



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### OFFICE OF DEVELOPMENT SERVICES

**Mission Statement:** As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

<b>Author's Name:</b> Melissa Osborne	<b>Report Date:</b> April 26, 2024
<b>Author's Phone:</b> 519 736-0012 ext. 2137	<b>Date to Council:</b> June 10, 2024
<b>Author's E-mail:</b> mosborne@amherstburg.ca	<b>Resolution #:</b>

**To:** Mayor and Members of Town Council

**Subject:** Report on Open Air/Festival Street Closure Footprint Expansion

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#### 1. RECOMMENDATION:

It is recommended that:

1. The report **BE RECEIVED** for information.

#### 2. BACKGROUND:

At the March 25, 2024 Council meeting the following Council Resolution was made:

Resolution: 20240325-006

**Moved By** Councillor McArthur

**Seconded By** Councillor Crain

That Administration **BE DIRECTED** to approach Flow Café and Bikes, other businesses and residents of the Queen Charlotte to see if it is possible to extend the footprint safely, enhance signage and see if they can benefit like other businesses in the footprint.

This report is to address this direction from Council.

#### 3. DISCUSSION:

The current street closures used for Uncommon Fest, Open Air, and True Fest can be found in Appendix A— Current Street Closure and 4 Options to Extend. Representatives from Tourism, By-law Enforcement, Infrastructure Services, Risk Management, Parks,

and Fire met to discuss and develop options to move the Murray and Dalhousie closure further south towards the entrance of the Legion parking lot on Dalhousie.

Four (4) options were developed, and a map of each option is provided in Appendix A as well. The yellow lines represent existing street closures, and the red lines represent ways to extend the footprint. In some options, the current Murray and Dalhousie closure is still noted on the map in yellow, as it is required to remain in place for safety.

Below is a detailed list of each option's pros and cons. Administration is advising that Options 1, 2, and 3 are not deemed viable and should not be implemented due to the risks outlined below. The only option that could be feasible with the least risk would be Option 4.

Option 1 – New Access through Kings Navy Yard Park Extension

<b>Pros</b>	<b>Cons</b>
<ul style="list-style-type: none"> <li>• Allows for alternative access to private parking at Queen Charlotte;</li> <li>• Provides for maximum extension of Dalhousie to Legion parking lot entrance;</li> <li>• Does not require additional staffing to manage and monitor;</li> <li>• Might be a future solution should park access need to be designed.</li> </ul>	<ul style="list-style-type: none"> <li>• Location would require the MECP review of the KKNYP extended lands to be reopened;</li> <li>• Likely result in restarting the MECP review and approval process and keeping the area fenced off beyond 2024;</li> <li>• Location could impact/restrict designs for KKNYP expansion area;</li> <li>• Removes 6 on-street parking spots, including one accessible;</li> <li>• Current exit for QC would need to have barriers to prevent exiting onto Dalhousie and into pedestrian traffic;</li> <li>• Most costly option and longest timeline to implement</li> </ul>

Option 2 – Barrier around the on-street parking in front of Queen Charlotte

<b>Pros</b>	<b>Cons</b>
<ul style="list-style-type: none"> <li>• Does not block access to the QC entrance;</li> <li>• Allows businesses at QC to move into that space on the street</li> <li>• Access for fire emergency services</li> </ul>	<ul style="list-style-type: none"> <li>• Still outside of the street closure area as the barrier at Murray and Dalhousie need to remain;</li> <li>• Removes 6 on street parking spots, including one accessible;</li> <li>• Increased risk of pedestrians walking into traffic;</li> <li>• Businesses looking for continuation of foot traffic so they become visible rather than moving into the street area;</li> <li>• Requires purchase new barriers at an estimated cost of \$12,544 plus shipping</li> </ul>

Option 3 – Barriers at Legion Entrance Monitored and Moved for Access to Queen Charlotte

Pros	Cons
<ul style="list-style-type: none"> <li>• Creates the same footprint as established during Cars Gone Crazy</li> <li>• Access for fire emergency services</li> </ul>	<ul style="list-style-type: none"> <li>• Requires permanent staffing at Legion and QC barriers to allow traffic in and out of the area;</li> <li>• Solution for additional staffing beyond open air hours and/or staffing to tear down and set up each day will be required, every day;</li> <li>• New barriers would need to be sourced to allow for staff to easily move the barrier for car access, yet strong enough to stop vehicles from just running through them, and needs to meet with fire requirements as well;</li> <li>• Removes 6 on street parking spots, including one accessible;</li> <li>• Still requires the barrier at Murray and Dalhousie to ensure people don't drive into the footprint;</li> <li>• Creates the perception of a safe walking space between Murray and the Legion such that there is a risk of an incident when vehicles enter the area where pedestrians are walking in the street;</li> <li>• Similar set up was tried on North end during original Open Air when barriers were at Rankin. Barriers were moved to allow cars access to parking at restaurants and near misses with pedestrians and staff resulted in moving the footprint back to Richmond for safety reasons.</li> </ul>

