

- 1. FRONT-ENDING REPORT- STORMWATER MANAGEMENT PONDS 1 AND 2, LEITRIM ROAD STORM DRAINAGE SYSTEM, NORTH-SOUTH SWALE AND OVERSIZED TRUNK STORM SEWERS IN LEITRIM COMMUNITY**
- RAPPORT DE FINANCEMENT PRÉALABLE – BASSINS DE GESTION DES EAUX PLUVIALES NOS 1 ET 2, SYSTÈME DE DRAINAGE DES EAUX PLUVIALES DU CHEMIN LEITRIM, RIGOLE NORD-SUD ET ÉGOUTS PLUVIAUX À CONDUITE SURDIMENSIONNÉ DANS LA COLLECTIVITÉ DE LEITRIM**

COMMITTEE RECOMMENDATIONS

That Council:

- 1. approve the adoption of the Leitrim Area Specific Stormwater Background Study for Leitrim Stormwater Facilities-Update (Document 1);**
- 2. approve the enactment of the Leitrim Area Specific Stormwater By-law in the general form attached as Document 2;**
- 3. authorize the City to enter into a Front-Ending Agreement with Urbandale Corporation, to an upset limit of \$6,227,707 plus applicable taxes and applicable indexing, to enable the land acquisition, design and construction of Pond 1 Expansion in accordance with the Front-Ending Agreement framework or principles in Document 4 and the Council approved Front-Ending Policy set out in Document 6, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and the City Clerk and Solicitor;**
- 4. authorize the expenditure of \$6,227,707 plus applicable taxes and applicable indexing, for the land acquisition, design and construction of the Stormwater Management Pond 1 Expansion;**

- 5. authorize the City to enter into a Front-Ending Agreement with Barrett Co Tenancy, to an upset limit of \$18,284,736 plus applicable taxes and applicable indexing, to enable the land acquisition, design and construction of Pond 2 in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and the City Clerk and Solicitor;**
- 6. authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for Over-sized Trunk Storm Sewers tributary to Pond 2 to an upset limit of \$4,313,000 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 7. authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for Over-sized Trunk Storm Sewers tributary to Pond 1 to an upset limit of \$8,827,000 and plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 8. authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for the Leitrim Road Storm Drainage System tributary to Pond 2 to an upset limit of \$2,219,450 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 9. authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for the North-South Swale tributary to Pond 2 to an upset limit of**

\$3,042,075 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6; and

- 10. authorize the expenditure of \$36,686,261 plus applicable taxes and applicable indexing, for the land acquisition, design and construction of the Stormwater Management Pond 2, Over-sized Trunk Storm Sewers, Drainage System and North-South Swale.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil :

- 1. approuve l'adoption de l'Étude préliminaire sur les redevances d'aménagement propres au secteur de Leitrim, installations de gestion des eaux pluviales de Leitrim – mise à jour (document 1);**
- 2. approuve la promulgation du Règlement sur la gestion des eaux pluviales propre au secteur de Leitrim, dans la forme générale présentée dans le document 2;**
- 3. autorise la Ville à conclure une entente de financement préalable avec Urbandale Corporation, jusqu'à concurrence de 6 227 707 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction de l'agrandissement du bassin no 1, conformément au cadre ou aux principes de financement préalable présentés dans le document 4 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique et du greffier municipal et avocat général;**
- 4. autorise le versement de 6 227 707 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain**

nécessaire, la conception et les travaux d'agrandissement du bassin no 1 de gestion des eaux pluviales;

- 5. autorise la Ville à conclure une entente de financement préalable avec Barrett Co Tenancy, jusqu'à concurrence de 18 284 736 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction du bassin no 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique et du greffier municipal et avocat général;**
- 6. autorise la Ville à conclure des ententes de lotissement permettant le remboursement des égouts pluviaux à conduite surdimensionnée visés par des redevances d'aménagement, jusqu'à concurrence de 4 313 000 \$, taxes et indexation applicables en sus, une somme affectée au bassin no 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;**
- 7. autorise la Ville à conclure des ententes de lotissement permettant le remboursement des égouts pluviaux à conduite surdimensionnée visés par des redevances d'aménagement, jusqu'à concurrence de 8 827 000 \$, taxes et indexation applicables en sus, une somme affectée au bassin no 1, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;**
- 8. autorise la Ville à conclure des ententes de lotissement permettant le remboursement du système de drainage des eaux pluviales du chemin Leitrim visé par des redevances d'aménagement, jusqu'à concurrence de 2 219 450 \$, taxes et indexation applicables en sus, une somme affectée au bassin no 2, conformément au cadre ou aux**

principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;

- 9. autorise la Ville à conclure des ententes de lotissement permettant le remboursement de la rigole nord-sud visée par des redevances d'aménagement, jusqu'à concurrence de 3 042 075 \$, taxes et indexation applicables en sus, une somme affectée au bassin no 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;**
- 10. autorise le versement de 36 686 261 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction du bassin de gestion des eaux pluviales no 2, des égouts pluviaux à conduite surdimensionnée du système de drainage et de la rigole nord-sud.**

DOCUMENTATION/DOCUMENTATION

1. Director's Report, Planning Services, Planning, Infrastructure and Economic Development Department dated 9 January 2018 (ACS2018-PIE-PS-0005)

Rapport de la Directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique daté le 9 janvier 2018 (ACS2018-PIE-PS-0005)

**PLANNING COMMITTEE
REPORT 57A
14 FEBRUARY 2018**

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**COMITÉ DE L'URBANISME
RAPPORT 57A
LE 14 FÉVRIER 2018**

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme
23 January 2018 / 23 janvier 2018**

**and Council / et au Conseil
February 14, 2018 / 14 février 2018**

**Submitted on January 9, 2018
Soumis le 9 janvier 2018**

**Submitted by
Soumis par:**

**Lee Ann Snedden,
Director / Directrice**

Planning Services / Services de la planification

**Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

Contact Person

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**Ward: OSGOOD (20) GLOUCESTER-
SOUTH NEPEAN (22) /
GLOUCESTER-NEPEAN SUD
(22)**

File Number: ACS2018-PIE-PS-0005

SUBJECT: Front-Ending Report- Stormwater Management Ponds 1 and 2, Leitrim Road Storm Drainage System, North-South Swale and Oversized Trunk Storm Sewers in Leitrim Community

OBJET: Rapport de financement préalable – bassins de gestion des eaux pluviales n^{os} 1 et 2, système de drainage des eaux pluviales du chemin Leitrim, rigole nord-sud et égouts pluviaux à conduite surdimensionné dans la collectivité de Leitrim

REPORT RECOMMENDATIONS

That Planning Committee recommend Council:

- 1. Approve the adoption of the Leitrim Area Specific Stormwater Background Study for Leitrim Stormwater Facilities-Update (Document 1);**
- 2. Approve the enactment of the Leitrim Area Specific Stormwater By-law in the general form attached as Document 2;**
- 3. Authorize the City to enter into a Front-Ending Agreement with Urbandale Corporation, to an upset limit of \$6,227,707 plus applicable taxes and applicable indexing, to enable the land acquisition, design and construction of Pond 1 Expansion in accordance with the Front-Ending Agreement framework or principles in Document 4 and the Council approved Front-Ending Policy set out in Document 6, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department and the City Clerk and Solicitor;**
- 4. Authorize the expenditure of \$6,227,707 plus applicable taxes and applicable indexing, for the land acquisition, design and construction of the Stormwater Management Pond 1 Expansion;**
- 5. Authorize the City to enter into a Front-Ending Agreement with Barrett Co Tenancy, to an upset limit of \$18,284,736 plus applicable taxes and applicable indexing, to enable the land acquisition, design and construction of Pond 2 in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6, to the satisfaction of the General Manager, Planning,**

Infrastructure and Economic Development Department and the City Clerk and Solicitor;

- 6. Authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for Over-sized Trunk Storm Sewers tributary to Pond 2 to an upset limit of \$4,313,000 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 7. Authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for Over-sized Trunk Storm Sewers tributary to Pond 1 to an upset limit of \$8,827,000 and plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 8. Authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for the Leitrim Road Storm Drainage System tributary to Pond 2 to an upset limit of \$2,219,450 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6;**
- 9. Authorize the City to enter into Subdivision Agreements, which provide for the repayment of development charges eligible for the North-South Swale tributary to Pond 2 to an upset limit of \$3,042,075 plus applicable taxes and applicable indexing in accordance with the Front-Ending Agreement framework or principles in Document 5 and the Council approved Front-Ending Policy set out in Document 6; and**
- 10. Authorize the expenditure of \$36,686,261 plus applicable taxes and applicable indexing, for the land acquisition, design and construction of the Stormwater Management Pond 2, Over-sized Trunk Storm Sewers, Drainage System and North-South Swale.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande ce qui suit au Conseil :

1. Approuver l'adoption de l'Étude préliminaire sur les redevances d'aménagement propres au secteur de Leitrim, installations de gestion des eaux pluviales de Leitrim – mise à jour (document 1);
2. Approuver la promulgation du Règlement sur la gestion des eaux pluviales propre au secteur de Leitrim, dans la forme générale présentée dans le document 2;
3. Autoriser la Ville à conclure une entente de financement préalable avec Urbandale Corporation, jusqu'à concurrence de 6 227 707 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction de l'agrandissement du bassin n° 1, conformément au cadre ou aux principes de financement préalable présentés dans le document 4 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique et du greffier municipal et avocat général;
4. Autoriser le versement de 6 227 707 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et les travaux d'agrandissement du bassin n° 1 de gestion des eaux pluviales;
5. Autoriser la Ville à conclure une entente de financement préalable avec Barrett Co Tenancy, jusqu'à concurrence de 18 284 736 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction du bassin n° 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6, à la satisfaction du directeur général de Planification, Infrastructure et Développement économique et du greffier municipal et avocat général;
6. Autoriser la Ville à conclure des ententes de lotissement permettant le remboursement des égouts pluviaux à conduite surdimensionnée visés par

des redevances d'aménagement, jusqu'à concurrence de 4 313 000 \$, taxes et indexation applicables en sus, une somme affectée au bassin n° 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;

7. Autoriser la Ville à conclure des ententes de lotissement permettant le remboursement des égouts pluviaux à conduite surdimensionnée visés par des redevances d'aménagement, jusqu'à concurrence de 8 827 000 \$, taxes et indexation applicables en sus, une somme affectée au bassin n° 1, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;
8. Autoriser la Ville à conclure des ententes de lotissement permettant le remboursement du système de drainage des eaux pluviales du chemin Leirim visé par des redevances d'aménagement, jusqu'à concurrence de 2 219 450 \$, taxes et indexation applicables en sus, une somme affectée au bassin n° 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;
9. Autoriser la Ville à conclure des ententes de lotissement permettant le remboursement de la rigole nord-sud visée par des redevances d'aménagement, jusqu'à concurrence de 3 042 075 \$, taxes et indexation applicables en sus, une somme affectée au bassin n° 2, conformément au cadre ou aux principes de financement préalable présentés dans le document 5 ainsi qu'à la Politique de financement préalable approuvée par le Conseil et décrite dans le document 6;
10. Autoriser le versement de 36 686 261 \$, taxes et indexation applicables en sus, afin de permettre l'acquisition du terrain nécessaire, la conception et la construction du bassin de gestion des eaux pluviales n° 2, des égouts pluviaux à conduite surdimensionnée du système de drainage et de la rigole nord-sud.

