



CITY OF WINDSOR MINUTES 04/24/2024

Environment, Transportation & Public Safety Standing Committee Meeting

Date: Wednesday, April 24, 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

PARTICIPATING VIA VIDEO CONFERENCE ARE THE FOLLOWING FROM ADMINISTRATION:

Sandra Gebauer, Council Assistant

ALSO PARTICIPATING IN COUNCIL CHAMBERS ARE THE FOLLOWING FROM ADMINISTRATION:

- Mark Winterton, Commissioner, Infrastructure & City Engineer
- Shawna Boakes, Executive Director, Operations / Deputy City Engineer
- Stacey McGuire, Executive Director, Engineering / Deputy City Engineer
- James Chacko, Executive Director, Parks & Facilities
- Mark Spizzirri, Deputy Treasurer, Financial Planning
- Phong Nguy, Manager, Contracts Facility Service Maintenance
- Yemi Adeyeye, City Forester / Manager Forestry & Nature Areas
- Anna Ciacelli, Deputy City Clerk

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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 March 27, 2024.

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

THAT the minutes of the Environment, Transportation & Public Safety Standing Committee meeting held March 27, 2024 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 84/2024

4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

5. COMMUNICATIONS

None presented.

7. COMMITTEE MATTERS

7.1. Minutes of the Active Transportation Expert Panel of its meeting held March 14, 2024

Councillor Kieran McKenzie inquires about the scope of the discussion from this meeting and whether there is any intention or initiative from the committee to carry out any of that work. Shawna Boakes, Executive Director Operations, appears before the Environment, Transportation & Public Safety Standing Committee regarding the Committee Report entitled "Minutes of the Active Transportation Expert Panel of its meeting held March 14, 2024" and indicates that there was a

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subsequent meeting scheduled which had to be cancelled due to lack of quorum and an email poll was to be completed regarding bike to work. The general discussion was that they are in support of these initiatives.

Councillor Kieran McKenzie indicates that with Bike to Work Day just weeks away, if it is safe to say that the City is not planning to move forward with any type of initiative this year. Ms. Boakes indicates that the meeting that was cancelled and the email poll that was to be conducted were directly related to this initiative.

Councillor Kieran McKenzie inquires whether there is an initiative for Fireworks bike parking planned again this year. Ms. Boakes indicates that the members of the committee are interested and willing to support the initiative again this year. A meeting will be planned in the next couple of weeks to discuss.

Councillor Gary Kaschak inquires if this was the first meeting of the new panels. Anna Ciacelli, Deputy Clerk and Supervisor of Council Services indicates that each of the new committees have held their first meetings and will be preparing for a second soon.

Councillor Gary Kaschak inquires whether administration anticipates that attendance and participation are going to be an issue with this committee and if there is going to be meaningful participation. Ms. Boakes indicates that there were many applicants for this committee, but the committee is one or two people short of the intended number. Administration is prepared to move forward with the committee and will address with Council Services if additional members are needed in the future.

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

Decision Number: **ETPS 993**

THAT the minutes of the Active Transportation Expert Panel meeting held March 14, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 83/2024

7.2. Minutes of the Essex-Windsor Solid Waste Authority (EWSWA) Regular Board of its meeting held February 6, 2024

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

Decision Number: **ETPS 994**

THAT the minutes of the Essex-Windsor Solid Waste Authority (EWSWA) meeting held February 6, 2024 **BE RECEIVED**.

Carried.

Report Number: SCM 101/2024

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8. ADMINISTRATIVE ITEMS

8.1. Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide

Councillor Mark McKenzie inquires what would be considered a minor adjustment. Mark Winterton, Commissioner, Infrastructure Services & City Engineer appears before the Environment, Transportation & Public Safety Standing Committee regarding the Administrative report entitled "Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide" and indicates that the Provincial standards are largely based on highway construction and design. The City of Windsor is based more on urban design. When the specifications are reviewed, not every specification met the building of local roads. Ontario Provincial Standards (OPS) with exceptions, prevents outdated upgrades for the municipality.

