

**Environment, Transportation & Public Safety Standing Committee Meeting**

Date: Wednesday, July 24, 2019

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

**Also present are the following from Administration:**

Mark Winterton, City Engineer

Dwayne Dawson, Executive Director Operations

Pat Delmore, Executive Director of Transit Windsor

Vincenza Mihalo, Executive Director Human Resources

Bill Kralovensky, Supervisor Compliance and Enforcement

Rob Vani, Manager Inspections

Andrew Dowie, Executive Initiatives Coordinator

Tiffany Pocock, Engineer III

Jeff Hagan, Transportation Planning Engineer

Averil Parent, Environment & Sustainability Coordinator

Anna Ciacelli, Supervisor of Council Services

**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.

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### 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 June 19, 2019

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

THAT the Minutes of the Environment, Transportation & Public Safety Standing Committee meeting (excluding Transit matter items) held June 19, 2019 **BE ADOPTED** as presented.  
Carried.

Moved by: Councillor Costante

Seconded by: Councillor Kaschak

THAT the Minutes of the Environment, Transportation & Public Safety Standing Committee meeting (Transit matter items only) held June 19, 2019 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 216/2019

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

#### 7.5 Windsor Essex County Environment Committee Report No. 103 (Temporary Road Closures at the Ojibway Prairie Complex)

##### Nancy Pancheshan, representing Save Ojibway Group

Nancy Pancheshan, representing Save Ojibway Group appears before the Environment, Transportation and Public Safety Standing Committee Meeting regarding the Windsor-Essex County Environment Committee Report No. 103 (Temporary Road Closures at the Ojibway Prairie Complex) expressing concern with the referral request as she indicates this is a time sensitive concern and delay in addressing the report could result in the September/October migration of animals being missed.

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### Richard St. Denis, member of the Windsor-Essex County Environment Committee

Richard St. Denis, member of the Windsor-Essex County Environment Committee appears before the Environment, Transportation and Public Safety Standing Committee Meeting regarding the Windsor-Essex County Environment Committee Report No. 103 (Temporary Road Closures at the Ojibway Prairie Complex) in support of the deferral as he believes the issue requires more information.

### Johnathan Choquette, Lead Biologist, Ojibway Prairie Reptile Recovery, Wildlife Preservation Canada

Johnathan Choquette, Lead Biologist, Ojibway Prairie Reptile Recovery, Wildlife Preservation Canada appears before the Environment, Transportation and Public Safety Standing Committee Meeting regarding the Windsor-Essex County Environment Committee Report No. 103 (Temporary Road Closures at the Ojibway Prairie Complex) and indicates that traffic calming in the area should be considered.

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: ETPS 684

That report No. 103 of the Windsor Essex County Environment Committee—Temporary Road Closures at the Ojibway Prairie Complex **BE REFERRED** to a future meeting of the Windsor Essex County Environment Committee to allow for the committee members to review the previous Council decisions and administrative reports related to this issue, including legal and traffic calming information.

Carried.

Report Number: SCM 239/2019

## 5. COMMUNICATIONS

None Presented.

## 6. PRESENTATIONS AND DELEGATIONS

See items 7.5 and 8.2

## 7. COMMITTEE MATTERS

### 7.1. Minutes of the Windsor Bicycling Committee of its meeting held May 8, 2019

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Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: ETPS 685

That the minutes of the Windsor Bicycling Committee of its meeting held May 8, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 181/2019  
Clerk's File: MB2019

### 7.2. Report No. 5 - Town & Gown Committee 2019 Terms of Reference & Mandate

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: ETPS 686

That Report No. 5 of the Town and Gown Committee indicating:

That the 2019 *Revised* Terms of Reference and Mandate for the Town and Gown Committee with minor amendments identified in bold and italics attached as Appendix A **BE APPROVED, BE APPROVED.**

Carried.

Report Number: SCM 203/2019  
Clerk's File: MB2019

### 7.3. Minutes of the Town & Gown Committee of its meeting held May 23, 2019

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: ETPS 687

That the minutes of the Town and Gown Committee of its meeting held May 23, 2019 **BE RECEIVED.**

Carried.

