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<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY &amp; PROTECTIVE SERVICES COMMITTEE MEETING ON APRIL 21, 2015</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING &amp; CITY PLANNER AND JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>PEDESTRIAN PATHWAY CONNECTION ACROSS CANADIAN NATIONAL RAILWAY LANDS IN KIWANIS PARK MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner and the Managing Director, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** in respect to the pedestrian pathway connection across Canadian National Railway Lands in Kiwanis Park:

- (a) The Pedestrian Pathway Connection Across Canadian National Railway Lands in Kiwanis Park Municipal Class Environmental Assessment Schedule 'B' Project File **BE ACCEPTED**;
- (b) A Notice of Completion for the project **BE FILED** with the Municipal Clerk; and
- (c) The Pedestrian Pathway Connection Across Canadian National Railway Lands in Kiwanis Park Municipal Class Environmental Assessment Project File **BE PLACED** on public record for a 30 day review period.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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- Community & Protective Services Committee (June 17, 2013): Appointment of consulting engineers to conduct an environmental study for the purpose of determining a viable pedestrian pathway connection across federally owned Canadian National Railway lands in Kiwanis Park, south of Trafalgar Road (RFP 13-20).

<b>BACKGROUND</b>
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**Purpose:**

This report provides Committee and Council with an overview of and seeks approval to finalize the Pedestrian Pathway Connection Across Canadian National Railway (CNR) Lands in Kiwanis Park Municipal Class Environmental Assessment (EA). The completed Schedule 'B' Project File, documents the EA requirement and process undertaken for the pathway connection across the CNR lands in Kiwanis Park, linking Trafalgar Street to Tweedsmuir Avenue.

**Background:**

Kiwanis Park is a long linear park in south-east London that extends south from Dundas Street to Hamilton Road and links the surrounding community to the Thames Valley Corridor. This 163 acre (66 hectare) park serves over 100,000 residents and includes an extensive recreational pathway system, ball diamonds, a spray pad, skate boarding facilities, washrooms, play equipment and unique natural heritage features.

The City of London coordinated major upgrades to the Kiwanis Park pathway system between 2010 and 2012, utilizing infrastructure funding from both the Federal & Provincial Governments.

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The only remaining uncompleted gap in the Kiwanis Park pathway system is located between Trafalgar Road and Tweedsmuir Avenue, due to the presence of the CNR railway that bisects the entire park. Addressing gaps in the City’s recreational pathway system is a high priority for both Council and the general public. This priority has been confirmed in numerous studies including the Bicycle Master Plan (2005), Parks & Recreation Master Plan (2009), Strengthening Neighbourhoods Strategy (2009), Thames Valley Corridor Plan (2011), Age Friendly London (2012), the Smart Moves 2030 Transportation Plan (2013) and through recent ReThink London consultation processes.

To address the gap in the Kiwanis Park recreational pathway system, AECOM was hired by the City following a formal request for consultant proposals in early 2013 to undertake three main tasks:

- (a) **Complete a Subject Lands Status Report.** Purpose of this study was to verify existing environmental conditions as outlined in the Official Plan, Section 15.5.2.
  
- (b) **Complete a Municipal Class Environmental Assessment.** Purpose of this study was to identify and document the planning issues, public input and decision-making process leading to the development of recommendations for establishing a recreational pathway connection between Trafalgar Road and Tweedsmuir Avenue and across CNR lands in Kiwanis Park.
  
- (c) **Complete an Environmental Impact Study.** Purpose of this study was to describe the positive and negative environmental effects of the proposed project, and to make recommendations which will influence future detailed design and construction processes. The environmental impact study was completed in accordance with Official Plan, Section 15.5.2.

The geographical limits for this study area extended the full width of Kiwanis Park linearly from 100 meters north of Trafalgar Road to Tweedsmuir Avenue 250 meters south of CNR land (refer to Appendix ‘A’). Representatives from the Planning and Engineering Departments and also CNR have worked closely with AECOM throughout the study and support the EA’s recommendations.

<b>DISCUSSION</b>
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**Environmental Assessment Summary:**

This EA has been carried out in accordance with the Schedule “B” process of the Municipal Engineers Association Municipal Class Environment Assessment document (October 2000, as amended in 2007 and 2011). A copy of the executive summary for the Project File is contained in Appendix B.

