



CITY OF WINDSOR MINUTES 02/17/2021

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, February 17, 2021

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

Tyson Cragg, Executive Director of Transit Windsor

France Isabelle Tunks, Senior Manager of Engineering / Deputy City Engineer

Karina Richters, Supervisor of Environmental Sustainability & Climate Change

Andrew Dowie, Engineer III

Paul Mourad, Project Administrator

Sandra Gebauer, Council Assistant

Anna Ciacelli, Supervisor of Council Services

Minutes

Environment, Transportation & Public Safety Standing Committee Wednesday, February 17, 2021

Page 2 of 10

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 January 20, 2021

Moved by: Councillor Costante
Seconded by: Councillor Kaschak

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee meeting (excluding Transit Matter items) held January 20, 2021 **BE ADOPTED** as presented.
Carried.

Moved by: Councillor McKenzie
Seconded by: Councillor Francis

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee meeting (Transit Matter items only) held January 20, 2021 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 36/2021

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

Minutes

Environment, Transportation & Public Safety Standing Committee
Wednesday, February 17, 2021

Page 3 of 10

7. COMMITTEE MATTERS

7.1. Report No. 108 of the Windsor Essex County Environment Committee - Letter to Irek Kusmierczyk, MP regarding the commitment to tree planting in communities

Councillor McKenzie indicates that the letter to Irek Kusmierczyk, MP asks that the federal government leverage the programming with respect to a tree planting initiative previously announced.

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: **ETPS 809**

THAT Report No. 108 of the Windsor Essex County Environment Committee – Letter to Irek Kusmierczyk, MP regarding the commitment to tree planting in communities indicating:

That as the Provincial Government cut funding for the planting of trees in Ontario and as the Federal Government made a commitment to make funding available to plant trees in Windsor-Essex County, that a letter **BE SENT** to Irek Kusmierczyk, Member of Parliament to request funding for the planting of trees in Windsor-Essex County.

BE APPROVED.

Carried.

Report Number: SCM 45/2021
Clerk's File: MB2021

7.2. Report No. 109 of the Windsor Essex County Environment Committee - To support the Windsor Essex Solid Waste Authority Regional Organic Waste Plan

Councillor McKenzie states that the Windsor Essex Solid Waste Authority has embarked on an initiative to implement a regional food and organics waste management plan. He adds that this initiative is fully endorsed by the Windsor Essex County Environment Committee.

Moved by: Councillor McKenzie
Seconded by: Councillor Costante

Decision Number: **ETPS 810**

THAT Report No. 109 of the Windsor Essex County Environment Committee – To support the Windsor Essex Solid Waste Authority Regional Organic Waste Plan indicating:

That the Windsor Essex County Environment Committee recommends that the initiative by the Windsor Essex County Solid Waste Authority to develop and implement a regional food and organics waste management plan **BE SUPPORTED** by all municipalities in Windsor-

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 17, 2021

Page 4 of 10

Essex, and further, that correspondence **BE SENT** to each member municipality as well as the County of Essex to provide notification of this initiative.

BE APPROVED.

Carried.

Report Number: SCM 47/2021

Clerk's File: MB2021

8. ADMINISTRATIVE ITEMS

8.1. Sanitary Sewer Inflow and Infiltration Update

Councillor McKenzie refers to one of the recommendations in the report regarding expanding the scope of the programming being proposed for the downspout disconnection program and remaining focused on the prioritized areas and inquires why this initiative is not citywide.

Mark Winterton, City Engineer, appears via video conference before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report entitled "Sanitary Sewer inflow and infiltration Information Update" and indicates that there are a couple of areas that are mandatory downspout connection areas, but to date, administration has not actively enforced that as they are still working through the voluntary program. Mr. Winterton indicates that the downspout disconnection program is an integral part of the Sewer Master Plan in the long term; however, there are some logistics issues, i.e. private property and enforcement. Mr. Winterton indicates that City Council recently approved a test pilot program for the South Windsor area and administration would like to get some modelling in place to ensure it is effective. Andrew Dowie, Engineer III, appears via video conference before the Environment, Transportation and Public Safety Standing Committee regarding the administrative report entitled "Sanitary Sewer inflow and infiltration Information Update" and indicates that if you review the existing downspout connection areas, the history is that these areas are known to be susceptible to repeated incidences of basement flooding. Mr. Dowie adds that in order to best deploy their resources, the logical approach is to go to the areas that are already experiencing issues and then we can adopt and refine the program.

