

5. **HICKORY STREET PARTIAL TEMPORARY ENCROACHMENT FEE WAIVER AND ALLOCATION OF FEES FOR STREETSCAPING IMPROVEMENTS**
- EXONÉRATION DES DROITS D'EMPIÈTEMENT TEMPORAIRE PARTIEL DE LA RUE HICKORY ET ALLOCATION DES DROITS POUR DES AMÉLIORATIONS AU PAYSAGE DE RUE**

### **COMMITTEE RECOMMENDATIONS**

That Council approve:

1. **The reduction of development-related temporary construction encroachment fees for the Hickory Street Municipal Right-of-Way for a period of 8 months by 50% in recognition of the fact that these lands will be both used for remediation and construction staging at the same time, for an anticipated revenue loss of \$6000.00.**
2. **That all temporary construction encroachment fees collected in association with the development and estimated to be approximately \$650 000.00, based on the estimated need for space within the municipal Right-of-Way during construction, be directed to a new internal order and used to fund the design and implementation of streetscaping improvements on the Hickory Street Municipal Right-of-Way;**
3. **That staff be directed to explore the possibility of an agreement to facilitate the construction of the streetscaping improvements by SOHO CHAMPAGNE PHASE 2 LIMITED PARTNERSHIP within the timeline of the development works they are undertaking at 115 Champagne Avenue South;, and that the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to enter into such agreement for the streetscaping improvements on the Hickory Street Municipal Right-of-Way to the**

**upset limit of the project cost provided that adequate funding is identified through the PRED departmental budget, with appropriate reporting out on the use of this delegation of authority to Council.**

### **RECOMMANDATIONS DU COMITÉ**

**Que le Conseil approuve :**

- 1. la réduction de 50 % des droits d’empiétement temporaire lié à des travaux d’aménagement pour l’emprise municipale de la rue Hickory pendant une période de huit mois, étant donné que ces terrains seront utilisés en même temps pour l’assainissement et l’échelonnement de la construction, pour une perte de revenu estimée à 6 000,00 \$.**
- 2. que tous droits d’empiétement temporaire lié à des travaux de construction recueillis qui sont associés à l’aménagement et estimés à environ 650 000,00 \$, selon le besoin d’espace estimé à l’intérieur de l’emprise municipale lors des travaux, soient versés à une nouvelle commande interne et utilisés pour financer la conception et la mise en place de l’amélioration du paysage de rue dans l’emprise municipale de la rue Hickory;**
- 3. qu’on demande au personnel d’explorer la possibilité d’une entente pour faciliter l’aménagement des améliorations du paysage de rue par la PHASE 2 DU PARTENARIAT LIMITÉ AVEC SOHO CHAMPAGNE selon le calendrier des travaux d’aménagement entrepris au 115, avenue Champagne Sud; et que soit délégué au directeur général de la Direction générale de la planification, de l’immobilier et du développement économique et à l’avocat général le pouvoir de conclure cette entente d’amélioration du paysage de rue dans l’emprise municipale de la rue Hickory jusqu’à la limite du coût du projet, pourvu que du financement adéquat soit établi dans le budget de la DGPIDE et qu’un rapport convenable soit rédigé sur l’utilisation de cette délégation de pouvoirs.**

**DOCUMENTATION / DOCUMENTATION**

1. Councillor J. Leiper's report, dated 18 February 2022 (ACS2022-OCC-TRC-0003).

Rapport du Conseiller J. Leiper, daté le 18 février 2022 (ACS2022-OCC-TRC-0003).

**Subject:      Hickory Street Partial Temporary Encroachment Fee Waiver and  
Allocation of Fees for Streetscaping Improvements**

**File Number: ACS2022-OCC-TRC-0003**

**Report to Transportation Committee on 2 March 2022**

**and Council 9 March 2022**

**Submitted on February 18, 2022 by Christopher Zwierzchowski, Committee  
Coordinator**

**Contact Person: Councillor J. Leiper, Kitchissippi Ward (15)**

**613-580-2485, Jeff.Leiper@ottawa.ca**

**Ward: Kitchissippi (15)**

**Objet :      Exonération des droits d'empiétement temporaire partiel de la rue  
Hickory et allocation des droits pour des améliorations au paysage  
de rue**

