

Technical Memorandum

To	Tammie Ryall
From	Gary Scandlan and Daryl Abbs
Date	November 20, 2023
Re:	Parks Plan - Parkland Dedication and Payment-in-lieu of Parkland Analysis

Fax

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This memorandum is being provided to summarize Watson & Associates Economists Ltd. (Watson)'s review and analysis of the Municipality of Lakeshore's (Municipality) parkland dedication and payment-in-lieu of parkland policies.

1. Introduction

Watson was retained by the Municipality to undertake a review and analysis of the Municipality's current policies with respect to parkland dedication and payment-in-lieu of parkland. This memo outlines the relevant legislation, the Municipality's current policies, analysis of alternative policies, and next steps/considerations for Municipal staff. Summary information along with a draft parkland dedication by-law are provided in the appendices. This analysis incorporates the recent changes to the Planning Act via *Bill 23, More Homes Built Faster Act, 2022*.

2. Legislative Overview

The Planning Act provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or payment-in-lieu of parkland. Section 42 of the Planning Act provides for the rules with respect to conveyance of land for park purposes (to be imposed by by-law), Section 51.1 provides the rules for the conveyance of parkland imposed as a condition of approval of a plan of subdivision, and Section 53 provides the rules for conveyance of parkland required for consent. The following outlines the relevant paragraphs of Section 42. Note: the rules under Section 51.1 and 53 are similar except for the date of determination of value for payment-in-lieu of parkland, which is noted below. Additionally, no by-law is required to impose the base dedication provisions under Section 51.1 or 53.



Parkland Dedication

Section 42 (1) provides that the municipality may require land be conveyed in the amount of 2 per cent for industrial and commercial development and 5 per cent for all other development (i.e., residential, and institutional):

“42 (1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.

(2) A by-law passed under this section comes into force on the day it is passed, or the day specified in the by-law, whichever is later.”

New from Bill 23:

Section 42 (1.1) is proposed to be added upon proclamation by the Lieutenant Governor. This section provides for a reduction in the parkland dedication requirements for affordable residential units. Once enacted, where there are affordable residential units (as defined in the Development Charges Act), the dedication requirements shall not exceed 5% multiplied by the ratio of non-affordable residential units vs. the total number of residential units. For example:

- Number of affordable residential units: 10
- Number of non-affordable residential units: 90
- Total units: 100
- 5% multiplied by (90 divided by 100) equals 90% of 5% or 4.5%.

Section 42 (1.2) has been added to provide for an exemption for non-profit housing developments (as defined in the Development Charges Act).

Section 42 (1.3) has been added to provide for a similar residential intensification exemption as the Development Charges Act:

(1.3) A by-law passed under this section does not apply to the erection or location of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;*
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other*



than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

- (c) *one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units*

Alternative Parkland Dedication Rate

For residential development or redevelopment, a municipality may also impose an alternative requirement to the 5 per cent dedication based on a rate of one hectare for each 600 net residential units¹, as follows:

“(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 600 net residential units proposed or at such lesser rate as may be specified in the by-law. R.S.O. 1990, c. P.13, s. 42 (3).”

New From Bill 23

Section 42(3.0.2) has been added to identify that the number of units included in the calculation is the net new residential units after the development or redevelopment. This provides for a credit for the existing units.

Section 42(3.0.3) is proposed to be added to note that affordable residential units and attainable residential units (as defined in the Development Charges Act), shall be excluded from the net residential unit calculation.

Section 42(3.3) has been added to provide caps on the maximum dedication/payment-in-lieu required. This section is provided as follows:

- (3.3) *A by-law that provides for the alternative requirement authorized by subsection (3) shall not require a conveyance or payment in lieu that is greater than,*
 - (a) *in the case of land proposed for development or redevelopment that is five hectares or less in area, 10 per cent of the land or the value of the land, as the case may be; and*

¹ New for Bill 23. Previous amount was one hectare for each 300 dwelling units.



- (b) *in the case of land proposed for development or redevelopment that is greater than five hectares in area, 15 per cent of the land or the value of the land, as the case may be.”*

Requirement for a Parkland Dedication By-law – Alternative Residential Rate

To use the residential alternative requirement of one hectare for each 600 net residential units, a municipality must have the policy in their Official Plan document and pass a by-law which outlines parkland dedication (and payment-in-lieu of parkland) requirements. As of the passage of Bill 73 (Smart Growth for our Communities Act) in 2015, Section 42 of the Planning Act was amended to include a requirement to complete a Parks Plan prior to include the use of the alternative rate provisions in an Official Plan. Now, as per Bill 23, a Parks Plan is required to be undertaken prior to passing a by-law which includes the alternative residential rate.

The Municipality does have the alternative provisions included in their Official Plan; therefore, it appears a Parks Plan would not be required. Section 42 (4.1) and (4.2) denote the requirement for a Parks Plan and the need for consultation with school boards and other persons as the municipality considers appropriate. There is no prescription as to the contents of the Parks Plan.

To impose the alternative rate under Section 42 or 51.1 of the Planning Act, the municipality must pass a by-law. Section 42 (3.1) and (4.4) to (4.24) provide for the rules/requirements to pass a by-law with the inclusion of the alternative rate. A summary of the subsections is as follows:

- **Consultation:** the municipality shall consult with persons and public bodies as the municipality considers appropriate (note that in the preparation of a Parks Plan, the Municipality shall consult with every school board that has jurisdiction and may consult with any other persons or public bodies the municipality considers appropriate);
- **Notice of Passage:** the municipality shall give written notice of the passing of the by-law within 20 days of passage and identify the last day for appealing the by-law (40 days after passage). Details of the notice requirements are set out in O.Reg. 509/20 and are provided in Appendix A;
- **Appeal of By-law to the Ontario Land Tribunal:** A by-law may be appealed. The Clerk has certain duties on appeal which are listed in subsection 4.10. The Tribunal has various powers to dismiss the appeal or direct the municipality to amend the by-law.

Although a by-law is required to impose any parkland dedication under Section 42 of the Planning Act, the notice and consultation requirements do not appear to apply if the by-law does not include provision for the alternative rate.



Payment-in-lieu of Parkland

The Municipality may receive payment-in-lieu of parkland based on the value of the land otherwise to be conveyed. Further, if the Municipality has authorized the use of the alternative rate for parkland dedication, payment-in-lieu may be received instead, at a rate of one hectare for each 1,000¹ net residential units.

“42 (6) If a rate authorized by subsection (1) applies, the council may require a payment in lieu, to the value of the land otherwise required to be conveyed.”

“42 (6.0.1) If a rate authorized by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 1,000 net residential units proposed or such lesser rate as may be specified in the by-law.”

Determination of Value of Parkland

The value of the land for payment-in-lieu of parkland purposes shall be determined as of the day before the building permit is issued.

“42 (6.4) For the purposes of subsections (4.19), (6), (6.0.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.”

Note, for parkland conveyed as a condition of a plan of subdivision, the value shall be determined as of the day before the approval of the draft plan of subdivision. Section 51.1 (4) provides for the following:

“(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.”

Note, for parkland conveyed under consent, the value shall be determined as of the day before the provisional consent was given. Section 53 (13) provides for the following:

“(13) If, on the giving of a provisional consent, land is required to be conveyed to a municipality for park or other public recreational purposes and the council of the municipality requires a payment in lieu, for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given.”

¹ New for Bill 23. Previous amount was one hectare for each 500 dwelling units.



New From Bill 23

Sections 42(2.1), (2.2), (2.3), and (2.4) have been added to provide for a rate freeze similar to what is included in the Development Charges Act. This is provided as follows:

- (2.1) *The amount of land or payment in lieu required to be provided under this section is the amount of land or payment in lieu that would be determined under the by-law on,*
- (a) *the day an application for an approval of development in a site plan control area under subsection 41 (4) of this Act or subsection 114 (5) of the City of Toronto Act, 2006 was made in respect of the development or redevelopment;*
- (b) *if clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of this Act was made in respect of the development or redevelopment; or*
- (c) *if neither clause (a) nor clause (b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.*
- (2.2) *Subsection (2.1) applies regardless of whether the by-law under which the amount of land or payment in lieu would be determined is no longer in effect on the date the land is conveyed, the payment in lieu is made or arrangements for the payment in lieu that are satisfactory to the council are made, as the case may be.*
- (2.3) *If a development was the subject of more than one application referred to in clause (2.1) (a) or (b), the later one is deemed to be the applicable application for the purposes of subsection (2.1).*
- (2.4) *Clauses (2.1) (a) and (b) do not apply if, on the date the first building permit is issued for the development, more than two years have elapsed since the application referred to in clause (2.1) (a) or (b) was approved.”*

Special Account and Reporting Requirements

All money received by the municipality for the purposes of payment-in-lieu shall be paid into a special account and spent only for the following purposes:

- acquisition of land to be used for park or other public recreational purposes;
- erection, improvement or repair of buildings; and
- acquisition of machinery for park or other public recreational purposes.



Subsection 42(17) of the Planning Act provides that a council that passes a by-law under Section 42 shall provide the reports and information as prescribed in the regulation. Ontario Regulation 509/20, Section 7 identifies the information that shall be provided to the public each year (for the previous 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 above, statements identifying,
 - a. land and machinery acquired during the year with funds from the special account,
 - b. buildings erected, improved or repaired during the year with funds from the special account,
 - c. details of the amounts spent, and
 - d. 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.
3. The amount of money borrowed from the special account and the purpose for which it was borrowed.
4. The amount of interest accrued on any money borrowed from the special account.

