



City of
Peterborough

To: Members of the General Committee

From: Sheldon Laidman, Commissioner of Community Services

Meeting Date: October 15, 2019

Subject: Report CSD19-016
New Arena and Aquatics Complex Location and Funding Opportunity

Purpose

A report to recommend that the Arena Complex be built at Fleming College and a funding application be submitted.

Recommendations

That Council approve the recommendations outlined in Report CSD19-016 dated October 15, 2019, of the Commissioner of Community Services, as follows:

- a) That staff be directed to pursue the alternate site for the New Arena and Aquatic Complex at Fleming College, Peterborough;
- b) That staff be directed to submit an application to the Investing in Canada Infrastructure Program – Community, Culture and Recreation Stream to support the first phase of the New Arena and Aquatic Complex and, if successful, a by-law be passed authorizing the Mayor and Clerk to enter into a transfer payment agreement for the associated funding; and
- c) That the Chief Administrative Officer and City Clerk be delegated the authority to sign a Memorandum of Understanding with Fleming College to the satisfaction of the City Solicitor; and
- d) That the necessary additional municipal contribution required by the application (\$13,335,000) be included in the 2021 Capital Budget.

Budget and Financial Implications

The approved budget to date for the project is \$3.5 million (Budget Reference # 6-6.05).

To date, \$3,156,592 net of HST has been spent for the development of the New Arena and Aquatic project.

If the City is successful with funding from the Investing in Canada Infrastructure Program – Community, Culture and Recreation Stream (ICIP- CCR) grant, funds will need to be budgeted for the municipal share of the project in the 2021 year. The project is included in the current Development Charges (DC) Background Study and DC funds will provide some of the municipal share. The following chart provides a breakdown of costs for an anticipated \$53.5 Million project, assuming that \$3.5 Million is not eligible for grant funding:

Chart 1 – Sample Funding for New Arena and Aquatics Complex

	Pre-approved Budget (ineligible)	Incremental Budget (eligible)	Total Budget
Total Capital Cost	\$3,500,000	\$50,000,000	\$53,500,000
Funding Sources			
ICIP – CCR Province		16,665,000	16,665,000
ICIP – CCR Federal		20,000,000	20,000,000
User Fee Debentures – Arena Surcharge		2,500,000	2,500,000
Development Charges	1,751,400	7,868,600	9,620,000
Municipal Contribution	1,748,600	2,966,400	4,715,000

Background

This recommendation to move locations is necessary now due to two recent events – the opportunity for funding and the recent designation of a Provincially Significant Wetland, which includes the current project site, on Pioneer Road.

Current Project Status

The Arena and Aquatics Complex project proposed for a 24-acre site at Pioneer Road has been essentially ‘shovel ready’ since September 2018, awaiting appropriate levels of funding to become available in order to proceed with construction. Through a series of environmental studies, the City addressed all site conditions to obtain all necessary

permits. Otonabee Region Conservation Authority (ORCA) issued a permit dated April 17, 2018 for the site which remains in place until July 2020.

The previous provincial government had made a commitment to this project in the amount of \$18 million. However, in the Fall of 2018, after the provincial election, the new government did not commit to the funding but told the City there would be future opportunities for recreational projects through the federal and provincial bi-lateral agreements. Council approved Report CSD18-012, December 12, 2018 deferring the project to 2020 pending the anticipated funding.

Table 1 below outlines the costs to date on the project;

Table 1: Project Expenditures/Commitments to date

Description	Amount
Consulting Fees Phase 1 – Award Report CSD16-002	\$384,000
Consulting Fees Phase 2 – Award Report CSD16-028	\$2,073,400
Consulting Fees Amendment – Award Report CSD19-001	\$228,917
Studies Testing and Inspection	\$140,275
Miscellaneous – Surveys, Commissioning, Permits	\$330,000
Total	\$3,156,592

Funding Update

ICIP – Community Culture and Recreation Grant Funding

On September 3, 2019, the provincial government opened the application process for the funding of recreation and cultural infrastructure projects. This is a bi-lateral funding opportunity between the provincial and federal governments. The funding model is split as 40% federal, 33.33% provincial and 26.67% covered by the municipality.

City staff plan to make an application to the ICIP-CCR funding opportunity for the new arena and aquatic complex project. An individual project cap is identified as \$50 Million in total eligible project costs. With this restriction, the pool will not be included in this application but will be noted as a future phase. The deadline for this application is November 12, 2019.

