

Appendix C - Legislative Changes Effecting Park Dedication

Bill 108

On July 6, 2019, Bill 108, More Homes, More Choices Act, 2019 received Royal Assent. As it pertained to Parkland dedication Bill 108, would result in:

- parkland dedication set at a rate of 5% of land,
- Removal of the alternative rate for parkland conveyance and cash in lieu of parkland conveyance under sections 42 and 51.1 of the Planning Act
- the requirement to choose between accepting parkland dedication at 5% of the land or collecting a Community Benefits Charge.

Removal of the alternative rate for parkland raised concerns about the City's ability to secure adequate parkland to accommodate future development growth especially in the areas of intensification.

While many of the amendments to the Planning Act came into force by proclamation on September 3, 2019. Amendments related to parkland dedication were not yet in force.

Bill 197

On July 8, 2020, the province introduced Bill 197, the COVID-19 Economic Recovery Act. Bill 197 has been proclaimed on September 18, 2020. As it pertained to Parkland dedication Bill 197:

- no longer requires the City to choose between a Parkland Dedication By-law and a Community Benefits By-law allowing both to be in force as long as they are not recovering the same costs.
- restores the ability of the city to use the alternative rate for parkland dedication and cash in lieu of parkland dedication.
- Stipulates the use of the alternative rate and is subject to new requirements including public consultation and the right of appeal to LPAT of park dedication by-laws under section 42 of the Planning Act, related only to the use of alternative rates.

The City's current Parkland Dedication By-law (57-2005), includes the alternative rate and is supported by policies which are imbedded in the current Official Plan and the new Official Plan (adopted in 2018). This by-law will expire and need to be updated no later than two years from the date Bill 197 comes in to force in September 2022. During the transition period, the City will continue to apply the current parks by-law enabling the

city to use the alternative rate for parkland dedication and cash in lieu of parkland dedication when reviewing development applications.