



## Report to Council

Department: Infrastructure Services  
Division: Capital Works and Asset Management  
Date: October 7, 2024  
Prepared by: David McBeth, C.E.T.  
Manager, Capital Works and Asset Management  
Report Number: Capital Works and Asset Management-2024-15  
Subject: Sidewalk at Victoria Avenue at Thomas Street  
Number of Pages: 4

### Recommendation(s)

**That** Capital Works and Asset Management-2024-15 entitled "Sidewalk at Victoria Avenue at **Thomas Street**" prepared by David McBeth, Manager, Capital Work & Asset Management dated October 7, 2024, be received, and

**That** Council direct Administration to start negotiations with the property owner of 65 Victoria Avenue for an easement over the area required to complete a sidewalk connection to the new trail on Victoria Avenue per this report.

### Purpose

Town Council had requested for Administration to come back a report with options to complete the sidewalk between Thomas Street and Victoria Avenue.

## Background and Discussion

At the June 3<sup>rd</sup>, 2024, Council Meeting, **Resolution Number R24-06-238** was passed;

**That** Council direct Administration to come back a report with options to complete the sidewalk between Thomas Street and Victoria Avenue.

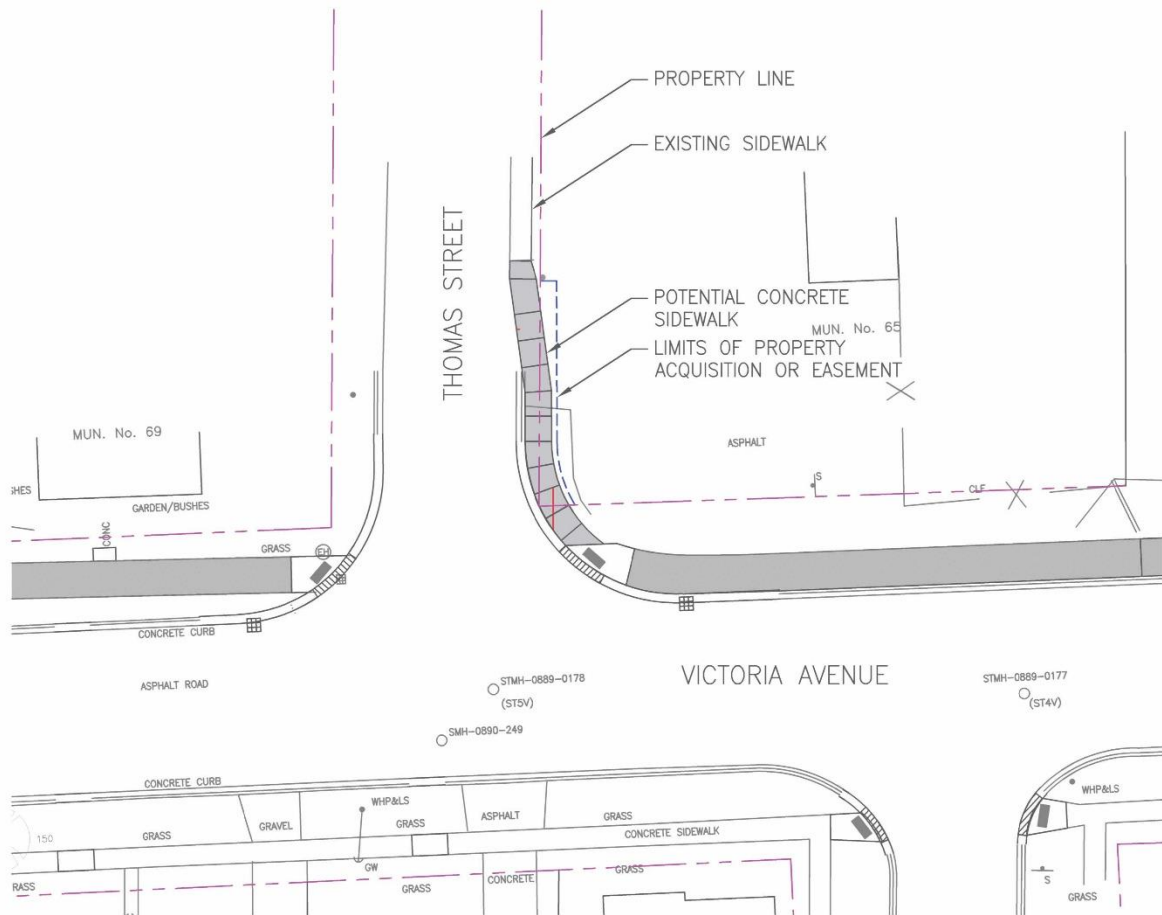
**Moved By:** Councilor Garon

**Seconded By:** Deputy Mayor Shepley

The Town of Essex recently completed a multi-use trail along the north side of Victoria Avenue from South Talbot Toad to Talbot Street North. At the intersection of Victoria Avenue and Thomas Street, the new trail and the existing sidewalk on the east side of Thomas Street do not link together due to the lack of property required at this location to make the **connection fully within the Town's right-of-way** (see image below). The Thomas Street right-of-way is only approx. 11.7m wide, where a typical right-of-way is 20m.

To complete this connection, the Town would need to either acquire an easement from the property owner or the Town would need to acquire the lands by purchasing a piece of the property. Administration has reached out to the ownership group of this property, who is amendable to allowing an easement over their lands for the purpose of a sidewalk.