Councillor McKenzie refers to page 13 of the report regarding private drain connections and sanitary service subsidy improvement. Administration indicates that for this type of program many residents across the city may want to leverage that type of a program. Mr. Dowie indicates that after the pilot project is utilized and it is determined that it is an effective measure, they would expand it to the entire community. Mr. Dowie adds that Council's goal is to adopt all of the recommendations in the Sewer Master Plan, including the mandatory downspout sewer connection citywide.

Councillor McKenzie inquires about the 8% of everything processed at the Lou Romano Water Reclamation Plant comes from that infiltration piece and asks Administration to provide the dollar amount for the 8%. Mr. Dowie concurs that 8% is correct, which is why it is a tremendous potential

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 17, 2021

Page 5 of 10

for savings both in terms of our capacity in the sewers and the treatment costs that are inherent at the tail end.

Councillor McKenzie inquires in terms of the downspout disconnection, how much of the water that is infiltrating the system goes directly from the downspout, and how much of the 8% do we mitigate if we do this. Mr. Dowie indicates that the 8% represents \$6M a year in potential estimated savings if we were to eliminate that and cut out the sanitary flows consistent with the water flows. Mr. Dowie indicates that the water is getting in whether it is coming from the roof or from some other source. We would have to undertake another pilot project to study to see how much of it is flowing through.

Councillor Francis refers to disconnection, private properties, and putting charges on people's tax roles, and inquires whether this will be done with a reasonable safety-oriented approach. Mr. Winterton indicates that it is difficult for them to disconnect onto a hard surface; there are ways around that, but it will take cooperation from the private sector. Mr. Winterton indicates that they want to ensure that they are disconnecting where they can. Mr. Winterton indicates that the impact of taking out all of the storm flow that makes its way onto the sanitary system could potentially be massive and adds that the amount of land that is privately held and all of the rainwater that falls and inadvertently goes into the sanitary system is a huge amount of land and savings. Mr. Winterton indicates that administration wants to ensure they are approaching this in a systematic way that reduces the hydraulic grade line and the amount of storm water into the sanitary system.

Councillor Kaschak refers to the downspout disconnection project that was undertaken in five areas in the city in 2008 and he asks if there were measurable successes to keep the storm water out of the sanitary system. Mr. Winterton responds that the simple answer is no. Mr. Winterton adds that they have been working around the entire city on a voluntary basis and the uptake on one voluntary program is less than ten percent. Mr. Winterton indicates that this is the reason they are moving forward to the next phase of a mandatory downspout sewer connection.

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

Decision Number: **ETPS 811**

THAT the administrative report regarding Windsor's ongoing efforts to reduce the rate of storm water inflow and infiltration into the sanitary sewer system **BE RECEIVED** for information; and,

THAT City Council **APPROVE** the following amendments to By-law 26-2008, to strengthen direction to municipal staff or designate for entering onto private properties for the disconnection of eaves trough downspouts from the sewer system in locations where owners are unwilling to permit disconnection on a voluntary basis, through the powers granted by section 446 of the *Municipal Act, 2001*:

s. 3(1) – For the purpose of this by-law, “City Engineer” shall mean the person appointed by the Council of the Corporation of the City of Windsor as the City Engineer, and his or her designated agents.

