

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, November 20, 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 of Operations

Pat Delmore, Executive Director of Transit Windsor

Adam Pillon, Manager of Right-of-Way

Karina Richters, Supervisor of Environmental Sustainability & Climate Change

Janelle Coombs, Engineer II

Amy Olsen, Technologist II

Anna Ciacelli, Supervisor of Council Services

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 2 of 7

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 of its meeting held October 23, 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 October 23, 2019 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 391/2019

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

6. PRESENTATIONS AND DELEGATIONS

None presented.

7. COMMITTEE MATTERS

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 3 of 7

7.1. Report No. 106 of the Windsor Essex County Environment Committee - Revised WECEC Terms of Reference & Mandate

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: **ETPS 722**

That Report No. 106 of the Windsor Essex County Environment Committee – Revised WECEC Terms of Reference & Mandate indicating:

That the **REVISED** Windsor Essex County Environment Committee Terms of Reference and Mandate – September 2019 including the following amendments as outlined in bold and italics **BE APPROVED**:

- WECEC is comprised of *twelve (12)* members
- Removal of the phrase – *“report annually on the state of the regional environment and provide the report to City and County Council”*
- The quorum of the Windsor Essex County Environment Committee is **7** members.

BE APPROVED.

Carried.

Report Number: SCM 363/2019
Clerk's File: MB2019

8. ADMINISTRATIVE ITEMS

8.1. 1567 Aspenshore Avenue, 1743, 1755, 1767 & 1779 Aspenshore Court - Various Encroachments -Ward 7

Moved by: Councillor Francis

Seconded by: Councillor Costante

Decision Number: **ETPS 723**

- I. THAT the requests to allow items encroaching on to owned City lands **BE APPROVED in the same manner** as per the City of Windsor Encroachment Policy M67-2015 (Appendix A).
- II. THAT the encroachments of landscape patio stones, awnings, a pergola, concrete patio and curbing within an easement located on City of Windsor owned lands, as shown on attached drawings C-3496, C-3497, C-3498, C-3499 & C-3500 **BE APPROVED**, subject to the owners entering into an encroachment agreement, satisfactory in form to the City Solicitor, and in technical content to the City Engineer, to comply with the terms and conditions:
 - (a) Furnish a copy of the Registered Deed by which ownership to the property was acquired.
 - (b) Pay a \$229.25.00 (includes 5% G.I.S. charge) encroachment application fee to the Engineering Department. **(PAID)**

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 4 of 7

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- (c) Indemnify the City of Windsor against all claims which may arise by reason of its occupying section of City lands herein before listed and file with the Corporation a Certificate of Insurance evidencing proof of Commercial General Liability insurance with limits of at least \$2,000,000.00 per occurrence, with an endorsement naming The Corporation of the City of Windsor as an additional insured, and including cross liability and 30 days notice of cancellation provisions.
The Certificate of Insurance must be satisfactory in form and content to the Risk Management Division and be provided to the Corporation at the commencement of this encroachment and upon each renewal thereafter.
 - (d) Pay a \$300.00 fee to the Engineering Department for the preparation of the agreement, to be signed by the property owners. **(PAID)**
 - (e) Pay a surcharge in the amount of \$102.00 to the Engineering Department, as required by M67-2015. **(PAID)**
 - (f) Pay a one-time encroachment fee outlined in the Financial Matters, calculated according to M67-2015, and any and all applicable provincial and federal land taxes, etc.
 - (g) Remove the encroachment and restore the area within 60 days to the condition of the surrounding area upon receipt of written notice by the City Engineer to do so.
 - (h) That the Owners acknowledge that the grant of encroachment does not in any way diminish the City's rights arising out of the grant of easement to the owners

III. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in form to the City Solicitor and in technical content to the City Engineer, in accordance with By-law 208-2008 as the authority for encroachments.

IV. THAT any new or existing encroachments within this sanitary sewer easement along Aspenshore Avenue and Aspenshore Court (Appendix C), **BE APPROVED** with the same conditions and process as outlined in Recommendation II above.

V. THAT a "No Fee" Right-of-Way permit be issued to these residents who have applied for an encroachment agreement as well as any Aspenshore Avenue and Aspenshore Court properties having soft landscape within this easement.

Carried.