Councillor Mark McKenzie inquires whether the City keeps records of testing. Mr. Winterton indicates that every single test is documented, charted, responded to and followed up on.

Councillor Mark McKenzie inquires whether resident complaints of quality in their neighbourhoods would be on the inspection side. Mr. Winterton indicates that the specifications and inspection are quite good, but every single batch of concrete or asphalt are not tested. There is a representative sample that is done. If there are outliers where the material fails, ideally, we catch it before the maintenance period when we can actively pursue the repair.

Councillor Mark McKenzie inquires as to how many inspectors are employed with the City of Windsor and whether that is enough staff to handle the load. Mr. Winterton indicates that there are 15 between technicians and technologists. He adds that there is an advantage to increasing that number, but that would be done as part of budget process.

Councillor Mark McKenzie inquires how an expedited construction schedule to minimize disruption is done and is it on a case-by-case basis, how that is determined. Mr. Winterton indicates that where there is work being done in a commercial corridor, they work with the heavy construction association when preparing tenders so that they know what they are bidding on which takes into account their ability to staff and union standards. The City does pay a premium for expedited projects. Our specifications are as good, if not better than any other community in Ontario and are well-positioned to be able to produce the best product that they can.

Councillor Gary Kaschak inquires about seeding or sodding after construction. Mr. Winterton responds that seed product is a better option, but weeds can creep up. Sod is instant, but if not watered, it will die. We have even offered a credit to homeowners to restore it themselves. There isn't a definitive answer, and the restoration remains a challenge.

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Councillor Gary Kaschak inquires whether settlement and sinking after project completion are the responsibility of the residents after a certain period. Mr. Winterton indicates that they will respond to those settlements by providing topsoil within a reasonable time. Administration does pre and post construction photos and videos to document the condition prior to and after the work is complete. If the ground is going to settle, it will happen shortly after completion.

Moved by: Councillor Mark McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 995**

THAT the report of the Commissioner of Infrastructure Services dated November 10, 2023 entitled "Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide" **BE RECEIVED** for information and discussion; and,

THAT the report of the Commissioner of Infrastructure Services dated November 10, 2023 entitled "Response to CQ 24-2023 Regarding Minimum Standards, Vendor Warranties, and Construction Policies for Road Repair, Sewer Infrastructure, and Road Rehab Projects - City Wide" **BE REFERRED** to the 2025 Budget Deliberation meeting to provide options to increase the quality control program; and,

THAT administration **BE REQUESTED** to conduct a thorough review of the 2025/2026 projects to determine whether there may be an opportunity to adopt an expedited schedule, including working off hours and weekends, especially on the main thoroughfares.

Carried.

Councillor Gary Kaschak voting nay.

Report Number: S 44/2024

Clerk's File: SW2024

8.2. Ad Hoc Administrative Alley Committee - City Wide

Councillor Kieran McKenzie inquires about the wording of the deliverables to support Council's goal of developing and enforcing a set of alley standards as outlined in the report, specifically on page 4 of the report in the 4th bullet point, "downtown" is limiting. He adds that alleys in other parts of the City could be considered as viable options. How important it is to keep the language exclusive to Downtown. Ms. Boakes indicates that she will have to review the Active Transportation Master Plan (ATMP) to see if there is a specific area recommended throughout the City, in which case, they can update it.

Councillor Kieran McKenzie requests that the word Downtown in the list be removed and to make it as inclusive as the ATMP language allows. Mr. Winterton indicates that that is not a problem.

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Councillor Kieran McKenzie inquires about the word “will” in the last bullet point, as it is excluding potential opportunities and implies that the City would never participate in a revitalization project, and whether that word can be removed from the list. Mr. Winterton indicates that the view, when looking to majorly activated alleys as in Detroit, they were entirely funded by private development. The idea is that historically, the City does not fund that type of development.

Councillor Fabio Costante suggests that the word “will” be replaced with “may”.

Councillor Kieran McKenzie agrees.

Councillor Renaldo Agostino inquires whether the City is moving towards looking at Alleys potentially becoming neighbourhoods with the ADUs and tiny homes. Mr. Winterton responds that they are not there yet, but it is a possibility that would require a shift on how we identify alleys and possibly naming them. There is no impediment to the suggestion, but there would be planning consideration and thought to address this.