New From Bill 23

Section 42(16.1) has been added to require that: “in each calendar year beginning in 2023, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.”

3. Current Practice and Analysis

3.1 Overview of Guiding Documents

“Section 4.3.4: Recreation” of the Municipality of Lakeshore’s 2021 Official Plan (O.P.) sets out policies with respect to recreation and public open space along with policies regarding parkland dedication. This section discusses a variety of topics including the types of parks, where they may be located, requirements for parks and recreational facilities, and parkland dedication guidelines. Section 4.3.4.3 notes that parkland dedication may be required at the rates of 5% for residential development and 2% for all other purposes. It also states that the Municipality may accept payment-in-lieu of parkland dedication. Further, the Municipality may require residential development to



dedicate land based on the alternative rate of one (1) hectare of land for each 300¹ net residential units proposed or payment-in-lieu at a rate of one (1) hectare per 500² units. Finally, this section notes that “The Municipality will support the implementation of the Parks Master Plan that examines the need for parkland in the Municipality, and a review of the Municipality’s payment-in-lieu of parkland dedication or alternative parkland dedication requirements”.

In 2017, the Municipality undertook a detailed Parks & Recreation Master Plan. This plan undertook a review of Municipal policies with respect to parks and recreation, identified the current inventory of parks, and identified the potential need for future parks. Recommendations were provided to review and update the Municipality’s policies with respect to parkland dedication.

The Municipality’s current parkland dedication by-law (By-law 90-2022) outlines the applicable policies in further detail. By-law 90-2022 replaced the long-standing by-law passed in 2014 (By-law 42-2014).

Additionally, the Municipality’s Zoning by-law was reviewed. This document provides definitions for public parks, community centres, and commercial outdoor recreation facilities.

Finally, a review of the Municipality’s 2020 Development Charge (D.C.) Background Study was undertaken. The D.C. study sets out the inventory of parkland, amenities, vehicles, and recreation facilities over the previous 10-year period. The study also sets out the growth-related capital needs for parks and recreation services (except purchase of parkland) that are to be recovered through D.C.s.

3.2 Current Parkland Dedication and Payment-in-Lieu Policies

The O.P. provides the overarching policies with respect to parkland dedication and payment-in-lieu of parkland which are further detailed by the Parks Master Plan. These policies are then identified in the parkland dedication by-law (90-2022), which, along with the Planning Act, provide the Municipality with the authority to impose parkland dedication and payment-in-lieu of parkland dedication requirements.

3.2.1 Parkland Dedication

Overview

¹ The Official Plan policy should be amended to reflect the changes introduced through Bill 23. The new amount is one hectare for each 600 net residential units.

² The Official Plan policy should be amended to reflect the changes introduced through Bill 23. The new amount is one hectare for each 1,000 dwelling units.



The policies with respect to parkland dedication in the O.P. and the parkland dedication by-law allow for the requirement for 5% of the land for residential developments and 2% for all other developments. Additionally, the Municipality is able to utilize the alternative rate of one (1) hectare of land for each 300 net residential units, if it provides a greater amount of dedication than the 5% rate.

Through discussions with staff, the alternative rate has not been utilized and it is unclear if parkland dedication requirements have been imposed or collected on non-residential development.

Alternative Rate Requirement for Parkland Dedication

As provided in the O.P. and parkland dedication by-law, for residential development, the Municipality may require parkland be dedicated at a rate of one (1) hectare for every 300 net residential units. This rate is to be used where it would provide for a greater amount of dedication relative to the 5% rate. This can be calculated by analyzing the density of development at the breakeven point (i.e., where both rates provide the same land dedication). The rate should be amended in the OP and parkland dedication by-law to reflect the 1 hectare for every 600 net residential units set out in the Planning Act, through Bill 23.

To calculate the breakeven point of density, if we assume there is a 20-hectare development, the parkland dedicated at the 5% rate would yield a dedication of one (1) hectare. If we utilize the alternative rate of one (1) hectare for 600 net residential units, this will imply that to get the same amount of land dedication, there will need to be a density of 600 units on the 20 hectares of development. This equates to a density of 30 units per hectare or 12 units per acre. If density exceeds this breakeven point, the Municipality will receive more land by using the alternative rate.

Analysis

There are a few potential revisions to the current practice that may assist the Municipality in maximizing receipt of dedicated parkland.

- Impose parkland dedication requirements on non-residential development.
- Consider revising the O.P. to include parkland dedication requirements of 5% for institutional development.
 - a) Note that in the O.P. section 4.3.4.3. items (c) and (e) are in conflict. Item (c) states that industrial, commercial, and institutional uses should have the 2% rate apply but item (e) states that all development other than residential, commercial, and industrial shall be subject to the 5% rate.
- Revise the O.P. and include in a parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development exceeds density of 30 units per hectare or 12 units per acre). As a result, the Municipality may consider utilizing the alternative rate for all high-density developments and reviewing



density of each low-density and medium-density development on a case-by-case basis.

3.2.2 *Payment-in-Lieu of Parkland*

Overview

With respect to policies regarding payment-in-lieu of parkland, the O.P. (section 4.3.3) states that the Municipality may accept payment-in-lieu of parkland dedication in the following circumstances:

- where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland to meet the intended park and opens space requirements;
- where the required dedication of land would render the remainder of the site unsuitable or impractical for development;
- the area is well served with park and open space lands and no additional parks and open spaces are required; and/or
- where the Municipality is undertaking broader land acquisition strategies for Community, Municipal, or Regional Parks and it is preferable to have consolidated parkland of a substantial size servicing a wide area.

The acceptance of payment-in-lieu shall be in accordance with the Municipality's Parkland Dedication By-law which includes a fee per lot of \$2,000 for residential lots. This fee was implemented in 2022 through direction by Council. The Planning Act allows a municipality to require payment-in-lieu of 5% for residential and institutional lands and 2% for commercial and industrial lands.

Per Lot Rate

As noted above, the Municipality utilizes a per lot rate for all payment-in-lieu of parkland dedication. The rates imposed are \$2,000 per residential lot. Watson has reviewed these rates and estimated the equivalent value that would be received on a typical lot in the Municipality. That is, what is the assumed value of the land at the 5% dedication rate using the per lot fee of \$2,000 for residential lots. This summary is provided in Table 3-1 for urban lots.



Table 3-1
Municipality of Lakeshore
Per Lot Equivalent Value Calculations

Urban Lots	Current Charge	Calculated Charge based on Average Land Values
Average Price per Hectare		\$2,290,000
Assumed Density per Hectare		10.4
Assumed Value per Lot	\$40,000	\$220,000
P.I.L. Parkland Charge per lot:	\$2,000	\$11,000

As per the table above, at \$2,000 per residential lot, the assumed value of the land would be \$40,000 per lot. To compare this calculated value per lot to the current market, Watson undertook a review of recent sale price data from the Municipal Property Assessment Corporation (MPAC). Based on the properties surveyed, the average price per hectare is approximately \$2,290,000 for urban residential land areas. Utilizing an assumption of 10.4 units per hectare (based on historical building activity), the estimated value per lot would be \$220,000.

Additionally, a review of recent subdivision developments was undertaken. Lot values prior to the issuance of building permits were observed to be approximately \$220,000 per lot (in 2023\$). This land value analysis was undertaken using MPAC¹ database information and is summarized in Appendix C. As a result, utilizing \$220,000 per lot for the above analysis would appear reasonable. The current rate per lot is significantly lower than the amount that would be collected using the 5% rate or the alternative rate (i.e., based on value of land the day before building permit, as provided under S.42 of the Planning Act).

With respect to the commercial and industrial rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Municipality require an appraisal be undertaken and the 2% dedication rate be applied.

The recent changes arising from Bill 23 have required that development or redevelopment proceeding through a site plan application or zoning by-law amendment application have their payment-in-lieu rates frozen at the time the application is submitted. As a result, it is recommended that a per lot rate not be used for these types of development and that appraisals are required to apply the 5%/2% rates.

Analysis

¹ MPAC database review undertaken as of May 2023



There are a few potential revisions to the current practice that may assist the Municipality in maximizing receipt of payment-in-lieu of parkland.

- Impose payment-in-lieu requirements on non-residential development.
- Consider revising the O.P. to include payment-in-lieu of parkland dedication requirements of 5% for institutional development.
- Continue using the per lot fee for severances and consents only and requiring an appraisal for use of the 5% in all other circumstances.
- Consider increasing the residential per lot fee for all residential lots with provision for indexing. Based on the market review this per lot fee can be increased up to \$11,000 as set out in Table 3.1.
- Update in a future parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development equals or exceeds a density of 50 units per hectare or 20 units per acre).
 - a) As a result, the Municipality may consider utilizing the alternative rate for all high-density developments and reviewing the density of each low-density and medium-density development on a case-by-case basis.

3.3 Current Recoveries from Development Charges

3.3.1 Overview of Parks vs. Recreation

The Development Charges Act (D.C.A.) allows for the recovery of growth-related capital costs. Section 2(4) of the D.C.A. lists the services for which recovery of capital costs are eligible; this includes parks and recreation services. There is an exception however, with respect to land for parks which is outlined in Section 2.1 of Ontario Regulation 82/98. Land for an enclosed structure used throughout the year for public recreation and land that is necessary for the structure to be used for that purpose, including parking and access to the structure is eligible for inclusion in a D.C. background study and by-law.