A. Evaluation

In accordance with the Municipal Class Environmental Assessment process, this EA evaluated the following alternatives:

- **Do nothing;**
- **Improve existing crossing at Hale and Trafalgar Street;**
- **Construct a new crossing(s).**

The following criteria were used to evaluate the alternatives:

- **Natural Environment** (component having regard for protecting significant natural and physical elements of the environment (i.e. air, land, water and biota) including natural heritage and environmentally sensitive policy areas);
- **Social/Cultural** (component that evaluates potential effects on residents, neighbourhoods, businesses, community character, social cohesion, community features, and historical/archaeological and heritage components);
- **Technical** (Component that considers technical suitability and other engineering aspects of the solutions);
- **Economic/Financial** (Component that addresses the potential effect on costs).

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**B. Preferred Alternative for Crossing CNR Land:**

The preferred alternative recommended by the EA for crossing the CNR land is a new 32.0 meter long pedestrian bridge at the west limit of Kiwanis Park, near to the location where people currently cross the tracks. The bridge length recommended by the study protects the 30.0 meter wide corridor identified in the Provincial Governments recent High Speed Rail Pre-feasibility Study.

**Recent Provincial Government High Speed Rail Announcement:**

In 2014, the Province through the Ministry of Transportation commissioned a pre-feasibility study to consider High Speed Rail (HSR) along the Toronto, Kitchener-Waterloo, London and Windsor corridor as part of the government's *Moving Ontario Forward* plan for transit and infrastructure investment throughout the province.

The pre-feasibility study and preliminary discussions between the City of London and the Provincial Government have suggested that the existing 30.0 meter wide CNR corridor will be a likely approach option for HSR entering London. The Province expects to launch a more detailed Environmental Assessment to identify system routing, consider technological options and determine environmental effects associated with the HSR service and corridor. The study is anticipated to take a number of years to complete.

The City of London CNR corridor crossing Class EA study has taken into account the possibility of HSR being implemented along the CNR corridor.

**C. Preferred Pathway Alignment North and South of CNR Crossing:**

The preferred alternative recommended through the EA for approaching the proposed bridge over CNR land utilizes existing pathways in Kiwanis Park, but also incorporates a new pedestrian bridge over Pottersburg Creek north of the CNR land and an elevated boardwalk south of the CNR land to complete the linkage in an ecologically sensitive manner.

**D. Environmental Impact and Mitigation Measures**

The subject lands status report completed for this project by Aecom in 2013 confirmed the presence of an environmentally significant area, locally significant wetlands and a significant stream/ravine corridor within the Kiwanis Park study area. A diverse range of vegetation communities (33 communities and 159 plant species) were observed within the study area. The study area includes suitable habitat for species at risk, including but not limited to Chimney Swifts, Eastern Wood-Pewee, Eastern Meadowlark, Milksnake, etc.

The preferred pathway alignment through Kiwanis Park and the proposed bridge crossing of the CNR land has been conceptually designed to avoid the ecologically sensitive features identified in the subject lands status report.

The Environmental Impact Study completed for this project includes 10 recommendations related to environmentally significant area management zones, pathway routing/detailed design and eventual construction mitigation.

Future detailed design of this pathway system will make it a priority to preserve ecological features identified through the study process and will cease opportunities to enhance ecological features by managing invasive species, increasing landscape buffers and eliminating existing sections of pathway which encroach into sensitive habitats. The recommendations made in the project EIS will be adhered to during future project development phases.

**E. Consultation**

The EA process included a public consultation process with input from relevant agencies, affected landowners, First Nations communities and members of the public. A Notice of Study Commencement was mailed to the relevant agencies and study area property owners/residents

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and posted to the City of London website in September, 2013 and an advertisement was placed in 'The Londoner' on September 26 and October 3, 2013. Direct correspondence and some meetings were held with CNR, MOE, MNR, UTRCA and the First Nation communities.

The City of London and Aecom hosted two Public Information Centres (PIC's) for this study. The first PIC occurred November 13, 2013 and provided opportunities for the public and agencies to comment on the problem/opportunity, options being assessed and the criteria used to pre-screen options. The second PIC occurred on June 18, 2014 and provided opportunities for the public and agencies to provide feedback on how the various options had been assessed and the recommended alternative. Notices for both of these meetings were advertised in the Londoner, posted on the City website and mailed to relevant agencies and study area property owners/residents.

Over 145 residents and interested parties attended the two PICs, and/or submitted comments throughout the EA process. Comments were generally favourable in nature, with some concerns being expressed about the project's anticipated budget, concerns related to public safety and potential impacts to surrounding natural heritage features.

