

6. **Reimbursement of the Intersection at Bank Street and Blais Road/Miikana Road**
Remboursement relatif à l'intersection se trouvant à la hauteur de la rue Bank et des chemins Blais et Miikana

Committee recommendation

That Council approve the increase of the financial authority for the reimbursement of the intersection at Bank Street and Blais Road/Miikana Road from \$950,000 inclusive of H.S.T. to \$1,092,500, plus taxes.

Recommandation du Comité

Que le Conseil approuve l'accroissement des pouvoirs financiers en vue du remboursement relatif à l'intersection de la rue Bank et des chemins Blais et Miikana, de 950 000 \$, TVH incluse, à 1 092 500 \$, plus taxes.

Documentation/Documentation

1. Report from the Director, Planning Services, Planning, Infrastructure and Economic Development Department, dated April 27, 2021 (ACS2021-PIE-PS-0060)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 27 avril 2021 (ACS2021-PIE-PS-0060)

2. Extract of draft Minutes, Planning Committee, May 13, 2021

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 13 mai 2021

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**Comité de l'urbanisme
Rapport 42
le 26 mai 2021**

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
13 May 2021 / 13 mai 2021**

**and Council
et au Conseil**

26 May 2021 / 26 mai 2021

**Submitted on 27 April 2021
Soumis le 27 avril 2021**

**Submitted by
Soumis par:**

**Lee Ann Snedden
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

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Ward: OSGOODE (20)

File Number: ACS2021-PIE-PS-0060

**Ward: GLOUCESTER-SOUTH NEPEAN
(22) / GLOUCESTER-NEPEAN
SUD (22)**

**SUBJECT: Reimbursement of the Intersection at Bank Street and Blais
Road/Miikana Road**

**OBJET: Remboursement relatif à l'intersection se trouvant à la hauteur de la
rue Bank et des chemins Blais et Miikana**

REPORT RECOMMENDATION

That Planning Committee recommend Council approve:

The increase of the financial authority for the reimbursement of the intersection at Bank Street and Blais Road/Miikana Road from \$950,000 inclusive of H.S.T. to \$1,092,500, plus taxes.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver ce qui suit :

L'accroissement des pouvoirs financiers en vue du remboursement relatif à l'intersection de la rue Bank et des chemins Blais et Miikana, de 950 000 \$, TVH incluse, à 1 092 500 \$, plus taxes.

BACKGROUND

Planning Committee on October 10, 2017 considered and adopted a walk-on motion to provide for the reimbursement of 1534524 Ontario Inc. and Findlay Creek Properties (South) Ltd. of \$950,000 inclusive of H.S.T. for the cost of intersection improvements at what would become the intersection of Bank Street with Blais Road and Miikana Road. The motion was added to the agenda as the abutting subdivision was nearing registration and absent Council approval for the funding of the intersection, the subdivision could not proceed. Pursuant to an Ontario Municipal Board decision, intersections of arterial roads and collectors are to be funded by development charges and staff do not have the delegated authority to permit the registration of a Plan of Subdivision where such would require the expenditure of funds not yet approved by Council.

DISCUSSION

The recommendation provides for the reimbursement of "\$950,000 inclusive of H.S.T." Of the 13 per cent H.S.T., 11.24 per cent is reimbursed to the City from the federal and provincial governments and do not have to be recovered from development charges. The non-reimbursable 1.76 per cent is recoverable from development charges and thus the recommendation should have provided that the 1.76 per cent or "sunk" H.S.T. was in addition.

With respect to the total cost to be reimbursed to the developer, at the time the road modification agreement was entered into by the developer for the intersection works, a

letter of credit was required in the amount of \$1,154,320 to secure the cost of the works. The invoiced cost of the intersection was slightly less at \$1,135,777. The amending development charges background study in 2017 provided for a standard rate for reimbursement of intersections at an amount to be \$950,000. However, it was acknowledged that in certain instances, a higher amount may be appropriate. The amending background study stated:

As the March 8, 2017 decision of Council was an interim decision, a firm limit on reimbursement was provided in the report, being \$950,000 for a standard intersection and \$2,000,000 for a roundabout. The interim report noted that the cost of these works would be revisited in this Background Study. The Development Charges By-law, in respect of oversizing, provides for a contingency for water, wastewater and stormwater. This Background Study also provides for a contingency of up to 15 per cent for intersections and roundabouts, subject to the allocation of funds in the annual budget process and the approval by the General Manager, Planning, Infrastructure and Economic Development.

Inclusive of the contingency provision, the amount possible for reimbursement is \$1,092,500 which is recommended by staff. The further 1.76 per cent non-reimbursable.

H.S.T. (\$19,228) will be recovered by the City from development charges.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

All development approvals were conducted according to the requirements of the *Planning Act* and the City's Public Notification and Consultation Policy. The development is in agreement with this report.

COMMENTS BY THE WARD COUNCILLORS

Councillor Darouze concurs with this report.

Councillor Meehan is aware of this report.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendation of this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with the front-ending of the intersection.

ASSET MANAGEMENT IMPLICATIONS

There are no direct asset management implications associated with the recommendations in this report.

FINANCIAL IMPLICATIONS

The additional funding requirement of \$142,500 plus applicable taxes on \$1,092,500 will be funded from the 2022 Intersection Control Measures project subject to Council approval.

ACCESSIBILITY IMPACTS

All infrastructure will be designed in accordance with all relevant legislation and regulations.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications with the construction of the intersection.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

- C2 – Enable the achievement of our short- and long-term success
- ES1 – Support an environmentally sustainability.

DISPOSITION

Legal Services will prepare an amendment to the road modification agreement to provide for the payment of the additional amount. The Treasurer to earmark funds for repayment as noted in this report.