

RE: 1987 LOCAL IMPROVEMENT PROGRAM - STREETS
PROJECT NUMBER 87-005

DENBIGH AVENUE FROM OAKLAND STREET TO IRVING STREET

MUNICIPAL MANAGER'S RECOMMENDATION:

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

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TO: MUNICIPAL MANAGER DATE: 1988 MARCH 17
FROM: MUNICIPAL CLERK
SUBJECT: 87-005 DENBIGH AVENUE FROM OAKLAND STREET TO
IRVING STREET
DELEGATION - 1988 MARCH 21 COUNCIL MEETING

RECOMMENDATION:

1. THAT this report be received for information purposes.

S U M M A R Y

The purpose of this report is to provide background information regarding the petition process as it relates to the proposed street improvements to Denbigh Avenue from Oakland Street to Irving Street. This project was initiated as part of the 1987 Local Improvement Program.

R E P O R T

The closing date for the receipt of petitions opposing the subject project under the 1987 Local Improvement Program was 1988 March 03. At the close of business on March 03 the Clerk's Office had on file a petition received on February 29 containing signatures representing 22 properties. Two of the properties listed on the petition were represented by only one signature where the property was jointly owned and, therefore, these two signatures were disqualified. Also received were two individual letters opposing the works.

Subsequent to the receipt of the 22 name petition five letters were received from the owners of five of the affected properties requesting that their names be withdrawn from the initial petition as they were now in favour of the work proceeding. Subtracting these five owners from the 22 properties represented by valid signatures against this work, results in 17 properties being opposed to this work and 20 properties being in favour of this project.

Unfortunately, each time a large Local Improvement Program is initiated it invariably results in one or two of the projects becoming the subject of a disagreement among the property owners as to whether the proposed work should be supported or opposed. In some of these instances, as in this case, the number of owners both for and against are almost equal. This results in disappointment for a significant number of owners no matter which way the matter is decided. However, the Municipal Act is clear in its direction to the Municipal Clerk and in this case the number of properties opposed to the work does not represent 51 percent of the owners nor 50 percent of the assessed property value and therefore the petition is not sufficient and Council may proceed with the work.

CAT/all

cc: Director Engineering


C.A. Turpin
MUNICIPAL CLERK