

DEVELOPMENT CHARGES BACKGROUND STUDY AND BY-LAWS

ACS2014-PAI-PGM-0111

CITY WIDE

The following Motion was introduced as a technical amendment to correct errors contained in the French version of the report recommendations, to ensure that the French report recommendations were in conformity with the English version.

MOTION N^o PLC 74/3

Moved by Councillor J. Harder:

That the Planning Committee approve the substitution of the attached revised recommendation pages for Report No. ACS2014-PAI-PGM-0111, "Development Charges Background Study and By-laws" and that this report be received and considered, as amended by the foregoing.

CARRIED

REPORT RECOMMENDATIONS:

That the Planning Committee recommend that Council approve:

- 1. The City of Ottawa Development Charges Background Study dated April 28, 2014 and the City of Ottawa Area-Specific Background Study for Individual Stormwater Management Ponds and Drainage Systems dated April 28, 2014,;**
- 2. That the current Development Charges By-law be repealed and that the successor general Development Charge By-law and the area-**

specific stormwater by-laws, substantially in the form and content included in the City of Ottawa Development Charges Background Study, dated April 28, 2014 and the City of Ottawa Area-specific Development Charges Background Study for Individual Stormwater Management Ponds and Drainage Systems, dated April 28, 2014 be enacted;

- 3. That the list of non-statutory exemptions, subject to the transition provisions, be as follows:**
 - a) Non-profit Day Care and Long-term Care Facilities, except for the Public Transit Charge;**
 - b) Place of Worship and Land Used in Connection With, except for the Public Transit Charge;**
 - c) Churchyard, Cemetery or Burying Ground;**
 - d) Non-residential use for Bona Fide Agricultural Purposes;**
 - e) Farm Retirement Lots;**

- f) Non-residential Buildings less than 180 square feet;**

 - g) Temporary Buildings;**

 - h) Non-profit Housing, except for the Public Transit Charge;**

 - i) Non-profit Health Care Facility, except for the Public Transit Charge;**

 - j) Brownfields; and**

 - k) Development in the vicinity of stations along the Confederation Line, 50 per cent of the Roads and Related Services Charge.**
- 4. That rates be indexed on an annual basis, commencing on August 1, 2015 in accordance with an index contained within the Statistics Canada - Capital Expenditure Price Statistics;**
- 5. That, with respect to recommendations 3a), 3h), 3i), and 7 that pursuant to the Development Charges Act, subsection 12(3), Council determines that no further public meeting is necessary;**

- 6. That the allowance of redevelopment credits applied to the demolition of buildings be limited to development that occurs within a 10 year period of the demolition of the existing building and that commencing January 1, 2019, this allowance be limited to development that occurs within a five year period;**

- 7. That the proposed increase in development charge rates be phased in, according to the following schedule:**

 - From the time of By-law enforce date to September 30, 2014, the rates in the current by-law will be in effect, other than the area specific development charges;**

 - On October 1, 2014, the full calculated rates will apply;**

- 8. That the funding envelopes for the Shirley's Brook (Area W-2) Area Specific Stormwater Front-Ending agreements be increased by \$127,000 to \$3,250,000 in respect of the agreement with Klondike Development Inc. and \$333,000 to \$1,283,600 in respect of the agreement with Riotrin Properties (March Road) Inc.;**

- 9. That the funding envelope for the Neighbourhood 5 (Area E-6) Area Specific Stormwater Facilities (Area E-6) be increased by \$475,996 for the balance of trunk sewer oversizing by others and \$4,500,000 for the Ultimate pond construction to a total of \$19,097,694.00;**

10. The requirement for Council to reimburse the Development Charges account for the loss of any funds through an exemption granted by Council.

At the outset, with regard to *Affordable Housing* and *Child Care* aspects of the Development Charges (DCs) report, Chair Hume explained that the City's DC Sponsors Group had received advice leading to uncertainty as to whether funds could be spent for any facilities other than those that were owned, leased or operated by the City, as in most cases, the City uses third-party providers. He informed those who wished to speak to these aspects of the report that a Motion had been drafted to direct staff to prepare a supplemental background study for Affordable Housing and a review of the municipal financing of Child Care, to be submitted to Planning Committee at the earliest opportunity.

Mr. Tim Marc, Senior Legal Counsel, Corporate Development and Environmental Law Branch, City Clerk and Solicitor's Department, explained that a background study released in April contained no capital cost level of service information that would substantiate DCs for these areas. He noted that the current DCs will expire with the adoption of a new DC By-Law on 11 June 2014, but that staff will be working to provide Council with background studies and a determination of service levels and charges to reinstate these DCs as soon as possible. He added that a public consultation process will be undertaken as required under the *Development Charges Act*.

Bay Ward Councillor and Chair of the Community and Protective Services Committee, Mark Taylor, added that these elements could be added onto the DCs By-Law in the coming months. The Councillor explained that the relevant studies would give the City an opportunity to examine these areas to potentially

broaden the scope of how these moneys may be used in ways that may be more relevant today than existed when DC By-Laws were originally established.

The Chair asked those in attendance who had indicated a wish to speak to the above aspects of the DCs By-Law if they would consider giving up their speaking places if Committee were to adopt the above-referenced Motion. He noted that there will be opportunities to address these matters again when these aspects of DCs return for Committee's consideration in the near future.

