



TOWN OF LASALLE FORMAL PETITION

Town of LaSalle Mayor and Members of Council:

We, the residents of the Town of LaSalle submit the attached petition for response.

RECEIVED AUG 14 2018

REQUEST FOR RECONSIDERATION - CHANGE ASPHALT SIDEWALK/TRAIL TO BE CONCRETE CEMENT SIDEWALK/TRAIL
RESOLUTION 275/18.

(Please print the title of petition on the above line)

PAWEŁ KONKOLOWICZ

(Contact Person - Name and Telephone Number)

(Please clearly state the purpose of your petition and the action you require of Council in the space provided below)

* Refer to the attached documents for all the details regarding this submission.

All information collected will be made available for public viewing. By signing this petition you acknowledge and give consent to share your personal information (name & address) on a public Council agenda.



TOWN OF LASALLE FORMAL PETITION

FULL NAME	STREET NAME	SIGNATURE
Pawel Konkolowicz	6185 Disputed Rd, LaSalle ON	
Linh Konkolowicz	6185 Disputed Rd, LaSalle ON	
Mariam Ahmad Shah	6187 Disputed Rd	
HARINDER GHOTRA	6183 Disputed Rd	Harinder Singh
DENNIS DANELON	6179 DISPUTED RD	D. Danon
JAY QIU	6181 Disputed Rd.	

All information collected will be made available for public viewing. By signing this petition you acknowledge and give consent to share your personal information (name & address) on a public Council agenda.

Request for reconsideration - Change Asphalt sidewalk/trail to be Concrete Cement sidewalk/trail

We would like to submit a request for reconsideration regarding Town of LaSalle Council Meeting conducted on the July 24th, 2018 - Resolution 275/18.

The reasons for reconsideration are as following:

- We were advised that we have 5 minutes to talk about our position. Town of LaSalle staff presented their case for over 30 minutes – two presenters. Now other residents would like to speak during the meeting.
- Visual Aid (Laptop, projector, etc.) was made available to Town of LaSalle staff, we were never informed that these aids can be used during the presentation. We would like to use these aids during our meeting.
- There was no opportunity given to ask any questions to Mr. Mayor or Council or Town of LaSalle staff regarding their presentation/findings.
- Answers that Town of LaSalle staff provided were not cleared and often did not address the actual question from the Council members. Again, we were not given any opportunity to comment.
- **We were never given opportunities to explain/response to the council regarding why this proposed trail on Disputed Rd is different than every other trail. Town of LaSalle staff simply made a statement “this proposed trial is no different than other trail” without proof to back up this claim.**

Considering the above we would like to request the Mr. Mayor and Council to allow us to present and discuss our case again.

We've contacted Mr. Larry Silani (Director of Development & Strategic Initiatives) commencing on Thursday, July 6, 2018 at the Town of LaSalle regarding the proposed material for sidewalk on the north side of Disputed Rd between Silver Maple St and Short Disputed (Round About).

On July 9, 2018, Mr. Silani has informed us (the residents) that the town has chosen to use asphalt material for a sidewalk/trail along Lot#1 thru Lot#5, for the following addresses:

- 6187 Disputed Rd, LaSalle ON,
- 6185 Disputed Rd, LaSalle ON,
- 6183 Disputed Rd, LaSalle ON,
- 6181 Disputed Rd, LaSalle ON,
- 6179 Disputed Rd, LaSalle ON

On July 9, 2018, Mr. Silani also emailed us an attached Developer's Subdivision Agreement between Forest Trial Estates (LaSalle Inc.) and the Corporation of Town of LaSalle. However, this is the very first time we the residents at the above addresses have seen the document.

We've made every attempt to request the change of the material to be 'Concrete Cement' instead of asphalt as we have been encouraged to do, at the Town staff level (we also provided detailed reasons for the councilors to review below).

