Report of the Standing Policy Committee on Public Works dated April 30, 2002

Kilkenny Drive North Community Ring Dike Local Improvement District
File SL-1 (Vol. 21), PD (Vol. 15)

3. The Standing Policy Committee on Public Works has been advised that the Canada-Manitoba-City of Winnipeg Agreement on Secondary Diking Enhancements is a funding agreement that allocates funding assistance to reduce the risk of future flooding for properties within the City of Winnipeg, north of the Red River Floodway and outside the Primary Diking System. The Agreement provides for a total of $370,000.00 for this project. The Government of Canada and the Province of Manitoba are each contributing $166,500.00, and the City of Winnipeg is contributing $37,000.00. Pursuant to the Council Order of 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.

District Local Improvement Process:

Section 392.1 of The City of Winnipeg Act provides a mechanism for conducting district local improvements. In the case of the Kilkenny Drive North Community Ring Dike Project, the community has been consulted on flood mitigation options through public meetings held in the community by the Project Manager for this project. The community has indicated a willingness to proceed with the project. Accordingly, the City has initiated the local improvement process.

Under Section 392.1(5) of The City of Winnipeg Act, a local improvement district proposal may be initiated:

" (a) by the Council ".

In the case of the creation of local improvement districts for the purpose of building community ring dikes, the Council of the City of Winnipeg will be the initiating body.

Bylaw 6990/97 sets out guidelines for the composition of a Committee of Council for a local improvement district and the procedures for giving of notice and conducting public hearings for proposed local improvement districts.

On July 18, 2001, Council passed Bylaw 7877/2001 that established the Councillors of Riel Community Committee as the District Proposal Committee for the proposed Kilkenny Drive North Community Ring Dike. The District Proposal Committee subsequently called for a public hearing to take place on April 22, 2002, for the purpose of receiving representations from the public on the project.

Project Description:

The main component of the Kilkenny Drive North Community Ring Dike is a segmental concrete block wall dike as required to attain the designated flood protection level.

KGS Group has been engaged as consulting engineers to prepare the final design and cost estimates and to undertake contract administration for this project. The conceptual design of the works to be constructed is outlined on Attachment "A".

Area affected by the proposal and lands to be levied:

That map attached as Attachment "B", shows the area affected by the proposal and depicts the parcels that are subject to the local improvement levy. The parcels on this map are referred to by tax roll number and can be cross-referenced to other parcel identifiers provided in this District Proposal.

Estimated Cost of the Project:

The Consultants have developed an estimated cost for this project based on site investigations and the final design criteria established for the project through consultation with federal and provincial technical representatives.

The City of Winnipeg share has been determined to be $37,000.00. Pursuant to the Council directive, the city share will be recovered from the benefiting property owners through a local improvement.

Method and Estimated Rate of Taxation:

Section 392.1(3) of the City of Winnipeg Act sets out the methods of taxation that may be used to levy the costs for a particular local improvement. In the case of the Kilkenny Drive North Community Ring Dike, each benefiting parcel is to equally share the costs to be recovered by the local improvement.

The table that identifies the parcel ID (City tax roll number), the parcel address, the parcel area, the estimated total cost per parcel if paid in cash and the estimated annual cost per parcel if added to the realty tax bill for 20 years, is outlined on Attachment "C".

Next Steps:

After completion of the public hearing process, the District Proposal will be forwarded to Council for first reading of the Kilkenny Drive North Community Ring Dike District Local Improvement Bylaw. This will be followed by a notice of objection period as set out in the City of Winnipeg Act that allows property owners the right to object to the proposal. If owners of

lands within a proposed local improvement district having a total area greater than 50% of the total area of all lands within the district object to the District Proposal, then it will not proceed. The schedule of events proposed for the local improvement portion of this project is outlined on Attachment “D”.