**Dossier : ACS2022-OCC-TRC-0003**

**Rapport au Comité des transports**

**le 2 mars 2022**

**et au Conseil le 9 mars 2022**

**Soumis le 18 février 2022 par Christopher Zwierzchowski, Coordonnateur du  
comité**

**Personne ressource : Conseiller J. Leiper, quartier Kitchissippi (15)**

**613-580-2485, Jeff.Leiper@ottawa.ca**

**Quartier : Kitchissippi (15)**

## **REPORT RECOMMENDATIONS**

**That the Transportation Committee recommend Council approve:**

- 1. the reduction of development-related temporary construction encroachment fees for the Hickory Street Municipal Right-of-Way for a period of 8 months by 50% in recognition of the fact that these lands will be both used for remediation and construction staging at the same time, for an anticipated revenue loss of \$6000.00.**
- 2. that all temporary construction encroachment fees collected in association with the development and estimated to be approximately \$650 000.00, based on the estimated need for space within the municipal Right-of-Way during construction, be directed to a new internal order and used to fund the design and implementation of streetscaping improvements on the Hickory Street Municipal Right-of-Way;**
- 3. that staff be directed to explore the possibility of an agreement to facilitate the construction of the streetscaping improvements by SOHO CHAMPAGNE PHASE 2 LIMITED PARTNERSHIP within the timeline of the development works they are undertaking at 115 Champagne Avenue South;, and that the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to enter into such agreement for the streetscaping improvements on the Hickory Street Municipal Right-of-Way to the upset limit of the project cost provided that adequate funding is identified through the PRED departmental budget, with appropriate reporting out on the use of this delegation of authority to Council.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité des transports recommande que le Conseil approuve :**

- 1. la réduction de 50 % des droits d’empiétement temporaire lié à des travaux d’aménagement pour l’emprise municipale de la rue Hickory pendant une période de huit mois, étant donné que ces terrains seront utilisés en même temps pour l’assainissement et l’échelonnement de la construction, pour une perte de revenu estimée à 6 000,00 \$.**
- 2. que tous droits d’empiétement temporaire lié à des travaux de construction recueillis qui sont associés à l’aménagement et estimés à environ**

**650 000,00 \$, selon le besoin d'espace estimé à l'intérieur de l'emprise municipale lors des travaux, soient versés à une nouvelle commande interne et utilisés pour financer la conception et la mise en place de l'amélioration du paysage de rue dans l'emprise municipale de la rue Hickory;**

- 3. qu'on demande au personnel d'explorer la possibilité d'une entente pour faciliter l'aménagement des améliorations du paysage de rue par la PHASE 2 DU PARTENARIAT LIMITÉ AVEC SOHO CHAMPAGNE selon le calendrier des travaux d'aménagement entrepris au 115, avenue Champagne Sud; et que soit délégué au directeur général de la Direction générale de la planification, de l'immobilier et du développement économique et à l'avocat général le pouvoir de conclure cette entente d'amélioration du paysage de rue dans l'emprise municipale de la rue Hickory jusqu'à la limite du coût du projet, pourvu que du financement adéquat soit établi dans le budget de la DGPIDE et qu'un rapport convenable soit rédigé sur l'utilisation de cette délégation de pouvoirs.**

## **BACKGROUND**

At the Transportation Committee meeting on February 2, 2022, Councillor J. Leiper introduced a Notice of Motion for consideration at the subsequent meeting. The motion is now before Transportation Committee for consideration.

## **DISCUSSION**

Councillor J. Leiper has provided the following motion for Transportation Committee's consideration:

WHEREAS a portion of the Hickory Street Right-of-Way between Champagne Avenue and the O-Train Trillium line has been impacted by petroleum hydrocarbon contamination;

AND WHEREAS the partnership approach to undertaking environmental remediation was the subject of a report, Hickory Street Remediation ([ACS2021-PIE-CRO-0011](#)) that was approved by Council on July 7, 2021;

AND WHEREAS, the remediation work in the Hickory Street Municipal Right-of-Way is being coordinated by SOHO CHAMPAGNE PHASE 2 LIMITED PARTNERSHIP;

