

MANAGEMENT REPORT

Date: February 28, 2024
To: Infrastructure, Transportation and Safety Sub-Committee
From: Taylor Crinklaw, Director of Infrastructure Services
Report Number: ITS24-004
Attachments: Map: Joffre Street Turnaround and Surrounding City Owned Parcel of Land

Title: 386 William Street – Street Access Request onto Joffre Street

Objective: To consider the request made by the Owner of 386 William Street to attain legal street access onto Joffre Street.

Background: The intent of this report is to bring forward a request by the Owner of 386 William Street to be given street access onto Joffre Street. The Owner has proposed his rear lot could be severed to make a new lot. Before this could be considered, the Owner would need legal access to Joffre Street, as the severed lot would need its own frontage onto a public street, a requirement to qualify for a building permit. The City became aware of the Owner's intent through his Planning application submission to the Committee of Adjustment. The application was deemed incomplete and has not moved forward at this time. In consultation with Planning Staff, the Owner was informed the likeliest biggest obstacle in obtaining a severance would be ensuring street right-of-way access for the proposed severed lot onto Joffre Street.

Currently, 386 William Street has no legal street access to the Joffre Street right-of-way. The City owns a parcel of land between the road right-of-way and the subject property, put in place in 1954 to effectively act as a reserve. Without this parcel acting as a land reserve, adjoining properties would have automatic legal rights to street access and the installation of a second driveway. As allowed under the Planning Act, R.S.O. 1990, c. P.13, the establishment of reserves is a common practice employed by municipalities to ensure some control in how land is developed. One of the most common examples of using a reserve is for lands that abut an arterial road like O'Loane Avenue. Ensuring safe and unhindered traffic flow, reserves are in place along O'Loane Avenue that restrict new developments access to the street to a select number of intersecting streets such Brown and Thomas Streets. This eliminates the potential hazard and burden generated because of a high number of private driveways accessing an arterial road.

The Owner has made multiple requests in the past to be given access onto Joffre Street. Previous requests have not been approved by Council, nor have requests to acquire the property from the City. In a report presented at the November 20, 2018, Infrastructure, Transportation and Safety Sub-Committee, access was requested via the City's Encroachment policy process. At that time the Infrastructure and Development Services Department advised that they did not recommend approval of the application for an encroachment for 386 William Street. The reasoning given was that the City still requires use of the property for municipal purposes, including snow storage. It was deemed that the proposed driveway encroachment and use of the property by the applicant would unreasonably interfere with the City's ongoing use of the property.

Analysis: Joffre Street was fully reconstructed in 2016. At the time Staff made best efforts to ensure the street met current standards. The biggest obstacle was the turnaround located at the end of the street. To meet the current standards of the preferred bulb shaped turnaround, a significant amount of frontage would need to be purchased by the City for at least two adjacent properties. The preferred bulb standard permits easier turning movements for large fleet and emergency use vehicles and is better able to facilitate winter control operations.

In 2016 the constructed hammerhead style turnaround was an operational and emergency services access improvement from what was there prior. However, this style of turnaround is also difficult to navigate and manage for larger fleet, particularly for winter maintenance. The addition of a driveway access would further impede the City's ability to manage winter events. A specialized and infrequently used piece of fleet, such as a front-end loader, may be required solely to address winter maintenance in this area.

Another concern is the potential precedent set by approving street access onto a turnaround that doesn't meet current standards. If all five properties that abut Joffre Street turnaround were permitted an additional driveway access, there would be the creation of five new driveways on this turnaround. This would significantly further impede winter maintenance to the point of requiring specialized equipment and more costly snow removal and hauling activities for each snow fall event.

A final concern is that any granted access advances the possibility for the creation of a new separate, standalone building lot. Although the Planning Division has not provided any evaluation or planning opinion (as noted earlier the Owner's Committee of Adjustment application was deemed incomplete and has not moved forward), any possible severed lot would not be comparable to surrounding/area properties regarding lot frontage and size (area).

Financial Implications:

Financial impact to current year operating budget:

There is no anticipated impact to the current year operating budget.

Financial impact on future year operating budget:

If Council approves street access onto Joffre Street, it will result in additional operational and maintenance resources to maintain winter control services.

Legal considerations:

The Owner of 386 William Street has not succeeded in the past in his appeals to the provincial Courts regarding past Council decisions that deny his request for street access onto Joffre Street.

Insurance considerations:

If the Owner is permitted street access, the level of service for snow removal in the area is anticipated to be reduced, which could lead increased probability of claims.

Alignment with Strategic Priorities:**Mobility, Accessibility and Design Excellence**

Improving ways to get around, to and from Stratford by public transit, active transportation and private vehicle.

Alignment with One Planet Principles:**Health and Happiness**

Encouraging active, social, meaningful lives to promote good health and wellbeing.

Culture and Community

Nurturing local identity and heritage, empowering communities and promoting a culture of sustainable living.

Material and Products

Using materials from sustainable sources and promoting products which help people reduce consumption.

Staff Recommendation: THAT the request by the Owner of 386 William Street to be permitted legal street access onto Joffre Street, be denied as the City of Stratford continues to require the use of this parcel of property for municipal purposes.

Prepared by:

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Recommended by:

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