

**8. OFFICIAL PLAN AMENDMENT – VILLAGE OF RICHMOND WESTERN
DEVELOPMENT LANDS LANDOWNERS COST-SHARING AGREEMENT
BEING 6335, 6350, 6363 PERTH STREET AND 6305, 6420, 6431 OTTAWA
STREET AND ASSOCIATED UNADDRESSED PARCELS**

**MODIFICATION DU PLAN OFFICIEL – ENTENTE DE PARTAGE DES
COÛTS ENTRE LES PROPRIÉTAIRES DE TERRAINS D'URBANISATION À
L'OUEST DU VILLAGE DE RICHMOND VISANT LES 6335, 6350 ET 6363,
RUE PERTH, LES 6305, 6420 ET 6431, RUE OTTAWA, ET LES
PARCELLES SANS ADRESSE AFFÉRENTES**

COMMITTEE RECOMMENDATION

That Council approve and adopt an amendment to the Official Plan to add a special policy that requires all landowners within the Village of Richmond Western Development Lands, as shown in Document 1, to enter into a private agreement(s) to share the costs of infrastructure projects and associated costs required to develop the Western Development Lands as detailed in Document 2.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve et adopte une modification du Plan officiel en vue d'ajouter une politique spéciale qui obligerait les propriétaires de terrains d'urbanisation à l'ouest du village de Richmond, comme l'indique le document 1, à conclure une entente privée en vue de partager les coûts des projets d'infrastructure et des coûts connexes qui devront être engagés pour aménager les terrains d'urbanisation à l'ouest du village de Richmond, comme l'explique le document 2.

Documentation/Documentation

1. Director's report, Planning Services, Planning, Infrastructure and Economic Development Department, dated August 22, 2019 (ACS2019-PIE-PS-0089)

Rapport de la directrice, Services de la planification, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 22 août 2019 (ACS2019-PIE-PS-0089)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, September 5 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 5 septembre 2019

**AGRICULTURE AND RURAL
AFFAIRS COMMITTEE
REPORT 6
SEPTEMBER 11, 2019**

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**COMITÉ DE L'AGRICULTURE ET
DES AFFAIRES RURALES
RAPPORT 6
LE 11 SEPTEMBRE 2019**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
5 September 2019 / 5 septembre 2019**

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

**Submitted on 22 August 2019
Soumis le 22 août 2019**

**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
Personne ressource:
Cheryl McWilliams, Planner / Urbaniste, Development Review Rural / Examen des
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Ward: RIDEAU-GOULBOURN (21)

File Number: ACS2019-PIE-PS-0089

**SUBJECT: Official Plan Amendment – Village of Richmond Western
Development Lands Landowners Cost-sharing Agreement being**

6335, 6350, 6363 Perth Street and 6305, 6420, 6431 Ottawa Street and associated unaddressed parcels

OBJET: Modification du Plan officiel – Entente de partage des coûts entre les propriétaires de terrains d'urbanisation à l'ouest du village de Richmond visant les 6335, 6350 et 6363, rue Perth, les 6305, 6420 et 6431, rue Ottawa, et les parcelles sans adresse afférentes

REPORT RECOMMENDATIONS

1. That Agriculture and Rural Affairs Committee recommend Council approve and adopt an amendment to the Official Plan to add a special policy that requires all landowners within the Village of Richmond Western Development Lands, as shown in Document 1, to enter into a private agreement(s) to share the costs of infrastructure projects and associated costs required to develop the Western Development Lands as detailed in Document 2.
2. That Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the 'brief explanation' in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor's Office and submitted to Council in the report titled, "Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* 'Explanation Requirements' at the City Council Meeting of September 11, 2019," subject to submissions received between the publication of this report and the time of Council's decision.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver et d'adopter une modification du Plan officiel en vue d'ajouter une politique spéciale qui obligerait les propriétaires de terrains d'urbanisation à l'ouest du village de Richmond, comme l'indique le document 1, à conclure une entente privée en vue de partager les coûts des projets d'infrastructure et des coûts connexes qui devront être

engagés pour aménager les terrains d'urbanisation à l'ouest du village de Richmond, comme l'explique le document 2.

2. Que Comité de l'agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et de l'avocat général et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux 'exigences d'explication' aux termes de la Loi sur l'aménagement du territoire, à la réunion du Conseil municipal prévue le 11 septembre 2019 », à la condition que les observations aient été reçues entre le moment de la publication du présent rapport et le moment de la décision du Conseil.

BACKGROUND

The Secondary Plan and Community Design Plan (CDP) for the Village of Richmond has policies relating to the development of the Western Development Lands – a primarily residential community. Those lands are located at the western edge of the Village of Richmond north and south of both Perth and Ottawa Streets. The policies direct development to proceed on municipal servicing, and shared stormwater management facilities and parks. Below are the Master Servicing Policies from the CDP:

Water

- “1. Development in the West Development Lands shall be based on public communal well services. Development in the Northeast Development Lands and the Industrial Lands shall be based on either communal or private wells. Development in the remainder of the village shall be based on private wells unless it is deemed necessary to convert the remainder of the village to a communal well system.”*
2. Water infrastructure services shall be upgraded to provide for the gradual conversion of existing development from private wells to a village-wide

communal system if deemed necessary. For the purposes of Section 2.3.2 of the Official Plan, all the lands within the village boundary shall be a Public Service Area for water services.”

Wastewater

- “1. All development in Richmond shall be connected to the central wastewater collection system. No development shall be permitted until the wastewater system can provide the capacity in accordance with the Master Servicing Study. Notwithstanding the above, until piped services are extended south of the railroad tracks, private services may be permitted in the Industrial Lands to the satisfaction of the City.*
- 2 Existing wastewater infrastructure services shall be upgraded over time to provide the required capacity for the full development of the Village of Richmond. Upon submission of a development proposal, the proponent shall be required to demonstrate that capacity exists to service the development.”*

There is no plan going forward to extend the water system(s) to serve the developed portions of the Village. Any proposal to expand the Richmond West water system to serve any lands outside of the Western Development lands would require an additional amendment to the Official Plan to ensure appropriate cost sharing.

Currently, there is one phase of a subdivision approved within the Western Development Lands. That developer was obligated to dedicate and construct a park, upgrade the Martin Street Sewer, install a municipal water well facility and design and install the first part of the stormwater management pond.

That developer filed the Planning Rationale in support of this amendment and also sought to expand the affected lands to the entire Village of Richmond. Under this scenario all planning applications and building permits within the Village would require clearance from the landowners trustee that they are not affected or are in good standing (paid into) with the landowners private agreement. Given that there is already a Special Area Development Charge to address the upgrades to the wastewater system and that there are no plans to connect any of the balance of the Village to the water system installed to service the Western Development Lands it is

appropriate that the private agreement and related cost sharing be applicable only to development within the Western Development Lands.

DISCUSSION

Official Plan Section 5.3.5. Other Implementation Policies was approved to permit Council to consider the use of private agreements between landowners to cost-share infrastructure:

“5. Subject to City Council approval, the City may consider the use of private agreements among landowners to cost-share roads, piped services, and other infrastructure identified in Community Design Plans or comprehensive servicing studies approved by Council. Such agreements are initiated by landowners within a defined area and provide for the fair sharing of infrastructure costs among the benefiting parties, to complement or replace the provisions of a Development Charges By-law.

Where such agreements are in place, the City will require evidence of paid-up membership in the agreement as a condition of approval for plans of subdivision and condominium, site plan or severance applications.”

By adding the Village of Richmond Western Development Lands to the list of growth areas identified in this section of the Official Plan it would provide a mechanism to help ensure that cost-sharing amongst the private developers occurs.

The Official Plan amendment would require a landowner cost-sharing agreement for the various required facilities and infrastructure needed to develop the Western Development Lands in the Village of Richmond. The cost sharing may include parkland, stormwater pond(s), road modifications, water well system, and the sanitary system. Any new development within the affected lands would need to demonstrate being in good standing of that landowner agreement prior to any planning applications being approved by the City.

Provincial Policy Statement

Staff have reviewed this proposal and have determined that it is consistent with the Provincial Policy Statement, 2014.

RURAL IMPLICATIONS

Approval of this Official Plan amendment would help ensure viable growth within the Village of Richmond Western Development Lands.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy. In addition, email notice was sent to all who had requested notice from a community meeting on development within the Western Development Lands, that was held May 8, 2019. Document 3 contains further details on comments received.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt is aware of the application related to this report and has no comment.

LEGAL IMPLICATIONS

There are no legal impediments to the approval of the recommendations in the report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications with this proposal.

ASSET MANAGEMENT IMPLICATIONS

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

The implementation of the CAM program results in timely decisions that minimize lifecycle costs and ensure the long-term affordability of assets. To fulfill its obligation to deliver quality services to the community, the City must ensure that assets supporting City services are managed in a way that balances service levels, risk and affordability. The creation of an infrastructure cost sharing agreement will ensure that the services needed to support growth are adequately funded and timely.

FINANCIAL IMPLICATIONS

There are no direct financial implications. Landowners will be responsible for cost-sharing the facilities and infrastructure required to develop the Western Development Lands in the Village of Richmond. Any new development within the affected lands would need to demonstrate being in good standing of that landowner agreement prior to any planning applications being approved by the City.

ACCESSIBILITY IMPACTS

There are no accessibility implications with the proposed amendment.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications with this proposed amendment.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

- Governance, Planning and Decision-Making and locally Sustainable Environmental Services.

APPLICATION PROCESS TIMELINE STATUS

The application was not processed by the "On Time Decision Date" established for the processing Official Plan amendments due to workload volumes as well as the complexity of the issues associated with determining the affected lands.

