

**Report to
Rapport au:**

**Planning Committee / Comité de l'urbanisme
May 9, 2017 / 9 mai 2017**

**and Council / et au Conseil
May 24, 2017 / 24 mai 2017**

**Submitted on April 4, 2017
Soumis le 4 avril 2017**

**Submitted by
Soumis par:
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2017-PIE-PS-0064

SUBJECT: Development Charges By-law Amendment 2017

OBJET: Modifications au Règlement sur les redevances d'aménagement 2017

REPORT RECOMMENDATIONS

That the Planning Committee recommend that Council approve:

- 1. The City of Ottawa Development Charges Amendment Background Study:
Public Transit and Roads and Related Services dated March 24, 2017
attached as Document 1; and**

2. **That the current Development Charges By-law be amended substantially in the form and content attached as Document 5.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver :

1. **l'Étude préliminaire sur les modifications aux redevances d'aménagement : transport en commun et routes et services connexes datée du 24 mars 2017 et ci-jointe en tant que Document 1 et**
2. **la modification substantielle selon la forme et le contenu du Règlement sur les redevances d'aménagement actuel ci-joint en tant Document 5.**

EXECUTIVE SUMMARY

Assumption and Analysis

The *Development Charges Act* allows a municipality to amend an existing Development Charges By-law. The purpose of the proposed amendment is to update the City's existing Public Transit and Road and Related Services development charges rates in light of an amendment with respect to the *Development Charges Act* with respect to transit services and an Ontario Municipal Board decision with respect to intersections. In addition to these changes, the report is recommending updates to select policies in the existing Development Charges By-law 2014-229.

Financial Implications

The 2017 Transit Long Range Financial Plan and Affordability Model confirmed that there are sufficient revenues to fund the City's share of the growth related infrastructure identified in the Development Charges Background Study for transit provided that capital funding is indexed in keeping with the Statistics Canada – Infrastructure Construction Price index.

The Background Study also includes \$1.486 billion in growth related capital for Roads and Related Services for the period to 2031. The City's Long Range Financial Plan update for tax supported assets is currently being updated and is scheduled to be presented to Committee and Council in June, 2017.

Public Consultation/Input

The Sponsor Groups and the Industry Working Group met numerous times to review methodology, the intersection capital costs, the proposed changes and implementation.

Before passing a Development Charges By-law, Council is required to hold at least one public meeting to review the Development Charges Background Study, the Council report and the proposed Development Charges By-law. A notice to inform the public of this process was placed in the newspapers on April 13, 2017 and the Background Study was made available online on March 24, 2017.

SOMMAIRE

Hypothèses et analyse

La *Loi sur les redevances d'aménagement* permet à une municipalité de modifier un Règlement sur les redevances d'aménagement existant. L'objectif de la modification proposée consiste à mettre à jour les taux des redevances d'aménagement visant le transport en commun, les routes et les services connexes à la lumière d'une modification de la *Loi sur les redevances d'aménagement* en ce qui concerne les services de transport en commun et d'une décision de la Commission des affaires municipales de l'Ontario en ce qui concerne les intersections. Outre ces modifications, le rapport recommande d'apporter des mises à jour à certaines politiques du Règlement sur les redevances d'aménagement 2014-229 actuel.

Répercussions financières

Le Plan financier à long terme du transport en commun et le modèle d'abordabilité ont confirmé qu'il y a suffisamment de revenus pour financer la part de la Ville des projets d'infrastructure liés à la croissance identifiés dans l'Étude préliminaire sur les redevances d'aménagement pour le transport en commun, pourvu que le financement des immobilisations soit indexé conformément à l'indice des prix de construction des infrastructures de Statistiques Canada.

L'étude comprend également 1,486 milliard de dollars en immobilisations liées à la croissance pour les routes et les services connexes pour la période de 14 ans allant jusqu'en 2031. Le Plan financier à long terme de la Ville pour les actifs financés par les taxes est actuellement mis à jour et devrait être présenté au Comité et au Conseil en juin 2017.

Consultation publique/commentaires

Les groupes de commanditaires et le groupe de travail de l'industrie se sont réunis plusieurs fois pour examiner la méthodologie, les coûts en immobilisations pour les intersections, les modifications proposées et la mise en œuvre.

Avant d'adopter un règlement sur les redevances d'aménagement, le Conseil est tenu de tenir au moins une réunion publique pour examiner l'Étude préliminaire sur les redevances d'aménagement, le rapport du Conseil et le Règlement sur les redevances d'aménagement proposé. Un avis visant à informer le public sur ce processus a été publié dans les journaux le 13 avril 2017, et l'Étude préliminaire sur les redevances d'aménagement a été mise en ligne le 24 mars 2017.

BACKGROUND

The *Development Charges Act* allows a municipality to amend an existing Development Charges By-law. Section 19 of the *Development Charges Act* sets out the requirements related to this procedure. To amend a Development Charges By-law, a municipality must go through the same public process associated with enacting a Development Charges By-law. A Background Study outlining the purpose of and rationale for the amendment is required.

Proposed Development Charges By-law Amendment

The purpose of the proposed amendment is to update the City's existing Public Transit and Roads and Related Services development charges rates in Development Charges By-law 2014-229.

Public Transit

The amended Public Transit Services charges reflects the changes to the legislation that came into force on January 1, 2016. In support of the amendment, an Asset Management Plan (AMP) analysis consistent with Ontario Regulation 82/98 has been completed.

Roads and Related Services

In contrast, the amendment to the Roads and Related Services development charge includes several changes to the uniform city-wide and area-specific capital cost components. Changes to the city-wide growth-related projects agreed to in a Settlement with the Greater Ottawa Home Builders' Association (GOHBA) and Building Owners and Managers Association (BOMA) to their appeals to the 2014 Development Charges

By-law include a 25 per cent cost reduction applied to all arterial roads and, in addition, a 15 per cent post-period capacity adjustment to projects within the 2026-2031 Phase III time frame.

In addition to these changes, cost savings identified through the Infrastructure Standards Review for cross section improvements was also incorporated into the amended city-wide calculation. Area-specific growth-related projects were also updated to include increases to the cost of intersection improvements between roads within subdivisions and external major collector/arterial roads as required by an Ontario Municipal Board ruling in November 2016 regarding the 2014 Development Charges By-law.

Miscellaneous Policy Changes

Staff is proposing to update select policies in Development Charges By-law 2014-229. The policy changes are minor in nature and are intended to provide clarification to the current Development Charges By-law.

Consultation

A tradition has been established with Development Charges By-law initiatives to convene a Sponsor Group to guide the update by advising and assisting staff and by reviewing options to amend the development charges rate. The Sponsor Group for the 2017 Development Charges By-law amendment is Planning Committee Chair Jan Harder and Audit Committee Chair Allan Hubley, who are also the leads on the Building Better and Smarter Suburbs and Infrastructure Standards Review Strategic Initiatives.

An Industry Working Group also was established consisting of representatives from GOHBA and BOMA.

DISCUSSION

Through this report, recommendations are being made to Planning Committee and City Council for approval of specific amendments to the Development Charges By-law with respect to an increase in the Public Transit Services rates and the adjustments to Roads and Related Services rates with respect to implementing the cost reductions to arterial road projects and cost increases applied to various area-specific intersections.

Public Transit Services

Amendments to the *Development Charges Act* on January 1, 2016 resulted in changes to the calculation methodology used for Transit Services, including the removal of the

10 per cent statutory deduction and the use of a “planned” level of service rather than the more restrictive “10-year historical” level of service. In particular, an Asset Management Plan that deals with all assets whose capital costs are proposed to be funded under the Development Charges By-law and that demonstrates that all such assets mentioned are financially sustainable over their full life cycle was prepared as part of the Background Study.

The City retained Hemson to assist in examining the Public Transit development charge rates under the amendments to the legislation. The result of the Hemson assignment is the Background Study that is required by the *Development Charges Act* and is detailed in Document 1.

The proposed amendment to the Development Charges By-law includes implementing the various legislative changes, including a new ridership analysis and Asset Management Plan.

Consistent with the minutes of Settlement GOHBA and BOMA arising from an appeal of By-law 2014-229, no additional transit projects have been included in the development charges rate calculations. New transit development charges projects will be identified for recovery under future Development Charges By-law updates in 2019. The cost and timing of projects identified in the 2014 Background Study have been updated to reflect new information, including recent refinements to the Stage 2 LRT functional design and construction timing. Also funding made available to the City through the Public Transit Infrastructure Fund (PTIF) have been identified and removed from the development charges calculation consistent with the requirements for the *Development Charges Act*.

Roads and Related Services

The scope of the proposed amendment for Roads and Related Services includes changes to the cost of intersection improvements between roads within subdivisions and external major collector/arterial roads. As part of this study, the forecasted projected cost estimates for the Intersection Control Measures Program will be adjusted to include the full costs of intersection turning lanes and, in some cases, property requirements. This has been adjusted in accordance with an Ontario Municipal Board ruling that held the road improvements for intersections, as well as traffic signalization, were eligible to be reimbursed by development charges. In accordance with the minutes of Settlement with GOHBA and BOMA, the amendment includes a 25 per cent reduction to arterial roads projects and a 15 per cent post-period share allocation for Phase III arterial projects. In addition to these changes, cost saving identified through the

Infrastructure Standards Review for cross section improvements is also incorporated into the amended Roads and Related Services development charges calculation.

Other Policy Considerations

Consideration for Area Rated Services

In accordance with the *Development Charges Act*, Council must give consideration to the use of area rating, also known as area-specific development charges, as part of the Background Study. Under the current By-law, development charges for Public Transit are imposed on a city-wide basis.

The City's other development charge eligible services are calculated either on an area-specific basis (inside the greenbelt, outside the greenbelt or rural) or on a uniform city-wide basis for integrated network services like Public Transit. Currently, the City's Roads and Related Services development charge is differentiated by the three geographic areas with revenues directed to the particular servicing costs in accordance with the way in which the rate was calculated.

The city-wide approach forms a reasonable basis in which to plan and administer development charges for Public Transit Services. The resulting development charges for this service would be imposed uniformly against all new development everywhere in the city. In contrast, the differentiated approach for Roads and Related Services, as employed under the 2014 Background Study, will be used to calculate the amended development charge rates.

Miscellaneous Policy Changes

Staff is proposing to update select policies in Development Charges By-law 2014-229. Many of the policy changes are minor in nature and are intended to provide clarification to the current Development Charges By-law. The most significant policy change relates to redevelopment credits as it results in some developments being subject to an application of a development charge where it might not be under the current provisions of the existing Development Charges By-law 2014-229.

An overview of these changes is discussed below:

Policy Item	Proposed Change for Council's Consideration
Correction	The reference to Subsection 5(5) in Subsection 6(1) of the Development Charges By-law should be to Subsection 5(6) and this is proposed to be corrected in the amending by-law.
Minor Storage Structures	Unserviced storage structures with a dirt floor (less than 2,400 square feet in area) are proposed to be added to the list of exempt uses under Section 7 of the Development Charges By-law 2014-229.
Hotels	To provide greater clarity, the current definition of "residential uses" shall be amended to exclude a hotel or motel use.
Redevelopment	The redevelopment credits provided under Subsection 9(1) of Development Charges By-law 20-14-229 will be amended to exclude derelict buildings.
Sewer Oversizing	Implementation of the reimbursement for oversizing of sanitary and storm sewer infrastructure has revealed a lack of clarity as to when payment is to be made. Modifications are proposed to be made to the budgeted repayment of oversizing costs when the capital project is constructed, there is acceptance of the work and all the proper documentation has been received and verified by staff.

Comparison of Calculated Development Charges with Charges Currently in Force in Ottawa

Public Transit Services

Residential development charges are proposed to vary by dwelling unit type to reflect their different occupancy factors and resulting demand for services. The Public Transit residential charge ranges from \$8,397 per single and semi-detached dwelling unit to \$3,369 for an apartment with less than two bedrooms. The calculated charges under

this approach for multiple, row and mobile dwelling units is \$6,335 and the rate for apartment dwellings, back to back and stacked townhouses with two or more bedrooms is \$4,575.

The Public Transit Services rate for industrial development increases from \$2.86 per square foot (\$30.78 per square metre) to the current charge of \$3.32 per square foot (\$35.75 per square metre). The non-industrial Transit charge also increases from \$6.94 per square foot (\$74.70 per square metre) to \$8.47 square foot (\$91.17 per square metre).

Document 2 presents a comparison of the newly calculated Public Transit residential and non-residential development charges with currently imposed development charge rates (as of August 1, 2016).

Roads and Related Services

The Roads and Related Services development charges are collected within three benefitting areas. As a result of the various cost reductions being applied to city-wide arterial roads and cost increases to area-specific intersections the overall calculated Roads and Related Services rate is anticipated to decrease for all residential unit types and non-residential uses.

Document 3 presents a comparison of the newly calculated Roads and Related residential and non-residential development charges with currently imposed development charges rate (as of August 1, 2016).

Comparison of Current Verses Calculated Development Charges for all Services

Document 4 provides a comparison of the current and calculated development charges rates for all eligible services in the City of Ottawa for Area 1, Area 2 and Area 3. The current calculated rates reflects the amendments to the Public Transit and Roads and Related Services development charges.

Development Charges By-law Amendment 2017

The proposed by-law to bring into effect the recommended changes to the Public Transit and Road and Related Services is detailed in Document 5 and is recommended for enactment.

RURAL IMPLICATIONS

Public Transit Services Development Charges are imposed uniformly against new development city-wide and as a result the increase in the Rural residential charges may impact the cost of housing in the rural area. In particular, Rural Area B will continue to receive a two-thirds development charges reduction for residential development. The Road and Related Services development charges are calculated on an area-specific basis as a result of the additional intersection costs included in the amended Development Charges By-law.

CONSULTATION

The Sponsor Groups and the Industry Working Group met numerous times to review methodology, the intersection capital costs, the proposed changes and implementation.

Before passing a Development Charges By-law, Council is required to hold at least one public meeting to review the Development Charges Background Study, the Council report and the proposed Development Charges By-law. A notice to inform the public of this process was placed in the newspapers on April 13, 2017 and the Background Study was made available on line on March 24, 2017.

COMMENTS BY THE WARD COUNCILLORS

This is a city-wide report – not applicable.

LEGAL IMPLICATIONS

The Minutes of Settlement that resolved the appeals to Development Charge By-laws 2014-229 and 2014-328 provided that the revisions in respect of Public Transit and Roads and Related Services would be adopted by June 1, 2017.

The appeal timelines for a development charges by-law are noted in the disposition.

RISK MANAGEMENT IMPLICATIONS

There is a 40-day appeal period which to the Development Charges By-law is appealable to the Ontario Municipal Board. By working with the Industry Working Group, staff have taken all reasonable steps to avoid an appeal.

ASSET MANAGEMENT IMPLICATIONS

The information documented in this report is consistent with the City's Comprehensive Asset Management (CAM) Program ([City of Ottawa Comprehensive Asset Management](#))

[Program](#)) objectives. Amendments to the development charge bylaw assists to fulfil the City's obligation to deliver quality services to the community in a way that balances service levels, risk, and affordability.

Ongoing long term operation, maintenance and capital renewal cost will increase in order to sustain any upgraded or new assets required to support the expected level of service. As new infrastructure assets are incorporated into the network, the immediate incremental costs and associated pressures are identified as part of annual budget processes. The City 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 and Strategic Asset Management Plan update exercise. As a result, and in the context of the requirements of the *Development Charge Act*, the capital assets contained within the proposed updates should be addressed in a financially sustainable manner over their expected service life.

FINANCIAL IMPLICATIONS

The Development Charges Amendment Background Study establishes a City share (net municipal costs) for growth related capital of approximately \$1.02 billion for the 10 year period to 2027 for transit projects identified in the 2014 Background Study and updated to reflect revised cost and timing. The Development Charge Amendment also includes \$89.6 million for the recovery of past commitments and \$112.5 million in debenture costs for a total of \$1.22 billion net municipal costs for transit to 2027.

The 2017 Transit Long Range Financial Plan and Affordability Model confirmed that there are sufficient revenues to fund the City's share of the growth related infrastructure identified in the Development Charge Background Study for transit services provided that capital funding is indexed in keeping with the Statistics Canada – Infrastructure Construction Price Index.

Any new projects that were identified in the City's 2017 Transit Long Range Financial Plan were categorized as "Future Public Transit Projects" in this Development Charge Amendment and will be included in the next Development Charge by-law update. The estimated City share (net municipal costs) of these future projects is \$447.8 million.

The Background Study also includes \$1.486 billion in growth related capital for Roads and Related Services for the 14 year period to 2031. The City's Long Range Financial Plan for tax supported assets is currently being updated and is scheduled to be presented to Committee and Council in June 2017.

ACCESSIBILITY IMPACTS

All the services funded through the Development Charges By-law will be built to incorporate the provincially approved Accessibility Standards.

TERM OF COUNCIL PRIORITIES

This report supports the following Terms of Council priorities:

Economic Prosperity – Support the growth of the local economy

Transportation and Mobility – Ensure sustainable transit services

SUPPORTING DOCUMENTATION

Document 1 [Background Study](#)

Document 2 Residential and Non-Residential Amended Development Charge Rates
Transit Services Comparison of Current vs. Calculated

Document 3 Residential and Non-Residential Amended Development Charge Rates
Roads and Related Services Comparison of Current vs. Calculated

Document 4 Residential and Non-Residential Amended Development Charges Rates
City-wide Development Charges Comparison of Current vs Calculated

Document 5 Development Charges By-law Amendment

DISPOSITION

Planning, Infrastructure and Economic Development Department will make any changes to the Development Charges Background Study as a result of the direction of Planning Committee and Council.

Legal Services will prepare the required by-law and submit it to Council.

Within 20 clear days of the passage of the by-law, Planning, Infrastructure and Economic Development Department to ensure that there is a notice of the passage of the By-law and appeal deadline placed in the EMC and Le Droit.

Within 20 days, the City Clerk's Office to notify everyone, who has provided a written request for notice and a return address and the secretary of every school board within the City of Ottawa, of the passage of the by-law and appeal deadline.

The public has 40 days after the adoption of the by-law to file an appeal with the City Clerk. If appeals are made, the City Clerk's Office to compile a formal record of appeals including: a certified copy of the by-law; a copy of the two development charge background studies; certification that the notice of passage and last day of appeal was given in accordance with the *Act*; and an original or true copy of all written submissions and materials received in respect of the by-law before it was passed. The City Clerk's Office to forward a notice of appeal and record to the Ontario Municipal Board secretary within 30 days of the last day of the appeal period and provide such information and material as the Board may require.

Planning, Infrastructure and Economic Development Department to prepare a pamphlet on the development charge by-law that has been adopted and is in force within 60 days after the by-law comes into force if the by-law is not appealed to the Ontario Municipal Board. If the by-law is appealed, the pamphlet is to be prepared within 60 days of the Board's decision or amendment order. The pamphlet is to be made available to the public upon request.

Staff in its Delegation of Authority – Plan of Subdivision Arterial and Major Collector Road Modifications report approved by Council on March 8, 2017 noted that there may be a need for additional staff resources in Transportation Services Department (Transportation Planning and Engineering) and Planning, Infrastructure and Economic Development Department (Planning Services) to help manage the Intersection Control Measures and Network Modification programs. To date, there has been no requirement for additional resources, but the situation will be carefully monitored by the departments in the event that additional resources are deemed necessary

Document 2 – Residential and Non-Residential Amended Development Charge Rates Transit Services Comparison of Current vs. Calculated

		Single & Semi Detached			Multiple, Row & Mobile			Apartment Dwelling (2+ bedrooms)			Apartment Dwelling (1 bedroom)		
		Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt Public Transit	\$6,610	\$8,397	\$1,787	\$5,175	\$6,335	\$1,160	\$3,893	\$4,575	\$682	\$2,867	\$3,369	\$502
Area 2	Outside the Greenbelt Public Transit	\$6,610	\$8,397	\$1,787	\$4,970	\$6,335	\$1,365	\$3,507	\$4,575	\$1,068	\$2,583	\$3,369	\$786
Area 3	Rural-Serviced Public Transit	\$6,610	\$8,397	\$1,787	\$4,293	\$6,335	\$2,042	\$3,794	\$4,575	\$781	\$2,794	\$3,369	\$575

		Industrial (per square foot of GFA)			Non-Industrial (per square foot of GFA)		
		Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt Public Transit	\$2.86	\$3.32	\$0.46	\$6.94	\$8.47	\$1.53
Area 2	Outside the Greenbelt Public Transit	\$2.86	\$3.32	\$0.46	\$6.94	\$8.47	\$1.53
Area 3	Rural-Serviced Public Transit	\$2.86	\$3.32	\$0.46	\$6.94	\$8.47	\$1.53

Document 3 – Residential and Non-Residential Amended Development Charge Rates Roads and Related Services Comparison of Current vs. Calculated

		Single & Semi Detached			Multiple, Row & Mobile			Apartment Dwelling (2+ bedrooms)			Apartment Dwelling (1 bedroom)		
		Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt Roads and Related	\$8,739	\$7,350	(\$1,389)	\$6,846	\$5,775	(\$1,071)	\$5,147	\$4,330	(\$817)	\$3,791	\$3,186	(\$605)
Area 2	Outside the Greenbelt Roads and Related	\$10,755	\$10,182	(\$573)	\$8,092	\$7,661	(\$431)	\$5,705	\$5,381	(\$324)	\$4,202	\$3,977	(\$225)
Area 3	Rural-Serviced Roads and Related	\$8,777	\$7,143	(\$1,634)	\$5,704	\$4,645	(\$1,059)	\$5,035	\$4,099	(\$936)	\$3,710	\$3,020	(\$690)

		Industrial (per square foot of GFA)			Non-Industrial (per square foot of GFA)		
		Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt Roads and Related	\$4.13	\$3.64	(\$0.49)	\$9.73	\$7.79	(\$1.94)
Area 2	Outside the Greenbelt Roads and Related	\$4.13	\$3.64	(\$0.49)	\$9.73	\$7.79	(\$1.94)
Area 3	Rural-Serviced Roads and Related	\$4.13	\$3.64	(\$0.49)	\$9.73	\$7.79	(\$1.94)

Document 4 – Residential and Non-Residential Amended Development Charge Rates City-wide Development Charges Comparison of Current vs. Calculated

		Single & Semi Detached			Multiple, Row & Mobile			Apartment Dwelling (2+ bedrooms)			Apartment Dwelling (1 bedroom)		
		Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt All Services	\$22,857	\$23,255	\$398	\$17,896	\$17,985	\$89	\$13,456	\$13,321	(\$135)	\$9,910	\$9,807	(\$103)
Area 2	Outside the Greenbelt All Services	\$31,270	\$32,484	\$1,214	\$23,521	\$24,455	\$934	\$16,596	\$17,340	\$744	\$12,221	\$12,782	\$561
Area 3	Rural-Serviced All Services	\$20,502	\$20,655	\$153	\$13,340	\$14,323	\$983	\$11,765	\$11,610	(\$155)	\$8,666	\$8,551	(\$115)