EXECUTIVE SUMMARY

The Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim Development Area (IBI Group, September 2016) was approved by Council on November 9, 2016. This report identified the ponds required to service the Official Plan Amendment (OPA) 76 Expansion lands, as well as the proposed expansion of Pond 1. Urbandale Corporation is willing to front end the Pond 1 Expansion and Barrett Co-Tenancy is willing to front end Pond 2 and related works, which will allow development to proceed. The Front-Ending Agreements for area-specific stormwater development will facilitate financial management of area-specific development charge requirements and the associated Development Charges (DC) rates.

A number of reports were previously brought forward to Planning Committee and Council in relation to Pond 2; however, the Agreement was not entered into. This report identifies the new cost and includes other previously unidentified construction, which have now been identified as DC eligible.

The application for the Front-Ending Agreement for Pond 1 Expansion was submitted in June 2017 and is also being considered at this time.

Public Consultation

Pursuant to the *Development Charges Act*, a background study has been posted on the City's website at least 60 days prior to the enactment of the by-law. It will remain on the website until the by-law expires or is repealed. The background study was posted on December 15, 2017.

The developers in the Leitrim Area are aware of this report. Notice of the public meeting to consider the revised by-law was given twenty days in advance in accordance with the requirements of the *Act*.

RÉSUMÉ

Le Rapport sur la viabilisation mise à jour (ÉE de portée générale, secteurs 8a, 9a et 9b de la MPO 76) visant le secteur d'aménagement de Leitrim (IBI Group, septembre 2016) a été approuvé par le Conseil le 9 novembre 2016. Ce rapport désignait les bassins requis pour viabiliser les secteurs d'expansion découlant de la modification au Plan officiel (MPO) 76 ainsi que l'agrandissement proposé du bassin n° 1. La firme Urbandale Corporation est disposée à effectuer le financement préalable des travaux

d'agrandissement du bassin n° 1 et la copropriété Barrett est disposée à effectuer le financement préalable de la construction du bassin n° 2 et des travaux connexes, permettant ainsi la mise en route de l'aménagement. Les ententes de financement préalable pour l'aménagement d'installations de gestion des eaux pluviales propres à un secteur faciliteront la gestion financière des besoins en redevances d'aménagement (RA) et des taux de RA.

Un certain nombre de rapports a déjà été soumis au Comité de l'urbanisme et au Conseil au sujet du bassin n° 2, mais l'entente n'a pas été conclue. Le présent rapport indique le nouveau coût et mentionne d'autres travaux de construction requis et désignés comme admissibles aux RA.

La demande concernant l'entente préalable relative à l'agrandissement du bassin n° 1 a été présentée en juin 2017 et fait aussi l'objet d'une étude actuellement.

Consultation publique

Conformément à la *Loi sur les redevances d'exploitation*, une étude préliminaire a été affichée sur le site Web de la Ville au moins 60 jours avant la promulgation du règlement municipal. Elle continuera d'y être affichée jusqu'à l'expiration ou à l'abrogation dudit règlement. L'étude préliminaire a été affichée le 15 décembre 2017.

Les promoteurs de projets menés dans le secteur de Leitrim connaissent l'existence de ce rapport. Un avis de réunion publique permettant l'examen du règlement révisé a été émis vingt jours à l'avance, conformément aux exigences de la Loi.

BACKGROUND

The Leitrim Community is located in the area bounded by Leitrim Road to the north, Albion Road to the west, and the present urban boundary to the east of and along Bank Street, and north of Rideau Road. In 2005, the Leitrim Community Design Plan (CDP) was approved by Council, outlining the direction for development of the vacant lands in the area. The Final Serviceability Report Leitrim Development Area City of Ottawa, (IBI Group, March 2007) identified the preferred stormwater management (SWM) strategy for the Leitrim community. This report recommended two SWM ponds and related trunk storm sewers, along with the tributary catchment area corresponding to each pond. The locations are consistent with an update to the Final Serviceability Report 2007 entitled Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim

Development Area (IBI Group, September 2016). The SWM portion of the updated study was revised to reflect the new urban boundary of OPA 76 and changes to the City's Sewer Design Guidelines.

Pond 1 Expansion

Pond 1 Expansion will be located in the rural area adjacent to Urban Expansion Areas 9a and 9b as shown in Document 3.

Development of the lands in the Leitrim Community east of Bank Street will necessitate the construction of Pond 1 Expansion. The Pond 1 Expansion will also serve to capture stormwater flowing from Pond 2.

Pond 1 is fully constructed and operational with DC repayments completed as per the Pond 1 Front-Ending Agreement.

Pond 2

Pond 2 of the Leitrim Community will be located at the northwest corner of White Alder Drive and Kelly Farm Drive. The location of stormwater Pond 2, the Leitrim Road Drainage system, the North-South Swale and the oversized trunk storm sewers tributary to it are shown in Document 3.

Development of the land immediately south of Leitrim Road will necessitate the construction of Pond 2, the Leitrim Road Drainage system, the North-South Swale and the oversized storm trunk sewers. Pond 2 will also serve the future development of the industrial lands located in the northwest corner of the community.

The previous report authorizing the City to enter into a Front-Ending agreement with Findlay Creek Properties Limited for the design and construction of Pond 2 and storm sewer oversizing was approved by Council in 2017. The Pond 2 sewer oversizing was estimated at that time as \$12,756,000. The details can be found in report [ACS2016-PIE-PGM-0190](#). There are no agreements in place based on this Council decision.

With detailed design completed and its review by the City on-going, the cost estimate has been revised and increased to reflect the updated costs for disposal of excavated material and rock, changes in design to the structures and landscaping. These updates have resulted in an increase from \$12,756,000 to \$18,284,736. The recommendations in this report replace those found in the 2016 report.

Payments are also being made for Pond 1 trunk storm sewer oversizing. Details on the repayment of Pond 1 and a portion of the storm trunk sewers tributary to it can be found in the 2006 report [ACS2006-PGM-APR-0061](#). This 2006 report requested a repayment for Pond 1 storm sewer oversizing to an upset limit of \$6,572,444. The design was changed to satisfy the update of the Sewer Design Guidelines (October 2012). There is now a requirement to update the 2006 amount for Pond 1 trunk sewer oversizing; therefore, this report asks for the amount to be increased to \$8,827,000. Document 3 shows the pipe segments tributary to Pond 1 that will be paid upon council approval of this increase.

The IBI Group 2016 Updated Serviceability Report for Findlay Creek identified the need for a sanitary sewer extension in the vicinity of Pond 2. The sewer extension, shown in Document 3, will eventually be needed to service lands both east and west of Albion Road, including future development lands owned by the City. There are significant savings in construction costs if the sanitary sewer is constructed in conjunction with the construction of Pond 2. In addition, the availability of services to the City lands is expected to result in uplift in their market value when these lands are disposed of in the future. Previous recommendations (Recommendations 5 and 6) in a 2016 report ACS2016-PIE-PM-0190 addresses this.

The Leitrim Road Storm Drainage System and North-South Swale were identified in the Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim Development Area, and are now introduced as elements to be included in a Front-Ending Agreement.

DISCUSSION

Pond 1 Expansion

The Pond 1 Expansion land costs to be reimbursed to Urbandale Corporation will be the lesser of the appraised cost or \$945,000. The DC background study and by-law assume a value of \$550,000/hectare, however, Urbandale Corporation has provided an estimate based on \$133,517/hectare for 5.43 hectare and \$550,000/hectares based on 0.4 hectare, totalling \$945,000 therefore the same cost will be carried in this report. Urbandale Corporation currently owns the land where the pond will be constructed and the land will be transferred to the City prior to entering into the Front-Ending Agreement. An agreement on the land value will be required. This report assumes that no taxes will

be applied to the land costs because there will be no transfer of land ownership. Urbandale Corporation will be granted a license to enter the City lands and the cost of the license will be equal to the cost of the land. The design, construction and land cost for the Leitrim SWM Facility Pond 1 Expansion is \$6,227,707 plus applicable taxes and indexing. Urbandale Corporation is prepared to front-end the total cost of the land, plus the design and construction of the Pond 1 Expansion and would be paid back based on the principles set out in Document 4 and pursuant to the Council-approved Front-Ending Policy in Document 6.

Under the proposed Front-Ending Agreement, Urbandale Corporation would design and construct the pond expansion in accordance with City and other regulatory standards. The construction of the pond would be subject to inspection by the City and Urbandale Corporation will be required to ensure that any deficiencies are remedied.

Following completion of Pond 1 Expansion, Urbandale Corporation would be reimbursed quarterly on a pro-rata basis from the stormwater DCs imposed by the by-law collected from the benefiting area S-2 for Pond 1 Expansion. The amount outstanding to Urbandale Corporation would be indexed at the same rate as the stormwater DC payable under the by-law. Should the cost of the pond exceed the DC ultimately collected from the benefiting area, the extra cost would be borne by Urbandale Corporation.