The following indicated that they would be pleased to defer their comments to a later date, provided that there would be an opportunity to speak to this matter when it returns for Committee's consideration, and that all submissions received on this matter would form part of the public record for purposes of consultation:

- Mr. Tim Simboli, Chair, Alliance to End Homelessness
- Ms. Diane O'Neill*, Child Care Council of Ottawa
- Ms. Kate Carradine, Ottawa Child Care Association
- Ms. Kathy Arsenault, Coordinator, Vanier Cooperative School Age Program
- Ms. Shelley Bond*, Executive Director, City View Centre for Child and Family Services
- Mr. Geoff Hall
- Ms. Linda Lalonde

The following individuals had registered to address the Committee on Affordable Housing or Child Care aspects of DCs, but were no longer in attendance:

- Ms. Shellie Bird, Union Education Officer, CUPE Local 2204
- Ms. Khadija Khan-Potter and Christine Santele, CAWI

Correspondence was received from the following, also speaking to Affordable Housing or Childcare aspects of DCs:

- Mr. Ray Sullivan*, Executive Director, Centretown Citizens Ottawa Corporation

- Ms. Allison Trites*
- Mr. Hassan & Ms. Simone Shenassa*
- Ms. Viola Hoo*
- Mr. Caleb & Ms. Sarah DeBoer*
- Ms. Shannon Leo*
- Loren Matheson*
- Ms. Melinda & Mr. Robert Assaf*
- Ms. Shannon Thomson*
- Foong Peng Leong*
- Mr. Robert Brocklebank*
- Ms. Amy Kempster*

Councillor Harder then introduced the following Motion, with the addition of a provision to the original Motion for ongoing community consultation led by the General Manager of Community and Social Services:

MOTION N^o PLC 74/4

Moved by Councillor J. Harder (on behalf of Councillor M. Taylor):

WHEREAS the 2009 Development Charges By-law provided for the imposition of development charges for the growth-related capital costs for affordable housing and child care;

AND WHEREAS the draft 2014 Development Charge Background Study does not currently provide for the imposition of development charges for affordable housing and child care;

AND WHEREAS the City Clerk and Solicitor has provided an opinion to the effect that the City may impose such development charges where the growth-related capital costs are incurred by a third party authorized by the City;

AND WHEREAS a supplemental development charge background study will be required to impose these development charges for these two areas with additional preliminary work being required with respect to child care;

THEREFORE BE IT RESOLVED THAT Planning Committee recommend to Council that:

1. Staff be directed to prepare a supplemental development charge background study for affordable housing to be submitted to Planning Committee at the earliest possible opportunity.
2. Staff be directed to conduct a review of the municipal financing of child care focusing on how development charges could provide resources for growth-related capital costs with the outcome of the review to be reported to Committee and Council at the earliest possible opportunity.
3. There shall be ongoing community consultation led by the General Manager, Community and Social Services.

CARRIED

Committee heard from Mr. Graeme Hussey*, Development Manager, Centretown Citizens Ottawa Corporation (CCOC), and President, Centretown Affordable Housing Development Corporation (CAHDCO) on the importance of affordable housing as a Development Charge service.

Mr. John Moser, General Manager, Planning and Growth Management Department (PGM) introduced and acknowledged the efforts of the following:

- Ms. Marion Simulik, City Treasurer;
- Mr. Gary Baker, Program Coordinator, Development Charges, Business Support and Evaluation Unit, Business Services Branch, PGM,
- Mr. Tim Marc,
- Mr. Andrew Grunda, Watson & Associates, Economists Ltd. (Consultant);
- Mr. Wayne Newell, General Manager, Infrastructure Services Department,
- Ms. Vivi Chi, Manager, Transportation Planning Branch, PGM;
- DC Development Team, including Mr. Court Curry, Coordinator, Strategic Support, Business Support & Evaluation Unit, Business Services Branch, PGM and Ms. Krista Libman, Planner, Land Use and Natural Systems Unit, Policy Development and Urban Design Branch, PGM;
- The DC Sponsors Group, including Councillors Clark, El-Chantiri, Hobbs, Hubley, Qadri and Planning Committee Chair Hume.
- Members of the Industry Working Group.

Mr. Moser then spoke to a brief PowerPoint slide presentation overview of the report (held on file with City Clerk). Councillors D. Chernushenko, S. Moffatt, and K. Egli were also in attendance for parts of the consideration of this item.

Committee discussions included, but were not solely limited to: work undertaken by the Sponsors Group; consultation details; the provision of incentives and mechanisms to encourage development; encouraging growth in Transit-Oriented Development areas; parks construction through front-ending agreements; stormwater management; roads construction and maintenance; questions pertaining to growth assessment forecasts; contract management; DC calculations; risks and recoverable costs; reviews of existing standards; area-

specific costs and possible exemptions or grandfathering under the old By-Law, and; the potential and/or likelihood for an appeal of the new By-Law before the Ontario Municipal Board (OMB).

The Committee heard from the following individuals on various elements of DCs as relate to either development in general or for specific projects:

- Ms. Ursula Melinz, speaking on behalf of:
 - The Fernbank Landowners Group;
 - Owners in Area 6, Cavanagh & Regional;
 - Strandherd Road Inc.; and
 - Kanata North Landowners; 6095486 Canada Inc., 7089121 Canada Inc., Metcalfe Realty Company Ltd., JG Rivard Limited, & 8409706 Canada Inc.
- Messrs. Pierre Dufresne*, Rob Howe, Paul Sargent, Daryl Kelcher and Josh Kardish, speaking on behalf of the Greater Ottawa Home Builders Association (GOHBA)
- Mr. Doug Kelly, speaking on behalf of the Building Owners and Managers' Association (BOMA)
- Mr. Tony Campanale, Campanale Homes
- Mr. Alan Cohen, Soloway Wright, LLP
- Mr. Trevor Haché, Healthy Transportation Coalition

Correspondence was also received from the following on various elements of DCs as relate to either development in general or for specific projects:

- Dr. Ranjit Perera*, President, Humanics Universal Inc.
- Mr. Robert Howe*, Goodmans LLP, on behalf of the Greater Ottawa Home Builders Association (GOHBA)

- Ms. Kelly Rhodenizer*, Manager, Development Projects, Colonnade Development
- Mr. Robert Brocklebank*
- Ms. Amy Kempster*
- Mr. Bruce Lindsay*

The following individuals had originally registered to address the Committee on this item but were not in attendance:

- Mr. Ted Phillips, Taggart Developments / Tamarack Homes
- Mr. Doug Casey

[* Individuals / groups marked with an asterisk above either provided comments in writing or by email; all submissions are held on file with the City Clerk.]