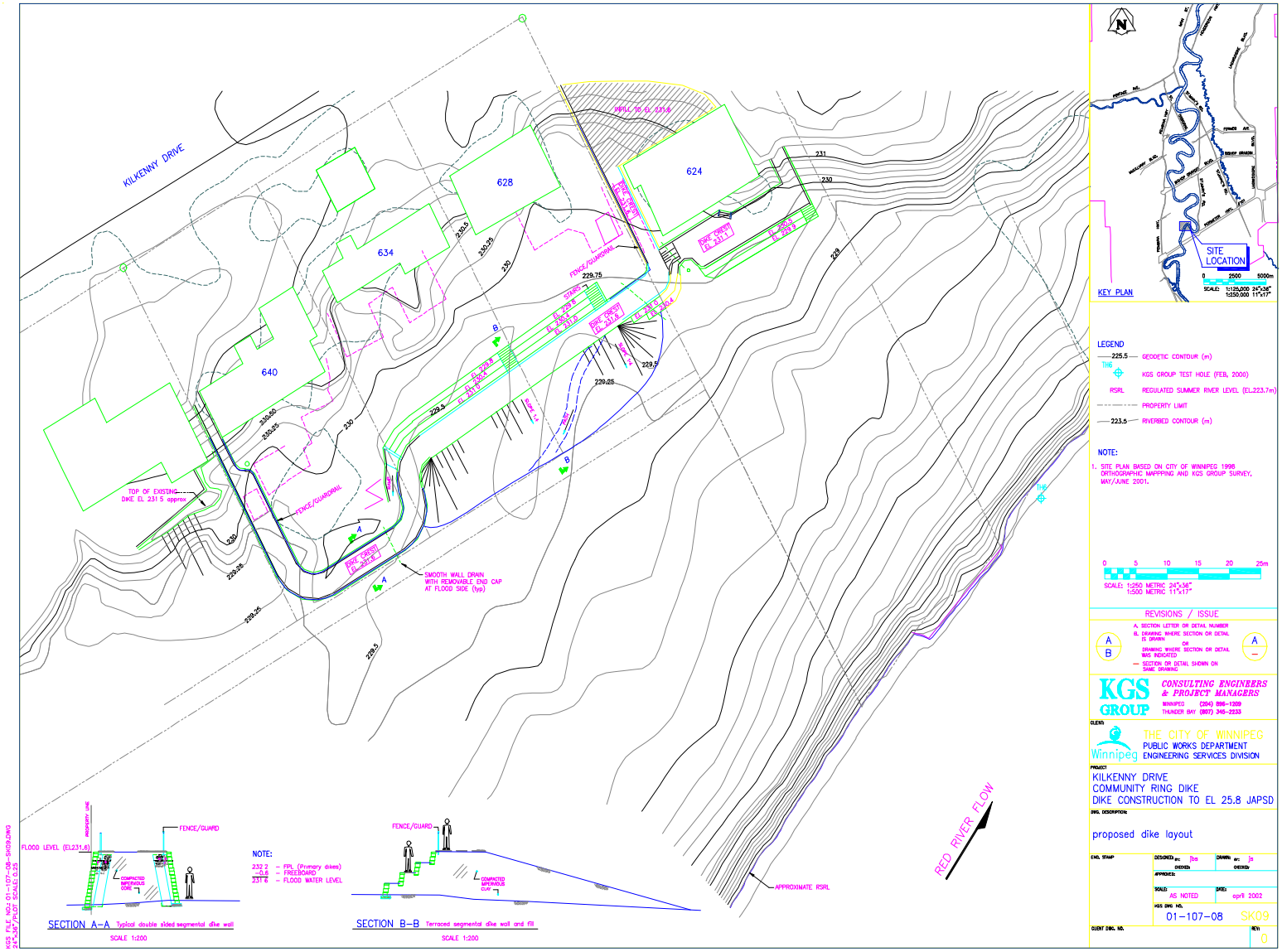
The Standing Policy Committee on Public Works recommends:

I. That the District Local Improvement for the Kilkenny Drive North Community Ring Dike for the benefiting properties located at 624, 628, 634 and 640 Kilkenny Dive be proceeded with.

