



City of Burlington Parkland Dedication By-law Review

Environment, Infrastructure and Community Services Committee Meeting

July 7, 2022

Introduction



- The City of Burlington currently requires the conveyance of parkland or cash-in-lieu of parkland (C.I.L.) under By-law 57-2005 (residential development) and By-law 147-1993 (non-residential development)
- By-law 57-2005 will expire on September 18, 2022 as per amendments to the *Planning Act* arising from the *COVID-19 Economic Recovery Act, 2020*
 - Any by-law that was in effect on September 18, 2020 and provides for the alternative parkland requirement will expire on September 18, 2022
- Watson & Associates Economists Ltd. was retained by the City to undertake a review of current by-law's ability to satisfy the anticipated demands for parkland

Legislative Context



- Section 42 of the *Planning Act* allows for conveyance of parkland or C.I.L. for parks or other public recreation purposes within following standard provisions:
 - Maximum of 2% of development lands for commercial and industrial purposes, or 5% for all other development purposes; or
 - Alternative requirement for residential purposes of 1 hectare (ha.) for 300 dwelling units (land) or 1 ha. for 500 dwelling units (C.I.L.)
- Alternative rate requires:
 - Official Plan policies that address the provision of lands and provides for the use of the alternative requirement, including a parks plan with public consultation
 - Passing a by-law requiring the alternative requirement, with public consultation
 - By-law containing alternative requirement may be appealed to Ontario Land Tribunal (OLT)

Current Parkland Dedication By-law Policies



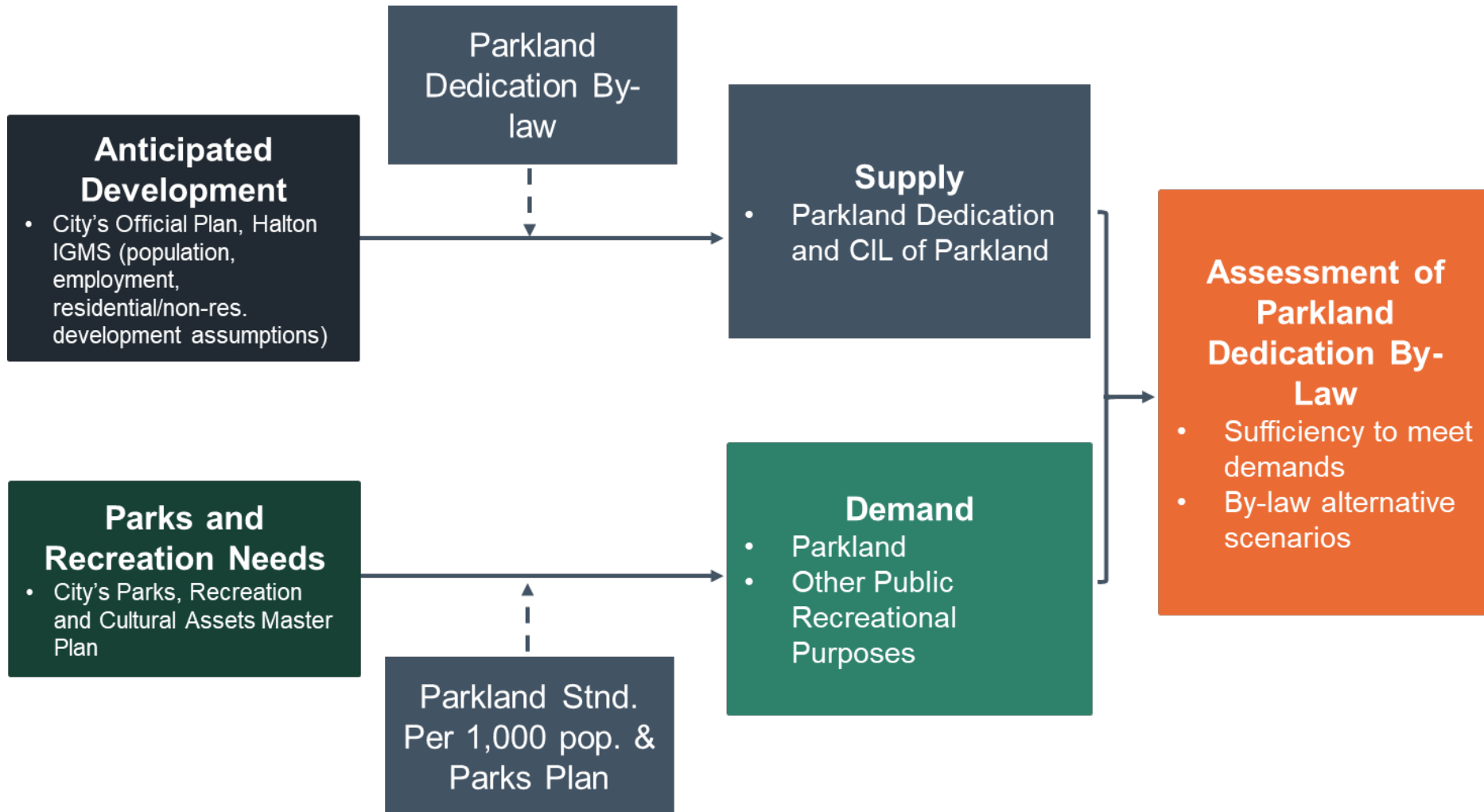
- As a condition of development, parkland shall be conveyed to the City as follows:
 - Commercial and industrial development – 2% of land area
 - Residential development – the greater of 5% of land area, or 1 ha. per 300 dwelling units
 - All other development types/uses – 5% of land area
- The by-law allows the City to require C.I.L as follows:
 - Commercial and industrial development – 2% of the land value
 - Low density residential development at less than 15 dwelling units per net ha. – 5% of the land area being developed at the time of building permit issuance

Current Parkland Dedication By-law Policies



- Medium density residential development at densities between 15-50 dwelling units per net ha.
 - the lesser of 1 ha. per 300 dwelling units or \$6,500 per dwelling unit
- High density residential development at densities greater than 50 dwelling units per net ha.
 - the lesser of 1 ha. per 300 dwelling units, or \$5,500 per dwelling unit.
- All other development types/uses - 5% of land value
- Mixed-use development is calculated based upon the proportions of the site devoted to each use at the rates identified above

Approach to Parkland Dedication Assessment



Anticipated Development Forecast



- Growth forecast prepared by Watson based on the Halton Region's Integrated Growth Management Study (2022)

Year	Population	Dwelling Units				
		Low Density	Medium Density	High Density	Other	Total
2022	193,600	40,459	14,537	18,573	165	73,734
2032	219,600	41,599	15,719	28,224	165	85,707
2041	240,500	42,229	16,914	36,989	165	96,297
2022-2032	26,000	1,140	1,182	9,651	-	11,973

Parkland Dedication Assessment



- The City's current by-law does not yield sufficient parkland to meet the needs for new development

Parkland Demands (2022-2032)	2009 PR&CA MP (3.58 ha./1,000 pop.)	Current LOS (3.69 ha./1,000 pop.)	Parkland Provisioning (2.72 ha./1,000 pop. Active Parkland + 0.81 ha./1,000 pop. Neighbourhood Parkland)	Equivalent Residential Units (@ 1ha./300 units)	Remaining Residential Units for C.I.L. (11,973-1,650)
Parks Plan Needs (ha.)	93.08	95.94	91.78		
<u>Anticipated Parkland Dedicated (ha.)</u>					
- 2100 Brant	0.31				
- 2101 Brant	1.75				
- CLV	0.17				
- 101 Masonry	0.28				
Subtotal Parkland Dedicated	2.51			754	
Incremental Parkland Needs from C.I.L. (ha.)	90.57	93.43	89.27		
<u>Examples of Incremental Parkland Needs</u>					
- MTSA Opportunities	13.13				
- Potential Major Parkland Developments	11.20				
- Budget and Forecast CIL	0.08				
Potential Parkland Projects	24.41				
Incremental Parkland Needs from C.I.L. (based on 1 ha./500 units)	22.44	22.44	22.44		11,219
Parkland Needs in Excess of Planning Act Provisions	68.13	70.99	66.83		
<u>Implied Parkland Price (\$/ha.)</u>					
- Current C.I.L. (5% low density, \$6,500/medium density unit & \$5,500/high density unit)	109,836,300				
- Implied value per ha.	4,894,928				

