



COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

Monday, October 04, 2021

Subject: Kunda Park and Forest Park Subdivisions Road Network and Crossing of Steve Bauer Trail

Recommendation:

BE IT RESOLVED THAT Council receive Report #2021-0168 – Kunda Park and Forest Park Subdivision Road Network and Crossing of Steve Bauer Trail, for information;

AND THAT COUNCIL allow an exception to its motion restricting road crossings over the Steve Bauer Trail by adopting Option #1 in this report which contemplates and allows one road crossing with pedestrian access over the Steve Bauer Trail to connect the proposed Kunda Park Phase 4 subdivision and the proposed Forest Park subdivision;

AND THAT COUNCIL direct staff to prepare the By-law to dedicate the proposed Steve Bauer Trail crossing as a public road allowance for Council's consideration.

Background:

In May 2020 Sterling Realty (Niagara) Inc. filed subdivision and zoning by-law amendment applications with the Town for the proposed Kunda Park Phase 4 subdivision and Forest Park subdivision. The Kunda Park Phase 4 application was a resubmission and revision of an earlier application, the original application having been made in May 2002 and is still pending. Both subdivisions are proposed residential developments that are to be integrated from an infrastructure perspective and provide for a variety of residential housing units consisting of 84 single detached residential units in the Kunda Park Phase 4 plan and 77 single detached residential units, 86 street townhouse units and 280 multi-residential units, along with a park block, stormwater management block and a watercourse channel in the Forest Park subdivision plan. The one stormwater management facility proposed in the Forest Park subdivision is proposed to serve both subdivisions.

A public meeting for the Kunda Park Phase 4 subdivision was held on October 13, 2020 and the public meeting for the Forest Park subdivision has held on November 23, 2020. The applications have also been circulated for review and comment to various Town departments and agencies for feedback and input with respect to draft plan of subdivision conditions of approval and comments on the proposed zoning by-law applications.

On January 11, 2021 Council passed a motion that no new road crossings over the Steve Bauer Trail or Gerry Berkhout Trail be permitted, the Town shall not dedicate any portion of the Steve Bauer Trail or Gerry Berkhout Trail as a public highway and the Pelham Town Council endorses the preservation of the Steve Bauer Trail and Gerry Berkhout Trail as they currently exist. Council passed this motion without the benefit of a staff report that would have outlined the pros and cons of such action. Lacking the benefit of staff reports, including third party agency input, Council has only heard from members of the public opposed to trail crossings and so not heard both sides of the issue. Respectfully, it is the position of the Town's planning department that there are some genuine reasons to consider an exception to the newly passed Town policy, with a number of conditions and safeguards, in this instance. The choice of whether or not to do so lies solely with Council.

In response to Council's January 11, 2021 motion, the applicant retained the services of a third part engineering consulting firm that specializes in transportation planning and transportation engineering design, R.V. Anderson Associates Limited (RVA), to undertake a technical review and evaluation of three road network options and provide a recommendation of a preferred road network option. The applicant undertook this work so that Council could make a better informed decision as it relates to potential road crossings or no road crossings over the Steve Bauer Trail in particular. The applicant provided Council with RVA's Memorandum that included their findings and recommendation and this information was included on the August 23rd and September 7th Council meeting agendas and Council received this new information. This report is Staff's position and review of the three options outlined in the RVA Memorandum.

Analysis:

Town Planning and Public Works staff have had the opportunity to review RVA Memorandum and material supplied with it and concur with the findings of the report that one fully integrated pedestrian and vehicular crossing over the Steve Bauer Trail is preferred.

The RVA Memorandum reviewed 3 options being:

1. A fully integrated crossing between the proposed Kunda Park Phase 4 and Forest Park subdivisions that provides for both pedestrian and vehicular crossing of the Steve Bauer Trail.
2. A 9m wide paved emergency access crossing with pedestrian crossing of the Steve Bauer Trail providing emergency access and pedestrian crossing only between the Kunda Park Phase 4 and Forest Park subdivisions.
3. A 3m wide pedestrian only crossing of the Steve Bauer Trail between the Kunda Park Phase 4 and Forest Park subdivisions and road crossing the Provincially Significant Wetland (PSW) in the Kunda Park Phase 4 subdivision.