Pond 2

The Pond 2 land costs to be reimbursed to Barrett Co-Tenancy will be the lesser of the appraised cost or \$550,000 per hectare. The DC background study and by-law assume a value of \$550,000/hectare therefore the same cost will be carried in this report. The City owns the land where the pond will be constructed. Therefore, an agreement on the land value will be required. This report assumes that no taxes will be applied to the land costs because there will be no transfer of land ownership. Barrett Co-Tenancy will be granted a license to enter the City lands and the cost of the license will be equal to the cost of the land. The design, construction and land cost for the Leitrim SWM Facility Pond 2 is \$18,284,736 plus applicable taxes and indexing. Barrett Co-Tenancy is prepared to front-end the total cost of the land, plus the design and construction of Pond 2 and would be paid back based on the principles set out in Document 5 and pursuant to the Council-approved Front-Ending policy in Document 6.

Under the proposed Front-Ending Agreement, Barrett Co-Tenancy would design and construct the pond in accordance with City and other regulatory standards. The construction of the pond would be subject to inspection by the City and Barrett Co-Tenancy will be required to ensure that any deficiencies are remedied.

Following completion of Pond 2, Barrett Co-Tenancy would be reimbursed quarterly on a pro-rata basis from the stormwater DCs imposed by the by-law collected from the benefiting area S-2 for Pond 2. The amount outstanding to Barrett Co-Tenancy would be indexed at the same rate as the stormwater DC payable under the by-law. Should the cost of the pond exceed the DC ultimately collected from the benefiting area, the extra cost would be borne by Barrett Co-Tenancy.

There is a need to oversize the storm sewers to accommodate development of lands other than those being developed at this time. The stormwater DC By-laws, including the proposed by-law, each contain a Schedule "D" which provides for payments for oversizing of storm sewers. For the east trunk sewer system tributary to Pond 2, the amount used to calculate the DC is \$4,313,000. The By-law will be based on a total of \$4,313,000 for the east and west trunk sewers tributary to Pond 2. There is also a need to pay for trunk sewers tributary to Pond 1, hence the request to increase the amount to \$8,827,000. Following completion of the storm sewer oversizing, the benefactor would be reimbursed quarterly on a pro-rata basis from the stormwater DCs imposed by the by-law collected from the benefiting area S-2 for Pond 2. The amount outstanding would be indexed at the same rate as the stormwater DC payable under the by-law.

Recommendations 5 and 6 in the 2016 report [ACS2016-PIE-PGM-0190](#) pertaining to the construction of the extension of the sanitary sewers to City lands remain in effect. Recommendation 5 in the report authorize \$665,000 from the sale of the lands for Pond 2 to be used to cover the cost of constructing the extension. Recommendation 6 authorizes the City to enter into a Cost Sharing agreement with Barrett CoTenancy with an upset limit of \$665,000 to design and construct the sanitary sewer from Diamond Jubilee Park to the City owned lands at 4151 and 4201 Albion Road. The costs incurred in the extension are expected to be recouped in the value that is added to the City employment lands, which will be rendered more viable for development given easier access to sanitary services. A new capital account will be established with budget authority of \$665,000 for the sanitary sewer, funded through the revenues from the sale of lands for Pond 2.

RURAL IMPLICATIONS

Through the Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim Development Area (IBI 2016), an Environmental Management Plan was completed. East of Areas 9a and 9b, outside of the LDA, is a deciduous forest and swamp that are designated as a Rural Natural Feature in the City Official Plan. The Rural Natural Feature is discussed in this EMP as it relates to the proposed SWM alternatives for the Leitrim Expansion Area.

COMMENTS BY THE WARD COUNCILLORS

Councillor Qaqish is aware of the application related to this report.

Councillor Darouze provided the following comment:

“I am aware of the application and understand the need for the stormwater management ponds to serve the Leitrim drainage areas in the South Urban Community. I am satisfied with the funding approach and the use of development charges.”

LEGAL IMPLICATIONS

There is no legal impediment to adopting the recommendations in this report. The *Development Charges Act* provides that by-laws adopted under the *Act* can be appealed to the Ontario Municipal Board/Local Planning Appeals Tribunal.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

The recommendations documented in this report are consistent with the City's Comprehensive Asset Management (CAM) Program ([City of Ottawa Comprehensive Asset Management Program](#)) objectives.

Entering into a third party infrastructure agreement, in this case, between the City and Urbandale Corporation and Barrett Co Tenancy, for the design and construction of Stormwater Management Ponds 1 and 2, supports a level of service expectation and what needs to be done to achieve those levels..

FINANCIAL IMPLICATIONS

Recommendations 1 and 2

The Leitrim Area Specific Background Study and By-law have been updated to reflect the estimated costs as identified in Documents 1 and 2. The associated DC rates have been increased to support the increased costs.

Recommendations 3 and 4

The works are identified within the DC Background Study as special Area S-2 in the By-law. A breakdown of the estimated costs is as follows:

Construction SWM Pond 1 Expansion)	\$4,063,620
Land	\$945,000
Engineering (15 per cent of construction)	\$609,543
Contingency (15 per cent of construction)	\$609,543
Total Eligible Costs under the Front-Ending Agreement SWM Pond 1 Expansion, plus applicable taxes and indexing	\$6,227,707

Repayment for SWM Pond 1 Expansion shall be based on the actual value to an upset limit of \$6,227,707 plus applicable taxes and applicable indexing. Payments will be made on a pro-rata basis as the applicable DC revenue is collected. Should the actual costs exceed the upset limit, the additional costs shall be borne by the developer and the City shall not be obligated to compensate for additional costs.

Pending Council approval for the City to enter into the agreements, a capital account will be established with the budget authority of \$6,227,707 plus applicable taxes for the SWM pond. Budget authorities will be adjusted, as needed, on an annual basis to reflect increases due to indexing. The increases will be funded through the Special Area DCs.

The annual operating impact to the City for Pond 1 is estimated to be in the range of \$20,000 to \$30,000 per year, beginning in the year 2020, the estimated date that the City will take over operation of the pond.

Recommendations 5, 6, 7, 8 and 9

The works are identified within the DC Background Study as special Area S-2 in the By-law. A breakdown of the estimated costs is as follows:

Construction (SWM Pond 2)	\$9,834,421
Land	\$5,500,000
Engineering (15 per cent of construction)	\$1,475,161
Contingency (15 per cent of construction)	\$1,475,161
Total Eligible Costs under the Front-Ending Agreement SWM Pond 2	<u>\$18,284,736</u>
Construction (Leitrim Road Storm Drainage System)	\$1,491,500
Land	\$280,500
Engineering (15 per cent of Construction)	\$223,725
Contingency (15 per cent of Construction)	\$223,725
Total Eligible Costs under the Front-Ending Agreement Leitrim Road Storm Drainage System	<u>\$2,219,450</u>
Construction (North South Swale)	\$1,417,750
Land	\$1,199,000
Engineering (15 per cent of Construction)	\$212,662
Contingency (15 per cent of Construction)	\$212,662
Total Eligible Costs under the Front-Ending Agreement North South Swale	<u>\$3,042,075</u>
Trunk Storm Sewer Oversizing to Pond 1	\$8,827,000
East Trunk Storm Sewer Oversizing to Pond 2	\$4,313,000

Total Cost for SWM Pond 2, Leitrim Road Drainage System, North-South Swale and Storm Trunk Oversizing, plus applicable taxes	\$36,686,261
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Repayment for SWM Pond 2 and the storm sewer oversizing for Ponds 1 and 2 shall be based on the actual value to an upset limit of \$18,284,736, \$8,827,000 and \$4,313,000 respectively, plus applicable taxes and applicable indexing. Payments will be made on a pro-rata basis as the applicable DC revenue is collected. Should the actual costs exceed the upset limit, the additional costs shall be borne by the developer and the City shall not be obligated to compensate for additional costs.

Pending Council approval of the Recommendations, budget authority will be adjusted to \$18,284,736 plus applicable taxes within 907529 Development Charges Account (DCA) Leitrim SW Pond 2, \$8,827,000 plus applicable taxes within 907562 within DCA Leitrim Pond 1 Trunk Sewer, and \$4,313,000 plus applicable taxes within 907535 DCA Leitrim Pond 2 Trunk Sewer. In addition, two new capital accounts will be established with budget authority of \$2,219,450 and \$3,042,075 plus applicable taxes for the Leitrim Road Storm Drainage System and the North-South Swale, respectively. Payments will be made on a pro-rata basis as the applicable DC revenue is collected. The outstanding balances will be reviewed and adjusted for indexing on an annual basis, in accordance with the Front-Ending Policy. The increases will be funded through the Special Area DCs.

The annual operating impact to the City for Pond 2 is estimated to be in the range of \$20,000 to \$30,000 per year, beginning in the year 2025, the estimated date that the City will take over operation of the pond. The annual operating impact to the City for the storm trunks is \$20,000 per year starting in 2018.

ACCESSIBILITY IMPACTS

All infrastructure will be designed in accordance with the relevant legislation and regulations.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priorities:

ES1 – Support an environmentally sustainable Ottawa

FS1 – Demonstrate sound financial management

SUPPORTING DOCUMENTATION

Document 1 Leitrim Area Specific Stormwater Background Study for Leitrim Stormwater Facilities-Update

Document 2 Leitrim Area Specific Stormwater By-law

Document 3 Location Map

Document 4 Front-Ending Agreement Principles-Pond 1 Expansion

Document 5 Front-Ending Agreement Principles-Pond 2

Document 6 Council approved Front-Ending Policy

DISPOSITION

The report will be forwarded to Council on February 14, 2018. With respect to the Front-Ending Agreement, the final form of the agreement will be prepared by the City Clerk and Solicitor in consultation with Planning, Infrastructure and Economic Development.

**Document 1 – Leitrim Area Specific Stormwater Background Study for Leitrim
Stormwater Facilities-Update**

City of Ottawa

**Area-specific Development Charge
Background Study for Leitrim Stormwater
Facilities**

City of Ottawa

December 14, 2017

Contents

1. Introduction
2. Local Service Policy
3. Project Description and Development Charge Calculation
4. Impact on Assessment Management Plan

List of Acronyms and Abbreviations

DC	Development Charge
D.C.A.	<i>Development Charges Act</i>
M.O.E.	Ministry of the Environment
L.D.A.	Leitrim Drainage Area
m.m.	millimetre
OPA	Official Plan amendment
s.m.	square metre
S.U.C.	South Urban Community
SWM	Stormwater Management

1. Introduction

This Background Study has been prepared pursuant to Section 10 of the *Development Charges Act*, 1997 and, together with the proposed by-law, is being made available to the public, as required by the *Development Charges Act*, at least two weeks prior to the public meeting of Council and at least 60 days prior to the passing of the DC by-law.