Discussions having concluded, the Committee was asked to consider the following Motions:

MOTION N^o PLC 74/5

Moved by Councillor J. Harder:

WHEREAS the growth-related capital costs for which the City of Ottawa imposes development charges include costs related to the servicing of debt;

AND WHEREAS, once debt is issued, the principal amount of debt is not subject to increases;

AND WHEREAS it is therefore appropriate that the indexation for development charges not include indexing on the principal amount of debt outstanding;

THEREFORE BE IT RESOLVED THAT Planning Committee recommend to Council that the draft By-law attached as Appendix H to the Background Study be modified by the addition of the following subsection to section 18:

(3) The indexing pursuant to this section shall be calculated on the basis that the payments towards the principal component of any growth-related debt for which the City is or will be liable during the enactment of this by-law are not subject to the annual indexation.

BE IT FURTHER RESOLVED THAT Planning Committee recommend to Council that, pursuant to the *Development Charges Act*, subsection 12(3) it be determined that no further public meeting be required in respect of this modification.

CARRIED

MOTION N^o PLC 74/6

Moved by Councillor J. Harder:

WHEREAS the Development Charges Background Study and the Area-Specific Development Charge Background Study for Individual Storm Water Management Ponds and Drainage Systems were released to the public on April 28, 2014;

AND WHEREAS continued discussion and negotiation has taken place between staff, the Sponsors Group, and the Industry Working Group;

AND WHEREAS errors have been identified that require technical amendments to correct;

THEREFORE BE IT RESOLVED that Planning Committee recommend that City Council approve:

1. That Recommendation 1 be amended to read as follows:

The City of Ottawa Development Charges Background Study dated April 28, 2014 and the City of Ottawa Area-Specific Background Study for Individual Stormwater Management Ponds and Drainage Systems dated April 28, 2014, as amended by Addendum dated May 12, 2014.

2. That the draft by-law attached as Appendix H to the Background Study be revised in accordance with the following:

a) A definition of “non-industrial use” be introduced and the definition of “non-residential” use be revised in accordance with the following:

“non-industrial use” includes all land used for non-residential purposes other than for industrial use.

“non-residential use” includes all land used for purposes other than for residential use;

b) The definitions of “complete building permit application” and “complete planning application” are deleted;

c) The numbering of the clauses in subsection 7(1) “Exemptions” be corrected to include (a) through (t) with clause (c) having two sub-clauses numbered (i) and (ii);

d) The following revisions be made to subsection 7(1) and clause 7(1)(k)

7(1) Subject to subsection (3), the following shall be exempt from development charges:

(k) The enlargement of the floor area of an existing industrial use building, to the extent that the existing floor area is enlarged by 50 percent or less;

e) Subsection (3) be added to section 7

(3) The transit component of the development charge imposed by this by-law shall be payable in respect of the developments identified in clauses (o), (p), (r) and (s).

f) Section 9 be revised to read in accordance with the following:

9. (1) Subject to subsection (9), where residential development occurs on a site which involved within the immediately previous 10 years the demolition of a previously existing building or structure in receipt of the same services, at the time the original building was constructed, available to the building or structure to be constructed or will involve such demolition to permit the issuance of a building permit for the construction of the subject development, a credit will be provided against the development charge so that only the net increase in residential use dwelling units is charged.

(2) Subject to subsection (9), where non-residential development occurs on a site which involved within the immediately previous 10 years the demolition of a previously existing building or structure in receipt of the same services, at the time the original building was constructed, available to the building or structure to be constructed or will involve such demolition to permit the issuance of a building permit for the construction of the subject development, a credit will be provided against the

development charge to the extent of the existing or demolished gross floor area at the rate in effect for the existing use or the use in place at the demolition of the gross floor area when the building permit is issued for the redevelopment.

- (3) Where a non-residential use building, or portion thereof, is to be converted to a residential use, or a non-residential use building demolished within the immediately previous 10 years and a residential use building erected in its place, a credit, not to exceed the amount of the development charges payable, will be provided in the amount of the development charges that would have been payable for the non-residential gross floor area being converted had a building permit been issued to construct the non-residential use building utilized for the same use in existence immediately prior to the conversion taking place, provided that the issuance of a building permit to permit the construction of the subject development occurs no later than 1 January 2019.
- (4) The credit to be provided pursuant to subsection (3) shall be determined in accordance with Schedule "C" according to the gross floor area of the building that had been used for non-residential uses.
- (5) Where a credit for a non-residential use building, or portion thereof, is provided pursuant to subsections (2) or (3), no credit for that non-residential use building or portion thereof shall be provided pursuant to subsection (1).
- (6) The credits provided under this section relate only to the land, including any parcel subject to the same site plan

approval for the proposed development, upon which the building was demolished or converted and are not transferable to another parcel of land.

(7) Subject to subsection (8), after July 31, 2011, the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.

(8) Credits provided under this section based upon an existing or previously existing development, which is exempt under the provisions of this by-law will continue to be provided after July 31, 2011 where, on or prior to July 31, 2011, the owner of the subject lands and the City have signed a site plan agreement in respect of such redevelopment.

(9) As of 1 January 2019, the reference to 10 years in subsection (1) is repealed and five years is substituted therefore.

g) Section 12 be revised to read in accordance with the following:

12. (1) Subject to subsection (2), the applicable development charge under this by-law for the period from the date of the enactment of this by-law to September 30, 2014 shall be in accordance with the transitional rates and the categories for that period set forth in Schedules "B" and "C" to this by-law.

(2) The development charges in Schedules "J" to "N" shall apply in addition to the amounts applicable pursuant to subsections (1) and (3).

