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Date: July 5, 2020
To: Mayor and Council
Author: Tim Del Greco, Manager of Municipal Services
RE: Sidewalk Requirements – Kingsville Development Standards Manual
Report No.: MS2020 – 25

AIM

To provide Council with recommendations for revision of the Kingsville Development Standards Manual.

BACKGROUND

In recent years, several delegations have appeared before Council requesting sidewalks be removed from local roads within new developments. This includes residents of Joaney Lane in 2018 as well as residents of Bernath Street in 2019. Council elected in both cases to remove sidewalks as requested. Council further approved the following motion:

456-2019 That Council approves the idea of having a public meeting of Council within the next six (6) months to discuss sidewalks and active transportation options, as well as suggestions to update the Development Standards Manual.

Current social distancing protocols as a result of COVID-19 inhibit the ability to host a public meeting or open house. As an alternative solution, an electronic survey was advertised to the public via the Southpoint Sun and social media. The survey and corresponding answers are included in Appendix A for your reference. It should be noted that there were only 84 respondents. This is a low response rate relative to other surveys during the pandemic and perhaps indicates the general public is less interested in this topic.

During the February 10, 2020 Regular Meeting of Council, a presentation was received on behalf of the Kingsville Accessibility Advisory Committee with respect to sidewalks. Correspondence from this presentation is attached in Appendix B for your reference.

DISCUSSION

The Kingsville Development Standards Manual requires that sidewalks be located on both sides of all arterial roads, collector roads, and local roads, including cul-de-sacs, “P” loops, and crescents.

Sidewalks separated from the roadway are the preferred mode of transportation for pedestrians. Sidewalks are beneficial as they:

- Improve accessibility.
- Improve traffic safety.
- Promote active transportation and a healthier lifestyle.
- Reduce vehicle usage and emissions.
- Decrease traffic congestion.
- Discourage people from walking on lawns and private property.

The Transportation Association of Canada recommends sidewalks and/or multi-use paths on both sides of arterial roads, both sides of collector roads in residential areas, and on one or both sides of local roads. Below is a summary of sidewalk requirements for local roads within Essex County as well as Chatham:

City / Town	Sidewalk Requirements for Local Roads
Amherstburg	One side of all residential streets which do not lead to schools or parks.
Chatham	One side. Not required on cul-de-sacs less than 150m in length.
Essex	One side.
Kingsville	Both sides.
Lakeshore	One side.
Lasalle	Both sides.
Leamington	One side. Not required on cul-de-sacs less than 150m in length.
Tecumseh	Transitioning to both sides with the exception of cul-de-sacs (one side).
Windsor	At least one side.

Council can elect to reduce sidewalk requirements for local roads to one side only. This would allow for some residential lots to be developed with no adjacent sidewalk and increased greenspace and driveway space (parking). However, the benefits of sidewalk as listed above would be reduced.

Improving accessibility, promoting a safe community, and improving recreational opportunities are specific goals in the 2017 Kingsville Strategic Plan. The 2012 Kingsville Official Plan indicates the Town will encourage the use of amenities such as sidewalks within new residential developments. Reducing sidewalk requirements would be somewhat inconsistent with the direction set within these plans.

The construction of new sidewalk is facilitated much easier during new development. Sidewalks can be planned while considering tree plantings, utilities, and lot grading. Constructing sidewalk in existing areas is challenging as often times mature trees or

utilities conflict with the path of the proposed sidewalk. Lot grading may be inconsistent and less than ideal. Appendix C provides a few images of these challenges.

There may be times in which removing sidewalks from new development is warranted. Proposed changes to the Development Standards Manual in this regard include:

- Sidewalks may be removed from cul-de-sacs pending the cul-de-sac is less than 150 meters in length measured from the nearest intersection to the outer limits of the cul-de-sac bulb. This would allow for some inventory of residential lots without adjacent sidewalk on roadways that typically experience lower traffic volumes and speeds.
- Sidewalks may be removed from new developments pending there are no connections to existing sidewalks in adjacent developments. Further, this removal will only be considered if extreme conditions would prevent the Town from installing connecting sidewalks in the adjacent development. Examples of these conditions include:
 - A narrow boulevard with no curb and gutter.
 - An abundance of mature trees requiring removal.
 - Major conflicts with utilities or storm water management systems.
 - Major fluctuation in lot grading.
 - Right of Way too narrow to accommodate sidewalk.

Further changes to the Development Standards Manual can be considered with respect to the timing of sidewalk construction. Currently, the Manual states sidewalks are to be constructed prior to the Town approving “initial acceptance of the services”. Building permits cannot be issued prior to this acceptance. However, the Manual also states developers can delay the construction of sidewalks to prevent damage during home construction. This delay creates an opportunity for residents to petition Council for sidewalk removal. Eliminating the option for delaying sidewalk construction will prevent this type of petition in the future. That said, developers may be unhappy with this direction given the opportunity for sidewalk damage and increased costs.

LINK TO STRATEGIC PLAN

Strive to make the Town of Kingsville a more accessible community.

FINANCIAL CONSIDERATIONS

Sidewalks in new development are initially paid for by developers whom transfer this cost to the eventual home buyers. Maintenance (inspections, repairs, snow removal, etc.) and the replacement of sidewalks are paid for by taxation. Therefore, more sidewalks equates to more taxation costs.

There are no financial considerations with respect to amending the Development Standards Manual.

CONSULTATIONS

RECOMMENDATION

That Council approve the following amendments to the Kingsville Development Standards Manual:

- Sidewalks may be removed from cul-de-sacs pending the cul-de-sac is less than 150 meters in length measured from the nearest intersection to the outer limits of the cul-de-sac bulb. Cash-in-lieu of any removed sidewalk will be paid to the Town.
- Sidewalks may be removed from new developments pending there are no connections to existing sidewalks in adjacent developments. Further, this removal will only be considered if extreme conditions would prevent the Town from installing connecting sidewalks in the adjacent development. Examples of these conditions include:
 - A narrow boulevard with no curb and gutter.
 - An abundance of mature trees requiring removal.
 - Major conflicts with utilities or storm water management systems.
 - Major fluctuation in lot grading.
 - Right of Way too narrow to accommodate sidewalk;

And That Council approve the removal of any reference in the Kingsville Development Standards Manual stating developers can delay the construction of sidewalk beyond “initial acceptance of the services”.

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