Lord Avenue Community Ring Dike Local Improvement District Proposal
File SL-1 (Vol. 21)

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 $1,400,000.00 for this project. The Government of Canada and the Province of Manitoba are each contributing $630,000.00 and the City of Winnipeg is contributing $140,000.00. 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 Lord Avenue Community Ring Dike Project, the community has been consulted on flood mitigation options through public hearings held in the community by the Project Manager for this project. The community has indicated a willingness to proceed with the project. Accordingly, the local improvement process has been initiated by the city.

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

" (a) by the Council ".

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

By-law No. 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 May 22, 2002, Council passed By-law No. 8033/2002 that established the Councillors of Riel Community Committee as the District Proposal Committee for the proposed Lord Avenue Community Ring Dike. The District Proposal Committee subsequently called for a public hearing to take place on June 11, 2002, for the purpose of receiving representations from the public on the project.

Project Description:

The main components of the Lord Avenue Community Ring Dike are a segmental concrete block wall dike and earth fill placed as required to attain the designated flood protection level. The project includes purchasing the vacant property located between 32 and 38 Lord Avenue.

UMA Engineering Ltd., 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:

The area affected by the proposal and depicts the parcels that are subject to the local improvement levy are outlined on Attachment "B". 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 estimated cost of the portion of the project is $1,400,000.00 that will be shared as follows; $630,000.00 by the Government of Canada, $630,000.00 by the Province of Manitoba, and $140,000.00 by the City of Winnipeg. Pursuant to the Council directive, the city share will be recovered from the benefiting property owners, except for the cost of purchasing the vacant property ($10,000) between 32 and 38 Lord Avenue. Therefore, $130,000 is subject to levy.

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 Lord Avenue Community Ring Dike, each benefiting parcel is to equally share the costs to be recovered by the local improvement, which can be paid as cash in the amount of $11,818 or financed over 20 years at a rate of $1,146.13 per year.

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 Lord Avenue 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 Lord Avenue Community Ring Dike benefiting properties located at 4, 6, 8, 16, 28, 32, 38, 42, 44, 46, 48 Lord Avenue and the vacant property between 32 and 38 Lord Avenue be proceeded with.

II. That, subject to Council passing the Lord Avenue Community Ring Dyke Local Improvement District By-law:

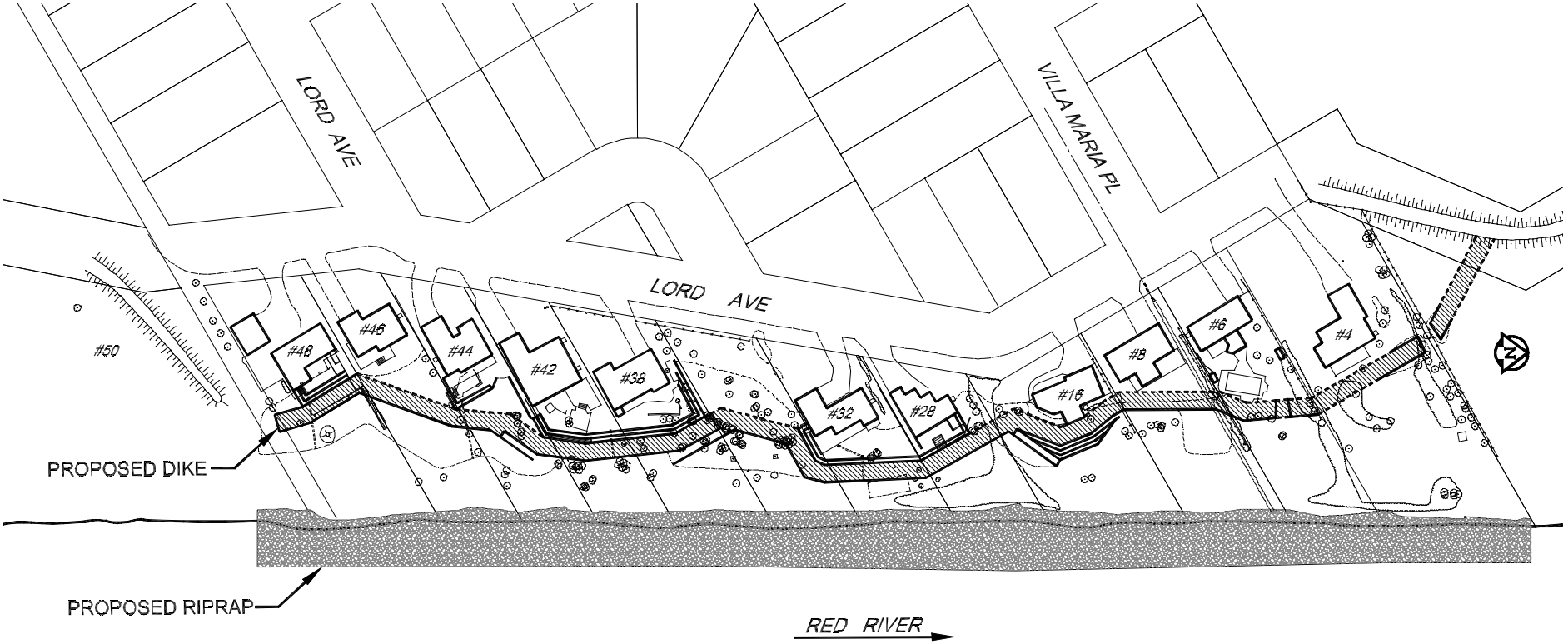
A. The Director of Planning, Property and Development be authorized to negotiate the purchase of the lot located between 32 and 38 Lord Avenue, to a maximum amount of $100,000.00. The City of Winnipeg's portion of said purchase, ten percent (10%), will be funded from the Council approved Capital Budget for Permanent Secondary Dykes;