It should be noted that the final EA has recommended one minor change to the overall pathway alignment in comparison to what was presented at PIC #2. The change in alignment was made immediately south of Trafalgar Street to address technical and safety issues raised by the Transportation Planning & Design Division. After taking into account the Transportation Division comments, the EA evaluation process confirmed that the best way to cross Pottersburg Creek south of Trafalgar Street in a safe, financially viable and environmentally responsible manner, while accommodating active transportation and vehicular traffic requirements in the ROW was to construct a separate pedestrian bridge that spans Pottersburg Creek (Option 3 in EA) and not the originally proposed separated bicycle path constructed in the Trafalgar Street Bridge ROW (Option 1 in EA).

In accordance with the City of London Official Plan, an Environmental Impact Study (EIS) was prepared and provided to the Environmental and Ecological Planning Advisory Committee for review/comments on August 29, 2014. Comments were received from the EEPAC on September 15, 2014. EEPAC also reviewed and provided comment on the preferred alternative and overall EA Screening report under the same time frame.

**Financial Impact:**

The preliminary cost estimate associated with the detailed design, construction and contract administration for the Kiwanis Park pathway system between Trafalgar Street and Tweedsmuir Avenue is \$1.98 million. Funding to implement this project has already been approved by Council under the Planning Services Major Open Space and Thames Valley Parkway capital programs.

The City will be seeking funding from CNR to assist the project, as the proposed solution addresses a Transport Canada Board Order to CNR to address illegal trespass issues.

The City will also be seeking funding from the Provincial Government to address additional costs associated with protecting the 30.0 meter CNR Corridor for potential future HSR initiatives by installing a longer bridge (32 meters vs. 16 meters to cross the existing tracks).

<b>CONCLUSION</b>
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**Summary and Next Steps:**

A Municipal Class EA has been undertaken to consider options for linking the Kiwanis Park recreational pathway system between Trafalgar Street and Tweedsmuir Avenue across Canadian National Railway lands. This EA has taken into account the recent announcement by the Provincial Government to undertake an Environmental Assessment for the purpose of studying high speed rail options between London and Toronto. An EA Project File has been completed and is ready for final public review. It was prepared with public and agency

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participation, and includes a preliminary design which provides mitigation measures for impacts associated with the project.

Pending Council approval, a Notice of Completion will be filed, and the EA Project File will be placed on public record for a 30 day review period.

- Stakeholders are encouraged to provide input and comments regarding the study during this time period.
- Should stakeholders feel that issues have not been adequately addressed, they may provide written notification within the 30-day review period to the Minister of the Environment requesting further consideration.
- Subject to no requests for a Part II Order being received, the project will be in a position to move forward to the detailed design and construction stages in accordance with the recommendations of the study.
- Detailed design will involve and be supported by further geotechnical investigations, land and cost sharing negotiations with the Canadian National Railway company.
- Construction is anticipated to begin in 2016.

**Acknowledgements:**

This report was prepared by Jeff Bruin, Landscape Architect of the Environmental & Parks Planning Section, Planning Department with input received and concurrence from the Environmental & Engineering Services Department.