This document encompasses the revised SWM requirements for the Leitrim drainage areas in the South Urban Community. The proposed by-law, which will be provided at least two weeks prior to the public meeting, will replace existing By-law No. 2014-231. That by-law was supported by Chapter 2 of the 2014 Background Study entitled "City of Ottawa Area-Specific Development Charge Background Study for Individual Ponds and Drainage Systems."

SWM has been addressed separately from the City's overall DC Background Study, given its unique features, i.e. a wide range of development and area-specific SWM requirements and solutions with widely-varying costs. Also, some developments outside of these areas provide fully for their own

SWM needs, pursuant to individual development agreements or use existing previously-funded capacity and are therefore exempt from these area-specific by-laws.

In addition to these two sets of circumstances, there are a number of stormwater drainage works which are City-wide or large-area in nature (e.g. Environmental compliance and master planning studies) which provide broad benefits to development in the City and are included separately in the City-wide DC Background Study and by-law.

The calculation of SWM DC in the City of Ottawa has been undertaken generally as follows:

- a) The system requirements have been described and costed, with timing estimated.
- b) These requirements have been clustered into defined DC recovery areas which are small enough to reflect related requirements, but large enough to make administration of the cost recovery system workable.
- c) The benefiting area comprising each recovery area has been measured with respect to the development potential in terms of the land area, number of residential units by type and the floor area of non-residential development. The

costs have been allocated between residential and non-residential development.

- d) The average storm run-off requirement of each residential use has been measured as a means of fairly apportioning the costs between one type of residential use and another.
- e) For residential development, run-off co-efficient for each land use type were selected based on published values within City of Ottawa Sewer Design Guidelines. Multiplying the unbuilt land area (in hectares) by the run-off co-efficient for each dwelling type, produced the share of total flow and cost attributable to that type of development, which when divided by the number of units to be built ("Actual Units"), produced the appropriate DC by dwelling type. While the unit occupancy is often used as an alternative means of allocating costs by type of development, the above-referenced approach is more precise in the case of SWM works.
- f) In the case of non-residential development, the applicable cost share has been divided by the remaining gross floor area development potential, to yield an average cost per square foot of floor area.
- g) The annual rate of development by type has been estimated, in order to permit the cost recovery stream to be estimated, in instances where the recovery of financing costs is required. This cash flow DC calculation has not been made at this time, however, given the variability which exists in terms of the rate of development. As a result, with few exceptions, net financing costs have not been incorporated in the calculation of the charges.
- h) Reserve fund adjustments have been made as applicable. Positive balances have been subtracted from the amount to be recovered, whereas negative balances have been added.
- i) Reference is also made to the City's proposed local service policy for SWM, which sets out the requirements of individual subdividers. This policy, which was included in Appendix D of the City of Ottawa's 2014 DC Background study, requires servicing by landowners beyond payment of the DC. The policy dealing with Criteria for Arterial Road SWM Costs has been updated. The revised policy is included in Chapter 2 of this report.

2. Local Service Policy

The following text sets out the revised policy regarding “Criteria for Arterial SWM Costs”.

- i. As part of the construction or widening of an arterial road, SWM and off-site storm sewer costs are to be considered a DC project based upon the proportionate cost of the SWM pond and the storm sewers, as defined below.
- ii. The cost contribution from DC for the SWM Pond will be the area of the arterial road right-of-way times the run-off co-efficient divided by the total drainage area times the overall run-off coefficient of the drainage area contributory to the storm water facility.
- iii. The cost for storm sewers required to convey water from the arterial road to the SWM pond will be estimated as follows: a) the shortest route from the arterial road to the SWM pond will be assumed to be a maximum distance of 500 metres; b) the cost is based on the area of the arterial road right-of-way times the run-off co-efficient divided by the total area times the overall run-off coefficient of the drainage area contributory to the storm water facility; and c) costs will be based on reasonable sizing of the storm sewer, with consideration of nominal size sewers and oversizing requirements where appropriate, and will not include such things as upsizing for hydraulic grade line issues and to limit earth fill.
- iv. Monies reimbursed pursuant to this provision shall be deducted, in respect of storm sewers leading to the storm water facility in question, from payment the developer would otherwise receive pursuant to an oversizing schedule of any applicable area specific stormwater DC by-law.
- v. For arterial roads that are widened, upsizing costs for SWM ponds and downstream sewers will be for the widened portion only and will not include the portion of existing road.
- vi. As part of new construction or widening of an arterial road, SWM and off-site storm sewer costs are to be considered a DC project commencing for works approved after June 12, 2014. Robert Grant Avenue is expressly included as an eligible project.
- vii. Monies to be reimbursed pursuant to this provision shall be allocated in the annual budget or a specific report approved by Council with the upset limit based

on the amount shown in the Roads and Related Services capital project template.

- viii. The costs to be allocated for a stormwater water facility or storm sewer pursuant to this provision shall include construction costs, land costs, engineering costs, project management cost and contingencies.

3. Project Description and DC Calculation

The "Final Serviceability Report Leitrim Development Area City of Ottawa," (IBI Group, March 2007) identified the preferred SWM strategy for the Leitrim community. This report recommended two SWM ponds and related trunk storm sewers, along with the tributary catchment area corresponding to each pond. Pond 2 will be located at the northwest corner of White Alder Drive and Kelly Farm Drive. Pursuant to a Front-Ending agreement, Pond 1 is fully constructed and operational with DC repayments underway. Construction related to original Pond 1 storm sewers, a wetland berm, and fish compensation has been completed. The expansion to Pond 1; however, is still required and is addressed in this report.

The South Urban Community. Leitrim drainage area is generally bounded by Leitrim Road to the north, Albion Road to the west, and the urban boundary to the east and south, and is illustrated in Schedule 1. This drainage area has been revised to reflect the addition of the urban expansion lands as identified in OPA 76. These include Areas 9a and 9b south of Analdea Drive east of Bank Street and Area 8a on the southern limit west of Bank Street. The stormwater ponds and trunk storm sewers shown in Schedule 1 for Leitrim drainage area (LDA) are consistent with the Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim Development Area (IBI Group, September 2016) and include the servicing of the OPA 76 expansion lands as well as the proposed expansion of Pond 1.

This project has been identified as the S-2 benefiting charge area and is illustrated on Schedule 1. Schedule 1 identifies the stormwater infrastructure works required. This includes the portion of the north-south swale between Leitrim Road and White Alder Avenue as well as the storm drainage system on the north side of Leitrim Road, between Albion Road and the City's Public Works site. The infrastructure and associated cost tables for Area S-2 found in the report entitled "City of Ottawa: DC Study - Volume II," dated April 30, 2013, prepared by Stantec Consulting Ltd were revised. The new tables reflect current cost information and indexing. The revised table identifies the stormwater infrastructure works required and associated costs of these works and are used as the basis to establish the DCs.

The 2017 growth projections provided in Schedule 2 have been adjusted upwards from the 2014 DC Background Study. There is anticipated development potential in this area beyond 2031 and it was included in the unit cost calculation. There has been no industrial development in the LDA since 1991. Therefore, the projections are for no future industrial development for the period 2015 to 2031. Industrial development is entirely post 2031. It is estimated that 70 per cent of the stormwater costs will be recovered by 2031.

Schedule 3 identifies the stormwater infrastructure works required and includes the full costs associated with each project, for which DCs are calculated. It also includes indexing provision for the storm sewer over sizing and stormwater Pond.

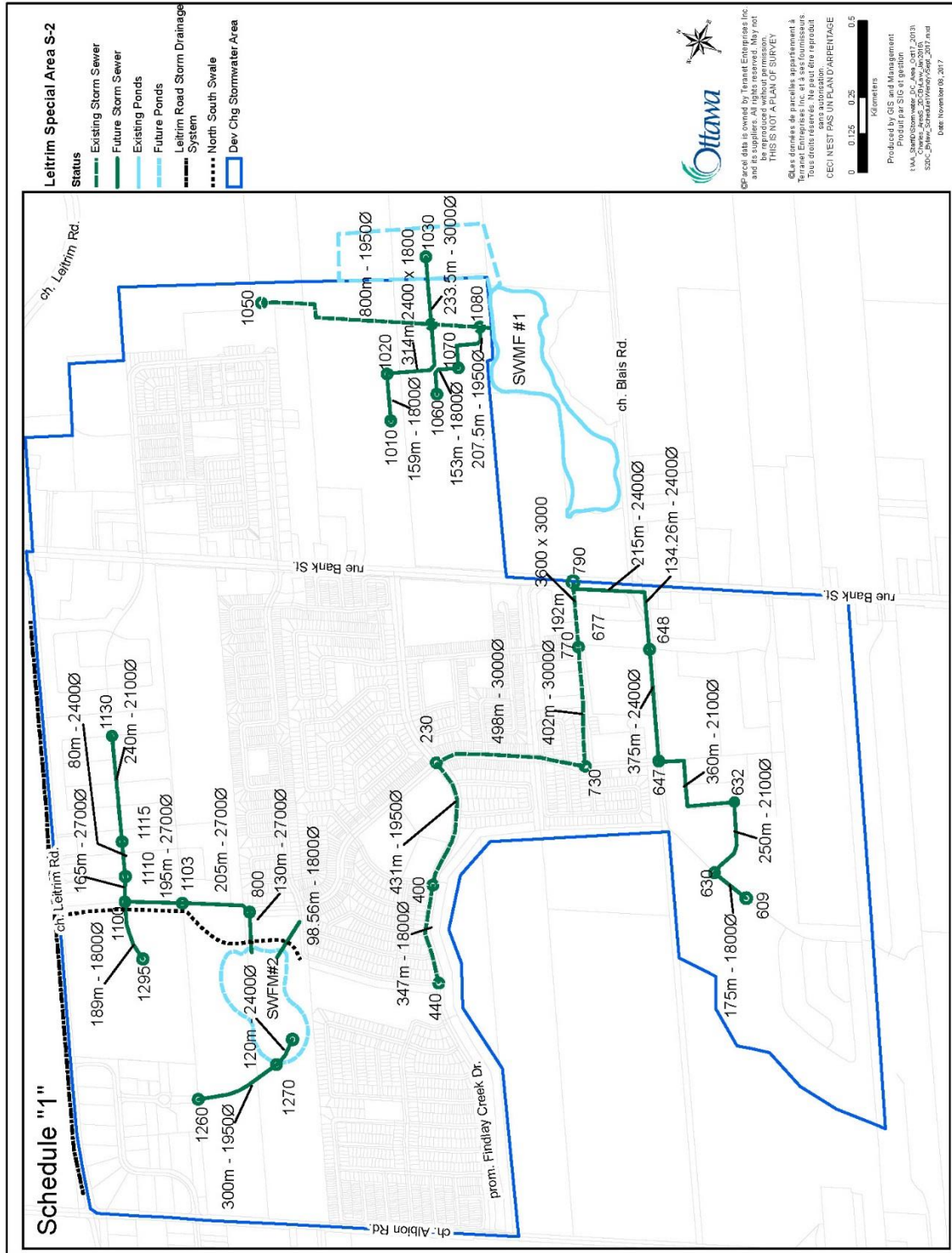
Schedule 4 establishes the DC rates in accordance with the methodology outlined earlier.