B. The City's portion of the cost of purchasing this vacant lot be excluded from the local improvement.

III. 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.

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

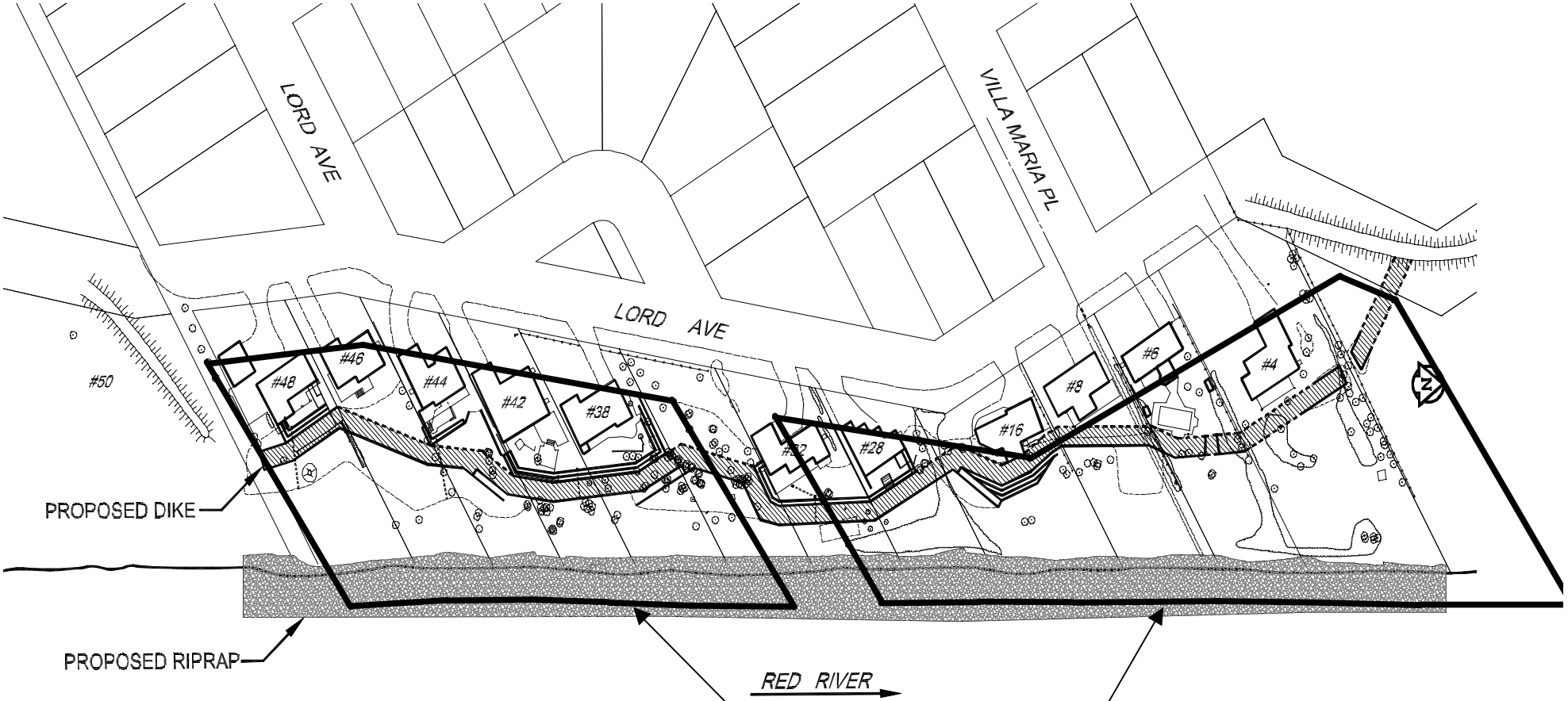
Attachment “A” referred to in Clause 3 of the Report of the Standing Policy Committee on Public Works dated June 25, 2002



