
SITE PLAN CONTROL BY-LAW - UPDATE

ACS2014-PAI-PGM-0125

CITY WIDE

REPORT RECOMMENDATIONS:

That the Planning Committee recommend Council approve:

1. The repeal of Site Plan Control By-law 2002-4, as amended, and replacement of it with the draft by-law contained in Document 1; and
2. The amendments to the Council-approved Public Notification and Consultation Policy for Development Applications in support of the proposed Site Plan Control By-law, and recent changes to the Zoning By-law, contained in Document 2.

Staff requested that Committee consider the following staff-initiated Motion as a technical amendment to clarify an exemption from Site Plan Control, and to include an inadvertently omitted section for the institution of liens.

MOTION N^o PLC 75/1

Moved by Councillor S. Qadri:

WHEREAS Report ACS2014-ICS-PGM-0125 recommends the passage of a new Site Plan Control By-law for the City of Ottawa, a draft copy of which is attached as Document 1 to the staff report;

AND WHEREAS further additions to the draft by-law are necessary for the purposes of clarification to an exemption from Site Plan Control, and to include a section for the institution of liens;

BE IT RESOLVED that the following changes be made to Document 1 – Draft Site Plan Control By-law of the staff report:

1. Add the words “residential-use” to section 5(3)(a) such that it now reads:

“The number of dwelling units or rooming units in a residential-use building is decreased”

2. Add as a new section 10 entitled “LIENS” consisting of the following:

LIENS

- 10.(1) When Council causes any work to be done pursuant to any approval provided for in this by-law, the City shall have a lien for any amount expended by or on behalf of the City and for an administrative fee of ten percent of any amount expended by or on behalf of the City, and the certificate of the City Clerk as to the total amount expended shall be admissible in evidence as prima facie proof of the total amount expended and such total amount together with the administrative fee shall be deemed to be municipal real property taxes and shall be added to the collector's roll of taxes to be collected and shall be subject to the same penalty and interest charges as real property taxes and shall be

collected in the same manner and with the same remedies as real property taxes.

- (2) Before the certificate of the City Clerk is issued under subsection (1), an interim certificate shall be delivered to the owner of the property that is subject to the lien, as well as to all prior mortgagees or other encumbrancers and the affected owner, mortgagees or other encumbrancers shall have two weeks from the date of receipt of the interim certificate to appeal the amount shown thereon to Council.

3. Renumber the current sections 10, 11 and 12 accordingly.

CARRIED

There being no further discussion, the report recommendations were put before Committee and were CARRIED, as amended by Motion N^o 75/1.

That the Planning Committee recommend Council approve:

1. The repeal of Site Plan Control By-law 2002-4, as amended, and replacement of it with the draft by-law contained in Document 1, as amended by the following:

- a. Add the words “residential-use” to section 5(3) such that it now reads:

“The number of dwelling units or rooming units in a residential-use building is decreased”

EXTRACT OF DRAFT
PLANNING COMMITTEE
MINUTES 75
27 MAY 2014

EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 75 DU
COMITÉ DE L'URBANISME
LE 27 MAI 2014

b. Add as a new section 10 entitled "LIENS" consisting of the following:

LIENS

10.(1) When Council causes any work to be done pursuant to any approval provided for in this by-law, the City shall have a lien for any amount expended by or on behalf of the City and for an administrative fee of ten percent of any amount expended by or on behalf of the City, and the certificate of the City Clerk as to the total amount expended shall be admissible in evidence as prima facie proof of the total amount expended and such total amount together with the administrative fee shall be deemed to be municipal real property taxes and shall be added to the collector's roll of taxes to be collected and shall be subject to the same penalty and interest charges as real property taxes and shall be collected in the same manner and with the same remedies as real property taxes.

(2) Before the certificate of the City Clerk is issued under subsection (1), an interim certificate shall be delivered to the owner of the property that is subject to the lien, as well as to all prior mortgagees or other encumbrancers and the affected owner, mortgagees or other encumbrancers shall have two weeks from the date of receipt of the interim certificate to appeal the amount shown thereon to Council.

c. Renumber the current sections 10, 11 and 12 accordingly; and

- 2. The amendments to the Council-approved Public Notification and Consultation Policy for Development Applications in support of the proposed Site Plan Control By-law, and recent changes to the Zoning By-law, contained in Document 2.**

CARRIED, as amended