



BUILDING A GREATER GTA
Building Industry and Land
Development Association

June 25, 2012

Members of the Town of Markham's Development Services Committee
Town of Markham
101 Town Centre Boulevard
Markham, ON
L3R 9W3

Dear Members of the Town of Markham's Development Services Committee,

**Re: Town of Markham Review of Parkland Dedication By-law, Policies and Practices
Draft Interim Report 1**

The Building Industry and Land development Association (BILD) is in receipt of the *Town of Markham's Review of Parkland Dedication By-law, Policies and Practices, Draft Interim Report 1* ("the Report") and we wish to provide you with the following comments in advance of the June 26th Development Service Committee meeting.

CONSULTATION

In an effort to comprehensively review the Report, BILD created a working group to review the findings. BILD has also retained IBI Group to review the Report, the forthcoming Interim Report 2 and final recommendations of Staff. IBI Group has prepared an initial letter of comments (as attached), and our working group looks forward to the opportunity to review the concerns raised by our consultant and the BILD working group.

To date, BILD has had one consultation meeting with staff in advance of the preparation of this report and we look forward to the opportunity to meet with staff again on July 10th to discuss our specific concerns and suggestions with the Report.

DISCUSSION

In general, we acknowledge that this Report is a summary of current practices and policies in the Town, and adjacent municipalities. The Report provides a policy framework, background of the current parkland policies, and will inform future phases of the study process. We note that there were some conclusions drawn, but very few recommendations are reached in the report. While we await a more detailed report with the Town's proposed recommendations for the parkland dedication policy and bylaw review, we can offer the following comments on the findings of this Report and suggest recommendations (*as seen on the page 4 of this letter*) for the forthcoming Interim Report 2 and in an effort to assist the Town in achieving its overall goals and objectives of the Town's Official Plan.

Cash in lieu of Parkland:

As noted in the Report and as required by Section 42 or 51.1 of the *Planning Act*, any developments must provide **up to** 5 per cent of the land for parkland dedication at the time of development, or as an alternative, up to 1 hectare per 300 dwelling units. If the development cannot provide park land on site, the applicant is required to pay cash-in-lieu for the value of the shortfall of park land to be provided.

BILD members are extremely concerned that implementing the maximum parkland dedication calculation, and consequently, the maximum cash-in-lieu of parkland dedication policy has negative ramifications on the ability of existing and proposed projects to come to market. This provision does not mean that the Town of Markham has to use the maximum per cent of parkland dedication; rather it provides a range, offering flexibility to the municipality, and respects their decision-making authority for planning complete communities.

The Town's Report itself acknowledges that the application of 1 hectare per 300 dwelling units generates more parkland as density increases. When this principle is applied to higher density development projects, there is a real possibility that this sole policy could bring, what would otherwise be exciting projects that represent good planning to a halt.

For example, Schedule A of this letter depicts three high density development projects (blocks) and the land required for parkland dedication for each project. You'll note in the schedule that the amount of land required for parkland dedication is much greater than the development site itself. This is schedule exemplifies the prohibitive result of utilizing the provincial maximum.

Additionally, we believe that the application of parkland dedication policies at its maximum of 1 hectare for every 300 dwelling units runs counter to the intensification targets found in the *Growth Plan, 2006*. The Province of Ontario has advocated for intensification to be the key direction for managing growth in communities throughout the Greater Golden Horseshoe in its Places to Grow Plan. Integral to the Growth Plan is an emphasis on intensification and re-urbanization of existing built-up areas. In an effort to promote intensification in urban areas, they also provided a "Reduction in Parkland Dedication Payments" flyer (as attached) which outlines tools that a municipality can utilize to overcome some of the unintended effects as seen in Schedule A.

BILD is significantly concern with the diminishing affordability of new home ownership, as the costs incurred by developers are transferred to the purchasers/future residents; parkland dedication is a clear example of these transferable costs. We note that the cash-in-lieu of parkland fees collected by municipalities significantly adds to the cost of medium and high density projects without drastically improving or adding parkland or facilities within the area of new development. In most cases, cash in lieu of parkland on medium and high density application is collected and applied outside of the immediate area in Regional Centre/Corridors, to locations that may not provide an immediate benefit to the future residents within such an application.

The Reports on page 12, indicates that "an improved overall environment will attract more residential development. Increased residential density will increase the residential property tax base." BILD believes that if the Town does not implement better alternatives to the parkland

dedication requirements, not only will the Town be reducing their future tax based, but also burdening its future residents with a tax-on-tax parkland land provision.

Additionally, the cost per acre of land in the periphery of the Town (where the Town is acquiring parkland) is significantly less than the per acre value of land which is being applied to collect cash in lieu rates in many higher density settings. Moreover, while the *Planning Act* provides for collecting cash in lieu at Section 51.1 (subdivision stage) values, or Section 42 (day before building permit stage), the Town often elects to take the higher cash in lieu rate at Section 42 on many medium and high density applications. BILD has significant concerns that the use of Section 42 cash in lieu rates severely impacts the ability for many high density applications from being viable and marketable projects.