SUPPORTING DOCUMENTATION

Document 1 Affected Lands

Document 2 Official Plan Amendment

Document 3 Consultation Details

DISPOSITION

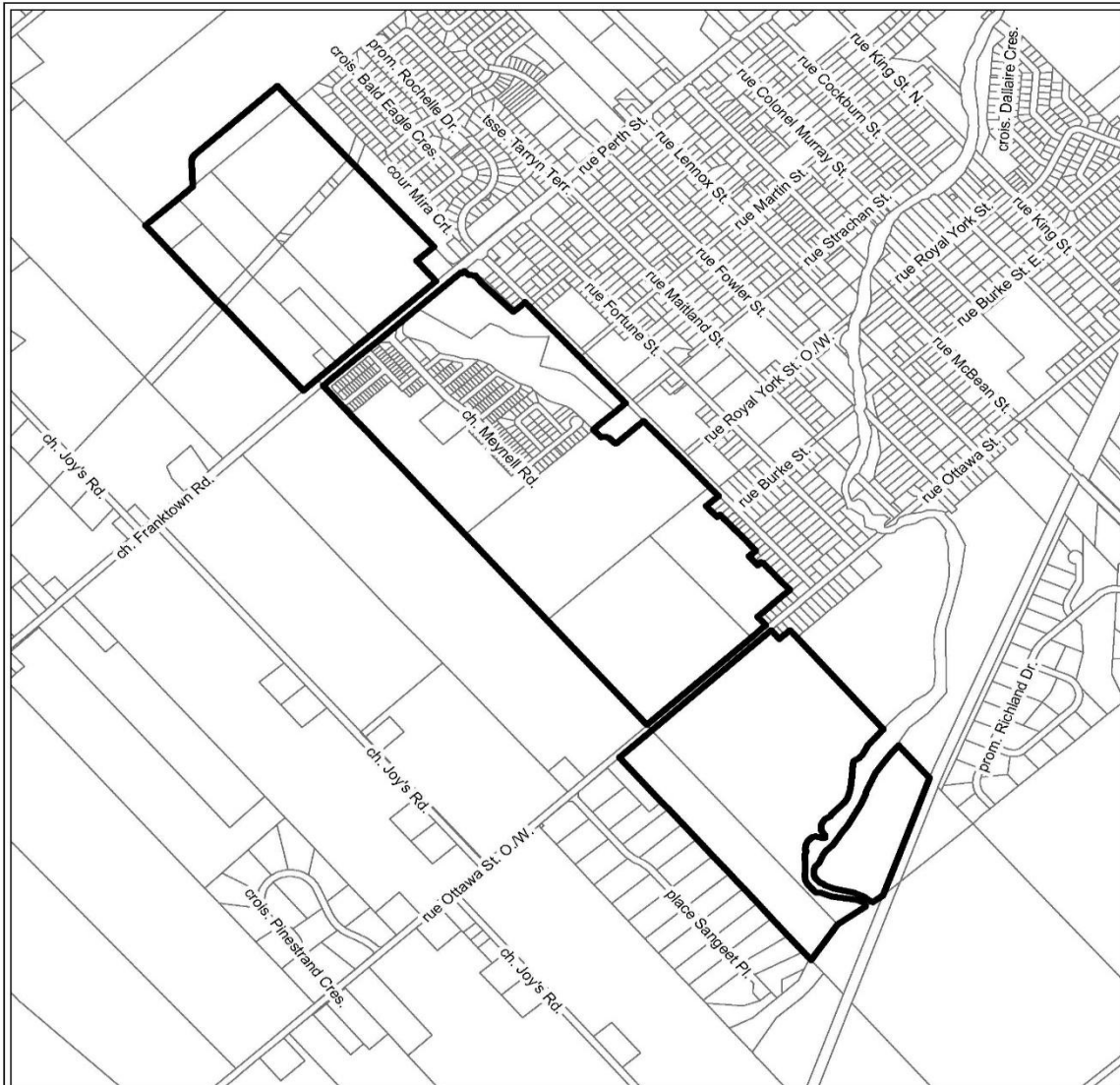
Legislative Services, Office of the City Clerk and Solicitor to notify the owner; applicant; Ottawa Scene Canada Signs, 415 Legget Drive, Kanata, ON K2K 3R1; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.




Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-law and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by-law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Document 1 – Affected Lands



		LOCATION MAP / PLAN DE LOCALISATION OFFICIAL PLAN AMENDMENT / MODIFICATION DU PLAN OFFICIEL	
D01-01-19-0003	19-0686-X		
I:\CO\2019\OPA\Perth_6335			
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<small>©Les données de parcelles appartiennent à Terranet Enterprises Inc. et à ses fournisseurs. Tous droits réservés. Ne peut être reproduit sans autorisation. CECI N'EST PAS UN PLAN D'ARPENTAGE.</small>			
REVISION / RÉVISION - 2019 / 06 / 28		 6335, 6350, 6363 rue Perth Street 6305, 6420, 6431 rue Ottawa Street	 <small>NOT TO SCALE</small>

Document 2 – Official Plan Amendment

**Official Plan Amendment XX to the
Official Plan for the
City of Ottawa**

INDEX

THE STATEMENT OF COMPONENTS

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

PURPOSE

LOCATION

BASIS

PART B – THE AMENDMENT

INTRODUCTION

DETAILS OF THE AMENDMENT

IMPLEMENTATION AND INTERPRETATION

PART A – THE PREAMBLE

1. Purpose

The purpose of this Amendment is to amend the text of Section 5.3.5 (Cost Sharing Agreements), to add a policy that requires landowners within the Village of Richmond Western Development Lands to enter into private agreement(s) to share the costs of major infrastructure projects and associated studies and plans required for the development of the Village of Richmond Western Development Lands.

2. Location

The subject lands are located at the western edge of the Village of Richmond north and south of both Perth and Ottawa Streets, from the Jock River to the north western village boundary.

3. Basis

Background

The Secondary Plan and Community Design Plan for the Village of Richmond has policies and a demonstration plan relating to the development of the Western Development Lands – a primarily residential community. The policies direct development to proceed on municipal servicing and, shared storm facilities and parks.

Currently, there is one phase of a subdivision registered within the Western Development Lands. That developer was obligated to dedicate and install a park, upgrade the Martin Street Sewer, install a municipal water well facility and design and install the first part of the stormwater management pond.

Rationale

Official Plan Section 5.3.5. Other Implementation Policies was approved to permit Council to consider the use of private agreements between landowners to cost-share Infrastructure. By adding the Village of Richmond Western Development Lands to the list of growth areas identified in this section of the Official Plan it would

provide a mechanism to help ensure that cost sharing amongst the private developers occurs.

The Official Plan amendment would require a landowner cost-sharing agreements for the various required facilities and infrastructure needed to develop the Western Development Lands in the Village of Richmond. The cost sharing may include parkland, stormwater pond(s), road modifications, water well system, and the sanitary system. Any new development within the affected lands would need to demonstrate being in good standing of that landowner agreement prior to any planning applications being approved by the City. **Any development outside of the Western Development Lands proposing to connect to the Richmond West water system would require an amendment to the Official Plan relating to the cost-sharing.**

PART B – THE AMENDMENT

1. Introduction

All of this part of this document entitled Part B – The Amendment consisting of the following text constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The following changes are hereby made to the Official Plan for the City of Ottawa:

Section 5.3 - Other Implementation Policies is amended to add the following as a new policy

“13. Landowners within the Village of Richmond Western Development lands as outlined within the Demonstration Plan Western Development Lands in the Village of Richmond Community Design Plan shall enter into private agreements to share the costs of the major infrastructure projects and associated studies and plans required for the development of said land, that the costs shall be distributed fairly among the benefiting landowners. In addition, those landowners shall enter into private agreements(s) to share the dedication and costs of development of parkland. Each agreement shall contain a financial schedule describing the estimated costs of the

major infrastructure projects and associated studies and plans, as well as the proportionate share of the costs for each landowner. The City shall include a condition of draft approval for all plans of subdivision, plans of condominium and severance applications, and as a condition of approval for site plans in these lands requiring proof that the owner is a party to the agreements and has paid its share pursuant to the agreements. Any proposed development outside of the Western Development Land proposing to connect to the Richmond West Well system will be required to amend this section of the Official Plan and related cost-sharing agreement.”

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.

Document 3 – Consultation Details

There were approximately 100 people in attendance at the community meeting to review development occurring and proposed in the Village of Richmond Western Development Lands. This proposed Official Plan amendment was briefly discussed and a number of people requested to be further notified.

Following the standard circulation and sign posting a number of neighbours, mainly those that received the notice as owners within 120 metres of the affected property, called, emailed and filed written submissions expressing concerns with the proposal. Here is a summary of those comments and the responses to them:

- 1) Oppose the amendment as the lands are in the floodplain.
 - A portion of the Western Development Lands lie within the floodplain. A portion of that flood plain will be altered with the permission of the Rideau Valley Conservation Authority to remove it from the flood plain. The balance of the floodplain will not be development.
- 2) Oppose or have concerns with having to pay for the costs associated with the works contemplated.
 - Clarification was provided that this amendment would look to ensure costs for those developing lands within the Western Development Lands would be the only ones subject to the private agreement to paying their share of the costs of the infrastructure. Existing homes in the village would not be subject to the requirements envisioned under this Official Plan amendment.
- 3) Questions were raised about the costs associated with the landowners' agreement.
 - The agreement(s) for cost sharing is a private agreement amongst the owners/developers within the Western Development Lands. Typically, the costs are allocated proportionately based on the development potential for a property and are derived from either actual costs or estimated costs for the required works. In this case, for example, the cost of the well system is known and each developer in the Western Development Lands would be responsible for paying

on a per unit basis as they build out. A landowner not developing or not in the Western Development Lands would not be responsible for any costs.