The Steve Bauer Trail in this area is located on a former railway right-of-way and between Port Robinson Road and Merritt Road is just over 1km in length and is paved. The railway right-of-way varies in width and is 33.2m (109 feet) wide at Port Robinson Road and narrows to 20.7m (68 feet) wide at Merritt Road. The paved portion of the trail is 3m (9.8 feet) wide and is located within the west half of the former railway right-of-way. The trail is currently uninterrupted between Port Robinson and Merritt Roads and is tree lined and at the Port Robinson Road trail head there is a small gravel parking area that provides parking for 4 cars.

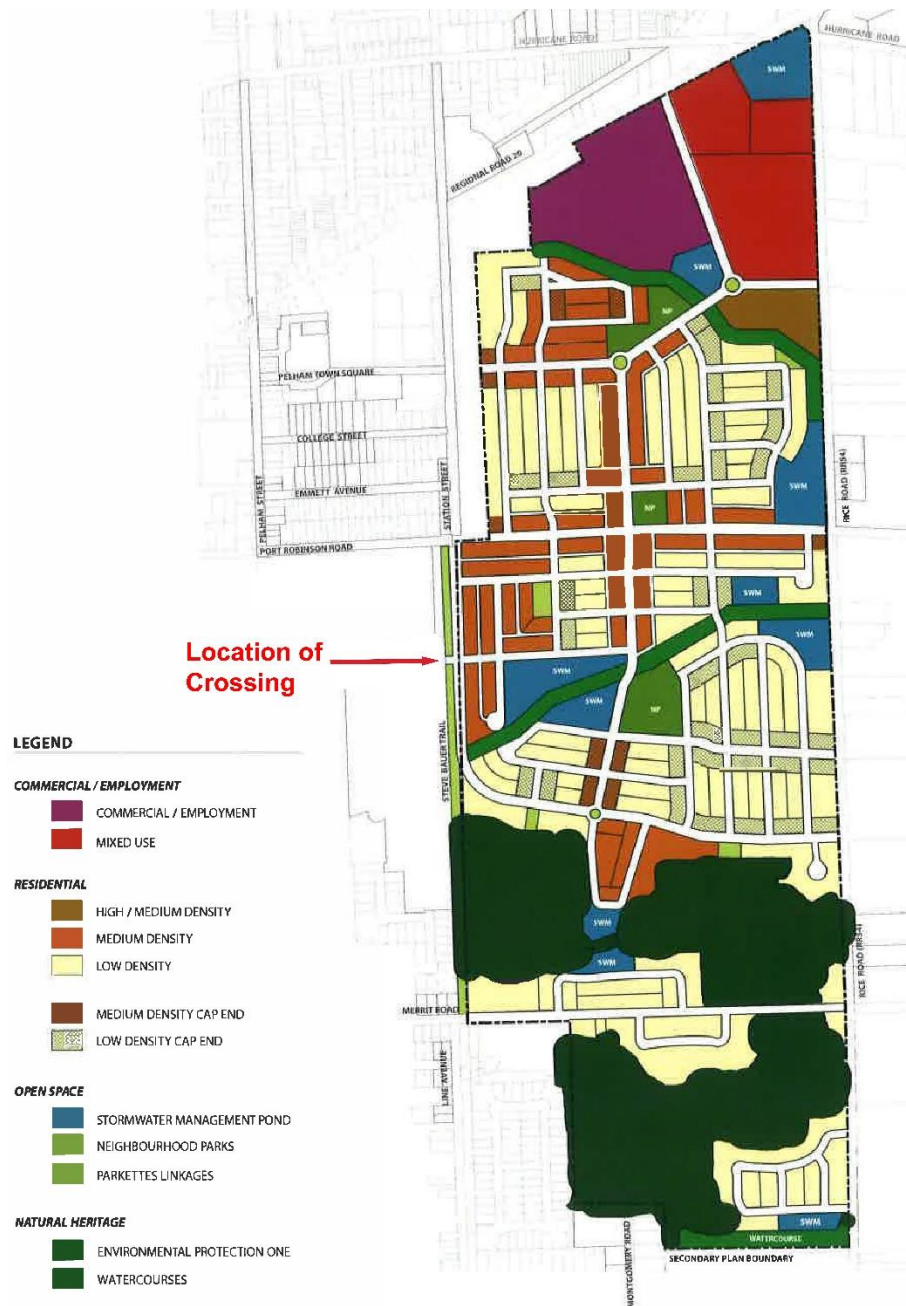
There are a number of existing safety concerns with this portion of the Steve Bauer Trail due to its length, lack of access and tree/shrub coverage. For example, should a user of the trail have a medical emergency part-way along the trail, there is limited opportunity for EMS to reach that user which results in unnecessary delay in response time. Also, the long uninterrupted length of the trail is not safe for vulnerable users of the trail and the speed of some cyclists using the trail causes safety concerns for those that are walking on the trail. The lack of visibility due to the dense underbrush along the trail also increases safety concerns for vulnerable users of the trail. Providing for an additional crossing would provide an additional access/egress point to enter/exit the trail and will provide an opening to provide some lighting along the trail which generally would improve safety aspects for all users of the trail.