We would encourage the Town to conduct a detailed parkland needs study to understand its cash in lieu needs for the future and “banking” sufficient funds in this regard. The Town could consider collect cash in lieu of parkland at Section 51 values today, as opposed to Section 42 values, in order to obtain sufficient cash in lieu to acquire adequate future parkland. We would seek clarification from the Town that the amount of cash in lieu of parkland that it is obtaining, or anticipated to obtain, will meet the needs, and not exceed the needs, of future parkland acquisition requirements.

Alternative Parkland Dedication approaches:

We note that the Town has made some acknowledgements of the industry’s concerns, such as the continuance of the Town’s alternative approach, being 1.241 ha per 1,000 people, Neighbourhood Parks (medium and high density development projects). However, the suggested alternative is pre-existing and does not reflect a new solution for high rise development, which we continue to express a need for further review.

The Report also indicates that rate of 0.8094 ha/1,000 people will apply for Community Parks and a rate of 1.0118 ha/1,000 people will apply for Towns Parks. We infer that Neighbourhood Parks is the most onerous requirement among the alternatives, and that Community and Town Park requirements exemplify that overall reduced standards can be implemented in the Town. Therefore, Town needs should be also achievable at a lower rate for Neighbourhood Parks.

BILD supports the continuance of this alternative approach and would recommend that the municipality consider further reducing this parkland dedication policy, either by adjusting the formula, or by way of applying the legislative options in Section 42.6 of the *Planning Act* relating to sustainability criteria as being an option for reducing parkland dedication requirements of an application. This is discussed further below and would recommend including such provisions in Interim Report 2.

The report also acknowledges off-site land conveyances as an alternative mechanism to support development projects on complex sites. We understand that the noted alternative is a mechanism that the Town has already entertained and accepted and we applaud the Town for considering alternative to achieving the Town’s parkland goals/ objectives. Having said that, this alternative does not reflect a new solution to historic concerns raised by BILD as to the inequities of parkland dedication, in particular relating to high density product.

BILD supports the continuance of off-site land conveyances and would recommend that this mutually beneficial alternative be included in Interim Report 2.

We support the Town's comments and approach to date relating to Strata title arrangements in appropriate locations. There have been several instances in the Town where this approach has been successfully implemented. Specifically in higher density locations, where land values are high, we encourage the Town to use innovative approaches to increasing the efficiency of the use of land by way of strata title arrangements, as opposed to the traditional *terra firma* parkland arrangements.

The Report at page 28 demonstrates that there are different taking ratios of parkland for different types of parks in the Town. If a high-rise project cannot provide a community park, it should not be concluded that it should be required to provide the higher rate of parkland. It should be the converse since high rise projects have different demographics and much lower programming needs, many of which are satisfied by onsite facilities and gyms which reduces parkland requirements in the Town.

It is important to recognize that on page 37 and 38 of the Report, the Town acknowledges Brampton's proposed reduction of parkland requirements to 0.06 ha and 0.25 ha per 300 dwelling units. The main driver of this is to recognize that the current formula is an impediment to affordable intensification, and secondly to reduce the Town's operating costs of park maintenance in the future.

The Ontario Home Builders' Association (OHBA) has stated for several years that medium and high-density condominium projects often include amenity areas that function as a collateral space to public parkland. Examples include green roof top gardens, landscaped sitting areas, and BBQ facilities, which significantly reduce the requirements of off-site facilities for users. Municipalities benefit as they do not have to provide initial capital costs or ongoing maintenance for amenity space located in condominiums. Condominium plans that provide amenity space should receive a credit against the cash-in-lieu of parkland requirements. (*OHBA, Barriers to Intensification, 2005*).

In an era of intensification, our members continuously seek efficiency in land use patterns. Perhaps there is an opportunity to look at an alternative to the definition of Parkland. If we view parkland as open space for recreational purposes, then we should also be able to include green roofs, woodlots, plazas, public/private easement and dry stormwater management ponds into the classification of parkland dedication.

BILD believes this is a way for the Town to balance their intensification objectives with a reasonable parkland dedication policy. There is a way to better serve to facilitate more intensification, sustainable building and healthy communities that represent good planning principles. There is a way to have higher density projects continue to provide a very real and affordable housing choice for consumers.

Capping Parkland obligations:

BILD recommends that the Town consider an alternative costing approach to the collection of parkland dedication requirements. We strongly suggest that the Town implement a reduced parkland dedication requirement that institutes a 'cap' based on development land size for high-rise developments, similar to Toronto, so as not to affect affordability and the creation of tax on tax.

The mechanism of 'capping' is utilized in other municipalities, which essentially maximizes the parkland dedication based on the size of the development site. This capping methodology supports

the town policies for competitiveness and intensification. This methodology has been utilized in the City of Vaughan, the City of Toronto and a proposal by the City of Brampton in an effort to avoid a punitive charge to a new homeowner or business owner in the Town.

