



Report to: DEVELOPMENT SERVICES COMMITTEE

Date: February 25, 2014

SUBJECT: RECOMMENDATION REPORT
Update on the Review of Parkland Dedication By-law,
Policies and Practices – Final Recommendations
PR 11 126647

PREPARED BY: Tom Villella - Senior Projects Coordinator, ext. 2758
REVIEWED BY: Biju Karumanchery – Senior Development Manager

RECOMMENDATION:

1. THAT the Report entitled “Update on the Review of Parkland Dedication By-law, Policies and Practices – Final Recommendations – PR 11 126647”, be received; and,
2. THAT the Final Report from The Planning Partnership entitled ‘City of Markham Review of Parkland Dedication By-law, Policies and Practices, May 2013’ (previously received by Development Services Committee), as further modified by the consultants’ memorandum of December 11, 2013 (attached as **Appendix 1**), be received, and that it be utilized to provide guidance to Staff and Council in matters involving parkland dedication; and,
3. THAT the draft Parkland Dedication By-law attached as **Appendix 2** to this Report, including the recommended Adjusted Parkland Dedication Option for higher density development in intensification areas, be endorsed; and,
4. THAT the presentation by The Planning Partnership dated February 25, 2014 respecting the City of Markham Parkland Dedication Review, attached as **Appendix 3**, be received; and,
5. THAT Staff be directed to bring a final Parkland Dedication By-law forward for Council approval; and,
6. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Final Recommendations Provided

This Report provides Development Services Committee with final recommendations respecting the City’s review of its Parkland Dedication By-law, Policies and Practices, further to the Council referral of the matter back to Development Services Committee on June 17, 2013.

The Parkland Dedication Study

In December 2011, Markham retained The Planning Partnership to review the existing Parkland Dedication By-law, as well as the City's policies and practices related to parkland dedication, to ensure that the growing population of Markham continued to be well served by municipal parkland appropriate to the various built forms and densities of development. A review of the existing parks hierarchy, as espoused in the Markham Official Plan, was also undertaken, with a view to developing a new hierarchy/classification system that was more reflective of Markham's changing urban character.

Proposed Alternative Parkland Dedication for Higher Density Residential Development

At its meeting of June 17, 2013, Council referred the draft Parkland Dedication By-law and associated matters back to Development Services Committee, in order to allow Staff to review a proposed adjustment to the parkland dedication rate for higher density residential development in certain intensification areas, as put forth by certain members of Council.

When the parkland dedication is in the form of "land", the proposed Adjusted Parkland Dedication Option matches the existing Markham standard of 1.2 ha/1,000 persons (12 square metres per person). The key difference between the existing dedication standard and the proposed Adjusted Parkland Dedication Option is the generation of cash-in-lieu, and the resulting average cash-in-lieu generated per unit. The existing Markham standard generates more cash because it is always calculated on the basis of urban land value only for very high density development. The proposed Adjusted Parkland Dedication Option adjusts the cash-in-lieu amount by accounting for the land value for rural lands in the calculations.

Based on current Markham development patterns (1.0 to 5.0 FSI), cash-in-lieu of parkland dedication of between 90% to 95% of the existing Markham standard can be expected under the proposed Adjusted Parkland Dedication Option, when dedication is required within intensification areas. The full 100% dedication would be required outside of intensification areas.

When densities increase significantly beyond current trends (above 5.0 FSI), the cash generated may reflect 68% of the existing Markham standard (for a building with an FSI of 9.0 as shown in the scenario detailed in this report, located within an intensification area). Again, when actual land is being dedicated instead of cash-in-lieu, there would be a full 100% dedication provided under the proposed Adjusted Parkland Dedication Option. Once again, a full 100% dedication would be required for all lands outside of intensification areas, where the dedication is being provided as either land or cash-in-lieu.

Reduction Incentives Not Expected to Impact Overall Parkland Supply

Correctly managing the purchase of lands for municipal parks purposes with cash-in-lieu funds will result in no overall loss of future potential parkland acquisition, and will also provide an equitable distribution of parkland throughout various parkland classifications and locations. This will be accomplished through the use of "cash-in-lieu" funds from

development in areas where land values are very high (Major Growth Centres and Intensification Areas) and purchasing land in adjacent areas and other established lower density areas where land values are lower. Purchasing land in rural areas for “land-banking” purposes can also be achieved with cash-in-lieu from higher density developments. The methodology is described in greater detail in this report.

Proposed Parkland Dedication By-law

The proposed Parkland Dedication By-law is attached as **Appendix 2** to this report. Staff is recommending that the existing Parkland Dedication By-law be repealed and replaced with the proposed new By-law. The draft By-law attached to this report reflects the proposed Adjusted Parkland Dedication Option, as discussed at the Council meeting of June 17, 2013.

PURPOSE:

The purpose of this Report is to provide Development Services Committee with final recommendations respecting the Review of Parkland Dedication By-law, Policies and Practices, and to provide additional information further to Council direction arising from its meeting of June 17, 2013.

In December 2011, Markham retained The Planning Partnership to review the existing Parkland Dedication By-law, as well as the City’s policies and practices related to parkland dedication, to ensure that the growing population of Markham continued to be well served by municipal parkland appropriate to the various built forms and densities of development. A review of the existing parks hierarchy was also undertaken, with a view to developing a new hierarchy/classification system that was more reflective of Markham’s changing urban character.

On June 11, 2013 Development Services Committee received a Staff report providing final recommendations on the matter, and a draft By-law was forwarded to Council for its consideration on June 17, 2013. At that Council meeting, direction was given to refer the matter back to Development Services Committee, to review the proposed dedication strategy respecting higher density development in intensification areas, relative to an adjustment proposed by councilors at that meeting. As well, Staff was asked to review the proposed policy and by-law relative to Markham’s Greenprint.

The dedication rate for higher density development was originally proposed by Staff and the consultant to be reduced between 5% and 31.7% below the existing dedication standard, only for those developments with an FSI greater than 3.0 and located within specific intensification areas. All other development, including higher density development with an FSI below 3.0, would still require the dedication of parkland at the current cap rate of 1.2ha/1000 persons.

On June 17, 2013, Council referred the matter back to Development Services Committee to allow Staff to report further on a proposed amendment to the formula for calculating the payment of cash-in-lieu for developments with an FSI higher than 3.0, in intensification areas. To summarize the proposed amendment:

-Developments with an FSI of 3.0 or below would pay 100% of the required dedication, whether the dedication were provided as land or cash-in-lieu

-Development with an FSI of between 3.0 and 6.0 would pay 100% of the required dedication if provided in land. If provided as cash-in-lieu, the amount payable (for this component only) would be split between 70% valued at the same value as the development parcel and 30% valued at a rural land value.

- Development with an FSI above 6.0 would again pay 100% of the required dedication if provided in land. If provided as cash-in-lieu, the amount payable (for this component only) would be split between 35% valued at the same value as the development parcel and 65% valued at a rural land value.

-Cash-in-lieu of land dedication will be used to purchase land in not only the immediate urban neighbourhood, but also in suburban and rural areas in order to achieve a fair distribution of parkland throughout the City and to allow for "land-banking" to support future land purchases for parks purposes.

The above proposal was brought forward by certain members of Council in order to ensure that there was a full 100% parkland dedication when the dedication is provided as "actual land", and an adjusted cash-in-lieu of actual land in order to provide a more reasonable cash-in-lieu assessment for very high density development.

This report will address the proposed amendment, and provide a final recommendation for the consideration of Development Services Committee and Council.

BACKGROUND:

A review of Parkland Dedication has been undertaken in the Context of the Official Plan Review

Markham is quickly transitioning from a suburban community to an urban centre, and the current parkland dedication policies are being reviewed relative to the evolving higher density built form.

In December 2011, Markham retained The Planning Partnership to review the existing Parkland Dedication By-law, as well as the City's policies and practices related to parkland dedication, and to prepare new policies and a supporting by-law to ensure that the growing population of Markham continues to be well served by municipal parkland. A review of the existing parks hierarchy of the Markham Official Plan was also undertaken, with a view to developing a new hierarchy more reflective of Markham's changing urban character.

Markham's New Official Plan was adopted by Council in December 2013, and is now awaiting Regional approval. Based on the recommendations of the consultants' report, the new Official Plan included policy respecting both the classification/location of parkland (Section 4.3) and the dedication of parkland (Chapter 10.8.2):

Chapter 4.3 of New Council-Adopted Official Plan:

- New parkland classification system identified, including Destination Parks, City Parks (including city-wide parks, community parks, and neighbourhood parks) and other Open Space Lands including lands that form part of the Natural Heritage Network;
- Criteria for the location of City parks, including maximum walking distances from residential and mixed-use neighbourhoods, having frontage on at least one public street, and minimizing encumbrances such as garbage storage areas, driveways, and utility vaults;
- Parkland location and size to be determined through Secondary Plans, Precinct Plans and comprehensive Block Plans;
- City Parks will be provided at a rate exceeding 1.2ha/1000 persons; and
- A deficiency analysis will be conducted in order to determine the existing level of parkland provision in the City, and to identify a strategy to acquire parks in underserviced areas.

Chapter 10.8.2 (Parkland Dedication) of New Council-Adopted Official Plan:

- Dedication rate identified for all uses including commercial, industrial and various forms/densities of residential;
- Allows for further adjustments to parkland dedication rate as per the Parkland Dedication By-law and/or any applicable development agreement; and
- Allows for the acceptance of cash-in-lieu of parkland dedication at a rate up to the value of the development land, in accordance with the Parkland Dedication By-law.

Proposed Parkland Dedication Rate for Higher Density Developments in Intensification Areas

The consultant's May 2013 Final Report discussed an alternative parkland dedication rate for higher density residential development only within intensification areas as identified in the Draft (now Council-Adopted) Official Plan. The proposed alternative rate was introduced as an option for Committee and Council to consider, for the following reasons:

- It helps to achieve a municipal goal, that is, the promotion of compact, more dense development within intensification areas.
- It responds to concerns raised by the development industry with respect to the high cost of parkland dedication related to higher density residential development.

Staff is generally in support of some form of alternate dedication rate for higher density development, for the above reasons. As well, the consultant has shown that, even with alternative rates in place, there is an opportunity to ensure that no overall loss of future municipal parkland is experienced, so long as the purchase of municipal parkland is managed properly.

Comparing the Proposed Parkland Dedication Rates from the June 11, 2013 Report and the Current February 25, 2014 Report

Most Markham high-density residential developments at present would fall within densities that would require 100% parkland dedication (i.e. below 3.0 FSI), under both the June 11, 2013 proposal and the February 25, 2014 proposal. Some newer residential developments have exceeded 3.0 FSI, in which case an adjusted parkland dedication rate would be applicable in accordance with Tables 1 and 2 below.

In its report of June 11, 2013, Staff proposed the dedication rate for higher density residential development in intensification areas shown in **Table 1**. In all cases, the first 3.0 FSI would be charged 100% of the required parkland dedication. The alternative rate would only be implemented incrementally once the Floor Space Index (FSI) rose above 3.0. These proposed rates originated from the consultants' final report on parkland Dedication from May 2013, wherein a number of alternative dedication scenarios were proposed and Staff recommended one of those options to DSC.

In the current report dated February 25, 2014, Staff propose the dedication rate for higher density residential development in intensification areas as shown in **Table 2**, in accordance with Council's direction to investigate this alternative.