(3) Subject to subsection (2), in respect of non-residential development, subject to site plan approval pursuant to By-law 2002-4 as amended or residential development for an apartment building of five or more storeys, the applicable development charge rate where

(a) An application for site plan approval is received by August 15, 2014

(b) The site plan application is deemed complete pursuant to City policy by September 2, 2014;

(c) A site plan agreement has been executed by the owner and the City by September 1, 2015;

(d) A building permit is issued by September 1, 2016 that permits construction above grade shall be the rate in effect on June 12, 2014 but such rate shall be indexed in accordance with section 18.

(4) Residential development on the lands shown on Schedule "E" to By-law 2004- 298, as amended, and residential development fronting on Isabella Street and Chamberlain Avenue between Bronson Avenue and Elgin Street shall continue to be exempt from development charges under this by-law after 31 July 2011 if the owner of the subject lands and the City have signed a site plan agreement in respect of such residential development on or before 31 July 2011.

h) Subsection 18(1) is revised to read in accordance with the following:

18. (1) The development charge rates set out in this by-law shall be adjusted by the Treasurer, without amendment to this by-

law, commencing on August 1, 2015 in accordance with the most recent annual change (1 January to 31 December) in the Statistics Canada Infrastructure Development Charge Price Index, Catalogue Number 62-007. For greater certainty, the Infrastructure Construction Price Index from Catalogue Number 62-007 for Ottawa will be used if such continues to be published.

- i) Schedules "B" and "C" are replaced with the Schedules attached to this motion on Document "A"*.
 - j) Schedule "L" is replaced with the Schedule attached to this motion on Document "B"*.
3. That the Area Specific Development Charge Background Study For Individual Storm Water Management Ponds and Drainage Systems be modified in accordance with the following:
- (a) Schedule 2 on page 2-6 be replaced with the Schedule on Document "C"* to this motion
 - (b) The following language be inserted on page 1-1, paragraph 1.4, at the end of clause a) in the report entitled "City of Ottawa: Development Charges Study - Volume II", dated April 30, 2009, prepared by Stantec Consulting Ltd.
 - (c) That the following changes be made to the Area Specific Stormwater Development Charge By-laws attached as Appendix A to the Area Specific Development Charge Background Study For Individual Storm Water Management Ponds and Drainage Systems:
 - i. Schedule C to the by-law for Monahan Drain (Area W-1) be replaced with the Schedule on Document "D"* to this motion

- ii. Schedule "C" to the by-law for Shirley's Brook (Area W-2) be replaced with the Schedule on Document "E"* to this motion
 - iii. Schedules "B" and "C" to the by-law for Gloucester (Area E-3) be replaced with the Schedules on Document "F"* to this motion
 - iv. Schedules "B" and "C" to the by-law for N5 and Channelization (Area E-6) be replaced with the Schedules on Document "G"* to this motion
4. That the front-ending agreements in respect of Strandherd Road permit an interim payment on December 31, 2014 for all work completed with respect to the road and which has received preliminary acceptance in 2014. Final payment for all remaining work on the road would be in 2015, following completion and acceptance of remaining work, in accordance with the terms of the front-ending agreement
5. That the front-ending policy of the City be revised to permit engineering costs, inclusive of the amounts payable to the City, to constitute up to 15 per cent of the front-ended project, subject to the upset limits approved by Council.

BE IT FURTHER RESOLVED THAT pursuant to the *Development Charges Act, 1997*, Council determines that no further public meeting is necessary.

CARRIED

* Documents A, B, C, D, E, F and G are appended at the end of this document.

MOTION N° PLC 74/7

Moved by Councillor A. Hubley:

That staff provide a memo prior to Council's consideration of the development outlining options by which the following aspects in respect of the Monahan Drain can be financed other than by the area specific development charge:

- 1) Stormwater development charges that had been anticipated to be collected in respect of land acquired as the Bridlewood Core Park;**
- 2) Costs of the Hope expropriation; and**
- 3) Costs related to silt removal.**

CARRIED

MOTION N° PLC 74/8

Moved by Councillor J. Harder:

BE IT RESOLVED THAT the Background Study be amended to include the following as works for which development charges will be collected:

- 1) March Road**
- 2) Davidson Pumping Station for Area 6**

WITHDRAWN

PLANNING COMMITTEE
REPORT 70A
11 JUNE 2014

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COMITÉ DE L'URBANISME
RAPPORT 70A
LE 11 JUIN 2014

EXTRACT OF
PLANNING COMMITTEE
MINUTES 74
13 MAY 2014

EXTRAIT DU
PROCÈS-VERBAL 74 DU
COMITÉ DE L'URBANISME
LE 13 MAI 2014

MOTION N^o PLC 74/9

Moved by Councillor J. Harder:

WHEREAS the economy continues to be less than robust and highly competitive between municipalities for attracting employment, the financial incentives for the office sector play a significant role.

With government downsizing and Ottawa's desire to broaden its private sector employment base, these incentives will assist in the realization of that goal as these incentives benefit the building occupants in lowering their rental costs

THEREFORE BE IT RESOLVED THAT the office asset class be reduced to 81 per cent of the non-residential rate.

REFERRED TO COUNCIL

MOTION N^o PLC 74/10

Moved by Councillor R. Chiarelli:

BE IT RESOLVED THAT the exemption in Recommendation 3 (k) be deleted.

REFERRED TO COUNCIL

The report recommendations were then put to Committee and were “CARRIED” as amended by Motions N^{OS} PLC 74/3, 74/4, 74/5, 74/6 and 74/7. Motions N^{OS} 74/9 and 74/10 were referred to Council for its meeting of 11 June 2014.