In terms of employment lands, Markham is a vibrant and growing municipality, yet the Town will diminish its competitiveness relative to other markets that have implemented strong parkland dedication alternatives. Attracting employment lands brings taxes, investment, jobs, etc., building on key development area and creating complete communities. Additionally, there is a clear argument to be made to encourage non-residential growth/investment around the Mobility Hubs by implementing alternatives to the parkland dedication policy for commercial projects.

BILD recommends that Sections 42 and 51.1 of the *Planning Act* may be amended, or municipal policies or by-laws can be modified, as follows:

(a) The formula for the calculation of land value for parkland be based on no more than the average price of the actual cost of acquisition of land to provide for parks in the municipality (i.e. not land zoned for high-density, but rather lands where the majority of parks are provided, being in traditional ground related single family developments based on Section 51 pre draft plan values).

(b) The alternative standard (i.e. 1 ha for every 300 units) be revised similar to the City of Toronto and reducing the maximum permitted alternative standard to 0.4 ha for every 300 units, or less. In addition to the reduced ratio, provide a ‘cap’ that puts a ceiling on the maximum amount of parkland requirements to be obtained from a development, based on its size along a graduated threshold (again, like the City of Toronto; i.e. a maximum of 5% for land less than 1 hectare in size). This better correlates between parkland requirements and considerations of affordability of product.

(c) Where high density developments provide facilities, such as open space, exercise equipment, easements over open space in condominium lands for public through fare, etc., a discount on parkland requirements or levies could be provided or a tax rebate could be provided back to the homeowner representing the capital/operating savings to the municipality.

(d) Specifically, Section 42.(6.2) and (6.3) of the *Planning Act* permits the Municipality to invoke a reduction in parkland dedication payments if sustainability features are included in development proposals; these policies should be invoked aggressively in the Town.

Other recommendations based on Interim Report 1, as follows:

(e) We recommend that the Town’s parkland requirements should be transparent, specifically with respect to its appraisal requirements (Town-wide). This could be included in Interim Report 2.

(f) As discussed above on page 2 of this letter, the Town could also look at the Parkland acquisition/maintenance program & pro-forma needs assessment for the Town (supply & demand for parkland over the next 20 years to 2031). The Town should clearly illustrate

and justify the amount of parkland it anticipates it will require, and the amount of cash in lieu needed to acquire parkland outside of any given development application. We acknowledge that the Town's Integrated Leisure Master Plan has some commentary on this matter, but we request additional details in this report. Again, this could be included in Interim Report 2.

SUMMARY

With additional research and the application of practical alternatives parkland dedication policy will assist the Town's objective to reach its density target. The Town of Markham has developed into a dynamic community where its residents can claim to be proud of the quality of life that they enjoy. This momentum can continue with good planning policies that will assist in providing the right mix of housing types, that will assist the Town in reaching their objectives for intensification, and that will assist in offering affordable housing options. Parkland dedication policies can be made in to a tool that supports intensification. In the spirit of cooperation, members of the York Chapter look forward to continuing to be partners in city building with Markham.

BILD strongly encourages the Town to reduce its parkland dedication requirements in an effort to support affordability, intensification, competitiveness and economic gains in the Municipality. This could be accomplished by exploring the recommendations that we have provided above for inclusion in Interim Report 2.