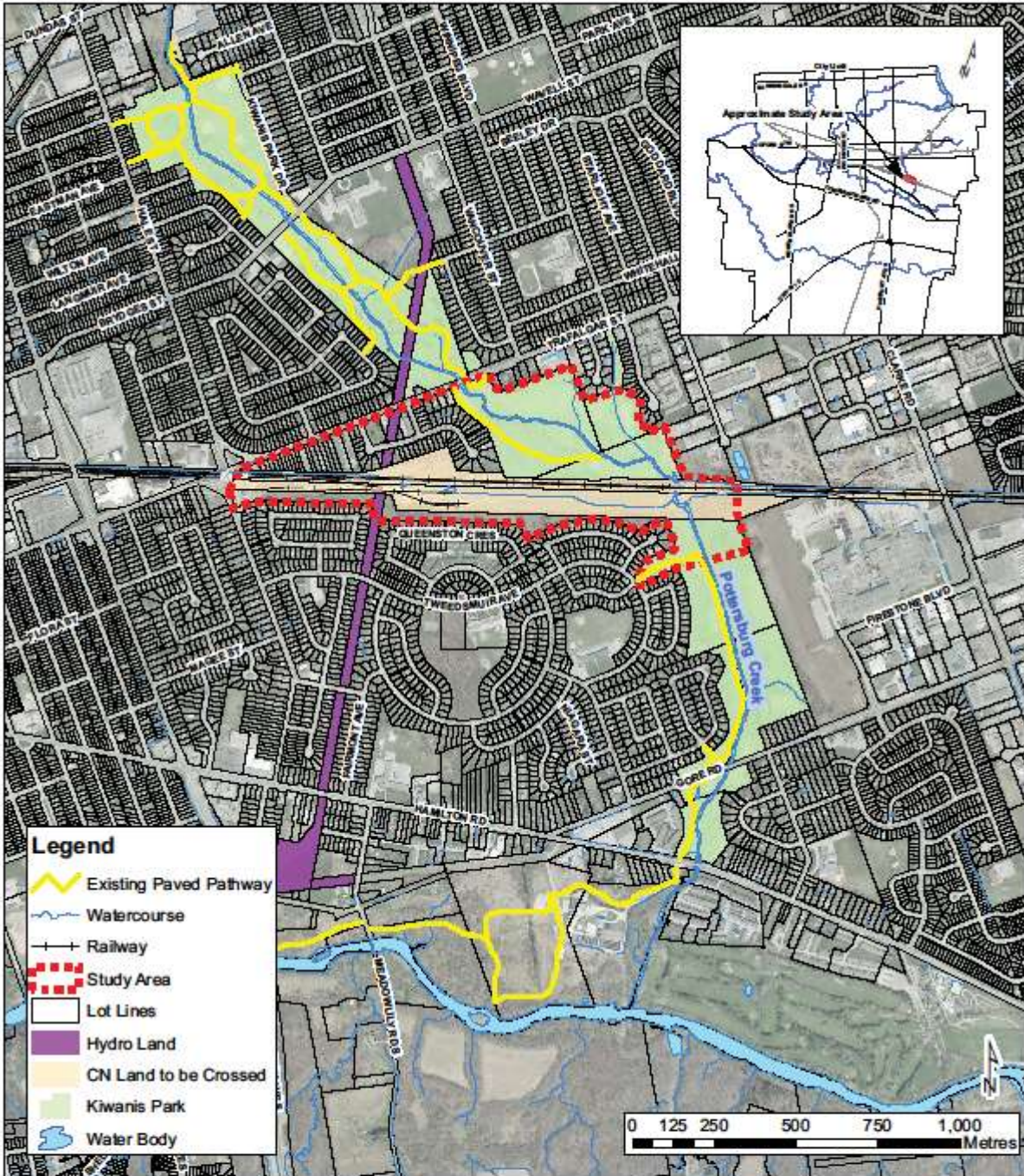
<b>SUBMITTED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>ANDREW MACPHERSON, MANAGER, ENVIRONMENTAL &amp; PARKS PLANNING SECTION</b>	<b>EDWARD SOLDO, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>RECOMMENDED BY:</b>	<b>RECOMMENDED BY:</b>
<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR OF ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING &amp; CITY PLANNER</b>



c.c. Nancy Martin/Tony Fediw, AECOM



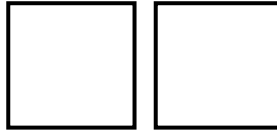
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**APPENDIX A**  
**Study Area – Pedestrian Pathway Connection across CNR lands in Kiwanis Park**



 London ONTARIO 	<b>Kiwanis Park Pathway Connection Municipal Class Environmental Assessment Schedule 'B'</b>	<b>Figure 1: Study Area</b>	
			Scale: 1:15,000    Date: September 2013
			Datum: NAD 83 UTM 17N
			PN: 60302972





**APPENDIX B**

**Environmental Assessment Executive Summary**

AECOM

City of London

Pedestrian Pathway Connection Across CNR Lands  
in Kiwanis Park  
Municipal Class Environmental Assessment  
Screening Report

**Executive Summary**

**Introduction**

The City of London (City) initiated a Municipal Class Environmental Assessment (Class EA) study to identify the location, design, and function of a pedestrian/cyclist crossing of the Canadian National Rail (CNR) Dundas Subdivision Line within Kiwanis Park between Trafalgar Street and Tweedsmuir Avenue. AECOM Canada Ltd. (AECOM) was retained by the City to complete this Municipal Class EA in accordance with the requirements for Schedule 'B' projects as described in the Municipal Engineers Association's "Municipal Class Environmental Assessment" document (October 2000, as amended in 2007 and 2011) and as outlined in the Request of Proposal 13-20. This report has been prepared to provide members of the public, stakeholders, Aboriginal communities and review agencies with a structured overview of the screening process to ensure the Municipal Class EA requirements have been met.