AND WHEREAS per the Council report and the Temporary Encroachment By-law 2003-446 where a proponent is undertaking remediation activities, temporary encroachment fees are waived. However, temporary encroachment fees remain payable for construction-related purposes;

AND WHEREAS, the remediation works currently being undertaken will take approximately 8 months until final re-instatement can be completed, during which time portions of the Hickory Street Municipal Right-of-Way will also be able to accommodate some encroachment for construction-related purposes and SOHO CHAMPAGNE PHASE 2 LIMITED PARTNERSHIP wishes to also use the encroachment for those purposes, provided that construction-related use will not interfere with or negatively impact the ongoing remediation work;

WHEREAS a woonerf or streetscaping on this portion of the Hickory Street Municipal Right-of-Way and abutting the development site is planned as part of the Preston-Carling Community Design Plan, but remains an unfunded project;

THEREFORE BE IT RESOLVED that Council approve the reduction of development-related temporary construction encroachment fees for the Hickory Street Municipal Right-of-Way for a period of 8 months by 50% in recognition of the fact that these lands will be both used for remediation and construction staging at the same time, for an anticipated revenue loss of \$6000.00.

AND BE IT FURTHER RESOLVED THAT that all temporary construction encroachment fees collected in association with the development and estimated to be approximately \$650 000.00, based on the estimated need for space within the municipal Right-of-Way during construction, be directed to a new internal order and used to fund the design and implementation of streetscaping improvements on the Hickory Street Municipal Right-of-Way;

AND BE IT FURTHER RESOLVED that staff be directed to explore the possibility of an agreement to facilitate the construction of the streetscaping improvements by SOHO CHAMPAGNE PHASE 2 LIMITED PARTNERSHIP within the timeline of the development works they are undertaking at 115 Champagne Avenue South;, and that

the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to enter into such agreement for the streetscaping improvements on the Hickory Street Municipal Right-of-Way to the upset limit of the project cost provided that adequate funding is identified through the PRED departmental budget, with appropriate reporting out on the use of this delegation of authority to Council.

## **FINANCIAL IMPLICATIONS**

### **Recommendation 1**

The estimated loss of revenue of \$6,000 will impact Right of Way, Heritage and Urban Design's (ROWHUD) operating budget status.

### **Recommendation 2**

Diverting encroachment revenues, estimated at \$650,000, will impact ROWHUD's operating budget status.

A new internal order for the Hickory Street municipal right-of-way streetscaping improvements will be established with a budget of \$650,000, 100% funded from encroachment revenues collected from the development.

### **Recommendation 3**

There are no direct financial implications.

## **LEGAL IMPLICATIONS**

There are no legal impediments to adopting the recommendations outlined in this report.

## **COMMENTS BY THE WARD COUNCILLOR(S)**

Councillor Leiper raised this issue, by way of Notice at the February 2 Transportation Committee meeting and can provide further context upon request.

## **ADVISORY COMMITTEE(S) COMMENTS**

Not applicable



## **CONSULTATION**

No specific consultation was conducted in respect of this report. The public was notified of this report in such that the Notice of Motion was raised at the public meeting of the Transportation Committee on February 2, 2022, and was listed on the associated meeting Disposition, which was posted to Ottawa.ca. Subsequently, the meeting was advertised in community newspapers and on Ottawa.ca, and the agenda was published on Friday, February 18, 2022.

Public delegations may be received by the Committee.

## **ACCESSIBILITY IMPACTS**

The City's Accessibility Design Standards and AODA Integrated Accessibility Standards Regulations will be addressed during the study, design and construction phases.

## **RISK MANAGEMENT IMPLICATIONS**

There are no known risk management implications associated with this report.

## **RURAL IMPLICATIONS**

There are no rural implications associated with the report recommendation.

## **TERM OF COUNCIL PRIORITIES**

Integrated Transportation: Enable effective mobility through a sustainable, accessible and connected city transportation system.

Outcomes:

- An integrated transportation network that incorporates all modes of getting around;  
and
- Transportation infrastructure investment is sustainable and meets long-term needs.

## **DISPOSITION**

Staff will take direction from Committee and Council and proceed accordingly.