On July 10, 2018, we received an email from Mr. Peter Marra (Director of Public Works) indicating that the Town has made a decision to proceed with the previous recommendations set out in 2015. The 2.4m (8 feet) wide asphalt trail on the north side of Disputed (addresses above) between Silver Maple and the Roundabout will remain as asphalt. We believe the recommendations to use asphalt and created multi use trail within this stretch of the street was made prior to this area being developed as a residential area. As a result, this decision has neglected to consider the safety of the residents as well as pedestrians (bikes, roller blades etc..) traveling along this stretch of the street. The short stretch of this street is already extremely busy with cars and trucks, adding the wide trail crossing midway through the residential area **will greatly increase the chances of accidents for residents, children living within the area, pedestrians, cyclists, and other visitors.**

As advised by Town of LaSalle staff, we reviewed other residential streets and roads in LaSalle where an asphalt trail was built (Disputed Rd (south of Laurier), Meo Dr, Todd Lane (from Tenth St to Elmdale) , Golfview, Malden Road, Matchette, Martin Lane, Victory, Reaume) We observed the following at all locations:

- Almost all trails were constructed at the street/road or at maximum 3 feet (0.9m) away from the street's curb. **Disputed Rd trail is proposed to be located 13 feet (3.9m) away from the streets curb – more than 4 times the distance from the street's curb of regular trail** (Todd Lane and Matchette Rd)
- Majority of residential properties with trails crossing their front yards have extended driveways stretching from approximately 100 feet (30m) to 160 feet (50m) in length. Asphalt trail does not

affect residential traffic or activities at these properties. **Average driveway length on discussed stretch of Disputed Rd is 50 feet (15m) – less than half of driveways at other residential locations** (Meo Dr)

- Some trail areas comprise of a **combination of sidewalk and trail design**, typically transitioning at wooden/park and residential areas (Matchette Rd and Normandy Rd)
- **Wide concrete trails/sidewalks** were built by Town of Lasalle – 10 feet (3m) wide (Normandy Rd)

Considering above findings, we state that the trail proposed at Disputed Rd is **substantially different and nonstandard design** with comparison to other trails in LaSalle. Safety and well-being of both residents and pedestrians on Disputed Rd will be compromised if the asphalt trail will be constructed with its currently proposed design.

As note in **Figure 6 on page#7**, the town has already included a 4m wide trail behind the residents of Silver Maple St, accessing along Huron Church. **This is a very well planned trail that is within 2 minutes walking distance from the above residential addresses.** Why is another trial through residential area required?

We, the residents understand the need for a wide path for people on Bikes and roller blades to pass through this small stretch to the actual trail. However, we believe this stretch should be treated as wide Concrete cement sidewalk/trail to mentally remind the cyclists that they are in residential area and should be on a lookout for car pulling out of the driveways and children playing in this residential area.

We, the residents of the above addresses strongly believe **wide Concrete cement sidewalk/trail will provide tactile warning device to ensure home owners, cyclists and pedestrians exercise caution and be aware of any dangers.** We all should strive to not end up in the “lessons learned” and work towards design that will ensure the safety of all parties involved.

As per Mr. Marra suggestions, we will proceed to make a formal submission to the Town Clerk to have this matter heard at a council meeting.

The following further details the reasons for ‘Concrete Cement’ sidewalk:

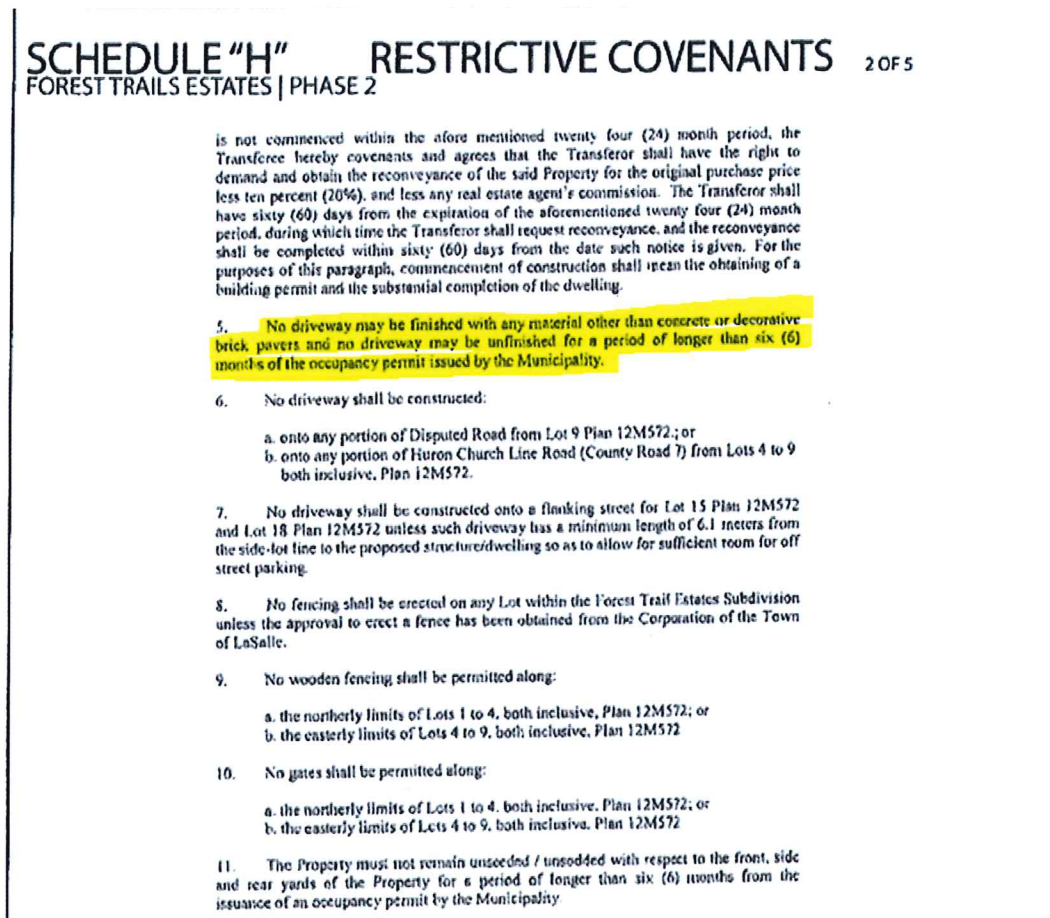
1. We believe that the surface height differences due to mix of materials (concrete vs asphalt) and proximity of the trail to the front steps of properties on the above addresses (6.7 meters) will create trip/fall and run-over/collision hazard to the residents and pedestrians within the area, especially children taking school buses during the winter and late spring/summer/early fall months as well as residents reversing vehicles onto Disputed Rd. Concrete Cement sidewalk/trail would provide tactile warning device to warn trail travelers that this is a residential area.
2. We, the residents at the above addresses were never informed or notified whether by phone, mail, email, or within the Purchase and Sales agreement that the town had plans to use asphalt as a trail on the frontage of our side of the street. As stated in the Developer’s Subdivision

Agreement between Forest Trail Estates (LaSalle) Inc. and The Corporation of the Town of LaSalle provided to us by Town of LaSalle staff:

"... the Owners shall include in any Agreement of Purchase and Sale for any building lot immediately abutting any lands upon which a sidewalk is proposed to be constructed a notification to any third party purchaser of such a building lot that the Owners are required to construct a sidewalk on the lands abutting the said building lot, so as to specifically draw the attention of any third party purchaser to the provisions of this paragraph. In addition, the Owners hereby agree to obtain an Acknowledgment, in writing, from any proposed purchaser of such a building lot that the said proposed purchaser is aware a sidewalk is intended to be constructed along the front and/or side of the building lot being purchased, and the Owners shall provide a copy of the said Acknowledgement to the Clerk of the Corporation..."

This condition was not fulfilled as outlined above. See Figure 1 below. A screenshot of the Restrictive Covenants part of our Agreement of Purchase and Sale regarding driveway approach, there was no mention of asphalt trail in our agreement:

Figure 1.



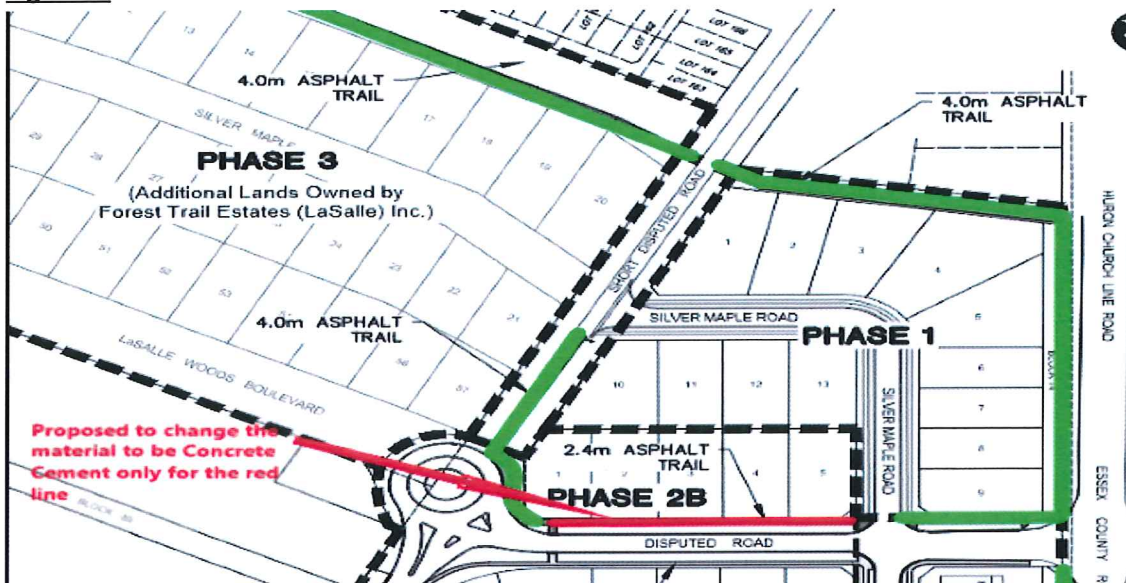
- As per the restricted covenant set forth by the Developer, all of the driveways approach for the above addresses are already and will be 'Concrete Cement'. **This will help reduce/offset the cost for material and labour to the town. See Figure 2. Below.**

Figure 2: Driveway approach per Developer's Restrictive Covenants



- There are only 5 residential houses that we are proposing for this change (Residential houses between Silver Maple St and Short Disputed Rd approximately 130 meters stretch). **The cost to change the material to be 'Concrete Cement' instead of asphalt should be minimal.** Anything beyond the frontage of the residential addresses above may remain as Asphalt. **See Figure 3.**

Figure 3:



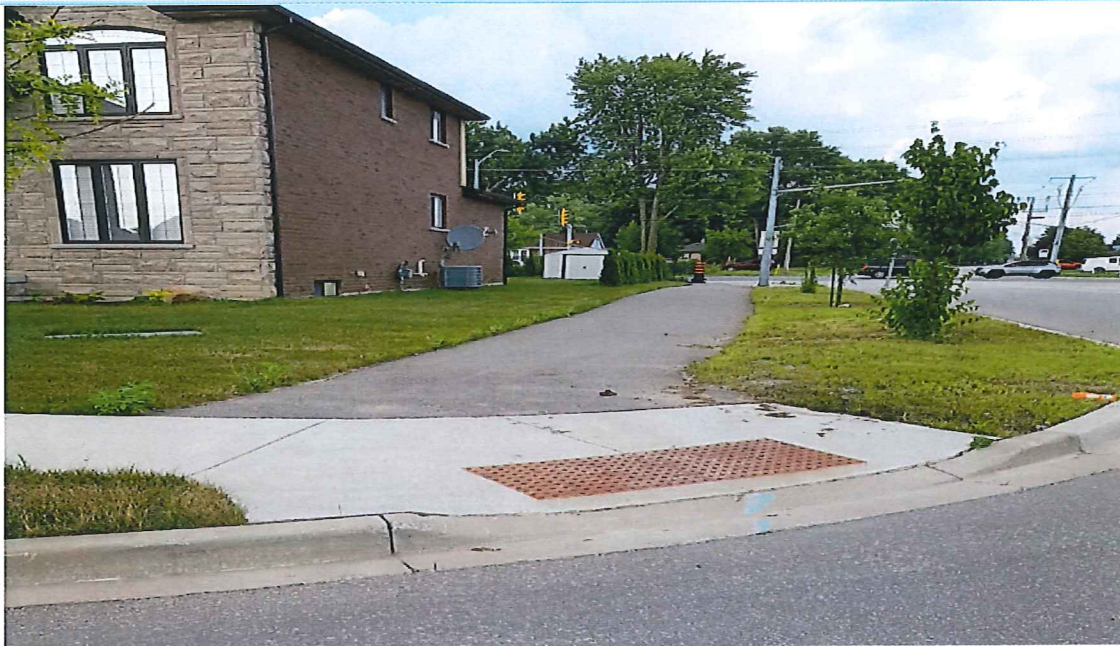
5. 'Concrete Cement' will already be used for the sidewalk on the other side of the street
6. This area is developed as premium residential estates, 'Concrete Cement' should be a standard material.
7. If the 'Concrete Cement' is used for sidewalk/trail for the above area, **the Town will not incur additional costs to remove existing 'Concrete Cement' driveway approach** prior to pouring asphalt trail.
8. Sidewalk approach at the corner of Silver Maple St and Disputed Rd (corner of 6179 Disputed Rd address) is already 'Concrete Cement'. **See Figure 4. Below.**

Figure 4:



9. Mr. Marra's reference to the portion of the asphalt trails already exists on the north side of Disputed **between Silver Maple and Huron Church Line** is a very good reference, we agree that this section would work because it is on the side of 1 residential house and it is not constructed on a frontage, main entrance or driveway approach of the resident's home. This was well executed trail that residents can and will use to access the 4m trails from Huron Church and **behind** the Silver Maple St residential homes (**See Figure 5**)

Figure 5:



10. After reviewing the Developer's Subdivision Agreement between Forest Trail Estates (LaSalle) Inc. and The Corporation of the Town of LaSalle provided to us by Town of LaSalle staff it is stated that:

"...5.12 TIMING FOR DRIVEWAYS, SIDEWALKS, TRAILS AND LANDSCAPING The Owners acknowledge that the completion of the construction of the driveway approaches, sidewalks, trails and the landscaped boulevards, including street trees, is essential to the orderly completion of this development. As a result, subject to the provisions of paragraph 5.8(a) of this Agreement, the Owners shall construct and install all sidewalks, trails, driveway approaches and the landscaped boulevards, including street trees, across and for all building lots within this development within two (2) years of the date of registration of this Agreement. In the event there are vacant building lots that remain within this development at the expiration of two (2) years of the date of the registration of this Agreement, all of the items referred to herein shall be constructed by the Owners, whether or not the Owners herein remain to be the registered owners of any building lot within this development..."

It appears that the agreement was registered on Nov 24, 2015. It is Jul 2018 therefore passed two years requirement and the sidewalks and trails are still not constructed, hence the materials and designs can still be altered.

11. In response to the Town wanting to provide a smooth transition by using asphalt, we believe this will encourage more accidents and we believe a wide path sidewalk/trail using Concrete cement along the frontage of a residential area will help remind people on bikes and roller

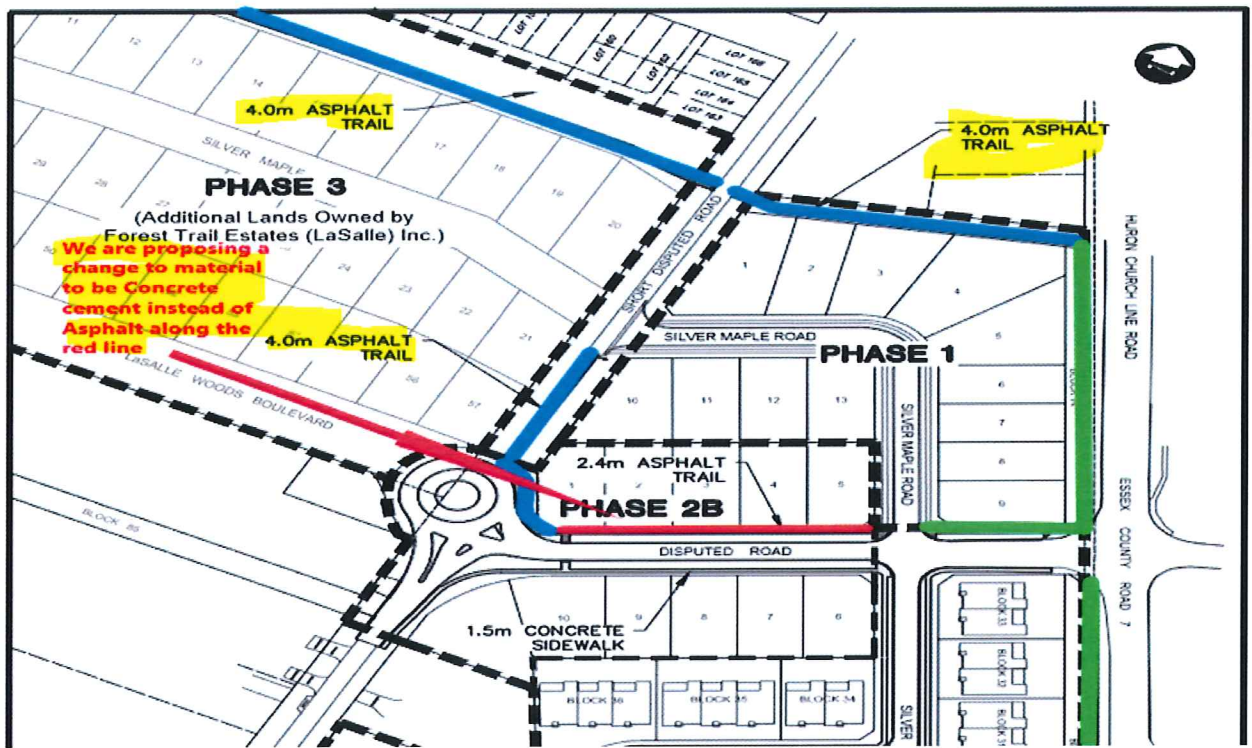
blades traveling over this stretch to exercise caution and be mentally aware to look out for cars pulling out of the driveway and children playing in this residential area rather than treating it as trail. Safety is a responsibility for all parties.

12. After careful review of the plans for Trails in the area, we, the residents observed the following:

- a) Town of LaSalle already has a very well thought out plan to implement 4 meter asphalt trail (“**blue Line**”) accessing from Huron Church Line and along the back/rear of the Silver Maple St residential houses towards Short Disputed then asphalt trails behind the residents of Phase 3 connecting to other trails and park. Asphalt trails “**green line**” along Huron Church Line have already been implemented. These new 4 meter Asphalt trails (“**blue line**”) are within 2 minutes of walking distance of the above residential addresses. Please see the “green line” on **Figure 6 below**.
- b) The 4 meter Asphalt trail along the side of Lot#1 along Short Disputed (“**blue line**”) eventually will connect to the new 4 meter Asphalt trail behind the residents of Phase 3 (“**blue line**”) and onward to other trails and parks.

Since a) and b) above will already be implemented. Why is another trial through residential area required?