Under the **Table 2** scenario, dedication provided as land would be charged 100% of the current Markham Standard of 1.2ha/1000 persons in all cases. In the case of dedication provided as cash-in-lieu of land, the 1.2ha/1000 persons requirement remains, however the payment due would be adjusted as shown in **Table 2**.

Table 1: Dedication as Originally Proposed per June 11, 2013 Report

FSI	PROPOSED PARKLAND DEDICATION RATE	RESULTING DEDICATION
Portion below 3.0 FSI	1.2ha/1000 persons	No reduction
Portion between 3.0 - 6.0 FSI	0.84ha/1000 persons	70% of the normal requirement is payable whether as land or cash-in-lieu (for this component only)
Portion above 6.0 FSI	0.42ha/1000 persons	35% of the normal requirement is payable whether as land or cash-in-lieu (for this component only)

Table 2: Dedication Rate Proposed per February 25, 2014 Report

FSI	PROPOSED PARKLAND DEDICATION RATE IF PROVIDED AS LAND	PROPOSED PARKLAND DEDICATION RATE IF PROVIDED AS CASH-IN-LIEU
Portion below 3.0 FSI	1.2ha/1000 persons	100% valued at Urban Land Value
Portion between 3.0 - 6.0 FSI	1.2ha/1000 persons	70% valued at Urban Land Value and 30% valued at Rural Land Value
Portion above 6.0 FSI	1.2ha/1000 persons	35% valued at Urban Land Value and 65% valued at Rural Land Value

Consultants' Supplemental Memorandum Stemming from Council Referral

As noted, Council referred the recommendations back to Development Services Committee in order for Staff and the consultant to evaluate the Adjusted Parkland Dedication Option proposed by members of Council. In response to the Council referral, the consultants have prepared a supplemental memorandum (attached as **Appendix 1**) respecting both the proposed Adjusted Parkland Dedication Option, and the policy's alignment with Markham's Greenprint Plan. The following section details highlights of the consultants' memorandum including conclusions and final recommendations.

1. Why Live in an Urban Centre? The Urban/Suburban Trade-Off

The decision to live in one of Markham's Urban Centres is a decision based on balancing urban amenities with urban impacts. Such areas provide the highest level of urban amenities such as shopping, dining, nightlife, recreation and culture, as well as live/work options and a full array of housing forms and tenures. As centres of commerce, such areas offer residents a unique opportunity to work close to where they live. As well, multiple modes of transportation are offered in intensification areas, providing viable alternatives to automobile-based transportation. Intensification areas are meant to be diverse and inclusive, accommodating the broadest range of people of all cultural and socio-economic statuses, or lifestyle choice, all living and working in close proximity.

Inherently, living in a high density environment involves an understanding that there are impacts that are more acute than in the typical suburban neighbourhood. There is more noise due to increased street activity, there is more congestion, and privacy is reduced. These impacts are traded off against the amenities and opportunities provided in an urban centre.

One of the trade-offs of a choice to live in an urban intensification area is the nature, scale and function of the urban park system compared to the suburban park system. For instance, in a typical suburban neighbourhood there is a substantial private open space element (private yards), along with a parks hierarchy that includes larger scale parks that are mostly "greenspace", along with other large-scale amenities such as sports fields and major recreational centres.

The parkland system offered in a typical urban centre area includes smaller-scaled spaces that can have both green and hard design components. The urban parkland system is far more complex than the suburban parkland system, as it includes public spaces, semi-

public spaces and private components that all work together to form a highly integrated recreational network. The urban parkland system is comprised of small scale parks, urban squares, courtyards, and the street-related sidewalk system.

Although the urban parkland system requires less gross land area and substantially less 'per capita' land area than the suburban parkland system, it requires a higher degree of design and development, as well as an enhanced maintenance protocol. It is more heavily used and is more diverse in its components. Spaces are designed to be flexible in order to accommodate different users and events.

Just as the suburban dweller is required to travel outside of their neighbourhood to acquire or utilize higher order urban cultural, shopping, workplace amenities/opportunities, the urban dweller will be required to travel elsewhere to find organized recreational opportunities and larger green spaces. This is simply part of the trade-off between lifestyle choices, and supports an approach to parkland dedication in the urban intensification areas that requires both the establishment of an urban parkland system and the need for additional larger-scale green parks located elsewhere in the City.

2. Proposed Adjusted Parkland Dedication Option vs. Existing Markham Standard of 1.2 ha/1000 persons

Throughout the course of this Study, numerous approaches to Parkland Dedication for High Density Residential Development were proposed and tested. Fundamental to all of the Options considered were the following objectives:

- Help to facilitate intensification to assist in achieving Markham's planned urban structure;
- Allow Markham to deliver the best system of public parks, expanded park hierarchy and high quality public realm in support of stronger and healthier communities;
- Respond to development industry concerns regarding cost impacts related to the feasibility of establishing built forms that are essential to achievement of the planned urban structure;
- Allow Markham to achieve parkland that is at least equal to current standards;
- Allow for the acquisition of lands for park purposes in urban, suburban and rural contexts (including the acquisition of land for the purposes of land-banking)

The consultant has tested the proposed Adjusted Parkland Dedication Option for high density development (stemming from Council meeting of June 17, 2013) against the current City of Markham Standard of 1.2ha/1000 persons. For the purposes of the test, the consultant developed a scenario with the following assumptions:

Lot and Building Specifications

- Lot Area is 1,000 square metres;
- Building Floor Plate is 750 square metres;
- Lot Coverage is 75 percent;
- Floor Space Index is 9.0;
- Gross Floor Area of the Building is 9,000 square metres;
- Building Height is 12 storeys;

Units/Population Yield

- Unit Size is 120 square metres;
- Household Size is 1.91 persons per unit;
- 6.25 units per floor;
- 75 total Units;
- 143.25 people generated;

Land Value Differential

- Urban Land Value is \$4, 325,000.00 per hectare/\$432.50 per square metre;
- Suburban Land Value is \$2,600,000.00 per hectare/\$260.00 per square metre; and,
- Rural Land Value is \$495,000.00 per hectare/49.50 per square metre.

2a. Existing Markham Parkland Dedication Standard

The Existing Markham Parkland Dedication Standard is 1.2 ha/1000 persons, or 12 square metres per person. The 9.0 FSI, 12-storey building is considered uniformly for Parkland Dedication purposes. The option utilizes Urban Land Values, and achieves 1.2 ha/1000 persons, as shown in Figure 2.

Figure 1 – Existing Markham Parkland Dedication Standard – How Dedication is Calculated



2b. Proposed Adjusted Parkland Dedication Option

The 9.0 FSI, 12-storey building is broken into three components under the proposed Adjusted Parkland Dedication Option: 0 to 3.0 FSI, 3.0 to 6.0 FSI and >6.0 FSI. The Option uses a variable land value approach to achieve a total of 1.2 hectares of land per 1,000 persons, as shown in Figure 2.

Figure 2 – Proposed Adjusted Parkland Dedication Option – How Dedication is Calculated

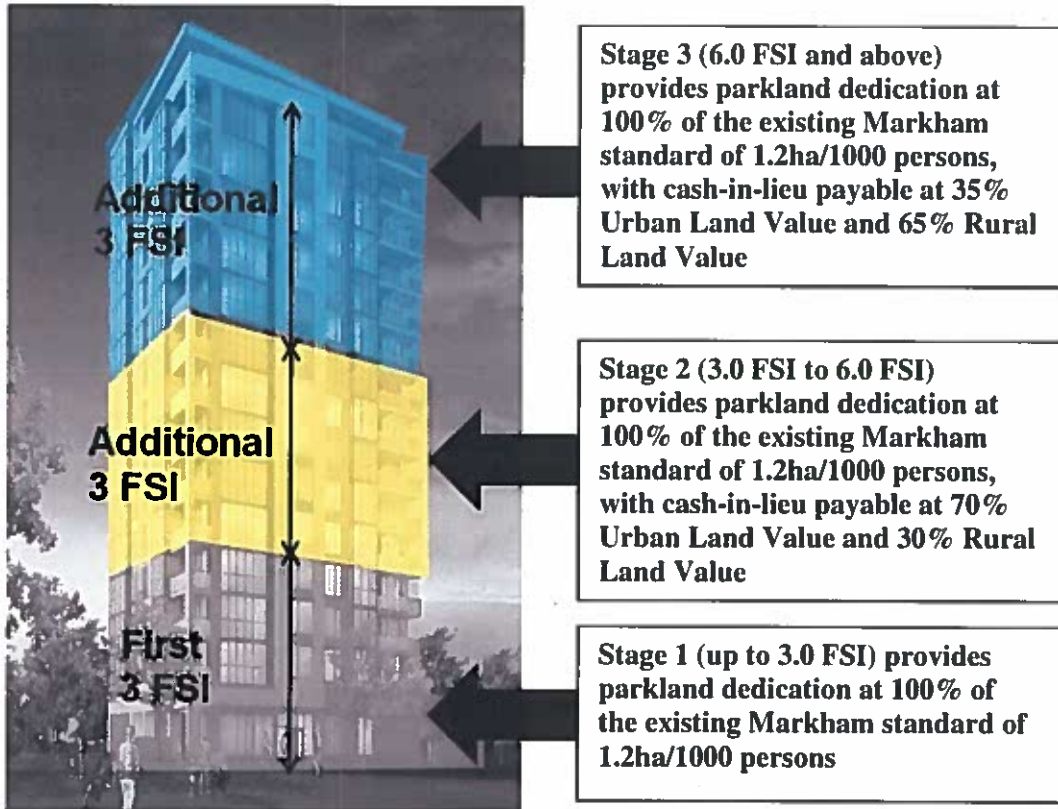


Figure 3 – Proposed Adjusted Parkland Dedication Option – Dedication Results

	Parkland Area Generated	Land Area/Person	C-I-L	C-I-L/Unit
Stage 1	573 m ²	12.0 m ²	\$247,822.50	\$9,912.90
Stage 2	573 m ²	12.0 m ²	\$181,946.50	\$7,277.86
Stage 3	573 m ²	12.0 m ²	\$105,174.16	\$4,206.97
TOTAL/AVERAGE	1,719 m²	12.0 m²	\$534,943.16	\$7,132.58

The proposed Adjusted Parkland Dedication Option matches the Existing Markham Standard of 1.2 ha/1,000 persons (12 square metres per person) under all scenarios. Therefore, the Adjusted Option always achieves the same amount of parkland as the Existing Markham Standard. The key difference between the two is the generation of cash-in-lieu, and the resulting average cash-in-lieu generated per unit. The Existing Markham Standard generates more cash because it is always calculated on the basis of urban land value. The proposed Adjusted Parkland Dedication Option adjusts the cash-in-lieu amount for very high density development, by including the Rural Land Value variable into the equation, as shown in **Figure 4**.

Figure 4 – Comparison of Parkland and Cash-in-Lieu Generated Under Each Scenario

	Parkland Area Generated	Parkland Area/Person	C-I-L Generated	C-I-L/Unit
Existing Markham Standard Option	1,719 m ²	12.0 m ²	\$743,467.50	\$9,912.90
Adjusted 3-Tier Option	1,719 m ²	12.0 m ²	\$534,943.16	\$7,132.58

In the consultants' example scenario, the Existing Markham Parkland Dedication Standard and the proposed Adjusted Parkland Dedication Option both generate a parkland dedication that significantly exceeds the size of the site itself (1.72 times the size of the site). Therefore in this case the total dedication will require the collection of cash-in-lieu for most of the parkland dedication, in order to purchase parkland in an alternative location.