That the Planning Committee recommend that Council approve:

- 1. The City of Ottawa Development Charges Background Study dated April 28, 2014 and the City of Ottawa Area-Specific Background Study for Individual Stormwater Management Ponds and Drainage Systems dated April 28, 2014, as amended by Addendum dated May 12, 2014;**
- 2. That the current Development Charges By-law be repealed and that the successor general Development Charge By-law and the area-specific stormwater by-laws, substantially in the form and content included in the City of Ottawa Development Charges Background Study, dated April 28, 2014 and the City of Ottawa Area-specific Development Charges Background Study for Individual Stormwater Management Ponds and Drainage Systems, dated April 28, 2014 be enacted;**
- 3. That the list of non-statutory exemptions, subject to the transition provisions, be as follows:**
 - a) Non-profit Day Care and Long-term Care Facilities, except for the Public Transit Charge;**

- b) Place of Worship and Land Used in Connection With, except for the Public Transit Charge;**

- c) Churchyard, Cemetery or Burying Ground;**

- d) Non-residential use for Bona Fide Agricultural Purposes;**

- e) Farm Retirement Lots;**

- f) Non-residential Buildings less than 180 square feet;**

- g) Temporary Buildings;**

- h) Non-profit Housing, except for the Public Transit Charge;**

- i) Non-profit Health Care Facility, except for the Public Transit Charge;**

- j) Brownfields; and**

k) Development in the vicinity of stations along the Confederation Line, 50 per cent of the Roads and Related Services Charge.

- 4. That rates be indexed on an annual basis, commencing on August 1, 2015 in accordance with an index contained within the Statistics Canada - Capital Expenditure Price Statistics;**
- 5. That, with respect to recommendations 3a), 3h), 3i), and 7 that pursuant to the Development Charges Act, subsection 12(3), Council determines that no further public meeting is necessary;**
- 6. That the allowance of redevelopment credits applied to the demolition of buildings be limited to development that occurs within a 10 year period of the demolition of the existing building and that commencing January 1, 2019, this allowance be limited to development that occurs within a five year period;**
- 7. That the proposed increase in development charge rates be phased in, according to the following schedule:**
 - From the time of By-law enforce date to September 30, 2014, the rates in the current by-law will be in effect, other than the area specific development charges;**

- On October 1, 2014, the full calculated rates will apply;
8. That the funding envelopes for the Shirley's Brook (Area W-2) Area Specific Stormwater Front-Ending agreements be increased by \$127,000 to \$3,250,000 in respect of the agreement with Klondike Development Inc. and \$333,000 to \$1,283,600 in respect of the agreement with Riotrin Properties (March Road) Inc.;
 9. That the funding envelope for the Neighbourhood 5 (Area E-6) Area Specific Stormwater Facilities (Area E-6) be increased by \$475,996 for the balance of trunk sewer oversizing by others and \$4,500,000 for the Ultimate pond construction to a total of \$19,097,694.00;
 10. The requirement for Council to reimburse the Development Charges account for the loss of any funds through an exemption granted by Council;
 11. That Staff be directed to prepare a supplemental development charge background study for affordable housing to be submitted to Planning Committee at the earliest possible opportunity;
 12. That Staff be directed to conduct a review of the municipal financing of child care focusing on how development charges could provide resources for growth-related capital costs with the outcome of the review to be reported to Committee and Council at the earliest possible opportunity;

- 13. That, with respect to recommendations 11 and 12, there shall be ongoing there shall be ongoing community consultation led by the General Manager, Community and Social Services;**
- 14. That the draft By-law attached as Appendix H to the Background Study be modified by the addition of the following subsection to section 18:**
- (3) The indexing pursuant to this section shall be calculated on the basis that the payments towards the principal component of any growth-related debt for which the City is or will be liable during the enactment of this by-law are not subject to the annual indexation.**
- And that that, pursuant to the *Development Charges Act*, subsection 12(3) it be determined that no further public meeting be required in respect of this modification;**
- 15. That the draft by-law attached as Appendix H to the Background Study be revised in accordance with the following:**
- a) A definition of “non-industrial use” be introduced and the definition of “non-residential” use be revised in accordance with the following:**
- “non-industrial use” includes all land used for non-residential purposes other than for industrial use.**
- “non-residential use” includes all land used for purposes other than for residential use;**
- b) The definitions of “complete building permit application” and “complete planning application” are deleted;**

- c) The numbering of the clauses in subsection 7(1) “Exemptions” be corrected to include (a) through (t) with clause (c) having two sub-clauses numbered (i) and (ii);**
- d) The following revisions be made to subsection 7(1) and clause 7(1)(k)**
- 7(1) Subject to subsection (3), the following shall be exempt from development charges:**
- (k) The enlargement of the floor area of an existing industrial use building, to the extent that the existing floor area is enlarged by 50 percent or less;**
- e) Subsection (3) be added to section 7**
- (3) The transit component of the development charge imposed by this by-law shall be payable in respect of the developments identified in clauses (o), (p), (r) and (s).**
- f) Section 9 be revised to read in accordance with the following:**
- 9. (1) Subject to subsection (9), where residential development occurs on a site which involved within the immediately previous 10 years the demolition of a previously existing building or structure in receipt of the same services, at the time the original building was constructed, available to the building or structure to be constructed or will involve such demolition to permit the issuance of a building permit for the construction of the subject development, a credit will be provided against the development charge so that only the net increase in residential use dwelling units is charged.**

- (2) Subject to subsection (9), where non-residential development occurs on a site which involved within the immediately previous 10 years the demolition of a previously existing building or structure in receipt of the same services, at the time the original building was constructed, available to the building or structure to be constructed or will involve such demolition to permit the issuance of a building permit for the construction of the subject development, a credit will be provided against the development charge to the extent of the existing or demolished gross floor area at the rate in effect for the existing use or the use in place at the demolition of the gross floor area when the building permit is issued for the redevelopment.
- (3) Where a non-residential use building, or portion thereof, is to be converted to a residential use, or a non-residential use building demolished within the immediately previous 10 years and a residential use building erected in its place, a credit, not to exceed the amount of the development charges payable, will be provided in the amount of the development charges that would have been payable for the non-residential gross floor area being converted had a building permit been issued to construct the non-residential use building utilized for the same use in existence immediately prior to the conversion taking place, provided that the issuance of a building permit to permit the construction of the subject development occurs no later than 1 January 2019.