Kiwanis Park is a long linear park that extends south from Dundas Street to Hamilton Road and links to the Thames River. The Pottersburg Valley Environmentally Significant Area is located within Kiwanis Park in the study area. Multiple projects have been completed as part of the pathway system from 2010 – 2013 including improvements to the multi-use pathway within Kiwanis Park. These improvements included the construction of a multi-use pathway extending the full length of the park, linking neighborhoods surrounding Pottersburg Creek to the Thames Valley Parkway (TVP) multi-use pathway system. The connection located between Trafalgar Street and Tweedsmuir Avenue has not been completed due to the presence of the CNR line. It is a priority of City Council to link the Kiwanis corridor with the TVP multi-use pathway system. See **Figure ES1**.

**Consultation**

The involvement of the community - residents, stakeholders, agencies, Aboriginal communities and those who may be potentially affected by a project – is an integral part of the Class EA process. The purpose of the EA Study consultation process is to provide an opportunity for stakeholder groups and the public to gain an understanding of the study process; contribute to the process for development and selection of alternatives and provide feedback and advice at important stages in the EA process. Specifically, the consultation efforts had the following objectives:

- generate awareness of the project and provide opportunities for involvement throughout the planning process; and
- facilitate constructive input from public and agency stakeholders at key points in the EA process, prior to decision making.

A consultation program was incorporated into the study in order to meet the above objectives. The consultation program included:

- Posting project milestones on the City of London's website:  
[www.london.ca/residents/Environment/EAs/Pages/Kiwanis-Park.aspx](http://www.london.ca/residents/Environment/EAs/Pages/Kiwanis-Park.aspx);
- Conducting meetings with agencies and stakeholders at key phases during the project;
- Publication of notices in The Londoner for all project milestones;
- Notification to stakeholders, affected residents, the general public and review agencies regarding project milestones;
- Holding two Public Information Centres to engage and obtain input from the public, review agencies and stakeholders; and
- Issuing a Notice of Completion.

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**Identification of the Problem**

The Class EA Problem/Opportunity statement provides the basis for the need and justification for this project. Currently, the only safe and appropriate crossings of the CNR corridor within the study area are at the Hale Street/ Trafalgar Street intersection and at Clarke Road. The separation distance between these two crossings is approximately 2.2kms. This is inconvenient for residents and pathway users and results in unsafe and illegal crossings of the CNR corridor between Hale Street and Clarke Road.

The CNR line within the study area is a main transportation route conveying large capacity freight trains and Via Rail passenger trains. Transport Canada has inspected and documented footpaths across CNR lands indicating repeated occurrences of trespassing at various points along the CNR corridor within the study area. CNR is under a Transport Canada Order to address trespassing on rail lands. As a result of site visits with City staff, CNR and Transport Canada, CNR is required to provide access control measures as soon as possible.

A direct and exclusive pedestrian/cyclist link across the CNR corridor between Hale Street and Clarke Road will:

- provide a safer pedestrian/cyclist environment that is physically separated from vehicular and rail traffic and is convenient to the communities to the north and south of the rail corridor;
- support recreational activities in the area;
- provide increased commuter and active transportation opportunities; and
- create an attractive area for residents.

**Alternative Solutions**

Alternative Planning Solutions to identify the location, design, and function of a pedestrian/cyclist crossing of the CNR corridor in Kiwanis Park were considered and listed below:

**Do Nothing**

This alternative has been included to provide a base to which the other pedestrian/cyclist alternatives for crossing the CNR line can be compared. Under this alternative, no measures would be taken to connect the north and south sections of the pathway within Kiwanis Park. The pathway would remain in its present, severed condition.

**Improve Existing Crossing at Hale Street and Trafalgar Street**

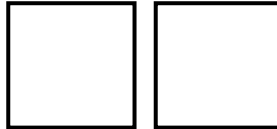
The existing infrastructure at Hale Street and Trafalgar Street would be used as the pedestrian/cyclist crossing location of the CNR line and the pathway alignment would connect in with the existing sections to the north by way of a sidewalk/on-street bike route via Stevenson Avenue to Trafalgar Street and south of the tracks along the Fairmont Trail or combined Fairmont Trail and Tweedsmuir Avenue.

**Construct a New Crossing**

This option considers several potential locations for a new pedestrian/cyclist crossing and pathway alignment. Several alternatives for the crossing were considered with five options considered for further evaluation.

