



# INFORMATION REPORT

<b>TO:</b> Chair and Members Public Works Committee	<b>WARD(S) AFFECTED:</b> WARD 9
<b>COMMITTEE DATE:</b> November 4, 2013	
<b>SUBJECT/REPORT NO:</b> Poor Drainage on Lake Avenue Drive (PW13065a) - (Ward 9) (Outstanding Business List Item)	
<b>SUBMITTED BY:</b> Gerry Davis, CMA General Manager Public Works Department	<b>PREPARED BY:</b> Gary Moore (905) 546-2424, Extension 2382
<b>SIGNATURE:</b>	

## Council Direction:

This Information Report has been prepared subsequent to Report PW13065 dated September 16, 2013 and the delegation request by Mr. John Vesprini at the October 7<sup>th</sup> Public Works Committee meeting (Appendix A).

## Information:

The project design called for overland drainage using the existing open ditch system on Collegiate Avenue and Avalon Avenue. Water flows both east and west on these streets to the two water courses on both sides of the project area. Catch basins are only located at both ends of the project and these were existing. At the south end (King Street) the catch basin is sixty linear metres from King Street and drainage problems were reported in the past. This was repaired and has since cleared the problem. Catch basins are also located at the north end (Queenston) with existing catch basins on Mountain Avenue North, Galbraith Drive and just south of Queenston Road.

The project length is 1,020 linear metres in length of which 135 metres drains to the south and the remaining 885 linear metres drains towards the north. As the street is lined with mature trees, the catch basins at the north end are susceptible to having the cover blocked with leaves which then causes ponding. This was evident after a major rain event and was soon rectified when the cover was cleared of leaves and the water then disappeared. Due to the length of roadway being drained, in any major rain event the catch basins will require time to drain simply due to the volume being directed to them.

**SUBJECT: Poor Drainage on Lake Avenue Drive  
(PW13065a) - (Ward 9) - Page 2 of 2**

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The sod was laid in December of 2010 so that the homeowners would not have to deal with mud all winter and spring. The thirty day inspection as per the City of Hamilton's specifications was done after May 30<sup>th</sup> the following Spring. The initial review was done with Dufferin Construction and the "sod door knockers" (Appendix B) were given to the vast majority of homes along the project by the Project Manager and Inspector. There were a few minor deficiencies (roll of dead sod) that precluded acceptance of a few homes. As per City specifications the sod is warranted for thirty days by the Contractor and the road and underground services are warranted for two years.

The Summer of 2012 and early 2013 resulted in a significant area of sod dying, without explanation. Many adjacent properties did not exhibit the same die off of the sod so no reliable conclusion could be made as to the cause. In July 2013 the areas of dead sod were again replaced, watered for thirty days, then had door knockers placed at each affected residence.

**From:** John Vesprini **Sent:** Monday, September 02, 2013 1:57 PM **To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca) **Cc:** **Subject:** The re-sodding of lawns and boulevards on Lake Avenue Drive

To Mayor Bratina and Councillors,

I and my neighbours are very pleased that the City had a change of heart to re-sod the lawns on Lake Avenue Drive when, after in 2010 and 2011, the lawns were improperly sodded. The contractor, Oakridge, had laid sod without leveling the area, sodded over gravel, rocks, and clay; and added no top soil. They also just dropped the sod and did not roll the lawn, leaving the lawns with hills and valleys.

On July 16, 2013, the City of Hamilton paid Oakridge to re-sod our lawns. This time they levelled the area, added top soil, and rolled the lawns after sodding. If this had been done before, at their two other attempts, the City would not have had to carry the expense of this new sodding.

On July 19, 2013, Inspector Romas Rickus meet with Tim Collingwood at 86 Lake Avenue Drive. Tim's lawn had turned brown two days after being laid. Inspector Rickus told Tim that there would be no replacement. Tim's lawn has since come back but it is very spotty, with weeds filling in the gaps. No doubt it is faulty sod and should have been replaced. When I mentioned this to Mr Rickus, he said how is your lawn? I said it's fine. He then said, what's your problem?

When I and Mr Collingwood pointed out that the Collegiate Avenue boulevard, between Lake Avenue and Mountain Avenue, and at least six sections of boulevard on Lake Avenue, as well as two lawns on Collegiate Avenue, should be re-sodded, Mr Rickus gave us the same unacceptable answer as above. In due respect to Mr Ruckus, he was polite and easy to talk to. But I do not agree with his assessment. If my neighbour's house is on fire, do I call the fire department or do I look the other because it's not my house that is on fire? Early this year, Mr Collingwood notified the City that the sidewalk and boulevard by his house is uneven, creating a tripping hazard and that a lady had tripped and fallen. He was told that the City would correct this hazard in November. We were informed in 2010 that our lawns would be restored. But until the aforementioned boulevards and lawns are restored, the job has not been completed.

Enclosed is an email I sent to the City on June 16, 2013 before I was informed on the re-sodding. It might be informative of what has transpired in the last three years.

When this matter is brought to council, I would appreciate it if I were informed so that I could attend.

Sincerely,

John

Vesprini  
Lake Avenue Drive Stoney

Creek, Ontario

**From:** mojo [] **Sent:** September-18-13 9:14 AM **To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Fw: The re-sodding of lawns and boulevards on Lake Avenue Drive

In 2010, after the construction on the road and installation of new water pipes to the homes on Lake Avenue Drive, the landscape contractor laid sod in December, one week before Christmas. When Inspector Romas Rickus was inspecting the lawns, we asked him if it was okay to lay sod in December. He told us not to worry; we will have a two year guarantee. The lawns died in 2011. In the fall of 2011, Oakridge Landscape Contractors re-sodded the lawns. In the spring of 2012, I informed Councillor Brad Clark that not only my lawn but most of the street's lawns had not taken. Mr Clark assured me they would be corrected.

