

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Parkland Dedication By-Law CP-9 Update

Public Participation Meeting on: June 18, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Parkland Dedication Requirements, Policies and Procedures Review:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018 to amend By-law CP-9, Parkland Conveyance & Levy By-law, to implement the changes to the parkland dedication process;
- (b) the proposed by-law attached hereto as Appendix B" **BE INTRODUCED** at the Municipal Council meeting on June 26, 2018 to amend Council policies 17(2) and 17(3); and
- (c) that the revised Parkland Conveyance & Levy By-law CP-9 and the revised Council Policy be brought into force and effect in September, 2018.

Executive Summary

By-law CP-9 was approved by Council in 2010 which provided a revised approach to the calculation and collection of parkland dedication within the City of London. Included with the bylaw is a fee schedule for various residential unit types. With the exception of a minor change, the fees have remained consistent since 2010. In 2016, an independent city-wide land appraisal was conducted for residential lands in the city and recommended updates to the fee schedule to better reflect the true market value of developable lands.

This report also updates recent legislative changes from Bill 73 and minor housekeeping recommendations to By-law CP-9 and the Council Policy Manual. Part two of the review will examine more closely London's approach to parkland dedication processes and procedures, in comparison to industry standards.

Analysis

1.0 Background

1.1 History

After extensive review in 2010, Municipal Council approved a modified approach to the calculation of parkland dedication and the collection of cash-in-lieu (CIL) of parkland in the City of London. The review involved consultation with the Urban League, London Development Institute (LDI) and the Home Builders Association. The agreed upon approach was intended to provide benefits to both the municipality and the development community. These benefits included a consistent city-wide value for residential land and parkland, a bi annual independent appraisal of city-wide residential land, payment of CIL fees at the time of building permit, the exclusion of parkland dedication for natural heritage/hazard lands if dedicated to the City, a consistent value to constrained and hazard lands, a simplified method of collecting CIL and the consistent inclusion of all natural heritage/hazard lands in applications for plan of subdivision.

Since the adoption of the by-law in 2010, the fees related to the collection of cash-in-lieu of parkland have generally remained the same with the exception of minor increases to row housing and apartment unit fees. These minor adjustments were to better reflect their true market value. Notwithstanding these two fee increases, the residential unit values remain lower than the current market value.

In 2016, Metrix Realty Group undertook a bi annual assessment of residential land valuation for the City of London. Based on recent increases in land values throughout the City, the consultant recommended an adjustment to the valuation table. Realty Services reviewed the Metrix report and the recommendation and arrived at similar conclusions.

1.2 Study Approach

In 2017, staff initiated the process to update By-law CP-9 and the associated fee schedules. During that time, staff were directed to investigate other Ontario municipalities' approach to the collection of parkland dedication and or the collection of cash-in lieu in Ontario. It was noted that some municipalities were able to obtain a higher revenue from cash-in lieu than the current method implemented by the City of London. However, the full details were not reviewed.

To implement the recommendations of the Metrix land appraisal, it was decided to divide the study into two phases; a by-law up-date and a procedure review. The first phase included in this report is to:

- update the current parkland dedication by-law with the revised land valuation from the analysis undertaken by Metrix,
- to implement the amendments to the Planning Act from Bill 73 and
- to make minor housekeeping recommendations to the by-law and Council Policy Manual.

The second phase will undertake a review and comparison of the current approach by the City in collecting CIL and other approaches undertaken by a variety of municipalities in the province, including the standard approach afforded to the City by the Planning Act. The review will determine if sufficient value is being achieved through the current practice or if an alternative practice should be implemented. This report will be brought forward to PEC in the first quarter of 2019. The report will also address alternative forms of accepting constrained or hazard lands as parkland. LDI has raised concerns with the current land valuation of these lands and has suggested the concept of a tax receipt for the dedication of constrained or hazard lands. This concept will be further investigated in the second report.

2.0 Parkland Dedication

2.1 Current Legislative Authority – Parkland Dedication

The *Planning Act* provides municipalities with the authority to require the dedication of parkland or cash-in-lieu for recreational purposes at the time of development. Under Sections 51, 53 and 42 of the Act, municipalities can require 2% of the land area or cash equivalent for commercial and industrial developments and 5% of the land area or cash equivalent for all other types of developments.

The City can require, as a condition to the approval of plans of subdivision, plans of condominium, consents; and, the development, infill or redevelopment of land the conveyance of land for park or recreational purposes, cash-in-lieu of parkland and parkland dedication, or a combination of the two or at the building permit stage.

To ensure the land values reflect current market value and re-adjusted if needed, the City retained the services of Metrix Realty Group to undertake an independent review of the current rates applied to the above residential categories in London's residential market. The consultant provided their 2016 report to Realty Services with their findings and recommendations. The report was circulated to the London Development Institute for their review and comment.

The report and subsequent review from the Realty Services Division provided the following:

Our analysis as outlined above revealed the existing rates charged by the City for all four major density CIL rate categories are insufficient to meet the 5% maximum CIL goal, and we recommend these rates should be adjusted upward. As specified in the By-law, the low density category is further subdivided into four sub-categories based on lot frontage; each sub-category receives a separate rate. Based on the central tendency prices per acre estimated by the appraisal consultant, Realty Services recommends the following rate adjustments:

- *Detached SFR Lots:*
 - *>= 60 ft. \$1,900*
 - *50-59 ft. \$1,550*
 - *40-49 ft. \$1,300*
 - *<= 39 ft. \$1,000*
- *Cluster Detatched/ Semi-detached/ Duplex: \$975*
- *Attached Rowhousing: \$950*
- *Attached Apartments: \$550*

Using the Metrix residential land pricing study as an approximate guide, Realty Services recommends that a new base rate of \$175,000 per acre be applied to City acquisitions of table lands to be purchased for parkland use.

Residential Category	Lot Frontage	Average Gross Density Units/HA	2017 Cash-in-Lieu Rate	Proposed 2018 Cash-in-Lieu Rate
Single Detached Lots	> 18m	11	1,715	1,900
	15 to 17.99	13.5	1,380	1,550
	12 to 14.99	16	1,130	1,300
	<11.99	21	875	1,000
Cluster Detached/semi detached/Duplex	n/a	25.5	875	975
Attached Row house	n/a	39.5	775	950
Attached Apartment	n/a	148	375	550

From consultation with LDI concerns were raised with the increase to both the row housing and apartment residential unit rates noting the increase in 2011 were 48% and 32 % respectively. It should be noted the initial value of land calculated for these two unit types was based City-wide. The 2011 and the current suggested increases are based on current market value of each residential unit type. The Metrix report concludes the value of medium density land is \$467,250 per hectare (\$285,000/ac) and high density residential is \$845,310 per hectare (\$660,000/ac).

The value calculated for the CIL rate for both these residential unit types is currently based on the calculation of 5% of the overall area (Ha) rather than the alternative rate of 1 hectare per 500 residential units. The current use of the 5% value results in a much lower CIL rate. The table below illustrates the comparison of the two values.

Unit Type	Average Land Value per HA (AC)	Average Density per HA (AC)	CIL at 5%	CIL at 1/500
Medium Density (Row Housing)	\$467,250 (\$285,000)	45 (15)	\$950	\$2,804
High Density (Apartment)	\$845,310 (\$660,000)	150 (60)	\$550	\$1690

Potentially modifying the City’s process for receiving CIL will be part of the Phase II report.

2.2 Land Valuation of Open Space and Hazard Lands Included in Development Application

Consistent with the previous valuations Reality Services and Metrix reviewed and recommended the fair market value at which the City should purchase parkland. Based on the valuation process the City currently purchases tableland for parkland purposes at approximately \$396,590 per hectare (\$160,500 per acre), the proposed revised rate is \$432,420 per hectare (\$175,000 per acre).

The valuation of open space and hazard lands is a difficult undertaking as there are no open competitive markets for these environmentally constrained lands. Generally, lands such as flood plain, steep ravines, woodlots and wetlands are only purchased by the municipality or the conservation authority. Historically, the City of London has used a rate of \$13,590 per ha (\$5,500 per acre) as a benchmark for the acquisition of open space or hazard lands. As part of the 2010 “London Approach” constrained land values were assigned to natural hazard lands and natural heritage lands. In conjunction with the constrained land value ratio, natural hazard and natural heritage lands that are dedicated to the city are excluded from the overall calculations of parkland dedication for the development.

Under the premise that hazard lands do not provide development opportunity or financial value to the land, lands delineated by the Conservation Authority as hazard lands are valued at \$13,590 per hectare (5,500 per acre) recognizing that many Ontario municipalities do not provide cash incentives at all for these lands. Hazard lands are generally easily defined and would still be exempt from the 5% parkland dedication rate. The By-law accepts these lands as a contribution toward the parkland dedication requirement at a constrained rate of 27 to 1 or a cash-value equivalent of \$13,590 per hectare (\$5,500 per acre). As the base value of land has increased 14% from \$370,645 per hectare (\$150,000 per acre) to \$432,420 per hectare (\$175,000 per acre), the value of hazard land should reflect the same; \$16,036 per hectare (\$6,490 per acre).

Open space lands outside of natural hazard lands, such as upland significant woodland are valued at \$22,230 per hectare (\$9,000 per acre) because they provide some recreational value for hiking (but no “development” potential). These features are currently delineated through required environmental studies for applications of plan of subdivision and are exempt from the 5% parkland dedication rate. The By-law accepts these lands as a contribution toward the parkland dedication requirement at a constrained rate of 16 to 1 or a cash-value equivalent of \$22,230 per hectare (\$9,000 per acre). As the base value of land has increased 14% from \$370,645 per hectare (\$150,000 per acre) to \$432,420 per hectare (\$175,000 per acre), the value of significant features should reflect the same; \$27,026 per hectare (\$10,938 per acre).

LDI has continually expressed concern that the rate paid for open space/hazard land has remained the same for a number of years and should be increased to reflect market rates. While the land itself does not contain any development value per se, there are intrinsic and/or social values associated with these lands for both the municipality and its citizens, if accessible. LDI has suggested the concept of a tax receipt for constrained or hazard lands dedicated to the city. This approach will be further investigated in a future report.

For this report, staff are recommending the value of the hazard and the constrained lands increase by 14%.

2.3 Pathway Corridors

By-law CP-9 recognized that Section 51(25) of the Planning Act provides municipalities with the authority to acquire pedestrian pathways, bicycle pathways, and transit right of ways without forming any part of the parkland dedication. Generally, these facilities are included within newly developing areas of the city as a 15 meter wide corridor; 5 meters of which is dedicated to the City at no cost and the balance of the land is accepted as parkland dedication.

The Council and Ministry approved the London Plan which requires that the dedicated corridor be a minimum 25 meters. The matter is currently before the OMB as LDI, and others have appealed the standard dedicated width of the corridor.

2.4 Bill 73 – The Smart Growth for Our Communities Act (2015)

On July 1, 2016, Bill 73 – the Smart Growth for Our Communities Act came into force which provided a number of changes to the Planning Act and Development Charges Act. The Bill introduced three significant changes to the way municipalities require the conveyance of parkland or cash-in-lieu as a condition prior to development.

1. Prior to Bill 73, municipalities could pass by-laws requiring the conveyance of land for parkland purposes (2% for commercial and industrial developments, 5% for all other developments) as a condition of development or redevelopment. An alternative rate of 1 unit per 300 residential units could also be applied provided the Official Plan contained policies relating to the alternative rate. After Bill 73, the Municipality may still include an alternative rate for the calculation of parkland dedication but must prepare a “Parks Plan” which examines the need for parkland. The Parks Plan must include public consultation and consultation with the schools boards. For municipalities with a current approved alternative approach included within their Official Plan, this requirement does not apply.
2. The current Official Plan and the Council/Ministry approved London Plan both contain policies regarding the use of the alternative parkland calculation. Further, the Council has previously adopted a Parks and Recreation Master Plan with an update in 2015. Staff have retained a consultant to undertake a new Parks and Recreation Master Plan that should be completed in 2019.
3. The alternative rate for the calculation of parkland dedication has been partially amended. Prior to Bill 73, parkland dedication could be collected at 5% of the overall site area or a rate of 1 hectare per 300 residential rates. Bill 73 maintains this rate for the conveyance of lands, however, if there is insufficient desirable parkland the City may accept cash-in lieu of parkland at a rate of 1 hectare per 500 residential units (in place of the 1/300 residential units). This revised rate is only for cash-in lieu of parkland purposes.
4. Prior to Bill 73, municipalities were required to establish a specific account for cash-in lieu funds collected as a condition of development or redevelopment. Bill 73 introduced more transparency in the recording of this account. Specifically, the City Treasurer is required to publicly report out an annual financial statement of the account including the opening and closing balance; acquisition of land or machinery with the fund; construction or improvements to buildings with the fund; and details on any other expenses posted to the fund. These changes are proposed in the Council Policy Manual and By-law CP-9.

2.5 Minor Housing Keeping Changes to the Council Procedure Manual

Since the approval of the By-law in 2010, minor changes have occurred to incorporate department names and positions. The minor housekeeping amendments correct these titles and department names. Further, some concerns were expressed regarding the clarity of industrial applications.

In 2010, Council approved the policy to exempt industrial development from parkland dedication with the exception of industrial land which contains natural heritage/hazard lands. These natural heritage/hazard lands were to be dedicated to the City as their contribution towards parkland dedication. This report is not suggesting any changes to the policy, but rather include the policy within By-law CP-9.

3.0 Conclusion

By-law CP-9 was approved by Council in 2010 which provided a revised approach to the calculation and collection of parkland dedication within the City of London. Included with the bylaw is a fee schedule for various residential unit types. With the exception of a minor change, the fees have remained consistent since 2010.

In 2016, an independent city-wide land appraisal was conducted for residential lands in the city. The report recommended updates to the fee schedule to better reflect the true market value. These proposed changes were circulated to LDI for their review and comment.

A second phase of this report will be tabled with PEC in late 2018. This report will provide a comparison of other parkland dedication methods/approaches implemented in the province and make recommendations related to the London model.

Prepared by:	Bruce Page, Senior Planner, Environmental and Parks Planning
Submitted by:	Andrew Macpherson, OALA Manager, Environmental and Parks Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
<p>Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services</p>	

June 11, 2018
AM/BP

Bill No. (number to be inserted by Clerk's Office)
(2018)

By-law No. C.P.-1284-
A by-law to amend By-law CP-9 entitled
"A by-law to provide for the conveyance
of land and cash in lieu thereof for park
and other purposes".

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 2.1 of Part 2 of By-law CP-9 is repealed and the following new section 2.1 is enacted in its place:

2.1 Land - for park purposes - conveyance - calculation

As a condition of development or redevelopment for residential purposes of any land within the City of London, the Owner of such land shall, at the request of the Corporation, convey to it for use for park or other public recreational purposes as follows:

- 1) In the case of land proposed for residential development the greater of either five (5%) percent of the land within the development application or an amount of land that is in the same proportion to the number of dwelling units proposed as one hectare bears to 300 dwelling units;
- 2) In the case of land proposed for development or redevelopment for commercial purposes, land in the amount of two percent (2%) of the land within the development application to be developed or redeveloped;
- 3) In the case of land proposed for development or redevelopment for Industrial purposes, parkland dedication requirements will be waived;
- 4) In the case of land proposed for development for use other than those referred in 2.1 1) and 2.1 2), land in the amount of five per cent (5%) of the land within the development application to be developed or redeveloped; and
- 5) Where a development or redevelopment application contains defined hazard or environmentally constrained open space lands, these lands will be excluded from the calculation of parkland dedication as set out in Section 2.1 provided the said lands, are in some form, dedicated to the Corporation.

2. Section 2.2 of Part 2 of By-law CP-9 is repealed and the following new section 2.2 is enacted in its place:

2.2 Cash - in lieu of land - prior to permit

Where the Corporation does not request the Owner to convey land, the Owner shall pay money to the Corporation in lieu of such conveyance to the prevailing value of the land otherwise required to be conveyed under section 2.1 of this by-law before the issuance of the building permit or, if more than one building permit is required for the development or redevelopment, before the issuance of the first permit.

As an alternative, the owner can pay the money in one lump sum at a rate of 1 hectare of park land for every 500 residential units at a value set out in Section 2.3.

3. Section 2.3 of Part 2 of By-law CP-9 is repealed and the following new section 2.3 is enacted in its place:

2.3 Land – value – per residential dwelling type – Table 1

The prevailing value of land otherwise required to be conveyed under section 2.1 of this by-law for the twelve month period commencing September 2018 and then every twenty-four months thereafter, may be determined by multiplying the value per dwelling unit in Column II of Table 1 for the corresponding type of residential dwelling unit in Column I by the number of that type of dwelling unit proposed on the land, and then adding all of the values for each type of dwelling unit to arrive at the prevailing land value.

