
Subject: Hoppington Avenue and Firbank Lane – Sidewalk Removal Request

Staff Report No. EPW-011-24

Commission: Engineering and Public Works Commission

Date: May 15, 2024

Recommendation:

- 1) That Council adopt the recommendations contained in Option A and not consider the request to remove the sidewalks on Hoppington Avenue and Firbank Lane.

1. Purpose:

The purpose of this report is to seek Council authority and direction regarding the request to remove the sidewalks on Hoppington Avenue and Firbank Lane to create additional parking on driveways on these streets.

2. Executive Summary:

Insufficient availability of parking for some residents on Hoppinton Avenue and Firbank Lane have resulted in a community request for the removal of the existing sidewalks on these streets to create additional parking spaces on the driveways. Following a review of site conditions and relevant Town master plans, staff are recommending no further consideration be given to this request as described in the report. Should Council prefer Option B, to proceed with the request to remove the sidewalks, staff would undertake a public information centre (PIC) with the area residents to inform them of the process and cost for the proposed removal.

3. Background:

In late 2023, staff were approached by residents of Hoppington Avenue, Dougherty Crescent and Jamesway Crescent to assist with parking issues. Following a review of site conditions and considerations for road user safety, Staff recommended an amendment to the Parking By-law for an exemption to Schedule III (Three (3) Hour Parking Exemptions) between 4:00pm to 9:00am. At the Special Council meeting held on January

2, 2024, Council enact By-law 2024-001-PR being a By-law to amend Schedule III (Three (3) Hour Parking Exemptions) of the Parking By-law for parking improvements on Hoppington Avenue, Dougherty Crescent and Jamesway Crescent.

On February 28, 2024, a petition (see Attachment 1) was submitted to the Town of Whitchurch-Stouffville requesting a removal of the existing sidewalks on Hoppington Avenue (part) and Firbank Lane in the Stouffville community (see Attachment 2). It was communicated that the purpose of the request was to create additional parking on the driveways of the homes on these streets.

4. Analysis and Options:

4.1 Infrastructure Requests

When communities are being developed, municipalities require various infrastructure be constructed including (but not limited to) roads, sewers, watermains, sidewalks and street lighting. Should this infrastructure not be provided at the time of development, future infrastructure requests by the community can be undertaken as part of a Special Local Municipality Levy, pursuant to Section 326(1) and (4) and 312(4) of the Municipal Act, 2001.

The request received by the community to remove the sidewalks on Hoppington Avenue (part) and Firbank Lane would follow a similar process.

Option A (Recommended)

Staff do not recommend further consideration for the request to remove the sidewalks on Hoppington Avenue (part) and Firbank Lane.

Both the Transportation Master Plan (TMP) and the Active Transportation Servicing Plan (ATSP) support the development of an integrated pedestrian and cycling network in the communities of Stouffville, Ballantrae and Musselman's Lake. The removal of the sidewalk on these streets will result in discontinuous sidewalks in this community and do not align with the TMP and the ATSP.

The Accessibility for Ontarians with Disabilities Act (AODA) speaks to Accessible Exterior Paths of Travel. Under the Design of Public Spaces Standard of the AODA, cities and other organizations building or reconstructing exterior paths of travel, such as sidewalks and walkways, must make those paths accessible to travellers with disabilities. Accessible exterior paths of travel ensure that everyone in the province has basic freedom of movement. The removal of a sidewalk in a public space may contravene the intent and spirit of the AODA.

Lastly, the removal of the sidewalk may create an unsafe environment for pedestrians as they would be required to share the roadway with vehicles.

Option B

Should Council direct staff to proceed with the request to remove the sidewalks, a public information centre (PIC) will be held with the area residents to inform them of the process for the proposed removal. Following the PIC, a survey will be circulated to the community outlining the scope of the municipal infrastructure request and for the residents to indicate whether they are in favour or opposed to the removal of the sidewalk in their community. The survey results from the community would require support from more than 2/3 of the homeowners representing more than 50% of the assessed property values to proceed.

The total project cost will be apportioned to each benefitting homeowner and staff would bring back a report to Council to enact a Special Service By-law under Section 326(1) and (4) and 312(4) of the Municipal Act, 2001. Total project costs will include design, construction, inspection and staff time required to complete the work.

Once the construction has been completed, two options will be given to the benefitting owners in order to repay the Town; a prepayment deadline to pay the total cost in full or an option to spread the repayment (with interest) over a specific number of years. This will be completed through use of the Collectors Roll and the amounts will be collected in the same manner as taxes.

5. Financial Implications:

There are no financial implications in proceeding with Option A.

Should Council direct staff to proceed with Option B, all costs associated with the sidewalk removal will be recovered from the benefitting owners on Hoppington Avenue and Firbank Lane by enacting a Special Service By-law under Section 326(1) and (4) and 312(4) of the Municipal Act, 2001.

6. Alignment with Strategic Plan:

2. A Town that Moves

Improve Active Transportation network connectivity

3. A Healthy and Greener Town

Increase Offerings and Opportunities for Active Living

7. Attachments:

1. Petition
2. Location Map

8. Related Reports:

None

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For further information on this report, please contact the Department Head: Jack Graziosi, Commissioner at 905-640-1910 or 1-855-642-8697 ext. 2464 or via email at jack.graziosi@townofws.ca