In summary, land for park purposes is not eligible for inclusion in a D.C., however, land for recreation is eligible. The distinction between parkland and land for recreation purposes is important in determining which lands may be recovered from new development through D.C.s as this will help maximize the recovery of costs.

Historically, the Municipality has paid for land for indoor recreation facilities (e.g., arenas, community centres, etc.) through D.C.s and all other parkland has been acquired through dedication or paid with funds collected from payment-in-lieu of parkland. However, a consideration of “recreation” may be undertaken. For example, an indoor soccer field built inside of an air supported structure would be considered an indoor facility and the land for the facility may be funded with D.C.s. If the soccer field was constructed outside, the land would be funded from the parkland reserve. In both cases, the use of the “facility” is the same, however, the funding is different. If soccer facilities (both indoor and outdoor) were defined as “recreation” in all of the

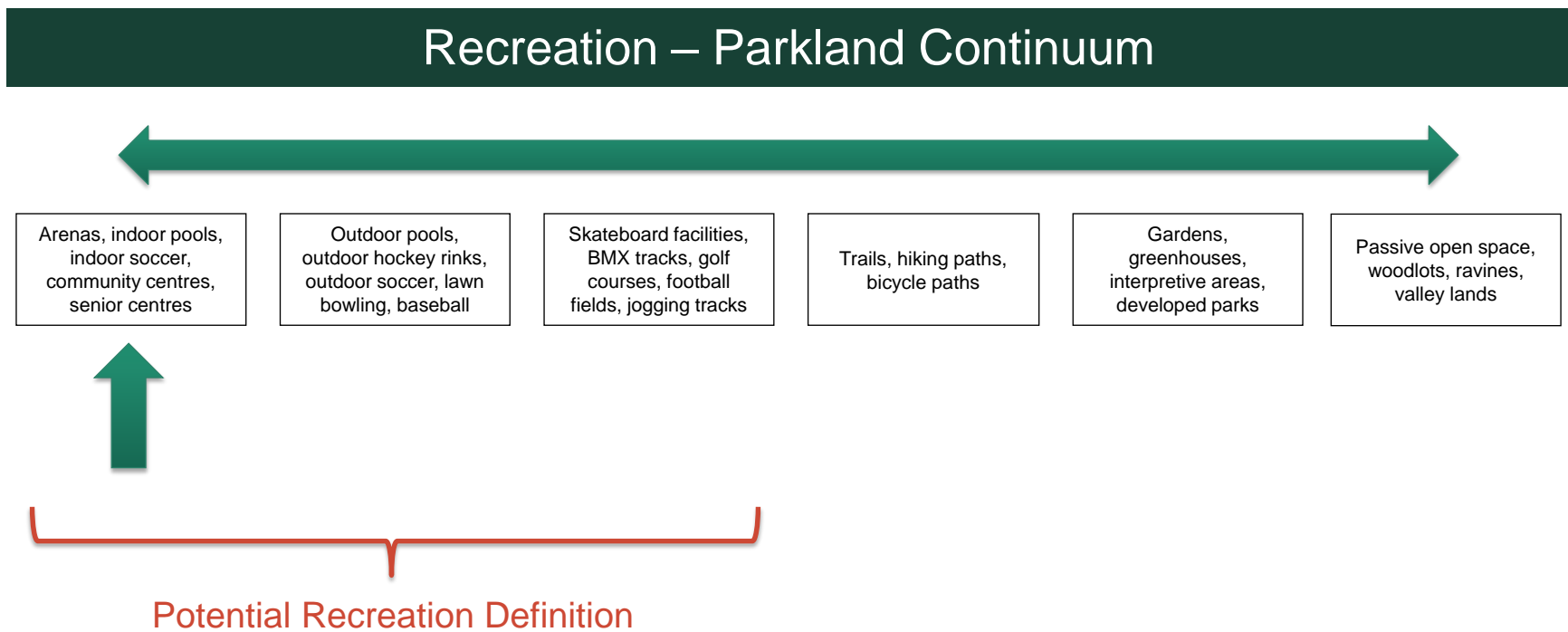


Municipality's policies (e.g., O.P., parks and recreation master plans, zoning by-law, etc.) there is the potential for the Municipality to recover the cost of the land from D.C.s.

Figure 3-1 provides for a spectrum of parks and recreation uses. These range from indoor facilities such as arenas to open space parkland. The green arrow on the left denotes the current definition of recreation utilized by the Municipality (i.e., for which land is included in the D.C. study). There is a potential for the recreation definition to be expanded to include outdoor recreation uses such as pools, outdoor hockey rinks, outdoor soccer, lawn bowling, baseball diamonds, skateboard facilities, BMX tracks, golf courses, football fields, and jogging tracks.



Figure 3-1
Municipality of Lakeshore
Recreation to Parkland Continuum





3.3.2 Current Definitions in Lakeshore Documents

To assess and confirm the Municipality's current definitions of parks and recreation, Watson undertook a review of the following documents:

- Municipality of Lakeshore Official Plan (2021);
- Municipality of Lakeshore Zoning By-law (2019); and
- Parks & Recreation Master Plan (2017).

Through a review of these documents, each reference to parks and/or recreation was noted to ascertain the Municipality's assumed definition of each term. Although there are instances where the O.P. utilizes the terms in various contexts and appears to have different meanings, it appears that there are relatively clear distinctions between parks and recreation. For example, in Section 4 of the O.P., there is a clear distinction between parks and open space versus recreation.

In the Zoning By-law, the definition of commercial outdoor recreation facility provides a distinction between parkland versus outdoor recreation spaces (e.g., mini golf courses, outdoor swimming pools, batting cages, etc.).

In the Parks and Recreation Master Plan, parks and outdoor recreation facilities appear to be distinct. For example, Appendix F specifies that soccer fields, tennis courts, splash pads, outdoor pools, etc. are all recreational facilities as opposed to parkland. This appears to make a clear distinction between parks and recreation.

Table B-1 in Appendix B provides for a list of all of the instances of the use of the words "parks" and "recreation" in the above listed documents, along with notes on the implication of the definitions/references.

3.3.3 Opportunities for Maximizing Recoveries

The Municipality may seek to maximize recovery of costs for recreation land by utilizing recovery through D.C.s as much as possible. To achieve this, the Municipality must first review their existing policy documents to clearly define parks versus recreation. These refined definitions should be consistent between all policy documents. Although there are certain instances where distinctions between parks and recreation are unclear, it appears that the Municipality has provided many clear delineations through policy documents.

4. Impacts of Current Practice vs. Alternative Approaches

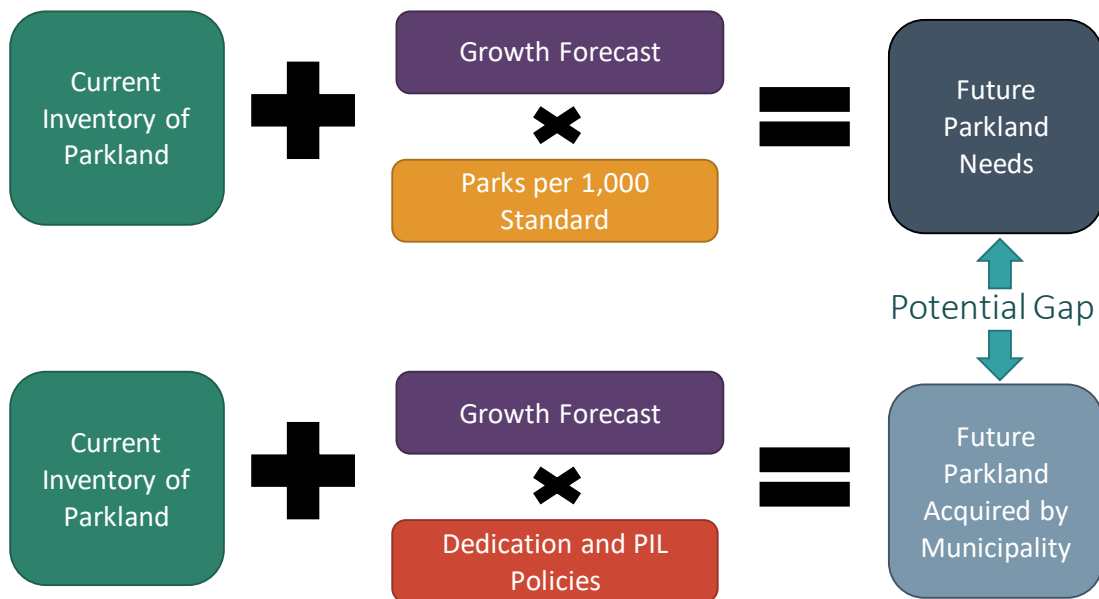
4.1 Approach to Analysis

To quantify the impacts of the various approaches on the Municipality's ability to achieve their parkland targets, the following section provides for the anticipated

parkland dedication and payment-in-lieu of dedication, calculated by using the Municipality’s 2020 D.C. background study growth forecast, and the various rates described above.

