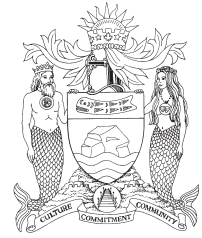


THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: November 18, 2019

TO: Mayor and Council

FROM Jim Gordon, P.Eng., Director of Engineering & Municipal Operations

SUBJECT: Preserving Road Right of Ways for a Sustainable City

RECOMMENDATION

THAT Council:

1. Receive for information the corporate report dated November 18, 2019 from the Director of Engineering and Municipal Operations titled “Preserving Road Right of Ways for a Sustainable City”; and
 2. Direct staff to continue to administer the Street and Traffic Bylaw with respect to new encroachments as well as at the time of property redevelopment.
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INTRODUCTION

Many small steps taken by individuals and cities throughout the world are needed to address what is increasingly referred to as a “Climate Emergency”. White Rock can take initiatives to contribute to its share of the solution, including preserving road right of ways for green and social initiatives.

This report discusses the importance of road right of ways in a sustainable City and presents options for Council consideration.

PAST PRACTICE / POLICY / LEGISLATION

The City’s Street and Traffic Bylaw contains provisions prohibiting private encroachments on City right of way.

ANALYSIS

A combination of factors contribute to an environmentally and socially sustainable City. A City where people can safely walk, bike or take transit to their destinations while interacting socially with others in a near natural environment is more sustainable than a City where single occupant vehicles are needed to traverse, hard surface corridors prone to flash flooding in the winter and heat sink conditions in the summer.

One way a city can become more sustainable is to use road right of way areas to implement the solutions shown below.

Sidewalks

Many areas in White Rock do not have sidewalks connecting to schools, transit, recreation or shopping areas, thereby contributing to a “vehicle forward” culture. The new Transportation Master Plan will identify sidewalk priorities for Council budget consideration. However, it will be difficult to construct needed sidewalks if the boulevards contain encroachments that are politically and financially difficult to remove. A proactive long-term plan to “free up” City owned boulevard space is required as outlined in this report.



This street in White Rock has no room for sidewalks. Removing the encroachments for a sidewalk could be challenging.



Example of a sidewalk in White Rock that ends at an encroachment.

When there is no sidewalk, people either walk on the road or use vehicles for even the smallest trips. Using a vehicle may avoid pedestrian safety issues, but it contributes to climate change and deprives residents of potential neighborhood social interactions.



People with mobility challenges are often the ones most affected by lack of sidewalks.



While the example pictured here does not show full use of the boulevard, there is enough space for a sidewalk so those with mobility challenges can travel on foot from

Tree Canopy

Large tall trees provide a canopy that shades and cools city streets. The trees also hold storm water and release it through evapotranspiration and provide stability to slopes. Together with walkways, large trees provide a pleasant environment where people can travel on foot and encourage socialization with neighbours.



This is a street in White Rock with a private parking area on the City right of way. There are no trees for shade and the hard surface will not retain rainwater.

Hard Surface Minimization & Storm Water Infiltration

The increasing amount of hard surface area in White Rock, together with climate change is increasing:

- the potential for flooding on local streets;
- erosion and washouts in the ravines carrying storm water, which causes private property damage and also puts the archaeological sites common in ravines at risk;
- the potential for slope failures along the hillsides throughout the City;
- the amount of grit and other materials washed into the ocean;
- the challenges of recharging our aquifer; and
- the amount of unfiltered water discharged into the Bay



This street in White Rock is almost completely hard surfaced to provide vehicle parking on the City right of way.

Reducing the amount of hard surface used for parking or buildings together with upgraded storm water facilities can help address the challenges of climate change peak flows.

Maintaining base flow infiltration to the water table is also important for a healthy City and can help mitigate drought conditions. Infiltrating and detaining storm water through rain gardens, and subsurface detention and infiltration pipes and structures helps maintain the water table. These measures require road right of way either for rain gardens or in ground infiltration and detention facilities.



Example of how the City's right of way space can be allocated for trees, walkways, greenspace and potentially subsurface rainwater infiltration for aquifer recharge.



This illustrates an example of an easy way to maintain the system of infiltration through the use of a buried permeable pipe with a peak overflow to the storm system. This will help maintain a healthy water table.