Site

The area on the project site at Pioneer Road was designated by the Ministry of Natural Resources and Forestry (MNR) as Provincially Significant Wetland (PSW), as of August 27, 2019. Throughout the arena and aquatics project design process, the City was working to meet the guidelines provided by the ORCA and an evaluation of the wetland by the MNR on the arena complex site was never requested. The request for an evaluation of the wetland on the Cleantech Commons site was made by the MNR

in 2017 during studies of the wetland area situated further along Pioneer Road, on the North side of the road. The very recent PSW designation has complexed a large area covering a number of wetland parcels on Trent University lands, including the site identified for the new arena complex attached as Appendix A – Complexed Wetland Area.

Through continued engagement/consultation with First Nation Communities, it has become apparent that, with the recent designation of the PSW, options on the current site for development have become increasingly hampered by the need for buffer zones and setbacks. As a result of the recent PSW designation, the First Nations Communities have strongly expressed that they cannot support the project on the Pioneer Road site. First Nations Communities consider this land to be comprised of significant natural heritage and spiritual features and contains traditional medicinal plants.

Given the recent developments with the current site, staff are recommending that the location for the project be changed. Three alternate sites are being offered at the Trent University campus. Staff has reviewed these options at a high level. These sites are at risk of having similar issues as the original site which may prohibit development of a large arena complex. As a result and given the tight timeline to make application, staff are recommending the Fleming College North Campus site, as shown in Appendix B, that was previously rated as the second option in Report CSD15-019 dated June 29, 2015 now be considered as the primary site option.

The Fleming College North Campus site was a close second for consideration and was not the final selection as the site was smaller at 13 acres. It would fit a twin pad arena with future expansion opportunity for a pool and a third ice pad but not a fourth pad.

The design would include the following program elements, based on site fit requirements:

- A twin pad arena with 500 seats on each pad;
- An elevated walking/running track;
- 12 team change rooms and 2 official rooms;
- A team training center;
- Office / Administration / Customer Service space for City staff;
- Office space leased to sport group(s);
- A concession stand;
- Two multipurpose rooms;
- Public washrooms, elevator and storage;
- Landscaping and parking;
- LEED certified construction standard;
- Phase 2 Competitive 8 lane pool with changerooms;
- Phase 3 third ice pad expansion;

The proposed alternate site is in proximity to the existing Peterborough Sport and Wellness Centre allowing the opportunity of further expanding upon the successful collaboration between the City and Fleming College. An opportunity exists to consider the advantages of complexing the existing sport facilities at Fleming College with both the twin pad arena and competitive pool to create a comprehensive Sports tourism destination.

Due to the very short timeline to make an application for funding, preliminary discussions have already occurred with Fleming College to ensure their original offer to partner with the City as presented in 2015 could be revisited.

City and Fleming College Staff met on the proposed Fleming College site along with First Nations Communities as part of an initial early stage consultation to assure that the proposed site at Fleming is fully supported and to implement a consultation framework for the project. This is a priority component as part of a successful application for ICIP funding. The application program guidelines include the requirement for consultation with Indigenous Peoples where an activity is contemplated that may adversely impact an established or asserted Aboriginal or treaty right. First Nation Communities have continued to collaborate with staff through the process of considering alternate options for this project. Staff will continue to consult with First Nation Communities throughout the application and subsequent stages of the project. The City's application will be strengthened with endorsement from the First Nation Communities. It has been suggested that, upon invitation, staff attend Treaty 20 First Nation Council meetings to introduce the project and assure consultation will occur throughout the project.

Further site exploration and development of the project at the proposed new location along with a Memorandum of Understanding between the City and Fleming College and letters of support from First Nations would form part of the funding application.

Costs to pursue an alternate site location

It is expected that most of the design and consulting work will be transferable to this new site Consulting work undertaken with user groups and staff to define the design of the project will remain instrumental information in any future drawing package development. The micro planning tasks required for the project that have been undertaken to date would also be transferrable information.

There is a cost of \$60,980 for consulting fees for the review and conceptual design of the project at the alternate staff recommended Fleming College site that can be accommodated in the currently approved budget. This fee includes the production of documentation, cost analysis and funding application support. Future consulting costs on the project moving forward would be dependant on a successful funding outcome where 77.33% of costs would be covered through the funding.

Summary

Council's endorsement of the recommendation will allow staff to submit an application for the ICIP funding by the deadline for an Arena Complex at the Fleming location. Changing of locations is required as a result of the recent PSW designation on the original project site and the requirement for additional buffer zones and setbacks. While these circumstances are unfortunate, relocating the new arena complex to the Fleming site will make it possible to proceed with an application for the required funding in order to build a new arena complex for the community.

Submitted by,

Sheldon Laidman,
Commissioner of Community Services

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Attachment:
Appendix A – Wetland Complex Area Map
Appendix B – Fleming College North Site