
Development Charges - 2720 Richmond Road

ACS2019-PIE-PS-0048

Bay (7)

Report recommendation

That Planning Committee recommend that Council allow the development charges complaint in respect of 2720 Richmond Road in part and, of the \$27,407.03 paid in Education Development Charges and of the \$367,356.34 paid in Municipal Development Charges, authorize the refund of \$10,155.88 in Education Development Charges and \$136,126.64 in Municipal Development Charges.

The following staff responded to questions responded to questions:

- Tim Marc, Senior Legal Counsel, Planning, Development and Real Estate, Office of the City Clerk and Solicitor
- Richard Ashe, Manager, Permit Approvals, Planning, Infrastructure and Economic Development

Ward Councilor T. Kavanagh was also present and took part in discussion.

Motion No. PLC 2019 7/1

Moved by Vice-chair T. Tierney

Whereas the individual amounts that were left to be refunded to the school boards were left out on page 6 of the report;

Be It Resolved that the Table on page 6 be replaced with the following:

Municipal	\$136,126.64
-----------	--------------

Ottawa Carleton Catholic	\$2,144.72
French Public	\$1,387.76
French Catholic	\$3,343.24
Ottawa Carleton District	\$3,280.16
Total	\$146,282.52

CARRIED

Planning Committee heard one delegation, le Conseil des écoles publiques de l'Est de l'Ontario (CEPEO), the complainant, represented by the following individuals: Paul Webber, Q. C., Bell Baker LLP¹; Pierre Tétrault, Gestionnaire senior de la planification, CEPEO; Pierre Tessier, Trustee, CEPEO.

Mr. Webber requested that the City allow the appeal and order the repayment of all of the funds paid under protest, together with interest. He made the argument that, in accordance with the *Education Act* and *Assessment Act*, the CEPEO must be exempted from the Development Charges because it is board (the owner of Grant School) and the land is to be used for the lawful purposes of a board. He noted the community hub use is supported by provincial policy and that it has been funded by the Ministry of Education. He challenged the legality of this case, noting a similar instance that lost in court. He also noted that the coterminous school boards support the CEPEO appeal.

M. Tétrault and M. Tessier spoke to the history of the project (including formation of the partnership, purchase of the lands, funding from the Province, and etc.), and the purposes of the project (community hub, including a campus for adult education and an alternative school management program, to meet the needs of the large francophone and immigrant community).

The report, as amended by Motion 7/1, was put to a vote, as follows:

That Planning Committee recommend that Council allow the development charges complaint in respect of 2720 Richmond Road in part and, of the \$27,407.03 paid in Education Development Charges and of the \$367,356.34 paid in Municipal Development Charges, authorize the refund of \$10,155.88 in Education

¹ Written submission provided; a copy is held on file with the City Clerk

Development Charges and \$136,126.64 in Municipal Development Charges.

CARRIED, on a division of 8 yeas and 1 nay, as follows:

YEAS (8): Councillors L. Dudas, G. Gower, R. Chiarelli, R. Brockington,
S. Blais, A. Hubley, Vice-chair T. Tierney, Chair J. Harder

NAYS (1): Councillor J. Leiper