



Staff Report

Legal Services

Report To: Council Meeting
Meeting Date: April 11, 2022
Report Number: FAF.22.087
Title: Fraser Crescent Flood Follow-Up to Staff Report FAF.22.068
Prepared by: Will Thomson, Director of Legal Services

A. Recommendations

THAT Council receive Staff Report FAF.22.087 entitled "Fraser Crescent Flood Follow-Up to Staff Report FAF.22.068";

AND THAT Council directs that the total amount of relief funds is \$_____ in accordance with Staff Report FAF.22.068 and Council's endorsed Motion of April 11, 2022.

B. Overview

This report is being provided to Council as a follow up to Staff Report FAF.22.068 as directed by Council.

C. Background

At the March 29, 2022, Committee of the Whole, the Committee passed the following Motion:

THAT Council receive Staff Report FAF.22.068, entitled "Flood Relief and Inflow and Infiltration Program";

AND THAT Council direct Staff to provide relief funds to affected residents who were displaced by sewage backup flooding related to the September 22, 2021, rain event, to those that have contacted the Town, with the amount of the relief funds to be determined by Council and staff;

AND THAT Council direct staff to communicate with the residents affected by the September 22, 2021, rain event, to request a brief summary of damages and net costs from each resident affected by the September 22, 2021, rain event;

AND THAT the deadline referenced in Staff Report FAF.22.068, is extended to April 29, 2022;

AND THAT Council direct Staff to develop an inflow and infiltration reduction and backflow prevention rebate strategy and program, retroactive to September 22, 2021, as set out in this Staff Report.

Staff have communicated (via email) with the 10 affected residents who had previously contacted the Town and have received 8 responses to the inquiry.

The eight properties claimed damages in the following approximate amounts:

- < \$5000 – one property
- \$5000 – \$10,000 – one property
- \$10,000 – 25,000 – four properties
- \$25,000 - \$50,000 – zero properties
- \$50,000 - \$75,000 – one property
- > \$75,000 – one property.

D. Analysis

In general, the claimed amounts often sought compensation for insurance deductibles, insurance shortfalls or refusals, personal effects, displacement costs, personal hours, backflow valves, storage, and other semi-related costs.

The average claim is \$30,135.90. If we remove the outlier properties at each end of the spectrum (less than 5000 and greater than 75,000), the average is \$22,138.40.

The aggregate cost of all claims is \$241,086.72.

If Council endorses their Motion and directs that Staff allocate funds, Staff will seek interested parties until April 29, and then send out an application form which will require a more detailed breakdown of costs, including justifications, receipts and where appropriate, proof that the damage was caused by sewer flowing from the September 2021 weather event.

Further, Staff would like to reiterate that this initiative is and should be viewed only as a goodwill effort on the part of the Town and not an admission of any liability related to the September 2021 flood event and in fact, the Town continues to maintain that it is not liable for any damages.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

It is anticipated that the inflow and infiltration program as discussed in Staff Report FAF.22.068 will net overall environmental benefits to the Town and residents.

G. Financial Impacts

The available (non-allocated) balance in the WW Reserve is: \$2,300,000.

H. In Consultation With

Shawn Everitt, CAO
Serena Wilgress, Manager of Purchasing and Risk Management
Ruth Prince, Director of Finance & IT.
Shawn Carey, Director of Operations
Alison Kerhsaw

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Will Thomson, Director Legal Services directorlegal@thebluemountains.ca.

J. Attached

None

Respectfully submitted,

Will Thomson
Director Legal Services

For more information, please contact:
Will Thomson, Director Legal Services
directorlegal@thebluemountains.ca
519-599-3131 extension 258

Report Approval Details

Document Title:	FAF.22.087 Fraser Crescent Flood Follow-Up to Staff Report FAF.22.068.docx
Attachments:	
Final Approval Date:	Apr 7, 2022

This report and all of its attachments were approved and signed as outlined below:

Will Thomson - Apr 7, 2022 - 2:01 PM

No Signature found

Shawn Everitt - Apr 7, 2022 - 2:03 PM