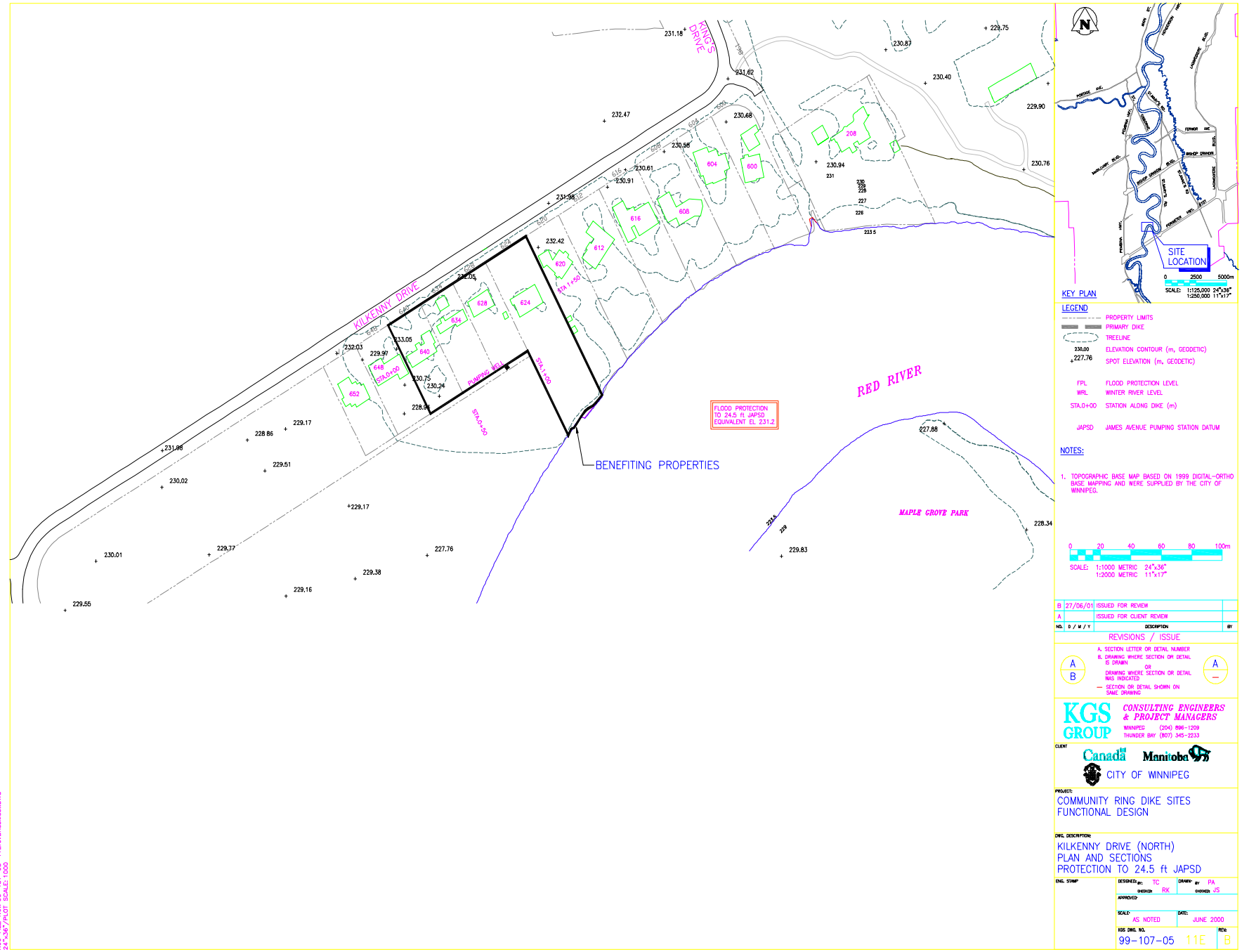
II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the foregoing and submit same directly to Council for approval.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Attachment “A” referred to in Clause 3 of the Report of the Standing Policy Committee on Public Works dated April 30, 2002



Attachment “B” referred to in Clause 3 of the Report of the Standing Policy Committee on Public Works dated April 30, 2002



Attachment “C” referred to in Clause 3 of the Report of the Standing Policy Committee dated April 30, 2002

No.	Parcel ID	Address	Parcel Area (m^2)	Total Cost $37,000	Annual Cost over 20 yrs
1	3042637000	624 Kilkenny Drive	3,242	$9,250	$897.07
2	3042636000	628 Kilkenny Drive	1,393	$9,250	$897.07
3	3042634000	634 Kilkenny Drive	1,393	$9,250	$897.07
4	3042631000	640 Kilkenny Drive	1,393	$9,250	$897.07

Attachment "D" referred to in Clause 3 of the Report of the Standing Policy Committee dated April 30, 2002

PROPOSED SCHEDULE FOR COUNCIL ADOPTION OF KILKENNY DRIVE NORTH COMMUNITY RING DIKE LOCAL IMPROVEMENT DISTRICT

Target Dates/ Completion Dates:	**Description of activity to be completed or completed:**
July 18, 2001	*Council passed By-law No. 7877/2001 to establish the Committee of Council for the proposed Kilkenny Dive North Community Ring Dike Local Improvement District.*
March 19, 2002	*Meeting with property owners to finalize dike design.*
April 3, 2002	*Dike drawings finalized (for incorporation into the Local Improvement District Proposal document).*
April 3, 2002	*District Proposal Committee (Riel CC) approves April 22 Hearing date.*
April 3-April 5	*Administration prepares notices and documentation for the public hearing on April 22, 2002.*
April 8, 2002	*Publish the notice, as described in By-law 6990/97, in Free Press at least 14 days before the date of the public hearing.*
April 8, 2002	*Serve copies of the notice together with the information package by mail at least 14 days before the date of the public hearing to each property owner (per By-law 6990/97).*
April 15, 2002	*Agenda deadline for Riel Community Committee.*
April 22, 2002	*Conduct public hearing by District Proposal Committee and Administration (Section 392.1(7)) at the Riel Community Committee meeting.*
April 23, 2002	*Completion date for LI district proposal and to formulate recommendations to committees of Council.*
April 23, 2002	*Agenda deadline for Standing Policy Committee on Public Works.*
April 30, 2002	*Standing Policy Committee on Public Works meeting – proposal reviewed.*
May 1, 2002	*Agenda deadline for Executive Policy Committee.*
May 8, 2002	*Executive Policy Committee meeting – proposal reviewed.*
May 9, 2002	*Legal Services to draft Authorization By-law for Council approval.*

May 22, 2002	*Council meeting (to review district proposal and give 1st reading of the district improvement by-law, in whole or in part, with or without changes to any of the matters set out in the proposal).*
May 24, 2002	*By registered mail, send notices of objection to each land owner (Section 392.1(9)(b)). Contents of notice of objection described in Section 392.1(12).*
May 24, 2002	*Advertise the proposed by-law (Section 392.1(9)(a)) in Free Press. Contents of notice described in Section 392.1(10).*
June 24, 2002	*Deadline for submission of notices of objection (31 days from date of mailing).*
June 25, 200	*Objection results are tabulated for sufficiency and recommendation to Council prepared.*
June 26, 2002	*Agenda deadline for EPC meeting.*
July 3, 2002	*Executive Policy Committee meeting – receives vote results.*
July 17, 2002	*Council meeting – 2nd and 3rd readings of the authorization by-law.*

EASEMENT SCHEDULE

April 23 to June 25	*Access easement and maintenance agreements sought from owners.*

ENVIRONMENTAL APPROVAL SCHEDULE

April 23 to June 25	*Obtain environmental approvals.*

TENDER AND CONSTRUCTION SCHEDULE

July 19, 2002	*Dike Works Tender advertised.*
July 29, 2002	*Tender closes.*
August 2, 2002	*Director of Water and Waste awards contract.*
October 18, 2002	*Dike works and site restoration complete.*