



**PLA-01-24**

## **Report**

**To: Mayor and Members of Council**

**From: Kari Myers, Director of Community and Development Services**

**Date: January 30, 2024**

**Re: Parks Plan - Parkland Dedication and Payment-in-lieu of Parkland Analysis**

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### **Recommendation:**

It is recommended that:

1. Council authorize Administration with the assistance of Watson & Associates Economists Ltd. to undertake public engagement to review a draft Parkland Dedication By-law to regulate the dedication of parkland or the payment in lieu thereof as a condition of the development or redevelopment to implement the changes made by Bill 23, as presented at the January 30, 2024, Council meeting (PLA-01-24).

### **Background:**

The dedication of parkland is a requirement under the *Planning Act* that allows municipalities to ensure that the park system grows at the same rate as the development of the community. The *Planning Act* authorizes municipalities to prepare and adopt a Parkland Dedication By-law (PDB) to impose conditions on development and redevelopment to receive parkland or payment-in-lieu of parkland.

The purpose of this report and the corresponding presentation and Parks Plan analysis prepared by Watson & Associates Economists Ltd. (Watson & Associates) is to summarize the requirements for parkland dedication and the need to adopt a PDB. The PDB sets out the requirements for the conveyance of land or the payment of cash-in-lieu of land for new development or redevelopment proposals, necessary to support a healthy and robust parks system within the Municipality of Leamington.

The Official Plan identifies broad goals for the municipal park system. Parkland dedication policies and the PDB are tools upon which the municipality can rely to implement the objectives outlined within the approved policy documents. PDB revenues can be used for the acquisition of future parkland, in keeping with the Municipality of Leamington Official Plan or for other public recreational purposes.

The attached Leamington Parkland Memo prepared by Watson & Associates is in keeping with the new requirements under the *Planning Act* relating to the adoption of a PDB. Establishing a Parks Plan is identified in the legislation as a prerequisite for the adoption of a PDB. The adoption of a PDB will assist the municipality in the following ways:

- Establish a clear understanding of parkland dedication requirements relative to the *Planning Act* application being considered;
- Allow the municipality to require new parkland and/or cash-in-lieu of land as part of the development approval process;
- Become the legal tool necessary to ensure that as the Municipality of Leamington grows, the park system grows with it.

Sections 42 and 51.1 of the *Planning Act* require a municipality to consult with local school boards and provide that a municipality may consult with persons and public bodies as the municipality considers appropriate. While a public meeting is not required under the *Planning Act*, most municipalities in the County are currently updating their parkland policies and looking to prepare a PDB. It is for this reason that a joint engagement session is being proposed with the local school boards and the development community to present the analyses and proposed changes being considered.

As part of the session, which is being scheduled for the first quarter of 2024, Watson & Associates will present the approach being considered and gather feedback from the stakeholders. Following the session, Administration, together with Watson & Associates, will bring a report back to Council outlining the feedback received from the engagement session along with a recommended PDB as well as other potential policy improvements related to parkland for Council consideration.

### **Comments:**

Watson & Associates is recommending a joint consultation meeting be held with municipal representatives in Essex County as several of the local municipalities are also updating the Parkland Dedication By-laws. A joint meeting is preferred as each municipality commonly deals with the same developers and builders. In addition, the school boards can be invited to attend the consultation meeting. Administration is in favour of this approach and is seeking Council's endorsement as set out in Item 1 in the Recommendation section.

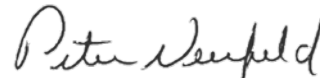
### Financial Impact:

Increases in the parkland dedication fees will help reduce the future financial tax burden on residents of the municipality, especially considering the mandatory exemptions and discounts arising from Bill 23. It is also recommended that financial reviews of parkland development are done regularly to avoid shortfalls in long-term funding and financial planning.

Respectfully submitted,



Kari Myers, MBA  
Director of Community and Development Services



Peter A. Neufeld, B.A., LL.B.  
Chief Administrative Officer

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Attachments: PLA-01-24 Leamington Parkland Memo

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### Staff Use Only

Proposed Council Meeting Date: January 30, 2024

By-law Required or Attached:  Required  Attached

Public Meeting under Planning Act:  Yes  No

Drainage – Meeting to Consider:  Yes  No

Drainage – Court of Revision:  Yes  No

Presentation:  Yes  No

(If yes, please forward the presentation to Legislative Services.)

Consent Agenda Item:  Yes  No