

Report to/Rapport au :

Transportation Committee
Comité des transports

and Council / et au Conseil

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Submitted by/Soumis par :

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SUBJECT: PRESTON STREET RECONSTRUCTION – MANAGEMENT OF GATEWAY FEATURE AND ON-STREET RETROFITS

OBJET : RECONSTRUCTION DE LA RUE PRESTON - GESTION DE LA PORTE D'ENTRÉE ET DES MODIFICATIONS DE LA VOIE PUBLIQUE

REPORT RECOMMENDATIONS

That Transportation Committee recommend that Council:

1. Direct staff to draft the maintenance agreement with the Preston BIA so that the maintenance and ownership of the 'Bambini' gateway feature are addressed in a manner consistent with similar gateway projects (Chinatown Gateway, Preston Portal Archway); and
2. Approve that \$308,000 of the residual funds remaining in the Preston Street project budget be applied to on-street retrofits so that the electrical, tree guards and tree lighting is handled in a consistent manner throughout the construction area.

RECOMMANDATIONS DU RAPPORT

Que le Comité des transports recommande au Conseil :

1. d'ordonner au personnel de préparer l'accord d'entretien avec la ZAC de la rue Preston de manière à ce que la propriété et l'entretien des statues « Bambini » de la porte d'entrée soient conformes aux projets de porte

d'entrée similaires (porte d'entrée du quartier chinois, arc décoratif de la rue Preston); et

2. d'approuver que 308 000 \$ des fonds résiduels du budget du projet de la rue Preston soient appliqués aux modifications de la voie publique pour que le système électrique, les corsets d'arbre et l'illumination d'arbre soient gérés de façons similaires dans tout le chantier.

BACKGROUND

In May 2008, road reconstruction of Preston Street was initiated by the City from Albert Street to Carling Avenue to rehabilitate and replace sewers and watermains as well as to install new sidewalks and roadway pavement. In addition, the projects were to implement the Preston Street Streetscape Plan that was approved by Council on November 20, 2005. The 'Bambini' grew out of a concept design that included entrance features as part of that streetscaping plan.

<http://ottawa.ca/calendar/ottawa/citycouncil/occ/2005/11-30/pec/ACS2005-PGM-POL-0061.htm>

Staff were informed that the Preston Street Business Improvement Area (Preston BIA) were intending to use the site surrounding the intersection of Gladstone and Preston Streets as a gateway feature that would include their own proposed artworks component with a piazza concept. It was the BIA's desire that this area not be included as part of the public art program.

A separate report was submitted to Council in August 2010, to address the Preston Street Gateway. The resolution approved a waiver to the Encroachment By-law to permit permanent surface encroachments in the form of artwork. It also directed staff to amend the Maintenance and Liability Agreement to require that the Preston Street Business Improvement Association fund the total construction (excepting foundations and concrete crosswalks), as well as the annual maintenance costs and operational costs of the private art.

Preston streetscaping design commenced in 2002, with construction beginning in 2008 and continuing for 3 years concluding in 2010. As a result of the long planning window, tree lighting elements which were not under consideration for the earlier phases of the project were installed in the later phases. This resulted in some areas not being provided with tree lighting while others have a lighting system, with power being provided to a bollard, which the BIA then connected to the tree guard at their own cost.

DISCUSSION

Bambini Gateway

Based on the August 2010 resolution staff proceeded in preparing the amended Maintenance and Liability Agreement with the Preston BIA. Included in the agreement

were clauses that the final ownership of the gateway feature (the “Bambini”) would remain with the BIA as private artwork.

The BIA have requested that the ownership of the “Bambini” be transferred to the City. The ownership of the Bambini Gateway would be consistent with the ownership for the Portal Arch further south on Preston Street and the Chinatown Gateway on Somerset Street. The 2010 resolution clearly identified that the Preston BIA would be responsible for funding the total construction (except foundation and sidewalks), as well as the annual maintenance costs and operational costs in a form satisfactory to the City Solicitor.

In November 2008 Council approved Design Guidelines for Development Application Gateway Features. These Guidelines were amended in December of 2011. The Guidelines set out a process for entrance features and gateway features related to new developments to be assumed by the City of Ottawa. The Design Guidelines provide a framework for the funding of ongoing maintenance and operational costs for the City by Developers as proponents for the gateways. The Guidelines could be used for the Bambini Gateway however, the Preston BIA have indicated that they are satisfied to maintain the ongoing responsibility for the annual maintenance and operation of the gateway feature, including the Bambini, for the lifetime of the feature. Staff require direction identifying whether the final ownership of the Bambini Gateway Feature should rest with the City.

Tree Lighting

The Preston Street BIA have requested that the City consider applying a portion of the remaining balance from the Preston Street reconstruction project budget towards pursuing the following changes to arrive at a consistent treatment for decorative lighting of the street:

- 1) Retrofit at a total estimated cost of \$145K
 - a. The west side of Preston Street between Eccles and Oak to provide tree lighting,
 - b. The west side of Preston Street between Young and Aberdeen to provide tree lighting,
 - c. Removal of bollards, with direct electrical feeds provided to tree guards,
- 2) Reimbursement of approximately \$163K to the Preston BIA for electrical work undertaken to allow for tree lighting upon the satisfactory submission of supporting documentation,

The total cost of the work and reimbursement is estimated to be \$308K. This would make the tree lighting system consistent throughout the construction corridor, and would be similar with what was installed on Bank St. through Centretown (2006-2009), and is being installed on Bank St. in the Glebe (2011-2012).

