CITY OF WINDSOR MINUTES 09/25/2024

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, September 25, 2024
Time: 4:30 o'clock p.m.

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

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

David Simpson, Commissioner, Infrastructure Services & City Engineer
Ray Mansour, Commissioner, Community & Corporate Services
Stephen Laforet, Fire Chief
James Waffle, Deputy Fire Chief
Jonathan Wilker, Deputy Fire Chief
Mark Spizzirri, Manager, Performance Measurement & Business Case Development
Craig Robertson, Manager, Licensing & Enforcement / Deputy License Commissioner
Fahd Mikhael, Manager Design
Adam Pillon, Manager of Right-of-Way
Karen Cedar, Naturalist & Outreach Coordinator
Chris Gerardi, Policy Analyst
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 of its meeting held July 31, 2024

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

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee meeting held July 31, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 233/2024

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

6. PRESENTATIONS AND DELEGATIONS

See item 8.4.

7. COMMITTEE MATTERS

7.1. Minutes of the Environment & Climate Change Advisory Committee of its meeting held July 30, 2024

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

Decision Number: **ETPS 1022**
THAT the minutes of the Environment & Climate Change Advisory Committee meeting held July 30, 2024 **BE RECEIVED**.
Carried.

Report Number: SCM 256/2024
Clerk's File: MB2024

7.2. Minutes of the Windsor Licensing Commission of its meeting held August 28, 2024

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

Decision Number: **ETPS 1023**
THAT the minutes of the Windsor Licensing Commission meeting held August 28, 2024 **BE RECEIVED**.
Carried.

Report Number: SCM 260/2024
Clerk's File: MB2024

7.3. Report No. 157 of the Windsor Licensing Commission - Request to eliminate age limits for wheelchair accessible taxicabs

Councillor Kieran McKenzie

Councillor Kieran McKenzie requests that administration comment on the extension of the timeline and feasibility of the license holder to comply. Craig Robertson, Manager of Licensing & By-Law Enforcement appears before the Environment, Transportation & Public Safety Standing Committee regarding the report entitled "Report No. 157 of the Windsor Licensing Commission - Request to eliminate age limits for wheelchair accessible taxicabs" dated August 28, 2024, and indicates that the current broker is the only provider of wheelchair accessible vehicles. There is a risk of losing over 50% of the fleet because of vehicle age limits. Mr. Robertson adds that after discussion with the owner of the company, it was determined that there was a shortage of available vehicles and

the timeline of procurement of new accessible vehicles was lengthy. The corporation and community are at risk of losing accessible taxi service if the timeline is not extended.

Councillor Kieran McKenzie inquires if there is a risk of liability to the Corporation if we continue to issue licenses knowing the vehicle timelines. Mr. Robertson responds that there are strict measures in place for any licensed vehicles. There are 311 placards in the vehicles to report vehicular conditions and Mr. Robertson adds that there are measures in place to ensure that the City is not putting the corporation at risk due to mechanical defect or unsafe operation of the vehicles.

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

Decision Number: **ETPS 1024**
THAT Report No. 157 of the Windsor Licensing Commission indicating:

> THAT the Windsor Licensing Commission RECEIVE the report of the Deputy Licence Commissioner entitled “Response to Request to Eliminate Age Limits for Wheelchair Accessible Taxicabs and Reduced Licence Fees"; and,
>
> THAT the Windsor Licensing Commission RECOMMEND to City Council, an increase of the current ten-year vehicle age limit to a twelve-year vehicle age limit for licensed Wheelchair Accessible Taxicabs; and,
>
> THAT the Windsor Licensing Commission RECOMMEND to City Council, that Public Vehicle By-law 150-2018 BE AMENDED to reflect the changes made to the maximum age limit for licensed Wheelchair Accessible Taxicabs; and further,
>
> THAT upon City Council’s decision, all late fees incurred for this year would BE WAIVED upon registration of any remaining wheelchair accessible taxicabs that are owned and operated by Canadian Checker Cab.

BE APPROVED.
Carried.