An easement would allow the Town access to the property to construct the trail. The Town would also need an encroachment agreement with the property owner to address maintenance, ownership, replacement, indemnification, etc. related to the sidewalk. The costs for creating the easement would be borne by the Town.



Based on the sketch above, a new sidewalk would be approx. \$3,500.00 to construct. The 1.5m sidewalk would be installed along the back of the curb and transition to match existing after the property owner's driveway.

## Financial Impact

If Council proceeds with Administration's recommendation, there would be an expense of approximately \$4,500, including net HST, for legal and survey expenses related to the creation of the easement, which costs for this expenditure could be funded from the Essex Streetscape Project remaining contingency. If the easement is acquired, the cost to construct the sidewalk would be approx. \$3,500, including net HST. There is remaining contingency from the Essex Streetscape project to complete the sidewalk construction, therefore, no

additional funds will be required for its construction.

## Consultations

Kevin Girard, Director, Infrastructure Services

Joe Malandrucolo, Director, Legal & Legislative Services/Clerk

Kate Giurissevich, CPA, CA, Director, Corporate Services/Treasurer

## Link to Strategic Priorities

- ☒ Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- ☐ **Leverage our Town's competitive advantages to promote jobs and economic investment.**
- ☒ Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex "home"**.
- ☐ Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- ☒ Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	Sidewalk at Victoria Avenue at Thomas Street - Capital Works and Asset Management-2024-15.docx
Attachments:	
Final Approval Date:	Sep 24, 2024

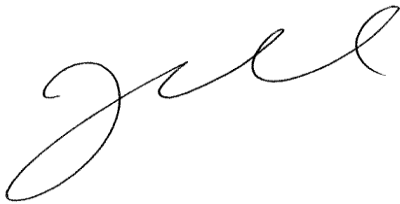
This report and all of its attachments were approved and signed as outlined below:



**Kevin Girard, Director, Infrastructure Services - Sep 20, 2024 - 11:42 AM**



**Kate Giurissevich, Director, Corporate Services - Sep 23, 2024 - 1:49 PM**



**Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk - Sep 23, 2024 - 7:04 PM**

**No Signature - Task assigned to Doug Sweet, Chief Administrative Officer was completed by delegate Kate Giurissevich, Director, Corporate Services**

**Doug Sweet, Chief Administrative Officer - Sep 24, 2024 - 9:33 AM**