

1. Update to Nepean South Urban Centre (Area S-3) Stormwater Management Drainage System Location Map

Mise à jour de la carte de localisation du système de gestion des eaux pluviales et de drainage du centre urbain de Nepean-Sud (secteur S-3)

Committee Recommendations, as amended

That Council approve:

- 1. the Nepean South Urban Centre (Area S-3) Area Specific Stormwater Development Charges By-law (By-law 2019-159) be amended by replacing the location map with the location map attached to this report as Document 1;**
- 2. that the amending by-law to give effect to report ACS2019-PIE-EDP-0033 be retroactive to May 22, 2019;**
- 3. that the area specific stormwater amounts paid by Holitzner Homes (1995) Ltd., Tartan Homes Corporation and Tartan Crestway Developments Inc., within Area S-3, in respect of land that will not outlet to a stormwater pond funded by development charges, subject to verification by the General Manager, Planning, Infrastructure and Economic Development Department or his designate, be refunded to the three corporations; and**
- 4. that pursuant to the *Development Charges Act*, subsection 12(3), it is determined that no further public meeting is necessary.**

Recommandations du Comité, telles que modifiées

Que le Conseil approuve :

- 1. la modification du Règlement sur les redevances pour la gestion des eaux pluviales pour Nepean – centre urbain sud (secteur S-3) [Règlement 2019-159] par le remplacement de la carte de localisation par la carte de localisation jointe au présent rapport en tant que document 1;**

2. **que le règlement municipal modificatif donnant effet au rapport ACS2019-PIE-EDP-0033 s'applique rétroactivement à compter du 22 mai 2019;**
3. **que les redevances versées pour les eaux pluviales par Holitzner Homes (1995) Ltd., Tartan et Tartan Crestway Developments Inc. pour des biens-fonds de la zone en question (secteur S 3) qui ne comporteront pas de sortie d'étang financée par les redevances d'aménagement, soient remboursées aux trois sociétés, sous réserve de la vérification du directeur général de la Planification, de l'Infrastructure et du Développement économique ou de son mandataire; et**
4. **que, conformément au paragraphe 12(3) de la Loi sur les redevances d'aménagement, aucune autre réunion publique ne soit nécessaire.**

Documentation / Documentation

1. Director's report, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department, dated July 23, 2019 (ACS2019-PIE-EDP-0033)

Rapport du directeur, Développement économique et Planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 23 juillet 2019 (ACS2019-PIE-EDP-0033)
2. Extract of draft Minutes, Planning Committee, August 22, 2019

Extrait de l'ébauche du procès-verbal, Comité de l'urbanisme, le 22 août 2019

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
August 22, 2019 / 22 août 2019**

**and Council / et au Conseil
September 11, 2019 / 11 septembre 2019**

**Submitted on July 23, 2019
Soumis le 23 juillet 2019**

**Submitted by
Soumis par:
Don Herweyer,
Director / directeur**

**Economic Development and Long Range Planning / Développement économique
et Planification à long terme**

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Ward: BARRHAVEN (3)

File Number: ACS2019-PIE-EDP-0033

**SUBJECT: Update to Nepean South Urban Centre (Area S-3) Stormwater
Management Drainage System Location Map**

**OBJET: Mise à jour de la carte de localisation du système de gestion des
eaux pluviales et de drainage du centre urbain de Nepean-Sud
(secteur S-3)**

REPORT RECOMMENDATION

**That the Planning Committee recommend Council approve the Nepean South
Urban Centre (Area S-3) Area Specific Stormwater Development Charges By-law**

(By-law 2019-159) be amended by replacing the location map with the location map attached to this report as Document 1.

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver la modification du *Règlement sur les redevances pour la gestion des eaux pluviales pour Nepean – centre urbain sud (secteur S-3) [Règlement 2019-159]* par le remplacement de la carte de localisation par la carte de localisation jointe au présent rapport en tant que document 1.

BACKGROUND

There are several key steps that are required in calculating any development charge. One of the steps involved is the requirement that the by-law designate an area within which the charge will be imposed. Section 2(1) of the Development Charges Act (DCA) allows for Council of a municipality to impose development charges against land to pay for the increased capital costs required to meet the need for services arising from development of an area. For example, the development charge imposed may apply to all lands in the municipality or to other designated development areas as specified in the by-law. Municipal practice, however, is divided between application of a uniform versus an area-specific charge to fund capital costs associated with development. Within the City, most of the growth-related costs are allocated across all anticipated development. In other instances, the need for growth-related capital infrastructure to support anticipated development is localized and has a narrowly-defined benefiting area. This area-specific development charge approach is applied to services to align the growth-related capital costs with the specific locations that will be serviced by the required infrastructure.

In 2004, the City implemented an area-specific approach for stormwater management facilities where the costs are more localized and do not provide a benefit external to the drainage area. The site-specific stormwater drainage system framework continues to be used. These existing area-specific charges recover outstanding costs for capital projects undertaken, in most cases, through agreements with various landowners. In addition to aligning benefits and costs, this approach supports cost recovery arrangements since the facilities are highly localized, easily identifiable and the direct responsibility of the developer to provide.

A review of the capital infrastructure plans for South Nepean Urban Centre (Area S-3) indicated that there were revised servicing requirements needed to accommodate and treat stormwater runoff from future development within this catchment area. Subsequently, the boundary was adjusted (see Document 1) since the original area has been largely built out and various landowners have chosen to directly pay for their stormwater management costs and are therefore exempt from area-specific charges. The existing committed eligible costs required to accommodate future development as well as the calculated rates will continue to be applied within the revised benefiting area. This approach is still considered equitable since the charges will apply only against a geographic area that will benefit from the retrofitting of existing stormwater facilities. The updated location map illustrates the revised boundary that has now been more accurately defined. The current location map is attached to this report as Document 2.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

Before passing a Development Charges By-law, Council is required to hold at least one public meeting to review the study, Council report and proposed by-law. A notice to inform the public of this process was placed in newspapers on 2019, and the Background Study was made available on March 15, 2019.

The public meeting will be held at the August 22, 2019 meeting of Planning Committee.

COMMENTS BY THE WARD COUNCILLOR

Councillor Harder provided the following comments:

“Barrhaven has changed dramatically since the current map of 2004 and so has the funding for Stormwater Management. In fact, many developers design and build for their needs in their specific communities and do not contribute to the DC fund at all. Removing the land in the 2004 location map south of the Area S-3 lands in the Revised Location Map makes sense.”

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report. The notice requirements and appeal deadlines related to this amendment are set out in the Disposition, below.

RISK MANAGEMENT IMPLICATIONS

There is a 40-day appeal period during which the Development Charges By-law is appealable to the Local Planning Appeals Tribunal. By working with stakeholders, staff have taken steps to avoid an appeal.

ASSET MANAGEMENT IMPLICATIONS

There are no direct asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

Nepean South Urban Centre (Area S-3) Area Specific Stormwater Development Charges will apply per the amended By-law. Development charges collected will fund area-specific stormwater management capital costs.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