Figure 4-1 provides an overview of the analysis. To estimate the future parkland needs, the current parkland inventory is added to the parkland needs arising from new development. This analysis is presented in section 4.2. To estimate the potential future parkland received and/or payment-in-lieu of parkland received, various dedication and payment-in-lieu policies are applied to the anticipated growth and added to the current inventory of parkland. Once the anticipated parkland/ payments received analysis is complete, the potential gap in parkland/funding may be identified.

Figure 4-1
Municipality of Lakeshore
Parkland Needs Analysis



4.2 Current Inventory of Parkland and Future Need

4.2.1 Summary of Current Inventory

The 2020 Development Charges Background Update Study identified the current inventory of parks in the Municipality as of 2019. Upon discussions with staff the Municipality did acquire additional lands since the completion of the D.C. Background Study. The updated inventory has been incorporated into the analysis of this report. Table 4-1 therefore, provides for a summary of the 2023 inventory:

Table 4-1
Municipality of Lakeshore
Inventory of Parkland (2023)

Inventory of Parkland	Total Hectares	Total Acres
Total Parkland	144.96	358.20

A review of the anticipated parkland needs to 2040 was undertaken based on the anticipated population and the service level of 2.83 hectares (or 7 acres) of parkland per 1,000 residents for community and neighbourhood parks. The calculations provide that the Municipality would require 53.72 hectare or 132.73 acres of parkland, implying that by 2040, the Municipality would not need to receive (or purchase) any additional parkland. This information is summarized in Table 4-2:

Table 4-2
Municipality of Lakeshore
Required Parkland by 2040 as per Recommended Service Level and Anticipated Growth

Parkland Requirement Calculations	Current Parkland Inventory	Hectares Required in 2040	Additional Parkland Needed
Projected Population		46,902	
Community and Neighbourhood Parks	144.96	132.73	-
Total Parkland Required (hectares)	144.96	132.73	0.00
Total Parkland Required (acres)	58.67	53.72	0.00

*Community and neighbourhood parkland based on a standard of 2.48 hectares or 7 acres per 1,000 population

4.2.2 Analysis

Parkland Inventory

Watson compared the inventory of parkland identified in the Parks & Recreation Master Plan to updated inventory of parkland provided by staff (the 2020 D.C. background study included a list of parkland inventory; however, the Municipality has acquired land since then). The updated parkland inventory is significantly higher than the amount of parkland identified in the Master Plan. This discrepancy may partially be due to the inclusion of undeveloped parkland in the D.C. inventory. A review and reconciliation of parkland (excluding recreation, discussed further in section 4 of this report) should be undertaken to ascertain the accurate inventory of parkland.

Additionally, the current inventory should be categorized based on the Municipality's parkland hierarchy. The Parks & Recreation Master Plan and the Municipality's O.P. identify five (5) categories of parks: Regional Parks, Community Parks, Neighbourhood

Parks, Parkettes and Trails/Greenway. The anticipated parkland needs identified above may be greater when each category is analysed separately.

4.3 Parkland Dedication

4.3.1 Current Approach

Under the current approach, the Municipality imposes payment-in-lieu rather than parkland dedication requirements. As a result, the analysis in this section assumes payment-in-lieu of dedication is received which is then converted to the equivalent hectares of parkland. The Municipality’s 2020 D.C. background study growth forecast was utilized for this analysis and prorated to align with the forecast period in this report. The current fee is \$2,000 per residential lot. Utilizing the growth forecast from the D.C. background study there are a total of 3,217 low and medium density units anticipated to be constructed over the 2023 to 2040 forecast period. Each of these units are assumed to be developed as one lot for each unit. With respect to high-density development, it has been assumed that there may be an average of 50 units per lot. As a result, it is anticipated that there would be an additional 8 apartment lots in total with 50 residential units per lot. The number of lots is then multiplied by the fee per lot to estimate the payment-in-lieu of parkland revenue. Table 4-3 summarizes these calculations. The total anticipated revenue would be approximately \$6.45 million over the forecast period.

Table 4-3
Municipality of Lakeshore
Revenues Received through Current Policy

Development Type	Fee Per Lot	Anticipated Lots between 2023 and 2040 (single and townhouse)	Anticipated Lots between 2023 and 2040 (apartments)*	Revenue Anticipated
Urban	\$2,000	3,217	8	6,450,963
Total		3,217	8	6,450,963

**Assumed 50 apartments per lot*

Forecast of units based on DC study forecast

The Municipality’s current policy allows for dedication from non-residential development at 2% of the land area. However, through discussions with staff, in practice the Municipality does not appear to impose or collect parkland dedication on non-residential development.

Section 4.2 of this memo provided for the inventory of parkland in the Municipality. This inventory was measured as of 2023. As a result, the growth forecast period utilized for this analysis is based on growth from 2023 to 2040. When defining the need for parkland based on the total population of the Municipality, the total hectares of parkland required shows that the Municipality will not need to require or purchase additional parkland. Based on a review of vacant residential land for sale in the Municipality (discussed in Section 3.2 and presented in Appendix C), the average price per hectare of land in the urban area is approximately \$2,290,000. Under the current policy and

based on this average price per hectare, it is estimated that the Municipality could acquire 2.82 hectares of land.

4.3.2 5%/2% Parkland Dedication

The Planning Act allows municipalities to require parkland dedication at a rate of 2% of land for commercial and industrial development and 5% for all other development (i.e., residential, and institutional).

Table 4-3 provides for a summary of the anticipated residential units to be constructed over this time period. With assumed densities of 15, 40, and 100 units per hectare for low, medium, and high-density development, respectively, the total hectares of residential development lands equal 202.02 hectares. At a parkland dedication rate of 5%, the total parkland to be dedicated would be 10.10 hectares.

Table 4-3
Municipality of Lakeshore
Residential Parkland Dedication at 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/hectare)	Total Hectares	Total Hectares Dedicated at 5%
Singles	2,818	15	187.90	9.39
Towns	400	40	10.01	0.50
Apartments	412	100	4.12	0.21
Total	3,630		202.02	10.10

Table 4-4 provides for a summary of the anticipated non-residential development to be constructed over the 2023-to-2040-time horizon. Based on the D.C. growth forecast, it is anticipated that there will be an additional 3,738 employees in the Municipality by 2040. Based on the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 3.79 million sq.ft. Assuming the industrial buildings have a lot coverage of 25%, and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 14.52 million sq.ft. This equates to a total land area of 134.92 hectares. Based on a 2% dedication rate applied to industrial and commercial properties and a 5% dedication rate applied to institutional development, this would provide the Municipality with 3.57 hectares over the forecast period.

Table 4-4
Municipality of Lakeshore
Non-residential Parkland Dedication
2% for Industrial and Commercial, 5% for Institutional

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area	Total Hectares of Land Area	Total Hectares Dedicated
Industrial	2,194	1,300	2,852,742	25%	11,410,967	106.01	2.12
Commercial	979	550	538,404	30%	1,794,681	16.67	0.83
Institutional	565	700	395,179	30%	1,317,264	12.24	0.61
Total	3,738		3,786,325		14,522,911	134.92	3.57

In total, this approach would yield the Municipality with approximately 13.67 hectares of parkland if every property provided parkland dedication.

4.3.3 Alternative Residential Rate

With respect to use of the alternative rate for parkland dedication of one (1) hectare for every 600 net residential units, the non-residential dedication would remain the same at 3.57 hectares. However, if the Municipality were to utilize the alternative rate for residential developments, the Municipality would receive 5.78 hectares for a total of 9.34 hectares of parkland. Table 4-5 provides for the anticipated hectares of parkland dedication based on the residential growth forecast from the D.C. study and the alternative rate.

Table 4-5
Municipality of Lakeshore
Residential Parkland Dedication at One Hectare for Each 600 Net Residential Units

Unit Type	Anticipated Units (2023 to 2040)	One Hectare per 600 net residential units	Hectares at 10% Maximum*
Singles	2,818	4.70	4.70
Towns	400	0.67	0.67
Apartments	412	0.69	0.41
Total	3,630	6.05	5.78

** As per Bill 23 (nows42(3.3) of the Planning Act), properties 5 hectares or less are limited to 10% of the land area. Parkland dedication for apartments would exceed this limitation, therefore the 10% dedication cap assumption was used.*

4.3.4 Summary of Analysis

Table 4-6 provides for a comparison of the approaches to parkland dedication for residential development (current policy vs. 5% vs. one hectare for 600 net residential units) and non-residential development (currently policy vs. 2% for industrial/commercial and 5% for institutional). Using the base provisions of 5% for residential (and other types of development) and 2% for non-residential would provide the Municipality with the most hectares of parkland by 2040.

Table 4-6
Municipality of Lakeshore
Summary Comparison of Current vs. Alternative Rate Approaches

Summary	Current Policy (Based on \$2,290,000/hectare)	5% for Residential/ Institutional and 2% for Industrial/ Commercial	1 Hectare for 600 net residential Units and 2% for Industrial/Commercial, 5% for Institutional
Residential Hectares	2.82	10.10	5.78
Non-residential Hectares	-	3.57	3.57
Total Hectares Dedicated	2.82	13.67	9.34

4.4 Payment-in-Lieu of Parkland

With respect to Payment-in-Lieu of Parkland, there are three approaches to imposing these fees on development and redevelopment in the Municipality:

1. **Current Policy:** impose a rate per lot (\$2,000 residential);
2. **5%/2% Rates:** impose the equivalent value of 5% of the land area for residential and institutional development and the equivalent value of 2% of the land area for commercial and industrial development; and
3. **Alternative Rate:** impose the equivalent value of one (1) hectare of land for each 1,000 net residential units.

