

**To:** SPECIAL COUNCIL

**Meeting Date:** 6/28/2021

**Subject:** Kenley Lane Walkway Rehabilitation

**Submitted By:** Kevin De Leebeeck, Director of Engineering

**Prepared By:** Steven Huckabone, Senior Civil Engineering Technologist II

**Report No.:** 22-076-CD

**File No.:** A/01165-40

**Wards Affected:** Ward 5

### **RECOMMENDATION(S):**

THAT Report 22-076-CD Kenley Lane Walkway Rehabilitation be received;

AND THAT Council approves Option 2, to permanently close and naturalize the Kenley Lane Walkway.

### **EXECUTIVE SUMMARY:**

#### **Purpose**

The Kenley Lane Walkway Rehabilitation project is over budget based on tender quotations received. Following additional review, staff are seeking direction based on options identified.

#### **Key Findings**

Four options were identified for consideration. Option 1 is to proceed with rehabilitation of the walkway as originally intended. Option 2 is the permanent closure of the walkway, and naturalizing the area. Option 3 is a reduced scope option that would only complete retaining wall repair work. Option 4 would be to do nothing at the current time, recognizing that the connection will need to be closed very soon due to safety. Option 2 is the preferred staff recommended option.

#### **Financial Implications**

The approved capital budget for this project is \$115,000. To proceed with Option 1 (\$224,105), additional funding in the amount of \$99,105 from the Gas Tax Reserve Fund would be required. The alternative options identified would not require additional funding, but would result in the permanent closure of the walkway (Option 2 -\$90,000) or would leave adjacent infrastructure needs unaddressed, with future near-term work required (Option 3-\$110,000) or imminent closure (Option 4 - \$0).

**STRATEGIC ALIGNMENT:**

- ☐ Strategic Action; or
- ☒ Core Service

**Objective(s):** Not Applicable

**Strategic Action:** Not Applicable

**Program: Design & Approvals**

**Core Service:** Trail Operations and Maintenance

The recommendation supports the core service outlined above. Considering the costs required, and the area serviced, it does not appear to be sustainable to maintain this walkway connection.

**BACKGROUND:**

The Kenley Lane Walkway Rehabilitation project was initiated following concerns over a failing retaining wall, and stability of the slope along the walkway. The walkway connects Kenley Lane to Summer Place as shown in Appendix A. There are existing stairs and retaining walls along the walkway which are approaching the end of their service life. The walkway is 70m long and runs between two residential properties with an overall vertical grade differential of 11m. This walkway is not winter maintained and is closed for public access during the winter season. The retaining wall along the walkway is failing, and in some areas has experienced significant rotation.

GEI consultants were retained to confirm slope stability, and review options for rehabilitation of the retaining wall and walkway. As part of the initial study review a number of options were considered including:

- Permanent closure of the walkway, naturalizing the area and grading of the slope
- Rehabilitation including retaining wall and stair replacement

Additional options were reviewed initially for feasibility including the option of an accessible ramp connection through the area. This option was deemed unfeasible due

to the constrained corridor, significant grade differential, property acquisition requirements, and overall significant cost. Following consultation with the community in early 2019, the option to rehabilitate the existing west retaining wall and stairs was advanced.

## **ANALYSIS:**

Based on the tendered quotations received, the project is over the estimated budget by 87%. This includes additional costs of \$10,000 for lighting design and implementation as recommended by the City's Accessibility Advisory Committee. Three bids were received through a competitive tendering process, and all bids were within 10% of each other. Considering the degree to which the rehabilitation project is over budget, options for consideration are discussed further below.

**Option 1 (\$224,105):** Award the construction tender based on lowest bid received for the rehabilitation of Kenley Lane Walkway. To avoid the closure of the walkway, rehabilitation work is required to the existing stairs and retaining wall that borders the walkway connection. This option was originally advanced based on input received from users of the walkway connection. Additional budget in the amount of \$10,000 is also being requested for lighting improvements, based on comments from the Cambridge Accessibility Advisory Committee (CAAC). Option 1 could be considered as the preferred option from a local resident perspective. Local residents are accustomed to using the pedestrian connection for walking destinations including the Westgate Centre Plaza, as it provides a reduction in travel time, for some users. A review of some sample trips, as illustrated in Appendix B, reveal a variance in trip distance walking time of less than one minute in order to arrive at destinations such as Highland Public School or the Westgate Plaza. Additional comment summary from users of the walkway can be found in Appendix C.

**Option 2 (\$90,000):** Close the walkway permanently, and naturalize the slope and area. This walkway is considered to be a relatively minor connection in the City's overall active transportation network. This walkway is not winter maintained and is already closed for public access during the winter season.

This walkway connection serves a small area with alternative routes and paths of travel nearby with relatively minor variance in walking time (see Appendix B). Based on information from Student Transportation Services Waterloo Region there are currently sixteen (16) Highland Public-School students and seven (7) Southwood Secondary School students who are classified under the "walk zone" for the school catchment areas. While these students are within the "walk zone", they don't necessarily require the walkway for school travel purposes. Pedestrian counts collected in May 2022 identified an average of 24 users/day on weekdays and 20 users/day on the weekends.

If the walkway is closed permanently, it will remain City property, and will require a minimum level of maintenance. There are existing hydro, storm, and sanitary sewers travelling through the corridor, which would prevent the sale of the property to a private owner.

**Option 3 (\$110,000):** Reduce the scope of planned work to include only retaining wall works (i.e. no stair rehabilitation or additional lighting). The stairs and adjoining asphalt walkway are approaching the end of their service life and were originally included in the rehabilitation works. This option is considered to be least preferred, due to challenges with protecting the stairs during construction in addition to the fact that the stairs will need to be rehabilitated in the very near future. An additional capital project would need to be added to the Capital Budget Forecast for stair rehabilitation in the near term (<3 years).