Relevant Studies/By-laws

- Updated Serviceability Report (Class EA OPA 76 Areas 8a, 9a and 9b) Leitrim Development Area (IBI Group, September 2016)
- Final Serviceability Report Leitrim Development Area City of Ottawa, IBI Group, March 2007.
- City of Ottawa By-law No. 2006-153 for the imposition of DC for Gloucester South Urban Centre Storm Water Facilities, April 26, 2006.
- Leitrim Community Design Plan, City of Ottawa, July 2005.
- City of Ottawa Report to Planning Committee and Council [ACS2011-ICS-PGM-0220](#) Front-Ending Agreement – SWM Pond 2 and Oversized Trunk Storm Sewers, Leitrim Community,” November 4, 2011. Amendment to DC By-law 2004-303 Leitrim and Front-Ending Agreement SWM Pond 1,” March 2006.
- City of Ottawa Report to Corporate Services and Economic Development Committee and Council [ACS2006-PGM-APR-0061](#) – “Amendment to DC By-law 2004-303 Leitrim and Front-Ending Agreement SWM Pond 1,” March 2006.
- Background Study Update February 1, 2006 South Urban Community Leitrim (Area S-2), By-law 2004-303 and Amending By-law 2005-489, City of Ottawa.
- City of Ottawa By-law No. 2005-489 to amend By-law No. 2004-303 for the imposition of DC for Leitrim Storm Water Facilities, November 9, 2005.
- City of Ottawa By-law No. 2004-303 for the imposition of DC for Leitrim Storm Water Facilities, July 14, 2004.

- City of Ottawa Area-Specific DC Background Study for South Urban Community-Leitrim (Area S-2) SWM Ponds and Drainage Systems, City of Ottawa in consultation with C.N. Watson and Associates Ltd., June 28, 2004.
- Former City of Gloucester DC Background Study, August 1999, in association with Stantec Consulting Ltd.

Schedule 1: South Urban Community-Leitrim (Area S-2)



Schedule 2: Stormwater Management Pond/Drainage System				
#2 South Urban Community-Leitrim (Area S-2) Full Build Out				
Projected Growth				
	2017 Existing	2017 to 2031 Growth	Post 2031 Growth	Total Growth from 2017 to Build Out
1 Residential Units				
Single Detached	1,293	1,580	283	1,863
Semi Detached	538	324	0	324
Row/Town	1,012	1,854	426	2,280
Stacked Row	216	36	0	36
Apartment	4	402	0	402
Total	3,063	4,196	709	4,905
2 <u>Developed Residential Land Area</u>				
(Net Ha)				
Single Detached	58.80	71.82	11.79	83.61
Semi Detached	16.80	10.13	0.00	10.13
Row/Town	23.00	42.14	9.47	51.60
Stacked Row	2.90	0.48	0.00	0.48
Apartment	0.00	3.22	0.00	3.22
Total	101.50	127.78	21.26	149.03
3 <u>Developed Non-Residential Land</u>				
Area (Net Ha)				
Industrial	20.00	0.00	24.00	24.00
Commercial	4.50	11.20	2.00	13.20
Institutional	19.20	9.80	1.00	10.80
Total	43.70	21.00	27.00	48.00
4 <u>Non-Residential GFA (sq.ft.)</u>				
Industrial	936,000	0	756,479	756,480
Commercial	249,683	624,022	120,000	744,022
Institutional	167,070	237,315	56,000	293,315
Total	1,352,753	861,337	932,479	1,793,817

Schedule 3: Stormwater Management Pond/Drainage System #2 SUC - Leitrim (Area S-2) Cost Information \$'000s								
Item No.	Project Description	Gross Capital Cost	Less:			Net Recoverable Capital Costs	73.70% Residential Share	26.30% Non-Residential Share
			Benefit to Existing Development	Grants & Other Contributions	Repayments			
S2-1	SWM Pond 1	11,613	0	0	11,613	0	0	0
S2-2	SWM Pond 1 Indexing Costs	759	0	0	692	67	49	18
S2-3	SWM Pond 1 Expansion	6,228	0	0	0	6,228	4,590	1,638
S2-4	SWM Pond 2	18,285	0	0	0	18,285	13,476	4,809
S2-12	North/South Swale	3,042	0	0	0	3,042	2,242	800
	Trunk Storm Sewers:							
S2-5	Leitrim Road Drainage System	2,219	0	0	0	2,219	1,635	584
S2-6	Trunk Storm Sewer Indexing	1,930	0	0	0	1,930	1,422	508
S2-7	Leitrim Storm Sewers on Tartan Lands	12,121	0	6,959	1,938	3,224	2,376	848
S2-8	Findlay Creek Drive Storm Sewers	3,454	0	2,945	0	509	375	134
S2-9	Storm Sewers on Tartan/Reimer Lands	7,034	0	4,279	0	2,755	2,030	725
S2-10	Storm Sewers East of Bank Street to Pond 1	8,827	0	5,742	0	3,085	2,274	811
S2-11	Storm Sewers to Pond 2	9,242	0	4,929	0	4,313	3,179	1,134
	SUBTOTAL	\$84,754	\$0	\$24,854	\$14,243	\$45,657	\$33,648	\$12,009
	Reserve Fund Balance					805	593	212
	TOTAL	\$84,754	\$0	\$24,854	\$14,243	\$44,852	\$33,055	\$11,797

Schedule 4: Stormwater Management Pond/Drainage System #2 SUC - Leitrim (Area S-2) Total Build Out Development Charge Calculation								
Residential	Unbuilt Ha	Run-off coefficient	Ha x co-efficient	% (rounded)	Residential share x percentage	Actual units	2017 Calculated DC Rates per Unit	Current DC Rates
Net cost					\$33,055,000			
Single Detached	83.61	0.55	45.98	50.5%	16,678,253	1,863	\$8,634	\$7,637
Semi Detached	10.13	0.60	6.08	6.7%	2,203,360	324	\$5,746	\$4,906
Row/Townhouse	51.60	0.70	36.12	39.6%	13,100,977	2,280	\$2,448	\$2,352
Stacked Row	0.48	0.80	0.38	0.4%	139,274	36		
Apartment	3.22	0.80	2.57	2.8%	933,136	402		
Total	149.03		91.14	100.0%	\$33,055,000	4,905		

Non-Residential	2017 Calculated DC Rate per GFA	Current DC Rate
Net Cost	\$11,797,000	
Actual GFA (sqft)	1,793,817	
DC Per GFA (sq.ft)	\$6.58	\$5.99

4. Impact on Asset Management Plan

On December 3, 2015, the Province passed Bill 73, which amended the *Development Charges Act*. Subsequently, on December 18, 2015, Ontario Regulation 428/15 was published which amended Ontario Regulation 82/98 (i.e. the *Development Charges Act* Regulation) and provided additional directives for the amended *Act*. The amendments require that a DC background study include an asset management plan related to new infrastructure. Specifically, it requires the asset management plan to “a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;” and to “demonstrate that all the assets mentioned in (a) are financially sustainable over their full life cycle.”

In regard to the City’s asset management practices for life cycle costing and risk-based decision making for existing and planned infrastructure, actions to date or underway are summarized below:

In 2012, the City implemented the Comprehensive Asset Management (CAM) Program, CAM policy and a Supporting Strategy for senior management to ensure achieving the policy objectives;

The last iteration of the infrastructure master plan, completed in 2014, took into consideration the future costs of new infrastructure (i.e. life cycle costing) as a future burden to tax-payers to ensure financial sustainability and adjusted (reduced) the quantity of future planned works accordingly; and

The City has a program in place and initiatives are underway to be compliant with Bill 6 requirements regarding infrastructure asset management planning.

The Comprehensive Asset Management Program, referred to above, establishes Council’s expectations with regard to the management of the City’s physical assets. This policy specifically states: “...asset related decisions are founded on a sustainable approach to ensure that asset base increases or enhancements consider the impact on the ability of the City to fund future maintenance and rehabilitation.” Further, the City continually inspects and assesses asset conditions and completes risk based reviews and renewal programming on that basis. The City

regularly updates long-term asset needs forecasts to establish long-range financial plan requirements.

The City regularly establishes long range financial plans. These reports provide a series of financing strategies that balance the need to maintain and build capital assets with the need to manage debt, reserve balance and rate increases. The most recent plan addressing SWM works was completed in 2012: “Long Range Financial Plan IV – Water and Sewer Rates Supported Programs.”

At the present time, the replacement cost of stormwater assets is funded through the sewer surcharge rate. The funding strategy outlined in the 2012 Long Range Financial Plan anticipates a need to increase rates over the 2012 to 2021 period. For 2015 and 2016, the increase was projected to be 6 per cent annually (including inflation) and from 2017 to 2021, a 5 per cent annual increase was projected. The City also has a water, wastewater, and stormwater rate structure review underway where Council has agreed that financial sustainability is a guiding principle for assessing potential structures. Furthermore, the City is considering adopting a dedicated stormwater fee to fund stormwater operations and capital costs as part of this review.