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

The Preston St. BIA has been consulted in the preparation of this report and is in support of the recommendations.

Infrastructure Services Department Comments

The Preston Street Portal Arch was approved under the Region of Ottawa-Carleton in 1999. At that time, it was made clear that the Arch was to be funded by the BIA and that the BIA would be responsible for ongoing maintenance and operation of the archway but that the actual ownership of the structure would rest with the Region. A similar ownership arrangement was established for the Somerset Street Chinatown Arch in 2007 when Council directed that the BIA fund the total construction, annual maintenance and operational costs of this City-owned structure.

The Preston Street reconstruction was initiated in 2008 in accordance with the Council approved Preston Street Streetscape Plan approved by Council in 2005. The Council Motion at that time indicated that the City was to enter into a Maintenance Agreement with the BIA concerning the funding of hydro for the decorative streetlighting and the ongoing maintenance of the streetscape improvements. A motion on the funding of streetscape improvements was deferred at that time. In 2008, Council passed a motion which directed that the Preston BIA pay the capital and installation cost for any requested pedestrian fixtures above the City's lighting policy and that the BIA is responsible for the maintenance, operational and hydro costs of the additional pedestrian fixtures. The Right of Way Lighting Policy was also approved by Council in 2008.

In 2008 the Design Guidelines for Development Application Gateway Features was approved by Council. The Guidelines were designed to permit new features through the development review process. This Guideline was further amended in 2011 to remove the Supplementary Maintenance Fund and replace it with a new Maintenance Fund formula, and to allow one primary neighbourhood gateway feature to be constructed per 50 hectares (5km x 5km square area) as opposed to one per 100 hectares. The Guideline could be used as a basis for the Bambini artwork to be considered a Gateway feature. The BIA would then be required to contribute to the Gateway Feature Maintenance Fund to allow for maintenance of the feature for the next 20 years.

In 2010, Council approved a waiver to the Encroachment Bylaw to allow the Preston BIA to install artwork at the northeast and southeast corners of the Gladstone and Preston intersection. Council also directed that the Maintenance and Liability Agreement identified in the 2005 resolution be amended to indicate that the BIA was to fund the total construction (excepting foundations and concrete crosswalks) as well as the annual maintenance costs and operational costs of the private art. It was staff's understanding at that time that the Bambini artwork were to be privately owned by the BIA.

The identified \$308K in additional costs can be accommodated from within the existing Preston Street project budget. Staff will follow committee and Council direction with regards to this matter.

Public Works Department Comments

The Public Works Department is supportive of the recommendations presented in the report. In follow up to the 2008 Council motion that directed that the Preston BIA pay the capital and installation cost for any requested pedestrian fixtures above the City's lighting policy and that the BIA is responsible for the maintenance, operational and hydro costs of the additional pedestrian fixtures, the Preston BIA will be responsible for the maintenance, operational and hydro costs associated with installing separate electrical receptacles for the proposed tree lights, which are to be installed on a separate metered electrical system from the City of Ottawa's streetlighting system.

COMMENTS BY THE WARD COUNCILLOR(S)

Councillor Holmes is supportive of the recommendations of this report, so that the Bambini is treated in a manner consistent as the Portal Arch and the Chinatown Gateway and to ensure a consistent lighting treatment down the street.

LEGAL IMPLICATIONS

There are no legal impediments to the implementation of the recommendations of this report. Upon Council approval, the Maintenance and Liability Agreement will be modified to reflect the City's ownership of the Bambini Gateway feature as well as the Preston BIA's responsibility for the annual operating and maintenance costs of the Bambini Gateway feature for the lifetime of the feature.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

FINANCIAL IMPLICATIONS

The maintenance agreement will outline ongoing operating cost responsibilities, including any City financial implications.

The \$308,000 for the tree lighting retrofit and the reimbursement to the BIA are available within 904022 Preston Street.

ACCESSIBILITY IMPACTS

The direction to staff regarding the Bambini maintenance agreement will have no impact on the physical structures.

The removal of the bollards running the electricity to the street trees will reduce obstacles outside of the travelled portion of the right-of-way.

TECHNOLOGY IMPLICATIONS

There are no direct technical implications associated with this report.

TERM OF COUNCIL PRIORITIES

This recommendation supports the 2010-2014 Term of Council Priorities: Economic Prosperity. The Bambini is a project of the Preston Street Business Improvement Area, and is being developed as a gateway feature to the business and cultural area of Little Italy.

SUPPORTING DOCUMENTATION

June 9, 1999, Regional agreement for the Portal Arch
http://www.ottawa.ca/calendar/ottawa/archives/rmoc/Regional_Council/09Jun99/Fnpresto.pdf

August 25, 2010, Report to Council on the Preston gateway feature
<http://ottawa.ca/calendar/ottawa/citycouncil/occ/2010/08-25/csdc/11-CS2010-ICS-CSS-0013%20-%20Preston%20St%20Gateway.htm>

DISPOSITION

Legal Services in consultation with Infrastructure Services will prepare an amendment to the Maintenance and Liability Agreement with the Preston St BIA in a form satisfactory to the City Solicitor.

Infrastructure Services will implement the retrofit of the decorative streetlighting electrical system as outlined in this report. Costs of the work and reimbursement to the BIA is estimated at \$308,000 and will be taken from remaining project funds.