Implications of Implementing the Proposed Adjusted Parkland Dedication Option

The consultants' report indicated that, overall, the proposed Adjusted Parkland Dedication Option provides the opportunity for achieving:

- At least the same amount of parkland per person as the Existing Markham Standard Option, and the opportunity to dramatically enhance the supply of public parkland throughout the City;
- A fair and equitable response to issues raised by the development industry;
- An appropriate balance between the public interest and the interests of the development industry; and,
- The City's objectives regarding the implementation of intensified development, the planned urban structure and development of complete, compact and transit-supportive communities.

Under the scenario shown, “cash-in-lieu” is provided at about 72% of the Existing Markham Parkland Dedication Standard. However this scenario is based upon a building with an FSI of 9.0, which is significantly denser than typical current Markham high-density developments, which range from 3.0 to 5.0 FSI. Therefore based on current development patterns, cash-in-lieu of between 90% to 95% of the Existing Markham Standard can be expected under the proposed Adjusted Parkland Dedication Option.

Again, if actual land is being dedicated instead of cash-in-lieu, there would be a full 100% dedication provided under the proposed Adjusted Parkland Dedication Option.

City Can Ensure No Loss of Future Parkland by Managing Cash-in-Lieu Correctly

Correctly managing the purchase of lands for municipal parks purposes with cash-in-lieu funds can ensure no overall loss of future parkland, and can also provide an equitable distribution of parkland throughout various parkland classifications and locations. The staff report to Development Services Committee of June 11, 2013 provides greater detail on this subject, however the consultants have provided additional comments on methodology in their memorandum of December 10, 2013 as detailed below.

When considering where to purchase land, the City has three basic alternatives:

- The City can purchase urban land, at urban land prices – this is a possibility, however, it is not likely that enough land within the identified ‘Intensification Areas’ will be available to purchase because it is a requirement that these areas be densely developed in order to achieve key urban structure and transit supportive objectives; and/or,
- The City can purchase suburban land, at suburban land prices – this is a positive opportunity since it will allow the City to augment parkland supply where there is an identified shortage in existing neighbourhoods within the City. The Land Value Differential will allow the City to utilize higher value cash-in-lieu funds to purchase more land than would be possible within the urban area (there have been recent successful examples of this practice in Thornhill and Markham Village); and/or,
- The City can purchase rural land, at rural land prices – this too is a positive opportunity since it will allow the City to land bank for future park purposes, or establish large park spaces for active sports campus development. The Land Value Differential will allow the City to utilize higher value cash-in-lieu funds to purchase substantially more land than would be possible within the urban or suburban areas.

The impact on the amount of parkland that could be purchased in consideration of the land value differential is significant. For example, using the 9.0 FSI Building example identified in the consultants’ memorandum, applying the proposed Adjusted Parkland Dedication Option results in the following:

- The proposed development generates a total of \$534,943.16 cash-in-lieu;

-
- 25% of the cash can be utilized to acquire parkland within the urban 'Intensification Area' - $\$133,735.79/\$432.50 = 309.00$ square metres of urban parkland; plus,
 - 50% of the cash can be utilized to acquire parkland within the existing suburban neighbourhoods - $\$267,471.58/\$260.00 = 1,028.74$ square metres of suburban parkland; plus,
 - 25% of the cash can be utilized to acquire parkland within the rural area - $\$133,735.79/\$49.50 = 2,701.73$ square metres of rural parkland; equals,
 - A total of 4,039.47 square metres of parkland is generated, which is 28.2 square metres of parkland per person - more than double (2.35 times) the Existing Markham Standard of 12.0 square metres per person.

Many land purchase scenarios can be formulated. The key message is that the proposed Adjusted Parkland Dedication Option for high density residential development represents a major opportunity to enhance the supply of public parkland throughout the City of Markham. This is an opportunity that is not available to this extent through other forms of development.

Proposed Parkland Dedication By-law

The proposed Parkland Dedication By-law is attached as **Appendix 2** to this report, and has been amended to reflect the proposed Adjusted Parkland Dedication Option. Staff is recommending that the existing By-law (By-law 195-90, amended by By-law 74-94) be deleted in its entirety and replaced with the proposed new By-law.

In addition to the above, the following additional changes have been made to the draft by-law for clarification purposes:

- A definition of "Residential Unit" has been added, in order to clarify that a residential unit does not include a hotel room or other temporary or short-stay unit, and does not include a unit in a building where an enhanced level of communal care is provided to residents, and where residents do not live independently; and,
- A new Section 6.5 has been added to clarify how parkland dedication is calculated when a dedication is provided as a combination of land and cash-in-lieu. Land credit will be applied firstly to the Stage 1 dedication (0-3 FSI), and then to subsequent stages, if any.
- By-law has been reviewed by Legal Services and Finance Department and additional amendments made for clarity purposes throughout the By-law (including definitions)

It is noted that the proposed amendments to the Official Plan as outlined in previous Staff reports (respecting overarching parkland dedication policy and parkland classification)

have already been incorporated into the new Council-Adopted Official Plan, which is currently being reviewed by the Region of York. Therefore no further action is necessary with respect to the Official Plan.

Alignment of Parkland Dedication Policy with Markham Greenprint Plan

The Greenprint Plan, Markham's Sustainability Plan, is a 50 to 100-year plan created by the Markham community. It is an overarching plan to achieve an environmentally, economically, socially and culturally vibrant community. The Greenprint Plan is focused on enhancing the natural environment, maintaining a high quality of life for Markham residents and providing fulfilling employment, life-long learning opportunities and affordable access to basic needs.

- The proposed Parkland Dedication Policy does not have any impact on the existing and future protection afforded to Markham's environmental features. Environmental features have their own protection strategy through the new Official Plan, and are not part of the public parkland dedication equation. In this regard, the Adjusted 3-Tier Option has no negative impact on the Greenprint Plan;
- The proposed Parkland Dedication Policy still provides a unique opportunity to provide public parkland well in excess of the Existing Markham Standard of 12.0 square metres per person throughout the City. In this regard, the proposed Adjusted Parkland Dedication Option provides the opportunity to dramatically enhance the quality of life for Markham residents; and,
- The proposed Parkland Dedication policy will assist the development industry in the achievement of the City's planned urban structure, intended to support investments in transit and curb urban sprawl. The policy enables the City to deliver a superior system and hierarchy of public parks, including an appropriate urban parks network, which supports stronger and healthier communities helping make Markham a more desirable and vibrant place to live and work, and to contribute to the City's prosperity.

Provincial Review of Land Use Planning and Appeals System

The Province has initiated a review of the land use planning and appeals system, as well as the development charges system, in Ontario. The Province wants to ensure that these systems are predictable, transparent and cost effective. The Ministry of Municipal Affairs and Housing invited comment from the public, stakeholders and municipalities from October 2013 to January 2014 across the province, respecting views on what changes to the systems were needed.

The City of Markham responded to the Ministry through two means. Firstly, a report recommendation adopted by General Committee at its meeting of December 2, 2013 respecting Development Charges reform, and secondly through Planning staff correspondence to the Ministry dated January 7, 2014, respecting the Land Use Planning and Appeals System (copies previously provided to Committee members).

Specifically, the Province has asked for comments and suggestions respecting; how the province's land use planning systems (including what can be appealed to the Ontario Municipal Board) can be improved; the Development Charges Act; *Parkland Dedication*; and Section 37 benefits.

No further details have been provided by the Ministry with respect to what specific aspects of the current parkland dedication provisions of the Planning Act were being considered for review; however the development industry has been quite vocal with respect to the cost of parkland dedication and its effect on the affordability of housing in Ontario, and especially the GTA.

At this time, it is unclear what direction the Province will take with respect to the parkland dedication provisions of the Planning Act, nor is it clear what time frame is being considered for the implementation of any changes. In light of this, Staff is comfortable with recommending the adoption of the proposed By-law (attached as **Appendix 2**), which can be revisited in the future if Provincial policy on the matter changes.

CONCLUSION:

Since the study commenced in November 2011, the consultants have worked with Staff, Council, and external stakeholders to produce a comprehensive report on Markham's Parkland Dedication policy. The report not only critiques current City practices, but provides a detailed analysis of the practices of other GTA municipalities, and provides comment on the implications of any changes in practice that Markham may contemplate.

Staff is satisfied that the consultants' final report provides sufficient information to allow a recommendation to Council for a new parkland dedication policy and By-law, that is appropriate, equitable, consistent and long-lasting.

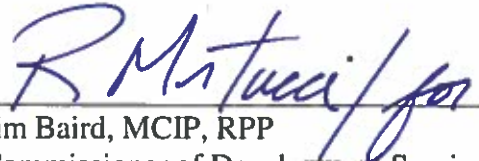
Staff recommends the following to Development Services Committee:

- THAT the Final Report from The Planning Partnership entitled 'City of Markham Review of Parkland Dedication By-law, Policies and Practices, May 2013' (previously received by Development Services Committee), as further modified by the consultants' memorandum of December 11, 2013 (attached as **Appendix 1**), be received, and that it be utilized to provide guidance to Staff and Council in matters involving parkland dedication; and,
- THAT the draft Parkland Dedication By-law attached as **Appendix 2** to this Report, including the recommended Adjusted Parkland Dedication Option for higher density development in intensification areas, be endorsed; and,
- THAT Staff be directed to bring a final Parkland Dedication By-law forward for Council approval.

RECOMMENDED BY:



Rino Mostacci, MCIP, RPP
Director of Planning and Urban Design



Jim Baird, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

APPENDIX 1 - Memorandum from The Planning Partnership dated December 10, 2013

APPENDIX 2 - Draft Parkland Dedication By-law

APPENDIX 3 – Presentation by The Planning Partnership dated February 25, 2014

File path: Amanda\File 11 126647\Documents\Recommendation Report

MEMORANDUM

To: Tom Vilella, City of Markham
From: Ron Palmer
Date: December 10, 2013
Subject: Parkland Dedication for High Density Residential Development – Final Recommendation

1. Purpose of this Memorandum

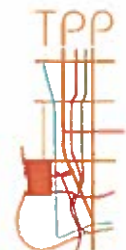
The purpose of this memorandum is to:

- Outline the purpose of Parkland Dedication By-law and Policy Study;
- Discuss the trade-offs inherent in choosing a more urban lifestyle;
- Describe and compare the Adjusted 3-Tiered Option with the Existing Markham Standard;
- Describe the implications of implementing the Adjusted 3-Tier Option; and,
- Provide summary conclusions, including how the Option meets objectives of Markham's Greenprint Sustainability Plan.

2. Purpose of this Parkland Dedication By-law and Policy Study

There were several reasons for the Parkland Dedication By-law Review, these were to:

- Review and analyze the City's existing policies and procedures;
- Examine specific case studies regarding application of current policies/procedures to high-density development;
- Undertake a comparison of Markham's current parkland dedication policies and procedures with those of other municipalities;



- Develop options for innovative policies and a park system to reflect City's planned structure and intended character;
- Recommend new conveyance policies and procedures appropriate for Markham's evolving urban structure, within parameters of the Planning Act; and,
- Prepare the required empowering Official Plan policies for inclusion in the new OP and a Parkland Dedication By-law.

Why Review Markham's Parkland Dedication By-law?

A comprehensive review and update of the By-law is necessary and appropriate at this time. New innovative conveyance policies, procedures and a park system are required to achieve the City's evolving urban structure and intended character. The City's Intensification Strategy and OP Review makes this review timely. The interests of the development community must be taken into consideration, but balanced with the interests and objectives of the City and its residents. The current nature of development requires a clear and defensible calculation of parkland dedication and land valuation.