An estimate has been prepared of the life cycle sinking fund costs for the assets to be funded (in part) from the DCs calculated in Chapter 3, based on the City's amortization periods by asset type within their asset management plan. On this basis, it was calculated that the estimated incremental annual costs to address the long-term life cycle needs of these assets would be in the range of \$1.3 million. The City's long range financial plan has adopted a funding strategy to increase the level of funding made available to maintain existing and new assets in a state of good repair. As such, in the context of the requirements of the *Development Charges Act*, we would conclude that the capital assets contained herein can be addressed in a financially sustainable manner over the asset life cycle.

Document 2 – Leitrim Area Specific Stormwater By-law

BY-LAW NO. 2018-

A by-law of the City of Ottawa for the imposition of development charges for Leitrim Stormwater Facilities.

WHEREAS the Council of the City of Ottawa may by by-law, pursuant to Subsection 2(1) of the *Development Charges Act, 1997*, impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies and the development requires certain approvals recited in Subsection 2(2) of the *Development Charges Act, 1997*;

AND WHEREAS Council has reviewed all matters required to be considered under the *Development Charges Act, 1997* and the regulations made thereunder, including provision of the proposed by-law and background study;

AND WHEREAS Council has given public notice, held a public meeting and consulted with the public in accordance with the provisions of the *Development Charges Act, 1997*;

AND WHEREAS Council, upon reviewing the matters and after the public consultation, deems it necessary to enact this by-law to provide for the imposition of development charges against land;

AND WHEREAS Council has wishes to adopt a by-law for the imposition of development charges for the Leitrim areas in the City which benefits from stormwater management facilities and related sewers;

THEREFORE the Council of the City of Ottawa enacts as follows:

DEFINITIONS

1. The definitions as set out in Clause 1 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

DESIGNATED AREA

2. The designated area within which development charges are imposed and to which this development charge by-law applies are all lands within the area outlined in Schedule "A" to this by-law.

DESIGNATED SERVICE

3. (1) Development charges shall be imposed for stormwater management facilities and accessory sewers serving the lands described in Schedule "A" to pay for the increased capital costs required because of increased needs for such services arising from development.
- (2) Once this by-law is in force, the development charge applicable to the development as determined by this by-law shall apply without regard to the service required or used by any individual development.

DESIGNATED USES

4. The types of residential use and non-residential uses as set out in Clause 4 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

DEVELOPMENT CHARGE RULES

5. (1) The development charges herein have been calculated in the background study such that the total of all development charges on anticipated development do not exceed the capital costs determined under paragraphs 2 to 8 of Subsection 5(1) of the *Act*. In addition, the charges for the residential use and non-residential use development and the sub-types noted therein, have been calculated such that they do not exceed the capital costs that arise from the increase in the need for service for each individual type of development;
- (2) The development charges established in Schedule "B" to this by-law shall be and are hereby imposed on the area set out in Schedule "A" to this by-law, as the case may be, in respect of the designated uses of land, buildings or structures within the designated area for the designated services with respect to residential use development;

- (3) The development charges established in Schedule "C" to this by-law shall be and are hereby imposed on the area set out in Schedule "A" to this by-law, as the case may be, in respect of the designated uses of land, buildings or structures within the designated area for the designated services with respect to non-residential use development;
- (4) The development charges established in Schedule "B" and Schedule "C" to this by-law shall apply in the case of a mixed-use development based upon the applicable residential and non-residential use portions of the development under Subsections 5(2) and 5(3) of this by-law, respectively;
- (5) The development charges imposed pursuant to Subsections 5(2) and 5(3) of this by-law shall apply, in accordance with this by-law and the *Act*, to any development which requires:
 - (a) the passing of a zoning by-law or of an amendment thereto under Section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under Section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under Subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
 - (e) a consent under Section 53 of the *Planning Act*;
 - (f) the approval of a description under Section 50 of the *Condominium Act*; or
 - (g) the issuing of a permit under the *Building Code Act* in relation to a building or structure.

IMPOSITION OF CHARGE

6. The development charges described in Schedule "B" and Schedule "C" shall be imposed with respect to the designated use of any land, building or structure

which requires any of the approval actions described in Subsection 5(5) of this by-law and shall be calculated as follows:

- (a) in the case of residential use development or the residential portion of a mixed-use development based upon the number and type of dwelling units;
- (b) in the case of non-residential use development or the non-residential use portion of a mixed-use development, based upon the gross floor area of such development;
- (c) notwithstanding Subsection 6(a), in the case of residential use development charges described in Schedule "B", all mobile homes, single-detached dwellings, semi-detached dwellings, row dwellings and multiple dwellings which are also non-profit housing with less than or equal to 1000.0 square feet of gross floor area and for which development charges are imposed by this by-law, shall pay a development charge rate on the same basis as an apartment dwelling with two or more bedrooms.

EXEMPTIONS

7. The exemptions as set out in Clause 7 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

REDEVELOPMENT OF LAND CREDITS

8. The land credits as set out in Clause 9 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

SERVICES-IN-LIEU CREDITS

9. The service-in-lieu credits as set out in Clause 11 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

TRANSITIONAL PROVISIONS

10. The transitional provisions as set out in Clause 12 of the Development Charges By-law, 2014 do not apply to charges imposed by this by-law.

COLLECTION PROCEDURES

11. The collection provisions as set out in Clause 13 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

CONFLICT

12. The conflict provision as set out in Clause 14 of the Development Charges By-law, 2014 is hereby incorporated into this by-law.

SERVICES-IN-LIEU OF DEVELOPMENT CHARGES AND OVERSIZING

13. The services-in-lieu of development charges and oversizing provisions as set out in Clause 15 of the Development Charges By-law, 2014 are hereby incorporated into this by-law with the applicable amounts for oversizing for stormwater management facilities and accessory drains being that set forth in Schedule "D" to this by-law, subject to indexing under this by-law and that has occurred pursuant to By-laws 2014-231 and 2016-185.

TIMING OF THE CALCULATION AND PAYMENT

14. The timing and calculation of payment provisions set out in Clause 16 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

15. (1) Despite section 14, in respect of the lands identified in Schedule "A", where a front-ending agreement is in force in respect of all or a portion of such lands, development charges payable pursuant to this by-law for lands subject to an application for draft subdivision approval, owned by a person who is not a party to a front-ending agreement for stormwater facilities within such lands, shall be due for all the lands subject to the application for subdivision approval at the earliest of:

(a) registration of the plan of subdivision; or

(b) issuance of a conditional building permit for the lands, provided that a subdivision agreement has been executed.

(2) Despite Subsection 15(1), in respect of City Subdivision File D07-16-03-0018, Phases 2 to 4, upon the occurrence of the earlier of the two events

in Clause 15(1)(a) and Clause 15(1)(b), development charges imposed under this by-law in respect of a single detached dwelling shall be paid in respect of each lot and block shown in Phases 2 to 4 of the plan or proposed plan of subdivision.

- (3) Upon the execution of an amending subdivision agreement for lands within Phases 2 to 4 of City Subdivision File D07-16-03-0018, the development charges imposed under this by-law shall be payable in respect of the lands subject to the amending subdivision agreement.
- (4) Where the number of dwelling units or amount of gross floor area within a plan of subdivision equals or exceeds the number or amount respectfully upon which the calculation in Subsections (1), (2) or (3) were based, development charges calculated in accordance with this by-law shall be payable at the issuance of a building permit for any additional dwelling units or in respect of any additional gross floor area.

RESERVE FUND

16. The development charges imposed by this by-law for stormwater management facilities and accessory sewer services shall be paid into the Leitrim Stormwater Development Charges Reserve Fund and all development charges imposed by the City by any development charge by-law for stormwater management facilities and accessory sewers in the benefiting area set out in Schedule "A" to this by-law shall be deemed to be in respect of a single service.

INDEXING

17. The indexing provisions set out in Clause 18 of the Development Charges By-law, 2014 are hereby incorporated into this by-law.

SCHEDULES

18. The Schedules appended to this by-law shall be deemed to form part of this by-law and all information contained therein shall have the same force and effect as though it had been recited directly in the sections of this by-law.

APPLICATION OF THE ACT

19. Any matter not otherwise provided for in this by-law shall be subject to the provisions of the *Act*.

TERM OF BY-LAW

20. This by-law shall continue in full force and effect for a term of five (5) years from the date of its enactment, unless it is repealed at an earlier date.

NUMBER

21. In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.

HEADINGS FOR REFERENCE ONLY

22. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction or interpretation of this by-law.

SEVERABILITY

23. It is the declared intention of the Council of the City that any section or part thereof or any Schedule of part thereof which may be held to be void or ineffective shall not be deemed to affect the validity of any other section or Schedules to this by-law.

REPEAL

24. By-laws 2014-231 and 2016-185 are hereby repealed.

SHORT TITLE

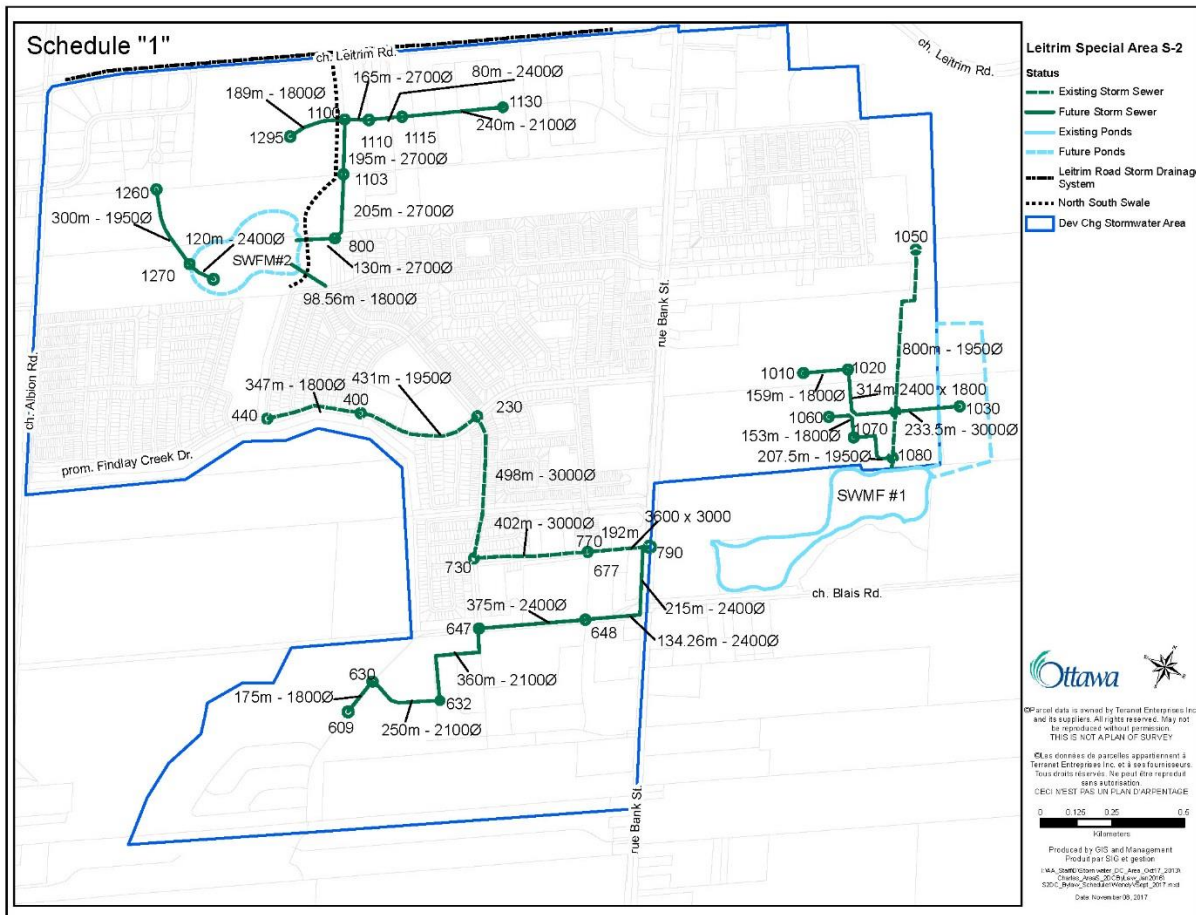
25. This by-law may be cited as the Leitrim Stormwater Development Charges By-law, 2018.

ENACTED AND PASSED this 14th day of February, 2018

CITY CLERK

MAYOR

SCHEDULE "A" - DESIGNATED AREA



SCHEDULE "B" – RESIDENTIAL DEVELOPMENT CHARGES

Development Charge per Dwelling Unit

Type of Residential Use

Area S-2

Leitrim	Single-Detached Dwelling and Semi-Detached Dwelling	Multiple Dwelling, Mobile Home & Row Dwelling	Apartment Dwelling
Stormwater Management Facility and Accessory Services	\$8,634	\$5,746	\$2,448

SCHEDULE "C" – NON-RESIDENTIAL DEVELOPMENT CHARGES

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

Leitrim	Non-Residential
Stormwater Management Facility and Accessory Services	\$6.58

SCHEDULE "D" – OVERSIZING

BENCHMARK – NO CONTINGENCY

Pipe Diameter		Pipe Cost	Total Cost (2013 \$)	Oversize Costs (>1650mm dia)
(ft)	(mm)	(\$/m)	(\$/m)	(\$)
5.5	1650	961.01	2671.76	0
6.0	1800	1162.04	3107.52	435.76
6.5	1950	1347.25	3530.80	859.04
7.0	2100	1542.75	3983.90	1312.14
7.5	2250	1755.85	4479.80	1808.04
8.0	2400	2052.58	5123.92	2452.16
8.5	2550	2311.75	5727.32	3055.57
9.0	2700	2567.51	6345.73	3673.98
10.0	3000	3146.02	7494.26	4822.50

BENCHMARK –CONTINGENCY

Pipe Diameter		Pipe Cost	Total Cost (2013 \$)	Oversize Costs (>1650mm dia.)
(ft)	(mm)	(\$/m)	(\$/m)	(\$)
5.5	1650	961.01	3072.52	0
6.0	1800	1162.04	3573.64	501.12
6.5	1950	1347.25	4060.41	987.89
7.0	2100	1542.75	4581.48	1508.96
7.5	2250	1755.85	5151.77	2079.25
8.0	2400	2052.58	5892.51	2819.99
8.5	2550	2311.75	6586.42	3513.90
9.0	2700	2567.51	7297.59	4225.07
10.0	3000	3146.02	8618.39	5545.87

BY-LAW NO. 2016 -

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A by-law of the City of Ottawa for the imposition of development charges for Leitrim Stormwater Facilities.

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Enacted by City Council at its meeting of February 14, 2018.

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LEGAL SERVICES

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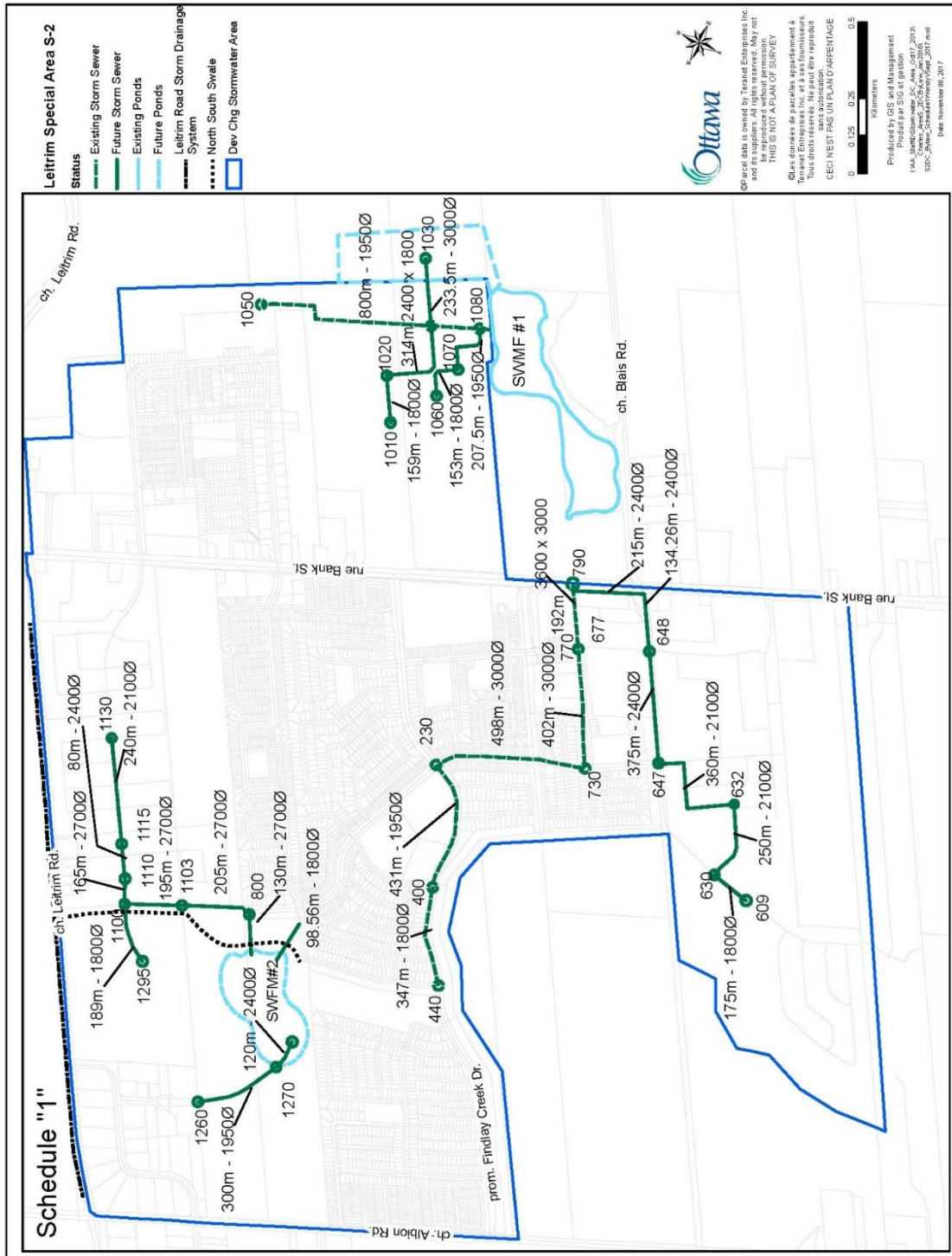
COUNCIL AUTHORITY:

City Council February 14, 2018

Council Item

PC Report, Item

Document 3 – Location Map



Document 4 – Front-Ending Principles –Urbandale Corporation (Pond 1 Expansion)

1. The Front-Ender shall be required to post a letter of credit or cash deposit equal to the value of the construction of Pond 1 Expansion.
2. Contract for works to be awarded by Urbandale Corporation subject to prior review and approval by the City.
3. Construction to be completed to City and other regulatory standards. Urbandale Corporation will acquire all necessary permits prior to construction. Furthermore consent to enter will be required from the City.
4. Prior to Final Acceptance of the SWM facility, all outstanding deficiencies must be corrected and a clean-out of any accumulated sediments within the facility must be undertaken to return the facility to an as-designed/as-constructed state, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development
5. Urbandale Corporation to be reimbursed quarterly from stormwater DC collected within the benefiting area.
6. The cost of the design, construction, and remuneration of land for the Leitrim Pond 1 Expansion is set at an upset limit of \$6,227,707 plus applicable taxes. Should the cost exceed the upset limits, the additional cost shall be borne by the Front-Ender, and the City shall not be obligated to compensate the Front-ender for additional costs.
7. Amount outstanding to Urbandale Corporation to be indexed at the same rate as the DC.
8. Should other DC storm related works be constructed during the life of this Front-Ending Agreement as identified in By-law 2016-185 within the stormwater collection area S-2 the Front-Ender acknowledges that they will share with other stormwater drainage projects in the distribution of DC revenue collected.
9. Urbandale Corporation shall convey the lands to the City prior to the execution of the Front-Ending Agreement.