Report Number: S 196/2019

Clerk's File: SE/13635

8.2. Response to CQ 18-2019 – Comparison of Local Improvement Policies in Other Municipalities - Citywide

Councillor McKenzie inquires about the consultation with other municipalities and details related to their LIP process. Mark Winterton, City Engineer appears before the Environment, Transportation and Public Safety Standing Committee Meeting regarding the administrative report Response to

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 5 of 7

CQ18-2019—Comparison of Local Improvement Policies in Other Municipalities and indicates that different municipalities have different policies. Some newer communities have a lesser need for the Local Improvements. Mr. Winterton adds that with older communities there may be more rural cross section roads and rural infrastructure that require this process to upgrade.

Administration provides an example related to Sarnia/Chatham Kent area which have lots of rural roads, their need may be higher. In other newer communities they may not need the Local Improvement policies and they may include the upgrades in their capital budget process. Administration indicates that Windsor is made up of some areas that would benefit from the Local Improvement policies and some new areas where new development pays for infrastructure which wouldn't impact the general tax rate.

Councillor McKenzie inquires whether Local Improvement Projects, since its implementation, has accelerated the City in terms of addressing issues or slowed things down. Mr. Winterton indicates that the City has a number of priorities, higher class roads may take priority over rural type roads. He adds that this LIP process allows residents to take advantage of this fair and reasonable process and that some residents are receptive to the process and some are not.

Councillor Kaschak commends administration for their report and adds that his area is currently undertaking a Local Improvement process. Mr. Winterton indicates that when a neighbourhood wants the work completed it generally moves forward and is completed. He adds that the process is part of the *Municipal Act*.

Councillor Francis inquires about new developments and whether the costs are covered by the developer. Mr. Winterton indicates that the costs would be covered by developer. The Local Improvement process costing is reviewed and would depend on frontage/size of lot etc. Mr. Winterton adds that there is a way to add payments to Property Tax bills and other financial information is provided.

Moved by: Councillor Francis

Seconded by: Councillor Kaschak

Decision Number: **ETPS 724**

That the report of the Engineer II dated November 4, 2019 entitled "Response to CQ 18-2019 – Comparison of Local Improvement Policies in Other Municipalities – City Wide" **BE RECEIVED**.

Carried.

Report Number: C 188/2019

Clerk's File: SL2019

8.3. Tabling of the Draft Climate Change Adaptation, Degrees of Change - City Wide

Councillor Kaschak commends administration for a well written and detailed report.

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 6 of 7

Moved by: Councillor Francis
Seconded by: Councillor Kaschak

Decision Number: **ETPS 725**

- I. THAT the DRAFT Climate Change Adaptation, *Degrees of Change* (Appendix A), **BE TABLED** for public feedback until January 22, 2020; and
- II. THAT the Supervisor, Environmental Sustainability and Climate Change **BE DIRECTED** to conduct public engagement for the purpose of soliciting public feedback on the DRAFT Climate Change Adaptation, and that a summary of the public comments be reported back to the Environment, Transportation and Public Safety Standing Committee in February 2020; and,
- III. THAT the Supervisor, Environmental Sustainability and Climate Change **BE DIRECTED** to bring the final Climate Change Adaptation Plan, *Degrees of Change*, back to the Environment, Transportation and Public Safety Standing Committee in February 2020 for approval.

Carried.

Report Number: S 212/2019
Clerk's File: EI/10822

9. TRANSIT BOARD ITEMS

9.1. Tabling Transit Windsor Service Delivery Review - City Wide

Moved by: Councillor Francis
Seconded by: Councillor McKenzie

Decision Number: **ETPS 721**

THAT the Environmental, Transportation & Public Safety Standing Committee sitting as the Transit Windsor Board of Directors **TABLE** the report, Service Delivery Review by Dillon Consulting, until the December 18, 2019 meeting in order to allow for comments; and,

THAT the Service Delivery Review report be **FORWARDED** to the Transit Windsor Advisory Committee for comments; and,

THAT a further report be **PROVIDED** to the Environmental, Transportation & Public Safety Standing Committee in December 2019 detailing recommendations for initial implementation plans.
Carried.

Report Number: S 211/2019
Clerk's File: MT2019

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, November 20, 2019

Page 7 of 7

10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

11. QUESTION PERIOD

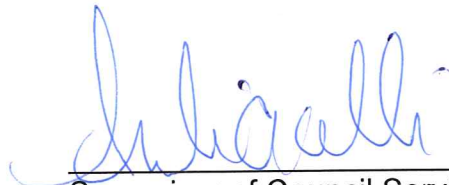
None presented.

12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 4:52 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held December 18, 2019.



Ward 2 – Councillor Holt
(Chairperson)



Supervisor of Council Services