Report Number: SCM 228/2019  
Clerk's File: MB2019

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### 7.4. Minutes of the Transit Windsor Advisory Committee of its meeting held May 28, 2019

Moved by: Councillor Francis  
Seconded by: Councillor McKenzie

Decision Number: ETPS 688

That the minutes of the Transit Windsor Advisory Committee of its meeting held May 28, 2019 **BE RECEIVED**.

Carried.

Report Number: SCM 229/2019

## 8. ADMINISTRATIVE ITEMS

### 8.1. Street Light Citywide LED Conversion Project Closeout Report

Moved by: Councillor Francis  
Seconded by: Councillor Costante

Decision Number: ETPS 689

1. That the Close Summary on the Street Light Citywide LED Conversion Project **BE RECEIVED** for information; and,
2. That the proposal by LED Roadway Lighting Ltd. (LRL) to provide all equipment, software and IT support for a streetlight controls (value equal to or greater than \$40,000) for a pilot project **BE ACCEPTED** in exchange for the \$40,000 credit owing for Street Light Citywide LED Conversion; and,
3. That approval **BE GIVEN** to allow pilot projects for retrofitting decorative fixtures and controls for streetlights. All pilots must **BE AUTHORIZED** through the CAO report process. Any costs associated must be in accordance with the City's Purchasing By-law and will be funded from the Street Lighting Capital Budget (project No. 7035011).

Carried.

Report Number: S 124/2019  
Clerk's File: ST2019

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### **8.2. Parking By-law #9023 amendment to Gross Vehicle Weight Rating and Public Utility Exemption - City Wide**

#### **Brian Chauvin, Operations Manager – Windsor, Enbridge Gas Inc.**

Brian Chauvin, Operations Manager – Windsor, Enbridge Gas Inc. appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Parking By-law 9023 amendment to Gross Vehicle Weight Rating and Public Utility Exemption (City Wide) and thanks the City for consideration of this matter and indicates that Enbridge requests this change to ensure the safety of residents and employees. Mr. Chauvin indicates that in an emergency every minute counts and allowing this change will ensure public safety, meet and exceed regulatory requirements.

Councillor McKenzie inquires about the types of tools that are contained in the vehicle and expresses concern with leaving the vehicles in an unsecure location. Mr. Chauvin indicates that some of the more sensitive equipment will have to be brought into the homes with the employees such as computers.

Councillor McKenzie inquires about the types of vehicles that Enbridge will be parking on the streets. Mr. Chauvin indicates there are a number of different sizes of vehicles ranging from F150-F350.

Councillor Kaschak expresses concern with the request and inquires about the company providing an after hours yard instead of having its employees park on the street. Mr. Chauvin indicates that this would increase response time and have a negative effect on public safety as every minute counts in an emergency.

Councillor Kaschak expresses concern with the winter, and street sweeping and snow clearing with these vehicles on City streets. Dwayne Dawson, Executive Director Operations, appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Parking By-law 9023 amendment to Gross Vehicle Weight Rating and Public Utility Exemption (City Wide) and indicates it would be the same with other vehicles parking on roads, the trucks would have to go around them.

Councillor Costante inquires about the number of vehicles that this change would pertain to. Mr. Chauvin indicates it would be 10 in Windsor and 30 across Windsor/Essex.

Councillor Costante inquires about response to call data. Mr. Chauvin indicates that in 2018 they responded to 2100 emergencies across the City with under 30 minute response time. Mr. Chauvin adds that if employees would not be able to respond from their home it would add considerable time to

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emergency response times. A comparison to other municipalities that have a similar situation is provided, specifically Brantford.

Councillor Costante inquires about the specific tools that are in the trucks and whether those tools/equipment would have a negative impact on the neighbourhood. Mr. Chauvin indicates they would only be maintenance tools, gas meters that determine gas levels that would not cause a risk to the surrounding area.