10. Urbandale Corporation acknowledges that the City owns the land were Pond 1 Expansion will be constructed. Furthermore, they agree to enter into agreement(s) to pay for the full cost of the lands and to allow access to the lands for the purpose of construction of the pond. Land remuneration is subject to a land appraisal.
11. The 15 per cent engineering fee allowance will include the City's 4 per cent design and inspection fee.
12. The repayment of the construction costs of Leitrim Pond 1 shall be pursuant to the Council-approved Front-Ending policy as referenced under Document 6.
13. The date that indexing of costs incurred for stormwater facilities and storm sewer oversizing will be based on the following:
 - (a) In respect of work done prior to the date of preliminary acceptance, such work shall be subject to indexing from that date only if the invoice(s) for such work are received within one year of preliminary acceptance;
 - (b) In respect of work done after preliminary acceptance, such work shall be subjecting to indexing from the time of the performance of the works only if the invoice(s) for such are received within one year of such work being performed; and
 - (c) Where an invoice is not received within the time frames in (a) or (b) above, indexing shall only apply from the date of the receipt of the invoice.
14. The final tender or a contract amount provided by the owner plus engineering and contingencies plus applicable taxes will be used in the agreement as the upset limit in the costs eligible for reimbursement.
15. The Front-ENDER acknowledges that the City shall hold a portion of the letter of credit, in the amount to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development and the SWM Unit, to correct identified deficiencies and to undertake a clean-out of accumulated sediments from the facility to restore it to its 'as-designed' state to the satisfaction of the City's SWM Unit. The letter of credit shall be held until such time a minimum of 80 per cent of the tributary area of the pond is constructed and occupied.

Document 5 – Front-Ending Principles –Barrett Co-Tenancy (Pond 2)

1. The Front-Ender shall be required to post a letter of credit or cash deposit equal to the value of the construction of Pond 2.
2. Contract for works to be awarded by Barrett Co-Tenancy subject to prior review and approval by the City.
3. Construction to be completed to City and other regulatory standards. Barrett Co-Tenancy will acquire all necessary permits prior to construction. Furthermore consent to enter will be required from the City.
4. Barrett Co-Tenancy acknowledges and agrees that the City shall not assume the operation of the SWM pond until a minimum of 80 per cent of of the land not owned by the City of Ottawa and tributary to pond 2 are constructed and occupied, or at an earlier agreed upon date, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development.
5. Prior to Final Acceptance of the SWM facility, all outstanding deficiencies must be corrected and a clean-out of any accumulated sediments within the facility must be undertaken to return the facility to an as-designed/as-constructed state, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development
6. Barrett Co-Tenancy to be reimbursed quarterly from stormwater DC collected within the benefiting area.
7. The cost of the design, construction, and remuneration of land for the Leitrim Pond 2 is set at an upset limit of \$18,284,736 plus applicable taxes. Should the cost exceed the upset limits, the additional cost shall be borne by the Front-Ender, and the City shall not be obligated to compensate the Front-ender for additional costs.
8. Amount outstanding to Barrett Co-Tenancy to be indexed at the same rate as the DC.
9. Should other DC storm related works be constructed during the life of this Front-Ending Agreement as identified in By-law 2016-185 within the stormwater

collection area S-2 the Front-Enders acknowledge that they will share with other stormwater drainage projects in the distribution of DC revenue collected.

10. Barrett Co-Tenancy acknowledges that the City owns the land where Pond 2 will be constructed. Furthermore, they agree to enter into agreement(s) to pay for the full cost of the lands and to allow access to the lands for the purpose of construction of the pond. Land remuneration is subject to a land appraisal.
11. The 15 per cent engineering fee allowance will include the City's 4 per cent design and inspection fee.
12. The repayment of the construction costs of Leitrim Pond 2, the over sizing of storm sewers, Leitrim Road Storm Drainage System and the North-South Swale shall be pursuant to the Council-approved Front-Ending policy as referenced under Document 2.
13. The date that indexing of costs incurred for stormwater facilities and storm sewer oversizing will be based on the following:
 - (a) In respect of work done prior to the date of preliminary acceptance, such work shall be subject to indexing from that date only if the invoice(s) for such work are received within one year of preliminary acceptance;
 - (b) In respect of work done after preliminary acceptance, such work shall be subject to indexing from the time of the performance of the works only if the invoice(s) for such are received within one year of such work being performed; and
 - (c) Where an invoice is not received within the time frames in (a) or (b) above, indexing shall only apply from the date of the receipt of the invoice.
14. The final tender or a contract amount provided by the owner plus engineering and contingencies plus applicable taxes will be used in the agreement as the upset limit in the costs eligible for reimbursement.

Document 6 – June 25, 2009 Council Approved Front-Ending Policy

Front-Ending Agreements are requested by developers who wish to have specific growth-related capital works in place in advance of the City's capital project plans for emplacement of these same works: developers agree to finance the works at the "front end" and recover their costs from the City at a later date. The following conditions must be met in order for the City to enter into a Front-Ending Agreement:

1. All Front-Ending Agreements with the City will be for growth-related capital works that have been included in a DC study.
2. The contract for Front-Ended works shall be awarded by the Front-ENDER in accordance with the City's Purchasing Policy of a competitive procurement process and subject to the review and satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department. Where the front-ender does not award the work in accordance with the City's purchasing policy, they must demonstrate that competitive pricing has been obtained, through independent analysis of their engineer, to the satisfaction of the General Manager, Planning, Infrastructure and Economic Development Department. The contract for the work must be made available to the City to provide to the public.
3. Stormwater ponds and related sewer works that are 100 per cent DC funded in the recommended by-laws will be paid back to the developer based on revenues as they are collected from the designated area. This means that at no time are the repayments to exceed the revenues received. Each Front-Ending Agreement will define the geographic area involved and a separate and specific deferred revenue account may be set up to keep track of the revenues collected and payments made. Crediting will also be allowed for the Front-Ending Agreements related to stormwater ponds. Indexing shall apply to the outstanding balance in accordance with the rate of indexation pursuant to the DC By-laws.
4. For all other capital projects, a lump sum payment, both the DC portion and the City portion, will be made to the developer in the year the project is identified in the City's 10 year capital plan at the time the Front-Ending Agreement is approved. Should growth occur earlier than forecasted, then repayment would be accelerated to reflect the revised timing the City would have budgeted for the project. If growth

occurs more slowly than forecasted, then the City will have an additional one to three years (one to three years from the year the project was identified in the 10 year plan) to make repayments. Only in this latter case will the City's portion of the payment be indexed beginning with the year the project was identified in the 10-year plan.

5. The DC portion that will be reimbursed will be indexed yearly in accordance with the rate of indexation pursuant to the DC By-laws up to the year the capital project has been budgeted. (Council approved February 7, 2005.)
6. Given that the City will be assuming operating costs earlier than anticipated through the Front-Ending Agreement process; the City is not to pay any carrying costs to the developer.
7. All DC payable by developers must be paid up front in accordance with the City's by-law. With the exception of the stormwater ponds and related sewer works, there will not be any crediting allowed as a result of entering into a Front-Ending Agreement. On December 8, 2004, Council approved, "That staff be directed to work with the industry to develop the details of a credit policy to be incorporated into the Front-Ending Policy".
8. In the case where a developer(s) has front-ended a project that at the discretion of the City benefits other developers, those developers who were not part of the Front-Ending Agreement shall pay all of their DC owed either at the time of registration of a plan of subdivision or upon the issuance of the first conditional building permit, whichever comes first. (Council approved July 14, 2004 Motion 16/5)
9. In the case where multiple Front-Ending Agreements are in force in the same area-specific DC By-law, and the City has approved the Front-Ended works for DC reimbursements, the Front-Enders will share in the distribution of DC revenues on a pro-rata basis with other stormwater drainage projects. The pro-rated works shall be based on the balance of the outstanding amount owing on the date the repayment is due. Existing Front-Enders will be advised of new Front-Ending Agreements for stormwater works within the same benefiting area and area-specific DC By-law.

10. The capital project upset limits for engineering, project management, and contingency shall be the established rates set in accordance with the City's DC By-laws and accompanying background studies, as amended.
11. Land remuneration shall be subject to an appraisal by a professional land appraiser and the appraisal shall be conducted in accordance with the terms of reference as established in the City's DC By-laws and accompanying background studies, as amended. The upset limit for land remuneration shall be the lesser of the appraised value and the upset limit in accordance with the City's DC By-laws and accompanying background studies.
12. Indexing shall apply to the total project costs if the Front-Ended works have been delayed over a period of time; the Front-Enders provides justification for the delay, and with the written concurrence of the City.
13. Where a Front-Enders is eligible for DC reimbursement, documentation is required to support the reimbursement in accordance with the City's Purchasing Policy. The Front-Ending Agreement shall identify at which stage the documentation shall be required. The following documentation shall be forwarded to the City before payment is issued:
 - Payment Certificates, including the final certificate, signed by the developer's civil engineer.
 - All invoices supporting re-payment for the Front-Ended works. Statutory Declaration.
 - Certificate of Substantial Performance.
 - Workplace Safety and Insurance Board Clearance Certificate
 - (WSIB). Certificate of Publication.
14. A report to Council is required to authorize staff to enter into a Front-Ending agreement.

The recommendation will include the financial commitment of the City, specify the funding source(s), the project timeline and where necessary, request that a specific deferred revenue account be established. The financial comment in the report will

specify the timelines for the repayment, an operating budget impact and an estimate of the year in which the operating budget impact will begin. It should also indicate the year in which the project was originally identified in the City's 10-year capital plan. A capital project will be established upon Council approval to enter into a Front-Ending agreement. The status of these projects will be provided to Council on a yearly basis.

15. No capital project identified outside of the Council approved 10 year long range capital plan, shown in the DC Background Study is eligible to be Front-ended unless another item(s) of comparable value, funding allocation, and timing is delayed. A capital project identified with a post-period deduction applied to the gross cost will only have the DC portion reimbursed if front-ended over the term of the by-law. Indexing would not be applicable to the repayment of the post-period component of the project cost. If growth occurs more slowly than forecasted, then the City Treasurer will have the authority to add an additional three years, without interest, to the repayment of the post-period component of the front-ended project from DCs.