Similar to the analysis with respect to parkland dedication, the D.C. growth forecast was used to estimate the amount of development in the Municipality from 2023 to 2040. The estimated land values in the Municipality were analyzed based on recent land sales obtained from MPAC and are based on the value of the land the day before building permit issuance. A summary table of the properties reviewed is provided in Appendix C. Based on the properties analyzed, the average sales price of residential vacant land is assumed to be \$2,290,000 per hectare¹⁶ and the average sales price of non-residential properties is approximately \$450,000 per hectare for industrial, \$1,190,000 per hectare for commercial, and \$620,000 per hectare for institutional developments.

4.4.1 Current Policy

Based on the discussion in section 4.3.1, under the current policy, the Municipality could expect to receive \$6.45 million in parkland dedication revenues.

¹ The value utilized in the calculation is based on values in the urban area (i.e., properties services with water and wastewater).

4.4.2 5%/2% Rates

Similar to parkland dedication, the Planning Act allows municipalities to require payment-in-lieu of parkland dedication at a rate of 2% for commercial and industrial development and 5% for all other development (i.e., residential and institutional). Similar to the calculations presented in Table 4-3, Table 4-7 provides a summary of the anticipated residential units to be constructed to 2040. With assumed densities of 15, 40, and 100 units per hectare for low, medium, and high-density development, respectively, the total area of residential development lands equal 202.02 hectares. At a value of \$2.29 million per hectare, the total value of the developable lands would be approximately \$462.62 million. At a rate of 5% of the land value, the Municipality would receive approximately \$23.13 million.

Table 4-7
Municipality of Lakeshore
Anticipated Payment-in-Lieu of Parkland Dedication Revenues – 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/hectare)	Total Hectares	Value of Land per Hectare	Total Value of Developable Lands	5% of the Total Value
Singles	2,818	15	187.90	\$2,290,000	\$430,284,639	\$21,514,232
Towns	400	40	10.01	\$2,290,000	\$22,911,927	\$1,145,596
Apartments	412	100	4.12	\$2,290,000	\$9,424,304	\$471,215
Total	3,630		202.02		\$462,620,870	\$23,131,044

With respect to non-residential development, Table 4-8 provides for a summary of the anticipated non-residential development to be constructed over the 2023-to-2040-time horizon. Based on the D.C. growth forecast, it is anticipated that there will be an additional 3,738 employees in the Municipality by 2040. Based on the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 3.79 million sq.ft. Assuming the industrial buildings have a lot coverage of 25%, and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 14.52 million sq.ft. This equates to a total land area of 134.92 hectares. At a value of \$450,000 per acre for industrial, \$1,190,000 for commercial, and \$620,000 for institutional developments, the total value of the developable lands would be approximately \$75.13 million. At a rate of 2% of the land value for industrial and commercial and 5% of institutional, the Municipality would receive approximately \$1.73 million.

Table 4-8
Municipality of Lakeshore
Anticipated Payment-in-Lieu of Parkland Dedication Revenues
2% for Industrial/Commercial and 5% for Institutional

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area
Industrial	2,194	1,300	2,852,742	25%	11,410,967
Commercial	979	550	538,404	30%	1,794,681
Institutional	565	700	395,179	30%	1,317,264
Total	3,738		3,786,325		14,522,911

Type	Total Sq.ft. of Land Area	Total ha of Land Area	Value of Land per ha	Total Value of Developable Lands	2% of the Total Value (5% for institutional)
Industrial	11,410,967	106.01	\$450,000	\$47,705,153	\$954,103
Commercial	1,794,681	16.67	\$1,190,000	\$19,841,041	\$396,821
Institutional	1,317,264	12.24	\$620,000	\$7,587,432	\$379,372
Total	14,522,911	134.92		\$75,133,627	\$1,730,296

4.4.3 Alternative Residential Rate

Regarding receipt of payment-in-lieu of dedication the Planning Act also allows the use of an alternative rate of the value of one (1) hectare of land for each 1,000 net residential units.

With respect to use of the alternative rate the non-residential payment-in-lieu would remain the same at approximately \$1.73 million. However, if the Municipality were to utilize the alternative rate for residential developments, the Municipality would receive approximately \$8.31 million for a total of \$10.04 million. Table 4-10 provides for the anticipated payment-in-lieu of parkland based on the residential growth forecast from the D.C. study and the use of the alternative rate.

Table 4-10
Municipality of Lakeshore
Residential Payment-in-Lieu of Dedication at One Hectare for Each 1,000 Net Residential Units

Unit Type	Anticipated Units (2023 to 2040)	1 ha per 1,000 net residential units	Value of Land per ha	Total Revenue Received	Acres at 10% Maximum*	Total Value of Developable Lands
Singles	2,818	2.82	\$2,290,000	\$6,454,270	2.82	\$ 6,454,270
Towns	400	0.40	\$2,290,000	\$916,477	0.40	\$ 916,477
Apartments	412	0.41	\$2,290,000	\$942,430	0.41	\$ 942,430
Total	3,630			\$8,313,177	3.63	\$ 8,313,177

4.4.4 Summary of Analysis

Table 4-11 provides for a comparison of the approaches to payment-in-lieu of parkland for residential development (per lot fee vs. 5% vs. one hectare for 1,000 residential units) and non-residential development (2% for industrial/commercial and 5% for institutional). Use of the per lot fee provides the Municipality with approximately \$6.45

million, use of the 5%/2% provides for approximately \$24.86 million, and use of the alternative rate provides for approximately \$10.04 million.

Table 4-11
Municipality of Lakeshore
Summary Comparison of Current vs. Alternative Rate Approaches

Summary	Per Lot Fee	5% for Residential/Institutional and 2% for Industrial/Commercial	1 Hectare for 1,000 net residential Units and 2% for Industrial/Com
Residential Recovery	\$6,450,963	\$23,131,044	\$8,313,177
Non-residential Recovery	\$0	\$1,730,296	\$1,730,296
Total Payment-in-Lieu	\$6,450,963	\$24,861,339	\$10,043,473

5. Observations and Comments

The following provides a summary of our observations and potential recommendations for the for the Municipality's consideration.

1. **Parkland Inventory:** Based on the analysis above, it appears that the Municipality will have a surplus of parkland to support growth to 2040. However, the parkland inventory should be allocated to various parkland categories as defined in the parks and recreation master plan. The breakdown of parks should be clearly defined in the master plan with a standard of 1,000 population per hectare for each classification of park. This may have an impact on the hectares of parkland required to support future growth.

For the updates to the Official Plan, the Municipality may consider refining the categories noted to align with the categories in the master plan.

2. **Service Standards:** The current service standard is provided on a Municipal-wide basis. However, the Municipality should consider a standard for each category of parkland.
3. **Parkland Dedication:** The Municipality's current policy for imposing parkland dedication is to impose the 5% dedication requirement on residential development, however the current practice is to impose a per lot fee on residential development and no dedication requirements on non-residential development. The Municipality should consider imposing the following:
 - a. Utilize the alternative rate for residential development (where the alternative rate provides for more dedication and subject to the update to the O.P.);
 - b. Consider including in the O.P. (and a future parkland dedication by-law), guidance on when to use the alternative rate (e.g., when density is greater than 12 units per acre);
 - c. Impose the 5% dedication requirements on residential developments;
 - d. Impose the 2% dedication requirements on commercial and industrial developments;
 - e. Consider revising the O.P. to identify the 5% dedication rate for institutional developments and include in a future parkland dedication by-law;
4. **Payment-in-Lieu:** The current fee per lot of \$2,000 for residential development is less than the value the Municipality would receive by using the 5% and 2% rates. The following provides a summary of recommendations with respect to payment-in-lieu:

- a. **Residential Per Lot Fee:** The current per lot fee is \$2,000. The Municipality should consider increasing this up to an amount of \$11,000 per lot, as set out in Table 3-1, and continue to apply to consents only. Any increases may be phased-in over time. This fee should be included in a parkland dedication by-law and be subject to indexing. For all other development, the 5% or alternative rate would continue to apply, subject to an appraisal.
 - b. **Site Plan and Zoning By-law Amendment Applications:** Development and redevelopment that proceeds through these applications will have their payment-in-lieu rate frozen at the time of submission of the application. As a result, it is recommended that the Municipality require an appraisal be submitted with the application to ensure the appropriate value of land is being dedicated.
 - c. **Commercial and Industrial Per Lot Fee:** With respect to the non-residential rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Municipality require an appraisal be undertaken and the 2% dedication rate be applied.
 - d. **Institutional Development and Redevelopment:** It is recommended that the Municipality consider revising their O.P. to include policies to collect payment-in-lieu of dedication for institutional development at a rate of 5% of the value of the land. Additionally, this may be included in a future parkland dedication by-law.
 - e. **All Other Residential Development and Redevelopment:** The Municipality may consider revising their O.P. to include use of the alternative rate (the value is one (1) hectare of land for each 1,000 net residential units) where the alternative rate provides for more payment-in-lieu.
5. **Parkland vs. Recreation Land:** To maximize recovery of costs for parkland and recreation land, the Municipality may consider reviewing definitions in the Official Plan, Master Plan, Zoning By-law, and other policy documents to ensure there is a clear delineation between parkland vs. recreation land. This will allow for more land to be recovered through D.C.s, freeing up the dedication and payment-in-lieu funds to be used for parkland.