Not applicable

SUPPORTING DOCUMENTATION

Document 1 Revised Location Map Area S-3

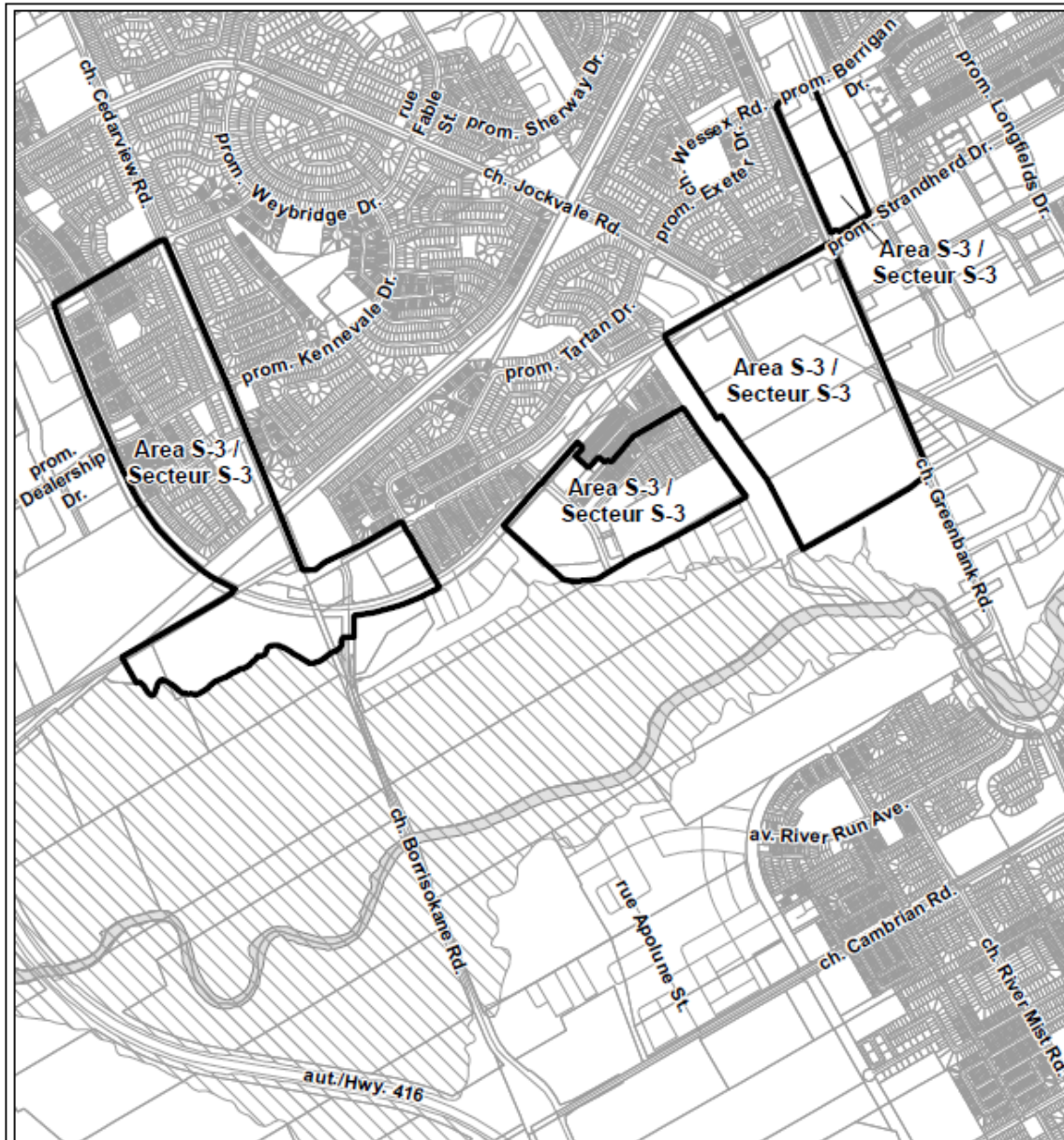
Document 2 Current Location Map Area S-3





DISPOSITION

Planning, Infrastructure and Economic Development Department will make the change to the City of Ottawa Area-Specific Development Charges Background Study as a result of the direction of Planning Committee and Council.

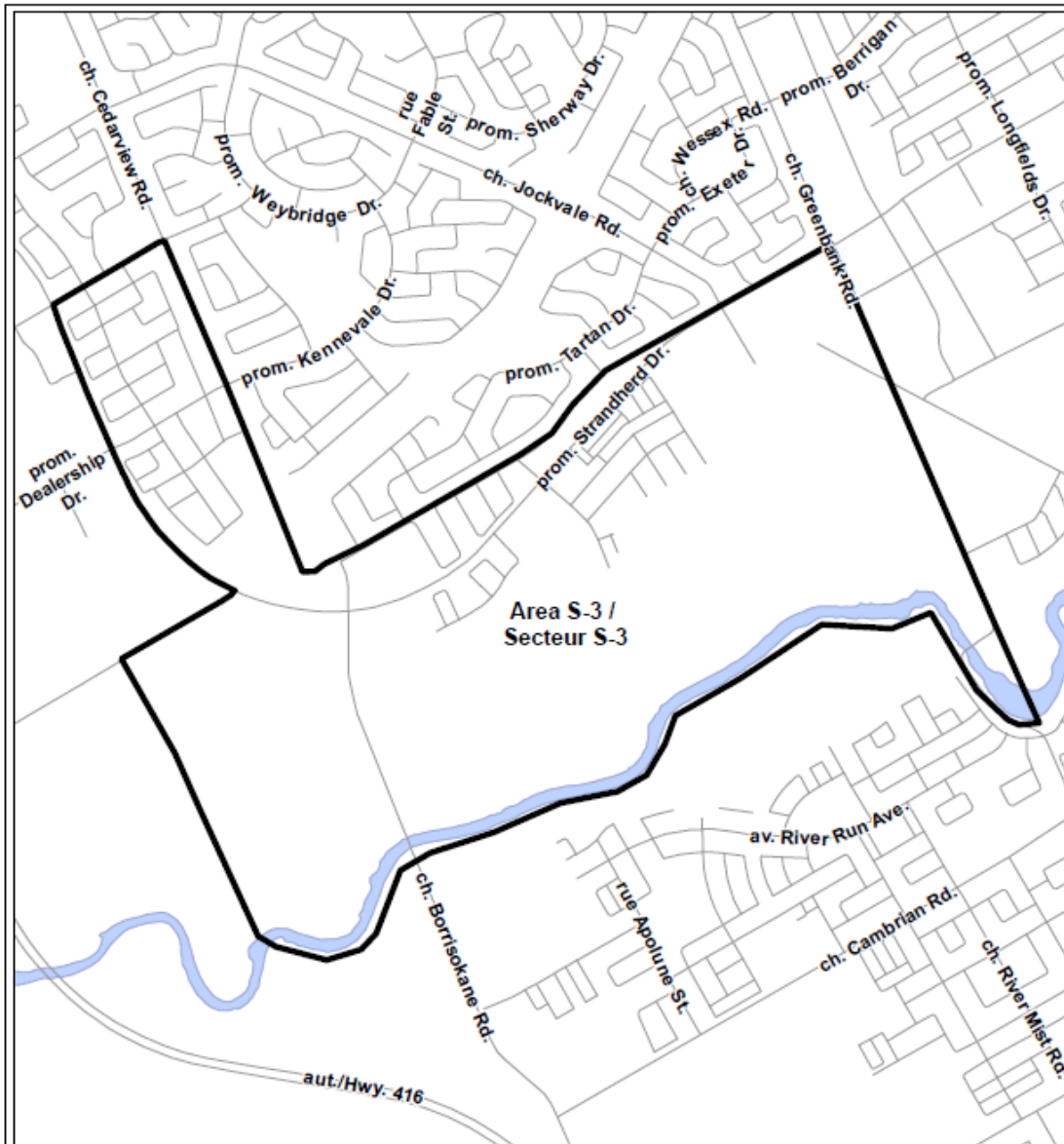
Legal Services will prepare the required by-law and submit them to Council within 20 days of the passage of the by-law, the Planning, Infrastructure and Economic Development Department to ensure that there is a notice of the passage of the by-law and appeal deadline placed in the Citizen and Le Droit. Within 20 days, the City Clerk's Office to notify everyone, who has provided a written request for notice and a return address and the secretary of every school board within the City of Ottawa, of the passage of the by-laws and appeal deadline. The public has 40 days after the adoption of the by-law to file an appeal with the City Clerk. If appeals are made, the City Clerk's Office to compile a formal record of appeals including: a certified copy of the by-law; a copy of the development charge background study; certification that the notice of passage and last day of appeal was given in accordance with the DCA; and an original or true copy of all written submissions and materials received in respect of the by-law before it was passed. The City Clerk's Office to forward a notice of appeal and record to the Local Planning Appeals Tribunal secretary within 30 days of the last day of the appeal period and provide such information and material as the Board may require.



Document 1 – Revised Location Map Area S-3



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
19-0241-D			
I:\ICO\2019\Location\StormwaterAreaMaps\Nepean_S3		 Area S-3 Secteur S-3	
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REVISION / RÉVISION - 2019 / 05 / 30			

Document 2 – Current Location Map Area S-3



		LOCATION MAP / PLAN DE LOCALISATION ZONING KEY PLAN / SCHÉMA DE ZONAGE	
19-0241-D			
I:\OOI2019\Location\StormwaterAreaMaps\Nepean_S3			
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REVISION / RÉVISION - 2019 / 03 / 05		 Area S-3 Secteur S-3	