

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
1 February 2018 / 1er février 2018**

**Planning Committee
Comité de l'urbanisme
13 February 2018 / 13 février 2018**

**and Council / et au Conseil
February 28, 2018 / 28 février 2018**

**Submitted on December 22, 2017
Soumis le 22 décembre 2017**

**Submitted by
Soumis par:
John Smit,**

Director / Directeur

**Economic Development and Long Range Planning / Développement économique
et Planification à long terme / Infrastructure and Economic Development
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SUBJECT: Manotick Area Specific – Development Charges

OBJET: Redevances d'aménagement propres au secteur de Manotick

REPORT RECOMMENDATIONS

That Agriculture and Rural Affairs Committee recommend that Planning Committee recommend that:

- 1. in respect of the lands identified in Document 1 and the Manotick Area Specific Development Charges, Council receive and approve the 2014 Development Charges background study, as modified by this report; and**
- 2. Council approve the enactment of a development charges by-law amendment in the general form attached as Document 4, such that the Manotick Area Specific Development Charges will apply to the lands identified in Document 1, in addition to the lands already subject to such charges.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande que le Comité de l'urbanisme recommande à son tour que :

- 1. En ce qui concerne les terrains indiqués dans le document 1 et les redevances d'aménagement propres au secteur de Manotick, le Conseil reçoive et approuve l'étude préliminaire de 2014 sur les redevances d'aménagement, modifiées par le présent rapport;**
- 2. Le Conseil approuve l'adoption d'une modification au Règlement sur les redevances d'aménagement sous la forme générale présentée dans le document 4 ci-joint, de façon que les redevances d'aménagement propres au secteur de Manotick s'appliquent aux terrains indiqués dans le document 1 en plus des terrains faisant déjà l'objet de ces redevances.**

BACKGROUND

In 2014, the City conducted its most recent comprehensive development charge review and approved Development Charges By-law 2014-229, which imposed area specific development charges in respect of several matters including water and sanitary sewer servicing within the Village of Manotick. This approach was designed to ensure that future development within the village would be required to pay an amount needed to

recover growth-related infrastructure costs. The future and existing capital works financed, in part, by these development charges are as follows:

- Manotick Pump Station and Forcemain;
- Stonebridge Sanitary Sewer Oversizing;
- Gravity Sanitary Sewer;
- Mahogany Pump Station and Forcemain;
- Eastman Sanitary Sewer;
- Manotick Feedermain (Supply);
- Manotick Supply Watermain;
- Manotick Environmental Assessment Study;
- Potter and Eastman Watermain; and
- Manotick Main Street Watermain.

The original 2014 Background Study and Development Charges By-law imposed the Manotick Area Specific Development Charges against any lands that would ultimately be serviced by these works, whether or not such services were immediately available.

Following the adoption of the development charge by-law, the City received an Ontario Municipal Board appeal regarding the Manotick area specific development charges. This appeal noted that the property in question did not directly benefit from City services for which the charge was imposed. Ultimately Council endorsed a revision to the by-law such that the area specific development charges would not apply to lands for which there is no established timeframe to provide water and sewer services. This revision went before the Board in a settlement hearing and was approved by the Board's decision dated October 27, 2015.

DISCUSSION

The next comprehensive development charges review is to take place in 2018-19 with new development charge by-law to be enacted no later than the Council meeting of May 22, 2019. With the draft approval of the subdivision at 5721, 5731 and 5741 Manotick Main Street, it is highly likely that building permits will be sought in 2018. Further, staff

have identified another parcel, 1086 Antochi Lane where it is at least possible that development might take place prior to May 22, 2019.

In order that development charge payments be made in regard to these parcels in respect of the services covered by the Manotick Area Specific Development Charges by-law, as these lands will be serviced, it is appropriate that a by-law amendment be enacted to extend the area specific charge to them. Development on these lands would pay the same fees as other proposals within the village that are subject to the area specific development charge rates set forth in Document 2. These rates are in addition to the other applicable city-wide development charges.

Background Study Requirements

The *Development Charges Act* requires that prior to the enactment of a development charges by-law or by-law amendment, a background study must be completed and posted for 60 days prior to the enactment of a by-law.

The proposed amendment is based upon the same information with respect to the matters required to be addressed in the background study by the *Development Charge Act*, section 5 and the regulation made under the *Development Charges Act*, as was the case with the 2014 Background Study. The 2014 Background Study as approved by Council did include the subject lands in the relevant forecasts for the determination of the Manotick Area Specific Development Charge. Recommendation 1 therefore provides for the approval of the 2014 Background Study, as modified by this report, which would thereby constitute part of the background study, with respect to the lands in Document 1 subject to the 2014 Background Study.

Asset Management Plan-Statutory Background

The *Development Charges Act* was amended through Bill 73 (*Smart Growth For Our Communities Act, 2015*) to require that a background study include an asset management plan. In respect of an asset management plan, the Act provides:

- (3) The asset management plan shall,
 - (a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;
 - (b) demonstrate that all the assets mentioned in clause (a) are financially sustainable over their full life cycle;
 - (c) contain any other information that is prescribed; and

(d) be prepared in the prescribed manner.

The above provisions came into force on January 1, 2016 and thus were not a requirement of the 2014 Background Study. Attached as Document 3 is the proposed Asset Management Plan for the Manotick water and sanitary sewer infrastructure in respect of which the area specific development charge is imposed.

RURAL IMPLICATIONS

The recommended revision to By-law 2014-229 will permit development to proceed in the non-serviced portions of the village with contributions being made to water and sewer servicing when such services are available.

CONSULTATION

Before passing a Development Charges By-law, Council is required to provide to the public the Background Study 60 days in advance of the enactment and to hold at least one public meeting to review the Development Charges Background Study and proposed By-law. This report, including the link to the 2014 Background Study is to be posted on Ottawa.ca on December 22, 2017. A notice to inform the public of this process will be placed in the newspapers at least 20 days prior to the public meeting. The public meeting will be held at the Planning Committee on February 13, 2017.

The owners of the subject lands have been advised that this background study and report are coming forward and do not have any objection.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffat is aware of this report.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendations in this report. A development charges by-law is subject to appeal to the Ontario Municipal Board/Local Planning Appeals Tribunal by an appeal filed within 40 days of the enactment of the by-law.

RISK MANAGEMENT IMPLICATIONS

There is a 40 day appeal period during which the Stormwater Development Charges By-law is appealable to the Ontario Municipal Board.

ASSET MANAGEMENT IMPLICATIONS

The recommendations documented in this report are consistent with the City's Comprehensive Asset Management (CAM) Program (City of Ottawa Comprehensive Asset Management Program) objectives.

FINANCIAL IMPLICATIONS

Manotick area specific development charges will apply per the amended By-law.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

There is no impact on the priorities.

SUPPORTING DOCUMENTATION

Document 1 Lands to be added to those subject to Manotick Area Specific Development Charges.

Document 2 Current Manotick Areas Specific Development Charges

Document 3 Asset Management Plan for Manotick Water and Sanitary Sewer Infrastructure

Document 4 Draft By-law

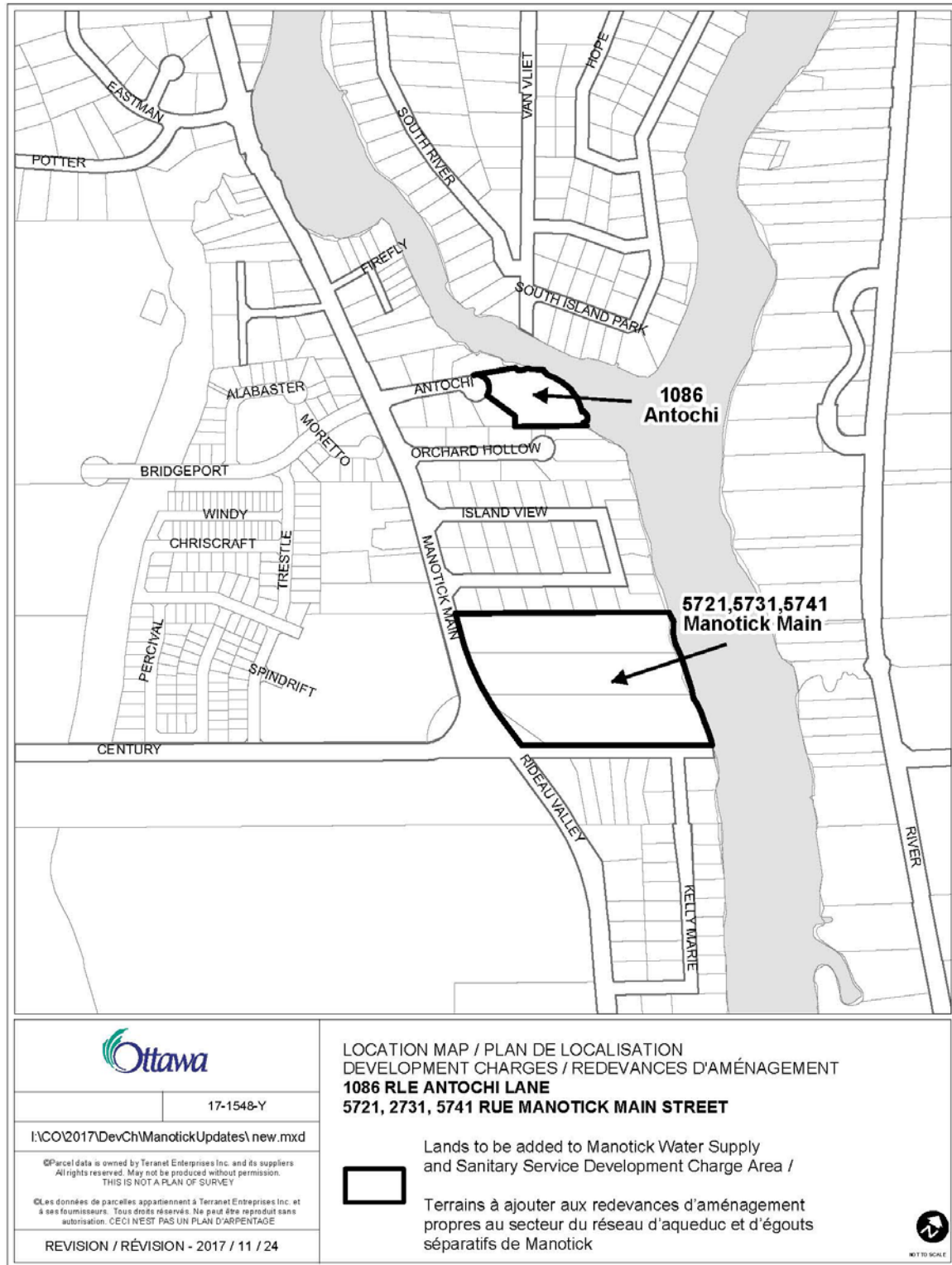
Link to 2014 Development Charge Background Study –

<http://documents.ottawa.ca/sites/documents.ottawa.ca/files/documents/dcBkgdStudy.pdf>

DISPOSITION

Legal Services Branch will provide a draft by-law for the imposition of the revised charges. Legal Services in co-operation with Planning, Infrastructure and Economic Development staff will provide notice of the adoption of the by-law in accordance with the *Development Charges Act* and regulation made thereunder.

Document 1 – Lands to be added to those subject to Manotick Area Specific Development Charges.



Document 2 – Current Manotick Areas Specific Development Charges

Manotick Water Supply and Sanitary Sewer Area-specific Development Charges

Development charge rates effective August 1, 2017

Category	Singles & Semi- detached Dwelling \$/Unit	Apartment Dwelling and back-to-back and stacked townhouse (2+BR) \$/Unit	Apartment Dwelling (less than 2 bedrooms) \$/Unit	Multiple, Row and Mobile Dwelling \$/Unit	Non- Industrial per sq. ft. GFA	Industrial per sq. ft. GFA
Sanitary Sewer	\$7,060	\$4,053	\$2,985	\$4,587	\$9.70	\$3.83
Water	\$3,654	\$2,097	\$1,545	\$2,374	\$5.03	\$1.97

Document 3 – Asset Management Plan for Manotick Water and Sanitary Sewer Infrastructure

Asset Management Plan

In December 2015, the Province passed Bill 73 which amended the Development Charges Act and relevant Ontario Regulations. These amendments require that a development charge background study include an asset management plan related to new infrastructure.

The key asset management initiatives relevant to the amendment of area specific water and sewer development charges within the Village of Manotick are itemized below:

- In 2012, Council adopted the Asset Management program and Asset Management Policy ([City of Ottawa Comprehensive Asset Management Program](#));
- The Infrastructure Master Plan, completed in 2014, took into consideration the future costs of new infrastructure (i.e. life cycle costing) as a future burden to tax-payers to ensure financial sustainability;
- Using financial sustainability as the guiding principle, the City approved a rate structure for water, waste water and storm water assets in 2016 that includes a dedicated fees to fund water, waste water and storm water operating and capital costs.
- The City's Strategic Asset Management Plan (SAMP) was tabled to Council in June 2017. The SAMP provides details on how the City intends on continuing to deliver the services by relying on safe and reliable assets, and how the City intends on funding the required investments in a manner so as to remain financially sustainable;
- The City's 2017 State of the Asset Report (SOAR) was tabled to Council in June 2017. SOAR includes an assessment of the inventory and physical condition of the City's assets;
- The Long Range Financial Plan for rate supported assets, including water, waste water and storm water assets was updated in September 2017. The update was informed from the SOAR, asset management financial needs and growth forecasts.

The Comprehensive Asset Management policy, referred to above, establishes Council's expectations with regard to the management of the City's physical assets. This policy specifically states: "...asset related decisions are founded on a sustainable approach to

ensure that asset base increases or enhancements consider the impact on the ability of the City to fund future maintenance and rehabilitation.”

The charges related to the proposed bylaw amendment will generally relate to water and wastewater assets necessary to support growth in the areas identified through the bylaw. For those assets transferred to the City, ongoing long term operation, maintenance and capital renewal cost will increase in order to sustain them in a manner that supports the expected level of service. Where necessary, and once conveyed to the City, the immediate incremental costs and associated pressures for new infrastructure assets incorporated into the City wide inventory will be identified as part of annual budget processes.

Further, the City continually inspects and assesses asset conditions and completes risk based reviews and renewal programming on that basis. The City also regularly updates long-term asset needs forecasts to establish long range financial plan requirements. These longer term renewal and replacement requirements inform the Long Range Financial Plan (LRFP). The LRFP provides a series of financing strategies that balance the need to maintain and build capital assets with the need to manage debt, reserve balances and rate increases.

As such, and in the context of the requirements of the Development Charge Act, the amendments to the area specific charges for water and wastewater within the Village of Manotick will ensure associated infrastructure assets will be addressed in a financially sustainable manner over their expected service life.

Document 4 - Draft By-law

By-law 2018 -

A by-law of the City of Ottawa to amend the Development Charges By-law (2014-229)
in respect of the Manotick Area Specific Development Charges

WHEREAS the Council of the City of Ottawa may by by-law, pursuant to subsection 2(1) of the *Development Charges Act, 1997*, impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies and the development requires certain approvals recited in subsection 2(2) of the *Development Charges Act, 1997*;

AND WHEREAS Council has reviewed all matters required to be considered under the *Development Charges Act, 1997* and the regulations made thereunder, including provision of the proposed by-law and background study;

AND WHEREAS Council has given public notice, held a public meeting and consulted with the public in accordance with the provisions of the *Development Charges Act, 1997*;

AND WHEREAS Council, upon reviewing the matters and after the public consultation, deems it necessary to enact this by-law to provide for the imposition of development charges against land;

AND WHEREAS Council has enacted the Development Charges By-Law, 2014 and wishes to adopt an amending by-law for the imposition of development charges in respect of lands in the village of Manotick benefit from water and sanitary sewer service;

THEREFORE the Council of the City of Ottawa enacts as follows:

SCHEDULE "I"

1. By-law 2014-229, as amended, is further amended by the repeal of Map 1 of Schedule "I" enacted by the Ontario Municipal Board order issued October 27, 2017 and by the substitution therefore by Schedule "1", Map 1 attached to this by-law.

INDEXING

2. For greater certainty, it is confirmed the development charge rate imposed by By-law 2014-229, as amended by this by-law, for the Manotick Water Supply and Sanitary Sewer shall be inclusive of indexing that has accrued since the date of the enactment of By-law 2014-229 and shall be subject to such further indexing as set forth in By-law 2014-229.

SHORT TITLE

3. This by-law may be cited as the Manotick Area Specific Development Charges By-Law, 2018.

EFFECTIVE DATE

4. This by-law comes into effect on its final passing.

ENACTED AND PASSED this 28th of February, 2018

CITY CLERK

MAYOR

SCHEDULE "1"

Schedule "I" to By-law 2014-229 (Map 1)