Parkland Dedication Assessment



- The following were considered in developing proposed changes to the City's parkland dedication policies:
 - Parkland dedication relative to parkland needs;
 - Parkland dedication relative to City's objectives for intensification and affordability;
 - Equity of alternative requirement provisions by development types;
 - Parkland dedication relative to sufficient site development area; and
 - Alignment with municipal practice



Parkland Dedication Alternatives Considered

- Three scenarios were considered and applied to units in the development process:
 - Scenario 1 – City’s current parkland dedication by-law
 - Scenario 2 – *Planning Act* provisions with no restrictions
 - Scenario 3 – Parkland dedication caps based on uniform parkland dedication per 1,000 population across residential dwelling types

Description	Total Parkland (ha.)	Total Parkland Std. Achieved (ha./1,000 pop.)	C.I.L. per Unit
Scenario 1	2.75	0.15	\$5,500 to \$6,500
Scenario 2	23.42	1.30	\$50,800
Scenario 3	11.01	0.61	\$23,664 to \$50,800

Parkland Dedication Recommendations



- No changes to the City's non-residential parkland dedication policies
- Policy changes for residential or the residential component of mixed-use development
 - Land shall be conveyed to the City at the **greater** of:
 - 5% of the total area of the lands to be developed; or
 - one hectare for each 300 dwelling units in the proposed development
 - C.I.L. shall be calculated as follows:
 - Low-density – 5% of the value of land on the day before building permit issuance
 - Medium density – the lesser of the value 1 ha. per 500 units, or \$33,400 per unit
 - High-density – the lesser of the value 1 ha. per 500 units, or \$23,600 per unit

Parkland Dedication Recommendations



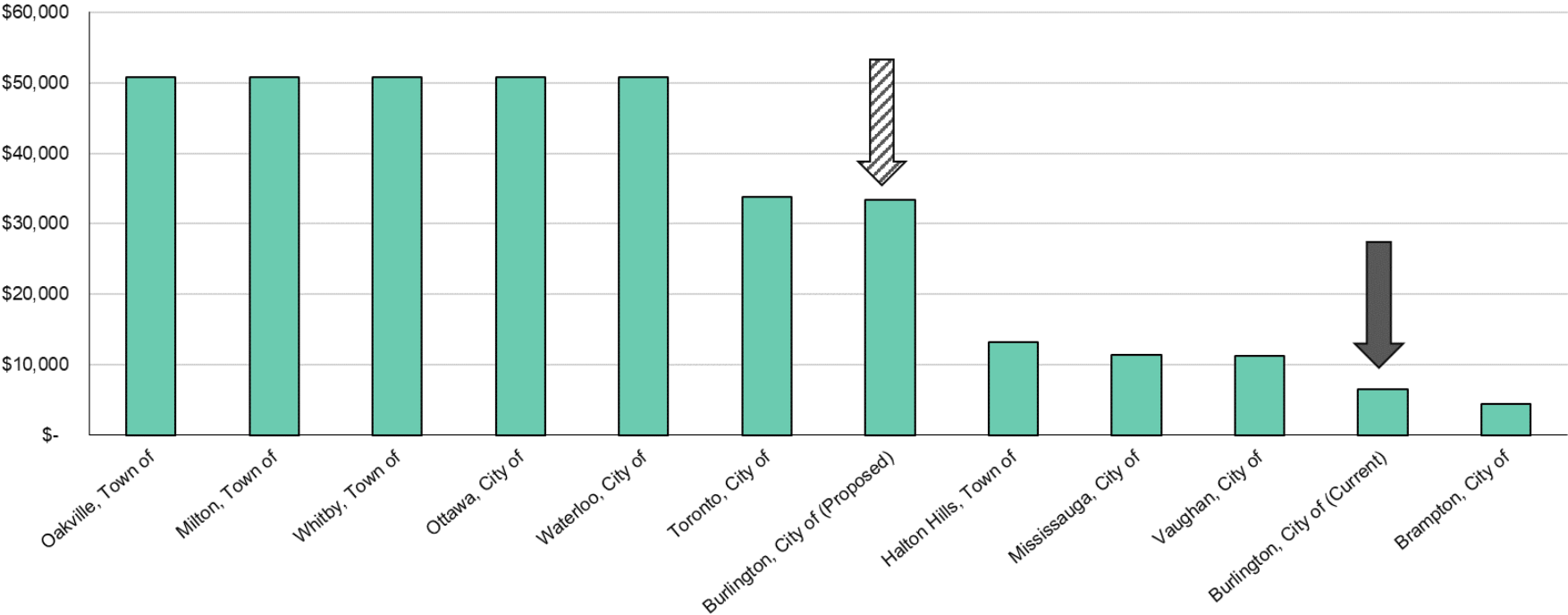
- Consider possible amendments to the Parkland Dedication By-law after the City's on-going Parks Provisioning and Parks, Recreation and Culture Master Plan is completed



