

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council

From: Tammie Ryall, Corporate Leader, Growth and Sustainability

Date: February 8, 2022

Subject: Dedication of Cash-in-lieu of Parkland By-law Review

Recommendation

This report is for information only.

Background

At the January 12, 2022, Special Council Budget Deliberation meeting, the following motion was passed:

17-01-2022

Direct Administration to prepare a report regarding review of the payment in lieu of parkland dedication fees to be presented to Council in February.

Carried

Parkland dedication in Lakeshore is carried out under Lakeshore By-law 42-2014 which was approved in May 2014 (Attachment 1). The By-law refers to Sections 42, 51.1 and 53 of the Planning Act which provides the legislated authority for parkland to be dedicated at the time of subdivision development, consent granting or the development or redevelopment of land through the site plan control process. The dedication is not to exceed two (2) percent of the land area to be used for Commercial and Industrial purposes or five (5) percent of the land in all other cases including land for Residential use. As an alternative, the Municipality can accept cash-in-lieu of the land dedication or require a conveyance of the land being developed or redeveloped at a rate of one (1) hectare for each three hundred (300) Dwelling Units proposed.

Cash-in-lieu of parkland dedication is collected and carried in the Parkland Dedication Reserve Fund. According to the Planning Act, this fund is to be used for “park or other public recreational purposes”. In Lakeshore, it is understood that this fund has been used for the purchase of park and recreational lands, parkland development, parks equipment and park development planning.

Comments

It is recommended that the fees in the Parkland Dedication By-law be reviewed. The amount of cash-in-lieu of parkland needs to be updated to take into consideration current cost of land. As well, the By-law should refer to collecting for new “dwelling units” in addition to the current reference to new “lots”.

The need for review was recommended in the Lakeshore Parks and Recreation Master Plan, 2017. Recommendation 23, Parkland Dedication Policy, notes that the Municipality amend the parkland dedication and by-law policy for future parkland development.

As well, the consultant that undertook the Development Charges Study in 2020 noted that the Parkland Dedication By-law should be reviewed and updated. This review is needed to consider whether legislative changes which also permit the collection of cash-in-lieu of parkland and other facilities through a Community Benefits By-law should be used in Lakeshore. Under a Community Benefits By-law, charges may be imposed on residential development that is higher than six (6) stories and more than 10 units (subsection 37(4) of the Planning Act).

Accordingly, a capital budget request for \$30,000 to undertake an update of the Parkland Dedication By-law was included in the draft 2022 Budget. Council recently passed the budget with this project included.

Administration is currently preparing a terms of reference to engage a consultant to undertake the review. The intent is to award the project to a consultant in March and complete the project in 2022.

Others Consulted

Watson and Associates

Attachments

Attachment 1 – By-law 42-2014

Report Approval Details

Document Title:	Dedication of Cash-in-lieu of Parkland By-law Review.docx
Attachments:	- Attachment 1 Parkland Dedication By-Law 42-2014.pdf
Final Approval Date:	Feb 10, 2022

This report and all of its attachments were approved and signed as outlined below:

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