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| <p>2. OFFICIAL PLAN AMENDMENT: COST-SHARING FOR PARK DEVELOPMENT OUTSIDE THE GREENBELT AND IN THE RURAL AREA</p> <p>MODIFICATION AU PLAN OFFICIEL : PARTAGE DES COÛTS POUR L'AMÉNAGEMENT D'UN PARC À L'EXTÉRIEUR DE LA CEINTURE DE VERDURE ET DANS LA ZONE RURALE</p> |
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COMMITTEE RECOMMENDATION

That Council approve an amendment to the Official Plan, included as Document 1, as outlined in this report.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve une modification au Plan officiel, jointe en tant que Document 1, comme il est décrit dans le présent rapport.

DOCUMENTATION / DOCUMENTATION

1. Acting Deputy City Manager's Report, Planning and Infrastructure, dated 26 August 2015 (ACS2015-PAI-PGM-0150).

Rapport du Directeur municipal adjoint par intérim, Urbanisme et infrastructure, daté le 26 août 2015 (ACS2015-PAI-PGM-0150).

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
September 8, 2015 / 8 septembre 2015**

**and Council / et au Conseil
September 23, 2015 / 23 septembre 2015**

**Submitted on August 26, 2015
Soumis le 26 août 2015**

**Submitted by
Soumis par:**

John L. Moser,

**Acting Deputy City Manager / Directeur municipal adjoint par intérim,
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2015-PAI-PGM-0150

**SUBJECT: Official Plan Amendment: Cost-sharing for Park Development
outside the Greenbelt and in the Rural Area**

**OBJET: Modification au Plan officiel : partage des coûts pour l'aménagement
d'un parc à l'extérieur de la Ceinture de verdure et dans la zone
rurale**

REPORT RECOMMENDATION

**That Planning Committee recommend Council approve an amendment to the
Official Plan, included as Document 1, as outlined in this report.**

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Plan officiel, jointe en tant que Document 1, comme il est décrit dans le présent rapport.

BACKGROUND

In 2014, Council passed a new Development Charges By-law (2014-229) which, in part, exempted lands outside the Greenbelt and in the Rural Area from the payment of development charges for the development of local parks (parkettes, neighbourhood and community parks). The development of local parks in these areas is now the responsibility of the landowner. District parks in these areas will continue to be funded through development charges and will continue to be built by the City. This change in the Development Charges By-law and parks development regime does not impact the process for, or calculation of, parkland dedication.

DISCUSSION

The proposed Official Plan amendment will ensure fairness amongst the landowners in a development area by requiring contributions from those not directly responsible for the construction of the parks.

Under the new parks development process, only landowners with parks located on their landholdings are required to finance and manage the construction of the parks. In situations where a landowner does not have any parks to build, that landholder will benefit disproportionately from the change in process. By requiring landowners to enter into cost-sharing agreements regarding the parks in a development area, fairness will be established.

The development area will be determined through a Community Design Plan, Area Parks Plan or Modified Area Parks Plan or a Concept Plan, depending on the situation.

The cost-sharing agreement will be between landowners. The City will not be a party to the agreement.

RURAL IMPLICATIONS

This Official Plan amendment applies to lands in the rural area, and will impact landowners with future village subdivision applications.

CONSULTATION

This Official Plan amendment has been circulated through the Public and Technical Circulation process to community associations and technical agencies, and an advertisement notifying all residents of the proposed Official Plan Amendment appeared in the EMC on Thursday, July 30, 2015 and in Le Droit on July 31, 2015.

COMMENTS BY THE WARD COUNCILLORS

This is a city-wide issue not applicable.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendation outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There is a risk that this Official Plan amendment could be appealed to the Ontario Municipal Board. It is anticipated that staff resources from Planning and Growth Management and Legal Services would be drawn upon to defend the Official Plan amendment.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

This Official Plan Amendment will have no direct accessibility impacts.

TERM OF COUNCIL PRIORITIES

This project addresses the following Term of Council Priority:

GP1 – Governance, Planning and Decision-Making.

APPLICATION PROCESS TIMELINE STATUS

This application was City-initiated and not subject to the the On Time Decision Date established for the processing of Official Plan amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Official Plan Amendment XXX

DISPOSITION

Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

Document 1



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

Land Use

Utilisation du sol

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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 No. XX to the Official Plan for the City of Ottawa.

PART A – THE PREAMBLE

1. Purpose

The purpose of the amendment is to introduce policy allowing the City to withhold approval on a Plan of Subdivision until a landowner has entered into a cost-sharing agreement regarding the development of parkland in a development area. A development area would be defined through a Community Design Plan, Area Parks Plan, Modified Area Parks Plan or Concept Plan.

2. Location

The lands affected by this amendment are all those lands in the Urban Area located outside the Greenbelt and all lands in the Rural Area.

3. Basis

Background

In 2014, the City of Ottawa passed a new Development Charges By-law (2014-229) which exempted lands outside the Greenbelt and in the Rural Area from the payment of development charges for the development of local parks (parkettes, neighbourhood and community parks). While development charges will continue to be collected for District Parks in all areas, the development of local parks outside the Greenbelt and in the Rural Area is now the responsibility of the landowner.

Rationale

The Official Plan includes policies that refer to site-specific cost-sharing agreements between parties for items such as major infrastructure projects, associated studies and plans, identified in Community Design Plans or comprehensive studies approved by Council. Following the adoption of the Development Charges By-law (2014-229), and the shift in responsibility of parks development in the area outside the Greenbelt and in the Rural Area from the City to the subdivision developer, a need for similar cost-sharing agreements related to parks development has been identified.

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:

2.1 A new policy is added to section 5.3, Other Implementation Policies, as follows:

11. Landowners in the area outside the Greenbelt and in the Rural Area may be required to enter into private agreements to share the costs of the development of local parks, including parkettes, neighbourhood and community parks as indicated in an Area Parks Plan, Modified Area Parks Plan, Community Design Plan or Concept Plan so that the costs shall be distributed fairly among the benefiting landowners. Each agreement shall contain a financial schedule describing the estimated costs of the development of the local parks and associated studies and plans, as well as the proportionate share of the costs for each landowner. Where applicable, the City shall include a condition of draft approval for all plans of subdivision requiring proof that the landowner is party to the agreement and has paid its share of any costs pursuant to the 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.