

Re: LETTER FROM MRS. ANNA DECURTINS, 5392 CLINTON STREET, BURNABY, B.C.,
V5J 2L6, WHICH APPEARED ON THE AGENDA FOR THE COUNCIL MEETING OF
1981 SEPTEMBER 28 (ITEM 2) REGARDING REDRESS OF GRIEVANCES AGAINST
THE ENGINEERING DEPARTMENT

The Municipal Manager has reviewed this matter and has visited the site.

The cracks that have been referred to are not a structural problem nor are they a cause for concern with respect to safety.

The ramps at the Roslyn intersection are not excessive, and in the opinion of the Municipal Manager, are quite acceptable engineering practice.

The concern being expressed by the complainant is obviously therefore one of aesthetics more than anything else. The Municipal Manager did notice a half dozen chips out of the side of the sidewalk in front of Mrs. Decurtins' house, but they are not a hazard, nor are they a structural problem. They are the kind of small spaces that could be easily patched with an epoxy-concrete, but the new work would show against the old work.

The sidewalk along the frontage of the property immediately to the west of Mrs. Decurtins' is certainly in acceptable condition. Five houses to the west of Mrs. Decurtins' home, there is a low "toe stubber" in front of 5292 Clinton, and the sidewalk should be replaced there if it is to be replaced at Mrs. Decurtins'.

*The point is that the standard is presently met on the street, and from that point of view, the sidewalk should **not** be replaced on this block.*

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER 81 10 01

FROM: MUNICIPAL ENGINEER

SUBJECT: DELEGATION - COUNCIL MEETING, 81 09 28
MRS. A DECURTINS, 5392 CLINTON STREET

RECOMMENDATIONS:

1. THAT the existing sidewalk on the south side of Clinton in the block between Royal Oak Avenue and Roslyn Avenue not be replaced at general Municipal expense nor as a Local Improvement Project at this time, and,
2. THAT a copy of this report be sent to Mrs. A. Decurtins, 5392 Clinton Street, Burnaby.

SUMMARY:

The existing sidewalk on the south side of Clinton Street is in sufficiently good condition as to not warrant its replacement at this time.

There are many miles of sidewalk in a similar or worse condition throughout Burnaby and it would therefore be unfair to levy the sidewalk's cost against property owners at large either in whole (outright charge to capital or maintenance) or in part (local improvement "general" share).

Existing maintenance practices will assure that the sidewalk is kept in safe and serviceable condition. This work is carried out throughout Burnaby on an overall basis of relative demonstrated need; on this basis, the sidewalk on Clinton Street does not warrant repairs at this time but will certainly receive them when warranted.

REPORT

Mrs. Anna Decurtins appeared as a delegation before Council at its meeting of 1981 September 28. Mrs. Decurtins spoke regarding reconstruction of the Municipal sidewalk adjacent to her property at 5392 Clinton Street.

Mrs. Decurtins requested that the existing Municipal sidewalk fronting her property be reconstructed in conjunction with the Local Improvement street paving works presently in progress on the block.

The local improvement works as initiated constituted the construction of curbs and gutters and asphaltic pavement with the addition that a walk was to be constructed on the north side of Clinton Street where one did not previously exist. The complete reconstruction of the existing sidewalk on the south side was not included in the L.I.P. works and was never intended to be undertaken nor was there ever any indication given to any property owner that the walk would be reconstructed.

It is necessary, as is common with most works of this type, to undertake some adjustment of existing public works facilities in order to accommodate the new design grades. The concept of renewing existing constructed works which are in good physical condition and where such renewal is not required to suit new design elevations should be divorced from the local improvement procedures and should be considered solely from a maintenance aspect. The Engineering Department has a continuing program of sidewalk maintenance throughout Burnaby, with work being undertaken on a priority system based on demonstrated need. This is evidenced by the fact that several sections of the existing sidewalk on Clinton Street have received remedial repairs. We are of the opinion that further repairs are not warranted at this time.

We are unable to provide Council with a definitive percentage of concrete sidewalks throughout Burnaby which have a similar or worse condition to that in the 5300 Block Clinton Street, but we would point out that there are many miles of older sidewalks, particularly in the Burnaby Heights area. The walk on Clinton Street in the block immediately east of Roslyn and also those on the surrounding side streets are of a similar vintage and condition to that in the 5300 Block of Clinton Street; no extensive maintenance reconstruction is planned for the surrounding streets. As previously stated we will effect repairs, under existing practice, of sidewalks as part of our continuing program of maintenance.

Where rehabilitation work becomes so extensive as to constitute complete reconstruction, then it introduces the concept of a separate local improvement project. No local improvement assessment is currently being levied against the property owners for the existing sidewalk on the south side of the 5300 Block Clinton Street and therefore a local improvement sidewalk project is a legal possibility either through Corporation initiative or by resident petition. Should such a project be adopted it would, of course, constitute an additional assessment against the affected property owners. The current rate for a separated sidewalk is \$1.28 per foot per year for 15 years. In order for a project to be included in the 1983 construction program, it is required to be received by 1981 December 31.

Complete reconstruction of the sidewalk without following current policy of utilizing local improvement procedures would create a serious precedent of making a maintenance expenditure chargeable to a Capital Works Borrowing Bylaw. We are of the opinion that the existing sidewalk is completely serviceable and we are unable to recommend complete reconstruction.

The cost of repairing (replacing) the portion of sidewalk as requested by Mrs. Decurtins has been estimated at \$595.00 but we would reiterate that we are unable to justify treating this particular sidewalk in isolation of the many others throughout Burnaby in similar or worse condition.

On 1981 September 30 Wednesday, the Municipal Engineer suggested to Mrs. Decurtins that she may wish to avail herself of the opportunity to have the sidewalk replaced at the applicable local improvement rates but preferably being done on the "present value cash-out" basis in the interest of expediency. Mrs. Decurtins thought the matter over and advised the Municipal Engineer that she was not interested in this approach because she still feels that the sidewalk should be replaced at no cost to the abutting property owners.

EEO/ch


MUNICIPAL ENGINEER