- (4) The credit to be provided pursuant to subsection (3) shall be determined in accordance with Schedule “C” according to the gross floor area of the building that had been used for non-residential uses.**
- (5) Where a credit for a non-residential use building, or portion thereof, is provided pursuant to subsections (2) or (3), no credit for that non-residential use building or portion thereof shall be provided pursuant to subsection (1).**
- (6) The credits provided under this section relate only to the land, including any parcel subject to the same site plan approval for the proposed development, upon which the building was demolished or converted and are not transferable to another parcel of land.**
- (7) Subject to subsection (8), after July 31, 2011, the credits provided under this section do not apply based upon an existing or previously existing development, which is exempt under the provisions of this by-law.**
- (8) Credits provided under this section based upon an existing or previously existing development, which is exempt under the provisions of this by-law will continue to be provided after July 31, 2011 where, on or prior to July 31, 2011, the owner of the subject lands and the City have signed a site plan agreement in respect of such redevelopment.**
- (9) As of 1 January 2019, the reference to 10 years in subsection (1) is repealed and five years is substituted therefore.**

g) Section 12 be revised to read in accordance with the following:

12. (1) Subject to subsection (2), the applicable development charge under this by-law for the period from the date of the enactment of this by-law to September 30, 2014 shall be in accordance with the transitional rates and the categories for that period set forth in Schedules "B" and "C" to this by-law.

(2) The development charges in Schedules "J" to "N" shall apply in addition to the amounts applicable pursuant to subsections (1) and (3).

(3) Subject to subsection (2), in respect of non-residential development, subject to site plan approval pursuant to By-law 2002-4 as amended or residential development for an apartment building of five or more storeys, the applicable development charge rate where

(a) An application for site plan approval is received by August 15, 2014

(b) The site plan application is deemed complete pursuant to City policy by September 2, 2014;

(c) A site plan agreement has been executed by the owner and the City by September 1, 2015;

(d) A building permit is issued by September 1, 2016 that permits construction above grade shall be the rate in effect on June 12, 2014 but such rate shall be indexed in accordance with section 18.

(4) Residential development on the lands shown on Schedule "E" to By-law 2004- 298, as amended, and residential

development fronting on Isabella Street and Chamberlain Avenue between Bronson Avenue and Elgin Street shall continue to be exempt from development charges under this by-law after 31 July 2011 if the owner of the subject lands and the City have signed a site plan agreement in respect of such residential development on or before 31 July 2011.

h) Subsection 18(1) is revised to read in accordance with the following:

18. (1) The development charge rates set out in this by-law shall be adjusted by the Treasurer, without amendment to this by-law, commencing on August 1, 2015 in accordance with the most recent annual change (1 January to 31 December) in the Statistics Canada Infrastructure Development Charge Price Index, Catalogue Number 62-007. For greater certainty, the Infrastructure Construction Price Index from Catalogue Number 62-007 for Ottawa will be used if such continues to be published.

i) Schedules "B" and "C" are replaced with the Schedules attached to this motion on Document "A".

j) Schedule "L" is replaced with the Schedule attached to this motion on Document "B".

16. That the Area Specific Development Charge Background Study For Individual Storm Water Management Ponds and Drainage Systems be modified in accordance with the following:

(a) Schedule 2 on page 2-6 be replaced with the Schedule on Document "C" to this motion

(b) The following language be inserted on page 1-1, paragraph 1.4, at the end of clause a) in the report entitled “City of Ottawa: Development Charges Study - Volume II”, dated April 30, 2009, prepared by Stantec Consulting Ltd.

(c) That the following changes be made to the Area Specific Stormwater Development Charge By-laws attached as Appendix A to the Area Specific Development Charge Background Study For Individual Storm Water Management Ponds and Drainage Systems:

- i. Schedule C to the by-law for Monahan Drain (Area W-1) be replaced with the Schedule on Document “D”* to this motion**
- ii. Schedule “C” to the by-law for Shirley’s Brook (Area W-2) be replaced with the Schedule on Document “E”* to this motion**
- iii. Schedules “B” and “C” to the by-law for Gloucester (Area E-3) be replaced with the Schedules on Document “F”* to this motion**
- iv. Schedules “B” and “C” to the by-law for N5 and Channelization (Area E-6) be replaced with the Schedules on Document “G”* to this motion;**

17. That the front-ending agreements in respect of Strandherd Road permit an interim payment on December 31, 2014 for all work completed with respect to the road and which has received preliminary acceptance in 2014. Final payment for all remaining work on the road would be in 2015, following completion and acceptance of remaining work, in accordance with the terms of the front-ending agreement;

18. That the front-ending policy of the City be revised to permit engineering costs, inclusive of the amounts payable to the City, to constitute up to 15 per cent of the front-ended project, subject to the upset limits approved by Council;

And that, pursuant to the *Development Charges Act, 1997*, Council determines that no further public meeting is necessary;

19. That staff provide a memo prior to Council's consideration of the development outlining options by which the following aspects in respect of the Monahan Drain can be financed other than by the area specific development charge:

a) Stormwater development charges that had been anticipated to be collected in respect of land acquired as the Bridlewood Core Park;

b) Costs of the Hope expropriation; and

c) Costs related to silt removal.

CARRIED as amended

*Documents A, B, C, D, E, F and G are appended at the end of this document.

Following Committee discussion and deliberations, the following Directions to Staff were also provided:

DIRECTIONS TO STAFF

That staff be directed to:

- 1) Confirm whether the amounts to be paid from development charges for Fernbank Trunk Sewer Phase 1 include an amount respecting increased costs primarily due to the work taking place at a later time than originally expected;
- 2) Confirm whether the schedule of works for which sewer development charges are imposed include and will provide reimbursement for the oversize and overdepth costs of the Fernbank Trunk Sewer Phase 2;
- 3) Provide the necessary language for a motion for Council to implement 1) and/or 2 if background study does not currently provide for their payment;
- 4) That South Nepean Collector Phase 2 and 3 be re-visited regarding costs in each phase to ensure they are accurate, and;
- 5) Examine outstanding obligations in respect of providing the roads component 50% transit exemption for apartments.

*The above item will be considered by City Council at its meeting of 11 June 2014
in Planning Committee Report to Council No. 70A.*

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DOCUMENTS A, B, C, D, E, F and G (Reference - Motion N^o PLC 74/6):

DOCUMENT "A"

SCHEDULE "B" - RESIDENTIAL DEVELOPMENT CHARGES
Inside the Greenbelt (Area # 1)
Development Charge per Dwelling Unit
Type of Residential Use

Effective June 12, 2014 - September 30, 2014

	Single and Semi-detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	5,712	2,606	2,271	3,962
Sanitary Sewer	2,976	1,358	1,184	2,065
Water	238	109	95	165
Stormwater Drainage	28	13	11	20
Protection	300	137	119	208
Public Transit	6,409	3,775	2,780	5,020
Parks Development (Non-District Parks)	172	78	68	119
Recreation Facilities	607	277	241	421
Libraries	320	146	127	222
Paramedic Service	60	27	24	42
Corporate Studies	68	31	27	47
Total Inside the Greenbelt	16,891	8,557	6,948	12,291

Effective October 1, 2014

	Single and Semi-detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	8,469	4,988	3,673	6,633
Sanitary Sewer	4,413	2,599	1,914	3,456
Water	353	208	153	276
Stormwater Drainage	42	25	18	33
Protection	445	262	193	349
Public Transit	6,409	3,775	2,780	5,020
Parks Development (Non-District Parks)	255	150	111	200
Recreation Facilities	900	530	390	705
Libraries	475	280	206	372
Paramedic Service	89	52	39	70
Corporate Studies	101	59	44	79
Total Inside the Greenbelt	21,951	12,929	9,520	17,192

SCHEDULE "B" - RESIDENTIAL DEVELOPMENT CHARGES

Outside the Greenbelt (Area #2)

Development Charge per Dwelling Unit

Type of Residential Use

Effective June 12, 2014 - September 30, 2014

	Single and Semi-detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	7,607	4,563	3,111	5,989
Sanitary Sewer	3,086	1,851	1,262	2,430
Water	2,209	1,325	903	1,739
Stormwater Drainage	31	18	13	24
Protection	695	417	284	547
Public Transit	6,409	3,401	2,504	4,821
Parks Development (Non-District Parks)	1,655	993	677	1,303
Parks Development (District Parks)	165	99	68	130
Recreation Facilities	2,824	1,694	1,155	2,224
Libraries	429	257	175	337
Paramedic Service	65	39	27	51
Corporate Studies	141	84	58	111
Total Outside the Greenbelt	25,315	14,742	10,235	19,706

Effective October 1, 2014

	Single and Semi-detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	10,435	5,537	4,077	7,849
Sanitary Sewer	4,233	2,246	1,654	3,184
Water	3,030	1,608	1,184	2,279
Stormwater Drainage	42	22	16	32
Protection	953	506	372	717
Public Transit	6,409	3,401	2,504	4,821
Parks Development (Non-District Parks)	0	0	0	0
Parks Development (District Parks)	227	120	89	171
Recreation Facilities	3,874	2,056	1,514	2,914
Libraries	588	312	230	442
Paramedic Service	89	47	35	67
Corporate Studies	193	102	75	145
Sub-Total Outside the Greenbelt	30,073	15,957	11,750	22,621

SCHEDULE "B" - RESIDENTIAL DEVELOPMENT CHARGES

Rural Serviced (Area # 3 Part)

Development Charge per Dwelling Unit

Type of Residential Use

Effective June 12, 2014 - September 30, 2014

	Single and Semi- detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	5,009	2,551	2,238	4,467
Sanitary Sewer	1,326	675	592	1,183
Water	102	52	46	91
Stormwater Drainage	25	13	11	22
Protection	379	193	169	338
Public Transit	6,409	3,679	2,709	4,165
Parks Development (Non-District Parks)	1,859	947	830	1,658
Recreation Facilities	316	161	141	281
Libraries	474	241	212	423
Paramedic Service	52	27	23	47
Corporate Studies	131	67	58	117
Total Rural Unserviced	16,082	8,605	7,030	12,791

Effective October 1, 2014

	Single and Semi- detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	8,507	4,884	3,596	5,528
Sanitary Sewer	2,252	1,293	952	1,463
Water	173	99	73	112
Stormwater Drainage	42	24	18	27
Protection	644	370	272	418
Public Transit	6,409	3,679	2,709	4,165
Parks Development (Non-District Parks)	0	0	0	0
Recreation Facilities	536	308	227	348
Libraries	805	462	340	523
Paramedic Service	89	51	38	58
Corporate Studies	222	127	94	144
Total Rural Unserviced	19,679	11,298	8,318	12,787

SCHEDULE "B" - RESIDENTIAL DEVELOPMENT CHARGES

Rural Unserviced (Area #3 Part)

Development Charge per Dwelling Unit

Type of Residential Use

Effective June 12, 2014 - September 30, 2014

	Single and Semi- detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	4,539	2,606	1,919	2,949
Stormwater Drainage	22	13	9	15
Protection	344	197	145	223
Public Transit	6,409	3,679	2,709	4,165
Parks Development (Non-District Parks)	1,684	967	712	1,095
Recreation Facilities	286	164	121	186
Libraries	430	247	182	279
Paramedic Service	47	27	20	31
Corporate Studies	118	68	50	77
Total Rural Unserviced	13,880	7,969	5,867	9,019

Effective October 1, 2014

	Single and Semi- detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads & Related Services	8,507	4,884	3,596	5,528
Stormwater Drainage	42	24	18	27
Protection	644	370	272	418
Public Transit	6,409	3,679	2,709	4,165
Parks Development (Non-District Parks)	0	0	0	0
Recreation Facilities	536	308	227	348
Libraries	805	462	340	523
Paramedic Service	89	51	38	58
Corporate Studies	222	127	94	144
Total Rural Unserviced	17,254	9,906	7,293	11,212

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SCHEDULE "C" - NON-RESIDENTIAL DEVELOPMENT CHARGES

City-Wide

Development Charge per Square Foot

of Gross or Total Floor Area by Type of Non-Residential Use

Effective June 12, 2014 - September 30, 2014

	Non-Residential General Use (\$ per sq.ft.)	Commercial Use, Institutional Use, Industrial Use (\$ per sq.ft.)	Industrial (Limited) Use (\$ per sq.ft.)
Roads & Related Services	8.09	5.62	3.74
Sanitary Sewer	1.46	1.02	0.75
Water	0.29	0.20	0.14
Stormwater Drainage	0.04	0.03	0.02
Protection	0.66	0.46	0.28
Public Transit	6.73	6.73	2.77
Parks Development (Non-District Parks)	0.14	0.09	0.15
Parks Development (District Parks)	0.01	0.01	0.01
Recreation Facilities	0.20	0.14	0.22
Libraries	0.05	0.03	0.05
Paramedic Service	0.08	0.05	0.03
Corporate Studies	0.14	0.10	0.06
Total	17.88	14.48	8.22

Effective October 1, 2014

	Non-Industrial Use (\$ per sq.ft.)	Industrial Use (\$ per sq.ft.)
Roads & Related Services	9.40	3.98
Sanitary Sewer	1.70	0.80
Water	0.34	0.15
Stormwater Drainage	0.04	0.02
Protection	0.76	0.30
Public Transit	6.73	2.77
Parks Development (Non-District Parks)	0.00	0.00
Parks Development (District Parks)	0.01	0.01
Recreation Facilities	0.24	0.24
Libraries	0.06	0.06
Paramedic Service	0.09	0.03
Corporate Studies	0.16	0.06
Total	19.53	8.41

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DOCUMENT "B"

SCHEDULE "L" - RESIDENTIAL DEVELOPMENT CHARGES

Provence Avenue

Development Charge per Dwelling Unit

Type of Residential Use

	Single and Semi- detached (\$ per unit)	Apartment Dwelling and Back to Back and Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment (less than 2 bedrooms) (\$ per unit)	Multiple, row and mobile dwelling (\$ per unit)
Roads and Related	1,804	983	724	1,361
Sanitary Sewer	820	447	329	619
Total	2,625	1,430	1,053	1,980

DOCUMENT "C"

Schedule 2: Stormwater Management Pond/Drainage System				
#1 SUC - Riverside South (Area S-1) full build out				
Projected Growth				
	2013 Existing	2031 Growth	Growth post 2031	Total growth to build out
1 Residential Units				
Single Detached	2,655	4,792	9,079	6,424
Semi Detached	0			
Row/Town	1,762	3,900	7,185	5,423
Stacked Row				
Apartment	238	1,308	3,435	3,197
Total	4,655	10,000	19,699	15,044
2 Developed Residential Land Area (Net Ha)				
Single Detached	120.7	217.8	412.7	292.0
Semi Detached	0.0	0.0		
Row/Town	46.4	102.6	189.1	142.7
Stacked Row				0.0
Apartment	2.0	10.9	28.6	26.6
Total	169.1	331.3	630.4	461.3
3 Developed Non-Residential Land Area (Net Ha)				
Industrial	2.5	14.3	84.0	81.5
Commercial	3.7	18.1	126.7	123.0
Institutional	30.0	56.3	120.0	90.0
Total	36.2	88.7	330.7	294.5
4 Non-Residential GFA (sq.ft.)				
Industrial	117,000	669,240	3,931,200	3,814,200
Commercial	204,050	1,005,410	7,049,000	6,844,950
Institutional	180,000	338,000	720,000	540,000
Total	501,050	2,012,650	11,700,200	11,199,150

DOCUMENT "D"

SCHEDULE "C" – NON-RESIDENTIAL DEVELOPMENT CHARGES

Development Charge per square foot of non-residential gross or total floor area

Monahan Drain	Non-Residential
Area A - Stormwater Management Facility and Accessory Services	\$2.43
Area B - Stormwater Management Facility and Accessory Services	\$2.43

DOCUMENT "E"

SCHEDULE "C" – NON-RESIDENTIAL DEVELOPMENT CHARGES

Development Charge per square foot of non-residential gross or total floor area

Shirley's Brook	Non-Residential
Stormwater Management Facility and Accessory Services	\$3.05

DOCUMENT "F"

SCHEDULE "B" – RESIDENTIAL DEVELOPMENT CHARGES
Development Charge per Dwelling Unit
Type of Residential Use
Area E-3

Gloucester	Single-Detached Dwelling and Semi-Detached Dwelling	Multiple Dwelling, Mobile Home & Row Dwelling	Apartment Dwelling
Stormwater Management Facility and Accessory Services	\$4,146	\$2,879	\$1,150

SCHEDULE "C" – NON-RESIDENTIAL DEVELOPMENT CHARGES

Development Charge per square foot of non-residential gross or total floor area

Gloucester	Non-Residential
Stormwater Management Facility and Accessory Services	\$3.25

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DOCUMENT "G"

SCHEDULE "B" – RESIDENTIAL DEVELOPMENT CHARGES
Development Charge per Dwelling Unit
Type of Residential Use
Area E-6

N5 and Channelization	Single-Detached Dwelling and Semi-Detached Dwelling	Multiple Dwelling, Mobile Home & Row Dwelling	Apartment Dwelling
Stormwater Management Facility and Accessory Services	\$6,942	\$4,533	\$1,815

SCHEDULE "C" – NON-RESIDENTIAL DEVELOPMENT CHARGES

Development Charge per square foot of non-residential gross or total floor area

N5 and Channelization	Non-Residential
Stormwater Management Facility and Accessory Services	\$7.66