Minute No. 70
Report - Standing Policy Committee on Public Works - November 19, 2002

Item No. 7 Local Improvements District Initiation By-law for the North Drive Community Ring Dike - File SL-1 (Vol. 22)

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Public Works and adopted the following:

1. That Council direct the administration to prepare a Local Improvement District Initiation By-law for the North Drive Community Ring Dike Local Improvement District that will designate the Councillors of the City Centre Community Committee as the committee of Council (District Proposal Committee) to conduct public hearings as required for the North Drive Community Ring Dike Local Improvement District.

2. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

Report - Standing Policy Committee on Public Works - November 19, 2002

DECISION MAKING HISTORY:

Moved by Councillor Angus,

That the Standing Policy Committee on Public Works recommendation be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 4, 2002, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works.

STANDING COMMITTEE RECOMMENDATION

On November 19, 2002, the Standing Policy Committee on Public Works concurred in the recommendation of the administration.

RE: LOCAL IMPROVEMENT DISTRICT INITIATION BY-LAW FOR THE NORTH DRIVE COMMUNITY RING DIKE

For submission to: STANDING POLICY COMMITTEE ON PUBLIC WORKS

Original report signed by: **Barry D. MacBride, P.Eng.**
Director, Water and Waste Department

Report date: October 31, 2002

In camera item: No

Recommendation(s):

1. That Council direct the administration to prepare a Local Improvement District Initiation By-law for the North Drive Community Ring Dike Local Improvement District that will designate the Councillors of the City Centre Community Committee as the committee of Council (District Proposal Committee) to conduct public hearings as required for the North Drive Community Ring Dike Local Improvement District.

2. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

REPORT SUMMARY

Key Issues:

- On June 23, 1999, City Council adopted a policy to recover its 10% share of the secondary diking enhancements projects from the benefiting properties through the local improvement process.
- The majority of residents of this community have indicated their support for a diking enhancement project through public meetings and a survey questionnaire.

Implications of the Recommendation(s):

General Implications

X	None
	For the organization overall and/or for other departments
	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment:

Policy implications

X	No
	Yes

Comment:

Financial Implications

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required

Comment: The By-law will allow the recovery of the City's costs equivalent to 10% of the project cost from the benefiting property owners through the District Local Improvement process.

REPORT

RECOMMENDATION(S):

1. That Council direct the administration to prepare a Local Improvement District Initiation By-law for the North Drive Community Ring Dike Local Improvement District that will designate the Councillors of the City Centre Community Committee as the committee of Council (District Proposal Committee) to conduct public hearings as required for the North Drive Community Ring Dike Local Improvement District.

2. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing, including the execution of any documents related thereto.

REASON FOR THE REPORT:

Pursuant to Section 392.1(2)(b) of The City of Winnipeg Act, Council may by by-law designate a committee of the council to conduct one of more public hearings as required by the local improvement district legislation.

HISTORY:

On June 23, 1999, City Council adopted the recommendation of two reports of the Standing Policy Committee on Public Works dated May 31, 1999 titled: 1) Secondary Diking Enhancements – Community Ring Dikes – Policy on Funding and Maintenance; and 2) Canada-Manitoba-City of Winnipeg Agreement on Secondary Diking Enhancements.

In November, 1999, the Canada - Manitoba - City of Winnipeg Agreement on Secondary Diking Enhancements was finalized.

On September 26, 2001, City Council approved the Priorities for the Secondary Diking Enhancements Program, including the North Drive community ring dike project.

DISCUSSION:

The Canada-Manitoba-City of Winnipeg Agreement of Secondary Diking Enhancements is a funding agreement that provides a total of $11.135 million towards secondary diking projects. Canada and Manitoba are each contributing $5.2 million and the City of Winnipeg is contributing $735,000. The funding is allocated to a Community Ring Dike Sites Feasibility Study ($400,000), and design and construction of individual flood proofing projects ($4,400,000) and community ring dikes ($6,335,000). Pursuant to the Council order on June 23, 1999 the

City's share of community ring dike costs is to be recovered from the benefiting property owners through the local improvement process.

The Priorities for the Secondary Diking Enhancements Program, adopted by City Council on September 26, 2001, includes the North Drive Community Ring Dike project. The total estimated cost of the North Drive Community Ring Dike, as shown on Schedule A, is $460,000, and the City's share is 10% or $46,000.

The City of Winnipeg Act provides a mechanism for conducting district local improvements. In the case of the North Drive Community Ring Dike, the benefiting properties are readily identifiable and have been consulted on flood mitigation options through a series of public meetings. An informal community vote has been undertaken in the project area that indicates a willingness to proceed with the project for construction of the community ring dike and associated works.

Originally the benefiting property owners elected to pay their share of the project costs by agreement rather than through the local improvement process. However, during the design process it was determined that the project cost would be significantly higher than first estimated. As a result, the benefiting property owners have requested that they pay their share of the project cost through the local improvement process such that they can pay over 20 years.

A series of local improvement initiatives have been initiated for other community ring dike projects under the Canada - Manitoba - City of Winnipeg Agreement on Secondary Diking Enhancements, namely the Kingston Crescent/Row project, the Kilkenny Drive North project, the Parkwood Place project and the Lord Avenue project. The Riel Community Committee was designated as the District Proposal Committee for these projects since these projects are within the Riel Community. The North Drive Community Ring Dike project is within the City Centre Community and therefore the City Centre Community Committee has been recommended as the District Proposal Committee for the North Drive Community Ring Dike Local Improvement District.

The next step in the process will be the conduct of a public hearing by the District Proposal Committee where the property owners again have an opportunity for input into the process. This is followed by amendments to the District Proposal if deemed necessary by the District Proposal Committee who will then provide its advice and recommendations to Council. If Council gives first reading to the District Proposal it then proceeds to the "notice of objection" stage in the process. This is the opportunity for the property owners to cast their vote against increased flood protection in their respective communities.

FINANCIAL IMPACT:

The following financial impact statement for this project has been prepared in accordance with the recommendation adopted by Council on December 13, 2000.

Financial Impact Statement **Date:** October 31, 2002

COMMENTS: The City's share of the project is to be recovered through the Local Improvement process, therefore there is no financial impact.

Moira L. Geer C.A.
Manager of Finance & Administration

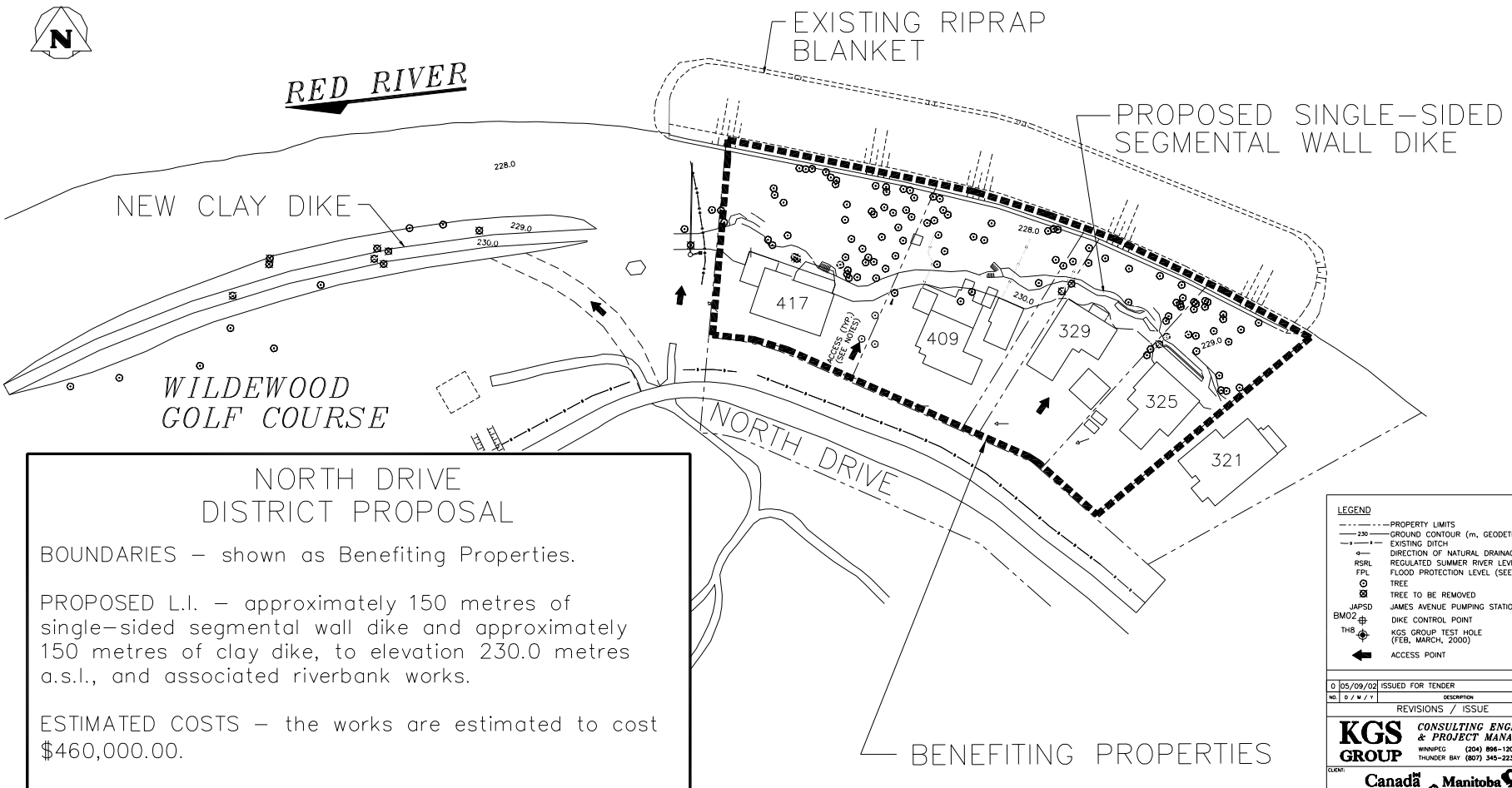
In preparing the report, there was consultation with and concurrence by:

The Legal Services Division of the Corporate Services Department.

This Report Submitted By:

Department: Water and Waste
Division: Engineering
Prepared by: D. McNeil, P.Eng.
File No.: 020-08-09-11-04

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NORTH DRIVE DISTRICT PROPOSAL

BOUNDARIES – shown as Benefiting Properties.

PROPOSED L.I. – approximately 150 metres of single-sided segmental wall dike and approximately 150 metres of clay dike, to elevation 230.0 metres a.s.l., and associated riverbank works.

ESTIMATED COSTS – the works are estimated to cost $460,000.00.

LANDS TO BE LEVIED – the lots at 325, 329, 409 and 417 North Drive.

METHOD AND RATE OF TAXATION – the levy is to be based on the area of land benefiting and the estimated rate is $6.00 per square metre cash or $0.57 per square metre per year for 20 years.

SCHEDULE A

N.T.S

LEGEND

- PROPERTY LIMITS
- 230 GROUND CONTOUR (m, GEODETIC)
- EXISTING DITCH
- DIRECTION OF NATURAL DRAINAGE
- RSRL REGULATED SUMMER RIVER LEVEL
- FPL FLOOD PROTECTION LEVEL (SEE NOTE 9)
- TREE
- TREE TO BE REMOVED
- JAPSD JAMES AVENUE PUMPING STATION DATUM
- BM02 DIKE CONTROL POINT
- TH8 KGS GROUP TEST HOLE (FEB, MARCH, 2000)
- ACCESS POINT

NO.	D / M / Y	DESCRIPTION	BY
0	05/09/02	ISSUED FOR TENDER	

REVISIONS / ISSUE

KGS GROUP
CONSULTING ENGINEERS & PROJECT MANAGERS
WINNIPEG (204) 896-1209
THUNDER BAY (807) 345-2233

CLIENT: Canada Manitoba Winnipeg

PROJECT:

DWG. DESCRIPTION:

ENG. STAMP: PROVINCE OF MANITOBA R.M. KENYON REGISTERED PROFESSIONAL ENGINEER

DESIGNED: C.C	CHECKED: R.K.	DRAWN: PEC	CHECKED:
APPROVED:			
SCALE: AS NOTED		DATE: SEPTEMBER, 2002	
KGS DWG. NO. 01-107-18		12	
CLIENT DWG. NO. LD-2649		REV:	

24x36B
KGS FILE NO.: KGS_FILE
24"x36"/PLOT SCALE: PLOTSCALE