Municipal Comparison

(assumed \$25.4 million per ha. land value in all jurisdictions)

CIL of Parkland per Unit for Residential Medium-Density Development
(27 Dwelling Units, Site area: 1.0 hectare)



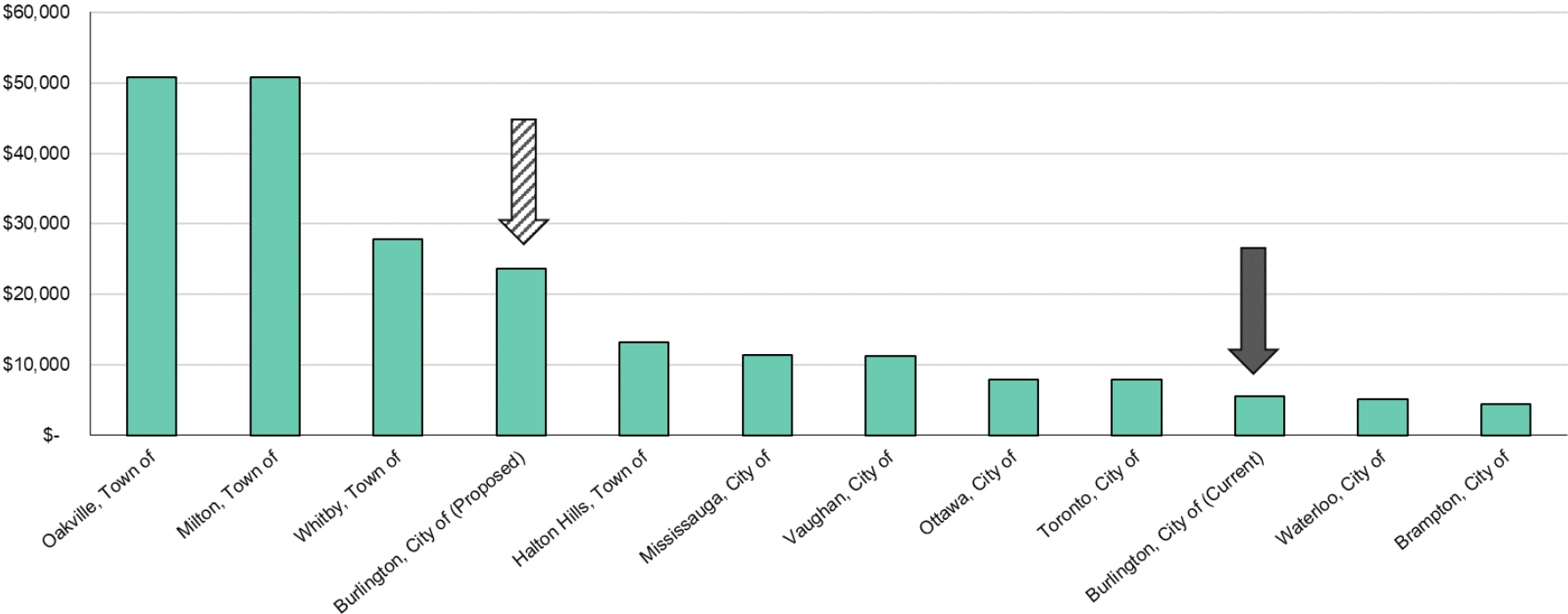
Note: The City of Vaughan will be phasing in the CIL per unit. (\$11,300/unit in 2022 to \$27,994/unit in 2025)
The City of Mississauga will be phasing in the CIL per unit. (25,112/unit in August 2023)