Figure 6:



13. We, the residents of the above addresses strongly believe wide Concrete cement sidewalk/trail will provide tactile warning device to remind home owners, cyclists and pedestrians to exercise caution and be aware of any dangers and ensure children that live in this area are safe from getting hit by cyclists. We all should strive to not end up in the “lessons learned” and work towards design that will ensure the safety of all parties involved.
14. As advised by Town of LaSalle staff, we reviewed other residential streets and roads in LaSalle where an asphalt trail was built (Disputed Rd (south of Laurier), Meo Dr, Todd Lane (from Tenth St to Elmdale) , Golfview, Malden Road, Matchette, Martin Lane, Victory, Reaume) We observed the following at all locations:
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 - Majority of residential properties with trails crossing their front yards have extended driveways stretching from approximately 100 feet (30m) to 160 feet (50m) in length. Asphalt trail does not affect residential traffic or activities at these properties. **Average driveway length on discussed stretch of Disputed Rd is 50 feet (15m) – less than half of driveways at other residential locations**, see picture #3 and #4 (Disputed Rd) and #5 (Meo Dr)
 - Some trail areas comprise of a **combination of sidewalk and trail design**, typically transitioning at wooden/park and residential areas, see picture #6 (Matchette Rd) and #7 (Normandy Rd)
 - **Wide concrete trails/sidewalks** were built by Town of Lasalle – 10 feet (3m) wide, see picture #8 (Normandy Rd)

Considering above findings, we state that the trail proposed at Disputed Rd is **substantially different and nonstandard design** with comparison to other trails in LaSalle. Safety and well-being of both residents and pedestrians on Disputed Rd will be compromised if the asphalt trail will be constructed with its currently proposed design.

Picture #1 (Todd Lane)



Picture #2 (Matchette Rd)



Picture #3 (Disputed Rd)



Picture #4 (Disputed Rd)



Picture #5 (Meo Dr) – large lots with driveways estimated at over 100 feet (30m)



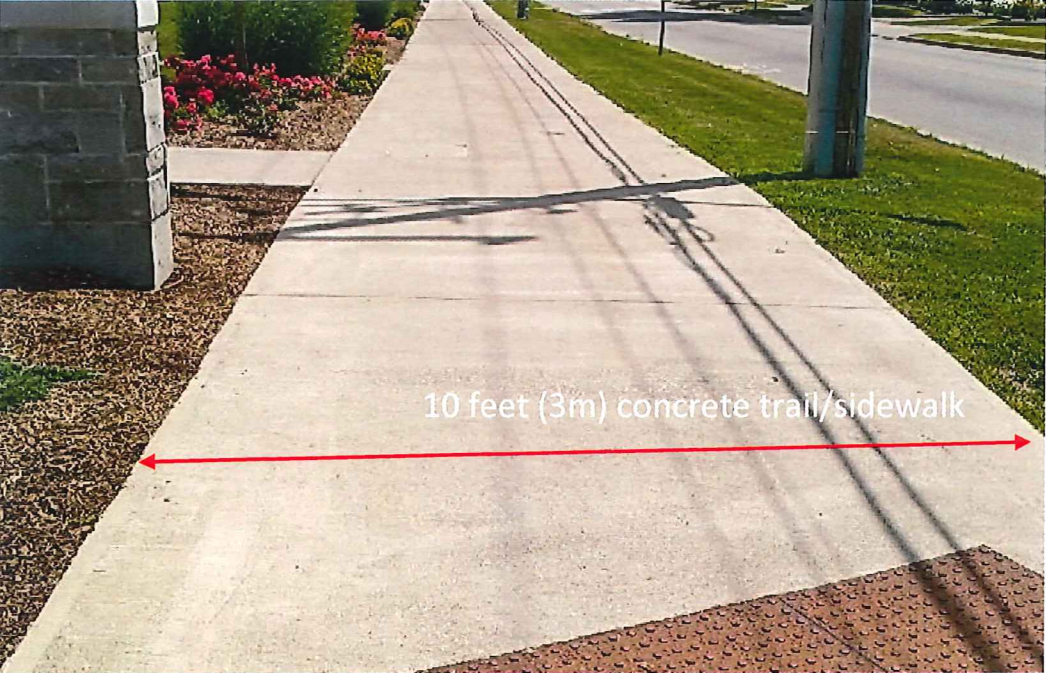
Picture #6 (Matchette Rd)



