

7. Re: Construction of Sidewalks
Avondale Street from Boundary Road to Smith Avenue
(Item 22, Report No. 35, May 7, 1973)
(Item 19, Report No. 41, May 28, 1973)
(Item 20, Report No. 51, July 9, 1973)

ITEM 7

MANAGER'S REPORT NO. 84

COUNCIL MEETING Nov. 13/73

Attached are three report items that will provide members of Council with background information on a proposed Local Improvement Program for the subject street. Also attached is a letter dated June 27, 1973 from the Deputy Clerk to Mr. Denis J. Howe who had appeared before Council as a spokesman for property owners who desire construction of 28 foot pavement with 5 foot curb sidewalks on both sides.

Council made no final decision on the proposed work for Avondale Street. A deferral motion was approved on the understanding that a final decision would be made following completion of a staff report on standards for Local Improvement projects.

The proposed works for Avondale Street are being referred for consideration now, approximately two weeks in advance of the date on which Council will receive the report on standards because:

- (a) A recently received petition shows that a majority (51%) of affected property owners favour 28 foot pavement with 5 foot curb sidewalks on both sides.
- (b) There is a good chance that it is still physically possible to construct the works this year if an immediate approval is given, subject to weather.
- (c) The report on standards should, we believe, become effective in conjunction with implementation of the 1974 and subsequent Local Improvement Programs.

The person who was primarily responsible for obtaining names on the petition that is attached to the Engineer's report advised that all of the affected owners in the neighbourhood were not contacted. The canvass was stopped when a slight majority in favour of 28 foot pavement with 5 foot curb sidewalks on both sides was realized. Had the canvass included all property owners, it is possible that a greater majority would have been obtained. As a matter of fact, some of those people signing the earlier petition against the work have signed this one in favour of the work. Also, the earlier petition against the work was not only received late, but it was "insufficient" in that there was no majority against the work.

The following is a report from the Engineer regarding this matter.

RECOMMENDATIONS:

THAT the approved standard, which calls for construction of 28 foot pavement with 5 foot curb sidewalks on both sides on Avondale Street from Boundary Road to Smith Avenue be reaffirmed; and
THAT a copy of this report be sent to all petitioners.

* * * * *

Mr. M.J. Shelley
MUNICIPAL MANAGER.

Engineering Department
2 November, 1973.

Dear Sir:

Re: 3700 Block Avondale Street

Attached hereto is a petition received this day re-affirming the initial approval given by the majority of property owners to the Local Improvement project on Avondale Street from Boundary Road to Smith Avenue for 28' pavement with 5' curb walks on both sides and authorized for construction in By-law 6208.

RECOMMENDATION:

In view of the re-affirmation of the standard of construction as described in Construction By-law #6208, we recommend that Council direct the work to be carried out forthwith.

Respectfully submitted,


E.E. Olson
MUNICIPAL ENGINEER

CRW:op
Att.
c.c. () Municipal Treasurer

ITEM 22
MANAGER'S REPORT NO. 35
COUNCIL MEETING May 7/73

22. Re: Petition Against Construction of Sidewalks
Avondale Street From Boundary Road to Smith Avenue

Appearing on the Agenda for the May 7, 1973 meeting of Council is a petition against the construction of sidewalks between Avondale Street from Boundary Road to Smith Avenue.

The Engineer has investigated the matter and advises as follows:

"Avondale Street from Boundary Road to Smith Avenue is an approved work in Burnaby Local Improvement Construction By-law #24, 1972 - By-law 6208, authorizing the construction of 28' pavement with 5' curb sidewalks both sides.

The work was initiated and approved by the majority of property owners in November, 1972.

It is to be noted that the period allowed for registering objections to the work has long since passed. It is to be further noted that this petition represents only 10 of 28 property owners affected, which is far short of the majority required to affect a change in the work.

The Clerk's office, who presides over the sufficiency of petitions has advised us that only 4 of the 10 signatures are legally acceptable under the terms of the Municipal Act.

Notwithstanding the lack of validity of the petition, we must refute the statements that"curb to curb paving with filled ditches would result in a wide practical street" and,"sidewalks in this area would result in a narrower street"

The width of pavement in any street classified as "residential" is established as 28' by Council Policy, regardless of the installation of either curbs or curb sidewalks.

The reference to "a wide practical street" infers that the Municipality should install a 36' pavement with curbs, utilizing the space designated for sidewalks to provide the extra width. Such an action would reclassify the street from "residential" to "collector" inviting the use of the street to more traffic. We do not recommend any action that would reclassify Avondale Street.

Council should be advised that the construction of curb sidewalks with 28' wide pavement on Avondale Street will not cause the removal of any trees or adversely affect the boulevards.

Whereas the petition is an expression of opinion of a minority of property owners opposing sidewalks and asking for a wider than normal residential street width, we recommend the standard remain as approved by the majority and as authorized in Construction By-law #24, 1972 - By-law 6208."

RECOMMENDATION:

THAT the approved standard, which calls for construction of 28' pavement with 5' curb sidewalks on both sides between Avondale Street from Boundary Road to Smith Avenue be reaffirmed; and

THAT a copy of this report be sent to the petitioners.

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ITEM 19

MANAGER'S REPORT NO. 41

COUNCIL MEETING May 28/73

ITEM 7

MANAGER'S REPORT NO. 84

COUNCIL MEETING Nov. 13/73

19. Re: Petition Against Construction of Sidewalks
Avondale Street from Boundary Road to Smith Avenue
(Item 22, Report No. 35, Council Meeting May 7, 1973)

Appearing on the Agenda for the May 28, 1973 meeting of Council is a petition dated May 17, 1973 from R. A. Marshall, 3731 Avondale Street and others against the construction of sidewalks on Avondale Street from Boundary Road to Smith Avenue.