The preferred alternative planning solution (developed in consultation with public and agency stakeholders) resulted in the selection of Option D – New Bridge West Limit of Kiwanis Park. However, as a result of the Ministry of Transportation high speed rail (HSR) initiative announced late in 2014, a larger span crossing option was considered and evaluated.





Option J (Figure ES2) is the Preferred Design Solution for the CN Rail crossing for the following reasons:

1. Addresses the identified existing issues (a lack of a direct connection between the north and south portions of Kiwanis park, poor pedestrian/cyclist route connectivity, and safety);
2. The grading of this option has minimal impact on the natural environment;
3. Provides an opportunity to enhance pedestrian/cyclist connections, better integrate the communities on the north and south sides of the CNR corridor which would facilitate recreational activities in the area, provide increased commuter opportunities, and enhance the attractiveness of the area;
4. The overall public realm, connectivity of the pedestrian/cyclist network and accessibility of the areas north and south of the CNR corridor would be improved; and
5. This alternative is consistent with current municipal/provincial policies, recommendations and initiatives.

### Alternative Design Concepts

The study also considered various pathway routing options to connect to the existing pathway terminus points north and south of the CNR corridor. As part of this work, it was necessary to examine options for the following: 1) crossing Pottersburg Creek; and 2) crossing south of the CNR corridor adjacent to the Kiwanis Locally Significant Wetland.

Alternative Design Concepts (pathway alignment) were identified, developed and evaluated for each of the routing options.

#### 1. Pottersburg Creek Crossing

##### Option 1: On Street Bike Lane

This option considers a 3.0m wide bike lane integrated into the existing bridge on Trafalgar Street. A channelizing barrier would be installed to separate the bike lane from vehicular traffic.

##### Option 2: Attached Bike Lane Structure

This option is also integrated into the existing bridge by way of a 3.0m bike lane cantilevered onto the existing structure.

##### Option 3: New Creek Crossing

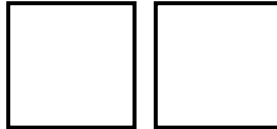
This option would require a new crossing over Pottersburg Creek.

#### 2. CNR South Connection

Various routing options were considered for the pathway connection from the proposed CNR connections to the south terminus of the Kiwanis Park pathway.

### Recommended Design Concepts (Pathway Alignment)

The recommended design concept for the pathway alignment is comprised of the following:



**Pottersburg Creek Crossing**

**Option 3** is the recommended alternative design concept for the Pottersburg Creek crossing for the following reasons:

- Increased safety to pathway users because bike lane is separated by distance from the Trafalgar Street ROW and vehicular traffic;
- Has a manageable effect on the environment.
- This alternative requires the least engineering and is the shortest in duration for construction schedule.
- This alternative provides increased opportunity to establish a pathway alignment that is more functional and attractive for park users.

**CNR South Connection**

**Option 7A** is the recommended alternative design concept for the CNR South connection for the following reasons:

- The pathway routing is highly visible but not in close proximity to the rear yards of adjacent properties;
- Installation of helical piers on the side slopes is challenging due to the angle of attack on the drill, but firm ground will be closer to the surface and placement on the side slopes will be less disruptive than routing through the wetland which would require excavation of wet materials and placement of concrete piers down to a firm bottomed elevation;
- The boardwalk design can utilize natural materials (wood decking) to better assimilate into the existing environment;
- Additionally it has the second lowest impact on the natural environment as it spans the wetland with no negative affects to aquatic or riparian vegetation. However, the placement of the 21m span does have more impact than a 34m clear span; and
- The selection of the crossing on the side slope reduces impacts on neighboring properties and provides screening to pathway users making its selection superior to the top of the slope alternatives.