Note: Dike top elevation = 231.1 metres above sea level (equivalent to 22.5 feet at James Avenue)

SCOPE OF WORK

Attachment “B” referred to in Clause 3 of the Report of the Standing Policy Committee on Public Works dated June 25, 2002



BENEFITING PROPERTIES

Lord Avenue Table of Parcel Details
Appendix 3

No.	Parcel ID	Address	Parcel Area (m2)	Total Cost[1]	Annual Cost Over 20 Years
1	03030706000	4 Lord Avenue	3,759	$11,818	$1,146.13
2	03030705000	6 Lord Avenue	1,902	$11,818	$1,146.13
3	03030701500	8 Lord Avenue	1,773	$11,818	$1,146.13
4	03030701800	16 Lord Avenue	1,785	$11,818	$1,146.13
5	03030692600	28 Lord Avenue	1,166	$11,818	$1,146.13
6	03030692800	32 Lord Avenue	1,343	$11,818	$1,146.13
7	03030693000				$0.00
8	03030693200	38 Lord Avenue	1,675	$11,818	$1,146.13
9	03030692000	42 Lord Avenue	1,423	$11,818	$1,146.13
10	03030691100	44 Lord Avenue	1,469	$11,818	$1,146.13
11	03030686200	46 Lord Avenue	1,652	$11,818	$1,146.13
12	03030685900	48 Lord Avenue	2,026	$11,818	$1,146.13
			19,973	$130,000	

1. Total cost/square metre is $130,000 divided by the total number of benefiting properties

Attachment "D" referred to in Clause 3 of the Report of the Standing Policy Committee on Public Works dated June 25, 2002

PROPOSED SCHEDULE FOR COUNCIL ADOPTION OF LORD AVENUE COMMUNITY RING DIKE LOCAL IMPROVEMENT DISTRICT

Target Completion Dates:	***Description of activity to be completed:***
May 22, 2002	*Council adopts Local Improvement District Initiation Bylaw to establish the Committee of Council (District Proposal Committee) for the proposed Lord Avenue Community Ring Dike Local Improvement District.*
May 23, 2002	*District Proposal Committee approves June 11, 2002 Hearing date.*
May 23-May 28	*Administration prepares notices and documentation for the public hearing on June 11, 2002.*
May 28, 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.*
May 28, 2002	*Serve copies of the notice by mail at least 14 days before the date of the public hearing to each property owner (per By-law 6990/97).*
June 11, 2002	*Conduct public hearing by District Proposal Committee & Administration (Section 392.1(7)).*
June 14, 2002	*Completion date for LI district proposal and to formulate recommendations to committees of Council.*
June 18, 2002	*Agenda deadline for Standing Policy Committee on Public Works.*
June 25, 2002	*Standing Policy Committee on Public Works meeting – proposal reviewed.*
June 26, 2002	*Agenda deadline for Executive Policy Committee.*
July 3, 2002	*Executive Policy Committee meeting – proposal reviewed.*
July 5, 2002	*Legal Services to draft Authorization By-law for Council approval.*
July 17, 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).*
July 31, 2002	*Advertise the proposed by-law (Section 392.1(9)(a)) in Free Press. Contents of notice described in Section 392.1(10).*

July 31, 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).*
Sept. 3, 2002	*Deadline for submission of notices of objection (31 days from date of mailing).*
Sept. 6, 2002	*Objection results are tabulated for sufficiency and recommendation to Council prepared.*
Sept. 11, 2002	*Agenda deadline for EPC meeting.*
Sept. 18, 2002	*Executive Policy Committee meeting – receives vote results.*
Sept. 25, 2002	*Council meeting – 2nd and 3rd readings of the authorization by-law.*

EASEMENT SCHEDULE

June 12 to Sept. 25 Access easements and maintenance agreements sought from owners.

ENVIRONMENTAL APPROVAL SCHEDULE

June – July 2002	*Habitat Mapping.*
Aug 1 to Sept. 25	*Obtain environmental approvals, specifically DFO Authorization.*

TENDER AND CONSTRUCTION SCHEDULE

Oct. 25, 2002	*Lower Bank Works Tender advertised.*
Nov. 22, 2002	*Tender closes.*
December 6, 2002	*Director of Water and Waste awards contract.*
March 15, 2003	*Lower Bank Works complete.*
April 15, 2003	*Dike Works Tender Advertised*
May 16, 2003	*Tender Closes.*
May 30, 2003	*Director of Water and Waste awards contract*
Sept. 30, 2003	*Dike works and site restoration complete.*