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 17, 2021

Page 6 of 10

s. 5(1) – *The City Engineer may issue an order to a property owner or occupier of property in a designated Downspout Disconnection Area to disconnect their building drainage system from a municipal sewer or any sewer system tributary thereto.*

s. 5(2) - *When an order to disconnect their building drainage system from a municipal sewer or any sewer system tributary thereto pursuant to s. 5(1) has been issued and not complied with by the property owner or occupier of property, the City Engineer may disconnect or cause to be disconnected, in a designated Downspout Disconnection Area, the building drainage system from a municipal sewer or any sewer system tributary thereto.*

s. 5(3) - *No disconnection pursuant to s. 5(2) shall be subsequently reconnected except with the written consent of the City Engineer.*

s. 5(4) - *Where there has been subsequent reconnection by any owner or occupier of property without the written consent of the City Engineer, the City Engineer may disconnect, or cause to disconnect any building drainage system from a municipal sewer or any sewer system tributary thereto.*

S. 5(5) - *The costs of any action taken by the City Engineer pursuant to s. 5(2) and s. 5(4) may be added to the tax roll for the property and collected in the same manner as taxes. Interest may be added to the tax roll and these costs, inclusive of interest, constitute a lien upon the registration of notice of lien in the land registry office.*

s. 6(1) - *The City Engineer may issue an order to a property owner or occupier of property in any area of the City of Windsor to disconnect their building drainage system from a municipal sewer or any sewer system tributary thereto.*

s. 6(2) - *When an order to disconnect their building drainage system from a municipal sewer or any sewer system tributary thereto pursuant to s. 6(1) has been issued and not complied with by the property owner or occupier of property, the City Engineer may disconnect or cause to be disconnected the building drainage system from a municipal sewer or any sewer system tributary thereto, in any area of the City of Windsor.*

s. 6(3) - *No such disconnection pursuant to s. 6(2) shall be subsequently reconnected except with the written consent of the City Engineer.*

s. 6(4) - *Where there has been subsequent reconnection by any owner or occupier of property without the written consent of the City Engineer, the City Engineer may disconnect, or cause to disconnect any building drainage system from a municipal sewer or any sewer system tributary thereto.*

s. 6(5) - *The costs of any action taken by the City Engineer pursuant to s. 6(2) and s. 6(4) may be added to the tax roll for the property and collected in the same manner as taxes. Interest may be added to the tax roll and these costs, inclusive of interest, constitute a lien upon the registration of notice of lien in the land registry office.; and,*

Minutes

Environment, Transportation & Public Safety Standing Committee Wednesday, February 17, 2021

Page 7 of 10

THAT City Council **APPROVE** an increase in the City Share of Private Drain Connection Replacement Cost Rebate to an upset limit of \$4,000.00 per replacement in established Downspout Disconnection Areas to encourage the elimination of infiltration into the sanitary sewer on an ongoing basis; and,

THAT the User Fee By-law **BE AMENDED** to reflect this new rate.
Carried.

Report Number: S 59/2020
Clerk's File: SW2021

8.2. Proposed Land Transfer from the Ministry of Transportation to the City of Windsor along the Rt. Hon. Herb Gray Parkway - Wards 1, 2 & 10

Councillor McKenzie indicates that the report outlines that there are certain advantages with respect to access to some municipal services and utilities and inquires about the risks related to re-acquiring the land. Mr. Winterton indicates that this matter deals with a consolidation of a right-of-way and remnants of land and will allow them to consolidate some right-of-ways and parkland with the risk of liability being relatively low. France Isabelle-Tunks, Senior Manager of Engineering / Deputy City Engineer appears via video conference before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report entitled "Proposed Land Transfer from the Ministry of Transportation to the City of Windsor along the Rt. Hon. Herb Gray Parkway" and indicates that most of these properties were City of Windsor right-of-ways and properties that, through the construction of the Parkway, were acquired by the Province. Ms. Tunks indicates that many of these remnant properties are no longer needed and they do provide access to the city infrastructure. Ms. Tunks adds that the City will still need to advise the MTO if they are doing works on those lands.

Moved by: Councillor Francis
Seconded by: Councillor McKenzie

Decision Number: **ETPS 812**

THAT City Council **ENDORSE** the proposed transfer of various parcels of land identified in Schedule A from the Ministry of Transportation to the City of Windsor along the Rt. Hon. Herb Gray Parkway, as described in this report.

Carried.