Report Number: SCM 259/2024
Clerk’s File: MB2024

8. ADMINISTRATIVE ITEMS

8.4. CQ 13-2023 - Front Yard Parking Best Practice 2.2.2

Bobbi Bruneau, area resident

Bobbi Bruneau, area resident appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” and expresses frustration with the difficulty to find

parking in the neighbourhood due to the lack of available parking for nearby businesses; and concludes by advocating for permission to install a driveway in the front yard.

Andrew Liburdi, area resident

Andrew Liburdi, area resident appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” and provides a brief overview of the difficulties they experience with the current parking restrictions, the lack of available parking, alley parking not being a viable option for the majority, and to advocate for front yard parking as multi-unit housing and EV charging become increasingly more common.

Councillor Mark McKenzie inquires whether the delegate is aware of driveways being installed without permits. Ms. Bruneau responds that there was a new permitted driveway in the 1500 block of Parent Ave. Ms. Bruneau adds that there is parking on both sides of the street, as a result she questions the rationale for the approval. A public inquiry was made and there is an approval for the driveway.

Councillor Gary Kaschak requests clarification about the current parking situation from the delegate. Ms. Bruneau responds that the only parking space available to them is their garage, which is limited for the type of vehicle they can have due to the size.

Councillor Gary Kaschak inquires about the length of time they have lived in their home. Ms. Bruneau responds they have owned their home for 24 years.

Councillor Gary Kaschak asks if the parking situation is worse now than previously when there was available parking on Erie street. Mr. Bruneau responds that it is much worse now since Erie street lost 70% of the parking capacity between Howard Ave and Parent Ave. Ms. Bruneau indicates that she feels it hurt the businesses on Erie Street due to the lack of parking to the point that they are advertising “free parking on Marentette and Elsmere” then promotes the municipal lot second to attract customers.

Councillor Gary Kaschak inquires whether they have considered a back yard parking space. Ms. Bruneau responds that there is not enough room to put a space in the back yard due to the positioning of the garage on the property.

Councillor Fabio Costante inquires whether Ms. Bruneau has considered the option of permit parking as identified in the report. Ms. Bruneau responds that they are not sure if all the neighbourhood residents would be in agreement with that option.

Councillor Mark McKenzie asks Administration if there is an estimated cost of implementing permit parking. David Simpson Commissioner, Infrastructure Services & City Engineer appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” and indicates that the information can be provided offline.

Councillor Mark McKenzie asks Administration to confirm the details of the approved driveway in the 1500 block of Parent Ave. Adam Pillon Manager of Right-of-Way, appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” and responds that the driveway that was referred to did not have a paved alley at the rear and that is why it was permitted.

Councillor Mark McKenzie inquires whether there are any numbers related to the residents who have put in unpermitted driveways. Mr. Pillon responds that there are at least 2 violations related to front yard parking, and they are required to remove the driveway if this recommendation passes.

Councillor Mark McKenzie inquires about alley safety standards in relation to maintenance and security and if there will be any budget for this. Mr. Simpson responds that the challenges of funding and maintenance of alleys will be a fundamental discussion as part of the 2025 budget. The City will do as much as they can within the allotted funding.

Councillor Mark McKenzie inquires about the potential relief that front yard driveways could contribute to parking concerns with the growing number of ADUs in the area. Mr. Pillon responds that there is an exemption area for parking requirements for ADUs. There is no requirement to provide additional parking but there are situations where property owners would like two driveways to be able to accommodate the ADU tenants.

Councillor Mark McKenzie comments that if there is no requirement to provide parking, whether ADUs are contributing to the already difficult parking situation. Mr. Pillon responds that front yard parking would eliminate at least one spot on the road and possibly more.

Councillor Mark McKenzie asks administration to identify when this policy was changed to disallow front yard parking. Mr. Pillon responds that parking best practices were established between 2009-2010.

Councillor Mark McKenzie inquires whether there is a plan to address the charging of EVs. Mr. Pillon responds that it has not been fully explored. Most properties have paved alley access with the possibility of charging access at the rear on their own property. There is not currently a city-wide solution.

