

**5. BRITANNIA VILLAGE OTTAWA RIVER FLOOD PROTECTION – SETTING OF THE SPECIAL SERVICE CHARGE**

**PROTECTION CONTRE LES INONDATIONS CAUSÉES PAR LA RIVIÈRE DES OUTAOUAIS EN CRUE DANS LE VILLAGE DE BRITANNIA – MISE EN PLACE DE FRAIS DE SERVICE SPÉCIAUX**

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. Enact an annual special levy over a 10-year period to recover the \$195,000 and associated carrying charges for the Britannia Village Ottawa River Flood Protection works, from the property owners identified in this report.**
- 2. Direct the first annual charge to respective property owners be part of the 2018 tax billing cycle.**

**RECOMMANDATIONS DU COMITÉ**

**Que le Conseil :**

- 1. adopte une taxe foncière annuelle spéciale, sur une période de 10 ans, pour recouvrer les 195 000 \$ et les frais financiers associés aux travaux de protection contre les inondations causées par la rivière des Outaouais en crue dans le village de Britannia. Cette taxe serait perçue auprès des propriétaires concernés identifiés dans ce rapport.**
- 2. demande que la première taxe annuelle recueillie auprès des propriétaires respectifs fasse partie du cycle de facturation des impôts de 2018.**

DOCUMENTATION/DOCUMENTATION

1. Director's report, Planning, Infrastructure and Economic Development, dated 19 January 2018 (ACS2018-PIE-IS-0002)

Rapport du directeur, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 19 janvier 2018 (ACS2018-PIE-IS-0002)

2. Extract of draft Minutes, Finance and Economic Development Committee, 6 February 2018

Extrait de l'ébauche du procès-verbal, Comité des finances et du développement économique, le 6 février 2018

**Report to  
Rapport au:**

**Finance and Economic Development Committee  
Comité des finances et du développement économique  
6 February 2018 / 6 février 2018**

**and Council  
et au Conseil  
14 February 2018 / 14 février 2018**

**Submitted on 19 January 2018  
Soumis le 19 janvier 2018**

**Submitted by  
Soumis par:  
Alain Gonthier,  
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**Infrastructure Services / Services de la planification  
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**Ward: BAY (7) / BAIE (7)**

**File Number: ACS2018-PIE-IS-0002**

**SUBJECT: Britannia Village Ottawa River Flood Protection – Setting of the  
Special Service Charge**

**OBJET: Protection contre les inondations causées par la rivière des  
Outaouais en crue dans le village de Britannia – Mise en place de  
frais de service spéciaux.**

## **REPORT RECOMMENDATIONS**

**That the Finance and Economic Development Committee recommend Council:**

- 1. Enact an annual special levy over a 10-year period to recover the \$195,000 and associated carrying charges for the Britannia Village Ottawa River Flood Protection works, from the property owners identified in this report.**
- 2. Direct the first annual charge to respective property owners be part of the 2018 tax billing cycle.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité des finances et du développement économique recommande au Conseil :**

- 1. d'adopter une taxe foncière annuelle spéciale, sur une période de 10 ans, pour recouvrer les 195 000 \$ et les frais financiers associés aux travaux de protection contre les inondations causées par la rivière des Outaouais en crue dans le village de Britannia. Cette taxe serait perçue auprès des propriétaires concernés identifiés dans ce rapport.**
- 2. de faire en sorte que la première taxe annuelle recueillie auprès des propriétaires respectifs fasse partie du cycle de facturation des impôts de 2018.**

## **BACKGROUND**

Portions of Britannia Village are constructed within the 1:100-year flood plain limits of the Ottawa River, as defined by the Rideau Valley Conservation Authority (RVCA). There has been historical flooding of the area resulting in compromised access and use of property, increased public safety risks and inconveniences and flooding damage to property and dwellings.

Flood protection has been an issue and a topic of discussion in the community since the 1990's. In 2004, the Britannia Village community requested the RVCA to review and develop a project aimed at protecting existing properties in the flood prone portion of the Britannia Village community against flood damages, public safety risks and

inconvenience that would be associated with over-bank flooding during a 1:100-year flood event on the Ottawa River.

In June of 2006 (ACS2006-PWS-INF-0005), Council approved implementation and cost sharing of the flood control works subject to community support to cost participate. The approval also included that:

- The City's share in the amount of 50 per cent of the cost of the base regulatory flood protection measures up to \$390,000, and 100 per cent of the cost in excess of \$390,000, provided the total escalated project costs for the base regulatory measures are demonstrated to continue to be economically viable as a flood protection measure.
- The City recover the private property owners' share, representing 50 per cent of the cost of the base regulatory flood protection measures up to \$390,000 and 100 per cent of the cost of the enhanced wave protection measures up to \$80,000, through a special area charge to be levied subject to a by-law to be established once construction is complete and the final costs, carrying charges and term of the recovery have been determined.

The community chose not to proceed with the enhanced wave protection measures and their share of the costs is 50 per cent of \$390,000 or \$195,000. Following the 2006 document, subsequent reports on the matter to Planning and Environment Committee and Corporate Services and Economic Development Committee confirmed the property owners share of the work at \$195,000 (ACS-PWS-INF-0007, ACS-CCS-PEC-0027).

The proposed works were to be designed, constructed, operated and maintained by the RVCA, using its powers under the *Conservation Authorities Act*, in cooperation with the City of Ottawa. The City agreed to collaborate with the RVCA on the project through financing the works and establishing a cost recovery process from property owners benefitting from the work for portions of the costs. The community was provided with details regarding the proposed concept and cost sharing implications. Sample documentation provided is included as Document 1.

