

Re: Construction and Paving of Lane between Elsom and Booth Avenues

Following is a report from the Municipal Engineer regarding a lane between Elsom and Booth Avenues.

RECOMMENDATIONS:

1. THAT nothing further than ditch cleaning be carried out by the Engineering Department; and
2. THAT the appellants be informed if they wish access to the lane that they may have access by making application for a crossing and paying the appropriate charges; and
3. THAT a copy of this report be forwarded to the appellants.

7 May, 1975

TO: MUNICIPAL MANAGER

FROM: MUNICIPAL ENGINEER

SUBJECT: CONSTRUCTION AND PAVING OF LANE BETWEEN ELSOM AND BOOTH

Council, sitting as a Court of Revision, received an appeal against Local Improvement charges relative to the paving of the subject lane from Jenny Kushner of 5150 Elsom and Mrs. Margaret C. Visser of 5122 Elsom. This appeal was inserted in the Court calendar as Appeals #4 and #5 respectively.

The Court denied the Appeals and directed the Engineer to examine the condition of the lane as outlined by the two ladies and report to Council what could be done or whether anything should be done.

The ladies enumerated several reasons for objecting to the assessment.

1. The lane was built and paved to accommodate the people on Booth.
2. The appellants have no access to the lane.
3. The appellants' fences are falling down because of lane construction.
4. A ditch was dug in conjunction with the lane construction.

The lane was constructed in 1964 to a gravel standard as a condition of subdivision on Booth Avenue. The paving was carried out in 1974 as a result of a petition from abutting owners on Elsom Avenue and Booth Avenue. The notice of assessment for the costs of the paving--\$17.00 per year for five years--was given the abutting owners in 1975 for May 1st Court of Revision.

The properties on Elsom Avenue are slightly above the lane and the properties on Booth are very much below the lane. The properties on Elsom can have access to the lane by removing fences, doing a minimal amount of grading and making application to the Corporation for a crossing. The ditch is required to intercept runoff from the Elsom Avenue properties. It is not good engineering practice to run drainage across pavement if it can be intercepted. The ditch is flowing but does contain some debris that appears indigenous to the Elsom Avenue properties. The fences that are falling down are old and do not appear to have been harmed by the lane paving or construction. An Engineering order has been issued to clean the ditch.

RECOMMENDATIONS:

1. THAT nothing further than ditch cleaning be carried out by the Engineering Department.
2. THAT the appellants be informed if they wish access to the lane that they may have access by making application for a crossing and paying the appropriate charges.
3. THAT a copy of this report be forwarded to the appellants.

VMT:cmg


MUNICIPAL ENGINEER