Councillor Mark McKenzie asks administration to expand upon alley safety being a motivating factor for allowing front yard parking as there have been identified concerns for trash removal from the contractor. Mr. Simpson responds that there is an element of safety. The main factor was the width of the alley and with automated arm trucks not having the necessary space to collect Herby Curby bins.

Councillor Mark McKenzie inquires whether streets are able to safely allow garbage trucks access given the congestion of parking on the streets and if front yard driveways could alleviate that pressure. Mr. Simpson responds that not doing collection from the front limited the necessary spacing they need to make it desirable for their workers.

Councillor Mark McKenzie inquires about accessibility permits not being allowed if there is a paved alley in the rear. Mr. Pillon responds that is one of the conditions of approval or denial of an application.

Councillor Gary Kaschak inquires whether a front yard driveway could be permitted if it did not eliminate a street parking space. Mr. Pillon responds that single sided street parking would benefit one side of the street, but not the other and could exclude some properties.

Councillor Gary Kaschak inquires about some streets in Walkerville that allow parking on both sides of the street after hours and the potential to implement in other areas. Mr. Pillon responds that it can be reviewed and discussed by Administration as a possible option if directed.

Councillor Gary Kaschak inquires about permit costs for front yard parking if allowed. Mr. Pillon responds that a driveway permit is $275 and there is a $1000 deposit. The driveway must be completed within 12 months of the approved permit. Once the work is complete, the deposit is returned.

Councillor Gary Kaschak inquires whether the resident is responsible for location service. Mr. Pillon responds that there is no cost to the resident.

Councillor Gary Kaschak inquires about the number of parking spaces and if there is underground parking available at the apartment building on the corner Erie and Marentette. Mr. Pillon responds that there was a Committee of Adjustment meeting for a reduction in parking for that site, that may have been granted but he cannot confirm that at this time.

Councillor Gary Kaschak inquires whether a minor variance starts with the City and goes to the Committee of Adjustment. Mr. Pillon responds that the minor variance process is not appropriate for front yard parking. It would have to be a rezoning application based on by-law 8600 and would have to be a major change that the planning department would handle.

Councillor Gary Kaschak inquires whether residents with existing driveways putting in a small side driveway would require an inspection and permit. Mr. Pillon responds that there is no permit required for additional width on private lands. If they were working within the right-of-way there would be a permit required. Properties are allowed to pave 50% of the front yard.

Councillor Kieran McKenzie inquires if there was a move to allow front yard parking if that would necessitate change to the parking surface ratios. Mr. Pillon responds that the front yard parking permit allows for a 15-foot max as long as it is not over 50% of the front yard property.

Councillor Kieran McKenzie inquires whether there is any risk associated with stormwater management with the shift from permeable surface to paved. Mr. Simpson responds that it is not currently quantitative, but in an order of magnitude, it would have a low impact. Mr. Pillon adds that it would be dependent upon the street and current infrastructure within each neighbourhood.

Councillor Kieran McKenzie inquires about the risks associated with alley safety if there is less activity. Mr. Pillon responds that police services reviewed this report and was concerned with safety

with the reduction of alley usage. The involvement of the Alley Standards Committee in the discussion was recommended and is being explored.

Councillor Kieran McKenzie inquires whether there is a public safety risk with pedestrians and cyclists with the addition of curb cuts. Mr. Pillon responds that the more access points to a property introduces a safety risk with collisions, pedestrians.

Councillor Kieran McKenzie inquires whether on-street parking is considered a traffic calming measure. Mr. Pillon responds yes.

Councillor Kieran McKenzie inquires whether front yard parking could have a net reduction of the total number of on-street parking as a result. Mr. Pillon responds that there is a limited amount of space to park between the front of the house and the sidewalk. A side yard could allow for additional space, but front yard would allow for only 1 parking space. There will be a reduction in parking throughout the neighbourhood.