Many members of the public expressed concern that a vehicular crossing would cause safety concerns for the trail users. The crossing itself can also be designed to give pedestrian and trail users the priority over vehicles crossing the trail as well as providing enhanced safety of trail users. Many members of the public stated that there is nowhere else along the Steve Bauer Trail that a roadway crossing has been allowed. A roadway crossing over the Steve Bauer Trail was permitted with the approval of the Timber Creek subdivision on the east side of Line Avenue, south of

Merritt Road and to date, Staff have not received concerns from the trial users with respect to safety concerns with this crossing.

The opportunity for a vehicular crossing over the trail and connecting the Kunda Park neighbourhood with the East Fonthill neighbourhood is also important from a traffic management perspective. The vehicular crossing provides the opportunity for traffic dispersal over a number of streets which will help ease congestion on Pelham Street and Port Robinson Road. Also, having travel route options helps reduce travel time and can contribute to reducing greenhouse gas emissions. The alternative of no vehicular connection will mean that more traffic is directed to Pelham Street and Port Robinson Road, which will add to congestion on these roads which increases travel time, greenhouse gas emissions, driver frustration, and also minimize efficiencies for transportation related services such as waste collection, school bus routing, deliveries, etc.

An objective of the Town Official Plan is to ensure that new development areas are integrated into the fabric of the existing community in conformity with the approved Secondary Plans. The demonstration plan for the East Fonthill Secondary Plan that was approved in 2014 does illustrate one street connection over the Steve Bauer Trail into the Kunda Park Phase 4 subdivision. One street connection over the Steve Bauer Trail has been something that has been contemplated for a number of years.



Other objectives of the Town Official Plan are to *encourage the establishment of an integrated transportation system, including active transportation, that safely and efficiently accommodates the broadest number of transportation modes and to establish a street pattern that provides appropriate and easy access to residents throughout the Town and which is integrated with existing public roads and open space wherever possible.* The East Fonthill Secondary Plan also has an objective to *develop a land use pattern and transportation system that supports motorized vehicular traffic, transit, cyclists and pedestrians and provides alternate*

transportation routes to most destinations. The provision of one fully integrated street connection is consistent with and in conformity with the approved East Fonthill Secondary Plan and the objectives of the Town Official Plan that are to provide for an integrated transportation system with existing areas and open space and to provide alternate transportation routes. The alternative of having no crossings is not consistent with the approved Secondary Plan or the Town Official Plan objectives.

