

**6. OFFICIAL PLAN AMENDMENT – 1346 – 1380 BANKFIELD ROAD AND
5537 – 5599 FIRST LINE ROAD**

**MODIFICATION AU PLAN OFFICIEL - 1346-1380, CHEMIN BANKFIELD
ET 5537-5599, CHEMIN FIRST LINE**

COMMITTEE RECOMMENDATION

That Council approve and adopt an amendment to the Official Plan to add a policy that requires all landowners within the Manotick Special Design Area (SDA) to enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the SDA lands as detailed in Document 3.

RECOMMANDATION DU COMITÉ

Que le Conseil approuve et adopte une modification au Plan officiel visant à ajouter une politique demandant à tous les propriétaires faisant partie du secteur de désignation spéciale du village de Manotick de conclure des accords privés permettant de partager les coûts des projets d'infrastructure et les frais nécessaires à l'aménagement des terrains du secteur de désignation spéciale, tel que le précise le Document 3.

DOCUMENTATION

1. Deputy City Manager's report, Planning and Infrastructure, dated 11 May 2012 (ACS2012-PAI-PGM-0124).

Report to/Rapport au :

Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales

and Council / et au Conseil

May 11, 2012
11 mai 2012

Submitted by/Soumis par : Nancy Schepers, Deputy City Manager
Directrice municipale adjointe Planning and Infrastructure/Urbanisme et
Infrastructure

Contact Person / Personne ressource: Derrick Moodie, Manager/Gestionnaire,
Development Review-Rural Services/Examen des projets d'aménagement-Services
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Ward 21 (Rideau-Goulbourn)

Ref N°: ACS2012-PAI-PGM-0124

SUBJECT: OFFICIAL PLAN AMENDMENT – 1346 – 1380 BANKFIELD ROAD
AND 5537 – 5599 FIRST LINE ROAD

OBJET : MODIFICATION AU PLAN OFFICIEL - 1346-1380, CHEMIN
BANKFIELD ET 5537-5599, CHEMIN FIRST LINE

REPORT RECOMMENDATION

That the Agriculture and Rural Affairs Committee recommend Council approve and adopt an amendment to the Official Plan to add a policy that requires all landowners within the Manotick Special Design Area (SDA) to enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the SDA lands as detailed in Document 3.

RECOMMANDATION DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver et d'adopter une modification au Plan officiel visant à ajouter une politique demandant à tous les propriétaires faisant partie du secteur de désignation spéciale du village de Manotick de conclure des accords privés permettant de partager les coûts des projets d'infrastructure et les frais

nécessaires à l'aménagement des terrains du secteur de désignation spéciale, tel que le précise le Document 3.

BACKGROUND

The area subject of this Official Plan Amendment (OPA), (commonly known as the Manotick Special Design Area) is located in the Village of Manotick and is bounded by Bankfield Road to the north, First Line Road to the west and Mud Creek to the east and south (see Document 1).

The Special Design Area is approximately 76.9 hectares in size and is currently in multiple-ownership (see Document 2). Presently, four of the landowner's, (Maple Creek Estates Development Inc., Leimerk Developments, Minto Communities Inc. and Watterson Place 2099116 Ontario Inc.) have registered plans of subdivision and are under construction. The two remaining parcels (BJI Realty and the Estate of Ivy Scharf) stand idle and have no development applications before the City at this time. For the purpose of this report, the four developments currently underway will be known as the "the participating landowners", where as inactive properties will be identified as "the non-participating landowners"

In September of 2001, the City adopted an OPA to guide the future development and growth in the Village of Manotick. The Plan detailed the residential developments that would be permitted and indicated a preferred housing mix. In addition, a number of associated development policies and guidelines were articulated in this document. One of the largest tracks of land identified in the Village of Manotick Plan was the Manotick Special Design Area.

The Village of Manotick Plan (2001) permitted residential development of these lands without further amendment provided that a comprehensive development plan be prepared for the entire area, that would facilitate the logical phasing of development in the area (integration of transportation links, parks and open space, pedestrian links, servicing and stormwater) and form the basis for various, subsequent plans of subdivision

Shortly after the approval of the Village of Manotick Plan, interest was expressed by one of the participating landowners within the SDA to proceed with development. The owner was advised of the requirement for a comprehensive development plan and what that plan would detail. Staff cautioned the owner that the technical studies upon which the original Manotick Village Plan was based were dated and would require fresh examination in the approval of any SDA concept.

In September of 2004 the City received a Development Concept Plan (DCP) submission for the SDA. The submission included a number of studies such as a hydrogeological investigation and terrain analysis, a conceptual stormwater brief, and a transportation impact study.

It is noted that during the review of the DCP a number of subdivision and zoning amendment applications were filed with the City. These applications were placed on hold pending the approval of the DCP. On July 11, 2006 City Council approved the DCP and supporting studies.

As a result of the approved DCP pending applications were reactivated for the participating landowners. Aside from a number of smaller development issues between the owners, there were mutual concerns with regard to the sharing of certain costs that would in effect benefit some/all throughout the SDA. These common costs did not qualify for consideration as development charges and include items such as the construction of the transportation access points off of First Line and Bankfield Roads, stormwater management, the pedestrian bridge crossing of Mud Creek and associated costs for the preparation of the DCP for the SDA lands.

In meeting with the participating landowners to resolve the cost sharing issue, a number of options were suggested to the City, however the City's preference was that the Owner's enter into private cost sharing agreement amongst themselves. The majority of the landowners recognize the benefits of a cost sharing agreement and have formalized their respective contributions and obligations however, this agreement is limited to the landowners who were proceeding with subdivisions. As is frequently the case, the landowners without immediate development plans (non-participating landowners) have no desire to enter into such agreements at this time. The introduction of a policy in the City Plan will serve as a clear indication of the need for all landowners to participate in the localized cost sharing before their lands may be developed. This provides assurances to the contributing landowners that they can expect to recover a proportionate share of their costs as other lands are developed.

The purpose of the subject OPA application is to amend the Official Plan by adding the following policy to Section 5.3 (Other Implementation Policies):

- “7. Landowners within the Manotick Special Design Area shown on Schedule “A” Volume 2C Village Plans, Manotick Secondary Plan approved by Ottawa City Council - shall enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the Special Design Area lands, and the costs shall be distributed fairly among the benefiting landowners. Each agreement shall contain a financial schedule describing the estimated costs of the infrastructure projects and associated costs required to develop the Special Design Area, as well as the proportionate share of the costs for each landowner.

The City shall include a condition of approval for all plans of subdivision and condominium, site plan and severance applications in the Manotick Special Design Area requiring notification from a representative (Trustee) of the Landowners that the owner is party to the agreements and has paid its share of any costs pursuant to the agreements.”

DISCUSSION

With much of the infrastructure in place, the participating landowners would like to bring closure to the cost sharing arrangements to ensure that the costs are shared by all landowners. As such, an OPA has been filed with the City.

The proposed OPA will add a policy to the Official Plan that requires all landowners within the SDA to enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the SDA lands.

The items and proportionate sharing of such deemed to be beneficial to the participating landowners have been agreed upon. The items are:

1. Intersection A
2. Intersection B
3. Pedestrian Bridge
4. Esker Road
5. Street Number 4
6. Stormwater Outlet

There are of course costs which have been calculated and scheduled against the non-participating landowners namely, BJI Realty and the Estate of Ivy Scharf. Of the total items deemed beneficial, it is anticipated that only three items will be subject to cost sharing with the non-participating landowners. They are:

1. The pedestrian bridge – hard and soft costs, estimated at \$200,000.00
2. Soft Costs incurred by Bravar Custom Builders (now in partner with Uniform Developments – Maple Creek Developments Inc.) in preparation and approval of the DCP, totalling \$199,120.35
3. Soft costs incurred relating to the submission , processing and approval of the OPA.

These costs will be adjusted to actual expenditures once the as-built costs Items 1 and 2 above are known.

To ensure that all of the landowners participate in the cost sharing of the items deemed beneficial for all, the City will require evidence of their paid-up portion (as per cost sharing agreement) as a condition of approval for all plans of subdivision and

condominium, site plan or severance applications in the Manotick Special Design Area. A representative (Trustee) will be required to provide notification to the City that the owner is party to the agreement and has paid its share of the costs.

In closing it is noted that staff met with the non-participating Owners' to present the proposed OPA. The breakdown in proportionate shares and the timing of the collection of costs was discussed. The Owners, namely BJI Realty and the Estate of Ivy Scharf, have no objections to the OPA as detailed in this report.

RURAL IMPLICATIONS

This OPA is consistent with the direction of the Official Plan for the Village of Manotick.

CONSULTATION

Notice of this application was carried out in accordance with the City's Public Notification and Consultation Policy.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor is aware of application and the staff recommendation.

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

There are no accessibility implications associated with this report.

ENVIRONMENTAL IMPLICATIONS

There are environmental implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no technology implications associated with this report.

TERM OF COUNCIL PRIORITIES

As the purpose of this OPA is simply to permit the use of private agreements among the landowners to cost share those items that will benefit all owners in the SDA, it does not directly further any of the City's strategic objectives. It does, however, provide a mechanism to ensure that the appropriate infrastructure is constructed in a timely fashion.

APPLICATION PROCESS TIMELINE STATUS

This application was not processed by the "On Time Decision Date" established for the processing of OPA due to the complexity of the issues associated with multiple land ownership.

SUPPORTING DOCUMENTATION

- Document 1 Location Map
- Document 2 Ownership Map
- Document 3 Proposed Official Plan Amendment

DISPOSITION

City Clerk and Solicitor Department, Legislative Services to notify the owners, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

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

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

LOCATION MAP

DOCUMENT 1



Produced by Infrastructure Services and Community Sustainability,
Planning and Infrastructure Approval Branch,
Development Approval's Section and Division Mapping and Graphics



Services d'infrastructure et d'habitabilité des collectivités,
Branche de l'approbation des permis
d'aménagement et d'infrastructure, Division de l'approbation
des permis et de l'aménagement, Sous-Division Cartographie/Géomatique

12-0561

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2012 / 04 / 25

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LOCATION MAP / PLAN DE RÉVISION
OFFICIAL PLAN AMENDMENT / MODIFICATION AU PLAN OFFICIEL

MANOTICK SPECIAL DESIGN AREA /
SECTEUR SPÉCIAL DE CONCEPTION DE MANOTICK



Subject Lands / Les terrains en cause

039020891 Denotes Teranet-Polaris Parcel Identification Number

OWNERSHIP MAP

DOCUMENT 2



Produced by Infrastructure Services and Community Sustainability,
Planning and Infrastructure Services Group,
Développement Approuvé/Services et Infrastructures Groupes.



Services d'infrastructure et d'habitats des collectivités,
Direction de l'approuvé des services et
des engagements et d'infrastructure, Groupe de services et
de développement approuvé, Groupe de services et d'infrastructure.

12-0561

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2012 / 04 / 27

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**MANOTICK SPECIAL DESIGN AREA
SECTEUR SPÉCIAL DE CONCEPTION DE MANOTICK**

OWNERSHIP MAP

039020891 Denotes Teranet-Polaris Parcel Identification Number

PROPOSED OFFICIAL PLAN AMENDMENT

DOCUMENT 3



OFFICIAL PLAN AMENDMENT NO. XX

To the Official Plan of the City of Ottawa

LAND USE

UTILISATION DU SOL

INDEX

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PART A – THE PREAMBLE

Purpose

The purpose of this Amendment is to amend the text of Section 5.3 (Other Implementation Policies), to add a policy that requires all landowners within the Manotick Special Design Area (SDA) to enter into private agreements to share the costs of the infrastructure projects and associated costs required to develop the SDA.

Location

The subject lands are 76.9 hectares in size and are located in the Village of Manotick. The area is bounded by Bankfield Road to the north, First Line Road to the west and Mud Creek to the east and south. The lands affected by this Amendment are identified as the Manotick Special Design Area (SDA) shown on Schedule "A" Volume 2C Village Plans, Manotick Secondary Plan.

Basis

Background

The subject lands are currently in multiple-ownership. Presently, four of the landowner's, (Maple Creek Estates Development Inc., Leimerk Developments, Minto Communities Inc. and Watterson Place 2099116 Ontario Inc.) have registered plans of subdivision in place and are under construction. The two remaining parcels (Donron Holdings Inc. and the Estate of Ivy Scharf) stand idle and have no development applications before the City at this time.

With much of the infrastructure in place the landowners would like to bring closure to the cost sharing arrangements to ensure that the costs are shared by all. As such an Official Plan Amendment has been filed with the City.

The proposed Official Plan Amendment will add a policy to the Official Plan that requires all landowners within the SDA to enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the Special Design Area lands.

To ensure that all of the landowners participate in the cost sharing of the items deemed beneficial for all, the City will require evidence of their paid-up portion (as per cost sharing agreement) as a condition of approval for all plans of subdivision and condominium, site plan or severance applications in the Manotick SDA. A representative (Trustee) will be required to provide notification to the City that the owner is party to the agreement and has paid its share of the costs

PART B – THE AMENDMENT

1. Introduction

All of this part constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

2. Details

The Official Plan for the City of Ottawa is hereby amended as follows:

1. The following text is added to Section 5.3 – (Other Implementation Policies):

- “7. Landowners within the Manotick Special Design Area shown on Schedule “A” Volume 2C Village Plans, Manotick Secondary Plan approved by Ottawa City Council - shall enter into private agreements to share the costs of infrastructure projects and associated costs required to develop the SDA lands, and the costs shall be distributed fairly among the benefiting landowners. Each agreement shall contain a financial schedule describing the estimated costs of the infrastructure projects and associated costs required to develop the Special Design Area, as well as the proportionate share of the costs for each landowner. The City shall include a condition of approval for all plans of subdivision and condominium, site plan and severance applications in the Manotick Special Design Area requiring notification from a representative (Trustee) of the Landowners that the owner is party to the agreements and has paid its share of any costs pursuant to the agreements.”

3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the City of Ottawa Official Plan.