6. Next Steps

With respect to next steps, Municipal staff may consider the observations provided in the above section. The Municipality may incorporate these observations into a parkland dedication and payment-in-lieu of parkland by-law. An updated draft by-law has been provided in Appendix D. In addition, the municipality should consider updating the Official Plan policies, the procedures to require appraisals, processing and tracking

parkland dedication payments, all in keeping with the Observations and Comments Section above.

We trust that the information provided in this memo is useful and we would be happy to discuss further.



Appendix A

Parkland Dedication By-law Passage Notice Requirements

APPENDIX A: PARKLAND DEDICATION BY-LAW PASSAGE NOTICE REQUIREMENTS

Section 4(2) of O.Reg. 509/20 provides the following notice requirements:

- 2) Notice shall be given,
 - a) by personal service, fax, mail, or email to,
 - i) as determined in accordance with subsection (3), every owner of land in the area to which the by-law applies,
 - ii) every person and organization that has given the clerk of the municipality a written request for notice of the passing of the by-law and has provided a return address,
 - iii) in the case of a by-law passed by the council of a lower-tier municipality, the clerk of the upper-tier municipality that the lower-tier municipality is in, and
 - iv) the secretary of every school board having jurisdiction within the area to which the by-law applies; or
 - b) by publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the by-law applies to give the public reasonable notice of the passing of the by-law.
- 3) For the purposes of subclause (2) (a) (i), an owner is any person who is identified as an as owner on the last revised assessment roll, subject to any written notice of a change of ownership of land the clerk of the municipality may have received.
- 4) A notice given by mail to an owner shall be mailed to the address shown on the last revised assessment roll or, if applicable, to the address shown on the notice of a change of ownership of land received by the clerk.
- 5) Notice shall contain the following information:
 - (1) A statement that the council of the municipality has passed a community benefits charge by-law or a by-law under section 42 of the Act, as the case may be, and the statement shall set out the number of the by-law and the date on which the by-law passed.
 - (2) A statement that any person or organization may appeal the by-law to the Local Planning Appeal Tribunal under subsection 37 (17) or 42 (4.9) of the Act, as applicable, by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.
 - (3) The last day on which the by-law may be appealed.

- (4) In the case of a notice of the passing of a community benefits charge by-law, an explanation of the community benefits charges imposed by the by-law.
 - (5) In the case of a notice of the passing of a by-law under section 42 of the Act, an explanation of the parkland and payment in lieu requirements imposed by the by-law.
 - (6) A description of the lands to which the by-law applies, a key map showing the lands to which the by-law applies, or an explanation why no description or key map is provided.
 - (7) The location and times during which persons may examine a copy of the by-law.
- 6) For the purposes of subsection 37 (16) and 42 (4.8) of the Act, the prescribed day is,
- a) if the notice is by publication in a newspaper, the first day on which the publication is circulated;
 - b) if the notice is given by fax, the day that the notice is faxed;
 - c) if the notice is given by mail, the day that the notice is mailed; or
 - d) if the notice is given by email, the day that the notice is emailed.

Appendix B

Parkland vs. Recreation Definitions Review

Table B-1
Municipality of Lakeshore
Parkland vs. Recreation – Review of Definitions in Current Policy Documents

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
Official Plan	Introduction Section 1.0 Page 6	The Municipality of Lakeshore Official Plan (the Plan) is an essential tool to manage future growth, development and change in the Municipality. This Plan provides a blueprint for growth over the planning period to the year 2031, by incorporating a growth management framework which ensures orderly and efficient development patterns by building sustainable and complete communities while protecting and enhancing the Municipality's rich natural and agricultural resources. It ensures that the planning framework and tools are in place to make the Municipality of Lakeshore a healthy and desirable place to live, work and enjoy recreational opportunities .	Refers to recreational opportunities to make Lakeshore a desirable place to live and work. Unclear what recreation means in this case.
	Organization of the OP Section 4 Page 8	Building Healthy Communities - provides detailed policies related to the built environment (including community design, cultural heritage), the human environment (including housing and public services, parks and open space, and recreation), and economic development (including tourism, agriculture, natural resources, retail and employment/industrial policies).	Appears to delineate parks as being separate from recreation
	Economy Page 13	Promote the Municipality as a tourist and recreational destination . Support the preparation of a tourism strategy to investigate opportunities for accommodation development, in addition to opportunities for special events programming;	Unclear what recreational means in this case
	Community Page 14	The Municipality of Lakeshore will promote improved quality of life for Lakeshore residents by making the Municipality a desirable place to live, work and enjoy recreational opportunities . Promote public access to the waterfront and enhanced recreational opportunities	Unclear what recreational means in this case
	Servicing and Facilities Page 16	"Lakeshore will ensure that our Municipality is well served and well equipped." An integral component of the Official Plan is a comprehensive growth management strategy to ensure the development of sustainable and complete communities. Complete communities meet residents' immediate and future needs by providing access to a full range and mix of housing, a diverse mix of jobs, a range of community services and facilities, recreational and open space opportunities , and convenient transportation choices. g) Promote expanded recreational services, programs and facilities, including improved access to the waterfront; h) Promote healthy communities through opportunities for recreation and convenient access to community services and facilities;	Recreational services appear to be allowed on waterfront. Appears to make a distinction between recreation and open space.

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
	<p>Site Specific Policies</p> <p>Page 36</p>	<p>b) The predominant use of land will be a mix of medium to higher density residential uses; non-industrial community-related employment uses including: commercial retail, offices, and services; entertainment and cultural facilities; institutional; and municipal and public services including: schools, recreation centres, parks and open space uses within an innovative pedestrian-oriented main street environment.</p> <p>d) The Municipality will explore opportunities to secure public lands for passive recreation and open spaces.</p>	<p>Recreation appears to be delineated from parks in the first case with respect to recreation facilities, however second point appears to blur the line between parks and recreation</p>
	<p>Built Environment</p> <p>Page 45</p>	<p>A high quality of park and open space design will be required. The land for parkland dedication will be carefully selected to facilitate their use as a central focal point for new or existing neighbourhoods. The Municipality's preference will be for conveyance of parkland and will discourage cash in lieu for sufficiently large sized parcels.</p> <p>The Municipality will promote the integration and accessibility of community uses including schools, municipal facilities, institutional uses, parks and open spaces and recreational uses through pedestrian, cycling and trail linkages. The Municipality will require the provision of certain pedestrian, cycling and trail linkages through the development approvals process, in accordance with the policies of this Plan and associated outline plans as approved by Council.</p>	<p>Recreation separate from parks</p>
	<p>Community Improvement</p> <p>Page 48</p>	<p>deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;</p>	<p>Clear delineation between recreation and parks</p>
	<p>Energy Conservation</p> <p>Page 56</p>	<p>The Municipality will encourage public/private partnerships to finance, acquire and construct a linked open space system consisting of bikeways, trails, and walkways which promote walking, cycling and non-motorized modes of transportation between communities.</p>	<p>Provides what open space system consists of</p>
	<p>Recreation Policies</p> <p>Page 73</p>	<p>Recreation</p> <p>The Plan strives to ensure that sufficient recreational, open space and park facilities are provided within the Municipality to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to the Municipality.</p> <p>The Municipality will promote appropriate recreational development in parks, open spaces, along the lakeshore and other similar areas of the Municipality that provide opportunities for active, passive and programmed community recreation and leisure, and that contribute to the preservation</p>	<p>Several instances in this section that delineates parks separately from recreation</p>

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
		<p>and protection of open space and the natural environment.</p> <p>The Municipality will assess the feasibility of acquiring private land along the lakeshore for public park or open space uses.</p> <p>The Municipality will promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.</p>	
	<p>Parks and Open Space Policies</p> <p>Page 73-78</p>	<p>Parks and open spaces appear to be clearly distinct from recreation within this section. There is no mention of recreation or recreational facilities within this section. E.g.</p> <ul style="list-style-type: none"> - The Municipality's parks and open spaces will provide venues for a diverse range of both structured and unstructured, active and passive leisure pursuits for children, teens, adults and seniors to pursue activities of personal interest, skills development, and volunteering active engagement in community life. - The Municipality's parks and open spaces will provide venues to protect and conserve valued natural resources, such as woodlots, marshes, waterfronts, and other natural features vital to a healthy and sustainable ecology and natural environment, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity. - Parks and open spaces will also provide lands that contribute to the greening and beautification of the municipality via both natural and planted materials and venues, and will create unique identifiers and focal points for the community. - The Municipality will consider opportunities for the promotion and implementation of stormwater management best practices within the Municipality's parks and open spaces where appropriate. Consideration should be given to stormwater attenuation and re-use and low impact development measures to control the quantity and quality of stormwater. <p>Elements for each type of park are provided within OP. Recreation facilities are not included within the elements. E.g. Regional Parks consider the following elements:</p> <ul style="list-style-type: none"> i) Incorporate universally accessible guidelines ii) Tree canopy iii) Seating (choices) iv) Trash/Recycling v) Play equipment (alternative opportunities) vi) Tables (picnic or café) vii) Parking viii) Restrooms ix) Internal Trail x) Splash pad water feature xi) Pavilion xii) Support marina programming or recreational programming <p>Neighbourhood parks with sports classification may also include sports fields,</p>	<p>Implies major sports field may be outdoor recreation</p> <p>CIP section implies recreation is separate from parkland</p>

