

To: Economic and Development Services Committee

From: Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department

Report Number: ED-23-205

Date of Report: November 1, 2023

Date of Meeting: November 6, 2023

Subject: Petition for the Construction of Sidewalks - Division Street

Ward: Ward 4

File: 03-05

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## **1.0 Purpose**

On October 16, 2023, the Economic and Development Services Committee considered Item ED-23-186 regarding the construction of a sidewalk on both sides of Division Street north of Rosedale Avenue and referred it to staff for a report.

The purpose of this Report is to respond to the above noted referral.

Attachment 1 is a copy of ED-23-186.

Attachment 2 is an aerial photograph detailing the location of the requested sidewalk on Division Street.

Attachment 3 is a list of roads currently forecasted in the Capital Budget in advance of the reconstruction of Division Street.

## **2.0 Recommendation**

That the Economic and Development Services Committee recommend that City Council select an appropriate option as set out in Section 5.6 of Report ED-23-205 dated November 1, 2023.

## **3.0 Executive Summary**

Not Applicable.

## **4.0 Input From Other Sources**

The following have been consulted in the preparation of this Report:

- Chief Administrative Officer
- Commissioner, Corporate and Finance Services

## **5.0 Analysis**

### **5.1 Background**

A petition was received September 14, 2023 from local residents to advance the sidewalk reconstruction on the southern section of Division Street from Rosedale Avenue to 123 metres (403.54 ft.) north of Rosedale Avenue.

There are 33 residential homes along Division Street from Rosedale Avenue to Grove Avenue. In the petition, 19 people signed the petition to replace the sidewalk.

### **5.2 Infrastructure**

Division Street from Rosedale Avenue to Grove Avenue is an urbanized local road located in Ward 4. An urbanized road in Oshawa includes curb and gutter, sidewalk, storm sewer and street lighting. Division Street from Rosedale Avenue to Grove Avenue has a sidewalk on both sides.

The pavement is a High Class Bituminous material.

The existing sidewalk is a combination of concrete and asphalt.

### **5.3 Condition**

This road section has two distinct conditions. The southern section from Rosedale Avenue to 90 metres (295.28 ft.) north of Rosedale Avenue has a structural adequacy of 5 out of 20, and the northern section from 90 metres (295.28 ft.) north of Rosedale Avenue to the bend at Grove Avenue has a structural adequacy of 10 out of 20.

Division Street from Rosedale Avenue to Grove Avenue is approximately 90 meters (295.28 ft.) north of Rosedale Avenue, and consists primarily of asphalt with numerous patches and noticeable surface irregularities.

### **5.4 Current Operations and Maintenance Program**

#### **5.4.1 Sidewalks**

Annual inspections for deficiencies are performed on all sidewalks to identify any surface discontinuities in compliance with minimum maintenance standards (O. Reg. 239/02: Minimum Maintenance Standards For Municipal Highways). Additionally, condition audits on one third of the sidewalks in the City are conducted each year. Furthermore, any service request received prompts an inspection of the respective area of concern.

Various types of maintenance repairs that are completed on the sidewalks are as following: feathering, grinding, slab jacking, slab replacement, asphalt overlays, and epoxy. These repairs can be either temporary or permanent.

Sidewalk sections on Division Street have been asphalt feathered, patched and overlaid. Inspections would be completed as outlined above and consistent with other areas within the City.

#### **5.4.2 Right-of-way Patrol Frequency**

The patrol frequency for all roads in Oshawa is calculated based on the classification of the road and the posted speed limit.

Division Street from Rosedale Avenue to Grove Avenue is classified as a local road and has a speed limit of 50 km/h.

Accordingly, the Patrol Frequency is once every 30 days.

Inspections of the right-of-way are completed while driving where staff will identify any deficiencies observed and create the necessary work orders.

### **5.5 Infrastructure Planning**

To support the 2021 Asset Management Plan, Engineering Services performed a comprehensive analysis of the road network lifecycle needs to sustain the pavement condition rating of 2021 using predictive modelling methods.

Whole life costs, climate change and adaptation, and risk are also considered. In planning for infrastructure, Engineering utilizes predictive modelling methodologies to forecast interventions for the best return on investment, identifying the right treatment at the right time.

This analysis concluded that the southern section of Division Street should be reconstructed in 2027, including the sidewalks.

The south section of Division Street from Rosedale Avenue to 90 metres (295.28 ft.) north of Rosedale Avenue is currently forecasted in 2027 for reconstruction (Class D Estimate) at a cost of \$530,000.