From a community planning, community building and community resiliency perspective it is also desirable to physically connect neighbourhoods for both pedestrian and vehicular networks. Connected neighbourhoods provide for greater ability for social interaction and inclusion. Being physically connected provides greater opportunity for people to check in on and support one another particularly during emergency situations. Physically connected neighbourhoods allows for daily and spontaneous interactions that reduces isolation particularly for seniors, single parents, people with disabilities and other people for whom it is harder to connect with other kinds of community and minimizes the need to plan with people who live further away. Physically connected neighbourhoods are generally more safe versus neighbourhoods that are isolated or not connected to one another. In addition, physically connected neighbourhoods are generally more walkable and have higher walkability scores. This leads to improved physical and mental health benefits for residents living in connected neighbourhoods.

The proposed Kunda Park Phase 4 and Forest Park subdivisions are also integrated from an infrastructure perspective as well, by having one stormwater management facility to service both developments. This provides for a more efficient use of land and resources and minimizes the amount of infrastructure that the Town will ultimately assume. This helps to minimize long term maintenance costs on the Town. A fully integrated street crossing will also mean there is the ability to better provide integrated infrastructure between the two developments.

A significant amount of public input was received during the public meeting for the Kunda Park Phase 4 subdivision, that construction access for this development should not be via Stella Street. Many members of the public supported the extension of Station Street and crossing the Steve Bauer Trail to access the Kunda Park Phase 4 subdivision via the Station Street extension vs. having the access via Stella Street. A fully integrated street crossing would mean that construction access for the Kunda Park Phase 4 subdivision could be via the extension of Station Street and would avoid Stella Street. If there is no fully integrated street crossing over the Steve Bauer Trail and the majority of the traffic for the Kunda Park Phase 4 subdivision will be via Stella, John and Vera Streets, this will mean that that these streets will also require reconstruction from their semi-urban cross section to an urban cross section much sooner than what is currently anticipated in the 20-year

capital budget which will result in a significant financial burden to the municipality. Also, Stella Street is heavily used by students to access Glenn A. Green Public School during the school year and not all of them utilize the sidewalks. Construction vehicle access on Stella Street will cause conflicts and safety issues with students utilizing Stella Street. A fully integrated street connection will mean less traffic will utilize Stella Street to access the Kunda Park Phase 4 subdivision than compared with no street connection.

A significant amount of public input has been received objecting to the tree removal that would be required to provide for an integrated access over the Steve Bauer Trail. The Steve Bauer Trail is located on a former railway-right-of-way and the tree cover located within the right-of-way provides for shade and cooling of the trail particularly during the summer months and provides for habitat for a variety of wildlife including birds and small mammals. However, it is important to note that the trees located along the trail are in the form of a hedgerow that is secondary successional growth typically associated with the natural regeneration of abandoned farm fields with a significant amount of scrub and invasive species, i.e. buckthorn, present with only a limited number of high quality specimen trees. The hedgerow also contains a number of ash that are dying or in decline due to the emerald ash bore. The hedgerow is not considered to be a significant natural heritage feature, therefore alteration to the hedgerow can occur with minimal impact from a natural heritage perspective.

A number of public concerns were also raised with regards to tree and shrub removal on the east side of the hedgerow that is associated with the need for an open channel to convey overland storm flows from the Kunda Park Phase 4 subdivision to the stormwater management facility in the Forest Park Subdivision. This over land channel is preferred over a piped system that could potentially retain a greater number of trees as it will provide a natural system of conveying stormwater that utilizes low impact development design consideration, is better for the natural environment, will be naturalized and will become a feature as well.

An overview of aerial imagery from 1934-2018 illustrates how the tree/hedgerow has evolved over the years from virtually no trees in 1934 to the current condition.