Document	Document Reference	Definition of Recreation vs. Parkland	Notes
		however, all other elements are indicative of parks vs. recreation	
	Residential Designation Page 151	Neighbourhood parks and trails will be permitted, whereas community parks, major parks and other large-scale recreational uses will only be permitted in the Parks and Open Space Designation.	Appears that recreational uses are part of parks and open spaces
	Recreation and Commercial Designation Page 155	Recreation facilities operating largely for commercial gain including, marinas, parks, golf courses, travel trailer parks, campgrounds, amusement parks, hotels and motels, convention and meeting establishments, museums and galleries and other commercial recreational facilities including restaurants, clubs, taverns, snack bars, and convenience retail establishments.	Parks are part of recreation facilities definition here
	Parks and Open Space Designation Page 176	Recreation and Recreation facilities are noted here a number of times	Parks and recreation definitions appear blurred here.
Zoning By-law	Definitions - Page 45 & 46	<p>COMMERCIAL OUTDOOR RECREATION FACILITY – shall mean an outdoor facility or facilities which may include, but not necessarily be restricted to a water slide, a commercial outdoor swimming pool, a wave pool, a baseball batting cage or a paddleboat or bumper-boat pool, and a mini golf course, but shall not include a golf course, go-kart track, a ski club or any other use as otherwise defined or listed herein.</p> <p>COMMUNITY CENTRE – shall mean a public building and associated lands used for community recreation or social activities, meetings or other leisure activities and not used for commercial purposes, and the control of which is vested in the Town, a non-profit organization, a local board or agent thereof</p> <p>PARK, PUBLIC – shall mean a park controlled or owned by the Town or a public authority normally open to the public.</p>	Separation of parkland from recreation
Parks and Recreation Master Plan	Appendix F	Delineates parks and outdoor recreation facilities - specifies that soccer fields, tennis courts, splash pads, outdoor pools etc. are all recreational facilities	Appears to make the distinction between parks and outdoor recreation



Appendix C

MPAC Database Review



Table C-1
Municipality of Lakeshore
MPAC Data
As of May 2023

MPAC Database

Property Code - 100 - Vacant Residential Land not on water

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$34,000	\$220,000	2023-02-01	0.32	\$ 696,362
Address 2	\$23,000	\$220,000	2023-02-01	0.20	\$ 1,073,837
Address 3	\$34,500	\$220,000	2023-02-01	0.32	\$ 683,342
Address 4	\$25,000	\$220,000	2023-02-01	0.23	\$ 947,836
Address 5	\$23,500	\$220,000	2023-02-01	0.21	\$ 1,061,458
Address 6	\$21,000	\$220,000	2023-02-01	0.19	\$ 1,178,743
Address 7	\$21,500	\$220,000	2023-02-01	0.19	\$ 1,153,768
Total		\$ 1,540,000		1.66	
Average Per Acre					\$ 930,000

MPAC Database

Property Code - 106 - Vacant Industrial

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$83,000	\$487,500	2022-09-01	2.13	\$ 228,873
Address 2	\$82,000	\$900,000	2021-09-01	2.84	\$ 316,901
Address 3	\$351,000	\$228,684	2021-02-01	3.82	\$ 59,865
Total		\$ 1,616,184		8.79	
Average Per Acre					\$ 180,000

MPAC Database

Property Code - 105 - Vacant Commercial

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$66,000	\$450,000	2022-07-01	0.16	\$ 2,778,061
Address 2	\$69,000	\$255,850	2022-06-01	0.17	\$ 1,510,753
Address 3	\$64,000	\$210,000	2022-04-01	0.52	\$ 406,560
Address 4	\$37,500	\$325,000	2021-05-01	1.72	\$ 188,953
Total		\$ 1,240,850		\$ 3	
Average Per Acre					\$ 480,000

* Addresses have been removed for confidentiality purposes.



Appendix D

Draft Parkland Dedication By-law

THE CORPORATION OF THE MUNICIPALITY OF LAKESHORE

By-law Number XX-2022

Whereas section 42 of the *Planning Act* provides that for the development or redevelopment of land, the council of a local municipality may, by by-law, require that land in an amount not exceeding, in the case of land proposed for Development or Redevelopment for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent, be conveyed to the municipality for park or other public recreational purposes;

And whereas section 51.1 of the *Planning Act* provides that an approval authority may impose, as a condition of the approval of a plan of subdivision, that land be conveyed to the local municipality for park or other public recreational purposes, such land not to exceed, in the case of a subdivision proposed for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent;

And whereas section 53 of the *Planning Act* provides that section 51.1 of the *Planning Act* also applies to the granting of consents;

And whereas a Parks Plan was prepared in consultation with the local school boards and other persons or public bodies the municipality considered appropriate, and made publicly available on _____, 2023;

And whereas the Council of the Municipality of Lakeshore wishes to use the provisions of the *Planning Act* for the purposes of acquiring and providing parkland for the use and enjoyment of the residents of the Municipality of Lakeshore;

Now therefore the Council of the Municipality of Lakeshore hereby enacts as follows:

Part 1: Interpretation

Definitions

1. In this by-law:

- (a) “**Act**” means the *Planning Act*, R.S.O. 1990, c.P.13
- (b) “**Affordable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the *Development Charges Act*;
- (c) “**Attainable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act*;
- (d) “**Board of Education**” has the same meaning as “board”, as defined in the *Education Act*, R.S.O. 1990, c.E.2, as amended;
- (e) “**Commercial**” means the use of land, buildings, or structures for a use which is

not industrial, and which are used in connection with:

- i. the selling of commodities to the general public; or
- ii. the supply of services to the general public; or
- iii. office or administrative facilities.

- (f) **“Council”** means the Council for the Municipality of Lakeshore;
- (g) **“Development”** means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
- (h) **“Lakeshore”** means Municipality of Lakeshore;
- (i) **“Gross Floor Area”** has the same meaning as in the Municipality’s Development Charges By-law, as amended.
- (j) **“Industrial”** means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;
- (k) **“Institutional”** means the use of land, buildings, or structures for hospitals, correctional institutions and associated facilities, municipal facilities, elementary and secondary schools, colleges, universities, places of worship and ancillary uses, military and cultural buildings, daycare centres, residential care facilities for more than ten persons and long term care centres;
- (l) **“Mixed Use”** means the physical integration of two or more of the following uses within a building or structure or separate buildings or structures on the lands proposed for Development or Redevelopment: Commercial; Industrial; Institutional; Residential; or any other use not noted herein;
- (m) **“Non-profit housing development”** means development of a building or structure intended for use as residential premises by,
- i. a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
 - ii. a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - iii. a non-profit housing co-operative that is in good standing under the Co-

operative Corporations Act, or any successor legislation.

- (n) “**Official Plan**” means the Municipality’s Official Plan, as amended.
- (o) “**PIL**” means payment-in-lieu of parkland otherwise required to be conveyed.
- (p) “**Planning Act**” means the Planning Act, R.S.O. 1990, c.P.13, as amended,
- (q) “**Redevelopment**” means the removal of a building or structure from land and the further Development of the land or, the expansion or renovation of a building or structure which results in a change in the character or density of the use in connection therewith;
- (r) “**Residential**” means the use of land, buildings, or structures for human habitation;
- (s) “**Residential Unit**” means one or more habitable rooms each of which is accessible from the others and which function as an independent and separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building;
- (t) “**Rural Area**” means those areas designated as not being within a settlement area by the Official Plan;
- (u) “**Shared Use Agreement**” means an agreement between a Board of Education and Lakeshore for the sharing of buildings and/or property;
- (v) “**Municipality**” means the Corporation of the Municipality of Lakeshore; and
- (w) “**Zoning By-law**” means the by-law passed pursuant to section 34 of the Planning Act.

Rules of Interpretation

- 2. (1) The following rules of interpretation shall be applied to interpretation of this by-law:
 - (a) References to items in the plural include the singular, as applicable.
 - (b) The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are intended to be representative examples and not intended to be an exhaustive list.
 - (c) Headings are inserted for ease of reference only and are not to be used as interpretation aids.
 - (d) Specific references to laws or by-laws are meant to refer to the current laws applicable at the time that this by-law was enacted and shall be interpreted to

include amendments, restatements and successor legislation.

- (e) The obligations imposed by this by-law are in addition to obligations otherwise imposed by law or contract.
- (f) Where this by-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements may be provided but are of no force or effect. The abbreviation "mm" stands for millimetres and "m" stands for metres.
- (g) Terms with capitals shall be read with the meaning in section 1 and other words shall be given their ordinary meaning.
- (h) If any court of competent jurisdiction finds any provision of this by-law is illegal or *ultra vires* of the jurisdiction of the Municipality, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this by-law.
- (i) Nothing in this by-law relieves any person from complying with any provision of any federal or provincial legislation or any other by-law of the Municipality.
- (j) Where a provision of this by-law conflicts with the provisions of another by-law in force in the Municipality, the more specific by-law shall prevail.

Application

- 3. The provisions of this by-law apply to the entire geographic area of the Municipality of Lakeshore.