Road Safety – Sight Lines and Pedestrian Access

Encroachments on City road right of way may appear benign at first; however, they can grow to the point where they interfere with safety either through encouraging pedestrian access to the roadway or by restricting motorists' vision at intersections. There are legal firms that specialize in accident claims related to sight line obstructions at intersections.

The pictures below show examples of two encroaching hedges which will need to be frequently trimmed in order to preserve sight lines. The issue is that no one maintains these encroachments. Either the original owners have moved or they cannot maintain the plantings as they have grown out of control.



A frequent resident complaint is sight line issues caused by overgrown vegetation on the right of way.

City crews are often confronted by residents who do not want the vegetation pruned.



Bike Lanes

Dedicated bike lines provide increased cycling accessibility, especially for cyclists who may not be comfortable sharing a lane with traffic. These bike lanes require right of way space.



These dedicated bike lanes in the City require additional boulevard space.



Transit Stops



This recently updated transit stop in White Rock has enough space for a bench and an area for those in wheelchairs or scooters.



This transit stop is located where the City would like to install a wheelchair accessible bus stop. However, the plantings on the City right of way would have to be removed.

Fibre Optics Utility Network



This communication cable is located along the back of the sidewalk. Installing these cables in the roadway is much more expensive and may also conflict with other utilities.



The hedge shown in this picture could be problematic to remove as the adjacent resident may have become accustomed to the privacy it provides.

Potential People Movers – Funicular

If the City is to have a funicular or other type of people mover in the future, there will need to be unencumbered boulevard space for the installation.

DISCUSSION

Road right of way is needed for all of the above current and future needs for a sustainable City. Unfortunately, many areas of White Rock already have extensive encroachments and it is not practicable to go back and address the encroachments - some of which have been in place for decades. However, it is possible to work for a more sustainable future now by limiting new encroachments and addressing historic encroachments at the time of redevelopment.

While not inherently evident, each small step forward or backward, compounded over the next 10 or 20 years, will determine whether White Rock becomes a future green, sustainable City.

BUDGET IMPLICATIONS

Allowing new encroachments increases the City's risk and could also result in potential future costs of either litigating for removal or removing encroachments for needed infrastructure.



These two photos show an encroaching wood retaining wall and hedges installed by a private property owner.

The wood retaining wall has failed and is leaning into the sidewalk, reducing public access, and becoming a hazard to the public. The City asked the property owner to remediate the failed retaining wall. The property owner has refused, citing that the retaining wall is on City property and was installed by the previous property owner.



This unforeseen infrastructure remediation could cost the City \$20,000 – a financial burden that will be passed onto all White Rock taxpayers. Currently, the failed wall poses a potential liability to the City.

RISK MANAGEMENT

Allowing new encroachments increases the City's liability as the City still assumes the risk for encroached right of ways. See example above.

OPTIONS

Council has three options with respect to the Street and Traffic Bylaw:

1. Direct staff to continue to administer the Street and Traffic Bylaw with respect to new encroachments as well as at the time of property redevelopment.
2. Direct staff to administer the Street and Traffic Bylaw with respect to new encroachments and at the time of property redevelopment but with a process whereby residents and/or developers can appeal to Council for an exemption. This will require legal resources to investigate whether this is feasible and then potentially rewrite portions of the Bylaw
3. Permit new encroachments - This would require a rewrite of the Street and Traffic Bylaw and would require legal resources to provide, for example a permit, for the use of public land to private individuals. It would also increase City risk as the City could still be potentially liable for lawsuits emanating from the encroachment areas.

Staff recommend Option 1 and is incorporated into the recommendations at the beginning of this corporate report.

CONCLUSION

Many small steps taken now can lead to a more sustainable City in the future. One of these small steps is to prevent new right of way encroachments and to "take back" City land at the time of redevelopment.

When the gradual repatriation of right of way is combined with sidewalk, tree planting, cycling and transit initiatives, residents will be able to do their part towards reducing climate change through less vehicle use and more safe, pleasant walkable neighbourhoods. Other known right of way uses such as fibre optic or utility corridors together with future, as yet unenvisioned uses, could also contribute to making a more liveable City.

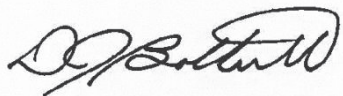
Respectfully submitted,



Jim Gordon P.Eng.,
Director of Engineering & Municipal Operations

Comments from the Chief Administrative Officer:

I concur with the recommendation(s) of this report.



Dan Bottrill
Chief Administrative Officer