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: ETPS 690

That by-law 9023 **BE AMENDED** as follows:

**DELETE:**10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)**

10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of three thousand kilograms (3,000 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. **(added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09);**

And **REPLACE** with:

10(3). No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of four thousand five hundred kilograms (4,500 kg.) or more at any time on any highway or portion of highway other than the highways set out in Schedule "AA" (Designated Truck Routes) hereof. **(amended B/L 9143, Sept. 21/87; B/L 11338, Feb.15/93)(deleted & replaced B/L 57-2009, March 30/09)**

10(4) No person shall park a vehicle having a registered gross weight or a gross vehicle weight rating of four thousand five hundred kilograms (4,500 kg.) or more, during the hours 10:00 p.m. to 6:00 a.m., Monday to Sunday on any Highway within the City of Windsor. **(added B/L 283-2004, August 30/04) (deleted & replaced B/L 57-2009, March 30/09);**

**ADD:**

10(9) Sections 10(3) and 10(4) above do not apply to the following vehicles which are parked or stopped on any highway at anytime within the City of Windsor:

- i. Marked vehicles actually engaged in works or on call, undertaken for or on behalf of The Corporation of the City of Windsor or a public utility, including utilities providing hydro, telephone, natural gas or internet service.

Carried.

Report Number: S 128/2019

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Clerk's File: ST2019

### 8.3. CQ 10-2016 Free Accessible Parking Pilot Project

Councillor Francis requests clarification regarding the financial impact of a pilot project. Dwayne Dawson, Executive Director Operations provides the specific information requested.

Councillor Francis inquires about the abuse of the accessible parking permits. Andrew Dowie, Executive Initiatives Coordinator appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report CQ10-2016 Free Accessible Parking Pilot Project and indicates the problem is very significant in Toronto as a result few programs of this nature are deployed in large Cities due to the abundance of permits and concerns of abuse. An enforcement blitz undertaken recently has addressed some of those concerns in the greater Toronto area. Mr. Dowie adds that abuse of the system can happen in all areas although it's not as prominent in Windsor.

Mr. Dawson adds that enforcement will be monitoring the area and that this pilot project would only apply to meters, currently City of Windsor surface lots offer free accessible parking.

The committee inquires how this issue came about. Administration indicates that the request came from the Windsor Accessibility Advisory Committee and now administration would like to implement a pilot project for consideration.

Requirement of accessible parking through AODA legislation is provided.

Councillor McKenzie inquires about the City of Windsor Parking app and if reimbursement could be provided through the app. Administration indicates that there would be challenges with abuse and how people would prove that they had a valid permit etc.

Administration indicates that the result of the pilot project would be provided to Council and then it can be determined if the program would be useful as a City Wide program.

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: ETPS 691

That the report of the Executive Initiatives Coordinator dated June 20, 2019 entitled "CQ 10-2016 Free Accessible Parking Pilot Project" **BE RECEIVED** for information.

Carried.

Report Number: S 202/2018

Clerk's File: ST2019



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### 9. TRANSIT BOARD ITEMS

#### 9.1. Portability of Post-Retirement Benefits between Transit Windsor and the Corporation of the City of Windsor

Councillor McKenzie inquires about seniority rights, vacation etc. and would these be able to be transferred between the two City departments as well. Vincenza Mihalo, Executive Director Human Resources appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Portability of Post-Retirement Benefits between Transit Windsor and the Corporation of the City of Windsor and indicates that the Human Resources department is working with all the unions to discuss things such as rates, overtime, etc. to ensure everyone agrees. Ms. Mihalo indicates approval of this report would initiate the process.

Mark Winterton, City Engineer appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Portability of Post-Retirement Benefits between Transit Windsor and the Corporation of the City of Windsor and indicates there are challenges with recruitment and retaining employees and administration is being proactive. Mr. Winterton adds that this would be a valuable tool for the future in recruiting and retaining employees.

Councillor Francis inquires about other City areas such as Roseland. Administration indicates this agreement would be exclusively between transit and the City. Ms. Mihalo adds that other areas can certainly be considered although they would be different unions which may pose other issues. Mr. Delmore indicates that approval of this report by City Council would initiate the discussions then it would become part of negotiations and the CAO would approve a Memorandum of Agreement to implement the agreement.

