councillor Francis

Decision Number: **ETPS 783**

THAT the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors:

- I. **APPROVE** the Actuarial Valuation of the Contributory Pension Plan for Employees of Transit Windsor as at December 31, 2019; and,
- II. **DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to forward the Actuarial Valuation as at December 31, 2019, to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency; and,
- III. **APPROVE** the reduction of the established Letter of Credit by \$153,931.

Carried.

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Report Number: S 103/2020

Clerk's File: MT/13708

9.2. The Contributory Pension Plan for Employees of Transit Windsor - Audited Financial Statements for the year ended December 31, 2019 - City Wide

Councillor Francis inquires whether there are any concerns with the audit. Mr. Delmore indicates that it was a very clean audit with no issues.

Moved by: Councillor Costante

Seconded by: Councillor Francis

Decision Number: **ETPS 784**

THAT the Environment, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors:

APPROVE the Audited Financial Statements as at December 31, 2019, of the Contributory Pension Plan Fund for Employees of Transit Windsor; and,

DIRECT the Executive Director of Transit Windsor, as the Plan Administrator, to file the financial statements with the Office of the Superintendent of Financial Institutions Canada (OSFI).

Carried.

Report Number: S 104/2020

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 5:23 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held September 23, 2020.

Carried.

Ward 4 – Councillor Holt
(Chairperson)

Supervisor of Council Services