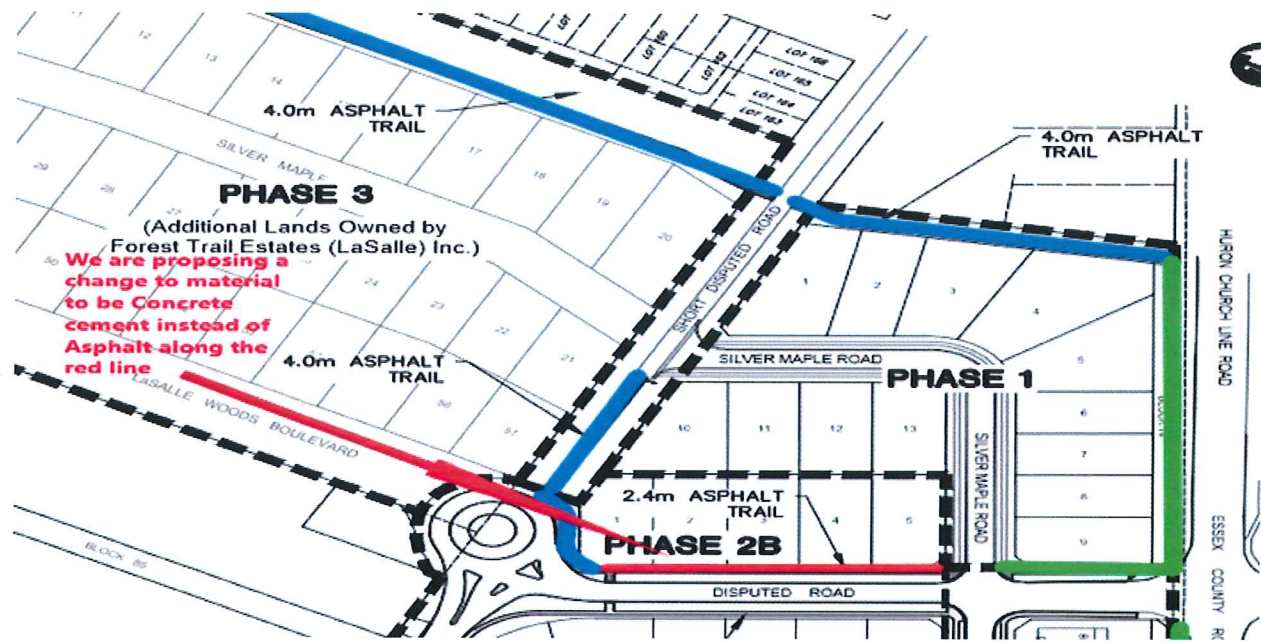
Picture #7 (Normandy Rd)



Picture #8 (Normandy Rd)



Based on the information noted above, we, the residents of the above addresses respectfully urge the councils to reconsidered using 'Concrete Cement' material instead of asphalt for the sidewalk/trail. We are only proposing a change to the material to be Concrete Cement for the frontages of the Residential area between Silver Maple St and Short Disputed Rd as per the red line in the map below (130 meters). We are not happy, but do understand the need for wide sidewalk/path in order to avoid any confusion regarding shared path between cyclists and pedestrians. We do not have any issues with the area beyond the frontage of the above residential addresses to remain asphalt trails.



Warmest Regards,

The representatives of the Residents of the above addresses:

Pawel Konkolowicz,
Linh Konkolowicz,
Mariam Ahmad Shah,
Harinder Ghotra,
Jay Qiu,
Dennis Danelon