Councillor Kieran McKenzie inquires whether there will be a reduction in tree cover as a result of curb cuts and if there is a compensation to replace trees. Mr. Pillon responds that they work with forestry. The resident is responsible for the cost to replace the trees along with the permit fees according to the established by-law.

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

Decision Number: **ETPS 1028** CR11/2024 ETPS972
THAT the report of the Technologist II, dated November 9, 2023, entitled “CQ 13-2023 - Front Yard Parking Best Practice 2.2.2” **BE RECEIVED** for information; and,

THAT administration **BE DIRECTED** to adopt a pilot project in Ward 4 for a period of two years related to accessible parking and front yard parking.
Carried.
Councillors Kieran McKenzie and Fabio Costante voting nay.

Report Number: SCM 327/2023, S 150/2023 & AI 15/2024
Clerk’s File: ST2023

8.1. Fire Master Plan

Councillor Kieran McKenzie request that the Fire Chief outline the direction to improve the current level of service.

Stephen Laforet, Fire Chief, appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated, September 6, 2024, entitled “Fire Master Plan” and responds that there were a number of issues identified in the process of creating the master plan to be considered for future decision in order to address service area limitations and

how to move forward as we enter 10-year capital planning. The master plan does not commit to any large expense but puts the limitations on the radar for discussion.

Councillor Kieran McKenzie inquires about the rise in the number of incidents being responded to. Chief Laforet responds that public education is the first opportunity to reduce fires before they start by investing in staff to educate first. Code enforcement is the second through inspection. They are leveraging technology to aid in keeping staff on the road as much as possible by reducing travel time between calls, completing forms, inspections and issuing letters or orders of compliance as necessary without returning to the office. There has been an increase in call volume of 10% between 2019-2023. From 2012 to current they are at about a 45% increase.

Councillor Kieran McKenzie inquires whether there are some items that have been identified as an immediate need that are going to require funding beyond what has traditionally been allowed. Chief Laforet responds that the recommendations within the report identified as 0-1 year would require minimal investment and are possible within the current operating budget in many cases.

Councillor Kieran McKenzie requests further information related to the improvement of service delivery from a public safety standpoint for fire staff. Chief Laforet responds that they are already leaders in health & safety standards. Continuing to dedicate resources to training will help to reduce fires through education, prevention and code enforcement is paramount to reducing physical risk as well as mental health for the staff, and overall, less costly to the City in terms of WSIB cases.

Councillor Renaldo Agostino requests that the Fire Chief identify if the report addresses the possibility of additional pressure from an additional border crossing. Chief Laforet responds that the report addresses the border crossing in terms of recommending that we continue with joint training opportunities. We are capable of responding to the most high-level incidents funded by the province. The new border crossing is designed to modern day standards to withstand fire, explosion, and spills. The roadway that leads up to the new crossing is a provincial road, and any response will be reimbursed through MTO.

Councillor Renaldo Agostino inquires whether the City will be able to adequately respond. Chief Laforet indicates that as long as we have our level III hazmat team, there are no concerns.

Moved by: Councillor Kieran McKenzie
Seconded by: Councillor Mark McKenzie

Decision Number: **ETPS 1025**
THAT City Council **ADOPT** the FIRE MASTER PLAN (Appendix A) including the Windsor Fire & Rescue Service (WFRS) suggestions for implementation (Appendix B); and further,

Whereas on February 2, 2024, the 2024 10-year capital budget was approved via Mayoral Decision MD05-2024 which included items suggested for implementation in the Fire Master Plan, be it further resolved:

THAT the City Treasurer **BE DIRECTED** to bring forward additional funding requests in future operating and capital budgets development processes for consideration over the 10 to 15-life cycle of the Fire Master Plan; and further,

THAT the City Solicitor **BE DIRECTED** to amend and update the Fire Services Establishing and Regulating By-Law to reflect services provided by Windsor Fire & Rescue.
Carried.