Approach to this Review

This Study represents a collaborative effort to achieve an approach to park system development, and parkland dedication protocols that is:

- *Appropriate* – delivers a great parkland system that is appropriate for urban, suburban and rural Markham;
- *Equitable* – is fair and reasonable to all the stakeholders, including the City, the development industry and the existing and future residents of the City;
- *Consistent* – is applied equally and fairly to all applicants without the need for individual deal-making, or site-specific adjustments;
- *Long-Lasting* – will serve the City well over the coming 10 to 15 years, without the need for constant amendments;
- *Relevant* – helps to facilitate intensification, efficient land use and transit-supportive development and achieve the planned urban structure; and,
- *Flexible* – responds to development industry concerns with respect to High Density Residential and Mixed-Use Development so as not to frustrate its delivery.



3. Why Live in an Urban Centre? The Urban/Suburban Trade-off

The decision to live in one of Markham's Urban Intensification Areas is a decision based on balancing urban amenities with urban impacts. An Urban Intensification Area provides the highest order of amenities for adjacent residents and businesses – shopping, dining and nightlife, recreation, culture and arts facilities, educational opportunities – as well as a full array of housing forms and tenures, including everything from townhouses to apartments. Urban Intensification Areas are centres of commerce and business, and include significant opportunities to work close to where you live. In addition, Urban Intensification Areas are accessible by multiple modes of transportation, and their accessibility attributes make cycling, walking and transit viable transport options. The idea of a diverse and inclusive Urban Intensification Area is that it can accommodate the broadest range of people, without regard to cultural or socio-economic status, or lifestyle choice, all living and working in proximity.

The high density context of an Urban Intensification Area is a fundamental requirement to achieve the critical mass necessary to support the palette of high order amenities, transit investment, housing options and places to work. Inherently, living in a high density environment involves an understanding that there are impacts that are more acute than in a typical suburban neighbourhood. There is more noise because of increased activity on the street. There is traffic congestion, and parking issues. Privacy is reduced. Construction is always underway. It is these impacts that are traded off against the urban amenities and opportunities offered by this form of living.

One of the important trade-offs between the suburban/urban lifestyle choice is the nature, scale and function of the suburban parkland system versus the more urban parkland system. In a typical suburban neighbourhood there is a substantial private space element (backyard/front yard), along with a parks hierarchy that includes larger scale parks that are mostly green, and, for the largest suburban parks, include sports fields and other major recreational facilities. In many cases, the suburban park system incorporates school sites and community recreation centres. For the most part, the suburban parks system is owned, designed and maintained by the public sector. Think public, big, green and programmed.

The parkland system typical of an Urban Intensification Area includes smaller scale spaces that can have both green and hard design components, and include crucial connectivity components, including sidewalks on public roads. The urban parkland system is more complex than the suburban parkland system and includes public spaces, semi-public spaces and private components that all work together to form a highly interconnected network. The urban parkland system is comprised of small scale parks, urban squares, mid-block connectors and courtyards, as well as the street related sidewalk system.

The urban parkland system is highly animated by the people who walk from place to place and their interaction with the uses within the adjacent buildings. In most cases, the urban parkland system requires less gross land area and substantially less per capita land area than the suburban parkland system, but requires a higher degree of design and development, as well as an enhanced maintenance protocol. The urban parkland system is more heavily used and is more diverse in its components. It is integrated as part of the pedestrian circulation

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network within an Urban Intensification Area. The component spaces are flexible to accommodate different users and events, and will respond to use patterns that may be dramatically different at different times of the day. Think diverse, flexible, small and connected.

Just like a suburban dweller is required to travel out of their neighbourhood to acquire or utilize higher order urban cultural, shopping and workplace amenities/opportunities, the urban dweller will be required to go elsewhere within the City to find organized recreational opportunities. This is simply part of the trade-off between lifestyle choices, and supports an approach to parkland dedication in the Urban Intensification Areas that requires both the establishment of an urban parkland system, and the need for additional larger scale parks located elsewhere within the City.

4. Describe and compare the Adjusted 3-Tiered Option with the Current City Standard

For the purposes of this memorandum, it is important to note that the Adjusted 3-Tier Option will really only apply to higher density residential developments that achieve densities over 3.0 FSI. In accordance with the City's new Official Plan, that type of development will be contained primarily within the Intensification Areas identified on Figure 1 on the following page.

Why Consider and Compare Alternative Approaches?

Throughout the course of this Study, numerous approaches to Parkland Dedication for High Density Residential Development were proposed and tested. Fundamental to all of the Options considered were the following objectives:

- Help to facilitate intensification to assist in achieving Markham's planned urban structure;
- Allow Markham to deliver the best system of public parks, expanded park hierarchy and high quality public realm in support of stronger and healthier communities;
- Respond to development industry concerns regarding cost impacts on the feasibility to establish built forms that are essential to achievement of the planned urban structure; and,
- Allow Markham to achieve parkland that is at least equal to current standards.

In this memorandum, the Adjusted 3-Tier Option will be tested against the current City of Markham Standard of 1.2 hectares per one thousand people, or 12 square metres per person.



**CITY OF MARKHAM
INTENSIFICATION AREAS
(AS PER MAP 2 OF NEW OFFICIAL PLAN)**

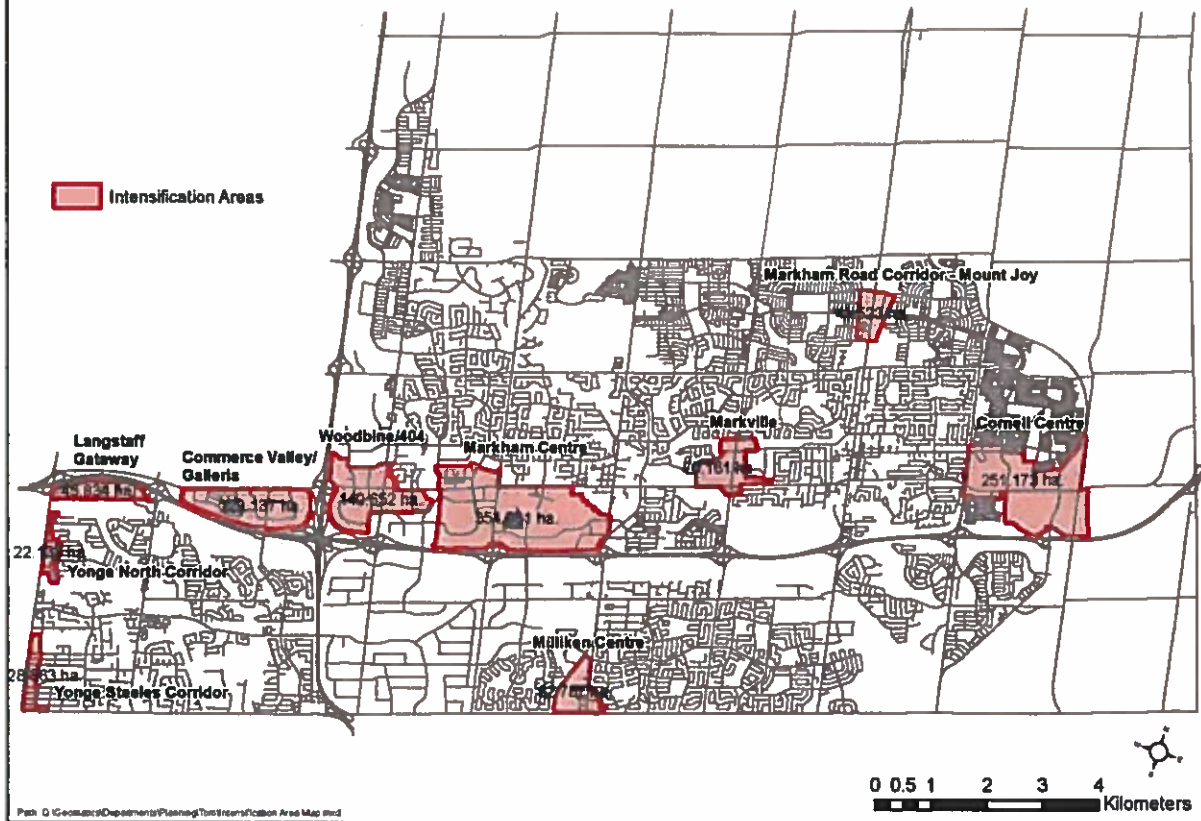


Figure 1 -Intensification Areas Map (New Official Plan)

The assumptions inherent to both Options

Lot + Building Specifications

- Lot Area is 1,000 square metres;
- Building Floor Plate is 750 square metres;
- Lot Coverage is 75 percent;
- Floor Space Index is 9.0;
- Gross Floor Area of the Building is 9,000 square metres;
- Building Height is 12 storeys;

Units/Population Yield

- Unit Size is 120 square metres;
- Household Size is 1.91 persons per unit;
- 6.25 units per floor;

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- 75 total Units;
- 143.25 people generated;

Land Value Differential

- Urban Land Value is \$4, 325,000.00 per hectare/\$432.50 per square metre;
- Suburban Land Value is \$2,600,000.00 per hectare/\$260.00 per square metre; and,
- Rural Land Value is \$495,000.00 per hectare/49.50 per square metre.

The Adjusted 3-Tier Option

The 9.0 FSI/12 Storey building is broken into three components: 0 to 3.0 FSI, 3.0 to 6.0 FSI and >6.0 FSI. The Option uses a variable land value approach to achieve a total of 1.2 hectares of land per 1,000 population, as follows:

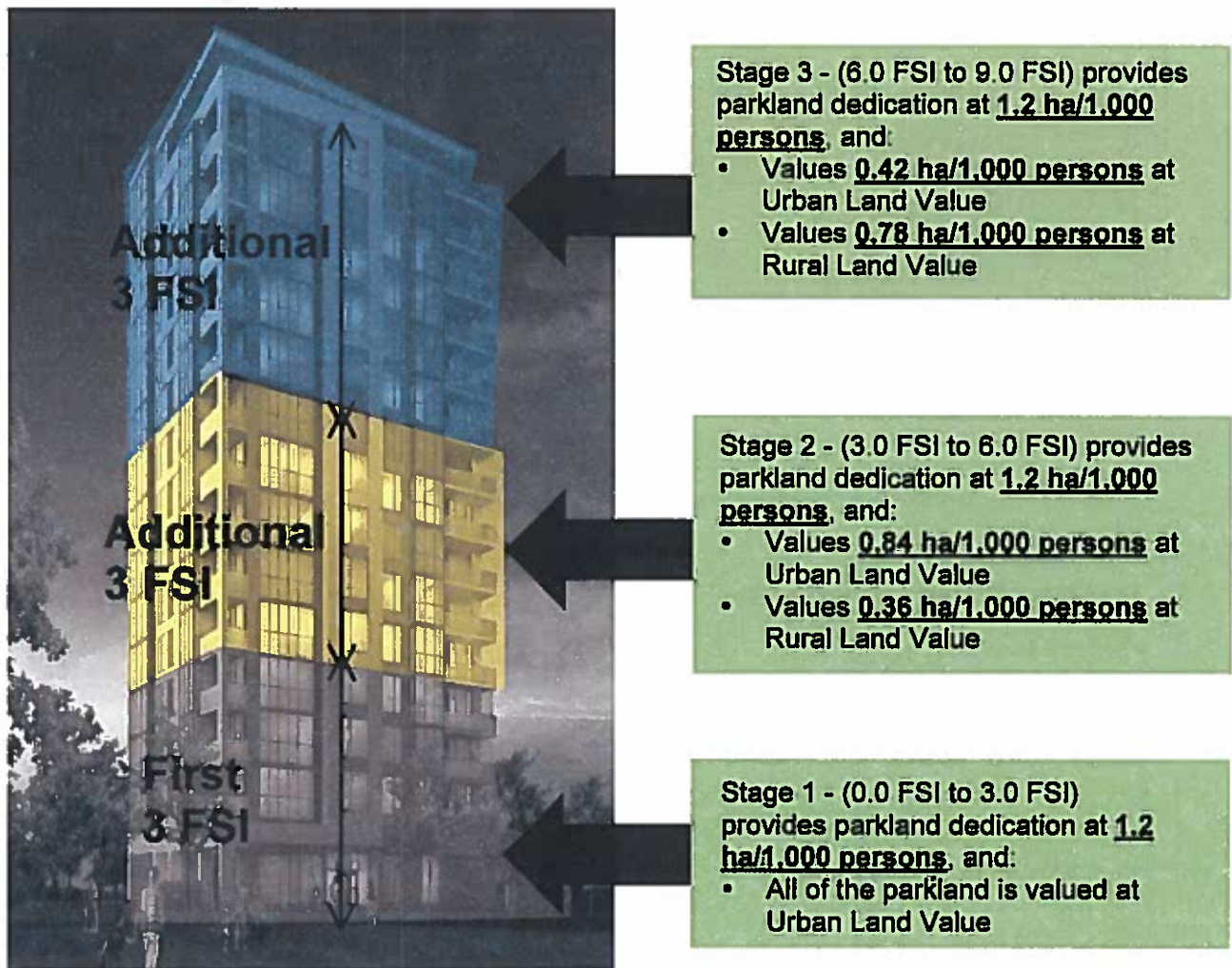


Figure 2 -Adjusted 3-Tier Option at 9.0 FSI divided into three stages



Parkland Dedication Yield Summary

Stage 1 – 0 to 3.0 FSI

- Uses 1.2 ha/1,000 population at Urban Land Value;
- Generates 573 square metres of parkland based on 25 units/47.75 people; and,
- Generates \$247,822.50 in Cash-in-lieu funds (573 square metres x \$432.50).

Stage 2 – 3.0 to 6.0 FSI

- Uses 1.2 ha/1,000 population, subdivided into .84 ha/1,000 at Urban Land Value and 0.36 ha/1,000 at Rural Land Value;
- Generates 401.0 square metres at Urban Land Value plus 172.0 square metres at Rural Land Value = 573 square metres of parkland based on 25 units/47.75 people; and,
- Generates \$173,432.50 (401 x \$432.50) plus \$8,514.00 (172 x \$49.50) = \$181,946.50 in cash-in-lieu funds.

Stage 3 – >6.0 FSI to 9.0 FSI

- Uses 1.2 ha/1,000 population, subdivided into .42 ha/1,000 at Urban Land Value and 0.78 ha/1,000 at Rural Land Value;
- Generates 200.55 square metres at Urban Land Value plus 372.45 square metres at Rural Land Value = 573 square metres of parkland based on 25 units/47.75 people; and,
- Generates \$86,737.88 (200.55 x \$432.50) plus \$18,436.28 (372.45 x \$49.50) = \$105,174.16 in cash-in-lieu funds.

Summary Table – Adjusted 3-Tier Option

	Parkland Area Generated	Land Area/Person	C-I-L	C-I-L/Unit
Stage 1	573 m²	12.0 m²	\$247,822.50	\$9,912.90
Stage 2	573 m²	12.0 m²	\$181,946.50	\$7,277.86
Stage 3	573 m²	12.0 m²	\$105,174.16	\$4,206.97
TOTAL/AVERAGE	1,719 m²	12.0 m²	\$534,943.16	\$7,132.58



The Existing Markham Standard Option

The Existing Markham Standard Option is 1.2 hectares per one thousand people, or 12 square metres per person. The 9.0 FSI/12 storey building is considered uniformly for Parkland Dedication purposes. The option utilizes Urban Land Values, and achieves 1.2 hectares of land per 1,000 persons, as follows:

9.0 FSI Building Example



In this Option, the entire building provides parkland dedication at 1.2 ha/1,000 persons, all valued at Urban Land Value

Figure 3-The Existing Markham Standard example at 9.0 FSI



Parkland Dedication Yield Summary

Stage 1 – 0.0 to 9.0 FSI

- Uses 1.2 ha/1,000 persons at Urban Land Value;
- Generates 1,719 square metres of parkland based on 75 units/143.25 people; and,
- Generates \$743,467.50 in Cash-in-lieu funds (1,719 square metres x \$432.50).

Comparison of the 2 Options

The Adjusted 3-Tier Option matches the Existing Markham Standard of 12 square metres per person (1.2 ha/1,000 persons) under all scenarios. Therefore, the Adjusted 3-Tier Option always achieves the same amount of parkland as the Existing Markham Standard.

The key difference between the two is the generation of cash-in-lieu, and the resulting average cash-in-lieu generated per unit. The Existing Markham Standard generates more cash because it is always calculated on the basis of urban land value. The Adjusted 3-Tier Option achieves a lower cash-in-lieu amount by including the Land Value Variable for rural lands into the calculations.

Summary Table – Comparison of the Two Options

	Parkland Area Generated	Parkland Area/Person	C-I-L Generated	C-I-L/Unit
Existing Markham Standard Option	1,719 m²	12.0 m²	\$743,467.50	\$9,912.90
Adjusted 3-Tier Option	1,719 m²	12.0 m²	\$534,943.16	\$7,132.58

Impact of Land Value Differential

The concept of the Land Value Differential is a crucial element in considering what is a fair and equitable parkland dedication strategy for high density urban residential development. The Existing Markham Standard Option and the Adjusted 3-Tier Option both generate a parkland dedication in the scenario provided that significantly exceeds the size of the site itself (in fact, 1.72 times the size of the site). Obviously, then, the parkland dedication will require the collection of cash-in-lieu for most of the parkland dedication in order to purchase parkland in an alternative location.



When considering where to purchase land, the City has three basic alternatives:

- The City can purchase urban land, at urban land prices – this is a possibility, however, it is not likely that enough land within the identified ‘Intensification Areas’ will be available to purchase because it is a requirement that these areas be densely developed in order to achieve key urban structure and transit supportive objectives; and/or,
- The City can purchase suburban land, at suburban land prices – this is a positive possibility because it will allow the City to augment parkland supply where there is an identified shortage in existing neighbourhoods within the City. The Land Value Differential will allow the City to utilize higher value cash-in-lieu funds to purchase more land than would be possible within the urban area; and/or,
- The City can purchase rural land, at rural land prices – this too is a positive possibility because it will allow the City to land bank for future park purposes, or establish large park spaces for active sports campus development. The Land Value Differential will allow the City to utilize higher value cash-in-lieu funds to purchase substantially more land than would be possible within the urban or suburban areas.

The impact on the amount of parkland that could be purchased in consideration of the Land Value Differential is significant. For example, using the 9 FSI Building example identified in this memorandum, and applying the Adjusted 3-Tier Option, and assuming:

- The proposed development generates a total of \$534,943.16 in C-I-L;
- 25% of the C-I-L will be utilized to acquire parkland within the urban ‘Intensification Area’ - $\$133,735.79/\$432.50 = 309.00$ square metres of urban parkland; plus,
- 50% of the C-I-L will be utilized to acquire parkland within the existing suburban neighbourhoods - $\$267,471.58/\$260.00 = 1,028.74$ square metres of suburban parkland; plus,
- 25% of the C-I-L will be utilized to acquire parkland within the rural area - $\$133,735.79/\$49.50 = 2,701.73$ square metres of rural parkland; equals,
- A total of 4,039.47 square metres of parkland is generated, which is 28.2 square metres of parkland per person - more than double (2.35 times) the Existing Markham Standard of 12.0 square metres per person.

Many land purchase scenarios can be formulated. The key message here is that the Adjusted 3-Tier Option for high density residential developments represent a major opportunity to enhance the supply of public parkland throughout the City of Markham. This is an opportunity that is not available to this extent through other forms of development.



Certainly the application of the Existing Markham Standard Option would generate more cash-in-lieu, and thus more parkland supply, but at this point the question becomes what is fair and equitable in balance with other City-building objectives.

5. Describe the implications of implementing the Adjusted 3-Tier Option

Overall, the Adjusted 3-Tier Option provides the opportunity for achieving:

- At least the same amount of parkland per person as the Existing Markham Standard Option, and the opportunity to dramatically enhance the supply of public parkland throughout the City;
- A fair and equitable response to issues raised by the development industry;
- An appropriate balance between the public interest and the interests of the development industry; and,
- The City's objectives regarding the implementation of intensified development, the planned urban structure and development of complete, compact and transit-supportive communities.

6. Conclusion

The Greenprint Plan, Markham's Sustainability Plan, is a 50 to 100-year plan created by the Markham community. It is an overarching plan to achieve an environmentally, economically, socially and culturally vibrant community, containing a vision, priorities, a governance framework and a funding framework to create a healthy, vibrant and sustainable community. The Plan includes dynamic strategies to involve community members and collaborate with partners, other levels of government and others.

The purpose of Greenprint Plan is focused on enhancing the natural environment, maintaining a high quality of life for Markham residents and providing fulfilling employment, life-long learning opportunities and affordable access to basic needs.

- The Adjusted 3-Tier Option for parkland dedication does not have any impact on the existing and future protection afforded to Markham's environmental features. Environmental features have their own protection strategy through the new Official Plan, and are not part of the public parkland dedication equation. In this regard, the Adjusted 3-Tier Option has no negative impact on the Greenprint Plan;
- The Adjusted 3-Tier Option does provide a unique opportunity to provide public parkland well in excess of the Existing Markham Standard of 12.0 square metres per person throughout the City. In this regard, the Adjusted 3-Tier Option provides the opportunity to dramatically enhance the quality of life for Markham residents; and,



- The Adjusted 3-Tier Option will assist the development industry in the achievement of the planned urban structure, intended to support investments in transit and curb urban sprawl. They enable Markham and the development industry to deliver a superior system and hierarchy of public parks, including an appropriate urban parks network, which supports stronger and healthier communities helping make Markham a more desirable and vibrant place to live and work, and to contribute to the City's prosperity.





BY-LAW 2014-_____

A By-Law To Provide For The Conveyance Of Land For Park Or Other Public Recreational Purposes, Or For The Payment Of Money

Whereas Sections 42, 51.1 and 53 of the Planning Act, R.S.O. 1990, c.P.13, as amended, among other matters, authorize Council to pass a by-law or impose a condition requiring land or cash-in-lieu of the land to be conveyed to the municipality for park or other public recreational purposes as a condition of *development or redevelopment*; and,

Whereas the Council of the Corporation of the City of Markham has adopted an *Official Plan* which contains specific policies with respect to the provision of lands for park or other public recreational purposes;

Therefore the Council of the Corporation of the City of Markham hereby enacts as follows:

1.0 By-law 195-90, as amended by By-law 74-94, is hereby repealed.

2.0 Definitions

For the purposes of this By-law, the following definitions shall apply:

2.1 **Development** means the improvement of land through the approval of a draft plan of subdivision or condominium, a zoning by-law amendment, a minor variance, site plan control or consent to sever;

2.2 **Floor Space Index** means the *residential gross floor area* of all buildings on a lot divided by the *gross land area* of the site subject to *development or redevelopment*;

2.3 **Gross Floor Area** means the total area of all floors in a building, measured between the exterior faces of the exterior walls of the building at each floor level;

2.4 **Gross Land Area** means the total area of a site subject to *development or redevelopment* site, including any land which is to be conveyed for park purposes, but shall not include the area of any *key natural heritage feature, key hydrologic feature or vegetation protection zone*, where such *key natural heritage feature, key hydrologic feature or vegetation protection zone* is to be conveyed into public ownership as a condition of *development or redevelopment*;

2.5 **Key Hydrologic Feature** means key hydrologic features as identified in the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, *wetlands*, permanent and intermittent streams, seepage areas and springs and sensitive surface water features, and includes any lands identified as such in the *Official Plan*, any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study;

2.6 **Key Natural Heritage Feature** means key natural heritage features as identified in the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, the habitat of endangered and threatened species, fish habitat, wetlands, Life Science Areas of Natural and Scientific Interest, significant valleylands, *woodlands*, significant wildlife habitat, sand barrens, savannahs and tallgrass prairies, , and includes lands that are identified as such in the

Official Plan, any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study;

- 2.7 **Long-Term Care Homes Act, 2007** means the Long-Term Care Homes Act, S.O. 2007, c.8, as amended;
- 2.8 **Official Plan** means the Official Plan prepared for the City in accordance with the Planning Act currently in effect, and as may be amended from time to time;
- 2.9 **Planning Act** means the Planning Act, R.S.O. 1990, c.P.13, as amended;
- 2.10 **Proponent** means an individual, an incorporated company or a group of incorporated companies that are bound together by an agreement acceptable to the City seeking to carry out *development* or *redevelopment*;
- 2.11 **Redevelopment** means the creation of new units, uses or lots on previously developed land, including brownfield sites;
- 2.12 **Residential Gross Floor Area** means the total area of that portion of a detached, semi-detached, townhouse, stacked townhouse, small multiplex or apartment building that is devoted exclusively to *residential use*, measured between the exterior faces of the exterior walls of the detached, semi-detached, townhouse, stacked townhouse, small multiplex or apartment building at each floor level, and excluding any surface or structured parking areas associated with such *residential use*;
- 2.13 **Residential Unit** means a dwelling unit in a detached, semi-detached, townhouse, stacked townhouse, small multiplex or apartment building; devoted to a *residential use*; and specifically does not include a *secondary suite*;
- 2.14 **Residential Use** means use of a dwelling unit consisting of one or more rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons but specifically does not include use of a dwelling unit for occupancy on a temporary or short-term basis typically by travelers; nor any use of a dwelling unit where occupants are provided with an enhanced level of communal care and do not live independently;
- 2.15 **Secondary Suite** means a second dwelling unit in a detached house, semi-detached house or rowhouse devoted to a *residential use*;
- 2.16 **Valleylands** means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year, and includes lands that are identified as such in the *Official Plan*, any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study;
- 2.17 **Vegetation Protection Zone** means buffers surrounding a *natural heritage feature* or a *hydrologic feature* which protect the feature and its functions from the impacts of land use changes and associated activities that will occur before, during and after construction, and where possible, restore or enhance the features and its functions, and includes lands that are identified as such in the *Official Plan*, any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study;
- 2.18 **Wetland** means lands that are seasonally or permanently covered by shallow water or lands where the water table is close to or at the surface,

and includes lands that are identified as such in the *Official Plan*, or in any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study. A *wetland* exists where the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit *wetland* characteristics, are not considered to be *wetlands* for the purposes of this definition; and

2.19 **Woodland** means an area of land at least 0.2 hectare in area and includes locally significant *woodlands* with at least:

- (a) 1000 *trees* of any size, per hectare;
- (b) 750 *trees* measuring over 5 centimetres diameter at breast height, per hectare;
- (c) 500 *trees* measuring over 12 centimetres diameter at breast height, per hectare; or,
- (d) 250 *trees* measuring over 20 centimetres diameter at breast height, per hectare

but does not include a cultivated fruit or nut orchard, a plantation established and used for the purpose of producing Christmas trees or nursery stock, and includes lands that are identified as such in the *Official Plan*, any Zoning By-Law in effect at the time of determination, or any Environmental Impact Study. For the purposes of defining a *woodland*, treed areas separated by more than 20 metres will be considered a separate *woodland*. When determining a *woodland*, continuous agricultural hedgerows and *woodland* fingers or narrow *woodland* patches will be considered part of the *woodland* if they have a minimum average width of at least 40 metres and narrower sections have a length to width ration of 3 to 1 or less. Undeveloped clearings with *woodland* patches are generally included within a *woodland* if the total area of each clearing is no greater than 0.2 hectares. In areas covered by Provincial Plan policies, *woodland* includes treed areas as further described by the Ministry of Natural Resources. For the purposes of determining densities for *woodlands* outside of the Provincial Plan areas, the following species are excluded: staghorn sumac, European buckthorn, common lilac.

3.0 Requirements for Conveyance of Lands for Park Purposes

3.1 As a condition of *development* or *redevelopment*, it is required that land be conveyed to the City for park purposes in an amount not exceeding:

- a) for lands proposed for industrial or commercial purposes, 2 percent of the *gross land area*; and,
- b) for lands proposed for all other purposes, but not including lands proposed for *residential uses*, 5 per cent of the *gross land area*; and,
- c) for lands proposed for *residential uses*,
 - i) where the *development* or *redevelopment* is comprised of *residential units* in detached and semi-detached buildings:

1 hectare per 300 dwelling units, provided that in no case shall the required conveyance of lands for park purposes be less than 5 percent of the *gross land area*;

- ii) where the *development* or *redevelopment* is comprised of 3 to 6 *residential units* in townhouse, stacked townhouse, or small multiplex buildings:

1 hectare per 300 dwelling units OR 1.2 hectares per 1000 persons, whichever is the lesser, provided that in no case shall the required conveyance of lands for park purposes be less than 5 per cent of the *gross land area*;

- iii) where the *development* or *redevelopment* is comprised of more than 6 *residential units* in apartment buildings, unless an Alternative Required conveyance of lands for park purposes has been approved pursuant to Section 4.1 of this By-law:

1.2 hectares per 1000 persons; provided that in no case shall the required conveyance of lands for park purposes be less than 5 per cent of the *gross land area*.

- 3.2 For lands proposed for a mixture of land uses, the required conveyance of lands for park purposes is the sum of the conveyances of lands for park purposes for each individual use as determined in Section 3.1. For uses described in Section 3.1 a) and 3.1 b), the required conveyance of lands for park purposes shall be determined by the sum of:

- i) the *Gross Floor Area* of the ground floor exclusively devoted to such use; and,
- ii) any surface parking area exclusively devoted to such use.

- 3.3 Where an alternative required conveyance of lands for park purposes has been approved pursuant to Section 4.1 of this By-law, the required conveyance of lands for park purposes shall be calculated on the basis of the "persons-per-unit" figures for each housing form, as described in the most recent City of Markham *Development Charges Background Study*.

- 3.4 Lands conveyed to the City under this Section, and lands conveyed to the City under Section 4.0, shall be used for park purposes, but may be sold at any time, subject to the policies of the *Official Plan* and this By-law.

4.0 Alternative Requirements for Conveyance of Lands for Park Purposes for Apartment Dwellings in Certain Intensification Areas

- 4.1 Notwithstanding Section 3.0 of this By-law, where a proposal for *development* or *redevelopment*:

- consists of apartment buildings containing more than 6 *residential units*,
- is located within Intensification Areas as shown on Schedule "A" to this By-law,
- is generally consistent with any applicable built form, height and massing guidelines in effect at the time of submission of such proposal for *development* or *redevelopment*, and
- is generally in conformity with policies of the *Official Plan* and any applicable Secondary Plan;

the following alternative requirements for conveyance of lands for park purposes shall be applicable, subject to Section 4.1(e):

- a) that component of a *development* or *redevelopment* comprised of *residential uses* having a *Floor Space Index* of less than 3.0:

1.2 ha/1000 persons; plus

- b) that component of a *development* or *redevelopment* comprised of *residential uses* having a *Floor Space Index* of between 3.0 and 6.0:

1.2 ha/1000 persons,

however the amount of any payable cash-in-lieu of the required conveyance of lands for park purposes shall be determined as follows:

- i) the first 70% of the required conveyance of lands for park purposes shall be valued at the appraised market value of the land subject to the *development* or *redevelopment* application, effective the day prior to Site Plan Approval and;
- ii) the remaining 30% of the required conveyance of lands for park purposes shall be valued at the average market value per acre for rural land parcels in the City of Markham, said value to be established by the Manager of Real Property; plus
- c) that component of a *development* or *redevelopment* comprised of *residential uses* having a *Floor Space Index* above 6.0:

1.2 ha/1000 persons,

however the amount of any payable cash-in-lieu of the required conveyance of lands for park purposes shall be determined as follows:

- i) the first 35% of the required conveyance of lands for park purposes shall be valued at the appraised market value of the land subject to the *development* or *redevelopment* application, effective the day prior to Site Plan Approval, and;
- ii) the remaining 65% of the required conveyance of lands for park purposes shall be valued at the average market value per acre for rural land in the City of Markham, said value to be established by the Manager of Real Property.
- d) The above rates shall be applied and calculated on a cumulative basis as follows: 4.1 a) + 4.1 b) + 4.1 c).
- e) The City shall, in its sole discretion, determine whether the criteria for the application of the alternative requirements for conveyance of lands for park purposes rates under Section 4.1 have been met, upon review of the proposed *development* or *redevelopment*.

5.0 Reductions and Exemptions for Certain Uses

5.1 The City may consider a reduction to or exemption from the required conveyance of lands for park purposes where a *development* or *redevelopment*:

- a) is a public use;
- b) includes affordable housing in accordance with the definition of affordable housing in the Provincial Policy Statement, 2005;

- c) is a nursing home as defined by the *Long-Term Care Homes Act, 2007*;
- d) is being undertaken by a not-for-profit organization; or,
- e) is located within a Heritage Conservation District or a Heritage Conservation District Study Area, and the *development* or *redevelopment* is in substantial conformity with the policies and guidelines of the heritage conservation district plan, the *Official Plan* and any applicable Secondary Plan.

5.2 Any request for a reduction to or exemption from the required conveyance of lands for park purposes under Section 5.1 shall be reviewed and may be approved by the City on a case-by-case basis, subject to an assessment of the following:

- a) the scale of the proposed *development* or *redevelopment*;
- b) the anticipated impact of the proposed *development* or *redevelopment* on the use and supply of public parkland in the adjacent community;
- c) the contribution of the proposed *development* or *redevelopment* to the achievement of the City's relevant planning objectives and design policies as expressed in the *Official Plan*.

6.0 No Conveyance Required

6.1 No conveyance of lands for park purposes is required for the following:

- a) the enlargement or alteration of a detached, semi-detached, townhouse, or stacked townhouse containing *residential uses*, provided that the detached, semi-detached, townhouse, or stacked townhouse continues to conform to the Zoning By-law and the enlargement or alteration does not increase the number of *residential units* that lawfully existed prior to such enlargement or renovation; and,
- b) notwithstanding 6.1 a) above, the creation of a *secondary suite*.

7.0 Credits Respecting the Conveyance of Land for Park Purposes

7.1 If land has been conveyed or is required to be conveyed to the City for park purposes, or if a payment of cash-in-lieu of such conveyance of lands for park purposes has been received by the City or is owing to it under this By-law or as a condition of *development* or *redevelopment* imposed under Sections 42, 51.1 or 53 of the *Planning Act*, no additional land is required to be conveyed for park purposes and no payment in lieu of conveyance of lands for park purposes in respect of the land subject to the earlier conveyance or payment is required in respect of subsequent *development* or *redevelopment*, unless:

- a) there is a change in the proposed *development* or *redevelopment* which would increase the residential population of a previously approved proposal for *development* or *redevelopment*; or,
- b) land previously developed or proposed to be developed or redeveloped for commercial or industrial purposes is now proposed for *development* or *redevelopment* for other purposes;

whereupon the *development* or *redevelopment* shall be subject to a recalculation of the required conveyance of lands for park purposes, in accordance with this By-law.

7.2 Where *development* or *redevelopment* would result in a residential population that is less than that which exists on the site, the required conveyance of lands for park purposes shall be reassessed by the City. Any surplus conveyance of lands for park purposes or cash-in-lieu of conveyance of lands for park purposes payment, as determined in accordance with this By-law, made to the City, may be applied as a credit to future *development* or *redevelopment* by the same *proponent*.

7.3 Subject to the approval of the City, in any instance where land in excess of the amount of the required conveyance of lands for park purposes, as determined in accordance with this By-law, has been conveyed to the City in association with *development* or *redevelopment*, the value of the excess conveyance of lands for park purposes may be applied as a credit to future *development* or *redevelopment* by the same *proponent*. Alternatively, the City may, in its sole discretion, purchase the excess property, and such purchase shall be paid for from the Parks Cash-in-Lieu Reserve Fund.

8.0 Cash-in-Lieu of Conveyance for Park Purposes

8.1 It is the objective of the City to obtain the maximum amount of parkland permissible pursuant to the *Official Plan* and this By-law. The City, at its sole discretion, may accept the payment of cash-in-lieu of conveyance of lands for park purposes, or a combination of conveyance of land for park purposes and cash-in-lieu of conveyance of lands for park purposes, up to the value of the land otherwise required to be conveyed for park purposes.

8.2 The City may accept cash-in-lieu of conveyance of lands for park purposes, only under the following circumstances:

- a) where no opportunity exists to provide suitable parkland on the proposed *development* or *redevelopment* site;
- b) where the required conveyance of lands for park purposes fails to provide an area of appropriate size, configuration or location for establishment of a public park;
- c) where the required conveyance of lands for park purposes would render the remainder of the *development* or *redevelopment* site unusable or impractical for *development* or *redevelopment*; or,
- d) where existing public park facilities in the vicinity of the proposed *development* or *redevelopment* site are adequate to serve the projected population.

8.3 All money received by the City through payments of cash-in-lieu of conveyance of land for park purposes, and all money received on the sale of public parkland less eligible expenses, shall be paid into the Parks Cash-in-Lieu Reserve Fund and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.

8.4 Where the requirements for conveyance of land for park purposes are met through a combination of conveyance of lands for park purposes and cash-in-lieu of conveyance of lands for park purposes, the land portion of the conveyance shall be firstly be credited to the dedication requirement under Section 4.1 a) of this By-law; followed by a credit under Section 4.1 b), if any; followed by a credit under Section 4.1 c), if any.

- 8.5 The money in the Parks Cash-in-Lieu Reserve Fund shall be pooled with other City funds and invested in securities in which the municipality is permitted to invest under the Municipal Act, 2001, and the pro-rated earnings derived from the investment of the money shall be paid into the Parks Cash-in-Lieu Reserve Fund. In the event that the Parks Cash-in-Lieu Reserve Fund is in a negative balance, the Parks Cash-in-Lieu Reserve Fund will be charged interest at Prime, in accordance with the City's Investment Interest Allocation Policy.
- 8.6 The City shall establish, in the case of *development* or *redevelopment*, the amount of any required cash-in-lieu of conveyance of lands for park purposes 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 building permit is issued. In the case of land division through either plan of subdivision or consent, such valuation shall be on the day prior to draft plan of subdivision approval or the granting of a provisional consent, as the case may be.
- 8.7 Where a draft plan of subdivision includes a mixture of uses and/or a mixture of housing types:
- a) for all uses within the draft plan of subdivision that require site plan approval, the land value for any payment in lieu of conveyance of lands for park purposes shall be established as of the day before the day the first building permit is issued; and,
 - b) for all uses within the draft plan of subdivision that do not require site plan approval, the land value for any payment in lieu of conveyance of lands for park purposes shall be established as of the day before the day of the approval of the draft plan of subdivision.
- 8.8 Where cash-in-lieu of conveyance of lands for park purposes is required, the value of the land to be conveyed for park purposes shall be determined by an appraisal estimating the current market value of the land subject to the *development* or *redevelopment* application effective the day prior to the day the first building permit is issued, in the case of lands requiring Site Plan Approval; or, the day before draft plan approval or the granting of provisional consent if applicable. The appraisal shall be carried out by an independent, accredited appraiser (AACI) retained by the City, at the cost of the *proponent*. Where there is a dispute over the market value of the land to be conveyed for park purposes, the City may require a peer review by another independent, accredited appraiser (AACI), at the *proponent's* expense. The City shall establish the Terms of Reference for each appraisal.
- 8.9 Notwithstanding Section 8.8 above, the Manager of Real Property may utilize other valuation approaches to determine the value of the land to be conveyed for park purposes, including, but not limited to:
- a) Review of a recent record of land sale not more than 1 year old;
 - b) Establishment by the City of a per hectare land value on an annual basis; and/or
 - c) an in-house valuation of the market value.
- 9.0 Land Acceptable/Not Acceptable for Park Purposes**
- 9.1 The acceptance of lands to be conveyed for park purposes shall be at the discretion of the Commissioner of Development Services, or his or her successor or delegate and subject to a Phase 1 Environmental Site Assessment

satisfactory to the City, or if necessary in the sole discretion of the Commissioner of Development Services or his or her successor or delegate, a Phase II Environmental Site Assessment or Record of Site Condition, satisfactory to the City.

9.2 Lands acceptable for conveyance for park purposes shall specifically **not** include the following:

- a) *Any key natural heritage feature, key hydrologic feature, woodland, wetland or vegetation protection zone;*
- b) utility rights-of-way;
- c) any lands encumbered by easements or right-of-use agreements that restrict, in any way, the City's use of the land for public park or other recreational purposes, other than those to which the City is a Party;
- d) land areas required only to provide connecting pedestrian and bicycle routes;
- e) any other lands deemed by the City as unsuitable for park purposes conveyance, due to size, road frontage, topography, contamination status or location.

9.3 *Key natural heritage features, woodlands, wetlands, valleylands, and vegetation protection zones, may be conveyed into public ownership as a condition of development or redevelopment. Such lands may be retained in their natural state, recognizing that such features are an asset to the community. These lands shall not be accepted as part of, nor shall their value be credited towards, the required conveyance of lands for park purposes.*

9.4 The City may accept the conveyance of lands for park purposes that are not contiguous to the site that is subject to *development or redevelopment*, provided that the value of the off-site land to be provided for park purposes is approximately equal to the value of the lands subject to *development or redevelopment*. The City may, in its sole discretion, accept any combination of off-site conveyance of lands for park purposes, on-site conveyance of lands for park purposes and/or cash-in-lieu of the required conveyance of lands for park purposes.

9.5 Nothing in this By-law shall limit the City's ability to enter into area specific parkland dedication, delivery and funding arrangements with *proponents*.

9.6 Nothing in the By-law shall be interpreted so as to frustrate, invalidate or supersede existing agreements that have been previously executed between *proponents* and the City with respect to area specific parkland dedication, delivery and funding arrangements, provided that the proposed *development or redevelopment* proceeds in the manner set out under such agreements.

10.0 Administration

10.1 This By-law shall be administered by the Director of Planning and Urban Design.

10.2 Where a conveyance of lands for park purposes or cash-in-lieu of a conveyance of lands for park purposes under this By-law is required, the City shall not issue a Building Permit, and no person shall construct a building on the land proposed for *development or redevelopment* unless arrangements for the conveyance of the lands for park purposes and/or payment of the

cash-in-lieu of conveyance of lands for park purposes have been made that are satisfactory to the City.

10.3 Any legal or administrative costs associated with the conveyance of lands for park purposes pursuant to this By-law shall be the responsibility of the *proponent*.

10.4 The conveyance of lands for park purposes policies of this By-law shall be reviewed by the City from time to time, in conjunction with the *Official Plan* review, to ensure its ongoing validity relative to the City's evolving *development or redevelopment* context.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS __DAY OF _____, 2014

KIMBERLEY KITTERINGHAM,
TOWN CLERK

FRANK SCARPITTI,
MAYOR

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS



EXPLANATORY NOTE

BY-LAW 2014-

A By-Law to Provide for the Conveyance of Land for Park or Other Public Recreational Purposes, or for the Payment of Money

Corporation of the City of Markham

All lands within the Corporation Limits of the City of Markham

Lands Affected

The proposed by-law applies to all lands within the corporation limits of the City of Markham.

Existing By-law

The dedication of land or cash-in-lieu of land to the City of Markham, for park purposes, is governed by By-law 195-90, as amended by By-law 74-94. By-law 195-90, as amended by By-law 74-94, is proposed to be repealed in its entirety and replaced by this By-law.

Purpose and Effect

The purpose of this By-law is to provide for regulations governing the dedication of land or cash-in-lieu of land for parks purposes to the City of Markham, through the *development or redevelopment* of land.

The effect of this By-law is that lands proposed for *development or redevelopment* in the City of Markham shall provide for a dedication of land or cash-in-lieu of lands for park purposes, in accordance with this By-law.



UPDATE ON THE REVIEW OF PARKLAND DEDICATION BY-LAW, POLICIES AND PRACTICES

ADJUSTED PARKLAND DEDICATION OPTION APPLYING TO HIGHER
DENSITY DEVELOPMENTS

The Planning Partnership
with: Greenberg Consultants |
Integrus | NBLC | WeirFoulds

City of Markham

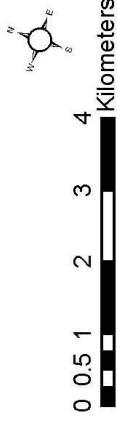
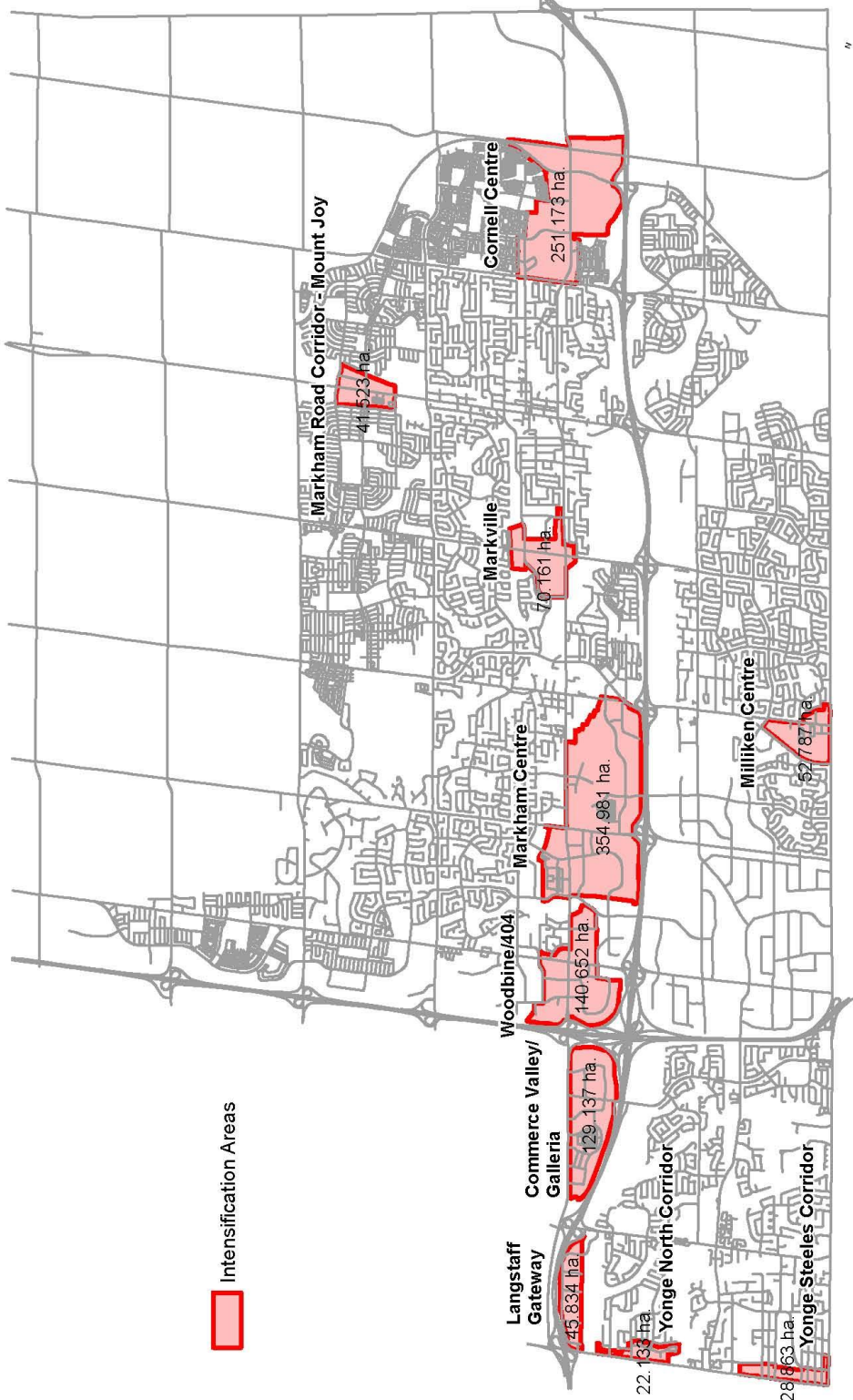
February 25, 2014

Purpose and Background

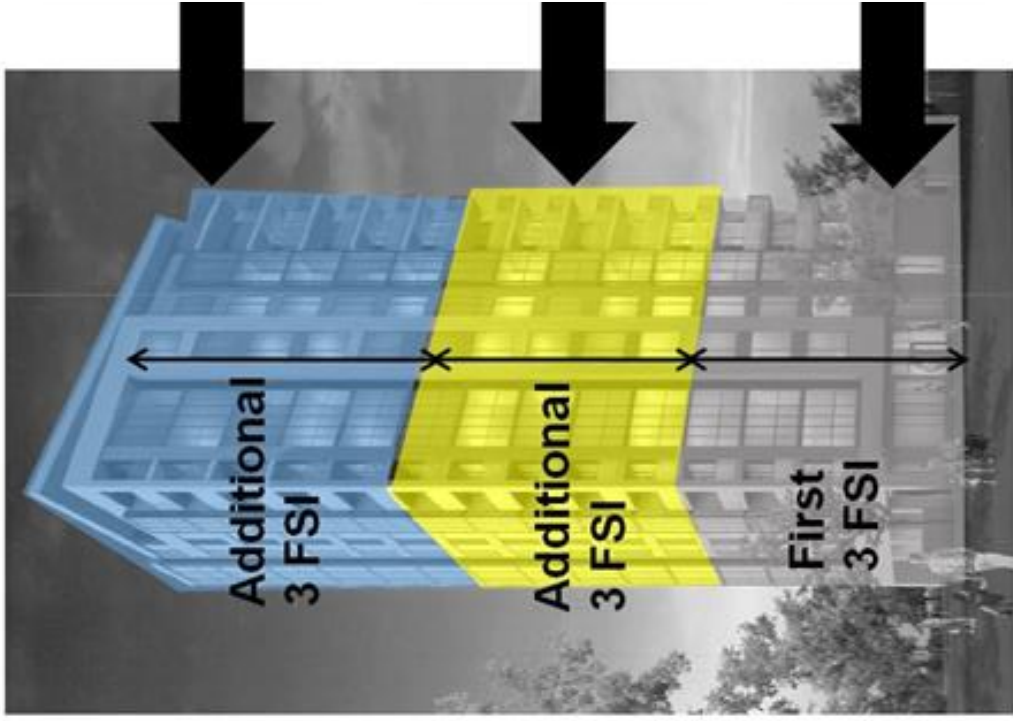
- The Planning Partnership was retained in 2011 to review existing Parkland Dedication By-law, policies and practices
- The protection of the City's environmental features are not impacted by the proposed Parkland Dedication By-law
- Parkland dedication remains the same as current Markham Standard throughout the City, except for developments at a density over 3.0 FSI, that are within the City's identified intensification areas
- Proposed Parkland Dedication By-law for higher density residential development in intensification areas is based upon adjustments tied to the density of development (FSI), and the land value differential

Intensification Areas Map (New Official Plan)

CITY OF MARKHAM
 INTENSIFICATION AREAS
 (AS PER MAP 2 OF NEW OFFICIAL PLAN)



Calculations for Proposed Parkland Dedication By-law



Stage 3 (6.0 FSI and above) provides parkland dedication at 100% of the existing Markham Standard of 1.2ha/1,000 persons, with cash-in-lieu payable at 35% Urban Land Value and 65% Rural Land Value

= \$105,175.00
cash-in-lieu

Stage 2 (3.0 FSI to 6.0 FSI) provides parkland dedication at 100% of the existing Markham Standard of 1.2ha/1,000 persons, with cash-in-lieu payable at 70% Urban Land Value and 30% Rural Land Value

= \$181,985.00
cash-in-lieu

Stage 1 (up to 3.0 FSI) provides parkland dedication at 100% of the existing Markham Standard of 1.2ha/1,000 persons

= \$247,820.00
cash-in-lieu

\$534,980.00

Original Proposed Parkland Dedication By-law

- Dedication of land under a scenario below 3.0 FSI considered 100% of the existing Markham Standard of 1.2 ha/1,000 persons
- The alternative rate would only be implemented once the FSI was greater than 3.0 for a reduction in dedication

Table 1: Dedication rate as originally proposed per June 11, 2013 report

FSI	PROPOSED PARKLAND DEDICATION RATE	RESULTING DEDICATION
Portion below 3.0 FSI	1.2 ha/1,000 persons	No reduction
Portion between 3.0 - 6.0 FSI	0.84 ha/1,000 persons	70% of the normal requirement is payable whether as land or cash-in-lieu (for this component only)
Portion above 6.0 FSI	0.42 ha/1,000 persons	35% of the normal requirement is payable whether as land or cash-in-lieu (for this component only)

Proposed Parkland Dedication By-law

- Dedication of land under all FSI scenarios will be 100% of the existing Markham Standard of 1.2 ha/1,000 persons
- Amount of cash-in-lieu is adjusted based on the portion of FSI with a percentage valued at Urban Land and Rural Land values

Table 2: Dedication rate proposed per February 25, 2014 report

FSI	PROPOSED PARKLAND DEDICATION RATE IF PROVIDED AS LAND	PROPOSED PARKLAND DEDICATION RATE IF PROVIDED AS CASH-IN-LIEU
Portion below 3.0 FSI	1.2 ha/1,000 persons	100% valued at Urban Land Value
Portion between 3.0 - 6.0 FSI	1.2 ha/1,000 persons	70% valued at Urban Land Value and 30% valued at Rural Land Value
Portion above 6.0 FSI	1.2 ha/1,000 persons	35% valued at Urban Land Value and 65% valued at Rural Land Value

Proposed Parkland Dedication By-law

- Where cash-in-lieu is accepted, the land value differential may allow the City to achieve new parkland in excess of the 1.2 ha/1,000 person (12 m²/person) standard, depending on the location of the property to be purchased
- The Land Value Differential refers to the relative value of land in different contexts within Markham:
 - Urban Land = \$432.50 m²
 - Suburban Land = \$260.00 m²
 - Rural Land = \$49.50 m²

Proposed Parkland Dedication By-law

- Possible scenarios for how to utilize Cash-in-Lieu funds generated to acquire urban, suburban and rural lands for parks and open space
- Using the 9.0 FSI Building Example (\$534,980.00), the following scenarios identify the effect of the Land Value Differential:

Scenario 1	Scenario 2	Scenario 3
25% Urban Land: \$133,745.00/\$432.50 = 309.24 m ²	0% Urban Land: \$0/432.50 = 0.00 m ²	100% Rural Land: \$534,980.00/\$49.50 = 10,807.68 m ²
50% Suburban Land: \$267,490.00/\$260.00 = 1,028.81 m ²	50% Suburban Land: \$267,490.00/\$260.00 = 1,028.81 m ²	
25% Rural Land: \$133,745.00/\$49.50 = 2,701.92 m ²	50% Rural Land: \$267,490.00/\$49.50 = 5,403.84 m ²	
Total Land Area = 4,039.97 m²	Total Land Area = 6,432.65 m²	Total Land Area = 10,807.68 m²
Land Area/per person = 28.2 m²	Land Area/per person = 44.9 m²	Land Area/per person = 75.5 m²

Benefits of the Proposed Parkland Dedication By-law

- Recognizes that 100% on site parkland dedication is not possible in denser building typologies
- Where the total land area is dedicated on site, or within the intensification area, results in 100% land dedication
- Where cash-in-lieu is accepted, the City can easily exceed its own standard for parkland dedication per person (12.0 m²) through land purchases on lower value properties (suburban and rural areas)
- Recognizes that public parkland requirements are different in a highly urban context, than in a more traditional suburban context

Benefits of the Proposed Parkland Dedication By-law

- Promotes intensified development, planned urban structure and development of complete, compact and transit-supportive communities
- Is a fair and reasonable response to issues raised by the development industry, balanced with the public interest
- Overall, the proposed parkland dedication policy and By-law is appropriate, equitable and consistent

Alignment of Parkland Dedication Policy with Markham's Greenprint Plan

- The Greenprint Plan, is a 50 to 100-year sustainability plan created by the Markham Community containing a vision, priorities, a governance framework and a funding framework for a healthy, vibrant and sustainable community
- It is an overarching Plan to achieve an environmentally, economically, socially and culturally vibrant community
- The Greenprint is a plan for protecting and enhancing the natural environment, maintaining a high quality of life for Markham residents and providing fulfilling employment, life-long learning opportunities and affordable access to basic needs
- The proposed Parkland Dedication Policy:
 - Has no negative impact on the Greenprint Plan
 - Provides opportunity to maintain a high quality of life for Markham residents
 - Assists the City in the achievement of its planned urban structure, and enables a hierarchy of urban public parks