Report Number: S 11/2021
Clerk's File: ST/8821

8.3. Community Gardens on Municipal Property Policy Update 2021 - City Wide

Councillor Costante inquires whether consideration was given to existing community gardens, i.e. South Merritt Park in Sandwich Towne as they have had a garden over the past five years and it was not noted on the list. Karina Richters, Supervisor of Environmental Sustainability and Climate

Minutes

Environment, Transportation & Public Safety Standing Committee Wednesday, February 17, 2021

Page 8 of 10

Change appears via video conference before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report “Community Gardens on Municipal Property Policy Update 2021” and indicates that they do not anticipate that the policy will change any of the existing gardens and they will continue to support them. Mr. Richters explains that the pre-approved list was dedicated to indicate that those parks have access to water, which administration found to be the number one challenge when it comes to community gardens.

Councillor Costante requests clarification regarding the benefits of the policy, i.e. insurance, start-up costs, waiver of fees, and whether the residents who take care of South Merritt Park would be able to access these benefits even though they are not on the list. Ms. Richters indicates that is the case and adds that the six community gardens in good standing would fall under the policy and their license agreement will be converted to a garden permit.

Councillor McKenzie inquires about the process, should a community group want to place a community garden in their park. Ms. Richters responds that if a community garden is not on the pre-approved list, a community group can approach the City. Administration will work with the Parks Department and that community group to determine if there is a park in their area, and the Parks Department will review that park to see if there are any challenges. Ms. Richters indicates that if all goes well, that request for a community garden will come before Council.

Moved by: Councillor McKenzie

Seconded by: Councillor Costante

Decision Number: **ETPS 813**

- I) THAT City Council **APPROVE** the updated Community Gardens on Municipal Property Policy (Appendix A).
- II) THAT City Council **APPROVE** the updated list of Preferred Pre-Approved Parks sites as recommended for Community Gardens (Appendix B).

Carried.

Councillor Francis voting nay.

Report Number: S 10/2021
Clerk's File: SR/13430

9. TRANSIT BOARD ITEMS

9.1. Transit Windsor Ridership Statistics as at December 31, 2020 - City Wide

Councillor McKenzie asks that Administration provide the current ridership numbers and inquires whether it is anticipated that there will be a steady increase in the numbers moving forward. Tyson Cragg, Executive Director of Transit Windsor appears via video conference before the Environment, Transportation & Public Safety Standing Committee regarding the administrative

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 17, 2021

Page 9 of 10

report "Transit Windsor Ridership Statistics as at December 31, 2020" and indicates that the current ridership is at its lowest point since the pandemic began and that the area is just coming out of a stay at home order. Mr. Cragg indicates that in the fall of 2020, when they returned to front door boarding, the ridership was around the twenty to twenty-seven percent of normal ridership rates. Mr. Cragg indicates that during the stay at home order, the ridership went down to fifteen percent of normal. Mr. Cragg expects that now that the area is in the red zone, that there will be more of a demand for the service and transit should see an uptake of ridership over the next couple of weeks. Mr. Cragg indicates that he anticipates that when the schools resume in the fall with some on-campus learning, the ridership will bounce back.

Councillor Kaschak refers to the Transit 1C planned change and he asks that if there will be an opportunity for the public to provide feedback. Mr. Cragg responds that an opportunity for public feedback on the 1C change will certainly be provided to the community.

Moved by: Councillor McKenzie
Seconded by: Councillor Francis

Decision Number: **ETPS 814**

THAT the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors **RECEIVE FOR INFORMATION** the year-to-date ridership information as of December 31, 2020.
Carried.

Report Number: S 12/2021
Clerk's File: MT/13708

10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

11. QUESTION PERIOD

Councillor Holt acknowledges the Windsor Essex Youth Climate Council, who have been watching from home.

Minutes

Environment, Transportation & Public Safety Standing Committee

Wednesday, February 17, 2021

Page 10 of 10

12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 5:13 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held March 24, 2021.

Carried.

Ward 4 – Councillor Holt
(Chairperson)

Supervisor of Council Services