Municipal Comparison

(assumed \$25.4 million per ha. land value in all jurisdictions)

CIL of Parkland per Unit for Residential High-Density Mid-Rise Building Development
(320 Dwelling Units, Site area: 1.0 hectare)



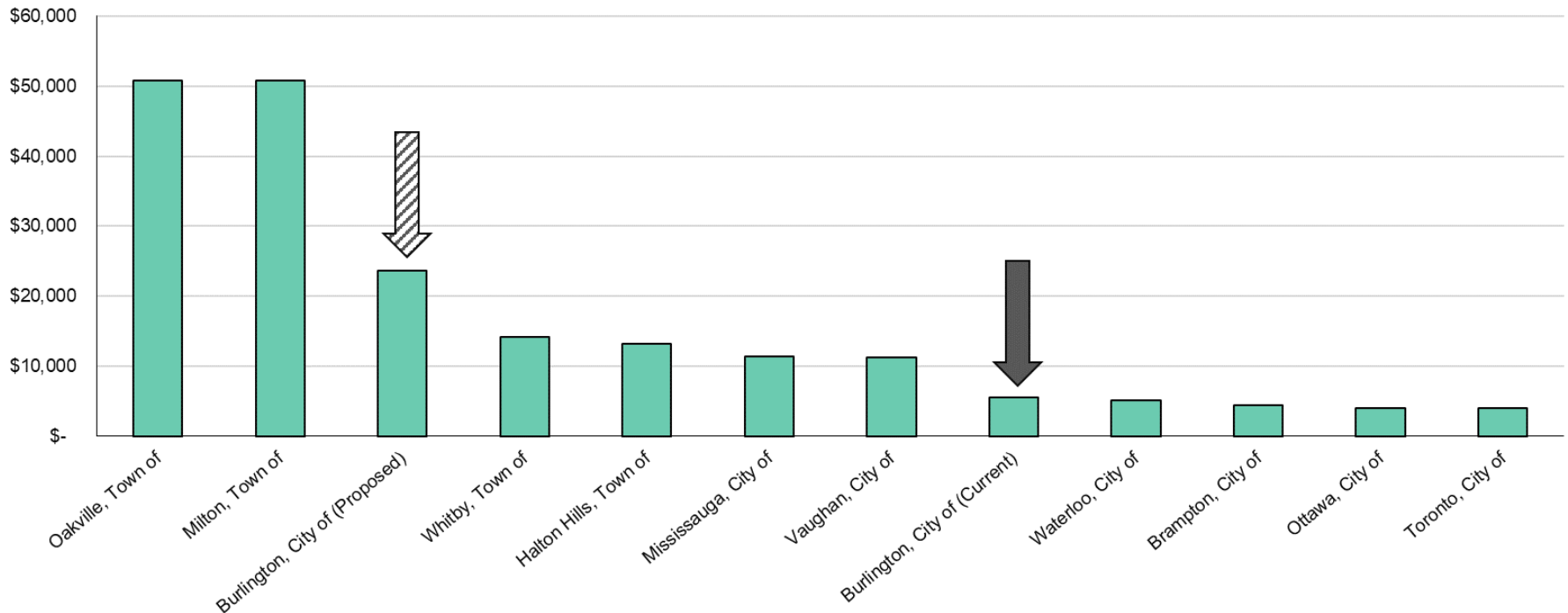
Note: The City of Vaughan will be phasing in the CIL per unit. (\$11,300/unit in 2022 to \$27,994/unit in 2025)
The City of Mississauga will be phasing in the CIL per unit. (25,112/unit in August 2023)

Municipal Comparison

(assumed \$25.4 million per ha. land value in all jurisdictions)



CIL of Parkland per Unit for Residential High-Density Tall Building Development
(628 Dwelling Units, Site area: 1.0 hectare)



Note: The City of Vaughan will be phasing in the CIL per unit. (\$11,300/unit in 2022 to \$27,994/unit in 2025)
The City of Mississauga will be phasing in the CIL per unit. (25,112/unit in August 2023)

Next Steps



- Council anticipated to adopt new Parkland Dedication By-law on July 12, 2022