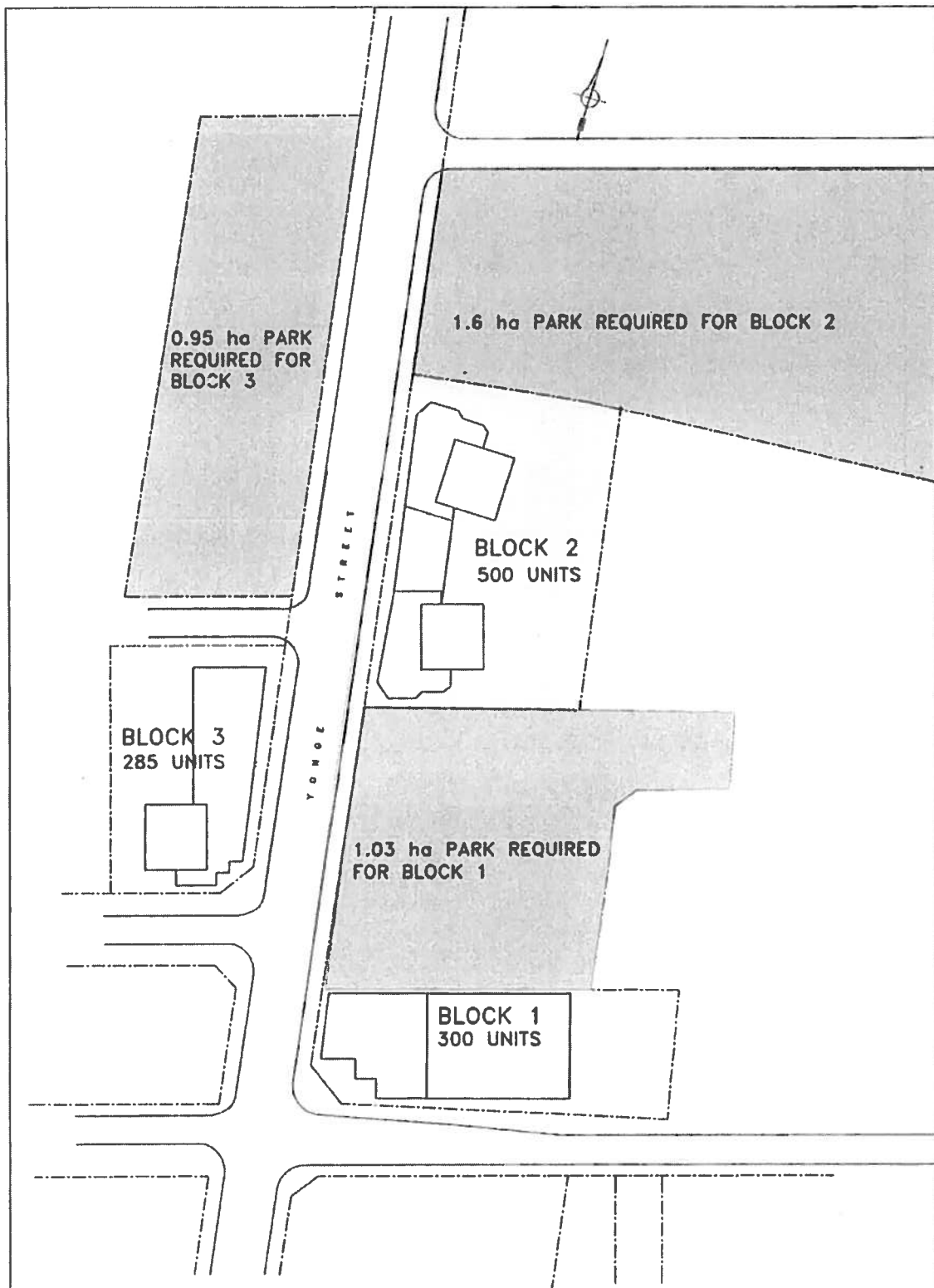
We trust that you will take these comments into consideration and we look forward to discussing the above with staff at our meeting on July 10th. If you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,



Danielle Chin MCIP, RPP
Municipal Government Advisor

CC: *Michael Pozzebon, BILD York Chapter Chair*
Paula Tenuta, Vice President, Policy & Government Relations, BILD
BILD York Chapter Members



PARKLAND DEDICATION 1 HA/300 UNITS - 5x DENSITY

	LOT AREA ha	GFA @ 5x DENSITY	# OF UNITS	PARK REQ'D ha
BLOCK 1	0.524	26,200	308	1.03
BLOCK 2	0.823	41,150	484	1.6
BLOCK 3	0.4916	21,015	285	0.95

SCHEDULE A

Building Blocks for Sustainable Planning - 9 in a Series of 12

REDUCTION IN PARKLAND DEDICATION PAYMENTS (s. 42 (6.2) and (6.3))

➔ For More Information

Ministry of Municipal Affairs and
Housing Website:
ontario.ca/mah
ontario.ca/e-laws
or contact your nearest Municipal
Services Office (MSO):