1934 Aerial Image



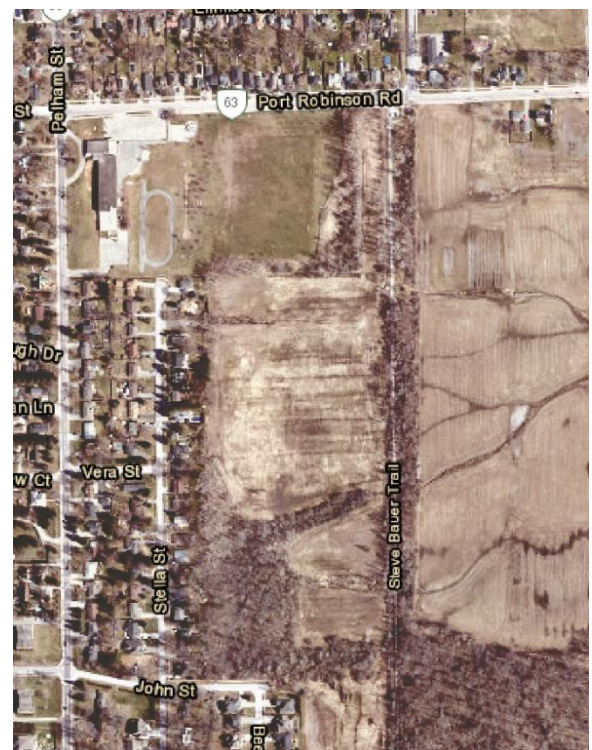
1965 Aerial Image



2006 Aerial Image



2018 Aerial Image



*Note: Aerial Imagery source Brock University Niagara Air Photo Collection

It is clear from the aerial imagery that tree cover along the Steve Bauer Trail has occurred over the last 50+ years and the trees are located on both the former railway right-of-way and the unopened road allowance east of the railway right-of-way. While an integrated street crossing will remove some trees, the vast majority of the trees will remain and the retention of as many as trees possible and respecting the natural environment while balancing the development requirements has always been the developer's objective. It is estimated that less than 2% of the land area of the Steve Bauer Trail area is required for one street crossing. The developer completed Environmental Impact Assessment Reports (EIS) prepared by a professional Ecologist and Environmental Planner for both the Forest Park and Kunda Park Phase 4 subdivision applications and neither report identified concerns from a natural heritage resource perspective with regards to tree/shrub removal to accommodate full street crossings over the Steve Bauer Trail. (Note: when the EIS Reports were completed, two crossings were proposed, but in light of Council's clear preferences and community input the developer is now only proposing one crossing).

It is also important to note that the option of having no crossing will necessarily result in a road crossing through a Provincially Significant Wetland (PSW). This option will have a far greater impact on natural heritage resources of the PSW than in comparison to the impacts of tree removal required to accommodate the crossing over the Steve Bauer Trail will have on the hedgerow. The PSW is by far a more important natural heritage resource feature and should be given a higher priority for protection than the hedgerow from a natural heritage perspective. Crossing the PSW will also involve a bridge crossing which is costly and then becomes infrastructure that the Town will assume. The lifecycle costs of the bridge are significantly higher in maintenance and upkeep for the Town than compared with the lifecycle costs of a conventional street crossing over the Steve Bauer Trail; this will add a further financial burden for the Town.

Some members of the public have commented that the developer has other options instead of crossing the PSW such as using other lands owned by the developer adjacent to the east side of Glenn A. Green School for a road access to Port Robinson Road. These other lands owned by the developer contain significant archaeological resources that would require unknown, but likely hundreds of thousands of dollars to mitigate and would also result in a very awkward intersection with Station Street, Port Robinson Road and the Station Street extension that is far less desirable and would be difficult to support from a transportation perspective.

In order to provide for an aligned intersection with Station Street and Port Robinson Road, the developer is proposing that the Station Street extension required for the Forest Park subdivision utilize part of the east half of the former railway right-of-

way for approximately 40m in length. This is desirable for intersection alignment purposes to provide for a safe intersection and will mean that a small portion of the former railway right-of-way will be required to become road allowance in the future. This is typically an engineering design detail that is addressed as part of a draft plan condition.

The option that was presented in the RVA Memorandum that contemplated a fully integrated street connection utilized the proposed William Street in the Forest Park subdivision for the location of this crossing as this is the general location that the street connection is shown in the demonstration plan for the East Fonthill Secondary Plan. Staff do support a fully integrated street connection over the Steve Bauer Trail for the reasons cited in this report, however, in reviewing this, staff feel that having the integrated street connection with Walker Road may be more desirable as Walker Road contains the dedicated cycle track in the road design and it would be appropriate for cyclists using this cycle track to intersect with the Steve Bauer Trail. Further the location of a Walker Road intersection with the Steve Bauer Trail is more proximate to being halfway in this long uninterrupted length of the Steve Bauer Trail which is generally preferred.

The option of having an emergency access connection and pedestrian connection, is less desirable as this option does not align with the Town Official Plan with regards to providing an integrated transportation system, reduces transportation route options, will add congestion to Port Robinson Road and Pelham Street and only offers limited opportunities for connecting the Kunda Park neighbourhood with the East Fonthill community which is less desirable from a community planning, building and resiliency perspective. Nevertheless this option partially addresses some of the concerns raised in this report.

The option of having only a pedestrian crossing over the Steve Bauer Trail is the least preferred option as it too does not align with the Town Official Plan, does not contribute to providing an integrated and connected transportation system, will lead to more congestion on Pelham Street and Port Robinson Road that increases travel time, contributes to green gas emissions, provides for inefficient travel routes and offers only limited opportunities for connecting the Kunda Park neighbourhood with the East Fonthill neighbourhood which is less desirable. Staff feel is the absolute minimum approach that Council should adopt.

Financial Considerations:

There are no financial considerations with respect to this report at this time. Any decision by Council which concentrates future traffic flows to a limited number of streets will have increased maintenance and capital costs for the municipality in the long-term, particularly the construction of a bridge over the ESA.

Alternatives Reviewed:

Town staff have reviewed the alternatives of two road and pedestrian crossings as originally proposed by the subdivision applications, and the one road and pedestrian crossing, an emergency access and pedestrian crossing, and no road crossing and only a pedestrian crossing as detailed in the RVA Memorandum. In order to be consistent with the Town approved Official Plan and for the reasons cited in this report Staff support one fully integrated vehicular and pedestrian crossing over the Steve Bauer Trail. When all things are taken into consideration, on balance one vehicular and pedestrian crossing is appropriate and preferred over the options presented.

The developer is seeking approval for one fully integrated crossing over the Steve Bauer Trail. If Council were to allow for an exception to their motion to allow for one such crossing, the developer will revise their subdivision applications for both the Forest Park and Kunda Park Phase 4 subdivision and resubmit them for review and circulation.

Alternatively, should Council not support an exception to their motion to permit a fully integrated road crossing over the Steve Bauer Trail, the developer will revise their subdivision applications for both subdivisions so that would they do not provide for a street connection between the two subdivisions meaning that the two developments will not be connected by a street and the access to the Kunda Park subdivision will be via Stella Street and Kunda Park Boulevard and there will be a crossing through the PSW. Council should also be aware that Town staff and the Region were reviewing the Kunda Park Phase 4 subdivision and Forest Park subdivision applications concurrently and given the interconnections that were being proposed with them, staff were willing to blend the density requirements over the two development plans. If there is no interconnection with the two developments and they are not connected and isolated from one another, this could mean that the density in the Kunda Park Phase 4 subdivision will likely have to increase. This is not what the developer was hoping to achieve as the developer was wanting to providing a lot fabric and density in the Kunda Park Phase 4 subdivision that was more reflective of the existing lot fabric and density of the Kunda Park neighbourhood.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

Having well designed, safe, connected and integrated communities help to achieve the goal of building strong communities. It is important for neighbourhoods to be connected so that there is a sense of belonging and it reduces isolation. Having well connected neighbourhoods reduces travel time, minimizes greenhouse gas

consumption, and provides opportunities to disperse traffic, thereby minimizing traffic congestion. Having additional vehicular and pedestrian connections to the Steve Bauer Trail also will provide increase opportunity for more residents to access this trail and supports the importance of this asset. The crossings can be designed to give priority to the pedestrians and include safety measures for trail users.

Consultation:

The Director of Public Works and Manager of Engineering were consulted during the preparation of this report.

Other Pertinent Reports/Attachments:

RVA Memorandum attached to August 23, 2021 and September 7, 2021 agenda.

Information Report #2020-0132 dated October 13, 2020 and #2020-0173 dated November 23, 2020

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