Councillor Renaldo Agostino inquires whether there is any language in the report that would impede this type of progression. Mr. Winterton responds that it wouldn't prevent it, but there would be planning and servicing considerations to take into account.

Councillor Fabio Costante inquires whether grass alleys are considered, in the context of development charges, should the applicant be responsible to chip in to pave that alley. Mr. Winterton responds that they are open to any ideas. Grass alleys are looked at to be closed and the City paid for and initiated closing them. If an alley upgrade is sought after, typically it would be a local improvement process. But those tools are in place currently through the LIP process.

Councillor Renaldo Agostino indicates that if the City is moving towards alley development, lighting needs to be considered in order to make it liveable.

Councillor Mark McKenzie inquires as to what the biggest hurdle is to activating paved alleys. Mr. Winterton indicates that it is the will and whether there is a budget. Roads and sewers are the highest priorities. If Council wanted to activate an alley, it would be a matter of direction of Council and a funding source.

Councillor Mark McKenzie inquires whether there can be some sort of City initiative that can be investigated, in order to improve alleys with a limited budget such as providing paint and some lighting. Mr. Winterton responds that historically, the City does not provide lighting of alleys. There is an opportunity to get creative in order to activate an alley, but maintenance and ongoing operating costs associated with paving an alley need to be considered.

Councillor Kieran McKenzie inquires about best practices for safety and security features and whether it's something that the committee could turn its attention to. Mr. Winterton indicates that when they look to upgrade the alleys, they have to look at the broader picture of the intention behind it. This committee will be including Windsor Police Service to provide feedback into what they're trying to establish.

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Councillor Fabio Costante inquires whether the Committee should formally add Windsor Police as part of this committee in terms of safety and security. Mr. Winterton responds that Windsor Police should be a part of this process.

Councillor Fabio Costante inquires whether the committee is driven by Administration without any Councillor or elected official. Mr. Winterton indicates that is the intention. It would be driven by Administration who would report back at the appropriate time and council would provide direction based on the feedback.

Moved by: Councillor Kieran McKenzie

Seconded by: Councillor Renaldo Agostino

Decision Number: **ETPS 996**

THAT the report of the Commissioner, Infrastructure Services dated April 5, 2024 entitled "Ad Hoc Administrative Alley Committee - City Wide" **BE RECEIVED** in response to Council's request for a specific proposed framework and work plan for the previously approved Alley Standards and Development Committee; and,

THAT Council **APPROVE** the development of a new Ad Hoc Alley Standards Committee as outlined in the report with the deliverables to support Council's goal of developing and enforcing a set of alley standards as amended; and,

THAT the Alley Standards Committee **REVIEW** and **CONSIDER** best practices to promote safety and security as an additional deliverable; and

THAT asset management plans **BE INCLUDED** in the analysis of activating those alley spaces; and,

THAT administration **BE DIRECTED** to report back to Council on an annual basis.

Carried.

Report Number: S 45/2024

Clerk's File: SW2024

8.3. Information regarding adding trees along the E.C. Row Expressway on the North and South sides between Walker Road and Howard Avenue - City Wide

Councillor Kieran McKenzie requests that administration elaborate on the reason why trees cannot or should not be planted on a slope. Yemi Adeyeye, City Forrester, appears before the Environment, Transportation & Public Safety Standing Committee regarding the Administrative report entitled "Information regarding adding trees along the E.C. Row Expressway on the North and South sides between Walker Road and Howard Avenue - City wide" and indicates that there are conditions where trees occur naturally on a slope, there are other conditions that pose a risk to the success of growth. There is a higher probability of the trees falling, where there is limited

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access to the ditch, the soil quality is also a factor, as salt from roadways will run-off into these ditches where the trees are to be planted.

Councillor Kieran McKenzie indicates that in comparison to another tree planting project under perfect conditions, what is the financial risk to what is being contemplated here. Mr. Adeyeye indicates that there were existing trees that were planted in the proposed location, some are thriving, some are decaying, and some will soon fall. There is a potential for trees to fall into the roadway due to the slope gradient towards the road, without resolving the structural changes that need to happen for the growth of the trees.

Councillor Kieran McKenzie inquires, in reference to structural changes, that the City is suggesting that the slope itself would need to be changed. Mr. Adeyeye responds that the slope, the fence, availability of ditch and access to the ditch would need to be changed.

Councillor Kieran McKenzie inquires whether the biggest challenge is the slope as water run-off may cause issues with the soil, which may cause the trees to topple over and there is not enough room for proper drainage to potentially flatten out the slope. Mr. Adeyeye responds that is correct.

Councillor Kieran McKenzie inquires in terms of cost, if there is an opportunity to absorb the cost of this project into the tree-planting budget in future years, assuming that Council is going to continue to fund the Forestry department and tree planting initiatives. Mr. Adeyeye responds that the budget they have is to plant the trees and does not include infrastructure challenges.

Councillor Kieran McKenzie inquires whether there is a way to understand the extent of infrastructure work that would be required. James Chacko Executive Director, Parks and Facilities, appears before the Environment, Transportation & Public Safety Standing Committee regarding the Administrative report entitled "Information regarding adding trees along the E.C. Row Expressway on the North and South sides between Walker Road and Howard Avenue - City Wide" and responds that they identified the work that would be needed. Mr. Chacko indicates that if the goal of the tree planting is to resolve the sound issue, it would need to be carried through the entire stretch from Walker to Howard. The slope becomes much steeper and would cost a substantial amount.

Councillor Kieran McKenzie inquires whether that is an engineering question. Mr. Winterton responds if the idea is to adjust the grade to be able to accommodate planting, from a public safety point of view, I would not support planting trees on the EC Row Expressway right of way.

Councillor Kieran McKenzie inquires that if it was a sound barrier, would it be supported. Mr. Winterton indicates that like other sound barriers along the EC Row Expressway, a Jersey barrier is a better option. The potential to upload the EC Row Expressway should also be considered when weighing options for sound mitigation along this corridor.

Councillor Kieran McKenzie indicates that the cost to undertake this type of project has heavily influenced this council question in the first place. Trees are a much less expensive alternative to sound mitigation than building a wall.

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Councillor Gary Kaschak inquires about the cost for building a jersey wall. Mr. Winterton responds that the figure of \$20 million is for magnitude not for budgeting purposes.

Councillor Gary Kaschak inquires whether there have been any other considerations besides trees or barriers. Mr. Winterton indicates that the idea of trees is largely a visual barrier, but based on the research that they have available, noise mitigation would not be significant.

Councillor Gary Kaschak inquires about the installation of the sound barriers between Dominion and Huron Church. Mr. Winterton indicates that that installation pre-dates the City taking it over. They were not paid for as part of a City of Windsor contract.

Councillor Gary Kaschak inquires about the installation of the sound barriers between Lauzon to Banwell on the North side. Mr. Winterton indicates that the Forest Glade area has noise barriers, but there is mostly commercial or industrial along the corridor which would not require it.

Councillor Kieran McKenzie inquires whether there are different road materials that generate less sound that have been explored. Mr. Winterton indicates that road noise from tined concrete is typically the worst, asphalt would be less noisy. Other innovative materials that would be able to hold up to the rigors of an industrial pavement structure have not been considered but can be considered.

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

Decision Number: **ETPS 997**

THAT the report of the Commissioner, Infrastructure Services & City Engineer dated April 5, 2024 entitled "Information regarding adding trees along the E.C. Row Expressway on the North and South sides between Walker Road and Howard Avenue - City Wide" **BE RECEIVED** for information.

Carried.

Report Number: S 47/2024

Clerk's File: SRT2024

8.4. Response to CQ 9-2024 - Deficient Roads and "Like for Like" Policy - City Wide

Councillor Gary Kaschak inquires whether the Local Improvement Policy (LIP) is the most effective way to move forward. Mr. Winterton indicates that a policy is in place for residents with roads that have no curb and gutter that want road improvements. The LIP allows a proper standard of road construction. Residents with a successful LIP, can move forward with the project.