Central MSO

777 Bay Street, 2nd Floor
Toronto ON M5G 2E5
General Inquiry:
416-585-6226
Toll Free: 800-668-0230

Eastern MSO

8 Estate Lane, Rockwood House
Kingston ON K7M 9A8
General Inquiry:
613-545-2100
Toll Free: 800-267-9438

Northeastern MSO

159 Cedar Street, Suite 401
Sudbury ON P3E 6A5
General Inquiry:
705-564-0120
Toll Free: 800-461-1193

Northwestern MSO

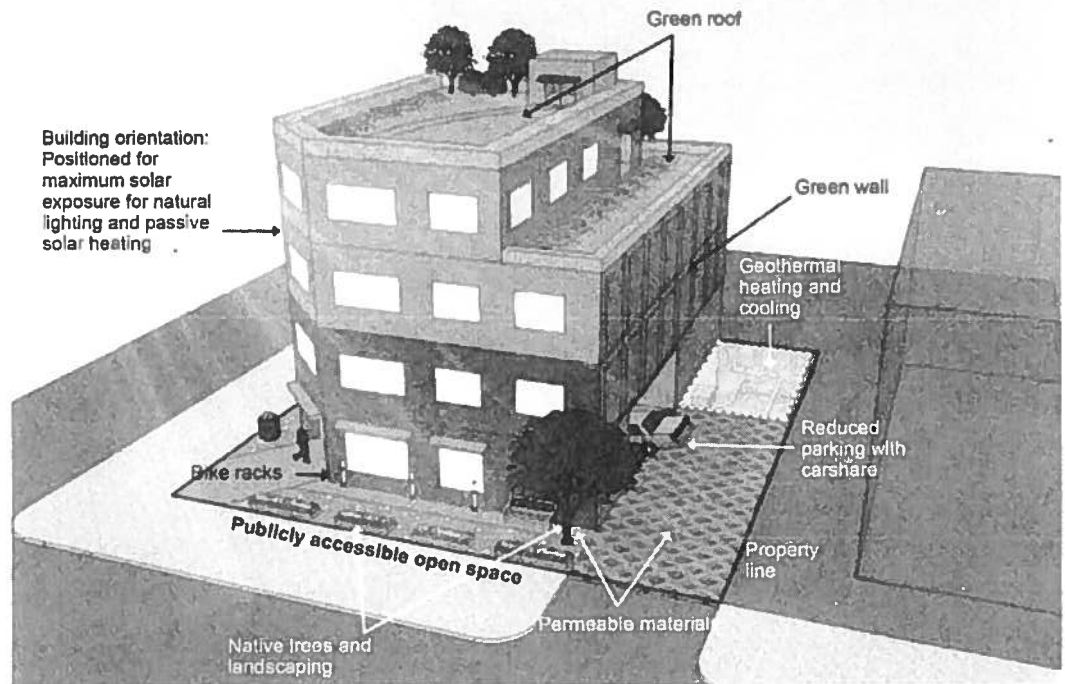
435 James Street South, Suite 223
Thunder Bay ON P7E 6S7
General Inquiry:
807-475-1651
Toll Free: 800-465-5027

Western MSO

659 Exeter Road, 2nd Floor
London ON N6E 1L3
General Inquiry:
519-873-4020
Toll Free: 800-265-4736

DISCLAIMER

This sheet deals in summarized and conceptualized fashion with complex matters that reflect legislation, policies and practices that are subject to change. All illustrations represent hypothetical scenarios of the application of various tools. For these reasons, this fact sheet should not be relied upon as a substitute for the relevant legislation, regulations and policy documents, or for specialized legal or professional advice when making land-use planning decisions.



Description of Tool

- Municipalities can authorize a reduction in the amount of cash-in-lieu of parkland payment if sustainability features are included in redevelopment proposals
- Optional tool, requires official plan (OP) policies
- Only applies where on-site parkland cannot be dedicated in redevelopment proposals

Implementation

- Municipalities must adopt OP policies and by-laws for the conveyance of land for park purposes and for cash-in-lieu payments
- Additional OP policies and by-laws are required to permit the reduction of cash-in-lieu payments for specified sustainability criteria, including:
 - Where this can be applied
 - Sustainable elements that will be credited
 - Exact cash value equivalent for each sustainable design element

- May be a financial incentive to improve the sustainability of a redevelopment proposal
- Can support water conservation, air quality improvements and management of stormwater runoff
- Can promote energy conservation and efficiency of a redevelopment proposal

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June 21, 2012

Ms. Danielle Chin
Building Industry and Land Development Association
20 Upjohn Road, Suite 100
Toronto, ON M3B 2V9

Dear Ms. Chin:

BILD - SUBMISSION FOR TOWN OF MARKHAM REVIEW OF PARKLAND DEDICATION BY-LAW POLICIES AND PRACTICES DRAFT INTERIM REPORT 1

I have reviewed The Planning Partnership et. al. Town of Markham Review of Parkland Dedication By-law, Policies and Practices Draft Interim Report 1 and offer the following observations.

The Planning Partnership et.al. report: on page 37 recognizes that the City of Toronto “caps parkland dedication and cash-in-lieu amounts based on set land area thresholds”; on page 74 states that “the **Toronto Alternative** will generate a consistent amount of parkland per person - **6.98** square metres per person” and that the “**Markham Alternative** does generate a consistent amount of parkland per person -**12.14** square metres per person”. In addition, on page 75 of their report, they state that “Markham has positioned itself again as having a lower standard than Richmond Hill but higher than Toronto and Vaughan on cost per unit basis”. Finally on page 76, they state in part “The Markham Alternative is considered the most equitable and consistent approach. It is a unique approach in that it establishes a per person requirement for parkland as opposed to relating parkland conveyance to the size of the site, or number of dwelling units.”

Firstly, the consultants fail to recognize that the City of Toronto's policy approach provides an incentive for higher density residential development through the threshold caps that the City of Toronto Official Plan imposes on properties with different land areas. A copy of the applicable Official Plan policies are enclosed for your convenience as “**Toronto Official Plan Policies**”. The document enclosed as Table 1 shows that the City of Toronto Official Plan policies **do not** generate a consistent parkland dedication rate of 6.98 square metres per person. Table 1 shows, the threshold limits reduce the square metres of parkland dedication per person or the corresponding cash-in-lieu payment as the residential development density of the project increases. These caps have the effect of reducing the parkland dedication rate to 1.22 square metres of parkland per person for residential development at 4 times density on site which is less than 1.0 ha. in size. Therefore, the parkland dedication rate that the Town's consultants are recommending to the Town of Markham is **significantly** higher and not just higher than the parkland dedication rates currently in effect in the City of Toronto.