Council will recall that at its meeting of May 7, 1973 a petition dated April 18, 1973 from R. A. Marshall and others opposing the construction of sidewalks on Avondale Street was received. Council reaffirmed its earlier decision to proceed with construction of pavement 28 feet wide plus 5 foot wide concrete curb sidewalks on both sides of the street in question. On May 9, 1973 the Deputy Municipal Clerk by letter advised Mr. R. A. Marshall of Council's decision of May 7, 1973.

Mr. Marshall's letter of May 17, 1973 to Council includes:

"Preference to curb to curb black top with filled in ditches. This would, amongst other benefits, prevent the destruction of beautiful landscaped boulevards (trees and shrubs)."

Council is referred to Item 22, Manager's Report No. 35, Council Meeting May 7, 1973, which included reference to the effect upon trees and the boulevards, as follows:

"Council should be advised that the construction of curb sidewalks with 28' wide pavement will not cause the removal of any trees or adversely affect the boulevards."

The Municipal Engineer confirms his earlier report and advises that although some pruning of low branches over the sidewalk site may be required for clearance purposes, the trees and boulevards will not be damaged as a result of construction.

RECOMMENDATION:

THAT the approved standard, which calls for construction of 28' pavement with 5' curb sidewalks on both sides between Avondale Street from Boundary Road to Smith Avenue be reaffirmed; and

THAT a copy of this report be sent to the petitioners.

ITEM 20

MANAGER'S REPORT NO. 51

COUNCIL MEETING July 9, 1973

ITEM 7

MANAGER'S REPORT NO. 84

COUNCIL MEETING Nov. 13/73

20. Re: Avondale Street between Boundary Road and Smith Avenue

Following is a report from the Engineer regarding estimated costs of constructing pavement on Avondale Avenue from Boundary Road to Smith Avenue.

The comprehensive report that is being prepared (see reference in the last paragraph below) will be forwarded to Council for consideration in two or three weeks. This information was conveyed to Mr. Dennis Howe who appeared before Council on June 25, 1973 for the purpose of requesting, on behalf of property owners on the subject street, that the Municipality proceed with the construction of the works on Avondale St. as initiated, i.e. with 5-foot curb sidewalks both sides and pavement 28 feet wide, and who was subsequently told that action on his request will be deferred until such time that Council receives a staff report on the standards for Local Improvement projects.

This is for the information of Council.

Mr. M. J. Shelley
MUNICIPAL MANAGER.

Dear Sir:

Re: Avondale Street between Boundary Road and Smith Avenue

The Municipal Clerk in his memo of 22 June, 1973, confirms the request of Council that we provide estimates for, respectively, the cost of constructing pavement 28 feet wide with concrete curbs on both sides of the above street and also for pavement 28 feet wide with 5 feet curb sidewalks on both sides.

We wish to advise that the finished street with curbs on both sides is estimated to cost \$21,250. and that a finished street with 5 feet curb sidewalks on both sides is estimated to cost \$23,290. The length of street involved is approximately 850 feet.

Inasmuch as the property owners on Avondale Street have been advised that the final decision on the matter of standards for Avondale Street is awaiting a more comprehensive report on a complete review of standards in regard to local improvement works, the estimated costs provided at this time are for the information of Council only.

Respectfully submitted,



E. E. Olson
Municipal Engineer

EEO:wlb

ITEM 7
MANAGER'S REPORT NO. 84
COUNCIL MEETING Nov. 13/73



THE CORPORATION OF THE DISTRICT OF BURNABY

MUNICIPAL HALL
4949 CANADA WAY,
BURNABY 2, B.C.

TELEPHONE 299-7211

June 27, 1973

file: 2112

Mr. Denis J. Howe
3763 Avondale Street
Burnaby 1, B. C.

Dear Sir:

Re: Avondale Street From Boundary Road to Smith Avenue

With reference to your appearance before Council on June 25th for the purpose of requesting, on behalf of a number of property owners on the above portion of Avondale Street, that the Municipality proceed with the construction of concrete sidewalks in conjunction with the concrete curbs and pavement 28 feet wide on the Street, I would advise that Council noted the comments you made in connection with the matter.

As was explained to you at the meeting, the Council is awaiting a report on a review that is being made of the policy in regard to road improvements constructed under the Local Improvement sections of the Municipal Act.

In view of that, action on your request was deferred until a decision is made following receipt of the report by Council.

You shall, of course, be advised afterwards as to Council's decision on the matter of concern to yourself and the other property owners.

Yours truly,

E. Ward
DEPUTY MUNICIPAL CLERK

EW:mb1

cc: ENGINEER
TREASURER
ASSESSOR
SOLICITOR
MANAGER ✓



TO THE COMMISSION OF THE DISTRICT OF COLUMBIA
 ENGINEERING DEPARTMENT

Nov. 21/73.

We, the undersigned, reaffirm our wish to have sidewalks and curbs installed in the 3700 block Avondale Street.

- 3763 { Elaine Howe } Joe Patterson
 David Howe } Maye Patterson
- 3769 { Ann McDonald } John Klobut
 Jim McDonald } Sacka Bolgusun
- 3737 { Anita Atkins } M. Wehlack
 Joe Katunk } G. Wehlack
- 3743 { E. Knight } E. Lehmann
 J. Knight }
 A. Wilson "WILSON" } Emily Klitz
- 3776 { Sigrid Haggalund
 Doug Haggalund
- 3788 { Alley Holmes
 Isabel Holmes
- 3755 { P. Alder
- 3750 { Barbara Tomassei
 A. Thomas
- 3731 { E. Marshall.
 Marguerite Marshall.