

Date: 2022-11-28

Subject: Recommendation Report - Park Plan, Parkland Dedication By-Law & Official Plan Amendment

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Report Number: Community Services-2022-1026

Recommendations:

1. That the report from Jaskiran Kaur Bajwa, Community Services dated, November 28, 2022, to the Committee of Council meeting of December 14th, 2022, re: Recommendation Report Brampton Parks Plan and Parkland Dedication By-Law, and the Proposed Amendment to the Parkland Dedication Policies of the Official Plan be received,
2. That the Amendment to the Official Plan attached hereto as **Appendix A** to this report, be adopted;
3. That the revised Parkland Dedication By-law attached hereto as **Appendix B** to this report be adopted, and;
4. That it is hereby determined that in adopting the attached Official Plan Amendment, Council has had regard for all matters of Provincial Interest and the Provincial Policy Statements as set out in Section 2 and 3(5) respectively of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Overview:

- **A Report supporting City of Brampton's new Parks Plan and Parkland Dedication By-Law was presented at the Public Special Council Meeting of November 16th, 2022. Minutes of this meeting are attached under Appendix C.**
- **Council endorsed the Parks Plan and Parkland Dedication By-Law in principle, on November 16th, 2022.**

- **The Draft Official Plan Amendment was presented at the November 16th Council meeting for public consultation and comments.**
- **As a result of the Council Meeting, the City received a number of delegations. Copy of the feedback letters are attached under Appendix D.**
- **The draft Parkland Dedication presented on November 16, has been revised to conform to Bill 23 requirements. The draft Official Plan Amendment does not require any further changes. Copies of the By-Law and draft Official Plan are attached under Appendix A and B respectively.**

Background:

On November 16th 2022, Community Services staff brought forward a Report, dated October 13, 2022 (Please refer to the copy of the Report attached as **Appendix E**) at the Special Council Meeting, to seek Council's approval to endorse the City's new Park Plan and the Parkland Dedication By-Law. The Plan and the By-Law were endorsed in principle. Delegations were received pertaining to the new Parkland Dedication By-Law. Please refer to **Appendix D** for the copy of these letters.

During this Council session the draft Official Plan Amendment was presented for public consultation and comments. There were no delegations pertaining to the Draft Official Plan Amendment.

The Parkland Dedication By-Law brought forward at the November 16th Council session intended to seek endorsement to facilitate and continue the use of the alternative rate for parkland dedication or cash-in lieu. Any in-force by-law that allows the municipality to collect the alternative rate, expired on September 18, 2022.

To facilitate the implementation of the Park Plan and the Parkland Dedication, the Official Plan policies that pertains to Parkland Dedication (S.5.21) for residential uses were required to be changed. A new policy is proposed to be added related to parkland dedication for proposed mixed use development and dedication rate to residential developments within Intensification Corridors and Strategic Growth Areas.

Current Situation:

As of November 28 2022, the Province has now passed Bill 23. *The More Homes Built Faster Act*, proposes further changes to the parkland dedication section of the *Planning Act* to achieve the Province's goal of facilitating the creation of 1.5 million new homes by 2031. The main change impacting parkland dedication and cash-in-lieu is the reduction of the maximum alternative parkland dedication rate from 1 hectare per 300 dwelling units to 1 hectare per 600 net residential units for land conveyance, and from 1 hectare

per 500 dwelling units to 1 hectare per 1,000 net residential units for cash-in-lieu. In addition, there is a proposed overall cap for a land conveyance or cash-in-lieu of 10% in the case of land proposed for development or redevelopment that is 5 hectares in area or less, or 15% in the case of land proposed for development or redevelopment that is greater than 5 hectares. Finally, the subject legislation includes additional exemptions or reductions to the requirements for parkland dedication for affordable or attainable residential units and additional residential units.

The City's Parkland Dedication By-Law has been updated to conform to the requirements of the Bill 23, as attached under **Appendix B**. The draft Official Plan Amendment does not require any changes as a result of Bill 23, and it is attached as **Appendix A**.

This report has been brought forward by staff, at the December 14th Council meeting to seek adoption of the new Parkland Dedication By-law, and the related policies within the City's Official Plan.

As a result of the Council session of November 16th 2022, the City received written correspondence from delegates. Main concerns from the letters are presented below:

- 1) Omission of cash-in-lieu cap rates.

Response:

While the caps have been removed, a set unit rate is introduced to achieve intensification and address parkland dedication requirements as well. Please note, with Bill 23 in effect, the By-Law now conforms to the capped rates required by this Bill.

- 2) The Draft By-Law is inconsistent with policies of the Planning Act, Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) that speaks to and promotes intensification, complete communities and compact built form.

Response:

The new By-Law is required by the Provincial Legislation. Conformity to the Provincial Policy Statement, A place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) can be addressed within the Official Plan and new Park Plan. However, the new By-Law will encourage intensification as City's rates will be competitive.

- 3) The City ensure that parkland dedication rules (including payment-in-lieu) not be used to supplement (i.e. fix) any existing parkland deficiencies for existing residents.

Response:

The new By-Law has been proposed to conform to the requirements of the Provincial legislation. The intention of the parkland reserves is to facilitate land acquisition for parks.

- 4) The existing and future homebuyers should not experience the financial deficits to cover the parkland dedication revenues, and in return impact on housing affordability.

Response:

The draft Parkland Dedication By-law has been updated to conform to the Bill 23 requirements. The City does not intend to place any financial burden on its residents, instead, conform to the Provincial legislative requirements.

- 5) Alternative park typologies should be considered, and associated credit structure.

Response:

The City recently completed its new Park Plan as presented at the Council session of November 16th 2022. The Park Plan provides alternative park typologies, especially for intensification and growth areas. Credit structure is being considered as well.

- 6) Credit structure pertaining to other park typology receive 100% credit.

Response:

Strata Parks and Privately Owned Public Spaces (“POPS”) have specific issues that support a discounted parkland credit, as identified in the Parks Plan 2041; and, passive parks on otherwise undevelopable land should be discounted because of their limited ability to support recreational facilities and programming. The portions of Bill 23 regarding Strata and POPS are not in force and effect yet. In the event a lesser discount or 100% inclusion to full park value is mandated by the Province, the bylaw will be amended to reflect the ultimate regulation created.

- 7) City should provide the City general detail showing size, scale, typology and geography for future parkland acquisition.

Response:

The City is closely working with consultants to update the City’s current Parks and Recreation Masterplan (PRMP). The PRMP is a tool used by the City to plan for short and long term planning for parkland. In conjunction with the PRMP, the new Park Plan 2041 supports the existing parkland hierarchy for Established

Neighborhoods and new Greenfield Communities, and provides a new urban park hierarchy for the defined Intensification Areas/Strategic Growth Areas.

- 8) City wide calculation for parkland surpluses or deficits should be considered. Calculations for the parks that are of local nature can be done on more specific basis.

Response:

Chapter 3 of Parks Plan 2041, which is based on the achievement of the City's parkland objective of 1.6 hectares of park space per 1,000 people. The City's parkland objective was established in the Parks and Recreation Master Plan (2017).

- 9) On March 23rd the City agreed to provide an appraisal methodology.

Response:

This matter will be discussed directly with the developers.

- 10) The City set a fixed per unit cap on Parkland CIL, the methodology and underlying land values used to calculate the per unit rate.

Response:

The fixed per unit rate only applies to new development within the Intensification Areas/Strategic Growth Areas, and is based on an average land value from those specific geographies.

- 11) Determine timing of the land value under Section 51.1 and Section 42.

Response:

The timing of the land value is determined under the *Planning Act*.

- 12) Revise the section of the By-Law that refers to unsuitable lands for parks be revised, these include e.g. lands affected by infrastructure, Natural Hazard Lands, drainage, etc.

Response:

Where lands are unsuitable for parks or public recreation purposes the City will not acquire the lands, instead, payment of cash in lieu of the land conveyance in

the amounts set out in the Parkland Dedication By-Law. The intent to acquire lands for parkland are to serve the community for their parks and recreation services therefore, conditions of land are a crucial consideration.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this report.

Term of Council Priorities:

This report aligns with the following Term of Council Priorities:

A Green City, through the commitment to sustainability and revitalizing natural spaces.

A Well Run City, by effectively managing municipal assets and leveraging partnerships for collaboration and advocacy.

Conclusion:

The recommendations of the Parks Plan presented at November 16th Council Session, and the requirement of the Bill 23 are being implemented in an updated Parkland Dedication By-law and an Official Plan Amendment which are being presented to Council for adoption.

Authored by:

Reviewed by:

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Approved by:

Chief Bill Boyes
Commissioner
Community Services

Attachments:

Appendix A – Amendment to the Official Plan
Appendix B – Revised Parkland Dedication By-law
Appendix C – November 16th, 2022 Special Council Session Meeting Minutes
Appendix D – Feedback Letters
Appendix E – November 16th, 2022 Special Council Session Staff Reports