The design process will investigate removing sidewalk from one side on Division Street during the design phase to align to Oshawa's design standard and service level standard. Local roads have sidewalk on one side, unless within the downtown core. Staff would consult Council and the immediate and surrounding residents for their input to this change.

The status of the Region's servicing needs at this location is currently unknown. However, staff have identified this upcoming project as a potential opportunity for collaboration.

It is Oshawa's standard procedure to replace sidewalks concurrently with road reconstruction projects in order to maximize cost efficiencies and effectively synchronize the lifecycle of various assets. This approach is necessary because the geometric

requirements and extensive grading involved in the road design may affect the sidewalks and other right-of-way infrastructure.

## **5.6 Options**

### **5.6.1 Option 1 – Maintain Current Programing with Temporary Maintenance**

Option 1 contemplates maintaining the current program to ensure that road and sidewalk construction is completed together, based on road condition and efficiency analysis for project prioritization.

Operations Services has performed some asphalt patching to address maintenance concerns.

Operations Services in 2024 can investigate additional maintenance work to improve the surface irregularities as a temporary treatment until the road reconstruction in 2027.

Estimated Cost – Temporary maintenance activities can be accommodated within the operating budget.

### **5.6.2 Option 2 – Advance Reconstruction of Road and Sidewalk**

Option 2 contemplates advancing the Division Street sidewalk and road work to 2024. While this would ensure the sidewalk and road are rebuilt sooner it could also mean continued disruption to residents and ineffective use of resources if projects to be completed by the Regional Municipality of Durham or the utility providers are not able to be coordinated. This situation is exacerbated since planning and budgeting for next year is already well underway.

Pre-Engineering and Design activities have not commenced as current infrastructure plans did not consider this work until 2027, subject to budget approval.

Estimated Cost – \$530,000 (Class D Estimate)

### **5.6.3 Option 3 – Advance Sidewalk Reconstruction on the West Side**

Option 3 contemplates advancing reconstruction of the sidewalk only on the west side of Division Street to address the southern section, from Rosedale Avenue to 90 metres (295.28 ft.) north of Rosedale Avenue. The west side of Division Street has been identified by Operations Services as having more need at this point in time. However, much of this investment represents throw away costs since the road reconstruction is scheduled for 2027 and would likely require the removal of any reconstruction of the sidewalk.

Estimated Cost – \$135,000 (Class D Estimate)

### **5.6.4 Option 4 – Maintain Current Programing with No Interim Action**

Option 4 contemplates maintaining the current program to ensure that road and sidewalk construction is completed together, based on road condition and efficiency analysis for

project prioritization. However, Option 4 fails to address the concerns raised in the petition.

Estimated Cost – \$0 (in 2023).

## **5.7 Potential Risks**

The greatest risk to the City is the potential to affect the ability to fund other capital projects. The City must balance a multitude of competing spending priorities with limited resources. The infrastructure needs currently forecasted ahead of this road and/or section of sidewalk, include:

- \$7.457 million in Road Reconstructions needs including their associated sidewalks;
- \$5.7 million of Structure Renewal and Replacement needs; and,
- \$30.3 million Road Renewal Costs for the Overlay Program (based on the current sustainable annual re-investment amount of \$10.1 million per year) to conform to 2021 Asset Management Plan.

Staff have limited ability to complete the design and construction work in 2024 and the current infrastructure plans did not consider the inclusion of this work as noted.

## **6.0 Financial Implications**

Depending on the Option selected by Council, funding for the project will range between \$0 (Option 4) and \$530,000 plus H.S.T. (Option 1).

Funding is available in the Infrastructure Reserve, subject to the established cap of utilizing only 10% of the available balance of the Infrastructure Reserve annually.

## **7.0 Relationship to the Oshawa Strategic Plan**

The Recommendation in this Report advances the Accountable Leadership, Environmental Responsibility and Economic Prosperity and Financial Stewardship goals of the Oshawa Strategic Plan.



Anthony Ambra, P.Eng., Director,  
Engineering Services



Warren Munro, HBA, MCIP, RPP, Commissioner,  
Economic and Development Services Department

**Petition for the Construction of Sidewalks on Division Street from 337 to 374 both East and West sides**Background:

This petition is being submitted primarily out of a concern for the safety of all who walk along our sidewalks. The genesis of this began in 2021 when I observed a pregnant woman fall in front of my house as she tripped on heaved and cracked asphalt. I reported this occurrence to the city and within a day they came and paved over several sections of my sidewalk. I was advised by Phil (City of Oshawa) that they have been aware that the street, curbs and sidewalks are deficient and need to be reconstructed but this will only be done when all facilities are ready. This past June 2023 Jamie Osmond (City of Oshawa) confirmed this is still the city's position and encouraged me to seek the assistance of our fine politicians. I wrote our mayor Carter. I received an email from Mr. Underwood (City of Oshawa) who has also been very helpful and forwarded this form to me as work is scheduled for 2027 pending councils' approval in 2026.