**Figure ES3** illustrates the comprehensive recommended alignment for all components considered for this study.

**Preliminary Project Costs**

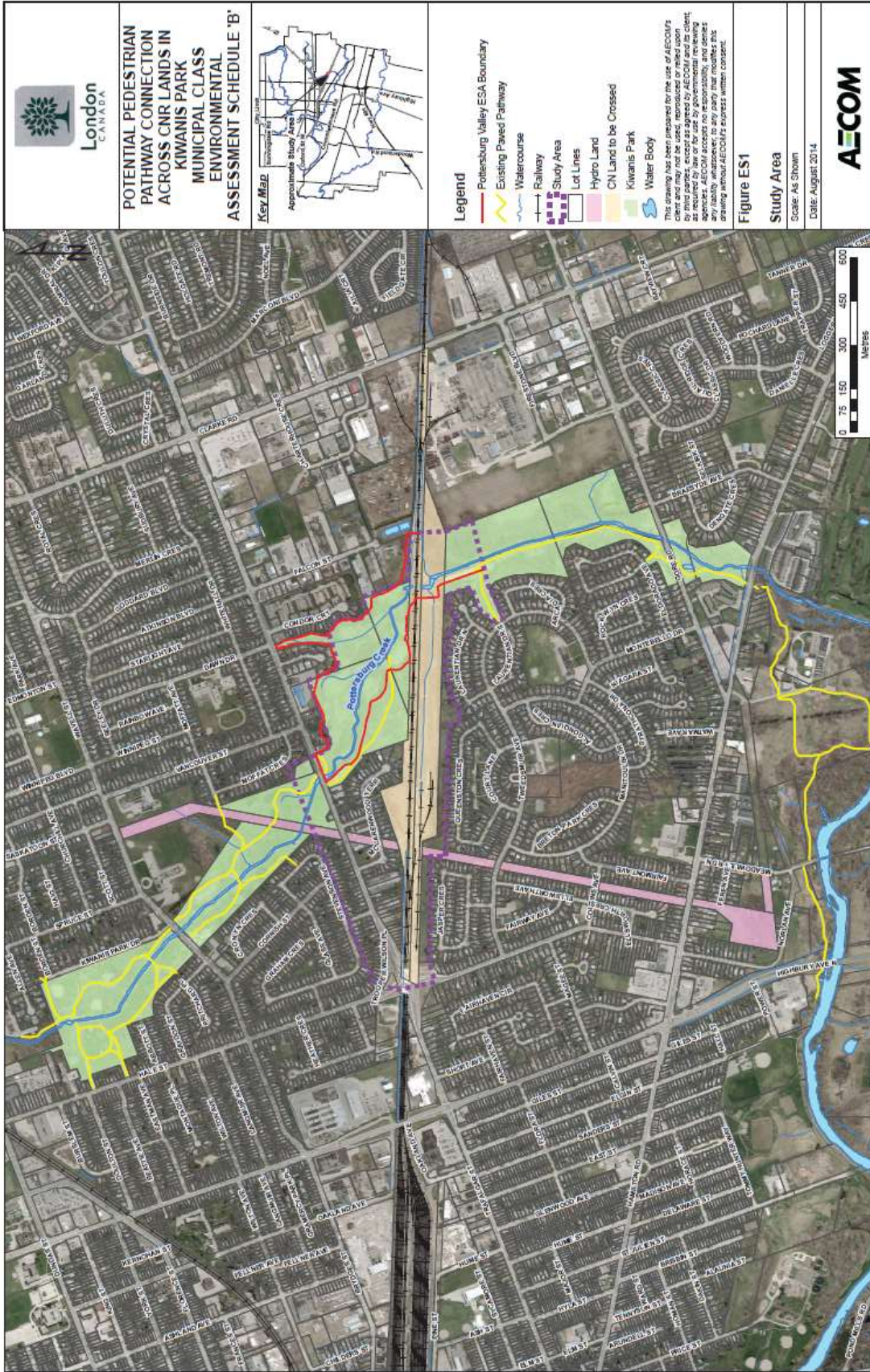
Cost estimates for the preferred alternatives were updated following the PIC. The revised estimates reflect additional engineering material costing information and quality control review. The table below illustrates revised preliminary project costs.