The RVCA and City entered into a Memorandum of Understanding (MOU) December 1, 2008 (signed by City and RVCA officials on January 23, 2009 and February 17, 2009 respectively) with respect to each other's role in the project. The MOU was

subsequently revised in 2014 and amended in 2017. A copy of the MOU is included as Document 2.

Continued consultations with the community led to what was considered an acceptable solution for abutting property owners in 2013. The concept evolved to a proposed solution for works that included a berm constructed of earth material, retaining wall modifications, armor stone revetments, and site grading with localized drainage improvements.

The timeline of the works is as follows:

- In 2013 and 2014, preliminary and final design consultations were completed.
- In 2013, the City applied to the province and received funding assistance of \$650,000 relating to the Britannia Village Flood Control Project and the Belltown Flood Control and Mapping Project (provincial ref OCI-033 and By-law 2013-85). Six hundred thousand dollars of that funding has supported implementation of the Britannia Village flood protection project.
- The project was originally tendered in July 2014. Prior to award, discussions with property owners resulted in a need to adjust the berm alignment and design features that precluded contract award and start of construction in 2014.
- Design adjustments were completed over the course of winter and spring 2015.
- The tender was completed in September of 2015 and award of contract in October 2015.
- Construction commenced in the fall of 2015 and was substantially completed late in 2016. Work was completed on a remaining small section of berm by the end of 2017.

Total final costs of the works including, necessary easement acquisitions, are approximately \$2 million. It is noted that the berm was effective in protecting the community during the 2017 flooding event, demonstrating the value of the investment to the community.

The purpose of this report is to seek approval of the Special Area Charge to recover the community's share of the project.

## **DISCUSSION**

Special Area Charge provisions are calculated on the basis of the property assessment values for property owners within the benefitting area. The benefitting area was generally defined as those properties within the flood plain as defined by the RVCA in 2006. The exception being those properties that had viable alternate egress routes in the event of 1:100 year flood event. Through discussion with the RVCA, there are approximately 96 properties subject to the charge, as described in Document 3.

The special area charge process precludes consideration of properties opting in or out over the course of the term and it also precludes lump sum payment provisions. The City recovers carrying charges associated with the private property owners' share of the costs that are advanced by the City. The charge is calculated based on the current assessed property values for the given year and levied on an annual basis for a fixed term; in this case a 10-year term.

For example, based on the fixed recovery amount of \$195,000 and estimated carrying costs for the term, the 2017 charge for the average residential property (assessed value of \$530,633) would be \$231 (based on the 2017 assessed values in the affected area).

Upon approval, Legal Services and Revenue Services will impose the levy through the annual by-laws required to recover the \$195,000 and associated carrying costs through an annual charge over its 10-year duration starting with the 2018 tax billing cycle. The City will provide updates and distribute information to impacted property owners.

Completion of the works in 2017 allows the final elements of the MOU to be put in place including the RVCA's development of a detailed and comprehensive maintenance plan (item 18), the RVCA's operations and maintenance of the system (item 19) and the associated invoicing and City payments to RVCA for operations and maintenance (item 20) as outlined in the MOU between the City and RVCA (Document 2). It also allows consideration of changes to land use planning and development approvals under the *Planning Act* for properties with reduced flood risk (see Document 4).

## **RURAL IMPLICATIONS**

There are no rural implications associated with this report.

## **CONSULTATION**

There has been extensive dialogue with the community and community association dating back to 2004 and through to final implementation over the course of 2016 and 2017. Cost sharing under a special service charge was a specific topic during discussions with the community at large through information sessions, individual inquires, community association meetings and the community liaison committee formed in 2013 to bring the issue of flood protection to a conclusion.

## **COMMENTS BY THE WARD COUNCILLOR**

Councillor Taylor provided the following comments:

“I have been fully aware of this project from 2010. My office undertook significant work with staff and partners to land on a solution that addressed both the need to protect properties and people as well as the desire to move the community to a place where some development renewal could begin. Thankfully, the substantial part of the project was in place to defend the community in the 2017 flooding and the project proved its value. I will continue to work with staff and community to further the development renewal commitments pledged as a result of this project.”

## **LEGAL IMPLICATIONS**

There is no legal impediment to the adoption of the recommendations in this report.

## **RISK MANAGEMENT IMPLICATIONS**

Risks were identified as part of the various documents provided to Planning and Environment Committee and Council in respect to the project (2006, 2007, 2010, 2014). Risks associated with this report would be the City incurring costs of \$195,000 should the annual special levy not be enacted.

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report. The flood protection measures come under RVCA stewardship for ongoing maintenance and repair.



## **FINANCIAL IMPLICATIONS**

The \$195,000 special levy revenues will be applied against the \$195,000 budgeted local improvement revenues within 904470 LI-Britannia Village-Ottawa River Flood Protection. Revenues from carrying costs will fund the associated long-term receivable costs over the ten-year period.

## **ACCESSIBILITY IMPACTS**

There are no accessibility impact implications associated with this report.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

Financial Sustainability: FS1 – Demonstrates sound financial management

FS2 – Align strategic priorities to Council's financial targets

## **SUPPORTING DOCUMENTATION** (Held on file with the City Clerk)

Document 1 Sample information to residents regarding the charge (2006)

Document 2 Memorandum of Understanding with RVCA

Document 3 Properties subject to the charge

Document 4 Development regulations in flood vulnerable portions of Britannia Village

## **DISPOSITION**

Upon approval, Legal Services and Revenue Services will provide for the imposition of the levy through the annual by-laws required to recover the \$195,000 and associated carrying costs through an annual charge over its 10-year duration starting with the 2018 tax billing cycle.