Rationale:

Apart from my section of sidewalk there are numerous areas of concern from 337-374 Division Street on both the east and west sides. In fact, when speaking with our neighbours as I solicited their signatures it quickly became apparent to me that all residents have been frustrated with the poor conditions of our sidewalks. Just for the mere fact that they are asphalt leaves them susceptible to heaving and cracking. I can unequivocally say that the majority of my neighbours are beyond frustrated with the state of our sidewalks. I will share with the reader some human concerns that we have; young families with little ones, at least one pregnant neighbour, a visually impaired adult and several elderly. Some comments I heard are:

- My daughter went for a tumble in front of Connie's house.
- I had my knee replacement but am still afraid to walk down the street.
- My arthritis is bad and it's just not safe for me to walk along our sidewalks.
- It's hard to keep my sidewalks free of ice because the water pools.
- I am legally blind, so it is very difficult to see the heaves and cracks.

As the reader can see, safety is the reoccurring theme.

Conclusion:

Firstly, I will say that every representative from the City of Oshawa I have been in contact with regarding this matter has been respectful, informative and professional. I am grateful for their help. I hope that the powers to be seriously consider this petition to be truthful and with merit. At an absolute minimum, we need proper concrete sidewalks to make them safe. This is the main concern from each resident I spoke with who are listed on this petition. From all of us on Division Street we thank you in advance for giving this matter your attention and genuine consideration. We are hopeful that you agree that the time is now to give us safe sidewalks.

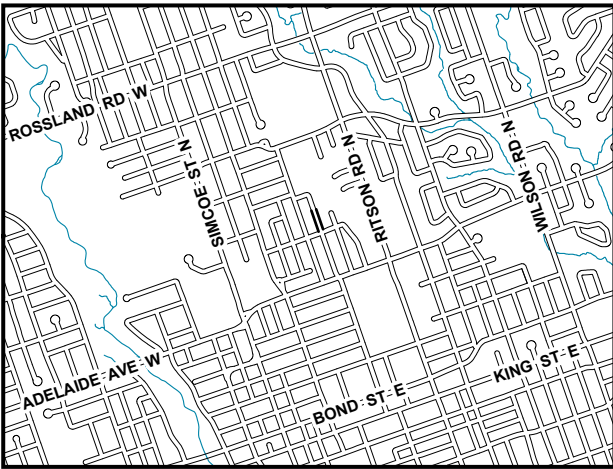
Signed by Paul Martin, September 14, 2023, <M.F.I.P.P.A Sec. 14(1)>, Oshawa

19 Signatures received.

**The original petition is available for viewing in the office of the City Clerk, Monday to Friday from 8:30 a.m. to 4:30 p.m.**