Secondly, the 1.2141 ha. per 1,000 people land dedication standard that the Town's consultants are recommending is so onerous that it is virtually impossible to satisfy this parkland dedication standard through the dedication of land on small high density residential development project sites. As Table 1 illustrates, the applicant would have to dedicate more the entire land area of their project site to the Town of Markham for public park purposes if they were proposing to develop the property at 4 times density and 88% or 0.79 ha. of their 0.9 ha. project site to the Town of Markham if the site is proposed to be developed at 3 times density. Clearly, the land

Ms. Danielle Chin – June 21, 2012

dedication rate that the Town's consultants are recommending is so onerous that it is not possible for development projects with higher development densities to comply with it through the dedication of part the development project site to the Town. Conversely, the City of Toronto approach recognizes that the size of a project site or redevelopment property influences a proponent's ability to dedicate land to the municipality for public park purposes. In summary, the approach that The Planning Partnership et. al. are recommending discriminates against small redevelopment sites, is very onerous and in the case of higher density development projects cannot be implemented through the dedication of part of the projects site to the Town.

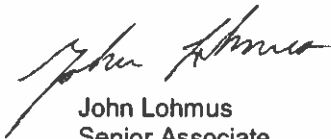
The Planning Partnership et al. report fails to recognize that the Town of Markham's Parks, Recreation, Culture & Library Master Plan, Recommendations 2005-2021 final draft report states on page 47 that "The Master Plan recommends a minimum standard for future development of 1.2 ha. (3 acres) of parkland per 1,000 residents. However, it also notes that all areas are meeting this standard and the projection is that all areas will continue to exceed the standard through the time span of this Plan. Further, it states that *"in fact there is an existing supply of 3.1 hectares (7.7 acres) per 1,000 residents of municipally owned parkland and open space; this figure includes a significant amount of land that is not developable for active recreation."* In July 2004 Hemson Consulting Limited in their soft services development charge background study for the Town indicated that there would be 560 ha. of developed parkland within the Town in 2003 which at a ratio of 1.2141 ha per 1,000 people can support a total population of 461,247 or 37,779 more people than 423,468 people projected for the entire town for the year 2031. Given that a significant oversupply of public parkland presently exists, according to the Town of Markham's own Master Plan, a reduction in the Official Plan land dedication standard of 1.2141 ha. per 1,000 people for future parkland dedication is warranted.

Finally, The Planning Partnership et. al. report fails to recognize the significant capital investment that the federal government has committed to make to the development of the Rouge Park as a National Park. The Town of Markham adjoins this National Park and the presence of this park should be considered when formulating public parkland dedication rates for future residential development within the Town of Markham.

I look forward to discussing the content of this letter with you at your earliest convenience.

Yours truly

IBI GROUP



John Lohmus
Senior Associate

JL:kg

Table 1

Town of Markham (1.2141 hectare per 1,000 population and no cap)

Development Density (#)	Site Area		Gross Floor Area		Residential Units			Parkland Dedication Rate		Parkland Required		Net Residual Site	
	(Ha.)	(Sq. Ft.)	(Sq. Ft.)	(Sq. Ft.)	Size	Number	persons per unit	population (#)		(Ha.)	sq. m. per person	(Ha.)	
1	0.9	96,841	96,841	850	850	114	1.9	216	1,2141 ha. per 1,000 people	0.263	12,141 sq. m.	0.64	
2	0.9	96,841	193,681	850	850	228	1.9	433	1,2141 ha. per 1,000 people	0.528	12,141 sq. m.	0.37	
3	0.9	96,841	290,522	850	850	342	1.9	649	1,2141 ha. per 1,000 people	0.788	12,141 sq. m.	0.11	
4	0.9	96,841	387,362	850	850	456	1.9	866	1,2141 ha. per 1,000 people	1.051	12,141 sq. m.	-0.15	

City of Toronto (0.4 hectare per 300 dwelling units and 10% cap on land dedication and cash-in-lieu payment for sites less than 1 hectare in size)