**Revised Preferred Alternatives Preliminary Cost Estimate**

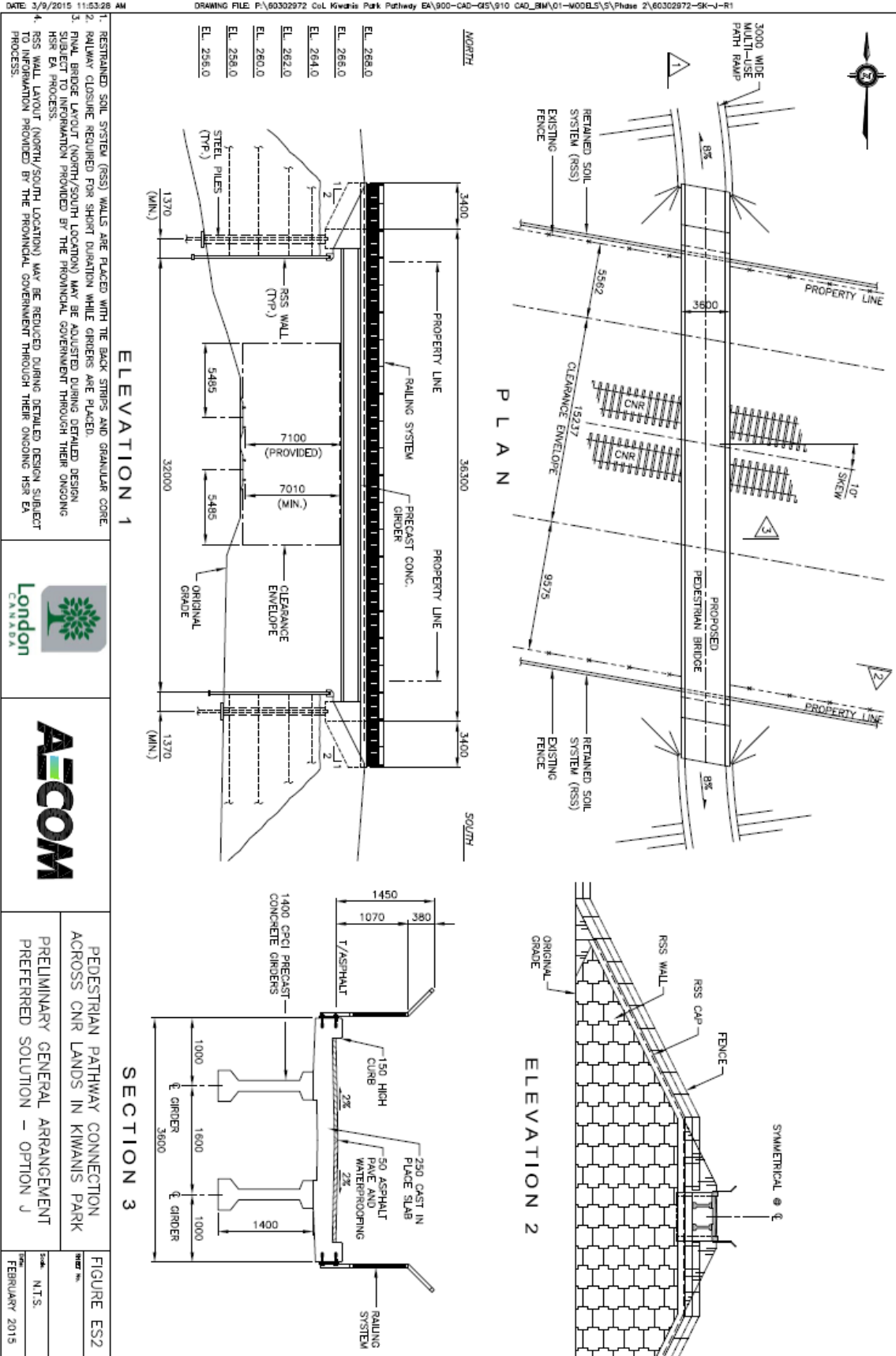
Project Component	Cost
CNR Crossing (Option D)	\$1,280,000
Pottersburg Creek Crossing (Option 3)	\$347, 500
CNR South Connection (Option 7A)	\$355, 000
<b>Total Preliminary Cost Estimate</b>	<b>\$1, 982, 500</b>



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1. RESTRAINED SOIL SYSTEM (RSS) WALLS ARE PLACED WITH THE BACK STRIPS AND GRANULAR CORE.
2. RAILWAY CLOSURE REQUIRED FOR SHORT DURATION WHILE GIRDERS ARE PLACED.
3. RAIL BRIDGE LAYOUT (NORTH/SOUTH LOCATION) MAY BE ADJUSTED DURING DETAILED DESIGN SUBJECT TO INFORMATION PROVIDED BY THE PROXIMAL GOVERNMENT THROUGH THEIR ONGOING HSR EA PROCESS.
4. RSS WALL LAYOUT (NORTH/SOUTH LOCATION) MAY BE ADJUSTED DURING DETAILED DESIGN SUBJECT TO INFORMATION PROVIDED BY THE PROXIMAL GOVERNMENT THROUGH THEIR ONGOING HSR EA PROCESS.



PEDESTRIAN PATHWAY CONNECTION  
 ACROSS CNR LANDS IN KIWANIS PARK  
 PRELIMINARY GENERAL ARRANGEMENT  
 PREFERRED SOLUTION - OPTION J

FIGURE ES2  
 DATE: FEBRUARY 2015