Exemptions

- 4. Development or Redevelopment described in the subsections (a) through to and including (f) shall be exempt from the obligations to convey land or make a PIL under Parts 2 and 3 of this by-law:
 - a) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of the Municipality of Lakeshore;
 - b) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, where a Shared Use Agreement exists;
 - c) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause provided that no intensification or change of use is proposed, including but not limited to an increase in total Residential Units count or Gross Floor Area;
 - d) The enlargement of an existing Residential Unit provided that the enlargement does not result in additional Residential Units;

- e) The enlargement of an existing Commercial or Industrial building or structure if the Gross Floor Area is enlarged by 50% or less. The area of the existing building or structure shall be calculated by reference to the first building permit which was issued in respect of the building or structure for which the exemption is sought;
- f) Institutional Development;
- g) Development or Redevelopment of land, buildings or structures for temporary construction uses as defined by the Municipality's Zoning By-law; and
- h) Development or Redevelopment or location of,
 - i. a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - ii. a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
 - iii. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Part 2: Conveyance of Land for Park Purposes

- 5. Land shall be required to be conveyed to Lakeshore for park purposes as a condition of Development or Redevelopment of land in an amount to be determined in accordance with subsections (a) through to and including (e).
 - a) In the case of lands proposed for Residential uses, the greater of the following:
 - i. if the density of the development is 30 units per hectare or less, at a rate of five per cent (5%) of the land being Developed or Redeveloped, or
 - ii. if the density of the development is greater than 30 units per hectare, at a rate of one (1) hectare for each six hundred (600) net residential units proposed.
 - With respect to land proposed for development or redevelopment that will include affordable residential units or

attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed under subsection (1) shall not exceed 5 per cent of the land multiplied by the ratio of A to B where,

- “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
 - “B” is the number of residential units that are part of the development or redevelopment; or
- b) In the case of lands proposed for Commercial or Industrial uses, land in the amount of two per cent (2%) of the land to be Developed or Redeveloped.
- c) In the case of a Mixed-Use Development or Redevelopment, land in the aggregate, calculated as follows:
- i. the Residential component, if any, as determined by Lakeshore, of the lands being Developed or Redeveloped, shall require the conveyance of land as determined in accordance with subsection (a) of this by-law; plus
 - ii. the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Lakeshore, shall require the conveyance of land as determined in accordance with subsection (b) of this by-law; plus
 - iii. the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with subsection (d) of this by-law.
- d) In the case of lands proposed for Development or Redevelopment for a use other than those referred to in subsections (a), (b) and (c) of this section, land in the amount of five per cent (5%) of the land to be Developed or Redeveloped.
- e) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the conveyance shall be determined on the date of the planning application. Where both planning applications apply, conveyance shall be determined on the date of the later planning application.

Location of Conveyance and Condition of Title

6. Subject to restrictions in the Planning Act, the location and configuration of land required to be conveyed pursuant to this by-law shall be as determined by Lakeshore and all such lands shall be free of all encumbrances, including but not limited to such easements which Lakeshore, in its sole and absolute discretion, is not prepared to accept and shall be free of any contamination, including but not limited to any toxic, noxious or dangerous contaminants, and shall otherwise be in a condition satisfactory to Lakeshore.
7. A requirement as part of Development or Redevelopment to convey any valley land or watercourse corridors, woodlands, natural heritage system lands and associated buffers, easements, vista blocks and storm water management ponds, as those terms are defined in the Official Plan or any secondary plan adopted under the Official Plan, shall not be considered to be a conveyance of land for park purposes in satisfaction of a requirement under this by-law.

Timing of Conveyance

8. Where land is required to be conveyed in accordance with this by-law, the lands shall be conveyed as follows:
 - a) in the case of Development or Redevelopment to be approved pursuant to sections 51.1 or 53 of the Planning Act, the conveyance of land may be required as a condition of approval, and said lands shall be conveyed to Lakeshore either prior to or immediately upon registration of the plan of subdivision or upon the consent being given, as determined by Lakeshore; and
 - b) in the case of Development or Redevelopment where land has not been conveyed or has not been required pursuant to sections 51.1 or 53 of the Planning Act, Lakeshore shall require the conveyance of land as a condition of Development or Redevelopment prior to building permit issuance in accordance with section 42 of the Planning Act.

Part 3: Payment-in-Lieu of Parkland

9. In lieu of requiring the conveyance of land required by part 2 of this by-law, Lakeshore may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the following:
 - a) Where the PIL has been required for a consent pursuant to sections 51.1 or 53 of the Planning Act, PIL may be provided on per lot basis where the land is used for a Residential use as per Schedule 1.

The per lot rates shall be indexed annually on January 1st of each year commencing January 1, 2024, by the CMHC housing starts by dwelling type index and posted by Lakeshore. Lakeshore's failure to post the indexed rate shall not waive the requirement for compliance with this by-law.

If the applicant does not agree with the per lot rate, they may submit a property appraisal subject to the PIL requirements is subsection b).

- b) For all other development or redevelopment, the PIL shall be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
- i. in the case of lands proposed for Residential, the greater of the following:
 - 1) if the density of the development is 50 units per hectare or less, at a rate of five per cent (5%) of the value of land being Developed or Redeveloped, or
 - 2) If the density of the development is greater than 50 units per hectares, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net residential units proposed.
 - With respect to land proposed for development or redevelopment that will include affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the PIL that may be required shall not exceed 5 per cent of the value of the land multiplied by the ratio of A to B where,
 - “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
 - “B” is the number of residential units that are part of the development or redevelopment; or
 - ii. in the case of lands proposed for Commercial or uses, the value of two per cent (2%) of the land to be Developed or Redeveloped;
 - iii. in the case of a Mixed-Use Development or Redevelopment, the value of the land in the aggregate, calculated as follows:
 - 1) the Residential component, if any as determined by Lakeshore, of the lands being Developed or Redeveloped, shall require the PIL of the value of land as determined in accordance with paragraph (i) of this subsection; plus
 - 2) the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Lakeshore, shall require the conveyance of land as determined in accordance with paragraph (ii) of this

subsection; plus

- 3) the component of the lands proposed for any use other than Residential, Commercial or Industrial if any as determined by the Municipality, shall require the conveyance of land as determined in accordance with paragraph (iii) of this subsection; and
- iv. in the case of lands proposed for Development or Redevelopment for a use other than those referred to in paragraphs (i), (ii) and (iii) of this subsection, the value of five per cent (5%) of the land to be Developed or Redeveloped.

Timing of PIL Payment and Determination of Value

10. PIL shall be paid as follows:

- a) For Development or Redevelopment where the payment of PIL is not required as a condition of an approval or a consent, pursuant to either sections 51.1 or 53 of the Planning Act, the PIL shall be paid prior to the issuance of the building permit in respect of the Development or Redevelopment in accordance with section 42 of the Planning Act. The value of the land shall be determined as of the day before the day the building permit is issued in respect of the Development or Redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
- b) In the event that an extension of an approval described in subsection (a) or (b) is requested, the value of the land shall be determined as of the day before the day of the approval of the extension.
- c) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the PIL shall be calculated on the value of the land on the date of the planning application. Where both planning applications apply, PIL shall be calculated on the value of the land on the date of the later planning application.

Part 4: Other

Previous or Required Conveyances

11. Notwithstanding parts 2 and 3 of this by-law, if land has been conveyed or is required to be conveyed to Lakeshore for park or other public recreational purposes or PIL has been received by Lakeshore or is owing to it pursuant to a condition imposed

pursuant to sections 42, 51.1 or 53 of the Planning Act, no additional conveyance or payment in respect of the lands subject to the earlier conveyance or payment will be required by Lakeshore in respect of subsequent Development or Redevelopment unless:

- a) There is a change in the proposed Development or Redevelopment which would increase the density of the development; or
 - b) Land originally proposed for Development or Redevelopment for Commercial or Industrial uses is now proposed for Development or Redevelopment for other uses.
12. Where there is a claim of previous conveyance or PIL payment, it is the applicant's/owner's responsibility to provide suitable evidence of such previous conveyance or PIL payment, to Lakeshore's satisfaction.
13. Land or PIL required to be conveyed or paid to Lakeshore for park or other public recreation purposes pursuant to parts 2 and 3 of this by-law shall be reduced by the amount of land or PIL previously received by Lakeshore pursuant to sections 42, 51.1 or 53 of the Planning Act in respect of the lands being Developed or Redeveloped.

Phased Development

14. Where approvals are issued in phases for Development or Redevelopment, Lakeshore shall calculate and require the conveyance of land for park purposes or the payment of PIL, in accordance with parts 2 and 3 of this by-law, on a phase-by-phase basis.

Part 5: General

15. Where a determination is required to be made by Lakeshore in this by-law, that determination shall be made by the [Position of Staff Member that Makes Determination]. The [Position of Staff Member that Makes Determination]'s decision shall be final.
16. This by-law shall be referred to as the "Parkland Dedication By-law".
17. By-law xx-xxxx and any amendments to the by-law are repealed. Policies made prior the adoption of By-law xx-xxxx respecting conveyance of land for park purposes and payment in lieu of conveyance of land for park purposes are rescinded.
18. This by-law comes into force upon passage.

Schedules

The following schedule shall form part of this By-law:

Schedule 1: PIL of Parkland Per Lot Fee Required as a Condition of a Severance or Consent

Read and passed in open session on _____, 2023.

Mayor

Clerk

**Schedule 1 to By-law XX-2023
PIL of Parkland Per Lot Fee Required for a Consent**

Parkland Per Lot Fee *
\$--

**Rates are subject to indexing as per Section 9(a)*