Report Number: C 112/2024
Clerk's File: SF/14852

8.2. Update to Windsor/Essex Region Stormwater Manual & Response to CR195/2022 Flood Risk Monitoring and Mitigation Measures and Programs - City Wide

Councillor Kieran McKenzie asks Administration if the municipality has the capacity to undertake some of the work that the Conservation Authority had done previously. Mr. Simpson responds that the update is welcome, and we have a level of resourcing that allows the staffing capacity that we have currently.

Councillor Kieran McKenzie inquires whether there is anything that was not fully addressed through this plan. Mr. Simpson responds that the ever-evolving AI could become a stronger predictive tool that we can strengthen.

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

Decision Number: **ETPS 1026**

I. THAT the report of the Water & Wastewater Engineer dated September 5, 2024 entitled "Update to Windsor/Essex Region Stormwater Manual & Response to CR195/2022 Flood Risk Monitoring and Mitigation Measures and Programs - City Wide" **BE RECEIVED** for information; and,

II. THAT the Windsor/Essex Region Stormwater Manual update (v2, Amendment No. 1, dated: June 12, 2024) **BE RECEIVED**; and,

III. THAT City Council **ADOPT** the Manual as part of the standards for the design and review of stormwater infrastructure within the City.

Carried.

Report Number: S 114/2024
Clerk's File: SW2024 & SW/13822

8.3. Matchett Road and Malden Road Ecopassage Review Study

Councillor Kieran McKenzie asks Administration to discuss the lengthy timeline for this report to come forward. Mr. Simpson responds that he is not able to answer that given the length of his time with the City.

Councillor Kieran McKenzie request that administration elaborate on the efficacy of the eco passage on Matchett to protect at risk species if there have not been identified quantitative numbers. Mr. Simpson responds that various species may choose not to cross due to noise, vibration and environmental factors, but that WSP completed a comprehensive investigation.

Councillor Kieran McKenzie comments that the species are approaching, but not crossing and if it is not the most effective tool to help protect the wildlife, next steps should be taken in order to have the intended effect and asks Karen Cedar to speak to the efficacy of the current passages to protect wildlife species.

Karen Cedar, Naturalist & Outreach Coordinator appears before the Environment, Transportation & Public Safety Standing Committee regarding the administrative report dated, September 8, 2024, entitled “Matchett Road and Malden Road Ecopassage Review Study – Ward 1” and responds that the current eco passages are effective. The T5 across the Herb Gray Parkway mimics the continuation of their natural expected environment. The culvert on Matchett is a different situation where wildlife typically does not like to enter tunnels. It was constructed by the MTO as part of the construction of the Herb Gray Parkway. Snakes were not necessarily already crossing in that location. Establishing a new pattern for the snakes will take some time.

Councillor Kieran McKenzie requests that Ms. Cedar provide an update on the circumstance of the effected at-risk species. Ms. Cedar responds that there are a lot of at-risk species in Windsor due to the unique habitats that exist here. Protecting the habitats and identifying barriers to species living their lives fully, roadways are a clear barrier. Traffic calming measures have been implemented to mitigate barriers.

Councillor Kieran McKenzie inquires if the recommendation moves forward, will there be a comprehensive study that encompasses all available options. Mr. Simpson responds that they have three key pieces of study completed that will help to inform Parks Canada to determine the most appropriate path going forward. Mr. Simpson adds that they have also nearly completed the study regarding movement and road mortality that will complement what has already been completed. These studies will help to inform next steps.

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

Decision Number: **ETPS 1027**
THAT the report of the Policy Analyst, Transportation Planning dated September 8, 2024 entitled "Matchett Road and Malden Road Ecopassage Review Study – Ward 1," **BE RECEIVED** for information.
Carried.

Report Number: S 115/2024
Clerk's File: SR2024

9. TRANSIT BOARD ITEMS

None presented.

10. ADOPTION OF TRANSIT BOARD MINUTES

None presented.

11. QUESTION PERIOD

None registered.

12. ADJOURNMENT

There being no further business, the Environment, Transportation & Public Safety Standing Committee is adjourned at 6:13 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held Wednesday, October 30, 2024.
Carried.

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