

Staff Report

Report To: City Council
Report From: Pamela Coulter, Director of Community Services
Meeting Date: January 30, 2023
Report Code: CS-23-013
Subject: Enabling Accessibility Fund (EAF) – Small Projects
Component, Downtown River Precinct Phase II

Recommendations:

THAT in consideration of Staff Report CS-23-013 respecting Enabling Accessibility Fund (EAF) – Small Projects Component, Downtown River Precinct Phase II, City Council directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute the funding agreement for a grant of \$100,000.

Highlights:

- The City has an approved conceptual plan for the Downtown River Precinct, a four-block area of the River District from 8th to 10th Streets on 1st Avenues East and West. An Environmental Assessment (EA) was approved for the capital works for this area.
- The 900 block of 1st Avenue East has been identified as the next phase, and Council has supported an approved capital budget for 2021 for this area's final detailed engineering and landscape architect design.
- The river lots in the 900 block, which are located on the west side of 1st Avenue East are subject to a Crown Patent, and Council had previously provided direction to staff to return these lands to the owner opposite on 2nd Avenue East.

- The project was tendered late in 2022 and did not move forward due to pricing. The project scope and design elements have been amended, and the project has been tendered in January of 2023.
- In Fall of 2022, staff applied for an Enabling Accessibility Grant for the pedestrian boardwalk along the top of the riverbank. The City has received notification that the grant has been successful. Council approval of a by-law to authorize the funding agreement is required.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: City Building - KR1- Phase 2 of Downtown River Precinct 100% complete by December 2022

Previous Report/Authority:

[Approved Environmental Assessment](#)

[Approved Capital Budget for DRP II 22C.2](#)

Background:

Northwood Associates Landscape Architects was retained in August 2012 to prepare a conceptual and schematic urban design plan for the Downtown River Precinct (DRP).

The project goals were:

- Improve the character and perception of the project area;
- Make an inviting and inclusive public space, strengthening the image and identity of the downtown; and,
- Embrace and highlight the natural environment of the Sydenham River.

The DRP implements important recommendations of the Downtown and Harbourfront Master Plan. The implementation of Phase I in 2019 has set a positive direction and climate for redevelopment in the downtown. The plan states, "Communities prosper when places are liveable, and people enjoy being there."

The DRP project includes four blocks (Attachment 1). In June 2018, Council approved a master plan for the Municipal Class EA for the entire project. A

phased implementation of the plan was envisioned, respecting the City's capital budget and the ability of staff to implement the overall capital plan each year. In the 2021 capital budget, there were funds for the engineering and urban design for the next phase of the DRP, the 900 block of 1st Avenue East.

The lands in the 900 block of 1st Avenue East, west of 1st Avenue are subject to a Crown Patent. According to the patent, the lands are to be held by the City in a trust that requires the City to lease the parts of the river frontage to the owners of the property fronting on the west side of 2nd Avenue East.

The City is entitled, under the patent, to terminate the leases only if it considers it necessary or advisable to extend the navigable channel of the river upstream to or beyond the riverfront lands. In November 2020, Council directed that the river lots be transferred to the owner opposite on 2nd Avenue East. In addition to the transfer, staff negotiated an easement along the top of the river bank in this area for an accessible pedestrian boardwalk. The street is narrow (40' as opposed to the more typical 66'), and this boardwalk is key to providing accessible pedestrian access in this phase of the project. An illustration of the design is included in Attachment 2.

Analysis:

On Tuesday, January 17, 2023, the City received notification that we had been successful in our grant application under the 2022 Enabling Accessibility Fund (EAF) – Small Projects Component. The maximum grant under the Small Projects Component is \$100,000, and the City will receive \$100,000.

A by-law is required by Council to authorize the execution of the funding agreement.

Financial Implications:

The overall project cost is included in the approved 2023 capital budget at \$1,767,000, which includes the pedestrian boardwalk.

The grant will support the overall capital project not funded by the Ontario Community Infrastructure Fund.

Communication Strategy:

Prior to the initiation of construction, the City's Engineering Division will be working on communication with the adjacent and impacted property owners and businesses.

Consultation:

In 2018, the City completed the EA for the project, which included significant public consultation.

In 2021 and 2022, meetings were held individually with the landowners in the 900 block of 2nd Avenue East. Public sessions were held in December 2021 at the Bayshore Community Centre to present the design. Members of the River District were included in these sessions. The design has been presented to the Operations Advisory Committee (December 2021) and the Accessibility Advisory Committee.

Attachments:

1. 4-Block conceptual design
2. 900 Block, Pedestrian Boardwalk and design

Recommended by:

Pamela Coulter, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Pamela Coulter, Director of Community Services, at pcoulter@owensound.ca or 519-376-4440 ext. 1252.