

2019 Development Charges Background Studies and By-Laws

ACS2019-PIE-EDP-0022

City Wide

That the Planning Committee recommend that Council approve:

- 1. that the development charge calculations contained within the Development Charges Background Study dated March 15, 2019 and the Area-Specific Background Study for Individual Stormwater Management Ponds and Drainage Systems dated March 15, 2019 be adjusted based on the Summary of Adjustments contained in Document 1;**
- 2. the Development Charges Background Study, dated March 15, 2019, and the Area-Specific Background Study for Individual Stormwater Management Ponds and Drainage Systems, dated March 15, 2019, and the by-law changes as set forth in Document 7;**
- 3. that rates be indexed on an annual basis, commencing on April 1, 2020 in accordance with the Statistics Canada - Infrastructure Construction Price Index and Document 7 providing for an initial two year indexing period;**
- 4. that Council determines that no further public meeting is necessary;**
- 5. that the proposed increase in development charge rates be subject to two types of transition provisions, general and complex, and purpose built high rise rental buildings based on filing a building permit application prior to June 28, 2019 and obtaining a building permit prior to the following schedules:**
 - From the time of By-law enforce date to September 6, 2019 for general building permit applications, the rates in the current by-law will be in effect, other than the area-specific stormwater and special area**

charges;

- **On September 7, 2019 the full calculated rates will apply;**
 - **From the time of By-law enforce date to March 31, 2020 for complex building permit applications, the rates in the current by-law will be in effect, other than the area-specific stormwater and special-area development charges;**
 - **On April 1, 2020, the full calculated rates will apply;**
6. **that the estimated cost of transition be recovered within the current development charges rates;**
 7. **the requirement for Council to continue to reimburse the development charge accounts for the loss of any funds through an exemption granted by Council;**
 8. **that the front-ending policy be revised to provide that the timing of indexing of outstanding amounts shall take place in accordance with the policy set forth in Document 8.**

Stephen Willis, General Manager of the Planning, Infrastructure and Economic Development (PIED) department, noted this was a public meeting, under the Development Charges Act, to consider the 2019 Development Charges Background Studies and By-Laws. He provided a presentation, a copy of which is held on file.

The following staff also responded to questions:

- Gary Baker, Program Coordinator, Development Charges, PIED
- Charmaine Forgie, Manager, Business Support Services, PIED
- Tim Marc, Senior Legal Counsel-Planning, Development and Real Estate, Office of the City Clerk and Solicitor
- Kevin Wherry, Manager, Parks and Facilities Planning, Recreation, Cultural and Facility Services department.

The committee heard the following seven delegations:

- Drew Meerveld, Somerset West Community Health Centre and the Inclusive Neighbourhoods Coalition, spoke to the need to use development charges to build

sustainable cities by using discretion and creativity with the application of those funds towards growth, to strengthen neighbourhoods and social infrastructure that really helps and supports residents. He also suggested looking at special area charges to address specific issues in urban intensified and suburban intensified areas, or perhaps a tax increment financing program, if development charges could not be used in this manner.

- Terri Meehan, Vice-president, Healthy Transportation Coalition¹, felt that broader community consultation on developments, and on the intended use of development charges for a given area, is required.
- Trevor Haché, Healthy Transportation Coalition², raised concerns about: the lack of community consultation on development charges; development charge rates that are too low to pay for growth; lack of discretion in where development charges are applied; the need for equity within the Official Plan and the Transportation Master Plan; the need to apply the City's Equity and Inclusion Lens and to help the public understand the complicated Development Charge By-law, including the formation of a working group, with residents from a diversity of backgrounds, to be part of public consultation on this issue going forward.
- Doug Thompson, Metcalfe Fair, spoke in support of the report recommendations, specifically that buildings on agricultural society lands be exempted from development charges.
- Kevin Yemm, Greater Ottawa Home Builders' Association (GOHBA), appreciated staff's dialogue and responsiveness to GOHBA's concerns, noting the Association was pleased about discussion regarding apartment affordability in the inner city with regards to higher density. He noted GOHBA will continue working with staff in hopes of resolving some outstanding concerns prior to Council consideration on May 22, specifically around parks and intersection issues, and a few other specifics in the staff report.

¹ Written submission provided (joint letter from Paul Johanis, Greenspace Alliance of Canada's Capital; Sheila Perry, Federation of Citizens' Associations of Ottawa; Robb Barnes, Ecology Ottawa; and Trevor Haché, Healthy Transportation Coalition); a copy is held on file with the City Clerk

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- Robb Barnes, Ecology Ottawa³, raised concerns about: how to determine and allocate development charges to address growth costs inside the Greenbelt, including greenspace protection, transit, climate change, and etc., versus suburban areas, and to incentivize expansion of the urban boundary; the need to amend the Development Charge By-law as soon as the Transportation and Infrastructure Master Plans are finalized, and to conduct that review in an open and transparent manner, involving all stakeholders and using plain language.
- Sheila Perry, Federation of Citizens' Associations (FCA) of Ottawa⁴, spoke to the importance of an open and collaborative consultation on the complicated development charges issue, including the formation of a working group with community representatives, and to the importance of finding the most fair and efficient uses of development charges for the city's neighbourhoods.

In addition to the correspondence already referenced, the Planning Committee received the following correspondence between April 29 (the date the report was published to the City's website with the agenda) and the time it was considered on May 9, a copy of which is held on file:

- email dated May 2 from Michael S. Polowin, Gowling WLG, for Greystone Village Inc.
- letter dated May 8 from Lisa Dalla Rosa on behalf of 2356346 Ontario Inc. and Nicolls Island Holdings Inc.
- email dated May 8 from Ted Phillips, Taggart Investments
- email dated May 8 from John Verbaas.

Motion N° PLC 2019 7/2

Moved by Vice-chair T. Tierney

WHEREAS it is now proposed that the term "Marijuana Production Facility" in the zoning by-law be replaced by the term "Cannabis Production Facility";

³ Written submission provided (joint letter from Paul Johanis, Greenspace Alliance of Canada's Capital; Sheila Perry, Federation of Citizens' Associations of Ottawa; Robb Barnes, Ecology Ottawa; and Trevor Haché, Healthy Transportation Coalition); a copy is held on file with the City Clerk

⁴ Written submission provided (joint letter from Paul Johanis, Greenspace Alliance of Canada's Capital; Sheila Perry, Federation of Citizens' Associations of Ottawa; Robb Barnes, Ecology Ottawa; and Trevor Haché, Healthy Transportation Coalition); a copy is held on file with the City Clerk

THEREFORE BE IT RESOLVED that the term “Marijuana Production Facility” in the draft development charges by-law be replaced by the term “Cannabis Production Facility”.

CARRIED

Motion N° PLC 2019 7/3

Moved by Vice-chair T. Tierney

WHEREAS report ACS2019-PIE-EDP-0022, 2019 Development Charges Background Studies and By-laws, details the revised development charges background studies and by-laws including Document 5 - Transition Policy/Provisions/Arrangement/Definition/Charges; and

WHEREAS the definition under Complete Building Permit Application refers to a registered site plan; and

WHEREAS the definition is to be amended to refer to an approved site plan;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council that the definition for a Complete Building Permit Application in both the report and by-law be replaced with “complete building permit application” means a building permit application meeting the submission requirements outlined in the Building By-law 2014-220 received by June 28 that would be eligible for transition provided there is an approved Site Plan or Subdivision.”

CARRIED

Motion N° PLC 2019 7/4

Moved by Vice-chair T. Tierney

WHEREAS, on January 27, 2016, City Council endorsed that the lands at 175 Main Street (former Oblates property) (Schedule “R” attached) and the former Rockcliffe Air Base (Schedule “S”) attached would be removed from the lands subject to the parks component of the development charge; and

WHEREAS the then Ontario Municipal Board approved this modification by order dated February 17, 2016; and

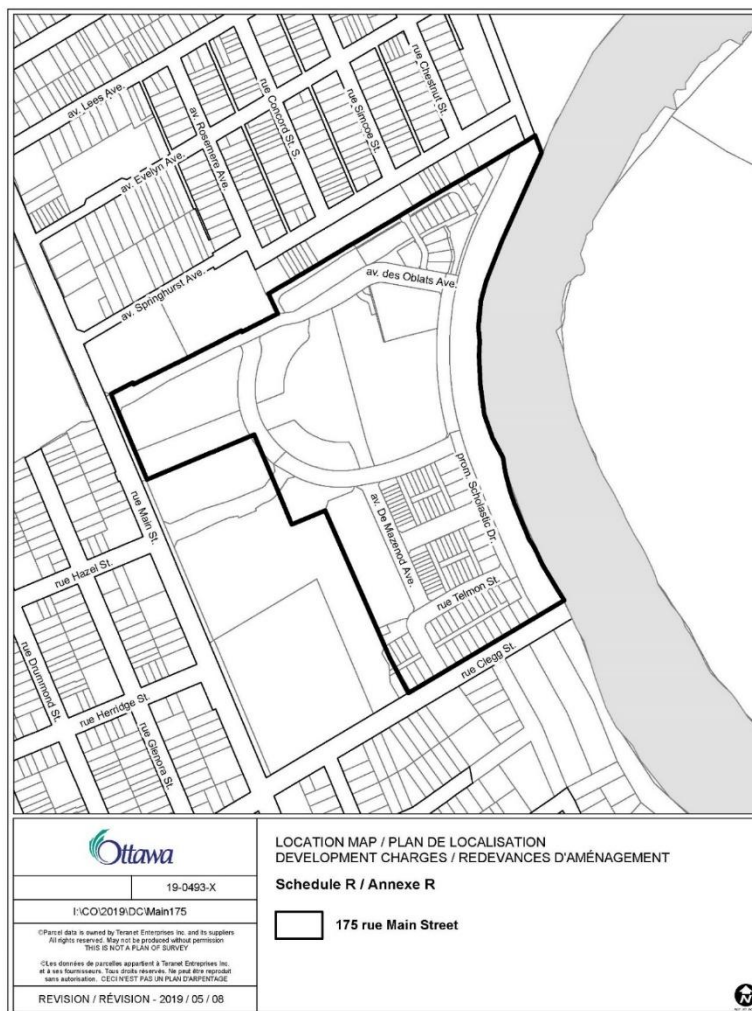
WHEREAS through inadvertence this modification was not carried forward into the

