

Subject: Response to CQ 36-2023 – Repurposing Lot 16 - City Wide

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

Decision Number: **ETPS 992**

THAT the report of the Coordinator, Parking Services dated March 11, 2024 entitled “CQ 36-2023 – Repurposing Lot 16” **BE RECEIVED** for information; and,

THAT Option 1, being the:

Installation of a barrier gate (with integrated pay station) to control access to the parking lot 16, possibly including restrictions such as no entry after 10:00 p.m. **BE APPROVED**; and,

THAT the initial cost of the barrier gate \$51,950 (plus HST), with associated infrastructure upgrade costs estimated to be approximately \$10,000 **BE FUNDED** from the On-Off Street Parking Reserve fund 138; and,

THAT administration **BE DIRECTED** to investigate different techniques and changes that can potentially assist the surrounding residents with issues related to this parking lot including but not limited to noise detection cameras, speed humps, and an increase to parking fees; and that the information **BE BROUGHT FORWARD** to Council for their consideration.

Carried.

Report Number: S 35/2024
Clerk's File: ST2024 & ACOQ2024

Clerk's Note:

1. The recommendation of the Environment, Transportation & Public Safety Standing Committee and Administration are **NOT** the same.
2. Please refer to Item 8.3 from the Environment, Transportation & Public Safety Standing Committee held on March 27, 2024.
3. To view the stream of this Standing Committee meeting, please refer to:
<https://csg001-harmony.sliq.net/00310/Harmony/en/PowerBrowser/PowerBrowserV2/20240327/-1/10474>

Subject: Response to CQ 36-2023 – Repurposing Lot 16 – City Wide

Reference:

Date to Council: March 27, 2024
Author: Author: Bill Kralovensky
Coordinator, Parking Services
(519) 255-6247 ext. 6103
bkralovensky@citywindsor.ca

Public Works - Operations
Report Date: March 11, 2024
Clerk's File #: ST2024 & ACOQ2024

To: Mayor and Members of City Council

Recommendation:

THAT report S35/2024, "CQ 36-2023 – Repurposing Lot 16", **BE RECEIVED** for information.

Executive Summary:

N/A

Background:

On Monday, October 30, Councillor Agostino asked the following Council Question:

CQ 36-2023

Downtown residents are having a very tough time dealing with noise and loitering issues in lot 16. The problem is after hours partying and cars performing burnouts. It's my understanding that we have been losing this battle for at least a decade. Asks that Administration report back regarding options available for repurposing parking lot 16.

This report is provided in response to CQ 36-2023.

Discussion:

It is important to note that repurposing Lot 16 may not resolve the issues of noise and loitering. There's a likelihood that these challenges could simply shift to nearby parking lots to the east (Lot 34) and/or west (Lot 5), necessitating a broader approach to effectively address these concerns. Similar issues were noted near Festival Plaza previously and with the installation of fencing and gates to address that problem, the challenges shifted to Lot 16.

City Council adopted the Central Riverfront Implementation Plan (CRIP) on September 5, 2000. The CRIP included provisions for parking lots at strategic locations along the riverfront. Specifically, the plan envisaged that Lot 16 would continue to serve as a parking lot.