Moved by: Councillor Costante  
Seconded by: Councillor Kaschak

Decision Number: ETPS 692

THAT City Council **BE REQUESTED** to approve the concept of the portability of corporate benefits including but not limited to post-retirement, vacation, and seniority benefits between employees of the Corporation of the City of Windsor and of Transit Windsor, and to give Administration direction to explore this possibility; and,

Subsequent to City Council concurrence:

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- a) That discussions with the relevant employee unions, ATU Local 616, CUPE Local 82 and CUPE Local 543, **BE INITIATED** to consider amendments to the collective agreements allowing for this portability, by the City Clerk & Licence Commissioner - Corporate Leader of Public Engagement & Human Services, the Executive Director of Human Resources, and the Manager of Employee Relations; and that the CAO be informed of the results; and,
- b) That A memorandum of agreement **BE REACHED** between Transit Windsor, the noted Unions, and the Corporation of the City of Windsor allowing for employee seniority recognition and for the retention of earned corporate employee benefits where an employment opportunity is accepted by the employee in either of the corporations; and,
- c) That the noted draft amendments to the appropriate By-Laws **BE PROPOSED** to the Environment, Transportation & Public Safety Standing Committee and to City Council, should concurrence be achieved by the Parties; and,
- d) That the appointment of an authorized person to represent Transit Windsor for the implementation of any necessary decisions required to implement this change **BE REQUESTED** of the Standing Committee and City Council by the Executive Director of Human Resources.

Carried.

Report Number: S 116/2019  
Clerk's File: AS2019

### 9.2. Transit Windsor Fare Structure Review - City Wide

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: ETPS 693

THAT the Environmental, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors **TABLE** the report, Fare Structure and Strategy Review by IBI Group, until August 25, 2019 in order to allow for comments; and,

THAT the Fare Structure and Strategy Review report be **FORWARDED** to the Transit Windsor Advisory Committee for comments; and,

THAT a report be **PROVIDED** to the Environmental, Transportation & Public Safety Standing Committee in September 2019 detailing recommendations of updated Fare structures and policies for Transit Windsor.

Carried.

Report Number: S 123/2019  
Clerk's File: MT2019

### 9.3. Transit Windsor and University of Windsor UPass Agreement - City Wide

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Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: ETPS 694

THAT the Corporate Leader Environmental Protection and Infrastructure Services and the Executive Director of Transit Windsor **BE AUTHORIZED** to update the Universal Bus Pass (UPass) Agreement with the University of Windsor Students' Alliance (UWSA), the Graduate Student Society (GSS) and the Organization of Part Time University Students (OPUS) to make the UPass a permanent program; and,

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the updated agreement with the UWSA, GSS and OPUS satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Corporate Leader of Environmental Protection and Infrastructure Services and the Executive Director of Transit Windsor.

Carried.

Report Number: S 120/2019

Clerk's File: MT2019

### **9.4. The Contributory Pension Plan for Employees of Transit Windsor - Audited Financial Statements for the year ended December 31, 2018 - City Wide**

Councillor McKenzie inquires about a shortfall. Pat Delmore, Executive Director Transit Windsor appears before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report Transit Windsor Pension—Audited Financial Statements for the year ended December 31, 2018- City Wide and indicates that the plan is currently funded, if the City of Windsor closes up tomorrow then it would be a concern. Mr. Delmore adds that this is a requirement under Federal Legislation.

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: ETPS 695

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, 2018 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.

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Report Number: S 122/2019

Clerk's File: AS2019

### 9.5. The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2018 - City Wide

Moved by: Councillor Francis

Seconded by: Councillor Costante

Decision Number: ETPS 696

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, 2018; and,
- II. **DIRECT** the Executive Director of Transit Windsor, as the Plan Administrator, to forward the Actuarial Valuation as at December 31, 2018 to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency.

Carried.

Report Number: S 121/2019

Clerk's File: AS2019

### 10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

### 11. QUESTION PERIOD

None presented.

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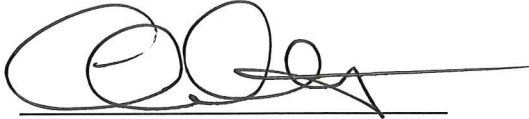
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### 12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 5:36 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held August 28, 2019.



Ward 4 – Councillor Holt  
(Chairperson)



Supervisor of Council Services