**The City of Oshawa is not accountable for the accuracy or reliability of petitions submitted.**





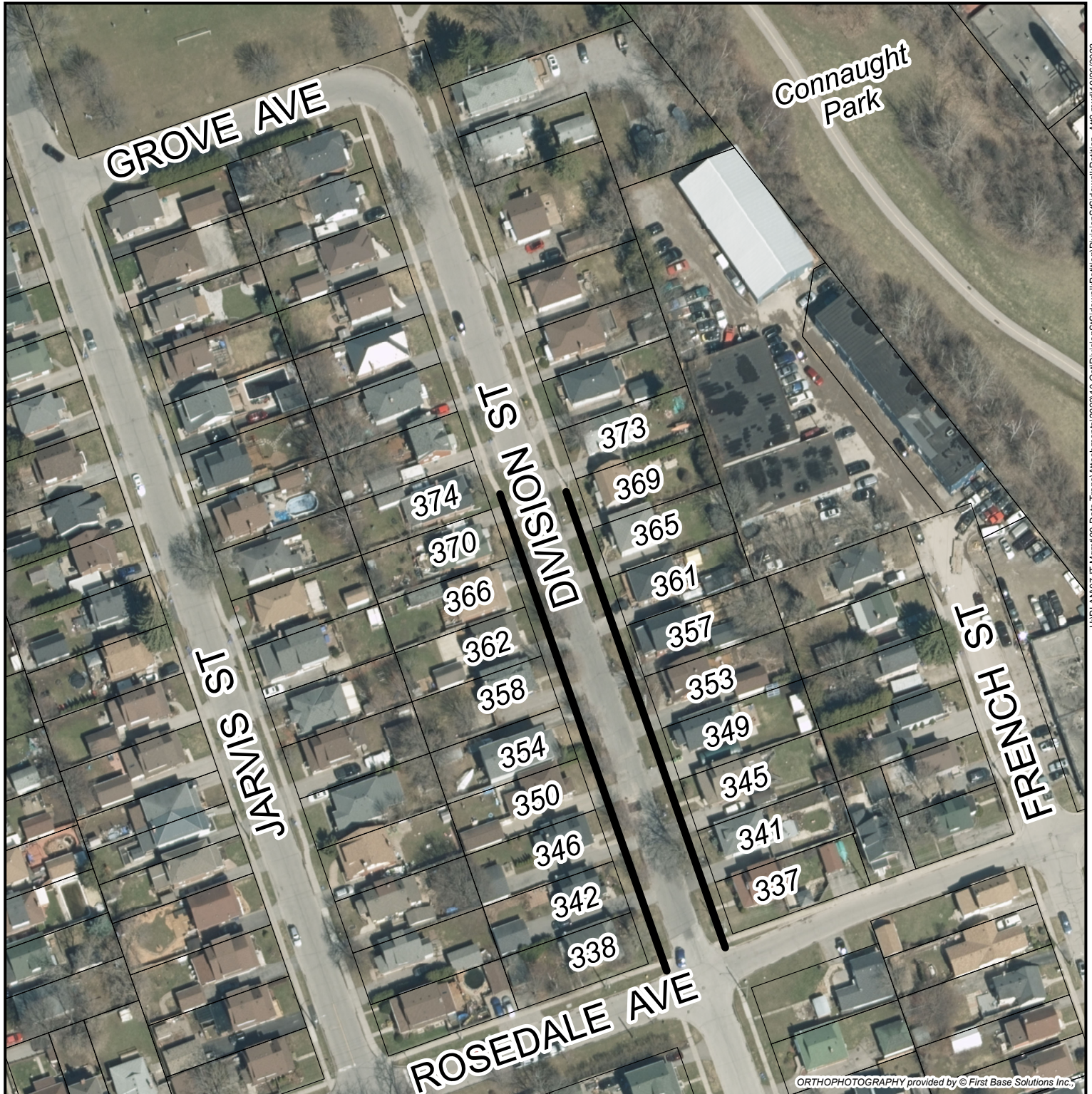
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Subject Site



## Roads Reconstructions in the Capital Forecast

Name	From	To	Year	Ward
Coleridge Street	Whitman Crescent	Emerson Avenue	2024	5
Coleridge Street	Emerson Avenue	Tennyson Avenue	2024	5
Ritson Road South	Kawartha Avenue	Southlawn Avenue	2024	5
Ritson Road South	Southlawn Avenue	Wellington Avenue West	2024	5
Ritson Road South	Wellington Avenue West	Simcoe Street South	2024	5
Dieppe Court	50 metres (164.04 ft.) west of Hillcrest Drive	Hillcrest Drive	2025	5
Meadow Street	Avalon Street	Manor Drive	2025	2
Myers Street	Wolfe Street	Sharon Avenue	2025	5
Myers Street	Sharon Avenue	Conant Street	2025	5
Rolson Street	75 metres (246.06 ft.) west of Ritson Road North	Ritson Road North	2025	4
Selleck Lane	Simcoe Street North	183 metres (600.39 ft.) east of Simcoe Street North	2025	2
Court Street	186 metres (610.24 ft.) south of Bruce Street	Bruce Street	2026	4
Cubert Street	Bloor Street West	College Avenue	2026	5
Laracor Lane	Grierson Street	78 metres (255.91 ft.) east of Grierson Street	2026	2
Llewellyn Avenue	Fernhill Boulevard	Rosehill Boulevard	2026	4
Albert Street	66 metres (216.54 ft.) south of Bloor Street East	Bloor Street East	2027	5
Annis Street	Albert Street	Margaret Street	2027	5
Celina Street	Fisher Street	64 metres (209.97 ft.) north of Fisher Street	2027	5
Division Street	Rosedale Avenue	Grove Avenue	2027	4