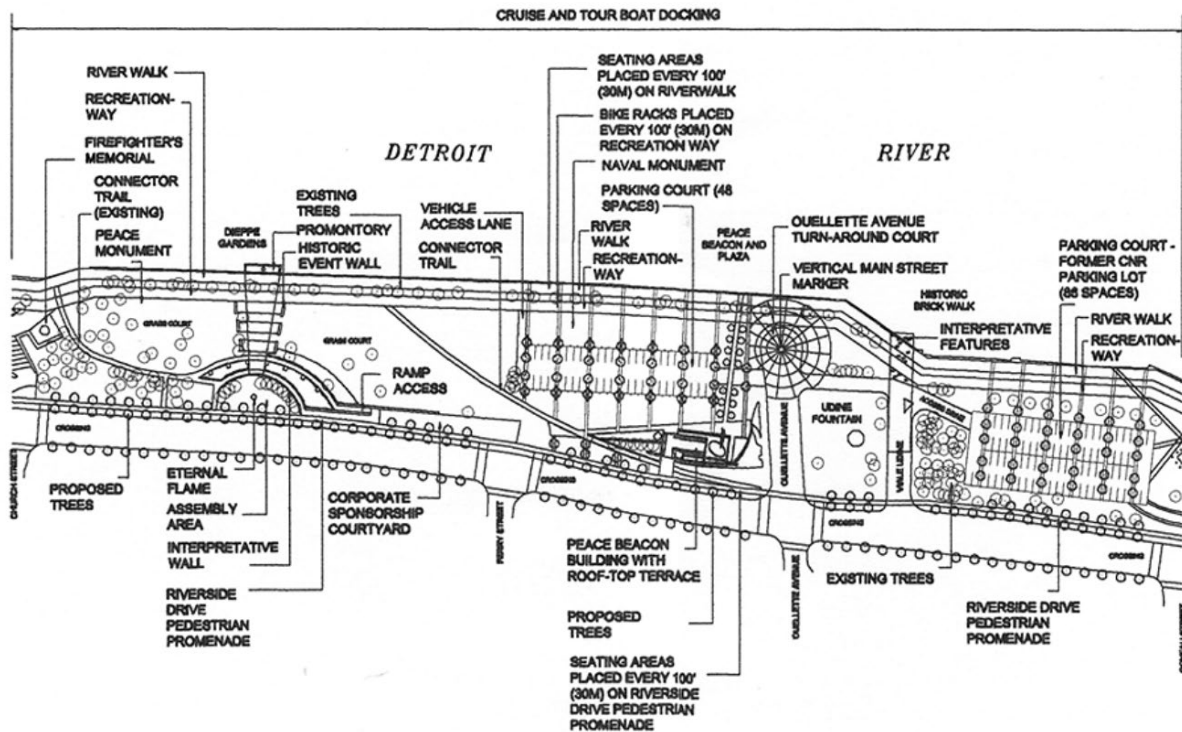


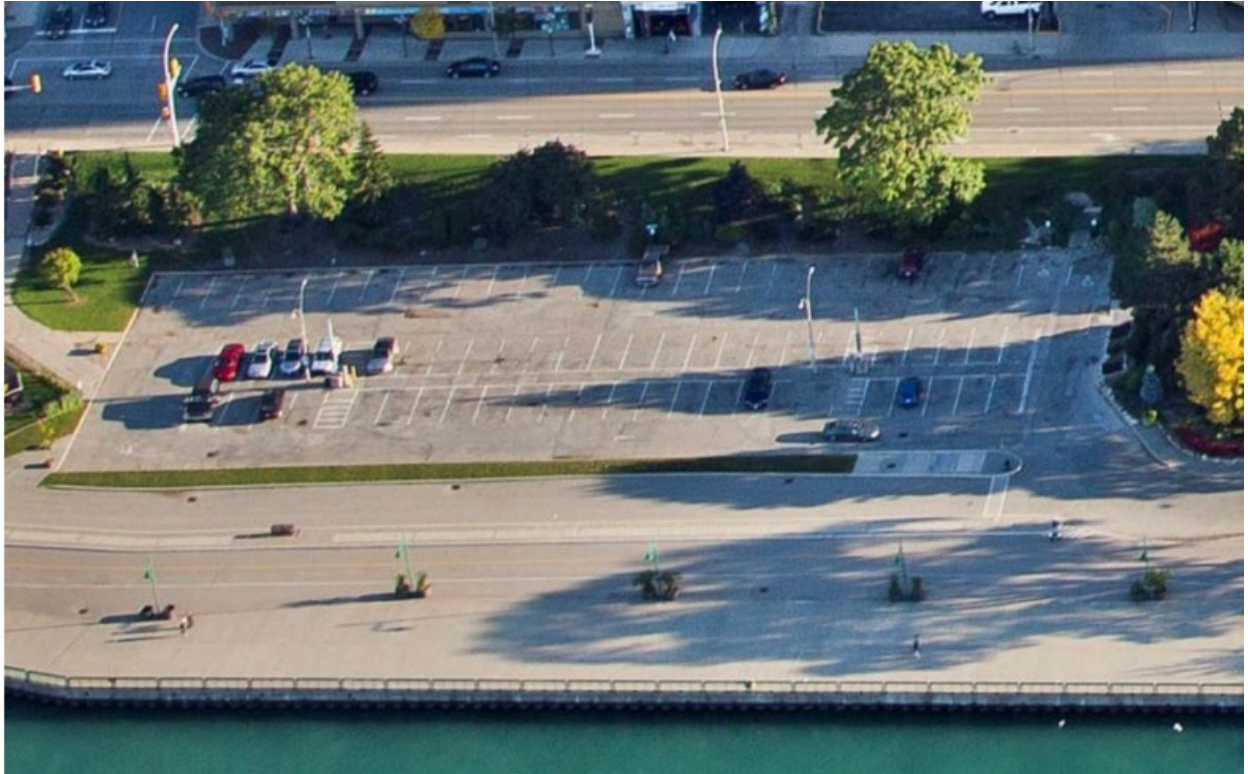
Figure 62. Central Riverfront Implementation Plan. September 2000, p. 75.