After waiting eight months, I called the City's Construction Department, inquiring on when the lawns were to be done. I was told the lawns were inspected in the spring of 2012 and were deemed done. I was also told that they would be inspected again in the spring of 2013. On June 11, 2013, Project Manager Dave Mullen informed me that the 2013 spring inspection had passed. He also said that Mr Rickus did not tell us there was a two year warranty. Apparently, the City waits for thirty days after the growing season starts. The two year warranty was for the roadway only. This was not made clear to us back in 2010. Though recently, I called up a landscaper and he told me he would give me a two year warranty on a new lawn.

Mr Mullen said that in the spring of 2012, after the inspection, a letter was delivered by hand to every house on the street, stating that the lawns are okay. I did not get a letter and, as of today, I have spoken to eight residents and they have not received a letter, either. I also informed the Construction Department that the boulevards (the strip of grass between the road and sidewalk) are a mess, especially on the east side of the street. I was told that was due to winter salting. I lived here since 1971 and these boulevards have never been so scruffy.

In 2011 and 2012, some residents re-sodded or seeded their lawns. These are the properties that are back to their original condition. I feel it is the City's or the contractor's responsibility, not the residents, as we were told at the beginning.

When this letter is brought to Council, I would appreciate it if I were informed so that I could attend.

Enclosed is picture of my front yard.

Sincerely,

John Vesprini Lake  
Avenue Drive Stoney  
Creek, Ontario

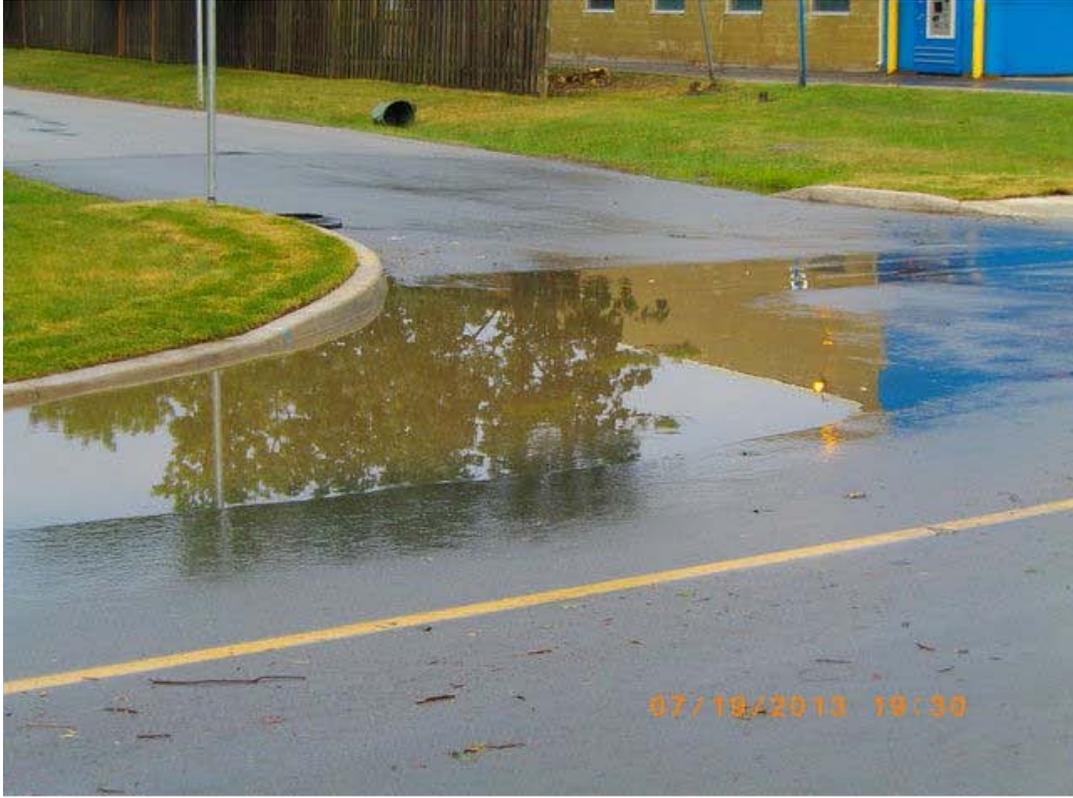


**From:** mojo [] **Sent:**  
September-18-13 9:27 AM **To:**  
[clerk@hamilton.ca](mailto:clerk@hamilton.ca) **Subject:** Fw:  
5 pictures for you

THESE PHOTOS ARE SHOWING THE PUDDLES AT THE CORNERS DF LAKE AVE. DR. WITH #8  
HWY. ; GAILBRAITH ' AND AVALON.









Hamilton  
www.hamilton.ca

Public Works Department  
Capital Planning and Implementation  
Construction Section  
320 - 77 James Street North  
Hamilton, Ontario Canada L8R 2K3  
905.546.2424 x 2438

Attention: Residents / Businesses:

Dear Sir or Madame:

Please be advised that the City of Hamilton has inspected and accepted the sod restoration completed as a result of the recent construction. **Therefore, the City's contractor is no longer responsible for watering or maintenance of the new sod.**

We ask that you continue to regularly water and maintain the sod to ensure that it remains in good condition. Weed control and fertilization are essential during the early growing stages. Please do not cut the grass any shorter than 2" to avoid damaging it.

Should you experience settlement in any of the areas affected by the construction, please call the Construction Office at the number shown above. Thank you.

City of Hamilton  
Public Works Department  
Capital Planning and Implementation  
Construction Section