Development Density (#)	Site Area		Gross Floor Area		Residential Units			Parkland Dedication Rate		Parkland Required		Cap Rate Land area		Without Cap		With Cap Limit		Net Residual Site	
	(Ha.)	(Sq. Ft.)	(Sq. Ft.)	(Sq. Ft.)	Size	Number	persons per unit	population (#)		(Ha.)	sq. m. per person	(%)	(Ha.)	(Ha.)	sq. m. per person	(Ha.)	sq. m. per person	(Ha.)	
1	0.9	96,841	96,841	850	850	114	1.61	183	0.4 ha. per 300 units	0.152	8,282 sq. m.	10%	0.09	0.09	4,907 sq. m.	0.81			
2	0.9	96,841	193,681	850	850	228	1.61	367	0.4 ha. per 300 units	0.304	8,282 sq. m.	10%	0.09	0.09	2,453 sq. m.	0.81			
3	0.9	96,841	290,522	850	850	342	1.61	550	0.4 ha. per 300 units	0.456	8,282 sq. m.	10%	0.09	0.09	1,836 sq. m.	0.81			
4	0.9	96,841	387,362	850	850	456	1.61	734	0.4 ha. per 300 units	0.608	8,282 sq. m.	10%	0.09	0.09	1,227 sq. m.	0.81			

City of Toronto (0.4 hectare per 300 dwelling units and 15% cap on land dedication and cash-in-lieu payment for sites 1 to 5 hectares in size)

Development Density (#)	Site Area		Gross Floor Area		Residential Units			Parkland Dedication Rate		Parkland Required		Cap Rate Land area		Without Cap		With Cap Limit		Net Residual Site	
	(Ha.)	(Sq. Ft.)	(Sq. Ft.)	(Sq. Ft.)	Size	Number	persons per unit	population (#)		(Ha.)	sq. m. per person	(%)	(Ha.)	(Ha.)	sq. m. per person	(Ha.)	sq. m. per person	(Ha.)	
1	1	107,601	107,601	850	850	127	1.81	204	0.4 ha. per 300 units	0.169	8,282 sq. m.	15%	0.15	0.15	7,360 sq. m.	0.85			
2	1	107,601	215,201	850	850	253	1.61	408	0.4 ha. per 300 units	0.338	8,282 sq. m.	15%	0.15	0.15	3,680 sq. m.	0.85			
3	1	107,601	322,802	850	850	380	1.61	611	0.4 ha. per 300 units	0.508	8,282 sq. m.	15%	0.15	0.15	2,453 sq. m.	0.85			
4	1	107,601	430,402	850	850	506	1.61	815	0.4 ha. per 300 units	0.675	8,282 sq. m.	15%	0.15	0.15	1,840 sq. m.	0.85			

City of Toronto requires 0.4 hectare per 300 dwelling units and 20% cap on land dedication and cash-in-lieu payment for sites greater than 5 hectares in size.

IBI Group

Ms. Danielle Chin

TORONTO OFFICIAL PLAN POLICIES

June 21, 2012



Our parks, open spaces and natural areas are a diverse and complex system. From local and district parks to the large City parks that punctuate the City's waterfront and river valleys; from parks offering passive respite to those that bustle with active recreation and cultural opportunities; from schoolyards to cemeteries to urban plazas; from trails to mid-block connections; and community gardens; each piece of the system adds value to the whole.

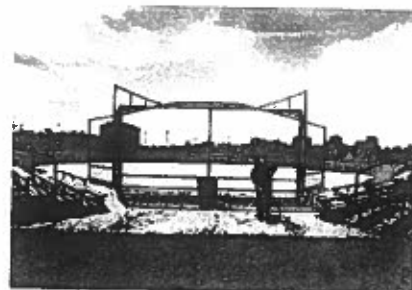
As Toronto grows and changes, the parks and open space system will need to expand. But our green infrastructure is no different than our roads and sewers. Maintenance and reinvestment in what we have is as important to city-building and our quality of life as adding new land to the inventory. Whether expanding the system, or improving and maintaining it, the challenge is to do so in a way that considers not only the diversity and complexity of the parks and open space system, but also considers the diverse and complex needs of people and neighbourhoods across the City and the physical and financial constraints on our ability to expand.

Policies

1. Toronto's system of parks and open spaces will continue to be a necessary element of city-building as the City grows and changes. Maintaining, enhancing and expanding the system requires the following actions:
 - a) adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks;
 - b) designing high quality parks and their amenities to promote user comfort, safety, accessibility and year-round use and to enhance the experience of "place", providing experiential and educational opportunities to interact with the natural world;
 - c) protecting access to existing publicly accessible open spaces, as well as expanding the system of open spaces and developing open space linkages; and
 - d) promoting and using private open space and recreation facilities, including areas suitable for community or allotment gardening, to supplement the City's parks, facilities and amenities.
2. Parkland acquisition strategies, including decisions about whether to accept parkland or cash as a condition of development, will take into account a range of factors:
 - a) amount of existing parkland as illustrated on Maps 8(A) and (B);
 - b) parkland characteristics and quality;
 - c) providing safe, stimulating and engaging play spaces for children;
 - d) existing natural features of the site;
 - e) existing amenities and facilities;
 - f) population change, demographic and social characteristics;
 - g) anticipated development;
 - h) amount of publicly accessible open space;
 - i) opportunities to link parks and open spaces;



Gibson Square is part of a new development in North York Centre



Decision by O.M.B.
not yet determined.

- j) urban form; and
- k) land availability and cost.

The City's park planning areas are shown on Map 8(C). The information on Map 8(B) for these park planning areas will be used to require, wherever possible, that new parkland be provided when development occurs in areas of low parkland provision.

3. The effects of development from adjacent properties, including shadows, noise, traffic and wind on parks and open space will be minimized.
4. All development will be subject to the dedication of 5 per cent of lands for parks purposes for residential development and 2 per cent for all other uses unless the alternative parkland dedication rate applies.
5. An alternative parkland dedication rate of 0.4 hectares per 300 units will be applied to proposals for residential development and for the residential portion of mixed use development as follows:
 - a) the development proposal is in a priority area where Council has identified a need for parkland and enacted an Alternative Parkland Dedication By-law;
 - b) for sites less than 1 hectare in size, the parkland dedication will not exceed 10 per cent of the development site, net of any conveyances for public road purposes;
 - c) for sites 1 hectare to 5 hectares in size, the parkland dedication will not exceed 15 per cent of the development site, net of any conveyances for public road purposes;
 - d) for sites greater than 5 hectares in size, the parkland dedication will not exceed 20 per cent of the development site, net of any conveyances for public road purposes;
 - e) in no case will the parkland dedication, cash-in-lieu, or combination thereof, be less than 5 per cent of the development site or the value of the development site, net of any conveyances for public road purposes;
 - f) where the size, shape or location of the proposed parkland is deemed by Council to be unsuitable for parks or public recreation purposes, Council may require cash-in-lieu. The value of cash-in-lieu will not exceed:
 - i) 10 per cent of the value of the development site, net of any conveyances for public road purposes, for sites less than 1 hectare in size;
 - ii) 15 per cent of the value of the development site, net of any conveyances for public road purposes, for sites 1 hectare to 5 hectares in size;
 - iii) 20 per cent of the value of the development site, net of any conveyances for public road purposes, for sites over 5 hectares in size;
 - g) to maximize opportunities to obtain parkland, the dedication of land is preferred to a dedication of cash-in-lieu, especially on sites 1 hectare or greater in size;
 - h) any payment of cash-in-lieu of land to be conveyed through the alternative rate provision in excess of 5 per cent of the site area will be used to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development; and

Types of Parks

In January 2002, Council endorsed the Parkland Acquisition Strategic Directions Report to guide the acquisition of new parkland by the City. That report organized the City's parkland system into two primary categories as follows: *Local Parkland*, which is primarily intended to serve communities within a reasonable walking distance; and *City-wide Parkland*, which is intended to serve residents from across the City. These broad categories of parkland can be further divided into four park types as follows:

Local Parkland

Parkettes: Generally smaller parks with seating and other passive recreation amenities.

Local Parks: Parks that offer a range of neighbourhood-oriented passive and active recreational opportunities.

City-wide Parkland

District Parks: Generally larger, complex parks that draw population from beyond the local community and contain general and specialized passive and recreational opportunities.

City Parks: Parks that provide unique or specialized passive and active recreation amenities, which draw users from across the City.

- i) this alternative parkland dedication will not be applied by the City until January 1, 2008. For any complete building permit application that complies with applicable zoning, received prior to January 1, 2008, the City will apply the alternative parkland dedication of the predecessor municipal Official Plan. A complete building permit application is considered to be an application submitted to the Chief Building Official for an above grade building permit which substantially complies with all technical requirements of the *Building Code Act* and includes the payment of all applicable fees. Any Alternative Parkland Dedication By-law enacted by the City prior to January 1, 2008 will conform to these transition policies.
- 6. The specific combination of land and/or cash-in-lieu of land will be determined by the City as part of the consideration of each specific proposal. In areas of low parkland provision, being the lowest two quintiles shown on Map 8(B), priority will be given to the creation or improvement of parkland that, wherever possible, is located in or accessible to the park planning area in which the development providing the required parkland contribution is located.
 - 7. Where on-site parkland dedication is not feasible, an off-site parkland dedication that is accessible to the area where the development site is located may be substituted for an on-site dedication, provided that:
 - a) the off-site dedication is a good physical substitute for any on-site dedication;
 - b) the value of the off-site dedication is equal to the value of the on-site dedication that would otherwise be required; and
 - c) both the City and the applicant agree to the substitution.
 - 8. The location and configuration of land to be conveyed should:
 - a) be free of encumbrances unless approved by Council;
 - b) be sufficiently visible and accessible from adjacent public streets to promote the safe use of the park;
 - c) be of a usable shape, topography and size that reflects its intended use;
 - d) be consolidated or linked with an existing or proposed park or green space or natural heritage system where possible; and
 - e) meet applicable Provincial soil regulations and/or guidelines for residential/parkland uses.
 - 9. Any previously authorized agreements for use of the alternative parkland dedication rate legally in effect at the time of adoption of the Plan are deemed to comply with this Plan.