

ITEM	14
MANAGER'S REPORT NO.	75
COUNCIL MEETING	Nov. 22/76

Re: LETTER FROM MRS. C. FANKHAUSER THAT APPEARED ON THE AGENDA
FOR THE NOVEMBER 15, 1976 MEETING OF COUNCIL (ITEM 4d)
VEHICLE CROSSINGS ON MAITLAND STREET

Appearing on last week's agenda was a letter from Mrs. C. Fankhauser regarding vehicle crossings on Maitland Street. Following is a report from the Municipal Engineer on this matter.

RECOMMENDATIONS:

1. THAT Mrs. Fankhauser not be given a refund for the crossing work that was carried out three years ago; and
2. THAT Mrs. Fankhauser be provided with a copy of this report.

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19 November, 1976

TO: MUNICIPAL MANAGER
FROM: MUNICIPAL ENGINEER
SUBJECT: VEHICLE CROSSINGS - MAITLAND STREET

On the Council Agenda for the Council Meeting of 22 November, 1976, there appears a letter from Mrs. C. Fankhauser to the Mayor and Council, along with a copy of a letter Mrs. Fankhauser wrote to the Engineering Department.

In Mrs. Fankhauser's letter, several points are raised:

1. Where are the costs of replacing the sidewalk on Maitland to be absorbed?
2. The cost of the sidewalk is not to be included in the 28' pavement project.
3. No property owners have been billed for the vehicle crossings in the new sidewalk, as Mrs. Fankhauser was three years ago.
4. Mrs. Fankhauser feels that she is entitled to a refund for the cost of installing her crossing three years ago.
5. Should the cost be added to her taxes, she would like the assurance that it is not added to hers.

In Mrs. Fankhauser's letter to the Engineering Department she dealt generally with the same five points raised in her letter to Council.

The sidewalk that was replaced on Maitland Street was an old one that had many broken squares and had "trips" throughout its length. The question of maintaining an old sidewalk in such condition is an economic one, and it was determined that from the points of view of both economics and safety it was more prudent to replace the entire sidewalk rather than attempt to correct the "trips" and replace the broken squares. Furthermore, sound public works practise required that driveway crossings on the north side be

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adjusted to ensure proper tie-ins to both the curb and gutter and to the abutting properties; once the work of replacement was commenced on certain sections of the walk, there was then no logical termination point to cut off such work.

The above comments have been made to indicate that renewal of the walk was necessary to make the street function properly. In this regard the construction of curb sidewalks on this street would have been a more appropriate choice than the retention of the separated sidewalks; problems of this type should be taken into account in future deliberations of the C.I.P. Committee and the staff "Sidewalk Committee" when deliberating on the choice of sidewalk standard. Also, from knowledge we have gained while working on the street, it appears that a majority of the Maitland Street property owners would have preferred curb sidewalks.

The following are our answers to Mrs. Fankhauser's specific points:

1. The cost of replacing the sidewalk will be absorbed by general taxation, as are all public works maintenance costs.
2. The cost of the sidewalk will not be included in the local improvement tax assessment to the individual property owners.
3. The vehicle crossings that required replacement in the course of replacement of the sidewalk will not be billed to the individual property owners inasmuch as these crossings were 'historical' in the sense that the property owners have been permitted to drive across the old sidewalk without regard to whether there were crossings in place or not; we could, therefore, find no rationale or justification for charging the individual property owners for their replacement.
4. Mrs. Fankhauser paid for a reinforced crossing three years ago in conjunction with application for a building permit to build a new house on her property, which is in accordance with Corporation policy and the Streets and Traffic By-law.
5. As previously stated, the cost of replacing the sidewalk will not be a charge to the individual property owners.

RECOMMENDATIONS:

1. THAT Mrs. Fankhauser not be given a refund for the crossing work that was carried out three years ago, and
2. THAT Mrs. Fankhauser be provided with a copy of this report.


MUNICIPAL ENGINEER

VMT:EEO:cmg