If Council wishes to change the functionality of Lot 16 from parking to some other use, they may wish to revisit the CRIP as this area was identified as a parking lot.

Lot 16 along with nearby Lot 5 is typically well utilised during our extended warm weather outdoor season and the Parks department does receive complaints about a lack of parking available. The elimination of Lot 16 and its 86 spaces will leave only the 48 spaces at Lot 5 to service the nearly 1.3 km stretch of riverfront parkland from Glengarry to Caron Ave. This stretch of parkland includes popular destinations such as Rotary Plaza, Festival Plaza and Dieppe Park. Dieppe Park is home to such amenities/attractions as The Great Canadian Flag, Bistro at the River, numerous memorials & monuments and over 30,000sqft of garden beds.

Should Council decide to maintain Lot 16 as a parking lot, there are a number of measures that could be considered to address the issues of noise and loitering. These include:

1. Installing a barrier gate (with integrated pay station) to control access to the parking lot, possibly including restrictions such as no entry after 10:00 p.m. The initial cost of the barrier gate is \$51,950 (plus HST), with associated infrastructure upgrade costs estimated to be approximately \$10,000. Below, Lot 16 is pictured.



Lot 16 - Central Riverfront Implementation Plan Review – Items to Consider, p. 5.

Pros:

- Provides a physical barrier to control access, reducing unauthorized parking and potential for loitering.
- May deter unwanted behavior by imposing a structured entry/exit system.
- Can be programmed to enforce specific access times (e.g., no entry after 10:00 p.m.).

Cons:

- Initial cost for installation and infrastructure upgrades.
- Ongoing maintenance and operational costs.
- May inconvenience legitimate users if access is restricted after certain hours.
- Potential for technical issues or malfunctions.
- Can be bypassed, vehicle(s) park in the lot before the gate restricts access. Even if it is just a single vehicle from the group, the vehicle will drive out to open the gate, and the other vehicles then drive in.

2. Enforcement of noise and loitering complaints by Windsor Police and continued parking enforcement through the current contractor.

Pros:

- Utilizes existing law enforcement and parking enforcement infrastructure.
- Can be effective in addressing specific complaints of noise and loitering.

Cons:

- Does not provide continuous monitoring or deterrence.
- Reliant on the availability and response times of enforcement.
- Enforcement actions will be reactive rather than proactive.

3. Contract security could be hired to monitor the parking lot between the hours of 8:00 p.m. and 4:00 a.m., Thursday through Sunday all year. The estimated 2024 hourly rate is \$30.00. Due to the nature and time of monitoring, two officers may be required. The approximate cost for two officers is \$99,840.

Pros:

- Provides dedicated monitoring during peak hours for noise and loitering issues.
- Visible security presence can deter unwanted behavior.
- Can respond quickly to incidents within the parking lot.

Cons:

- Ongoing cost for security personnel.
- Limited to specific hours and days, leaving gaps in coverage.
- Do not have authority to enforce laws / by-laws.

4. Installation of security cameras has been reviewed at various external locations around the City, i.e. parks, parking lots, etc., to address similar issues. Due to lack of infrastructure (conduits, fibre, connectivity, ability to continuously monitor these locations, etc.) it is not feasible at this time. However, Administration continues to look for potential solutions that could be feasible.

Regarding options for repurposing Lot 16 for alternative community use, ultimately, the determination of an alternate use for Lot 16 rests with Council. Since there are a multitude of options, Council could instruct Administration to explore specific options.

Risk Analysis:

It is important to note that repurposing Lot 16 for a different use may not resolve the issues of noise and loitering. There is a likelihood that these challenges could simply shift to nearby parking lots to the east (Lot 34) and/or west (Lot 5), necessitating a broader approach to effectively address these concerns. Similar issues were noted near Festival Plaza previously and with the installation of fencing and gates to address that problem, the challenges shifted to Lot 16.

The loss of these spaces will have a negative impact on park users. Residents and visitors alike will be challenged to find appropriate parking. This will likely lead to an increase in complaints, could lead to an overall reduction in the number of people visiting not only the parkland but also downtown overall which can lead to a negative impact on the city's image.

Further, if Lot 16 is repurposed, monthly permit holders in this lot would be displaced. At the moment, Garage 1 (Pitt & Goyeau) can accommodate the displace monthly parkers. The monthly rate for Garage 1 is \$12.43 more per month (or \$149.16 more per year).

Finally, the lot houses a transformer owned and operated by Enwin Utilities. Access to this transformer would need to be maintained even if the lot was repurposed.

Climate Change Risks

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The costs associated with the options noted above are detailed below. Council should be aware that any additional expenditures are considered to be new matters not previously approved within either the current operating or 10-year capital plan. As such, there is no funding current allocated to improving security of Lot 16. City Council would need to provide direction as to which option they would like to be further considered.

Option 1 Cost:

The cost of a gated exit with a pay station is approximately \$51,950 excluding HST, with site preparation and other related installation costs estimated to be around \$10,000 excluding HST. The risk of the gates being damaged is low / medium, other similar gates in the City require repair a few times each year. Replacement costs for a gate that is damaged could be minimal, i.e. replacement of the gate only, however there is a potential that the concrete base can be damaged which would require funding similar to the initial installation cost. This option would be funded by the capital program for parking equipment, which is funded from the On-Off Street Parking Reserve Fund 138. At this time, gates are not part of the upcoming project works. To complete this project, funding would be required from the On-Off Street Parking Reserve. Parking fees could be increased to replenish funding used from the On-Off Street Parking Reserve.

Option 2 Cost:

There is no additional cost for option 2.

Option 3 Cost:

The additional cost to hire contract security to monitor the parking lot between the hours of 8:00 p.m. and 4:00 a.m., Thursday through Sunday all year is estimated at \$99,840 excluding HST based on the estimated 2024 contractual hourly rates. The additional security cost would require an operating budget increase. This increased operating budget would result in an offsetting reduction in the annual transfer to the On-Off Street Parking Reserve fund 138. At this time, the additional security is not part of the ongoing operating budget. To complete this project would require additional funds from the reserve. Alternatively, parking fees could be increased to offset this increased cost annually.

Lot 16 Revenue:

The parking revenue associated with Lot 16 was approximately \$80,000 for 2022 and \$120,000 for 2023 resulting in a 2-year average revenue of approximately \$100,000 per table 1 below.

Table 1:

Year	Cash Deposits	Debit / Credit	Parking App Net Revenue	Monthly Permit Revenue	Total
2022	\$38,964.16	\$14,549.55	\$5,269.72	\$20,805.29	\$79,588.72
2023	\$32,779.12	\$59,028.52	\$8,912.79	\$19,925.30	\$120,645.73
2-Year Average	\$35,871.64	\$36,789.04	\$7,091.26	\$20,365.30	\$100,117.23

Should Lot 16 be repurposed, there would be a net loss of approximately \$80,000 in revenue. It is anticipated that the loss of revenue would be only the loss of hourly parking revenue as the monthly permit holders would be moved to the Goyeau Garage. Loss of revenue results in a decrease in the transfer of net results (revenue minus expense) annually to the On-Off Street Parking Reserve Fund 138. Parking fees could also be increased to offset this loss of revenue annually.

Capital Rehabilitation Required:

The pavement in Lot 16 is failing and requires rehabilitation. Lot 16 pre-engineering and soil testing was completed in April 2023. Preliminary results indicate contaminated soils to a depth of 750 mm will need to be removed and remediated. The final soil report provided by the consultant will be utilized by Public Works Engineering to inform the design and remediation processes, as well as to develop a final budget estimate for the construction project. The cost of the Lot 16 rehabilitation is currently estimated in the range of \$850,000 to \$1,250,000 excluding HST pending completion of final cost estimating. The cost of this pending rehabilitation is currently being considered in the 10-year On-Off Street Parking Reserve and capital expenditure forecasts.

Non-refundable HST costs are not applicable for any costs, operating or capital, as Parking Operations are deemed to be commercial in nature with 100% of HST costs refunded to the City.

Consultations:

Ian Day, Senior Manager, Traffic Operations & Parking (A)

Craig Robertson, Manager, Licensing & Enforcement /Deputy License Commissioner

Cindy Becker, Financial Planning Administrator – Operations

Rob Slater, Executive Initiatives Coordinator

Alex Vucinic, Manager, Purchasing and Risk Management

Emilie Dunnigan, (A) Deputy Treasurer, Financial Planning

Conclusion:

While the repurposing of Lot 16 is possible, it would necessitate that the Central Riverfront Implementation Plan be revisited. The ultimate use of the space is up to Council.

If repurposed, the loss of Lot 16 would reduce the City’s parking revenues by approximately \$80,000 per year and reduce the number of available parking spaces for visitors to the Riverfront.

Furthermore, it is important to note that repurposing Lot 16 does not tackle the noise and loitering problems. Consequently, without addressing these underlying issues, there is a high probability that these disturbances would merely shift to other nearby parking lots, either to the east (Lot 34) or west (Lot 5).

Rather than repurposing Lot 16, Council may wish to consider implementing the barrier gate noted in the report to address the issues of noise and loitering.

Planning Act Matters:

N/A

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Operations
James Chacko	Executive Director, Parks & Facilities
Shawna Boakes	Deputy City Engineer / Executive Director of Operations
Ray Mensour	Commissioner, Community Services
Mark Winterton	(A) Commissioner, Infrastructure Services
Janice Guthrie	Commissioner, Finance & City Treasurer
Joe Mancina	Chief Administrative Officer

Notifications:

Appendices:

**Environment, Transportation &
Public Safety Standing
Committee
March 27, 2024
Item 8.3 – Written Submission**

From: Marc L

Date: March 27, 2024 at 8:59:20 AM EDT

To: clerks <clerks@citywindsor.ca>, "Agostino, Renaldo" <ragostino@citywindsor.ca>

Subject: Parking lot 16

Hello Everyone,

I'm writing on behalf of the residents at 75 Riverside Drive east, we have been experiencing numerous noise related issues from the cars in Lot 16 and also fireworks at random times from that parking lot. This has been ongoing for the last 8 years and continues to get worse every year, we would like to have an electronic gate, cameras and signs in that parking lot warning of excessive vehicle noise. Our residents are all behind this and we're looking forward to having this situation addressed.

Thanks to everyone involved in regards to improving the quality of life for everyone living at 75 and 111 Riverside drive east.

Subject: Additional Information Memo to report S 35/2024 Response to CQ 36-2023 – Repurposing of Lot 16

Reference:

Date to Council: September 23, 2024

Author: Bill Kralovensky

Coordinator, Parking Services

(519) 255-6247 ext. 6103

bkralovensky@citywindsor.ca

Public Works - Operations

Report Date: September 3, 2024

Clerk's File #: ST2024 ACOQ2024

To: Mayor and Members of City Council

Additional Information:

Recommendation:

THAT Administration be **DIRECTED** to install temporary speed bumps in Lot 16 at a cost of \$9,000 excluding HST funded from the On-Off Street Parking Reserve Fund 138; and,

THAT Parking By-Law 9023 be **AMENDED** for Lots 16, 5, and 34 as follows:

1. Removal of 3-hour maximum parking time limit;
2. Removal of 6pm to midnight flat fee replacing with per hour parking fee; and,

THAT the City Solicitor be **DIRECTED** to prepare the necessary documents to amend the Parking By-Law 9023.

Executive Summary:

N/A

Background:

On Monday, October 30, Councillor Agostino asked the following Council Question:

CQ 36-2023

Downtown residents are having a very tough time dealing with noise and loitering issues in lot 16. The problem is after hours partying and cars performing burnouts. It's my understanding that we have been losing this battle for at least a decade. Asks that Administration report back regarding options available for repurposing parking lot 16.

On the regular scheduled Council meeting of Monday April 22, 2024, Report Number: SCM 89/2024 & S 35/2024 8.19 was presented to Council. The decision of this presentation is listed below as:

Decision Number: CR167/2024 ETPS 992

That the report of the Coordinator, Parking Services dated March 11, 2024 entitled "CQ 36-2023 – Repurposing Lot 16" **BE RECEIVED** for information; and,

That Option1, being the installation of a barrier gate (with integrated pay station) to control access to the parking lot 16, possibly including restrictions such as no entry after 10:00 p.m. **BE APPROVED**; and,

That the initial cost of the barrier gate is \$51,950 (plus HST), with associated infrastructure upgrade costs estimated to be approximately \$10,000 **BE FUNDED** from the On-Off Street Parking Reserve fund 138; and,

That administration **BE DIRECTED** to investigate different techniques and changes that can potentially assist the surrounding residents with issues related to this parking lot including but not limited to noise detection cameras, speed humps, and an increase to parking fees; and that the information **BE BROUGHT FORWARD** to Council for their consideration.

Discussion:

Lot 16 Barrier Gates

Administration has begun the process of installing temporary barrier gates (dual gate exit /entry system) to the entrance of Lot 16, as per the first portion of CR167/2024. Directional boring and conduit installation has been awarded to Poirier Electric. Once conduit and wiring has been installed, a small concrete island will be poured to support the barrier gates. The installation of barrier gates, one in each of the now separated laneways and defined by the new concrete island, will be completed once concrete has reached the proper curing.

These temporary gates are planned to be subsequently removed and replaced with the Council approved Pay for parking style equipment when the complete rebuild of Lot 16 occurs in 2025. This temporary interim measure will allow Administration to gather valuable data in preparation for the permanent rebuild in 2025. Before equipment is enhanced, Administration will inform Council of the results of using the dual gate exit /entry system of the temporary barrier gates for Council's decision if to remain with this style as part of the 2025 rebuild.

Pending alternative Council direction, the entry and exit gates is proposed to close at 11 p.m. instead of the requested 10 p.m. as stated in the March 11, 2024 Council resolution. This change in time was suggested in consultation with the Downtown Windsor Business Improvement Association Executive Director to allow for later parkers intending on visiting the local restaurants and night clubs.

The exit gate will open to allow the egress for paid customers using a “Loop” control technology. When a vehicle enters the loop zone, the exit gate will automatically open and close immediately when the same vehicle passes over the second loop. Both gates will return automatically to the open position at 6 a.m., or any other time that Council so directs.

Lot 16 Noise and Loitering Mitigation Measures

Administration was also directed to investigate further techniques for noise and loitering issues. The Lot 16 rebuild is currently in the design and tendering phase.

The project will include the removal and disposal of contaminated substrate under current paved lot, and replacement to grade level with appropriate foundation aggregate. New pavement will then be installed complete with traffic islands designed to curb speeding and racing in the lot area. The projected start date of fall of 2025 will allow undisturbed parking for the summer festival and tourism season. As part of this design, Administration will be recommending the installation of speed humps and traffic calming islands to mitigate the noise issues in this lot caused by erratic/dangerous driving behaviour. Administration recommends installation of temporary speed bumps for the remaining life of the Lot 16 to alter the physical environment which may discourage vehicle racing activity. Four (4) strategically placed speed bumps can be implemented at an unbudgeted cost of \$9,000 plus HST funded from the On-Off Street Parking Reserve Fund #138. This temporary measure will allow Administration to gather valuable data in preparation for the permanent rebuild in 2025.

Administration suggests the removal of the after 6 p.m. flat fee (currently \$3.00) in lieu of a straight per hour fee structure (\$1.75/hour). Furthermore, Administration also suggests the removal of the maximum time allowance in this lot (currently at 3 hours prior to the 6 p.m. time mark). The removal of the maximum time allowance would hopefully entice customers to occupy parking spaces over a longer duration, leaving less available lot space for undesired noise and loitering activities. If these suggestions were to be implemented, these two (2) changes should also be instituted in both Lots 5 and 34, such that the Lot 16 issues simply do not shift to these closest neighbouring lots to the east and west.