Option 4 – Zig Zag entrance to Queen Charlotte

Pros	Cons
<ul style="list-style-type: none"> <li>• Does not require staff to monitor and move barriers;</li> <li>• Provides for an entrance to QC;</li> <li>• Removes the barrier at Murray and Dalhousie providing for continuance of the footprint;</li> </ul>	<ul style="list-style-type: none"> <li>• Does not provide for pedestrian access to QC businesses from the foot print, still need to go around the barriers at Legion or walk up the sidewalk on QC side;</li> <li>• Removes 6 on street parking spots, including one accessible;</li> </ul>

<ul style="list-style-type: none"> <li>• Access is provided for fire emergency services</li> </ul>	<ul style="list-style-type: none"> <li>• Cost for additional equipment may be required to protect pedestrians from vehicles and is in the range of \$3,900 to \$10,200, depending on if all of it must be jersey barriers or if use of existing fencing for some sections is supported by Council.</li> </ul>
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As previously noted, Administration strongly discourages Options 1, 2 or 3, given their respective risks. They were only included in this report to provide Council with clarity on the various options considered and reviewed for feasibility, risk and costs.

It is important to note that in all of these options, sidewalks are and continue to provide accessible access, and the accessible parking space that would be displaced in front of Queen Charlotte would be relocated just outside of the footprint of open air, and increased from one space into two temporary accessible spots. Although Option 4 is feasible, it still has risks, and depending on which setup is approved, as outlined below, it may require additional funding to implement.

Option 4a – Use of Jersey Barriers and Fencing

The map of Option 4 indicates a solid red line where jersey barriers would be installed, and the dotted red line is where fencing would be installed. The jersey barrier placement will mitigate the risk of vehicles accelerating into the pedestrian area. Fencing is only considered for the part of the setup with the least likely risk of a car accelerating through it into pedestrian traffic. To be clear, if someone attempted to run through the fencing, they could, as it cannot stop a vehicle. This risk was deemed low based on how the entrance to the protected area will be set up with jersey barriers, yield signs, and only authorized access signs.

The Town already has sufficient fencing for the area; however, 5 additional jersey barriers would need to be purchased at an approximate cost of \$3,660.30 plus HST. In addition, signage for the entrance is strongly recommended to manage misuse of this area. The price for the signage is estimated at \$212.28 plus HST. The total cost of \$3,872.58, plus HST, was not a planned expenditure and, as such, would require a funding source for the purchase. It is expected to take 2 to 3 weeks for delivery, which, if Council directs this solution at the June 10th, 2024 meeting, the first possible weekend to set up this new entrance would be July 1<sup>st</sup>, 2024.

Option 4b – Use of only Jersey Barriers

The other option is to create the same configuration with only jersey barriers. This approach would mitigate the risk of vehicles entering the pedestrian area. This setup would require the purchase of 15 new barriers at an estimated cost of \$9,967.24 plus HST, and no fencing would be used. Of note, the cost per jersey barrier in this solution is slightly less than the cost for the 5 units due to discounted costs for volume. In addition, additional signage would be required to reduce the probability of the general public attempting to enter the area at a cost of \$212.28 plus HST. It may also be necessary to

purchase an additional trailer, at approximately \$5,000, to facilitate a more efficient setup to remove the barriers and reduce the chance of higher labour costs. Should Council decide to proceed with this option it is recommended the 2024 setup and tear-down be reviewed by Administration to determine if there is a business case to purchase the trailer, which would be included in the 2025 budget deliberations for Council consideration.

The total cost of \$10,179.52 plus HST or \$15,179.52 plus HST, if including the trailer, is not a planned expenditure and, as such, would require a funding source for the purchase. Delivery is expected to take 2 to 3 weeks, which, if Council directs this solution at the June 10th, 2024 meeting, would make July 1st the first possible weekend to set up this new entrance.

Administration strongly recommends that should Council proceed with Option 4 the noted areas for Jersey Barriers to protect pedestrians be approved. This configuration should not proceed with additional fencing instead of jersey barriers in these key areas.

Administration had already started to develop various ways to provide more visibility for businesses not within the street closure footprint. The following is a list of actions which have been taken and may be deemed by Council as sufficient for 2024 before expending additional funds to expand the street closure footprint:

1. Wayfinding signage to other businesses nearby;
2. Bricks and Mortar locations within the footprint on Saturday and Sunday;
3. Non-profits within the footprint on Saturday and Sunday;
4. Slow Roll Ride activity was looked at an offered to businesses to partner
5. Wrapping of barriers with welcoming images, with plans to include opposite side for advertising in 2025

All of the above are new for 2024 and put in place to help draw attention to businesses outside of the footprint. It should also be noted that the pending opening of the expanded Kings Navy Yard Park may also attract more attention to these other businesses.

#### Summary of discussions with Queen Charlotte businesses and residents and Legion

As per Council's direction Administration met with the owner of Flow Café and Bike, as well as all of the other businesses at the Queen Charlotte and the Legion. Attached as Appendix B is a summary of those comments for Council's consideration.

Administration was also directed to meet with the residents of the Queen Charlotte. On May 7<sup>th</sup> we meet with 4 residents of the Queen Charlotte and provided them with an understanding of the 4 options, including the risks and concerns as stated in this report. A written submission regarding these options has been provided and included as Appendix C for Council's consideration.

#### **4. RISK ANALYSIS:**

The discussion section outlines several risks associated with each of the various options. As previously stated, the risks associated with Options 1, 2, and 3 are such that the Administration strongly recommends against implementation. It should be noted that

while Option 1 is not recommended at this time, as the designs and plans for KNYP are established, this option may become viable.

**5. FINANCIAL MATTERS:**

Should Council direct that Option 4 be approved clarity on whether the set up should be Option 4a – Jersey Barriers and Fencing or Options 4b – Jersey Barriers only, would be required. In addition, the motion would require a funding source for the additional costs, which is recommended to be the Tax Stabilization Reserve given these costs are operational in nature.

**6. CONSULTATIONS:**

- Heidi Baillargeon – Director Parks, Facilities and Recreation
- Jennifer Ibrahim – Manager of Economic Development and Tourism
- Bill Tetler – Manager of Licensing and By Law Enforcement
- Eric Chamberlain – Manager of Roads and Fleet
- Chief Montone – Fire Chief
- Ron Meloche – Deputy Fire Chief
- Kevin Fox – Town Clerk

**7. CORPORATE STRATEGIC ALIGNMENT:**

*Vision: Preserving our past while forging our future.*

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;"><b>PILLAR 1</b> <b>Deliver Trusted &amp; Accountable Local Government</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures.</li> <li><input type="checkbox"/> Deliver transparent and efficient financial management.</li> <li><input type="checkbox"/> Increase effective communication and engagement with residents.</li> <li><input type="checkbox"/> Develop our staff team, resources, and workplace culture.</li> <li><input type="checkbox"/> Continue to deliver strong core municipal services.</li> <li><input checked="" type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation.</li> </ul>	<p style="text-align: center;"><b>PILLAR 3</b> <b>Encourage Local Economic Prosperity</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Encourage development of commercial and industrial lands.</li> <li><input checked="" type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation.</li> <li><input type="checkbox"/> Continue to facilitate downtown development for residents and visitors.</li> <li><input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.</li> </ul>
<b>PILLAR 2</b>	<b>PILLAR 4</b>

<b>Invest in Community Amenities and Infrastructure</b>	<b>Shape Growth Aligned with Local Identity</b>
<ul style="list-style-type: none"> <li>✓ Maintain safe, reliable and accessible municipal infrastructure and facilities.</li> <li><input type="checkbox"/> Increase access to recreation opportunities for all ages.</li> <li><input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue)</li> <li><input type="checkbox"/> Create public access to water and waterfront</li> <li><input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Define and communicate a vision for the Town’s future and identity.</li> <li><input type="checkbox"/> Promote and plan for green and “climate change ready” development.</li> <li><input type="checkbox"/> Review and implement policies that promote greater access to diverse housing.</li> <li><input type="checkbox"/> Protect the Town’s historic sites and heritage.</li> <li><input type="checkbox"/> Preserve the Town’s greenspaces, agricultural lands, and natural environment.</li> </ul>

**8. CONCLUSION:**

This report outlines Administrations review of the potential options including pro’s and con’s for each, as well as costs associated with the one Option which Administration deems feasible. The report also provides feedback from the businesses and residents Administration was directed to consult with on this matter. Administration will proceed forward with any direction provided by Council on this matter.




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Melissa Osborne  
**Director of Development Services / Deputy CAO**

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## Report Approval Details

Document Title:	Report back on Expand Street Closure Footprint.docx
Attachments:	- Appendix A - Current Street Closure and 4 Options to extend.pdf - Appendix B - Comments from Businesses.pdf - Appendix C - Open_Air_Proposals-Queen_Charlotte_Comments.pdf
Final Approval Date:	May 30, 2024

This report and all of its attachments were approved and signed as outlined below:



Melissa Osborne



Tracy Prince



Valerie Critchley



Kevin Fox