Councillor Gary Kaschak inquires whether an LIP has been started on Jarvis Street. Mr. Winterton indicates that an LIP has been started and the intention is the road would be a municipally driven local improvement. There are some severe drainage issues there. The City would like to put in storm sewers and curbs. Through the Environmental Assessment and consultation with the residents, they had a revised cross-section.

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Stacey McGuire, Executive Director, Engineering, appears before the Environment, Transportation & Public Safety Standing Committee regarding the Administrative report entitled “Response to CQ 9-2024 - Deficient Roads and “Like for Like” Policy - City Wide” and indicates that for that particular project, it is part of an overall Environment Assessment that was completed along with the extension of Wyandotte to Jarvis. The project includes a mountable curb that allows parking. It includes storm sewer, active transportation and connection between East Riverside and Tecumseh.

Councillor Gary Kaschak inquires about the extent of the EA work on that project. Mr. Winterton indicates that if Council approves the budget for that project, the EA includes all of the improvements needed.

Councillor Kieran McKenzie inquires if residents want their road improved, an approved LIP doesn't necessarily mean there is funding allocated for resident driven LIPs. Ms. McGuire indicates that the budget item doesn't distinguish between resident and municipal initiated. Once there is a successful LIP, it is budgeted into the next available spot within the 10 year capital budget.

Councillor Kieran McKenzie inquires when the next resident-driven LIP is going to go forward. Ms. McGuire indicates that that information is not readily available.

Councillor Kieran McKenzie inquires whether the focus has been to address areas that are currently on septic to make sure they are prepared to proceed with development over other LIPs that the residents have on their streets. Mr. Winterton responds that the policy is based on environmental and public safety concerns as a priority. However, if a resident-driven petition came in, it would be given great consideration in terms of budget. Ms. McGuire indicates that the Byng Road was intended to be City initiated and then our policy came into effect, which prioritized roads without sanitary. If Byng Road came back as resident-initiated with a signed petition, we would slot it in as soon as we can within the funding that we have. Mr. Winterton adds that the idea of how we build and prioritize local roads, the system that is in place is fairly robust.

Councillor Kieran McKenzie inquires whether there is a plan to move forward to fix residential roads. Mr. Winterton indicates that there are about 250 km of deficient roads which would exceed \$300 million. The City's annual budget for roads is \$50 million. The Asset Management Plan is designed to try to address the highest impact roads. To deviate from that plan within the budget that they have, takes them away from what they are trying to achieve.

Councillor Kieran McKenzie inquires about what the risk is If the City moves to the hard surface replacement model for more roads to land in the red, than what the current policy is. Mr. Winterton responds that they have been successful in doing a mill and pave on a yellow road and that provides another 20-25 years of life. Hard surface replacement on a now deficient road, you may get 2-3 years out of it. If they stay with the plan, they are whittling away at the red roads at a slower pace than residents expect, but will be a much better life cycle.

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

Decision Number: **ETPS 998**

THAT the report of the Commissioner, Infrastructure Services & City Engineer dated April 5, 2024 entitled "Response to CQ 9-2024– Deficient Roads and "Like for Like" Policy – City Wide" **BE RECEIVED** for information.

Carried.

Report Number: S 43/2024
Clerk's File: SW2024

8.5. Traffic Signal at Tecumseh Road E and Robinet Road – Ward 7

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

Decision Number: **ETPS 999** ETPS 987

THAT the report of the Senior Manager, Traffic Operations & Parking, dated January 12, 2024 entitled "Traffic Signal at Tecumseh Road E and Robinet Road-Ward 7" **BE RECEIVED** for information.

Carried.

Report Number: SCM 33/2024, S 7/2024, AI 3/2024 & AI 6/2024
Clerk's File: ST2024

9. TRANSIT BOARD ITEMS

None presented.

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 6:20 o'clock p.m. The next meeting of the Environment, Transportation & Public Safety Standing Committee will be held Wednesday, May 29, 2024.

Carried.

Ward 2 – Councillor Costante
(Chairperson)

Deputy City Clerk / Supervisor of Council
Services