		Industrial (per square foot of GFA)			Non-Industrial (per square foot of GFA)		
		Current	Calculated	Difference	Current	Calculated	Difference
Area 1	Inside the Greenbelt All Services	\$8.70	\$8.68	(\$0.02)	\$20.17	\$19.48	(\$0.69)
Area 2	Outside the Greenbelt All Services	\$8.70	\$8.68	(\$0.02)	\$20.17	\$19.48	(\$0.69)
Area 3	Rural-Serviced All Services	\$8.70	\$8.68	(\$0.02)	\$20.17	\$19.48	(\$0.69)

Document 5 – Development Charges By-law Amendment**CITY OF OTTAWA****BY-LAW NO. 2017-XX****Being A By-Law Of The City Of Ottawa****To Amend By-Law 2014-229 Respecting Development Charges**

WHEREAS the City of Ottawa enacted By-law 2014-229 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27 (the “Act”), which Act authorizes Council to pass by-laws for the imposition of development charges against land;

AND WHEREAS the Smart Growth for Our Communities Act, 2015, Statutes of Ontario, Chapter 26, amended the *Development Charges Act* to provide for certain amendments pertaining to a municipality’s authority to impose development charges relating to Transit services;

AND WHEREAS Section 19 of the *Development Charges Act* provides for amendments to a development charges by-law;

AND WHEREAS Council has before it a report entitled “Development Charges Amendment Background Study: Transit and Roads and Related Services” prepared by Hemson Consulting Ltd., dated March 24, 2017 (the “update study”);

AND WHEREAS the update study was made available to the public and Council gave notice to the public and Planning Committee held a meeting pursuant to section 12 of the Act on May 09, 2017, prior to which the update study and the proposed development charge by-law amendment were made available to the public in accordance with the *Development Charges Act* and Planning Committee heard comments and representations from all persons who applied to be heard (the “public meeting”);

AND WHEREAS Council at its meeting held on May 24, 2017 approved the Study and determined that no further public meeting was required under Section 12 of the *Development Charges Act*;

**NOW THEREFORE THE COUNCIL OF THE CITY OF OTTAWA HEREBY ENACTS
AS FOLLOWS:**

1. By-law 2014-229, as amended, is hereby further amended as follows:
 - (a) The following definition is added to section 1 of the by-law:

“derelict building” means a building or structure that is vacant, neglected, poorly maintained and unsuitable for occupancy
 - (b) The definition of “residential use” in section 1 is amended by adding “but excludes a hotel or motel use” to the end of the definition.
 - (c) The expression “5(5)” in subsection 6(1) is repealed and the expression “5(6)” is substituted therefore.
 - (d) The following clause is added to section 7:
 - (j.1) Unserviced storage structures with a dirt floor and being less than 2,400 square feet in area.
 - (e) Subsection 9(1) is amended by adding the following immediately after the expression “structure” in the third line:

“, other than a derelict building,”
 - (f) Subsection 9(2) is amended by adding the following immediately after the expression “structure” in the third line:

“, other than a derelict building,”
 - (g) Subsection 9(3) is amended by adding the following immediately after the expression “building” in the second line:

“, other than a derelict building,”
 - (h) The following subsection is inserted as subsection 18(4):

18(4) The development charge components for Public Transit and Roads & Related Services as enacted by By-law 2017-XXX will be subject to indexing commencing August 1, 2017.

2. (1) The lines in By-law 2014-229, Schedule “B”, as amended, identified as “Public Transit” and “Roads & Related Services” and the respective totals in the following tables are repealed:
 - (i) Inside the Greenbelt (Area #1) table Effective October 1, 2014, inclusive of the line “Total Inside the Greenbelt”;
 - (ii) Outside the Greenbelt (Area #2) table Effective October 1, 2014, inclusive of the line “Total Outside the Greenbelt”;
 - (iii) Rural Serviced (Area #3 Part) table Effective October 1, 2014, inclusive of the line “Total Rural Serviced” and
 - (iv) Rural Unserviced (Area #3 Part) table Effective October 1, 2014, inclusive of the line “Total Rural Unserviced”.
- (2) The lines in By-law 2014-229, Schedule “C”, as amended, identified as “Public Transit” and “Roads & Related Services” and the total in the following table are repealed:
 - (i) City-Wide, Table Effective October 1, 2014, inclusive of the line “Total”.
- (3) The following table is added to By-law 2014-229, Schedule “B”, as amended, under the heading “Inside the Greenbelt (Area #1) following the table entitled “Effective October 1, 2014):

Additional Development Charge Amounts Effective May 25, 2017

Service Category	Singles and Semi-detached (\$ per unit)	Apartment Dwelling, Back to Back & Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment Dwelling (less than 2 bedrooms) (\$ per unit)	Multiple, Row and Mobile Dwelling (\$ per unit)
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Area 1				
Inside the Greenbelt				
Roads & Related Services	\$7,350	\$4,330	\$3,186	\$5,755
Public Transit	\$8,397	\$4,575	\$3,369	\$6,335

- (4) The following table is added to By-law 2014-229, Schedule “B”, as amended under the heading “Outside the Greenbelt (Area #2) following the table entitled “Effective October 1, 2014:

Additional Development Charge Amounts Effective May 25, 2017

Service Category	Singles and Semi-detached (\$ per unit)	Apartment Dwelling, Back to Back & Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment Dwelling (less than 2 bedrooms) (\$ per unit)	Multiple, Row and Mobile Dwelling (\$ per unit)

Area 2				
Outside the Greenbelt				
Roads & Related Services	\$10,182	\$5,381	\$3,977	\$7,661
Public Transit	\$8,397	\$4,575	\$3,369	\$6,335

- (5) The following table is added to By-law 2014-229, Schedule “B”, as amended under the heading “Rural Serviced (Area #3 Part) following the table entitled “Effective October 1, 2014”:

Additional Development Charge Amounts Effective May 25, 2017:

Service Category	Singles and Semi-detached (\$ per unit)	Apartment Dwelling, Back to Back & Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment Dwelling (less than 2 bedrooms) (\$ per unit)	Multiple, Row and Mobile Dwelling (\$ per unit)
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Area 3				
Rural-Serviced				
Roads & Related Services	\$7,143	\$4,099	\$3,020	\$4,645
Public Transit	\$8,397	\$4,575	\$3,369	\$6,335

(6) The following table is added to By-law 2014-229, Schedule “B”, as amended under the heading “Rural Unserviced (Area #3 Part) following the table entitled “Effective October 1, 2014:

Additional Development Charge Amounts Effective May 25, 2017:

Service Category	Singles and Semi-detached (\$ per unit)	Apartment Dwelling, Back to Back & Stacked Townhouse (2+ bedrooms) (\$ per unit)	Apartment Dwelling (less than 2 bedrooms) (\$ per unit)	Multiple, Row and Mobile Dwelling (\$ per unit)
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Area 3				
Rural-Unserviced				

Roads & Related Services	\$7,143	\$4,099	\$3,020	\$4,645
Public Transit	\$8,397	\$4,575	\$3,369	\$6,335

- (7) The following table is added to By-law 2014-229, Schedule “c”, as amended under the heading “City-Wide following the table entitled “Effective October 1, 2014”:

Additional Development Charge Amounts Effective May 25, 2017

Service Category	Non-Industrial Use (\$ per sq.ft.)	Industrial Use (\$ per sq.ft.)
Area 1, 2 & 3		
City-wide		
Roads & Related Services	\$7.79	\$3.65
Public Transit	\$8.47	\$3.32

3. This by-law shall come into force on May 25, 2017.
4. Except as amended by this By-law, all provisions of By-law 2014-229, as amended, shall remain in full force and effect.

Enacted and passed this 24th day of May, 2017.

Mayor

City Clerk