**Options 4 (\$0):** Do nothing, close project A/01165-40 and run the asset to complete failure, after which the walkway connection will need to be permanently closed for safety reasons. An additional capital project would need to be added to the Capital Budget Forecast for rehabilitation/closure immediately following the year in which failure occurs. This would risk having to put in place temporary closure measures until such time that budget could be allocated for final closure/rehabilitation. This option does not represent the good stewardship of City assets and was not considered any further.

#### **EXISTING POLICY / BY-LAW(S):**

Purchasing By-Law #133-14 and Budget Control By-Law #152-14 outline the thresholds requiring approval from Council for over-expenditures on Capital Projects (10% or \$250,000).

#### **FINANCIAL IMPACT:**

Additional funding in the amount of \$99,105 is required from the Gas Tax Reserve Fund in order to proceed with Option 1: rehabilitation of Kenley Lane Walkway as originally intended. This results in a total funding requirement of \$224,105 for the project.

Alternative options presented would not require additional project funding, however would require a change in scope and overall direction with respect to maintaining the Kenley Lane Walkway.

Option 2 would result in the permanent closure of the walkway with naturalization of the slope and is estimated to cost \$90,000 subject to final design and re-tendering.

Option 3 would provide a short-term immediate rehabilitation of the retaining wall, but would not address the stairway which is likely to require rehabilitation in the near term

(i.e. <3 years) or the additional lighting request by CAAC. The estimated cost, subject to final design and re-tendering (or lowest bid negotiation) would be \$110,000.

Option 4 would be to do nothing at the present time, close project A/01165-40 and allow the asset to fail. Considering the imminent rehabilitation needs for this walkway connection, this option is not considered further.

## **PUBLIC VALUE:**

### **Sustainability:**

Critical review of the level of investment being considered for a walkway serving a localized area.

## **ADVISORY COMMITTEE INPUT:**

Consultation with the Cambridge Accessibility Advisory Committee (CAAC) Capital Projects subcommittee occurred on February 8<sup>th</sup>, 2022. Further presentation and discussion to CAAC was undertaken on May 30<sup>th</sup>, 2022. Provided in Appendix D is a letter summarizing the committee's comments to Staff and Council.

The committee's primary comments are as follows:

- Recognition due to site constraints that the pathway could not be made fully accessible to all residents (requirement of stairs due to existing grades).
- That staff ensure this project is following the requirements under the Accessibility for Ontarians with Disabilities Act (AODA), Design of Public Spaces Standard and the City's Facility Accessibility Design Standards (FADS);
- That signage be placed on both ends of the path to let travelers know that there are stairs along the pathway and that it is not accessible for individuals using mobility devices;
- That proper lighting being installed on the pathway as per AODA guidelines to ensure a safe path of travel for individuals with low vision.

The requirements of the City's FADS and of O.Reg. 191/11 Integrated Accessibility Standards under the Accessibility with Disabilities Act, Design of Public Spaces Section 80.25 (Stairs connecting exterior path of travel) have been followed. This includes, slip resistant treads, tonal contrast markings on tread, tactile indicators, compliant handrails and landings. The notification signage for travellers that the pathway is not accessible for mobility devices, and higher slopes have been included to address the concern over the stairs, and non-accessible slope of the pathway. Alternative accessible paths of travel are provided on neighboring streets as shown in Appendix B.

Additional lighting is being reviewed for inclusion along the pathway, using the existing hydro poles and requires additional budget as outlined in Option 1, Originally lighting was not included due to the proximity of neighboring residential properties who back on to the walkway.

At the time of authoring this report comments from the Cambridge Cycling and Trails Advisory Committee (CCTAC) have not yet been received. If any comments are received prior to the June 28<sup>th</sup> Council meeting, they would be provided through an addendum to Council's agenda package.

### **PUBLIC INPUT:**

A public information centre (PIC) presenting options of closure or rehabilitation was held on February 13<sup>th</sup>, 2019. The PIC was attended by 16 members of the public, who lived locally adjacent to the walkway. Fourteen (14) written responses were received, with a detailed summary provided in Appendix C. All comments requested that the walkway remain open in the future through rehabilitation. Comments requesting further level of service for winter maintenance were also received. One comment provided a concern that closure of the walkway would not prevent trespassing and users creating informal path of travel through the area. Another comment requested additional lighting be considered for the walkway. Additional lighting has been considered as part of Option 1. The trespassing concern associated with Option 2 was evaluated with Operations, and is recognized, however the risk and maintenance effort for this concern is considered low and can be addressed through signage

### **INTERNAL / EXTERNAL CONSULTATION:**

A number of internal divisions were consulted on the preparation of the design and on the information herein. This includes review with Finance, Transportation Engineering (Active Transportation Considerations), Trails and Park Operations and Asset Management. Information on School catchment and walk zones was obtained from Student Transportation Services Waterloo Region.

Public consultation and accessibility advisory consultation was also performed as described in the above sections.

### **CONCLUSION:**

The Kenley Lane walkway rehabilitation requires additional funding. Alternate options have been identified, considering the level of investment being contemplated for a relatively minor pedestrian connection. Option 2: permanent closure, and naturalization of the walkway is being recommended as the preferred option.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **No**

Budget Amendment: **Yes**

Policy: **No**

**APPROVALS:**

**This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:**

**Director**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

**When naming attachments please use the following format:**

1. 22-076-CD Appendix A – Site and Key Map
3. 22-076-CD Appendix B – Trip and detour distance analysis
4. 22-076-CD Appendix C – PIC Comment Summary
5. 22-076-CD Appendix D – CAAC Letter Comments