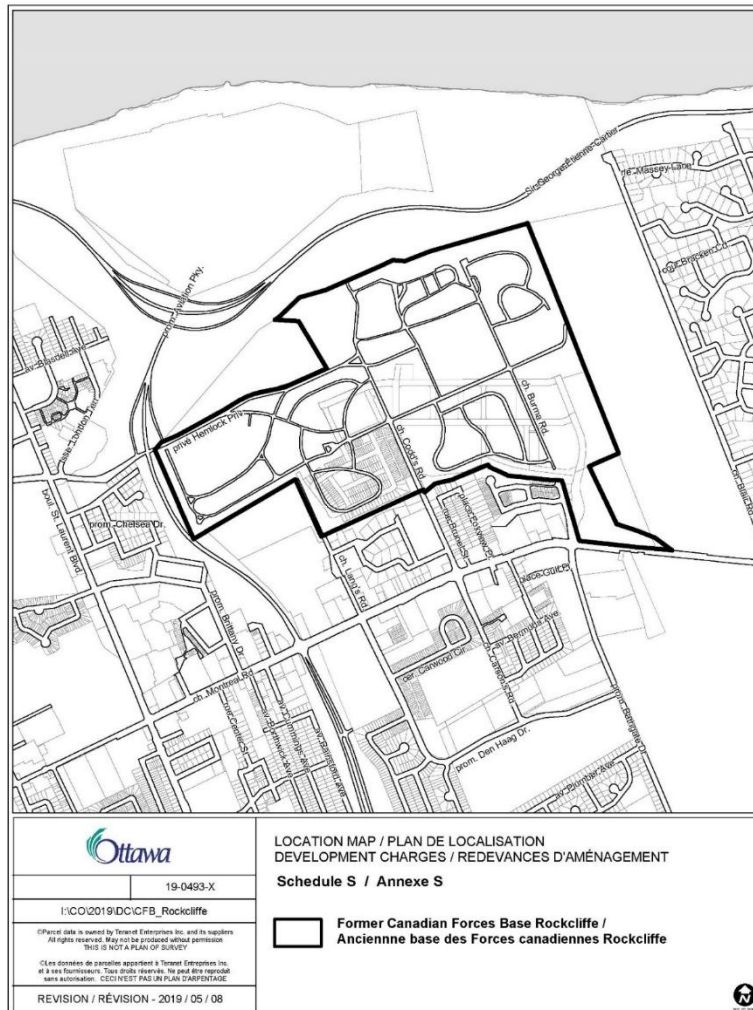
draft development charges by-law;

THEREFORE BE IT RESOLVED that the draft by-law be amended by the including of the following provision as subsection 5(7):

5(7) In respect of the lands shown on Schedule "R" and "S", the parks development component of the development charge imposed by this by-law shall not be payable.

BE IT FURTHER RESOLVED that the by-law be further amended by adding Schedules "R" and "S" attached to this motion.





CARRIED

Motion N° PLC 2019 7/5

Moved by Vice-chair T. Tierney

WHEREAS, prior to the 2014 Development Charges By-law, the Non-Residential Category was divided into Industrial, Commercial, Institutional, and Retail uses; and

WHEREAS, with the 2014 by-law, the Non-Residential Category was divided into Industrial and Non-Industrial Uses; and

WHEREAS, in consultations with respect to the 2019 Development Charge Review, the City has been requested to review whether it would be

appropriate to return to the pre-2014 approach;

THEREFORE BE IT RESOLVED that the General Manager, Planning, Infrastructure and Economic Development be directed to review the categories into which Non-Residential lands are divided for development charge purposes and submit a recommendation to Committee and Council no later than the first quarter of 2020.

CARRIED

Motion N° PLC 2019 7/6

Moved by Councillor S. Blais

WHEREAS, as part of the determination of development charges for roads and related services, a determination must be made as to the division of growth between residential and non-residential uses; and

WHEREAS this split may be affected as a result of the use of the Confederation Line; and

WHEREAS the City will be conducting a review of its Transportation Master Plan;

THEREFORE BE IT RESOLVED that the General Manager, Transportation Services and the General Manager, Planning, Infrastructure and Economic Development, be directed, as part of the review of the Transportation Master Plan, to revision the division of growth, as it relates to the Roads and Related Services Component of the Development Charge By-law.

CARRIED

Motion N° PLC 2019 7/7

Moved by Councillor J. Leiper (for Councillor M. Fleury)

WHEREAS report ACS2019-PIE-EDP-0022, 2019 Development Charges Background Studies and By-laws, details the revised development charges background studies and by-laws; and

WHEREAS there are currently no methods by which to direct development

charges to specific recreational facilities in order to upgrade older facilities;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council to direct staff to review methods of increasing the amount of development charges that can be allotted to recreational facility upgrades or expansion taking into account the anticipated legislation changes as a result of Bill 108.

CARRIED

Motion N° PLC 2019 7/8

Moved by Councillor J. Leiper (for Councillor M. Fleury)

WHEREAS report ACS2019-PIE-EDP-0022, 2019 Development Charges Background Studies and By-laws, details the revised development charges schedule; and

WHEREAS there are currently no initiatives being offered as part of this development charge review in relation to increasing available affordable rental units; and

WHEREAS it is important to increase supply of rental units in order to make rentals more available and affordable;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council directs staff to review the incentives currently available to encourage the construction of more rental units and report back to Planning Committee taking into account the anticipated legislation changes as a result of Bill 108; and

BE IT FURTHER RESOLVED that staff also include in their report, outlining possible incentives, an enumeration of other possible options to increase the construction of rental units (unrelated to Development Charges).

CARRIED

Motion N° PLC 2019 7/9

Moved by Councillor J. Harder

WHEREAS the Greenbank Road Realignment (Chapman Mills to Cambrian) is currently not planned to be implemented until 2030 due to funding limitations and re-prioritization of Strandherd Drive, as it is functioning as the new Hunt Club Road, requires a VIA Rail grade separation; and

WHEREAS 35,000 people living in homes south of the Jock River built around the plan to build the community around a large arterial road including bridges, Park-and-Rides, cycling and pedestrian facilities, and rapid transit;

WHEREAS the Environmental Assessment for the Greenbank Road Realignment has been approved; and

WHEREAS the Greenbank Road Realignment is needed to provide access to new developments in Barrhaven South;

WHEREAS developers in Barrhaven South have expressed an interest in working with the City to examine alternative funding solutions;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council to direct the General Manager of Planning, Infrastructure and Economic Development to complete a Background Study and bring forward an amendment to the DC by-law to introduce an area specific charge for Barrhaven to accelerate the Greenbank Road Alignment and related works.

CARRIED

Motion N° PLC 2019 7/10

Moved by Councillor G. Gower

WHEREAS the Robert Grant Avenue extension (Abbott Street to Palladium Drive) is currently not planned to be implemented until beyond the 2031 planning horizon due to funding limitations; and

WHEREAS the Robert Grant Avenue extension is needed to provide access to new developments in Stittsville; and

WHEREAS developers in Stittsville have expressed an interest in working with the City to examine alternative funding solutions.

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council to direct the General Manager of Planning, Infrastructure and Economic Development to complete a Background Study and bring forward an amendment to the DC by-law to introduce an area specific charge for Stittsville to accelerate the Robert Grant Avenue extension and related improvements to Huntmar Drive.

CARRIED

Motion N° PLC 2019 7/11

Moved by Councillor J. Leiper (for Councillor M. Fleury)

WHEREAS it is appropriate that rooming units are subject to the same development charge rate as bachelor or one-bedroom apartments;

THEREFORE BE IT RESOLVED that Planning Committee recommend to Council that the draft Development Charge By-law be amended such that dwelling rooms, subject to the provisions of 4(3)-4(7) (grandparenting of projects with site plan approval, nursing homes and similar development, buildings which contains three or more residential units, where each unit has a single entrance and contains between not less than 2 but no more than 4 bedrooms) pay the rate established for an apartment with less than two bedrooms.

Motion N° PLC 2019 7/12

Moved by Councillor R. Brockington

That Councillor Leiper's motion (on behalf of Councillor Fleury), in respect of development charge rates for dwelling rooms, be referred to Council.

REFERRAL CARRIED

Motion N° PLC 2019 7/13

Moved by Vice-chair T. Tierney

BE IT RESOLVED that pursuant to the *Development Charges Act*, subsection 12(3), Planning Committee recommends to Council that a further public meeting is not necessary.

CARRIED

Planning Committee CARRIED the report, as amended by Motions 7/2, 7/3, 7/4, 7/5, 7/6, 7/7, 7/8, 7/9, 7/10 and 7/13.