

ITEM	15
MANAGER'S REPORT NO.	48
COUNCIL MEETING	1980 07 21

RE: 1980 LOCAL IMPROVEMENT PROGRAM

On this evening's agenda there are two reports from the Municipal Clerk regarding the above:

- (a) Certificate of Sufficiency against certain works in the 1980 Local Improvement Program; and
- (b) Certificate of Sufficiency with respect to a petition for work by abutting owners on Malvern Avenue and Morley Street.

Following is a report from the Municipal Engineer regarding the above.

RECOMMENDATION:

1. THAT the recommendations of the Municipal Engineer be adopted.

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TO: MUNICIPAL MANAGER 80 07 16  
 FROM: MUNICIPAL ENGINEER  
 SUBJECT: 1980 LOCAL IMPROVEMENT PROGRAM

RECOMMENDATIONS:

1. THAT the work on Project No. 79-024, Pandora Street from Carlton Avenue to Madison Avenue, NOT proceed.
2. THAT the work on Project No. 79-032, McKay Avenue from Greta Street to Rumble Street, proceed.
3. THAT the work on Project No. 79-035, Venables Street from Delta Avenue to Springer Avenue, NOT proceed.
4. THAT the work on Project No. 79-053, Curragh Avenue from Beresford Street to Kingsway, NOT proceed.
5. THAT the work on Project No. 79-054, Sellar Avenue from Dorset Street to Imperial Street, NOT proceed.
6. THAT the work on Project No. 79-072, Springer Avenue from Hastings Street to Frances Street, proceed.
7. THAT Malvern Avenue from Burris Street to Imperial Street be included in a Construction Bylaw with the work to be as described in the noted petition presented to the Municipal Clerk.
8. THAT the limits of Project No. 79-040 be altered in the Construction Bylaw to read Fell Avenue from Pandora Street to Dundas Street.
9. THAT a project be initiated on Fell Avenue from Hastings Street to Pandora Street and the works to be 11 metre pavement, curbswalks both sides, storm sewers, and trees as required.

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ITEM	15
MANAGER'S REPORT NO.	48
COUNCIL MEETING	1980 07 21

On the Council Agenda for 80 07 21 is the Municipal Clerk's Certificate of Sufficiency for the 1980 Local Improvement Streets Program. Within the schedule attached to the Certificate, are eight projects on which the Engineer feels Council would wish his comments and recommendations. Six of the projects (1 - 6) have one of the two requirements to defeat, one project (7) is shown on the Certificate as defeated but for which there was a petition presented and one project (8) which the limits may be shortened and the deleted portion of the project be initiated as a separate project.

These projects are:

1. Pandora Street - Carlton Avenue to Madison Avenue, Project No. 79-024.
2. McKay Avenue - Greta Street to Rumble Street, Project No. 79-032.
3. Venables Street - Delta Avenue to Springer Avenue, Project No. 79-035.
4. Curragh Avenue - Beresford Street to Kingsway, Project No. 79-053.
5. Seller Avenue - Dorset Street to Imperial Street, Project No. 79-054.
6. Springer Avenue - Hastings Street to Frances Street, Projects No. 79-072.
7. Malvern Avenue - Burris Street to Imperial Street, Project No. 79-073.
8. Fell Avenue - Hastings Street to Dundas Street, Project No. 79-040.

168

The Municipal Engineer's comments are as follows:

Pandora Street, Carlton Avenue to Madison Avenue - Project No. 79-024

A total of 32 owners are affected by this project which would require 17 valid objections to defeat the works. A total of 19 objections for the works were received, however it was necessary for the Clerk to disqualify four of the signatures received which reduced the number of valid objections to 15 thus rendering the petition not sufficient to defeat the works. The works that had been proposed for this street were 8.5 metre pavement with curbs both sides and a 1.5 metre separated sidewalk on one side with trees as required. The project was included in the Program at the request of the homeowners. The Engineering Department's opinion is that this street has no particular priority; it does not present any particular problems to the Department and therefore the Engineering Department's recommendation is that the work on this street NOT proceed.

McKay Avenue, Greta Street to Rumble Street - Project No. 79-032

A total of 26 owners are affected by this project which would require 14 valid objections to be received to defeat the works. A total of 16 valid objections were received which is two more than required however the 16 valid objections received do not represent one half of the assessed value of the affected parcels. This project was included in the Program at the request of the homeowners. The works proposed on this project were 8.5 metre pavement, curbs both sides, storm sewer, trees as required. There is a project abutting this project, McKay Avenue from Greta to Imperial, that was included in the Program by the Engineering Department when the homeowners had requested this project. The Engineering Department included the other McKay project in the Program because there were some storm sewers that needed replacing on the street and it was our opinion that both the storm sewer and the road works should be continuous through the two projects from Rumble to Imperial. The Engineering Department is still of the opinion that the storm sewer that is to be replaced, which was an interim ditch enclosure type of storm sewer, should continue through a two projects. It should be pointed out that

ITEM	15
MANAGER'S REPORT NO.	48
COUNCIL MEETING	1980 07 21

to give the storm sewer on the other project an adequate outlet will require this project's road to be torn up to facilitate that outlet. The other McKay Avenue project has been approved by the people; it is the Engineering Department's recommendation that work on this project should also be proceeded with.

Venables Street, Delta Avenue to Springer Avenue - Project No. 79-035

A total of 28 owners are affected by this project which would require 15 valid objections to be received to defeat the works. A total of 14 objections were received which is one less than required, however the 14 valid objections received represent more than one half of the value of the affected parcel. This project was included in the Program at the request of the homeowners. The work proposed on this street was an 8.5 metre pavement, curbwalks both sides, storm sewers, and trees as required. This project does not have a high priority and in the opinion of the Engineering Department there are no inordinate problems on this street. The Engineering Department would therefore recommend that the work on this project NOT proceed.

Curragh Avenue, Beresford Street to Kingsway - Project No. 79-053

A total of 24 owners are affected by this project which would require 13 valid objections to be received to defeat the works. The required number of valid objections were received, however the 13 valid objections received do not represent one half of the assessed value of the affected parcels. This project was included as a recommendation from the Engineering Department. The works that were to be included in the project was 14 metre pavement, curbs both sides, 1.5 metre abutting walks both sides, ornamental street lighting, and trees as required. The street is a mix of commercial and residential and the Engineering Department would have liked to have seen the street completed to tidy up the area but we must point out there are no engineering problems on the street. The Engineering Department would therefore recommend that the work on Curragh NOT proceed.

Sellers Avenue, Dorset Street to Imperial Street - Project No. 79-054

A total of 9 owners are affected by this project which would require 5 valid objections to be received to defeat the works. The required number of valid objections were received. The 5 valid objections received, however, do not represent one half of the value of the affected property. The work that was proposed on this street was 14 metre pavement, curbs both sides, 1.5 metre abutting walks both sides, ornamental street lighting, storm sewer, and trees as required. The street is mixed between commercial and residential and was included in the Program as a recommendation from the Engineering Department. The street poses no problems other than the indiscriminate parking but the Engineering Department would recommend that the work NOT proceed.

Springer Avenue, Hastings Street to Frances Street - Project No. 79-072

A total of 4 owners are affected by this project which would require 3 valid objections to be received to defeat the works. A total of 2 valid objections were received. The two valid objections represent more than one half the value of the affected parcels. This project was also the subject of a Manager's report, Item 10, Manager's Report No. 41, 1980 June 02. The project was included in the Local Improvement Program at the request of the property owners. The Engineering Department feels that this road will have to be rebuilt because of water main breaks that have taken place and also there is a short stretch of large ditch on the street which we feel should be enclosed. The Engineering Department would therefore recommend that the work proceed on this project.

ITEM	15
MANAGER'S REPORT NO.	43
COUNCIL MEETING	1980 07 21

Malvern Avenue, Imperial Street to Burriss Street - Project No. 79-073

In the Clerk's Certificate of Sufficiency the Schedule has a project, Project No. 79-073, Malvern Avenue from Imperial Street to Burriss Street, with work of 8.5 metre pavement with curbs both sides and a separated sidewalk one side only. The project was defeated by the homeowners. Also on the same Agenda is a Clerk's Certificate of Sufficiency of a valid petition for Malvern Avenue from Imperial Street to Burriss Street with curbwalks both sides. The background on this project is that in the general information that is sent out to the homeowners with the initiation notices is that if the homeowners wish to vary the work other than the width of the street, they may do so by defeating the initiative project and requesting the Clerk to draw up a petition pursuant to Section 591 of the Municipal Act. If the Municipal Engineering Department agrees the works requested meet Municipal standards then the Municipal Clerk will prepare the petition. This is the case on Malvern Avenue. The homeowners defeated the initiative, requested the petition for a variation of works and the Municipal Engineer agreed the works requested were in accordance with the Municipal standard. The homeowners have presented to the Clerk a valid petition. The Engineering Department would recommend that the revised works on Malvern be included in the 1980 program and that the project be included in a Bylaw of like works. 170

Fell Avenue, Hastings Street to Dundas Street - Project No. 79-040

In the Clerk's Certificate of Sufficiency there is a project, Fell Avenue from Hastings Street to Dundas Street. The works call for an 8.5 metre pavement from Dundas Street to the lane north of Hastings and flaring to 11 metre pavement from the lane north of Hastings to Hastings. The project was approved by the homeowners. During the initiation period, residents from the section of the project between Hastings and Pandora have discussed with both the Engineering Department and the Planning Department the possibility of changing the standard of works. The standard requested was 11 metre pavement, curbwalks both sides. This standard has been reviewed and both Departments agree with the revised works. We would therefore recommend that in the Construction Bylaw the limits of Project No. 79-040 be altered to read Fell Avenue from Pandora Street to Dundas Street and a project be initiated on Fell Avenue from Hastings Street to Pandora Street and the works be 11 metre pavement, curbwalks both sides, storm sewers, and trees as required. We believe this procedure is allowed under Section 667 of the Municipal Act. There is no difference in charges to the affected property owners.

*J. Kennedy*  
MUNICIPAL ENGINEER

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