Additional Lot 16 Monitoring and Enforcement Considerations

The installation of security cameras could be considered within Lot 16. However, cameras are still a reactive enforcement tool as opposed to proactive. Administration is not recommending such implementation given after hours monitoring would be required. Currently, a violation must be detected either visually by a person monitoring the system, or using AI technology that is still in the infancy stage. Once a violation has been detected, a report would have to be created and provided to either WPS and/or Bylaw Enforcement for infraction processing. At this time, the Province only allows the

use of automated enforcement for red light cameras and speed; therefore, an application to issue tickets from cameras is not readily possible at this time.

Alternatively, a private security force could be considered and hired on a four (4) hour shift basis, Thursday through Sunday's between 11 p.m. and 3 a.m. For the remainder of 2024 (October through December) the unbudgeted cost would be estimated at \$6,850 plus HST. Security including statutory holidays for the entire year of 2025 at current rates would be an unbudgeted \$25,200 plus HST. At this time, Administration is seeking approval to add temporary speed bumps and to change the fee structure for Lot 16, security would be considered in future if the bumps and fee changes are not effective. Should Council wish to add security as noted above, direction can be provided as part of the finalized resolutions.

Risk Analysis:

Work done in Lot 16 may have a negative effect on the other lots on the Riverfront. Lot 16 is the preferred location for this type of activity because it is hidden through trees and the embankment. Loiterers may relocate from this Lot to others in the area and continue the behaviour. If this happens, additional funding would be required to complete similar steps in those lots, increasing the spending and further depleting the Parking Reserve funding.

Climate Risk

Climate Change Mitigation:

N/A

Climate Change Adaptation:

N/A

Financial Matters:

The additional features noted above as part of the reconstruction of Lot 16, such as speed humps and traffic calming islands, are already included in the estimates for the reconstruction work and being funded through the capital project 7191022. Temporary speed bumps can be installed strategically in the lot at a cost of \$9,000 excluding HST. Funding for temporary speed bumps is available from the On-Off Street Parking Reserve (Fund 138) should Council direct Administration to install.

Should Council wish to proceed with additional on-site security, funding would need to be obtained from the On-Off Street Parking Reserve (Fund 138). Approximately \$6,850 excluding HST would be required for September to December 2024 and \$25,200 excluding HST for 2025.

There are sufficient funds in the On-Off Street Parking Reserve Fund 138 available to fund expenditures as outlined in this report without impacting any ongoing or future capital works currently planned for On-Off Street Parking. The balance in the On-Off Street Parking Reserve Fund 138 as at December 31, 2023 is \$2,212,821.

On-Off Street Parking operations are deemed commercial for HST purposes, therefore, 100% of all HST paid is refundable resulting in no non-refundable HST costs for the City. The On-Off Street Parking Reserve (Fund 138) has a current uncommitted balance of approximately \$720,000, as at August 31, 2024.

The removal of the current flat fee in lieu of a straight per hour fee along with the removal of the maximum time allowance prior to 6:00 p.m. is recommended by Administration at this time, however, the impact on revenue has not yet been quantified. Any revenue impacts are expected to be positive, and will be reported back to Council when the redesign of Lot 16 is underway in 2025.

Consultations:

Rob Slater, Executive Initiatives Coordinator

Conclusion:

Administration recommends the installation of temporary speed bumps in Lot 16 at an estimated cost of \$9,000 plus HST funded from the On-Off Street Parking Reserve (Fund 138). If Administration finds the noise issues continue after installation of the speed humps, Administration requests approval to proceed with the hiring of a private security firm for the lot with costs funded from the On-Off Street Parking Reserve (Fund 138).

Approvals:

Name	Title
Cindy Becker	Financial Planning Administrator – Public Works
Mark Spizzirri	Manager of Performance Measurement & Business Case Development
Shawna Boakes	Executive Director of Operations/Deputy City Engineer
David Simpson	Commissioner, Infrastructure Services and City Engineer
Janice Guthrie	Commissioner, Finance and City Treasurer
Joe Mancina	Chief Administrative Officer

Appendices: