

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports

Subject: 2021 Annual Parkland Reserve Fund and Section 37 Planning Act (Bonusing) Report

Date: May 9, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports:

- a) the 2021 Annual Parkland Reserve Fund and Section 37 Planning Act (Bonusing) Report **BE RECEIVED** for information in accordance with section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, as well as sections 37 (7) and 42 (17) of the Planning Act, 1990, which require annual financial statements.
- b) the Deputy City Manager, Finance Supports **BE DIRECTED** to make the 2021 Annual Parkland Reserve Fund and Section 37 Planning Act (Bonusing) Report available to the public on the City of London website.

Linkage to the Corporate Strategic Plan

Council's 2019 to 2023 Strategic Plan for the City of London (the "City") identifies "Leading in Public Service" as one of four strategic areas of focus. The 2021 Annual Parkland Reserve Fund and Section 37 Planning Act (Bonusing) Report supports this strategic area of focus by contributing towards the following strategic outcome: "The City of London is trusted, open, and accountable, in service of our community".

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Corporate Services Committee, July 26, 2021, Agenda Item #2.3, 2020 Annual Parkland Reserve Fund Report

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=82699>

Planning and Environment Committee, October 29, 2018, Agenda Item #4.2, Section 37 – Planning Act (Bonusing) Revisions and Additional Opportunities for Implementation

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=51742>

1.2 Recent Legislative Requirements

As of September 18, 2020, Section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, in connection with section 42 (17) of the Planning Act, 1990, require that Municipal Council provide an annual financial statement to the public relating to the special account established for the conveyance of land for park purposes. The City's special account for such purposes, established by by-law A.-7527-94, is the Parkland Reserve Fund (hereinafter the "Fund").

Applicable excerpts of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, are as follows:

PARKLAND SPECIAL ACCOUNT

7. For the purposes of subsections 37 (48) and 42 (17) of the Act, the following information shall be provided to the public each year in respect of the preceding year:

1. Statements of the opening and closing balances of the special account and of the transactions relating to the account.
2. In respect of the special account referred to in subsection 37 (45) of the Act, statements identifying,
 - i. facilities, services and matters acquired during the year with funds from the special account,
 - ii. details of the amounts spent, and
 - iii. for each facility, service or matter mentioned in subparagraph i, the manner in which any capital cost not funded from the special account was or will be funded.
3. In respect of the special account referred to in subsection 42 (15) of the Act, statements identifying,
 - i. land and machinery acquired during the year with funds from the special account,
 - ii. buildings erected, improved or repaired during the year with funds from the special account,
 - iii. details of the amounts spent, and
 - iv. for each asset mentioned in subparagraphs i and ii, the manner in which any capital cost not funded from the special account was or will be funded.
4. The amount of money borrowed from the special account and the purpose for which it was borrowed.
5. The amount of interest accrued on any money borrowed from the special account.

The applicable excerpt of section 42 (17) of the Planning Act, 1990, is as follows:

Reports and information

(17) A council of a municipality that passes a by-law under this section shall provide the prescribed reports and information to the prescribed persons or classes of persons at such times, in such manner and in accordance with such other requirements as may be prescribed. 2019, c. 9, Sched. 12, s. 12 (9).

SECTION 37 BONUSING SPECIAL ACCOUNT

Treasurer's statement

(7) The treasurer of the municipality shall each year, on or before the date specified by the council, give the council a financial statement relating to the special account. 2015, c. 26, s. 27.

Requirements

- (8) The statement shall include, for the preceding year,
- (a) statements of the opening and closing balances of the special account and of the transactions relating to the account;
 - (b) statements identifying,
 - (i) any facilities, services or other matters specified in the by-law for which funds from the special account have been spent during the year,
 - (ii) details of the amounts spent, and
 - (iii) for each facility, service or other matter mentioned in subclause (i), the manner in which any capital cost not funded from the special account was or will be funded; and,
 - (c) any other information that is prescribed. 2015, c. 26, s. 27.

Statement available to public

(10) The council shall ensure that the statement is made available to the public. 2015, c. 26, s. 27.

1.3 Annual Financial Statements

PARKLAND SPECIAL ACCOUNT

Appendix A of this report meets the financial statement requirements as prescribed under section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, as well as section 42 (17) of the Planning Act, 1990, and subject to Municipal Council direction will be made available to the public on the City of London website.

Appendix A provides a brief description of the Fund. Table 1 of Appendix A presents a summary of revenues, expenses, and balances for the year ending December 31, 2021. Table 2 of Appendix A provides the following details concerning each capital project financed by the Fund:

- The cumulative approved budget including both total financing from the Fund as well as total financing from all other sources;
- The amount of the 2021 draws from the Fund (if any) for each capital project that has a commitment; and
- A description of each of the capital projects financed by the Fund.

SECTION 37 BONUSING SPECIAL ACCOUNT

Appendix B of this report meets the financial statement requirements as prescribed under section 37 (8) of the Planning Act, 1990, and subject to Municipal Council direction will be made available to the public on the City of London website.

Conclusion

In accordance with section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, as well as section 37 (7) and 42 (17) of the Planning Act, 1990, it is recommended that this report be received for information and be made available to the public on the City of London website.

Prepared by: Jason Davies, CPA, CMA, Manager III, Financial Planning and Policy

Submitted by: Kyle Murray, CPA, CA, Director, Financial Planning and Business Support

Recommended by: Anna Lisa Barbon, CPA, CGA, Deputy City Manager, Finance Supports

Cc:

Scott Stafford – Parks and Forestry, Environment and Infrastructure
Robin Armistead – Culture Services, Neighbourhood and Community-Wide Services
John Millson – Financial Business Support, Finance Supports
Meng Liu – Financial Business Support, Finance Supports

Appendix A - Statement of Parkland Reserve Fund Activity for the year ending December 31, 2021

Reserve Fund Purpose:

The Fund shall be expended, pledged or applied only to acquire lands to be used for park or other public recreational purposes or for the development or improvement of lands used or to be used for park or other public recreational purposes.

Table 1: Summary of Reserve Fund Activity

Opening Balance: January 1, 2021	\$4,751,723
Parkland Levies/Revenues	2,282,750
Interest Earned	101,347
Total Contributions	\$2,384,097
Amount Transferred to (from) Capital Fund (Note 1)	3,338,754
Total Disbursements	\$3,338,754
Closing Balance: December 31, 2021	\$3,797,066
Future drawdowns as of December 31, 2021	\$627,978

Notes:

(1) "Amount Transferred to (from) Capital Fund" reflects 2021 progress draws against approved capital budgets. Details of these draws appear on the following page.

Appendix A - Statement of Parkland Reserve Fund Activity for the year ending December 31, 2021

Table 2: Summary of Approved Projects Funded From Parkland Levies/Revenues

Capital Project Number	Capital Project Title	Total Project Life to date Budget	Tax/Rate Supported plus Other Sources of Financing	Parkland Reserve Fund Financing	Parkland Amount Transferred to (from) Capital Fund in 2021	Project Description
PD1070	Victoria Park Upgrades	650,000	0	650,000	50,881	To maintain and upgrade the basic infrastructure of Victoria Park and deal with increasing/changing use of the park.
PD1147	Vimy Ridge Park	155,000	105,000	50,000	50,000	Creation of a permanent Vimy Ridge Park. This project is now closed.
PK1070	Victoria Park Upgrades	110,000	0	110,000	0	To maintain and upgrade the basic infrastructure of Victoria Park and deal with increasing/changing use of the park.
PK1201	One River EA - River Management	250,000	0	250,000	0	The implementation of the "River Management" component of the One River EA. This covers the 8 kilometer stretch of river corridor between the Forks and Springbank Dam (the other two components of the One River EA).
PD117318	Springbank Park Upgrades	416,426	101,269	315,157	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park. This project is now closed.
PD117319	Springbank Park Upgrades	400,000	385,000	15,000	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park.
PK117320	Springbank Park Upgrades	880,000	770,000	110,000	0	To maintain and upgrade the basic infrastructure of Springbank Park and deal with increasing/changing use of the park.
PK273519	2019 Misc. Parkland Acquisition	278,526	0	278,526	0	To acquire miscellaneous property to be used for parkland (2700 Kains Road). This project is now closed.
PK273520	2020 Misc. Parkland Acquisition	1,648,844	0	1,648,844	1,445,122	To acquire miscellaneous property to be used for parkland (181 Grey Street, 189 Grey Street, 1985 Gore Road, 21 Gunn Street, 2201 Kains Road, 2 Saunby Street).
PK273521	2021 Misc. Parkland Acquisition	2,044,179	265,743	1,778,436	1,778,436	To acquire miscellaneous property to be used for parkland (19 Dingman Drive)
PD2253MEDWAY	Medway Valley Trail	327,591	252,591	75,000	14,315	To purchase property north of Fanshawe Park Road for the Medway Valley Trail. This project is now closed.
Totals		\$7,160,566	\$1,879,603	\$5,280,963	\$3,338,754	

*Amounts Subject to Rounding

Appendix B - Planning Act Section 37 - Financial Statement of Special Account as of December 31, 2021

Table 1: Summary of Section 37 Bonus Special Account Activity

Project	Developer	Commitment	Funds Received	Description / Purpose of Funds Received	2021 Expenditures	Previous Years Expenditures	Description / Purpose of Funds Spent	Remaining Commitment
505 Talbot Street	Tricar Properties Limited - Azure	\$250,000	\$250,000	Public Art	\$54,593	\$195,407	London Arts Council - Selection of artist. Artist invoices.	\$0
131 King Street	131 Kingwest Inc.	\$250,000	\$250,000	Public Art	\$0	\$28,250	London Arts Council - Selection of artist and payment of artist commission	\$221,750
100 Fullerton Street	Old Oak Properties Inc.	\$250,000	\$250,000	Public Art	\$0	\$0		\$250,000
40 York Street	Tricar Properties Limited	\$250,000	\$250,000	Downtown Heritage and Back to the River	\$0	\$0		\$250,000
230 North Centre Road	Tricar Properties Limited	\$250,000	\$250,000	Public Art	\$0	\$0		\$250,000