Table 1	
Column I	Column II
Average Value of Land	\$432,420/hectare (\$175,000/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$ 1000.00
12m -14.99m lot frontage	\$1300.00
15m -17.99m lot frontage	\$1550.00
18m or greater lot frontage	\$1900.00
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$ 975.00
Attached Rowhousing	\$ 950.00
Attached Apartments	\$ 550.00
Value of Land for Alternative Rate Calculations	
Singles/Semi-detached/Duplex	\$432,420/hectare (\$175,000/acre)
Row Housing (Medium Density)	\$467,250/hectare (\$285,000/acre)
Apartments (High Density)	\$845,310/hectare (\$660,000/acre)
Value of Parkland	
Hazard land	\$16,036/hectare (\$6,490/acre)
Open space land	\$27,026/hectare (\$10,938/acre)
Ratio of hazard Land to table land	27 to 1
Ratio of open space land to table land	16 to 1
Table land to be purchased by the Corporation for parkland use	\$432,420/hectare (\$175,000/acre)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 26, 2018.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018

Appendix “B”

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. A - _____

A By-law to amend Council Policies 17(2), 17(3) and 19(3) related to Parkland Dedication.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Council Policy 17(2) is hereby amended by repealing the existing the Council Policy 17(2) and enacting the attached revised policy in its place.

17(2) Parkland Dedication – Value of Parkland dedication

That the following policy for establishing a value for 5% land dedication or the payment of cash-in-lieu in accordance with the market value be established:

- a. Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City's choice, on a biennial basis (every 2 years) to ensure the values of the by-law reflect the current market value;
- b. Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Planning Services to make recommendations to Council on the appropriate amendments; and
- c. For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation

2. Council Policy 17(3) is hereby amended by repealing the existing Council Policy 17(3) and enacting the attached revised policy in its place.

17(3) Parkland Dedication – Plan of Subdivision

That, with regard to the dedication of parkland using section 51.1 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for approval of a plan of subdivision, regard shall be had to the Official Plan policies concerning requirements for land dedication or cash-in-lieu.

Consistent with the Official Plan where City Council determines that the conveyance of parklands is desired, land in the amount of 2% for commercial or industrial purposes and land for all other purposes at a rate of one hectare for each 300 dwelling units or in the amount of 5% of the land proposed for subdivision, whichever is greater, will be described in the subdivision agreement and conveyed upon registration:

- a. The City will require that all hazard and /or open space lands within the land holdings of the owner are included in the application for development;

- b. Lands defined and determined to be hazard or open space in a staff approved ecological or environmental report will not be included within the in the calculations for parkland dedication provided the lands are acquired/dedicated, in some form, to the City;
- c. The City retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including, but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the City's use of the land. Where the City does not request the Owner to convey table land, the City may:
 - i. accept the equivalent of land in cash value as determine in By-law CP-9 Parkland Dedication or at a rate of 1 hectare per 500 residential units;
 - ii. accept hazard land and/or open space lands included within the application at a rate consistent with their value as determined in By-law CP-9 Parkland Dedication; or
 - iii. accept a transfer of an over dedication of parkland in a neighbouring plan of subdivision under the same ownership as outlined in Official Plan Policy 16.3.2 v).
- d. Lands that have been identified, to the satisfaction of the City, as hazard or open space and that are not included as parkland dedication will be acquired by the City at a rate determined in By-law CP-9. The City reserves the right to determine if the hazard and/or open space lands will form the part of the required parkland dedication;
- e. Where the city is to acquire large tracks of hazard and/or open space lands the following price index shall be applied:

Size in Ha	Size Multiplier
0 to 9.99	1
>10	0.69 (31%)

- f. The parkland dedications from applications for consent to create additional building lots will also fall under this policy. Where an application to register a condominium is caused by "development" rather than solely by conversion of an existing building, parkland dedications will be sought according to Council policy; and
 - g. Industrial development or division of industrial lands (consents, plan of subdivision) will not be subject to a 2% parkland dedication rate except where the City has an interest in acquiring natural heritage features as a land dedication.
3. Council Policy 17(4) is hereby amended by repealing the existing Council Policy 17(4) and enacting the attached revised policy in its place.

17(4) Parkland Dedication Cash-in-lieu

That the following policy be established for the valuation of cash-in-lieu of parkland dedicated to the City under Section 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13,:

- a. Cash-in-lieu of parkland dedication values will be set out in Table 1 of By-law CP-9, Parkland Dedication. These values will be evaluated by an Accredited Appraiser (AACI), of the City's choice, on a biennial

basis (every 2 years) to ensure the values of the by-law reflect the current market value;

- b. Realty Services will retain an independent Accredited Appraiser (AACI) to undertake the review and through Environmental & Parks Planning make recommendations to Council on the appropriate amendments;
- c. The valuation of Table 1 will take into account the value of residential, hazard and open space lands on a city-wide basis on the day before the day of draft approval. The following values are to be considered in the valuation:

Table 1	
Column I	Column II
Average Value of Land	\$432,420/hectare (\$175,000/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$ 1000.00
12m -14.99m lot frontage	\$1300.00
15m -17.99m lot frontage	\$1550.00
18m or greater lot frontage	\$1900.00
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$ 975.00
Attached Rowhousing	\$ 950.00
Attached Apartments	\$ 550.00
Value of Land for Alterative Rate Calculations	
Singles/Semi-detached/Duplex	\$432,420/hectare (\$175,000/acre)
Row Housing (Medium Density)	\$467,250/hectare (\$285,000/acre)
Apartments (High Density)	\$845,310/hectare (\$660,000/acre)
Value of Parkland	
Hazard land	\$16,036/hectare (\$6,490/acre)
Open space land	\$27,026/hectare (\$10,938/acre)
Ration of hazard Land to table land	27 to 1
Ratio of open space land to table land	16 to 1
Table land to be purchased by the Corporation for parkland use	\$432,420/hectare (\$175,000/acre)

- d. The revised Table 1 of By-law CP-9 will be implemented in September 2018; and
- e. For non-residential cash-in-lieu of parkland payments, an appraisal shall be undertaken by an Accredited Appraiser (AACI) and be submitted to Development and Compliance Services and Realty Services for review and confirmation.

4. Council Policy 17 is hereby amended by adding the attached policy:

17(5) Parkland Dedication – Site Plan

That the following policy be established for the dedication of parkland or cash-in-lieu of parkland to the City under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, where an application has been made for site plan approval:

- a. Where commercial, residential or other land use is developed under Section 42 of the Planning Act, R.S.O. 1990, Chapter P.13, has not made previous contributions to parkland dedication, a condition for fulfillment of the parkland dedication will be a condition of site plan approval; and
- b. Where land is not desired or available for the municipality, cash-in-lieu of parkland will be required prior to the issuance of a building permit and valued at the day before the day of issuance of the building permit.

5. Council Policy 17 is hereby amended by adding the attached policy:

17(6) Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision

That the following policy be established for the acquisition of hazard land and/or open space land outside an application under 42, 51.1 or 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

- a. Where hazard lands are to be purchased outside a development application, a rate consistent with Table 1 of By-law CP-9 shall apply; and
- b. Other open space lands may be acquired at a higher value relative to their environmental or recreational value

6. Council Policy 17 is hereby amended by adding the attached policy:

17(8) Parkland Accounts

That the following policy be established for the updating of the current Parkland Reserve Fund.

- a. Funds received from cash-in-lieu payments for parkland dedication will be maintained in a separate fund and used for the acquisition of land, the development, management and restoration of parks and open spaces and other recreational needs.
- b. The account shall maintain with a minimum balance of \$300,000 for advantageous acquisitions as they may arise.
- c. The City Treasurer will present to Council an annual public financial statement containing the following:
 - i. the opening and closing balances,
 - ii. any land or machinery acquired with the funds,
 - iii. any buildings erected, improved or repaired with the funds,
 - iv. details of the amount spent, and
 - v. how capital costs for the land, machinery or buildings described above will be funded if the costs are not fully covered by the special fund

7. Council Policy 19(3) is hereby amended by repealing the existing Council Policy 19(3) and enacting the Attached revised policy in its place

19(3) Subdivision of Land by Consent

That a policy be established to provide that whenever a situation arises where land is being subdivided by means of "Consents to Register", the following points are to be observed:

- a. the agreement (which takes the place of a normal subdivision agreement) should not be executed by the City until after certain conditions have been first met, namely:
 - i) deposit of cash or conveyance of security lots;
 - ii) 5% land dedication or payment of cash in lieu of 5% dedication; and
 - iii) deposit with the Director of Development Services of any conveyances for streets, easements or other purposes.
- b. the Director of Development Services should refrain from executing consents until advised by the Managing Director of Legal and Corporate Services that the agreement has been executed on behalf of the City; and
- c. the Managing Director, Development and Compliance Services and Chief Building Official will refrain from issuing building permits for any lot until advised by the Consent Authority that the appropriate conveyance has been executed with the "Consent" affixed thereto.
- d. Industrial development or division of industrial lands (consents) will not be subject to a 2% parkland dedication rate except where the City has an interest in acquiring natural heritage features as a land dedication.

PASSED in Open Council on June 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk