An aerial photograph of a park featuring a repeating diamond-shaped path pattern. The paths are made of light-colored paving stones, and the spaces between them are filled with green grass. Several people are seen walking along the paths. A semi-transparent green rectangular box is overlaid on the center of the image, containing the title text.

City of Vaughan
**Parkland
Dedication
Guideline**

January, 2022

The Planning Partnership
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1.0 Introduction

1.1 Overview

The City of Vaughan is one of the fastest growing municipalities in the country, expecting to grow to close to over 570,000 residents by 2051. While the City continues to experience growth in new greenfield development areas, there is a significant shift taking place away from more traditional suburban development forms to higher density developments and infill projects. This intensification is creating pressures on existing and proposed parkland, and levels of service.

In addition, the City is also facing increased pressure to consider accepting alternative parkland spaces as land becomes more expensive and less readily available within the City, particularly within its defined Strategic Growth Areas. The City's current parkland dedication regime, which hasn't been updated since 2012, is not well equipped to deal with these arising issues and concerns and has resulted in an inconsistent and fragmented approach to parkland dedication.

In order to ensure that the growing population is well-served by its public parkland system, and that the new parkland generated reflects the evolving built form of the City, the City must develop and adopt a new parkland dedication regime.

1.2 Purpose of the Parkland Dedication Guideline Study

The purpose of this Parkland Dedication Guideline Study is to help guide the City's parkland dedication and acquisition process as it responds to an evolving City and policy framework. This Guideline Study provides key considerations that will assist with the implementation of a revised approach towards parkland dedication practices.

This Parkland Dedication Guideline Study will assist the City in achieving its goals with respect to the public parkland system and the planned urban structure and will complement the City's work on a new Parkland Dedication By-law as well as an update to its Development Charges By-law and upcoming Community Benefits Charge Study and By-law.

1.3 Background on the Need for the Study

Over the last several years, the City of Vaughan has heard from its partners in the building industry asking about how the City would ensure consistency, predictability, and reliability in the City’s parkland dedication processes, including requests to consider alternative parkland spaces, in the form of programmable open space, strata parkland, and privately-owned, publicly accessible parkland, and how the City will incorporate changes in planning legislation requirements.

City staff have also expressed concerns regarding current practices and processes for parkland dedication and cash-in-lieu collection, such as how the City can better use cash-in-lieu and land dedication in new growth areas, what new park typologies the City needs in order to provide recreational facilities in new growth areas and how the City can secure an appropriate amount of land for the future recreational needs of its citizens.

On the City’s *Term of Council Service Excellence Strategy Map*, the responses to some of the questions of parkland dedication align with the top of the map. Key initiatives.

- Advancing active transportation through the strategic acquisition of land for active and passive uses such as City-wide trails like the Vaughan Super Trail;
- Protecting the environment by ensuring lands acquired are suitable for active and passive use;
- Enhancing community well-being by ensuring residents have access to public open space;
- Enriching the community by providing opportunities for service levels and access to recreational opportunities across the City; and,

Figure 1: Term of Council Service Excellence Strategy Map



- Elevating the quality of life through city planning by developing policies that reflect current parkland needs and changes to planning legislation, contribute to many of the key strategic priority areas.

This Parkland Dedication Guideline also helps the City work towards developing complete communities in a transparent way, ensuring value to the City's taxpayers.

Vaughan currently has a *Cash-in-Lieu By-Law* that was last updated in 2012. The City does not currently have a Parkland Dedication By-Law. The Cash-in-Lieu By-Law was originally passed by Council in 1990 following changes to the Planning Act that permitted municipalities to impose parkland/payment-in-lieu conditions through development approvals. In 2004, a fixed unit rate of \$5,000 per unit or 1 hectare per 300 dwelling units was established. The fixed unit rate was subsequently updated to \$8,500 per unit in 2012. In 2018, minor amendments were made to the By-Law based on changes to the Planning Act for alternative cash-in-lieu collection, reducing the alternate rate to 1 hectare per 500 dwelling units. More recent changes to the Planning Act through Bill 197 have now identified a sunset clause for all existing Parkland Dedication By-Laws. In order to continue to apply the alternative parkland dedication rate, the City must prepare a new Parkland Dedication/Cash-in-Lieu By-Law no later than September 18, 2022. Importantly, the City's new Parkland Dedication/Cash-in-lieu By-law will be appealable to the Ontario Land Tribunal.

In addition, in 2018 the City completed the review and update of the *Active Together Master Plan*, the long range planning study for parks, recreation and library facilities. The Master Plan is reviewed and updated every 5 years to support the development charge background study, and ongoing planning efforts including the City's *Official Plan* and the *Service Excellence Strategic Plan*. The Active Together Master Plan specifically calls out through 8 recommendations, the need for a review and update of the current practices specific to cash-

in-lieu, the establishment of standards to direct the provision of non-traditional land dedication in areas of intensification, and the use of cash-in-lieu funding in growth areas. The Master Plan also notes that Vaughan is experiencing a shift in growth from suburban to urban infill and intensification developments, which directly impacts parkland needs and facility programming.

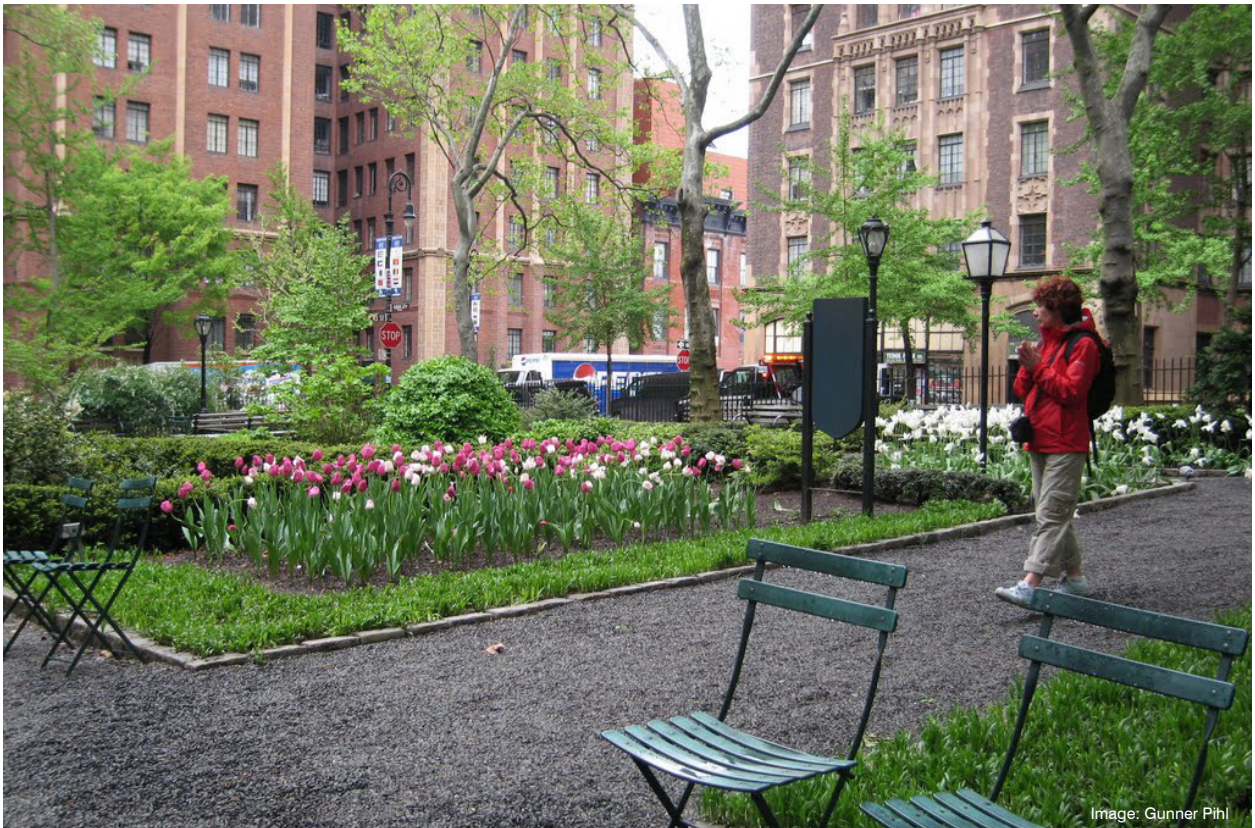
To ensure that there is a fair and consistent parkland dedication process that meets current legislation through the *Planning Act* and the City's parkland and recreation needs for new growth areas, a capital budget was put forward in 2019 and approved by Council for a study to develop parkland dedication guidelines for a future by-law.

Parks Infrastructure Planning and Development Planning staff in consultation with Legal Services, Financial Planning and Development Finance, Real Estate Services, Policy Planning and Special Projects including the VMC Team identified four key goals in the development of a Parkland Dedication Guideline document:

- To provide a comprehensive document for dedication, payment and use of cash-in-lieu;
- To provide a set of guidelines that incorporate best practices for dedication, payment and the use of cash-in-lieu;
- To ensure that the guidelines are responsive to the needs of existing communities and areas of growth; and,
- To provide direction to address long-term needs with changes to land needs allowing for flexibility in parks design and use.



Urban Square - Place des Vosges, Paris



Pocket Park - Tudor City, NYC

2.0 The Value of Parks

2.1 Overview

Parks are a vital component of the City of Vaughan. Parks contribute to healthy and complete communities, and offer an attractive quality of place for residents, businesses and visitors alike. Parks can improve the quality of life of residents by providing spaces for recreational activities and social gathering, as well as offering mental and physical health benefits.

These benefits have been amplified tremendously through the recent, and ongoing COVID-19 pandemic. Proximity to parks is associated with higher levels of physical activity by nearby residents, which can reduce the incidence of certain chronic illnesses associated with a sedentary lifestyle. Beyond the physical health benefits, parks can also improve psychological health and development. In fact, the benefits of spending time in nature on physical and mental health is leading some doctors to prescribe spending time in nature and parks for children and teenagers who are experiencing obesity and mental health challenges.

Alongside the social and health-related benefits of parks, there are important environmental benefits for communities with green features, such as trees, integrated within the park system. Trees remove significant amounts of air pollution from our atmosphere each year, and sequester carbon, reducing greenhouse gas emissions. Further, parks and trees play an important role in combatting the urban heat island effect. A study in 2019 showed that on an extremely hot day in an urban setting, parks were substantially cooler than other parts of an urban environment that lacked trees and greenspace (National Recreation and Parks Association, 2019). As summer days get hotter and temperatures increase annually, parks and trees will play an increasingly important role in keeping residents cool.

In addition to the environmental and health related benefits of parks, parks also offer important economic benefits to residents and municipalities. These economic benefits include increased property values, increased tourism expenditures, decreased health care expenditures, reduced storm water management costs, and savings associated with reduced air pollution.

2.2 Quality of Place/ Quality of Life

Parks of all types and scales are crucial to the functional attributes of a City. The following first explores how parks contribute to placemaking and quality of life, and then outlines the economic and environmental value of investing in the park system.

Healthy and Complete Communities

Parks contribute to healthy and complete communities, and offer an attractive quality of place for residents, businesses and visitors alike. For residents in particular, the social and health benefits of parks has been well documented, and are associated with the role parks play in community development, and in creating a sense of community, reducing the incidence of crime, promoting physical activity, supporting psychological and social development and improving environmental indicators.



Vaughan Metropolitan Centre

Community Development and a Sense of Community

In his work on *Why America Needs More City Parks and Open Space* (2003), Sherer, found that parks play a role in community development by making cities more livable, offering recreational opportunities for diverse populations and providing places for people from all socio-economic strata to gather and create a sense of community. Sherer reports that “research shows that residents of neighbourhoods with greenery in common spaces are more likely to enjoy stronger social ties than those who live surrounded by barren concrete”.

Similar findings were reported in a 2008 report by The Trust for Public Land (TPL) Centre for Park Excellence on the value of Philadelphia's park space system, which found parks allow communities to build "social capital" through human relationships that promote neighbourhood strength and safety. Further, the TPL found that the act of improving or renewing a park space together as a community can strengthen "social capital".

Taking a more historical view, Sherer found that in the late 19th century investment in parks reflected a belief in the community and the related health benefits of parks in providing opportunities for recreation and social interaction. Parks were understood as "necessities" in urban settings, not "amenities" (Sherer, 2003).



Underpass Park, Toronto

Greater Opportunity for Physical Activity and Reduced Incidence of Chronic Illnesses and Associated Costs

Proximity to parks associated with higher levels of physical activity by nearby residents, which, as noted previously, can reduce the incidence of certain chronic illnesses associated with a sedentary lifestyle. With regard to increased levels of physical activity, Sherer (2003) found that those who have access to parks exercise more, and that "access to places for physical activity combined with informational outreach produced a 48.4% increase in frequency of physical activity." Similar findings have been reported by the Urban Land Institute (2013) and Harnik & Simms (2004).

The correlation between physical activity and chronic illness has received a substantial amount of attention in recent years. Referencing a study from the Journal of Applied Psychology, the Urban Land Institute (2013) reported that "communities designed for exercise can prevent 90.0% of type 2 diabetes, as well as 50 percent of heart disease, stroke, and site-specific cancers".

Community design features that contribute to active living were identified and included "public places such as greenways, multiuse trails, playgrounds, pools, athletic fields, and other recreation facilities that encourage physical exercise" (ULI, 2013). In terms of reduced health care costs, a 2008 study by the TPL found Philadelphia's park space system generated \$70 million worth of savings in medical expenses annually. "A recent study of major U.K cities showed that when communities are surrounded by more green space, life expectancy increases significantly" (Alan Logan, interview with Michelle Adelman, CBC News, February 22, 2014).

Psychological Health and Development

Beyond the physical health benefits, parks can also improve psychological health and development. In particular, contact with the natural environment has been shown to improve both physical and psychological health (Sherer, 2003). Play is also central to learning and development in small children, connected to muscle strength, coordination, cognition, and reasoning. As put by Sherer (2003), "exercise has been shown to increase the brain's capacity for learning", so creating recreational opportunities for children contributes to both their physical and psychological development.



Sugar Beach, Toronto

“People moving to cities with more parks and gardens not only report greater well-being than those without access to amenities, but their improved mental health lasts for at least three years after their move”, according to results of a study published in the journal of Environmental Science and Technology by Ian Adcock of the University of Exeter Medical School.

Crime Reduction

The perceived and real sense of safety contributes to a community’s attractiveness and positive functioning, which can be impacted by the incidence of crime. In this regard Sherer (2003) reports that *“access to public parks and recreational facilities has been strongly linked to reductions in crime and in particular to juvenile delinquency”* by giving youth a safe environment in which to recreate, interact, and spend time. As such, *“research supports the widely held belief that community involvement in neighbourhood parks is correlated with lower levels of crime”* (Sherer, 2003). Notably, poorly maintained public spaces are associated with the exact opposite effect – that being an increase in the perceived or real incidence of crime.

Environmental Indicators

Alongside the social and health-related benefits of parks, there are important environmental benefits for communities with integrated green features, such as trees, integrated within the park system. For example, *“trees reduce air pollution and water pollution, they help keep cities cooler, and they are a more effective and less expensive way to manage storm water runoff than building systems of concrete sewers and drainage ditches”* (Sherer, 2003).

In particular, trees and shrubs improve urban air quality by removing air pollutants including nitrogen dioxide, sulfur dioxide, carbon monoxide, ozone, and particulate matter (The Trust for Public Land Center for Park Excellence & Philadelphia Parks Alliance, 2008). Trees also remove polluted particulate matter in groundwater naturally before this water reaches storm sewers (Sherer, 2003).



Sherbourne Common, Toronto

2.3 Economic Value of Parks

Public sector investment in parks can be leveraged into a private sector investment response. Park system investment is a key stimulus for change, establishing the appropriate environment for redevelopment and revitalization.

Assigning economic value to parks has historically been anecdotal. More recently, there has been considerable work done in the United States on measuring the economic value of parks, confirming the important economic benefits of investing in parks. Much of this work has been spearheaded by the California-based Trust for Public Land (TPL). In the 2009 publication by Harnick and Welle, *Measuring the Economic Value of a City Park System*, an approach was developed that has since been used to assess the value of park space in several US cities, including Sacramento, Philadelphia, Boston, San Diego and Washington. The approach taken by TPL is to develop a methodology to quantify economic value according to seven distinct perspectives and discussed as follows:

- **Increased property values** – which looks at the extent to which proximity to a park space adds value to the market and assessed value of residential property;
- **Increased tourist expenditure** – which assesses the number of visitors to a community who spend more time and money in the community than they otherwise would have, because they are participating in activities in parks, or simply enjoying being outdoors;
- **Direct use value** – which measures the value that users place upon the availability of park spaces (i.e. how much they would be prepared to pay for the opportunity to enjoy parks if they were not freely available);
- **Health value** – which measures the value of the savings in medical costs to individuals and society-at-large, by virtue of the fact that people who use parks (and the broader public realm) are healthier and less likely to incur medical expenses;
- **Community cohesion value** – which measures the value to the community overall of participating in parks-related initiatives (i.e. individuals donating their time and/or money and working together on park-related projects), a concept very similar to what Jane Jacobs had identified as “social capital” in her 1961 work, *The Life and Death of Great American Cities*.
- **Reduced storm water management costs** – which examines the value of park spaces in helping reduce runoff during periods of heavy rainfall, and enabling precipitation to filter and recharge groundwater – the savings to the municipality in terms of fewer gallons of storm water that require treatment can be directly measured; and,
- **Value of reduced air pollution** – which examines the effect of trees and vegetation acting as the “lungs” of the city and removing various toxins from the air, including nitrogen dioxide, sulphur dioxide, carbon monoxide, ozone, and certain particulates. The objective is to assess the extent to which park spaces in a given community have this effect – based upon the ambient air quality of the city – and then measures the value (cost) of removing these materials from the air through technological means, such as scrubbers.

While the approach taken by TPL does provide a tangible way to quantify economic value, it should be realized that the benefits accrue to different parties in different ways. Some benefits are realized directly by individuals and municipalities (e.g. increased property values that benefit individual households through enhanced market values of their properties, and to municipalities through higher taxes realized through increased assessment of the same properties) while others accrue to society generally (such as “community cohesion value”). Table 1 identifies for each type of benefit, an indication of who exactly the beneficiaries are, and examples of the approach being used (this work also comes from TPL).

Aspect of Economic Value Measured	Beneficiaries	Some Metrics and Examples
Increased Property Values	<ul style="list-style-type: none"> Individual property-owners Municipalities (increased taxes) 	<ul style="list-style-type: none"> Evidence based upon a large sample of parks shows that location of a residence within 500 ft. of a park will increase market and assessed value by, on average, 5.0% - and for 'really excellent' parks this added value can be as high as 15.0%
Increased Tourist Expenditure	<ul style="list-style-type: none"> Businesses in the community Municipalities (through business taxes) 	<ul style="list-style-type: none"> Parks in San Diego were found to increase expenditures on the part of out-of-town tourists by \$114 million, which resulted in \$8.7 million in tax revenue going directly to the City (2007 study)
Direct Use Value	<ul style="list-style-type: none"> Society generally: households who do not need to pay directly for access to parks 	<ul style="list-style-type: none"> A 2006 study estimated the value of parks in Boston in this regard as being equivalent to \$354 million
Health Value	<ul style="list-style-type: none"> Individuals and higher levels of government, through reduced health costs 	<ul style="list-style-type: none"> In Sacramento, in 2007, a study of the value of health benefits estimated that park participation saved the local health care system just under \$20 million
Community Cohesion Value	<ul style="list-style-type: none"> Society generally: households who do not need to pay directly for access to parks 	<ul style="list-style-type: none"> A 2006 study of the value of social capital attributable to participation in parks-related initiatives and projects estimated an economic value of \$8.6 million in contributions and volunteer time
Reduced Storm Water Management Costs	<ul style="list-style-type: none"> Municipalities 	<ul style="list-style-type: none"> Park runoff reduction savings in a 2007 study in Philadelphia estimated savings of \$5.9 million to the City
Value of Reduced Air Pollution	<ul style="list-style-type: none"> Individuals and higher levels of government, through reduced environmental remediation costs and better health outcomes 	<ul style="list-style-type: none"> A 2005 study in Washington estimated the costs of removing pollutants from the air (had not the park system done this 'for free') as \$19.9 million)

Table 1: Multiple Perspectives Approach to Measuring the Economic Value of Park Spaces

In addition to the economic benefits identified, numerous studies have shown that significant public investment in park space can generate other positive impacts, some of which are related to those already identified. For example, park space can:

- Promote reinvestment by the private sector in old and new building stock** – Experience across North America indicates that public sector investment in park space stimulates private sector investment in new buildings. Creating a beautiful park is an investment in the future. Public dollars spent secure existing tax revenues and have the potential to generate tremendous additional financial returns to all levels of government.
- Maintain existing retailers and attract new businesses** – Success breeds success, and an enhanced park space system through a shopping district ensures the retention of current tenants and attracts new retailers. Public investment sends a strong message to the private sector.
- Enhance a city's reputation** – Tourism increases with an array of park spaces, activities, and events that are supported by the public sector. By identifying an area as having the potential to become a key tourist destination, its transformation enhances the city's ability to attract tourists.

2.4 The Impact of Parks on Commercial and Residential Property Values

The principle inherent to these case studies is that investment in parks is required as a key stimulus to enhance the demand for development which, in turn, will establish the appropriate environment for revitalization, redevelopment and economic prosperity.

Real estate markets, especially residential markets, place a high value on proximity to parks and other key public realm network components as an advantage, primarily through the amenity they provide. In fact, a number of real estate studies (see summaries below) suggest that a premium exists for residences located close to park spaces.

Commercial markets also respond positively to investments in parks and the broader public realm network, which can stimulate revitalization, private-sector investment, and attract new visitors and customers to an area.

The following are some relevant and interesting points taken from studies exploring the relationship between property values and proximity to parks and other open space components.

1. Times Square, New York

In the early 1980s, Times Square was filled with illegal or illicit businesses, and was shunned by residents and tourists alike. In 1984, there were only 3,000 people in the 13-acre Times Square area involved in legitimate businesses, generating a total of \$6 million US in property taxes.

In 1992, the 42nd Street Redevelopment Plan, dramatically changed the face of Times Square. Financed with over \$300 million US in public money, the redevelopment has been enormously successful with more than \$2.5 billion US in new private sector development built since 1995.

In 1992, when the Times Square Business Improvement District started, lease rates averaged \$38.00 US/ft², and vacancy rates were 20.0%. By 2001, lease rates had increased to \$58.00 US/ft² and vacancy rates have dropped to just under 5.0%. Today, the area is home to 280 restaurants and 670 retail stores. Tourism has increased dramatically with over 12 million theatre patrons spending \$590 million US annually on tickets alone.



Times Square, New York City

Image: David McSpadden

2. Dundas Square, Toronto

In 1998, as part of its Yonge Street Regeneration Project, the City of Toronto approved the expropriation and demolition of the buildings on site and the construction of Yonge-Dundas Square. The Square is managed as a commercial venture by a broad based stakeholder group including local businesses and Ryerson University.

The City's investment in the acquisition of the private landholdings and in the development of an urban park space has spawned extensive real estate investment along Dundas Street, has attracted new, high value retail tenants and driven out much of the criminal element that had formerly populated the area.



Dundas Square, Toronto

Image: Andrzej Wrotek



Millennium Park, Chicago

3. Millennium Park, Chicago

Chicago's Millennium Park is an oft-cited example of the potential economic spin-offs associated with public investment in park space. Located on Chicago's waterfront, the Park has completely transformed what was formally a desolate stretch of rail yards, parking lots and remnant industrial uses. Since opening in 2004, Millennium Park has quickly become one of the City's primary landmarks and tourist draws, in large part because of its high quality design and impressive public art collection, including works by renowned artists Jaume Plensa and Anish Kapoor.

Not only does Millennium Park generate substantial revenues from tourists who come to Chicago to experience it, but within a year of its opening, residential real estate values in adjacent neighbourhoods saw a nearly \$400 US per square foot increase in value. Within that same year, approximately \$1.4 billion US in residential development was directly attributed to the Park's development (as reported in a 2006 New York Times article).

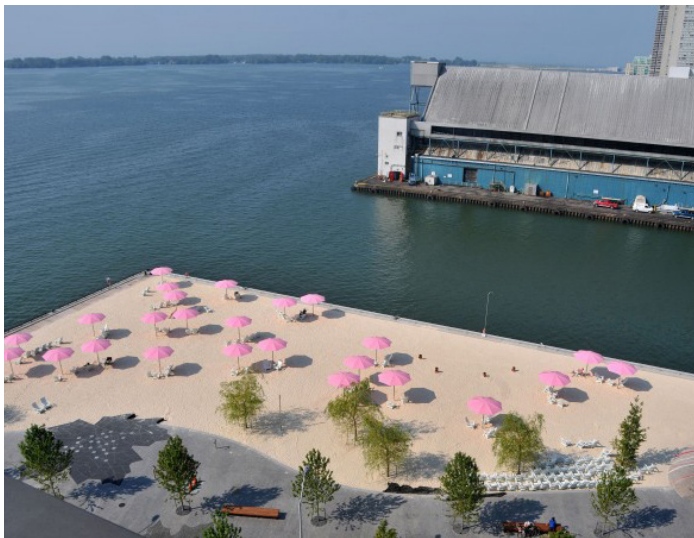
4. Post Office Square, Boston

For years, a two acre parcel of land in the midst of Boston's Financial District was occupied by an unsightly, 500,000 square foot concrete parking garage. But, in the early 1980s, at the urging of surrounding businesses, the City joined a unique public-private partnership to demolish the structure and create an underground garage covered by a gracefully designed park.

Most observers agree, Post Office Square has changed Boston forever. The Square has boosted the value of surrounding properties, while providing an elegant green focus to an otherwise crowded commercial area.



Post Office Square, Boston



Sugar Beach, Toronto

5. Waterfront Toronto, Toronto

Recognizing the importance of park spaces as a key component of the urban structure and as a way to demonstrate commitment to a development vision, Waterfront Toronto has been actively planning and developing parks and public spaces as part of its overall waterfront revitalization efforts. Dedicating approximately 25.0% of the waterfront area to parks and public spaces, the Waterfront Parks and Public Spaces Framework is planning an interconnected parks system with over 90 individual parks and public spaces.

To date, Waterfront Toronto has made considerable investments in park space development, with nearly 20 new or enhanced parks and public spaces opened since 2004. Three of its most recently completed park space projects, Sherbourne Common, Sugar Beach, and Underpass Park have already reached near-iconic status, cited in various publications for their innovative designs and appearing in numerous City tourism promotional campaigns.

In addition to those specific examples, there are a range of general conclusions from the literature review that identify the economic benefits of a great public realm network, including an array of park spaces and streetscape elements:

- Sherer (2003) finds that *“quality of life is a determining factor in real estate values and economic vitality”*. He quotes a 1998 real estate industry report, which calls livability *“a litmus test for determining the strength of the real estate investment market...if people want to live in a place, companies, stores, hotels, and apartments will follow”* (Sherer, 2003);
- In a study of residential units within 245 metres of parks in Portland, Oregon, it was estimated that a 1.0% to 3.0% property value premium could be attributed to the park space (Bolitzer & Netusil, 2000);
- In Dallas, Texas, homes facing one of 14 parks were found to be worth 22.0% more than homes more than 1.3 kilometres from such amenities (Miller, 2001);
- A study from Boulder, Colorado found that the average values of homes next to the greenbelt was 32.0% higher than those 975 metres away (Sherer, 2003);
- It has been suggested that a positive impact of about 20.0% on property values abutting or fronting a park is a reasonable point of departure, and that the impact is likely to be substantial, within roughly 150 metres;
- A study on the impacts of the Bryant Park revitalization in New York found that *“within two years of reopening, leasing activity on neighboring Sixth Avenue had increased 60.0% over the previous year”* (Sherer, 2003). As such, Sherer concluded that *“commercial asking rents, residential sale prices, and assessed values for properties near a well-improved park generally exceeded rents in surrounding submarkets”* (Sherer, 2003);
- A study by New Yorkers for Parks found that capital improvements to park spaces can increase nearby commercial and residential real estate values as well as commercial asking rents, residential sales prices, and assessed property values, as opposed to those in other

submarkets (New Yorkers for Parks, Ernst & Young, 2002). Overall, the study found that *“close proximity to a quality park is a positive site attribute that can enhance the curb appeal and value of adjacent real estate”* The study also found *“park spaces to be community assets, with real impacts on the decision to purchase, invest, or finance a property in their neighbourhood”* (New Yorkers for Parks, Ernst & Young, 2002);

- A study by the Virginia Cooperative Extension showed that *“access to green space increased worker productivity and that greening business districts increased community pride and drew more customers”* (Kilbourne, 2009);
- Recreational opportunities and urban life can contribute to the selection of cities in which to locate corporate headquarters, as was the case in Boeing’s decision to locate in Chicago (Sherer, 2003);
- A study by Credit Valley Conservation found that *“abutting a natural feature [which are often considered as natural parks] can increase property value from 1.0% to 5.0%, depending on the type of natural feature.”* The same study also found that natural features in south Mississauga increase property values by an average of \$8,010 per property, which is equal to over approximately 2.4% of the base property value. In north Mississauga, property values increase by approximately \$10,273 or 3.6% of the base value (Credit Valley Conservation, 2009).



Bryant Park, New York

3.0 What We Heard

3.1 Interviews with Councillors

Overview

As part of this Project, interviews were conducted with City of Vaughan Council to receive input on the current parkland dedication process, issues faced regarding parkland dedication, and potential approaches that could be considered through this Guideline Document. The input received is guided by the following principles and objectives: **FAIRNESS, EQUITY, CONSISTENCY** and **TRANSPARENCY**.

Overall, there was tremendous agreement among all of Council that the consideration promoted in this Guideline Document need to very **CLEAR**, and must find the right **BALANCE** between achieving a great parkland system for the City of Vaughan, and the financial feasibility of new development, both in a traditional greenfield context, and within the City's identified Strategic Growth Areas.

Quality of Life

Parks were noted in the interviews as a lifeline for people in the community. It was noted, specifically, that parks have become an urban escape for people amid the ongoing COVID-19 pandemic. Parks are a crucial component contributing to the quality of life of residents. Parks are a necessary component of a complete and livable community.

Changing Demands and Preferences

Amid the COVID-19 pandemic, demand for parks space has increased, as options for recreational activities have been limited. It was noted in the interviews that demand for existing and new facilities has greatly increased, with some attribution to the pandemic and some to intensified growth in Vaughan. Specifically, there is new demand for active parks and sports facilities. In addition, the trail system was also said to be well-used by all demographics. In addition to this, it was noted that there is also demand for designated dog parks/ areas, as well as event spaces. Some mentioned the need to provide a **BALANCE** of places catering to physical fitness, mental health and socializing.

In the interviews there were some concerns regarding the usage of specific types of parks and amenities. For instance, there was concern about underused neighbourhood parks. In many of the

interviews there were discussions regarding the need to allow parks, greenspace and the amenities/ facilities offered within these places to evolve over time, as demand patterns and use preferences change over time. It was recognized that the needs of the population change as demographic composition changes and as the City becomes more highly urbanized. It was noted in the interviews that to keep up with the changing demands in existing communities, substantial capital funds are needed. It was recognized that existing parks need to be upgraded to accommodate intensified growth in the City of Vaughan.

Accessibility

Some interviewees specified that the City of Vaughan desires to be an age-friendly community. Questions regarding how parks can be made accessible to individuals of all ages and abilities were brought up. As a solution, some noted following AODA compliance. Many emphasized the need for the City park system to have a full range of social and recreational opportunities to serve everyone.

Complete Communities

In the interviews, it was often mentioned that developers are not just building buildings, but they are also building communities. In these communities, parks and other public amenities are needed to ensure that complete communities are being achieved. Some of those interviewed made specific mention that high rise development requires park spaces, and that developers must provide land in urban development areas. Complete communities also need a complex and complete public realm network, and it was noted that this must be fully considered in the planning development processes.

Park Design

Park Design was a common topic of conversation, which ranged from discussions of specific design elements that are desirable for parks in Vaughan to examples of other parks in Toronto and further afield.

With respect to specific design elements for parks in Vaughan, it was noted by some that shade and sheltered areas are desirable for parks. Splash pads and children's play areas are also needed, particularly as kids are becoming increasingly present in the urban context. With respect to park design and accessibility, it was mentioned by some that connectivity among various park space elements and an expanded trail system is important.

Generally speaking, it was noted that a good park relates well to its context, as does the programming within the park. Parks within Vaughan's intensification areas must be reflective of the urban context – they must be multi-functional, active and interesting, provide active and quiet parts, public art and unique features. Some examples that were specified in the interviews to be of notable mention are as follows:

- Bryant Park in New York City as an example of a park in a highly urbanized context; and,
- St. James Park in Toronto for its play structures and overall redesign.

It was noted by some interviewees that the more traditional, suburban parks system in Vaughan is very well done, and really enjoyed by residents. Many identified opportunities “build a city within a park” and including park space options that evoke a Royal Botanical Gardens type of experience.

In the highly urban areas in particular, there is growing demand for amenities for dogs within parks. Dogs were noted to have become a growing issue in the City of Vaughan, and they must be considered in future park space design and development.

Park Maintenance

Overall park maintenance was noted as crucial, particularly as waste management has become a growing issue due to the overuse of park space. It was specified that there should be a commitment to maintenance.

Along with maintenance, some interviewees noted that with respect to Private-Owned Public Spaces (POPS) there are issues with both maintenance and programming control. This should be considered in the parkland dedication process.

City of Vaughan and Developer Interests

A common concern among those interviewed was the balance between meeting the City's park system objectives and developer's interests. It was noted by some that developers are being too demanding of the City, and a better balance needs to be achieved where the City's objectives are also being met. Some noted that developers are not doing enough, particularly in the more highly urban context, and it is the role of Council to make sure that the City is getting what it needs. Again, key words articulated by interviewees were **FAIRNESS, EQUITY, CONSISTENCY, TRANSPARENCY** and **BALANCE**.

Parkland Dedication vs. Cash-in-Lieu

Overall, there was a greater desire from those interviewed for more land and less cash-in-lieu, even though developers seem to prefer to pay cash than dedicate parkland. With this, it was noted that there should be a better **BALANCE** struck between parkland provision and cash-in-lieu payments. Specifically, there was a preference stated by some for policies that require land as a priority over cash. It was also noted by some, however, that the City must recognize their capacity to properly manage and maintain the full parkland system.

Some interviewees stated their preference to establish an action plan that outlines exactly how monies collected via cash-in-lieu will be spent. Further, a defined area for spending should be outlined in said action plan. Some noted that, though there is a preference for parkland, cash is also needed to acquire land, to build new parks and upgrade existing parks. With this, it was stated that the City would like to receive the best value for money, specifically to meet all the expectations of the community.

Alternative Approaches to Parkland Dedication

With regard to alternative approaches to parkland dedication, most mentioned the need to be **FLEXIBLE** and open to alternatives. This includes the consideration of off-site land dedications, POPS and strata parks. Some noted their concerns over applying full credit to these alternative approaches, and most noted a preference for partial parkland dedication/cash-in-lieu credits. This includes partial credit for POPS and off-site parkland dedication.

As mentioned earlier, real capital funds are needed to keep up with changing demand in existing communities, some of which could come from cash-in-lieu payments. It was stated by some interviewees that the City and developers need to work together to achieve the City's parkland system objectives. Additionally, the City needs to be willing to update strategies to be **CLEAR, CONSISTENT** and **TRANSPARENT**.

The Role of the Greenbelt

It was stated by many of the interviewees that using the Greenbelt as part of the overall City parkland system is a key consideration. By using the Greenbelt, a variety of experiences could be offered including ecological observation, trails, parks, and education. Some noted that there could be flexibility for different types of parks within the Greenbelt, such as eco parks and natural parks, as well as the potential to include some more active elements like sports fields.

In the interviews, it was mentioned that the Greenbelt should be optimized, as it provides opportunities for trails and other passive opportunities. No buildings should occur within the Greenbelt, and some noted that the focus should be on passive opportunities. The fundamental purpose of the Greenbelt should be a key consideration in all considerations.

3.2 Results of the Public Survey

From April 19, 2021, and May 3, 2021, the City of Vaughan hosted an online survey that invited the public to share their thoughts on parkland in Vaughan, as the City was developing guidelines to inform current practices on how the City receives parkland and how future parkland funding may be used. The online survey was hosted on Google Forms for a period of two weeks. The online survey yielded approximately 300 responses from the public. The following information was collected from the survey:

Access and proximity to green space and parks:

- 87% say they have private green space or a backyard;
- 81% say they live within a 5-to-10-minute walk from a park;
- 52% say they can easily access a local park;
- 45% say there is not enough parkland where they live;
- 43% say the features and facilities in their local parks do not meet their family's needs;
- 43% say their park cannot accommodate more people; and,
- 39% say their local park is crowded.

Use parks:

- To walk or hike the trails;
- To enjoy physical activity; and,
- To engage in team sports and recreation.

Other reasons respondents noted as to why they use parks included wellness, birdwatching, dog walking, to attend festivals and events, and for quality of life.

Don't use parks:

- There is not enough parkland;
- Park facilities are not interesting; and,
- Parks are in poor condition and/or are uninviting.

Other reasons respondents noted as to why they do not use parks often included congestion in the park, feeling unsafe, a lack of available parking, a lack of shaded and/or sheltered areas, a lack of trail signage, and a lack of maintenance.

Park types and sizes:

- 85% agree that there should be a variety of types and sizes of parks;
- 81% agree that the City should establish naturalized parks without sports fields; and,
- The most preferred type of parks were those that have trails for walking or hiking and large open grassy areas.

Parks space and City building initiatives:

- 94% agree that parks contribute to healthy and complete communities and offer an attractive quality of place;
- 90% agree that parks improve the quality of life by providing space for recreation and social gathering; and,
- 85% agree that parks offer economic benefits to residents and the City and that parks increase property values in proximity.

Parks in urban areas:

- 94% agree that it is important for parks to have landscaping, trees and other green features;
- 87% agree that parks should be well connected to sidewalks and other paths;
- 82% of respondents agree that smaller programmed spaces can play an important role in livability of urban areas; and,
- 50% agree that different types of parks could be provided with mostly hard surfaces and seating and includes more spaces for socializing and game playing.

3.3 Virtual Meeting with BILD

In the fall of 2020, City staff and the consulting team spoke with members of BILD GTA to discuss their experiences with parkland dedication policies within the City the Vaughan and throughout the GTA. Below is a summary of what was heard during this consultation:

Flexibility and Creativity

- Allowing for flexibility and creativity in the type of parkland that is accepted (e.g. POPs, strata, trails, multi-use parks) and the programming allowed within these parks is crucial;
- Off-site dedication policies should be considered; and,
- The City should consider redefining active and passive uses to reflect the changing ways in which parks are being used, especially within an urban setting.

Strategic Growth Areas

- Consider introducing a graduated approach to parkland dedication within these areas, reducing conveyance requirements as the density increases. Parkland costs within these areas is a major concern; and,
- Need a clear strategy or parkland master plan in place to guide parkland dedication, as it currently feels ad hoc, and is dealt with on a case-by-case basis.

Land Value and Land Calculation

- Consider implementing standardized land value rates for different areas, as it can provided certainty for the development community; and,
- Percentage of land area calculations are not always appropriate.

New Community and Greenfield Areas

- Consider allowing parkland within the Greenbelt area; and,
- Delivering parks in these areas will be different than parks in intensification areas.

3.4 Cross-Jurisdictional Position on Parkland Dedication

BILD provided to the City a cross-jurisdictional position on parkland dedication in part informed by a 2019 study BILD commissioned on Parkland Dedication and Cash-in-Lieu Policies in the GTA. The report, prepared by Altus Group Economic Consulting, presented estimates of parkland dedication and cash-in-lieu dedication contributions for hypothetical high-rise and low-rise developments in municipalities across the GTA.

The introduction of Bill 197 has meant that municipalities have a specific window to pass a new Parkland Dedication By-law in order to continue charging alternative parkland rates (to September 2022). To provide a consistent BILD position for these upcoming municipal reviews, on December 9, 2020, BILD invited its Chapter members to attend an internal consultation for Parkland Dedication in the GTA and Simcoe. The discussion resulted in the formulation of a BILD Parkland Policy Position organized in 8 key themes.

Aligning Provincial, Regional & Municipal Objectives

- Explore opportunities to standardize core aspects of parkland processes and requirements across levels of government, which would also improve predictability; and,
- Parkland policies should not act as a barrier to increasing the supply of more affordable homes, creating opportunities for a mix of unit sizes/types, or impede the ability to achieve Provincial intensification targets.

Creating a Plan

- Consider existing inventory and what new acquisitions can be reasonably maintained by the municipality;
- Consider early and large land acquisitions, avoiding purchasing land at a late point in time with the highest land cost; and,
- Municipalities should accept off-site parkland dedication, especially in an urban infill context (this is already permitted in the Vaughan

Metropolitan Centre). This ability to provide off-site parkland dedication should not be encumbered by overly complex criteria.

Defining Parkland

- Municipalities should not restrict parkland dedication to unencumbered land and accept new forms of parkland dedication. This could be established by creating a broader definition of parkland that includes both active and passive parkland;
- Active parkland should include urban forms of parkland, strata parks, trails, woodlots and valley lands, and parks in the greenbelt, especially when they provide public recreational opportunities; and,
- Passive parkland should include land capable of providing public recreational purposes like trails and nature walks, and some consideration should be made for condominium amenity areas that have a similar function to public parkland.

An Efficient Use of Land

- Allow LIDs and Green Development Standards in parks, including examples like bioretention swales, underground greywater storage tanks, infiltration chambers or dry detention ponds.

Methodology

- Adopt predictable methods of parkland dedication costing such as fixed rates or percentage caps, with rates applying for a minimum 5-year term;
- For application of an alternative rate, parkland dedication rates should be multi-dimensional (i.e. a sliding scale whereby the greater the density the lower the rate) to account for the variability of development types and densities, but also predictable and fair;
- Create a cap on the maximum amount of parkland which is well below the statutory maximum;

- Allow a reduction in the amount of cash-in-lieu of parkland payments if sustainability features are included in redevelopment proposals;
- Publicize fee schedules and any related formulas so they can be factored into the early planning stages of the development planning process;
- Be transparent in plan to use parkland reserve funds in a 5-year term and publicize in a public report; and,
- Do not impose parkland dedication requirements for adaptive re-use/renovation projects.
- Accept cash-in-lieu and off-site dedications in cases where provision of land cannot be achieved.

Timing of Collection

- Take land or cash-in-lieu as a condition of approval, and not delay it to the building permit stage.

Dialogue and Decision-making

- Parkland dedication processes should allow for more opportunities for dialogue and collaboration, to give applicants more opportunity to discuss key aspects of parkland dedication such as placement, land value and alternative use opportunities – before a decision has been made;
- Once parkland decisions have been made regarding an application, the rationale should be made very transparent, and built-in opportunities should be provided for those decisions to be openly discussed to avoid appeals;
- When a decision is made to require land over cash-in-lieu, municipalities should not prejudice (or discount) the collection of certain types of land over others; and,
- There should be no criteria as to what is and is not acceptable unencumbered land that is being dedicated for parkland purposes as long as it is accessible and inviting.

Collecting Parkland

- Be upfront about what a municipality wants, whether that be land or cash-in-lieu and make this clear through municipal reporting and any pre-consultation discussions; and,

4.0 Ideas and Concepts for Consideration

4.1 Introduction

The following are a host of ideas and concepts for the City of Vaughan to consider as the work continues toward the preparation of a new Parkland Dedication By-Law. Some of the considerations will be appropriate for inclusion in the Parkland Dedication By-Law itself, while others may be more appropriately included as refinements within the new Official Plan, or within an accompanying guideline.

The ideas and concepts for consideration provided are based on experience in other jurisdictions, as well as from discussions with City staff, representatives of BILD and through interviews and presentations to Council. In addition, the considerations have been influenced by the related experience of the consulting team from planning, design and fiscal perspectives. The ideas and concepts for consideration are organized into the following Sections, and are supported by more detailed information provided in a number of Technical Appendices:

- Key City Objectives
 - » Parkland is Part of a Broader Greenlands System (Appendix I: Background Document Review)
 - » Meeting the City's Parkland Target of 2ha/1000 People (Appendix II: Review of the Active Together Master Plan);
- Establishing a Context Appropriate Parkland System
 - » The Eco Park Typology
 - » The Park Hierarchy for Traditional Residential Communities and designated Greenfield Areas
 - » The Urban Park Hierarchy for Strategic Growth Areas (Appendix III: The Need for an Urban Parkland Hierarchy);
- Achieving the Parkland System
 - » Residential Communities - Traditional and Designated Greenfield Areas
 - » Residential/Mixed Use Development in Strategic Growth Areas
 - » Commercial and Industrial Land Uses
 - » All Other Land Uses
 - » Options for Ownership of Parkland (Appendix IV: POPS and Strata Ownership);
- Designing and Maintaining the Parkland System
 - » Designing the Parkland System (Appendix V: Design Guidelines for the Parkland System)
 - » Maintaining the Parkland System (Appendix VI: Maintaining the City's Parkland System); and,
- Administration of the Parkland Dedication By-Law (Appendix VII: Review of Other Municipalities)
 - » Understanding Cash-in-lieu of Parkland
 - » Developers/Development Forms that may be Exempt from Parkland Dedication
 - » Lands that should Count/Not Count for Parkland Dedication
 - » Other Administrative Elements.

As noted previously, the purpose of this Parkland Dedication Guideline Study is to help guide the City's parkland dedication and acquisition process as it responds to an evolving City and Provincial policy framework. This study was prepared in collaboration with City staff and there is not necessarily full agreement among the consulting team and City staff, with respect to the ultimate and detailed provisions of an Official Plan Amendment and/or the Parkland Dedication By-Law. As such, the wording inherent to this Report is intended to introduce the concepts

and ideas that are believed to be relevant to an up-to-date and defensible Parkland Dedication By-Law. The wording is specifically not absolute or determinative in recognition that this Report is to provide opportunities for City staff to carry out further research, to apply City of Vaughan experiences and to prepare a Parkland Dedication By-Law to present to Council that is in the best interests of the City.

Overall, this Parkland Dedication Study will assist the City in achieving its goals with respect to the public parkland system and the planned urban structure and will complement the City's work on a new Parkland Dedication By-Law as well as an update to its Development Charges By-Law and upcoming Community Benefits Charge Study and By-Law. It is recognized that City Council will eventually approve a Parkland Dedication By-Law that will be prepared by staff, that will be, of course, subject to appeal to the Ontario Land Tribunal.

4.2 Key City Objectives

Based on a review of the City and Region's background documents (Appendix I: Background Document Review), the interviews with Council, meetings with BILD, the public survey, research and ongoing conversations with City staff there was tremendous general agreement on a number of key objectives for this Parkland Dedication Guideline Study. In general the key objectives for this Study include:

- Parks are considered to be a lifeline for people in the community. It was noted, specifically, that parks have become an urban escape for people amid the ongoing COVID-19 pandemic. Parks are a crucial component contributing to the quality of life of residents. Parks are a necessary component of a complete and livable community;
- Public sector investment in parks can be leveraged into a private sector investment response. Park system investment is a key stimulus for change, establishing the appropriate environment for redevelopment and revitalization;
- Well over 80% of the public respondents to the survey indicated that parks:
 - » Play an important role in livability of urban areas and contribute to healthy and complete communities and offer an attractive quality of place
 - » Improve the quality of life by providing space for recreation and social gathering
 - » Offer economic benefits to the City, and that parks increase property values in proximity
 - » Should vary in size and by type/function, including naturalized parks without sports fields and should be well connected to sidewalks and other paths/trails;
- The City's new approach to parkland dedication should be guided by the

principles of fairness, equity, consistency and transparency. It is also important to recognize that the new Parkland Dedication By-Law must be defensible; and,

- This Guideline Document needs to be:
 - » Clear, and must find the right balance between achieving a great Parkland System for the City, and the financial feasibility of new development
 - » Cognizant of the inherent differences between the traditional greenfield context, and the context of the City's identified Strategic Growth Areas.

4.2.1 The Parkland System is Part of a Broader Greenlands System

A comprehensive Greenlands System includes all elements of the City's defined Natural Heritage System, lands within the Provincial Greenbelt and within the defined Oak Ridges Moraine - in addition to the City's substantial inventory of public parks. Each of the identified components of the Greenlands System plays a crucial role in identifying areas that will not accommodate urban or suburban forms of development, but rather contributes to the City's high quality of life by providing:

- Protected rural areas that give residents a sense of openness, and provide a link back to Vaughan's agricultural history;
- Woodlots that contribute to the City's sustainability objectives;
- River valleys and other key landforms that are unique and sustain important natural heritage functions;
- Environmental education facilities that promote a broader understanding of key natural heritage features and their ecological functions;
- An interconnected active transportation/trails network that facilitates education, recreation and an active, healthy lifestyle; and,
- The City's Parkland System, including:
 - » Larger scale parks that provide

opportunities for active recreation and sports activities

- » Smaller scale parks that add interest and opportunities for relaxation, contemplation and other more passive recreational pursuits.

It is the comprehensive Greenlands System, in its entirety, that creates an image of Vaughan as a diverse City that accommodates a full range of contextual and recreational experiences for residents of all ages and abilities to enjoy throughout their lifetime.

4.2.2 Meeting the City's Parkland Target of 2ha/1000 People

The City's Active Parkland Target of 2 hectares for every 1,000 people established in the 2018 Active Together Master Plan (Appendix II: Review of the Active Together Master Plan) is expected to be difficult to achieve based on current and anticipated population projections. Certainly, the target will not be achievable solely through the parkland dedication provisions of the Planning Act, as identified in the review of the Active Together Master Plan. It is, however, recognized that the City's Parkland System has been built over a number of decades using a number of tools and capitalizing on various opportunities, particularly for establishing Regional-scale parks - the largest park types within Vaughan.

Further, the amount of parkland necessary to achieve the Active Parkland Target once the City is provided with its 2051 growth projection will be substantial, and will likely not be achievable within the existing Settlement Area Boundary of the City of Vaughan. This reality will require that the City consider accepting as an off-site parkland dedication, constrained lands within the Settlement Area Boundary and/or constrained/unconstrained lands within the Designated Greenbelt/Oak Ridges Moraine.

The City of Vaughan will need to augment the land supply for Active Parkland generated through the development approval process with an additional parkland acquisition strategy, and may need to utilize alternative financial tools and other innovative approaches in order to ultimately achieve the identified Active Parkland Target.

Consideration 1

It is suggested that the City refine the definition for “Active Parkland” to include a more fulsome list of recreational opportunities, including non-intensive recreational activities, thereby including lands for more passive recreational pursuits and the enjoyment of nature.

Consideration 2

It is suggested that the City continue to utilize the Active Parkland Target of 2 hectares for every 1,000 people established in the Active Together Master Plan. To achieve that target the City consider utilizing the following acquisition tools:

- *The Parkland Dedication/Cash-in-lieu provisions of the Planning Act;*
- *The Community Benefits provisions of the Planning Act;*
- *Land exchanges;*
- *Donations, gifts, bequests;*
- *Lease arrangements with other public agencies; and,*
- *Other methods, as deemed appropriate by the City.*

Consideration 3

On-site parkland dedication is the preference of the City, however, where an on-site land dedication is not feasible, it is suggested that the City consider off-site parkland dedication opportunities in order to augment its supply of parkland and as a way of achieving its Active Parkland Target. Where an off-site land dedication is considered appropriate by the City, the land area of the off-site parkland dedication should be subject to the following criteria:

- *The City may consider an off-site dedication of land where the land proposed to be dedicated is acceptable as parkland dedication, in accordance with the City’s requirements,*
- *The City should establish priority locations within the City that will be the focus for off-site parkland dedication opportunities;*
- *The Land Value identified for the required parkland dedication from the proposed development site is equal to the Land Value of the off-site land dedication site, either in absolute per hectare land cost, or the amount of land to be dedicated; and,*
- *An off-site parkland dedication should be to the satisfaction of the City.*

Consideration 4

It is suggested that the City consider the dedication, or acquisition of unconstrained lands (not a natural heritage feature , or considered to be Hazard Lands) that are within the Provincial Greenbelt, or the Oak Ridges Moraine Area of the City for the purposes of public parkland. Parkland dedication of unconstrained lands within the Greenbelt and/ or the Oak Ridges Moraine should be to the satisfaction of the City. It is recognized that this consideration may require an update to the City’s park planning documents.

4.3 Establishing a Context Appropriate Parkland System

4.3.1 The Eco Park Typology

As noted previously, the amount of parkland necessary to achieve the City's stated Active Parkland Target to match its 2051 growth projection will be substantial, and will likely not be achievable within the existing Settlement Area Boundary. This reality will require that the City consider accepting as an off-site parkland dedication constrained lands within the Settlement Area Boundary and/or constrained or unconstrained lands within the Provincially designated Greenbelt/Oak Ridges Moraine. These off-site dedications should not be traditional suburban or urban park typologies, requiring a park type that is more ecologically appropriate in those contexts. It is recognized that this concept is likely to require consultation with the Region and, potentially the Province to facilitate park space opportunities within the Provincially designated Greenbelt/Oak Ridges Moraine.

Consideration 5

It is suggested that the City amend its park planning documents and incorporate the following Eco Park typology into its parkland hierarchy for implementation through off-site parkland dedications:

Eco Park (>3 ha)

Eco Park spaces support environmental education, interpretation and nature-related recreation. Eco Park spaces include opportunities for linear and passive recreation and provide an ecological relief from the more urban environments in Vaughan. Eco Park spaces may accommodate specialized events and amenities and will attract users from across the City. Where possible, Eco Parks should be considered to co-locate with other park opportunities that can more appropriately accommodate active recreation facilities.

It is crucial to note that the Eco Park typology does not replace the need for a full suite of urban and more traditional suburban park

typologies throughout the City. Eco Parks are an opportunity to augment the City's robust park hierarchy - not replace it.

**More detailed design and park use guidelines for the Eco Park typology are provided in Appendix V: Design Guidelines for the Parkland System, attached to this Report.*

4.3.2 The Park Hierarchy for Traditional Residential Communities

The traditional, more suburban parkland system is characterized as public, big, green and programmed - In a suburban neighbourhood there is substantial private outdoor space in the back or front yard that significantly supplements the park space system. In many cases, the suburban park space system incorporates school sites. For the most part, the suburban park space system is owned, designed and maintained by the City.

As noted earlier in this Report, the City of Vaughan has been very successful in achieving a diverse, well designed and well used parkland system throughout its Traditional Residential Communities, and that has continued through the planning and development of its Delineated Greenfield Residential Areas. The City's park planning documents have articulated a robust parkland system that is appropriate for the Traditional Residential Communities and its Delineated Greenfield Residential Areas, with a number of very minor refinements.

Consideration 6

It is suggested that the City amend its park planning documents and incorporate the following parkland hierarchy for implementation through the planning and development of its Traditional Residential Communities and Delineated Greenfield Residential Communities. It is expected that the majority of the Delineated Greenfield Areas will also be subject to, and implemented through comprehensive Secondary Plans:

Regional Parks (>15 ha)

Regional Park spaces support larger cultural, recreational and entertainment events, such as festivals and tournaments, as well as uses listed for District Park spaces. Regional Park spaces should accommodate specialized events and amenities and are expected to attract users from across the City.

District Parks (>5 ha)

District Park spaces support a variety of recreational and athletic interests with amenities, such as sports fields and courts, large skateboard parks, outdoor skating facilities, field houses, picnic shelters, off-leash dog areas and water play facilities. District Park spaces are typically co-located with Community Centres, where possible. District Park spaces may accommodate specialized events and amenities may attract users from across the City or District.

Neighbourhood Parks (.75 to 5 ha)

Neighbourhood Park spaces support a balance of active and passive uses, such as playgrounds, skate zones, play courts, unlit sports fields and social gathering spaces. Neighbourhood Park spaces may be coordinated with school sites, where possible. Neighbourhood Park spaces serve a local community located within a 10-minute walk of the park space.

Parkettes (.20 to .75 ha)

Parkette spaces are recommended for instances where a Neighbourhood Park

space is not necessary, but local-level facilities (e.g., playground, waterplay, seating) are required to serve a nearby development. These spaces are not suitable for large features such as sports fields. Parkettes support the social and cultural fabric of the community located within a 5-minute walk of the park space.

**More detailed design and park use guidelines for all of these components of the Suburban Parkland Hierarchy are provided in Appendix V: Design Guidelines for the Parkland System, attached to this Report.*

4.3.3 The Urban Park Hierarchy for Strategic Growth Areas

Urban Park Space is characterized as diverse, flexible, small and connected. The need for the City to establish an Urban Parkland Hierarchy is outlined in Appendix III, attached to this Report. Urban Park Spaces will play a critical role in providing outdoor space in Vaughan's Strategic Growth Areas, as defined in the City's Official Plan. Urban Park Spaces have both green and hard design components, and are inherently connected to the abutting public sidewalk system. The Urban Parkland System includes primarily public spaces, but can include semi-public spaces and private components that work to form an interconnected network. The Urban Parkland System is fundamentally different from its suburban counterpart because it is:

- Animated by the people who walk from place to place and interact with the uses in the adjacent buildings;
- More heavily used and more diverse in its component parts and, as such, require a higher cost of design and development, and an enhanced maintenance protocol;
- Integrated as part of the pedestrian circulation network within a Strategic Growth Area; and,
- Flexible to accommodate different users and events, and will respond to use patterns that may be dramatically different at different times of the day.

Consideration 7

It is suggested that the City amend its park planning documents and incorporate the following Urban Parkland Hierarchy for implementation through the planning and development of its Strategic Growth Areas. It is expected that the majority of these Strategic Growth Areas will also be subject to and implemented through approved Secondary Plans:

Public Commons (.75 to 2 ha)

Public Common spaces are the social and recreational focal points of a neighbourhood. They typically meet the needs of the local community, and in some instances, accommodate City-wide facilities. Public Common spaces support a balance of active and passive uses. Public Common spaces should be coordinated with school sites, where possible.

Public Common spaces should accommodate special features that add visual interest and contribute to placemaking, including locations for public art. Public Common spaces are intended to serve community users who are generally within a 10-minute walking distance (approximately 800 metres).

Urban Squares (.25 to 1 ha)

Urban Square spaces support neighbourhood-oriented social opportunities, as well as city-wide entertainment and cultural events depending on their size and location. Urban Square spaces may include public art, small outdoor game areas, seating areas and places to eat, as well as street-related activities such as vendor and exhibit space. Urban Square spaces are intended to serve community users who are generally within a 5-minute walking distance (approximately 400 metres).

Promenades

Promenades are substantial linear spaces that are located between adjacent building facades and the adjacent road right-of-way. Promenades are between 5 and 25 metres in width, with an average width along its length of 15 metres. Promenades are typically used

to enhance the pedestrian experience along with highly activated at-grade retail spaces. Promenades are typically only located along one side of the street, and are continuous along the length of the block. Promenades may include public art, small outdoor game areas, seating areas and places to eat, as well as street-related activities such as vendor and exhibit space.

**More detailed design and park use guidelines for all of these components of the Urban Parkland Hierarchy are provided in Appendix V: Design Guidelines for the Parkland System, attached to this Report.*

Consideration 8

It is suggested that the City amend its park planning documents to add to the Urban Parkland Hierarchy, a number of Other Urban Park Spaces. In addition, the City may consider recognizing these Other Urban Spaces as contributing to the required parkland dedication within any development proposal within the City's Strategic Growth Areas, subject to an understanding of their individual contribution to the overall Urban Parkland System. Other Urban Park spaces are described as follows:

Connecting Links

A Connecting link is an outdoor or indoor walkway that may be lined with small stores, restaurants and cafés. A Connecting Link is a minimum of 4 metres in width, and may be substantially wider. When enclosed, the floor to ceiling height should be a minimum of 7 metres. Although a Connecting Link is intended to enable pedestrians to travel through the community quickly and easily, many are destinations unto themselves with seating, restaurant and retail frontages.

Pocket Parks (.075 to .25 ha)

Pocket Park spaces support the social and cultural fabric of Vaughan's Strategic Growth Areas. They are destinations for day-to-day use and are animated by their adjacent uses, such as cafés and shops. They are intended to serve a local community that is generally within a 2.5 to 5-minute walk (approximately

200 to 400 metres) of residents, visitors and businesses.

Pocket Park spaces include primarily hard surface elements, but can also accommodate softer elements. Pocket Park spaces must be a minimum of 75 square metres in size and must be connected to, and have at least 7.5 metres of direct frontage along the public sidewalk system. Pocket Park spaces are designed to a very high standard to support more intensified use.

Sliver Parks

Sliver Park spaces are narrow linear spaces that often front restaurants, cafés and retail spaces. They create plazas or forecourts between the face of the adjacent building and the street right-of-way. They are effectively small scale extensions of the public sidewalk system. Sliver Park spaces are small and compact spaces that are designed to a very high standard to support more intensified use.

**More detailed design and park use guidelines for all of these components of the Other Urban Parkland Hierarchy are provided in Appendix V: Design Guidelines for the Parkland System, attached to this Report.*

4.4 Achieving the Parkland System

As previously identified, the City will need to utilize a full array of planning and financial tools to achieve their stated Active Parkland Target of 2 hectares per 1000 people. One important tool is the use of Sections 42, 51.1 and 53 of the Planning Act, which allows the City to require parkland, or cash-in-lieu of parkland through the development approval process. It is likely that the City will need to consider utilizing Section 37 of the Planning Act (the new Community Benefits Charge By-Law) and/or the Development Charges By-Law to achieve all of its objectives related to the Parkland System.

The City of Vaughan incorporates a full array of development types and community contexts, and it is appropriate to consider parkland dedication in a way that recognizes those differences. This Section focuses on these differences and promotes an approach to calculating parkland dedication based on land use and density.

As a result of these differences in land use and density, calculating a parkland dedication that is applicable throughout Vaughan is complex. The important question that needs to be addressed is what is the appropriate approach for residential neighbourhoods in a greenfield context versus an appropriate approach in an urban intensification context where a mixture of uses predominate. The goal is to identify a fair and consistent approach that recognizes the diversity of development contexts throughout the City. In addition, there will need to be a discussion about how, in an urban context, parkland dedication requirements do not become a major disincentive to appropriate and desirable intensification projects.

4.4.1 Residential Communities Traditional and Designated Greenfield Areas

In the most general sense, the Planning Act provides the following legislative authority for the City to achieve a parkland dedication through the residential development process, where supported by the Official Plan and appropriate By-Laws:

- Up to a maximum of 5% of the total land area; or,
- Up to a maximum of 1 hectare per 300 dwelling units; or,
- Where cash-in-lieu is utilized, up to a maximum of 1 hectare per 500 dwelling units.

Additional parkland may also be achieved through the provisions of Section 37 (the new Community Benefits Charge) of the Planning Act, and through Development Charges, among other approaches identified in Consideration 2.

Traditional Residential Communities

The City of Vaughan has historically done an excellent job in creating, building and maintaining a public parkland system that is appropriate within its primarily low to moderate density residential communities - where gross densities are less than 50 persons per hectare. These communities have incorporated a hierarchy of park spaces that are appropriate for their context.

To achieve this success, the legislative tools provided by the Planning Act and the policy framework included in the City's Official Plan and Parkland Dedication By-Law have worked very well. Traditional residential communities have generally been developed on the basis of 5% of gross land area because that parkland dedication standard typically generated the greatest amount of parkland, in comparison to the alternative standard of 1 hectare per 300 dwelling units. Table 2 identifies a number of parkland dedication scenarios for 350 gross hectares of residential development land within Vaughan's Existing Residential Communities:

Parkland Standard/ Density	Density in Units	Units Generated	Parkland Generated
5% of Gross Land Area			17.5 ha
1 ha/300 dwelling units @ 30 persons/ha	9.2 units/ ha	3,220 units	10.7 ha
1 ha/300 dwelling units @ 45 persons/ha	13.8 units/ha	4,830 units	16.1 ha

Table 2: Residential parkland dedication scenarios for within Vaughan's Existing Communities

In these examples it is clear that the 5 % standard generates the greatest amount of parkland in lower density residential communities. Further, the Active Parkland Target of 2ha/1,000 people is not achieved in any scenario, ranging from 2ha/1,196 people to 2ha/1,956 people.

Delineated Greenfield Residential Communities

Within Vaughan's Delineated Greenfield Residential Communities, there is a requirement that gross densities be increased to between 50 and 70 persons and jobs combined per hectare. It is expected that the traditional hierarchy of parkland that has been implemented throughout Vaughan's Traditional Residential Communities will continue to be successful within the Delineated Greenfield Residential Communities.

However, as densities increase within these Delineated Greenfield Residential Communities, the use of the Planning Act alternative parkland dedication rate of 1 hectare per 300 dwelling units for residential development begins to generate substantially more parkland than the 5% standard. The increase in parkland dedication generated by the alternative rate is further enhanced as household sizes decrease, increasing the number of dwelling units required for the generated population. Table 3 identifies a number of parkland dedication scenarios for 350 gross hectares of residential development land within Vaughan's New Greenfield Residential Communities:

Parkland Standard/ Density	Density in Units	Units Generated	Parkland Generated
5% of Gross Land Area			17.5 ha
1 ha/300 dwelling units @ 50 persons/ha	17.6 units/ha	6,160 units	20.5 ha
1 ha/300 dwelling units @ 70 persons/ha	25.0 units/ha	8,750 units	29.2 ha

Table 3: Residential parkland dedication scenarios for within Vaughan's New Greenfield Communities

In these examples it is clear that the alternative parkland dedication standard of the Planning Act at 1 hectare per 300 dwelling units generates the greatest amount of parkland in the Delineated Greenfield Residential Communities, influenced by increasing densities and lowering average household sizes.

Consideration 9

It is suggested that the City of Vaughan, throughout its Traditional Residential Communities, and within its Delineated Greenfield Residential Communities apply a parkland dedication rate based on a rate of 5% of the Gross Land Area, or 1 hectare per 300 dwelling units, whichever generates the greater parkland dedication to the City.

Notwithstanding the generation of more parkland as densities increase in Traditional Residential Communities, and within its Delineated Greenfield Residential Communities, it is important to recognize that achieving actual land dedication in a higher density context where minimum densities over 50 persons per hectare are required can be challenging as those increases in density also come with increasing demands for education and other public service facilities, as well as ongoing requirements for roads and storm water management facilities. More clearly stated, the greater the density required, the greater demand for parkland, the greater demand for other public service facilities and the greater need for municipal service infrastructure, including the scale and function of the road network.

Small-Scale Residential Intensification within a Traditional or Greenfield Community

Small-scale residential intensification is expected within Vaughan's Traditional and Delineated Greenfield Residential Communities. In these circumstances, the parkland dedication requirement is difficult to quantify. It is important to remember that most existing communities already have a park system within them, and many existing properties may have already contributed to parkland dedication requirements (to some degree) when they were originally developed. Again, the goal is to be fair and reasonable when considering small-scale residential intensification, while recognizing that more dwelling units will have an incremental impact on existing parkland resources.

Consideration 10

It is suggested that the City identify that for Small-Scale Residential Intensification, where no Official Plan Amendment is required, the City establish a set fee per unit to cover parkland dedication for each additional unit created. As noted, the set fee should apply to the new units generated over and above the number of units being replaced.

Consideration 11

It is suggested that the City identify that Additional Residential Units, as defined by the Province and permitted by the Official Plan and Implementing Zoning By-Law are exempt from any parkland dedication requirement.

Significant Residential Intensification within a Traditional or Delineated Greenfield Residential Community

The City may get significant residential intensification proposals - proposals that require an Official Plan Amendment - on lands that are not currently identified within any of the City's designated Strategic Growth Areas. In these instances, significant residential intensification within a Traditional or Delineated Greenfield Residential Community may be proposed, but

may not necessarily be desired. As such, the City may wish to utilize parkland dedication as a way to mitigate the impacts of intensification in areas where it is not anticipated, and to ensure that adequate parkland is available within the surrounding lower intensity community.

Consideration 12

It is suggested that the City, throughout its Traditional Residential Communities, and within its Delineated Greenfield Residential Communities where a significant intensification proposal is proposed, and not anticipated by the Official Plan (requiring an Official Plan Amendment) apply a parkland dedication rate of 5% of the Gross Land Area, or 1 hectare per 300 dwelling units, whichever generates the greater parkland dedication to the City.

4.4.2 Residential/Mixed Use Development in Strategic Growth Areas

Residential Intensification within the defined Strategic Growth Areas

The City of Vaughan’s Official Plan identifies an urban structure that includes a number of Strategic Growth Areas. These Strategic Growth Areas are expected to accommodate higher density forms of development through significant residential intensification. In these identified locations, land areas and development sites are limited in size, and land, is both at a premium and significantly more expensive than in any other locations throughout the City.

In considering the amount of parkland dedication achieved on an individual development site, the context of the “intensification” objectives of the City, the Region and the Province need to be considered. For the very dense and highly urban development anticipated, the approach to parkland dedication needs to be clarified, based on an understanding of what can be considered to be fair and consistent. Fundamentally, that means finding a balance between the incentive versus disincentive impacts of the cost of the provision of parkland, as well as the desire to promote good city-building principles.

It has been generally concluded that the 5% of land area for higher density forms of residential development is wholly inadequate for any high density, mixed-use community that is expected to be a desirable place to live. It is also concluded that:

The current charge of \$8,500.00 per unit is not sufficient to adequately achieve the parkland objectives of the City; and,

The alternative parkland dedication standard of 1 hectare per 300 dwelling units is excessive, and will negatively affect the financial feasibility of these desirable forms of urban development in the City’s defined Strategic Growth Areas.

The key in this Parkland Dedication Guideline Study is to identify a parkland dedication/cash-in-lieu standard that is fair and consistent within the City’s Strategic Growth Areas. A standard that is not a substantive barrier to ongoing investment and intensification initiatives, a standard that delivers an appropriate urban parkland system, and a standard that provides cash-in-lieu to the City to acquire lands to augment the supply of parkland to achieve its Active Parkland Target, or, potentially, to improve new or existing park spaces.

There are a number of important city-building objectives at play. First, what is considered to be a robust, diverse and flexible Urban Parkland System; Second, what is a fair and consistent methodology to calculate parkland dedication/cash-in-lieu contributions; and, Third, how does the City leverage development within the Strategic Growth Areas to achieve its overall City-wide parkland targets and objectives.

Consideration 13

It is suggested that the City prepare a financial package for achieving the parkland system within the Strategic Growth Areas. This value must recognize the need to generate both land and cash-in-lieu of land. It is also suggested that the City continue to consider the role of all of its financial tools in recognition that the City has the ability to generate land and/or cash for land acquisition or park improvements through:

- *The new Parkland Dedication By-Law that*

is focused on implementing Sections 42, 51.1 and 53 of the Planning Act;

- *The new Community Benefits Charge By-Law (Section 37 of the Planning Act); and,*
- *An updated Development Charges By-Law may also have an important roles to play in assisting the City in achieving its Greenlands System objectives.*

Once the quantum of land and cash-in-lieu of land is set, utilizing the various financial tools that the City has at its disposal, it is important to set the land-based requirements for the Strategic Growth Areas, as they are identified in the City of Vaughan Official Plan.

For a number of years, the City of Toronto has required a benchmark of 20% of the gross land area of large development areas (sites over 5 hectares in size) be identified for the Urban Park System. There are a number of urban planning districts within the City of Toronto that have been successfully developed on the basis of that benchmark. The other important aspects of a successful Urban Parkland System within a Strategic Growth Area is a diversity of spaces, with a diversity of design elements that are all connected through the public sidewalk system.

Consideration 14

It is suggested that when preparing comprehensive plans (a Secondary Plan for example), for the City's identified Strategic Growth Areas, that the City identify a minimum of 20% of the Gross Land Area of the defined Secondary Plan Area as identifiable urban parkland, and that the planned urban parkland system within a comprehensively planned Strategic Growth Area be:

- *Comprised of a full array of urban park space elements, with various scales, design characteristics and functional attributes; and,*

- *Distributed throughout the Strategic Growth Area, such that all residents are within a maximum of a 2.5 minute walk (200 metres) from a defined urban park space element.*

As noted, it is also an important objective of the City that, in addition to the overall, and comprehensively planned Urban Parkland System, that all significant developments within a Strategic Growth Area make a recognizable contribution to the Urban Parkland System by requiring an on-site park space element. Innovation and diversity of Urban Park Spaces are to be encouraged, and alternative land ownership strategies may be considered by the City as the identified Strategic Growth Areas become more urban over time.

Consideration 15

It is suggested that the City consider a mechanism that on large development sites within the Strategic Growth Areas, development proposals should include, at a minimum, a land contribution to the urban park system, that meet the following criteria:

- *An on-site land contribution of not less than 5% of the developable site area for any residential or mixed-use development that includes residential uses, or up to 5% of the developable site area for any office or mixed-use development that includes no residential dwellings, or 2% for any stand-alone retail commercial development;*
- *Urban Park Spaces provided on-site shall be connected to the public sidewalk system with a minimum frontage that is not less than 4 metres; and,*
- *Larger sites should include larger urban parkland elements, and/or multiple urban parkland system elements.*

Any difference between the on-site land contribution and the parkland dedication requirement will be made up through a cash-in-lieu payment and/or an off-site land contribution.

Consideration 16

It is suggested that the City also identify that for small development sites, the City may accept an off-site land contribution and/or cash-in-lieu of land.

Mixed-Use Developments

It is anticipated that mixed-use development applications will be primarily located within the Strategic Growth Areas identified in the Official Plan. In mixed-use developments, it is desirable to include commercial and institutional elements to create a land use diversity, and to promote good live-work, live-shop relationships. Those uses are also important elements of a complete community at the neighbourhood scale. In addition, higher density, mixed-use contexts, where the primary land use is residential, it is the residential requirement for parkland that will far outweigh the contribution from the commercial or institutional components, particularly if the calculation is based on pro-rating Gross Floor Area to establish a parkland dedication formula.

The calculation of parkland dedication requirements for mixed-use developments can vary, and can be calculated through a number of mathematical formulae. The primary objective of the City is to promote appropriate mixed-use development in the appropriate locations as part of achieving the principles of City-building, and as such the City should consider how mixed-use developments may be incentivized.

Consideration 17

It is suggested that the City consider provisions for mixed-use development on sites within the Strategic Growth Areas identified of the Official Plan that identifies that for all mixed-use developments where the non-residential Gross Floor Area represents equal to or less than 20% of the Total Gross Floor Area, then the parkland dedication requirement for the non-residential component be waived as an incentive to achieving a mixed-use development project.

Consideration 18

It is suggested that the City consider provisions for mixed-use development on sites within the Strategic Growth Areas of the Official Plan that identifies that for all mixed-use developments where the non-residential Gross Floor Area represents greater than 20% of the Total Gross Floor Area, then the parkland dedication requirement for the non-residential component should be based on a pro-rated Mixed-Use Formula, to be established by the City.

Consideration 19

It is suggested that where cash-in-lieu is considered appropriate by the City, it should be based on the cash equivalent of the application of the City's Mixed-Use Formula, or the alternative cash-in-lieu of land provisions of the Planning Act.

4.4.3 Commercial and Industrial Land Uses

For Commercial and Industrial land use categories, the Planning Act states that parkland dedication shall be up to a maximum of 2% of the Gross Land Area proposed for development. It is important to note that in the case of the parkland dedication requirement for commercial and/or industrial forms of development is based on the land area, and not the scale or intensity of development and, as a result, there should not ever be an additional parkland dedication requirement for new commercial and/or industrial development, or expansions to existing commercial and/or industrial development, assuming that the Gross Land Area of the Site does not change.

Consideration 20

It is suggested that the City require parkland dedication for commercial and/or industrial land uses in the amount of 2% of the Gross Land Area, unless otherwise identified as exempt from parkland dedication in the City's Parkland Dedication By-Law, or by a decision of Council. It is also recommended that for the replacement of existing commercial and industrial uses, or the expansion of existing commercial or industrial land uses, that there be no additional parkland dedication requirement, unless there is an addition to the land area subject to the development.

4.4.4 All Other Land Uses (not including residential, commercial or industrial land uses)

For all other land uses (not including commercial, industrial or residential) the Planning Act states that parkland dedication shall be up to a maximum of 5% of the Gross Land Area proposed for development or redevelopment. It is important to note that in the case of the parkland dedication requirement for all other forms of development (not including commercial, industrial or residential) is based on the land area, and not the scale or intensity of development, and, as a result, there should not ever be an additional parkland dedication requirement for new non-residential development, or expansions to existing non-residential development assuming that the Gross Land Area of the Site does not change.

Consideration 21

It is suggested that the City require parkland dedication for all other land uses (not including commercial, industrial or residential) in the amount of 5% of the Gross Land Area, unless otherwise identified as exempt from parkland dedication in the City's Parkland Dedication By-Law, or by a decision of Council. It is also recommended that for the replacement of existing uses, or the expansion of existing uses, that there be no additional parkland dedication requirement, unless there is an addition to the land area subject to the development.

4.4.5 Options for Ownership of Parkland

In general, there are four primary approaches to the ownership/securement of the parkland system within the City of Vaughan, as follows:

- **Fee Simple Parkland** - Fee simple parkland is land dedicated or otherwise acquired by the City without any form of legal constraint. These lands are owned by the City. Throughout Vaughan, it is the clear preference that all elements of the parkland system be owned by the City. Fee Simple ownership provides the City with the full responsibility and associated flexibility to ensure that parkland elements are appropriately designed, maintained and programmed. Fee Simple parkland elements, where achieved through the development approval process, should count toward the required parkland dedication;
- **Strata Ownership** - Strata ownership is a form of City ownership that is achieved through the Condominium Act. Typically, Strata Ownership identifies the horizontal layer of a multi-level development that is to be dedicated to the City, and in this application, for public parkland purposes. Strata Ownership is City ownership, including all of the responsibilities and associated flexibility to ensure that parkland elements are appropriately designed, maintained and programmed. Usually, Strata Ownership is used where a parkland element is to be built over the top of some underground structure or facility (such as a parking garage, or a storm water management facility). Where a Strata Ownership arrangement is used, including the appropriate legal agreements, the land area of the strata park should be counted toward the required parkland dedication, but the actual land area to be counted may be discounted by to reconcile issues related to lifecycle costs - parkland over structure has a defined life span, typically related to the waterproofing membrane that separates the parkland from any below grade structure. The actual amount of the discount should be determined at the sole discretion of, and to the satisfaction of the City;

- Privately Owned Public Spaces (POPS)** - POPS are not owned by the City. They are parkland elements that remain in private ownership yet, nonetheless, may form an important component of the overall parkland system. The City may consider counting POPS toward the parkland dedication requirement only where they are secured through appropriate legal agreements that guarantee that the park space is designed, built and maintained to City standards, and that it is open and accessible to the public at all times (or otherwise to the satisfaction of the City). Where the City chooses to count a POPS as part of the parkland dedication requirement, the actual land area to be counted should be discounted in recognition that, notwithstanding required legal agreements, the City does not own the land and therefore cannot exercise the full extent of control over the design, maintenance and programming of the space. Where appropriate, the actual amount of the discount should be determined at the sole discretion of, and to the satisfaction of the City; and,
- Use Agreements/Easements** - While not a form of City ownership, it is important for the City to consider constrained lands (utility rights-of-way, lands associated with highway development, or other lands owned by a utility, a school board or other government agency) as contributors to the overall parkland system of the City where those lands can be secured and perform a recreational function that benefits the City. These lands, while not owned by the City, may be designed and maintained by the City to achieve a community benefit. While there is no need to consider the issue of any contribution toward parkland dedication requirements, these lands may be appropriately secured for public use through a shared use agreement or public use easement.

It is understood that municipal fee simple parkland ownership is a desirable objective of the City. However, where the elements of a more urban parkland system are to be considered, the alternatives of Strata Ownership and/or POPS can become important opportunities. Please refer to Appendix IV: POPS and Strata Ownership for a more fulsome discussion of the opportunities

and risks of these ownership alternatives. Key to the success of these alternatives to fee simple municipal ownership are the legal agreements that are established to ensure the City's design expectations and maintenance protocols are achieved and that public access is ensured.

Ownership Options for the Parkland System within the Traditional Residential Communities and the Delineated Greenfield Residential Communities

The publicly accessible elements of the urban parkland system are crucial is establishing an inspiring and diverse pedestrian experience. Fee Simple ownership is always the first priority for the City's parkland system, however, there are other options available, including Strata Parks as well as POPS. It is also important to note that as the City of Vaughan evolves into a much more urban City, and as Provincial policy changes, there will be changes in how the development industry and the City will do the city-building business together. With respect to achieving a robust and diverse parkland system, it is not realistic to think that existing protocols and approaches will continue to be appropriate over time, which is why a full suite of options for achieving publicly accessible park space is crucial.

Consideration 22

Where land is to be considered as a parkland dedication contribution under the Planning Act, it is suggested that the City require Fee Simple parkland dedication for all Regional Parks, District Parks and Neighbourhood Parks within the Traditional Residential Communities and Delineated Greenfield Residential Communities.

Consideration 23

Where land is to be considered as a parkland dedication contribution under the Planning Act, it is suggested that the City require, as a first priority, the Fee Simple dedication for all parks within the Traditional Residential Communities and Delineated Greenfield Residential Communities. However, where there is an appropriate rationale, the City may

consider a Strata Ownership arrangement, as permitted under the Ontario Condominiums Act, for parks within the Traditional Residential Communities and Delineated Greenfield Residential Communities, subject to an appropriate land area/land value discount, in recognition of life-cycle cost issues and programming constraints, to the satisfaction of the City.

Ownership Options for the Urban Parkland System within the Strategic Growth Areas

Consideration 24

Where land is to be considered as a parkland dedication contribution under the Planning Act, it is suggested that the City, as a first priority, require fee simple parkland dedication for all elements of the Urban Parkland System within the Strategic Growth Areas. However, where there is an appropriate rationale, the City may consider a Strata Ownership arrangement within the Strategic Growth Areas, subject to an appropriate land area/land value discount, in recognition of life-cycle cost issues and programming constraints, to the satisfaction of the City.

Consideration 25

It is suggested that it is also desirable for the City continue to augment the Urban Parkland System within the Strategic Growth Areas with Privately Owned Public Spaces (POPS). To “incentivize” the important opportunity provided by POPS, the City may consider providing a partial parkland dedication credit, where the following criteria are met, to the satisfaction of the City:

- It is an integral element, and is directly connected to the broader urban parkland system;
- It can be defined only as an Other Urban Park element, and is not a Public Common, Urban Square, Promenade or Connecting Link;

- An appropriate legal agreement has been established between the owner and the City that guarantees that the space is designed, built and maintained to City standards, and is open and accessible to the public at all times; and,
- The land area of the POPS to be counted as parkland dedication be discounted in recognition of the City’s lack of ownership and programming control, to the satisfaction of the City.

The issue of any credit for POPS is contentious and requires further discussion. It is understood that the City may consider providing a partial parkland dedication credit under either the relevant Parkland Dedication Sections of the Planning Act, or under the provisions of Section 37 of the Planning Act (the new Community Benefits Charge By-Law). Further, some concerns have been raised with respect to the long-term viability of POPS as publicly accessible, particularly in a fully residential context where residents may eventually want the space to be removed, or at least reverted to a private space function.

Private and Semi-Private Amenity Spaces

In addition, roof top gardens and other indoor recreational spaces which are semi-public and individual balconies, which are fully private, play an important role in creating a complete system of urban amenity space (public and private) that is crucial to the quality of life/quality of space in any successful urban community.

Consideration 26

It is suggested that the City consider including within the new Official Plan, the implementing Zoning By-Law and/or any applicable Design Guidelines the requirement for private and semi-private amenity spaces within all residential apartment buildings and mixed-use buildings that include residential apartments. Private and semi-private amenity spaces can include balconies/terraces linked to individual dwelling units, indoor community spaces, fitness facilities and swimming pools and outdoor roof top terraces, including opportunities for green roof infrastructure and dog stations. These private and semi-private spaces are not to be considered as part of the City's Parkland Dedication By-Law, or any parkland dedication credit.

4.5 Designing and Maintaining the Parkland System

4.5.1 Designing the Parkland System

Designing the Parkland System is a crucial City function and requires an understanding of contextual relationship with residents and built form, as well as a recognition that there are a number of key principles and general design considerations that must be included in all design decisions. The key principles and general design considerations include:

- Convenience and coherence;
- Context, heritage and placemaking;
- Accessibility;
- Safety;
- Comfort; and,
- Sustainability and resilience.

Appendix V: Design Guidelines for the Parkland System provides a comprehensive set of design guidelines for the City-wide Parkland System that is articulated in this Report. This work is considered as a starting point for City staff to use as the basis for their ongoing parkland design exercises.

4.5.2 Maintaining the Parkland System

Good Maintenance is Crucial

A great parkland system is diverse, well-designed and, importantly, well maintained. A commitment to the highest levels of park maintenance is crucial to the success of the network and to the individual park spaces that comprise it. The City of Vaughan has an excellent track record in maintaining its more traditional suburban parkland network to a very high quality. The results of the public survey clearly show that the public, the users of the existing parkland network, are very satisfied with the design, and maintenance of the existing parks throughout the City. Appendix VI: Maintaining the City's Parkland System provides additional explanation for the considerations that follow.

Funding + Coordinating Ongoing Maintenance

The importance of both funding and coordinating maintenance efforts of the entire parkland system over time cannot be understated. With the addition of new scales, types and functions of park spaces, maintenance protocols will need to be more diverse and type specific. Different demands for equipment, different planting programs, different programming objectives will make ongoing maintenance far more complex than for a typical suburban parks system:

Consideration 27

It is suggested that the City consider clarifying roles, responsibilities and protocols for ongoing maintenance of the City parkland system for each type of park within both the Traditional/Suburban and Urban Parkland Hierarchies. The objective is to ensure a commitment and an understanding of the levels of maintenance that are both necessary and desirable. Some of the key elements of a "memorandum of understanding" may be:

- *To include parks maintenance staff in the review of the parks design and development process to ensure that there is a full understanding and, ultimately, a clear commitment to establishing the required maintenance protocols. The*

intent of a park design, program and facilities need to be clearly identified early in the process by staff to ensure consideration of issues related to their ability to maintain the plant materials, landscape surfaces and features over the long-term. Any special equipment or maintenance expertise should be identified before the park design is built;

- *Where a decision to proceed with a complex (enhanced) design - particularly in an urban context - requiring enhanced maintenance - must include agreement among the design group, the development group and the parks maintenance group that the park and all its component parts can, and will be maintained in accordance with required best practices; and,*
- *The increase in maintenance budget needs to be understood and agreed to by the City staff and disseminated to the front line staff as an agreed upon direction.*

Design for Lower Maintenance - A Philosophy of Sustainability

There are opportunities to design for lower maintenance as a sustainable approach to cost savings over time. Landscape Architects can design with relatively low maintenance paving materials, furniture and plant material. Plant material in an urban setting is crucial and requires special attention for maintenance.

Consideration 28

The City should consider promoting a more sustainable park space development approach that requires less maintenance over time. For example:

- *Selection of plant species that are drought tolerant once their root systems are established is one example of reducing the maintenance requirements for water;*

- *Understanding the role of soil chemistry, soil volumes and soil types is also important to support lower maintenance plant material and must be specified in tandem with plant material; and,*
- *Pruning requirements of plant material can also be taken into consideration in the design process, to reduce maintenance.*

Working with Long-Term Benefitting Partners

There are opportunities to include other partners who can assist the City with both establishing and performing enhanced maintenance protocols, including:

- **Business Improvement Areas** - Local BIA's have a secure funding source through a levy on property taxes that is to be used for marketing, events, enhanced maintenance and capital projects. They have a mandate to assist in the maintenance of commercial business areas. Certainly BIA's can work with the City's parks maintenance staff to augment the maintenance protocols of the City. At the very least, BIA's and business owners should be asked to assist in maintaining adjacent urban park components, as part of their overall property maintenance procedures.

The BIA members will be a direct benefactor of an enhanced park system. As benefactors of the anticipated investment in the park spaces and the broader public realm, it is important that the BIA play a partnership role in providing capital funds for physical improvements, as well as providing support for an enhanced maintenance protocol;

- **Neighbourhood Associations** - While Neighbourhood Associations are not provided with a stable funding source through municipal taxation, there are jurisdictions in Canada that rely on direct local neighbourhood involvement in the design, development and maintenance of adjacent park spaces and the broader parkland network. The City should consider pursuing a direct form of relationship with

Neighbourhood Associations to assist with ongoing maintenance, in collaboration with City maintenance protocols;

- **Building Owners/Condo Corporations** - Where an urban park has been developed as part of a large scale development, and the space remains in private ownership, it shall be a requirement of any legal agreement that ensures public access and assigns maintenance responsibility that the park be maintained to City standards. City standards are likely to be considered the minimum standard. For this approach to park maintenance to be successful, there will need to be a very clear definition of just what "maintained to City standards" means;
- **Trust Funds** - In the United States, many jurisdictions have required that urban parks be maintained by a Trust Fund. Typically, the Trust Fund is established while the park is in the design and development stages. Trust Funds can be funded by the private sector (a tax deduction in the US), by the public sector, or through some combination of both. The Trust Fund Board retains maintenance contractors and takes on the responsibility to maintain the public park to a prescribed level of quality, and the City absolves themselves of further maintenance responsibilities; and,
- **Adopt-a-Park Program** - It is important to note that an adopt- a-park program is not a replacement for the City's ongoing maintenance of public parks or the public realm network, but an opportunity to augment existing responsibilities. Local service clubs, school groups, horticultural societies or interested citizens/citizen groups may wish to become involved in specific park maintenance events, and/or for ongoing maintenance responsibilities.

Consideration 29

The City should consider exploring a full range of partnership opportunities to ensure the ongoing, high quality maintenance of the parkland system throughout the City.

4.6 Administration of the Parkland Dedication By-Law

To a large extent the discussion of By-Law administration relies upon “best practices” from a number of other municipalities in Ontario. Appendix VII: Review of Other Municipalities provides a summary of the other municipalities that were canvassed as part of this Parkland Dedication Guideline Study. It is important to note that because the changes to the Planning Act facilitated through Bill 197 are so new, most municipalities in the Greater Golden Horseshoe are currently reconsidering their parkland dedication practices, concurrent to this review.

4.6.1 Understanding Cash-in-lieu of Parkland

The Planning Act permits Council to require/ accept cash-in-lieu of a land dedication up to the value of the land otherwise to be conveyed. There is an exception to that rule where the alternate rate of 1 hectare per 300 dwelling units is used to generate a land dedication, the cash-in-lieu requirement should be based on Payment in lieu 1 hectare for each 500 dwelling units proposed, or such lesser rate as may be specified in the Parkland Dedication By-Law.

There are a number of other issues to be determined in the Parkland Dedication By-Law related to who should decide when cash-in-lieu is acceptable, how the cash payment is to be calculated, and how to deal with disputes, as they may arise from time to time.

Who decides when cash-in-lieu is acceptable?

In many jurisdictions, municipalities will respond to the developer’s wishes regarding whether land, or cash-in-lieu of land is provided, on a case-by-case basis. In Vaughan, the City typically determines whether land, or cash-in-lieu of land, or some combination thereof is appropriate based on the policies of the Official Plan, any applicable Secondary Plan and/or the identified needs of the community.

Consideration 30

It is suggested that the City clearly empower itself to determine, at its sole discretion, when cash-in-lieu is an acceptable approach, and when a land contribution will be required.

The Planning Act permits the acceptance of cash-in-lieu without limitation on the type of use, the location within the City, or any other contextual circumstance. In that regard, the City does not require any definition of when cash-in-lieu is used, or not. The City can identify the circumstances where cash-in-lieu of parkland dedication may be permitted or required. Important to the conversation about parkland dedication is a commitment by the City to, as a first priority, acquire parkland assets through the development process.

Consideration 31

It is suggested that the City state that land dedication always be the first priority, and that cash-in-lieu only be acceptable where no reasonable alternative exists, including the opportunity for an off-site land dedication elsewhere within the City. Cash-in-lieu of land should only be considered under the following circumstances:

- *Where the application of the parkland dedication requirements would render the remaining portion of the development site unsuitable or impractical for development;*
- *Where the amount of parkland dedication generated by the development proposal is insufficient to accommodate a reasonable public park space;*
- *Where existing public parkland is available and is deemed sufficient by the City in quantity and quality to accommodate further development within the defined neighbourhood; or,*
- *Where more suitable parcels of land are available for acquisition for public parkland purposes in other locations within the defined neighbourhood.*

How will land value be established?

The Planning Act provides specific direction to municipalities for “how” land value is to be established for the purposes of the payment of cash-in-lieu.

Consideration 32

It is suggested that the City identify that where cash-in-lieu is considered appropriate by the City, it should be based on the cash equivalent of the applicable parkland dedication requirement. Notwithstanding that statement, for residential, or the residential component of a mixed-use development, under no circumstances will a cash-in-lieu equivalent exceed 1 hectare per 500 dwelling units.

Consideration 33

It is suggested that the City establish the value of the land for which payment is being made in-lieu of a conveyance by way of an appraisal of the fair market value of the property by a certified professional appraiser of real estate, who is designated as an Accredited Appraiser by the Appraisal Institute of Canada with experience appraising all types of real property.

Consideration 34

It is suggested that the City ensure that all appraisals obtained should state the criteria used to determine the value within the appraisal. Further, an appraisal should remain current for a maximum period of 1 year from the date of the appraisal.

When is Cash-in-Lieu Calculated?

In determining the cash value in-lieu of a land dedication, the Planning Act has a number of legislative requirements that need to be recognized. The Planning Act provides specific direction to municipalities for “when” in the development approvals process land value is to be calculated for the purposes of the payment of

cash-in-lieu. For development pursuant to Section 42 of the Planning Act:

Consideration 35

It is suggested that the City clearly identify that for development subject to Section 42 of the Planning Act, the value of the land or cash-in-lieu equivalent to be paid should be determined as the value of the land the day before the day that the building permit is issued, and if more than one building permit is required, the value should be calculated the day before the day that the first building permit is issued.

Consideration 36

It is suggested that the City implement a land valuation process for the purposes of cash-in-lieu of parkland payments based on the relevant provisions of the Planning Act. In general, it has been suggested that the process for establishing land value be as follows:

- *The Planning Department circulates the Development Application to Real Estate for cash-in-lieu of parkland dedication comments;*

or

- *Committee of adjustment circulates Consent Application to Real Estate for cash-in-lieu parkland dedication comments; and then,*
- *Real Estate submits a comment that, as a condition of development or re-development of lands, land and/or cash-in-lieu is required to be conveyed to the City for parks or other public recreational purposes. Where cash-in-lieu is considered appropriate by the City, the land value shall be calculated as follows:*

The owner shall submit an appraisal of the subject lands, prepared by an accredited appraiser for approval by the Director of the Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. The owner shall

pay to the City of Vaughan cash-in-lieu of the dedication of parkland equivalent in accordance with the Planning Act and the City's Parkland Dedication By-Law. The appraisal should be carried out to the satisfaction of the City, and be valid for a maximum of 1 year following the City's receipt of the appraisal.

Consideration 37

It is suggested that the City identify provisions that, in the event of a dispute between the City and the land owner on the value of land, either party may apply to the Ontario Land Tribunal to have the value determined. In addition, it is recommended that the City identify provisions that state that where a payment has been made to the City by the land owner under protest, the Ontario Land Tribunal may order that a refund be made to the land owner.

How will cash-in-lieu be used by the City?

The Planning Act requires that the City establish a special bank account to hold funds generated through the cash-in-lieu provision. In all circumstances, it would be appropriate for the City to have a strategy for the disposition of those funds to acquire lands and carry out improvements to parklands throughout the City, over time

Section 42(15) of the Planning Act - Section 42(15) of the Planning Act regulates how the City is to spend its cash-in-lieu funds. It is absolutely clear that cash-in-lieu funds can be used for the acquisition of lands for park purposes. It is also clear that cash-in-lieu funds can be applied to the improvement or repair of buildings (existing ones) and erection of new ones. In addition, cash-in-lieu can be used to acquire machinery. Machinery is not defined, but would likely include such items as tractors for lawn mowing or snow ploughing. However, the opportunity to use cash-in-lieu funds for other capital improvements like landscape features, sports and/or play equipment, or upgrades to those facilities over time is complex, and there are multiple, and sometimes conflicting

opinions regarding how the Planning Act is interpreted and, consequently, how the cash-in-lieu funds generated can be used.

The City of Ottawa - For example, the City of Ottawa's cash-in-lieu policy indicates that cash-in-lieu funds shall only be used for "eligible projects" permitted by the Planning Act. "Eligible projects" are subsequently defined as:

- Capital projects to increase the capacity of existing public parks and/or recreation facilities to accommodate more intensive public use; the provision of additional park facilities, for example play equipment, splash pads and site furniture; and/or the provision of additional recreation facilities, for example the expansion or upgrading of program spaces in community centres, indoor pools and arenas; and,
- Projects for repair, renewal and lifecycle replacement in relation to fixed recreation and park assets and the total project costs (planning, design and implementation) associated with these works.

When updating its policy, Ottawa's report indicated: "Section 42 of the Planning Act, allows wide latitude on what projects these funds can be used for. In essence, the Act allows this money to be spent on any project related to recreation or parks." That assertion from the City of Ottawa may be considered overly broad, given a strict reading of the wording in the Planning Act.

The City of Toronto - The City of Toronto's cash-in-lieu policy uses fairly general language and does not delve into the detail set out in Ottawa's policy, but is consistent with the broader view of what Section 42(15) permits. Toronto has a guideline (it is not part of their Official Plan or Parkland Dedication By-Law - and it is currently under review) that states that 50% of the cash-in-lieu generated by any specific development be used to improve parkland in proximity to that development (25% for capital improvements and 25% for land acquisition) and the other 50% be used for any parkland improvements anywhere in the City (again, 25% for capital improvements and 25% for land acquisition).

No clear direction - Notwithstanding Ottawa and Toronto, a stricter reading of Section 42(15) identifies that the statement refers to the acquisition of land, and not a choice between acquisition or improvement of land. A conservative interpretation says that the improvement of land by constructing buildings is expressly contemplated, but other forms of improvement of the land are not. As a result, it is not entirely clear that capital improvements to parkland (landscape furnishings and features, paving, playground equipment) fit squarely within that wording. Further, there does not appear to be any relevant caselaw in Ontario dealing with the specific particulars of what would fall into Section 42(15), and what would not.

The Role of Development Charges - That conclusion, which is not definitive, does not mean that the City of Vaughan cannot collect fees to promote capital improvements to parkland assets. A Development Charge can include capital costs that arise from growth, and which relate to parks and recreation services. All capital growth related parkland improvements can be included in a Development Charge.

Conclusion - It is important to remember that part of this Parkland Dedication Guideline Study is to identify long-term capital costs for growth related parkland improvements, both within the evolving Strategic Growth Areas, and within those parks in Vaughan that will need to be improved to accommodate more intensive public use as a result of growth.

With respect to the capital improvements, the City will need to consider what approach to generating funds is the most appropriate; through Section 42 (15) of the Planning Act, or through Development Charges. Given the significant cost of land, it may well be prudent to ensure CIL funds are directed toward land acquisition rather than capital improvements, with development charges focusing on the capital improvements.

Consideration 38

The City has established a special bank account for the receipt of all cash-in-lieu of land contributions accrued through the parkland dedication/cash-in-lieu of parkland process. It is suggested that the City clearly

articulate that the accumulated cash-in-lieu may be used for the following priorities:

- *The first priority should be to fund the acquisition of local parkland in proximity (proximity to be defined by the City) to the development that generated the cash-in-lieu payment, where possible;*
- *The second priority should be to fund the acquisition of parkland in Priority Areas (Priority Areas to be defined by the City);*
- *The third priority should be to fund:*
 - *The acquisition of lands for local and City-wide recreational trails and associated infrastructure throughout the City, with a focus on missing links;*
 - *The erection, improvement or repair of buildings used for park or other public recreational purposes; and,*
 - *The acquisition of vehicles and machinery used for parks and other public recreational purposes.*

An Acquisition Strategy

The timing of land acquisition to be funded through Section 42(15) of the Planning Act is crucial, given the rapid pace of land value increases over time. Experience shows that an acquisition funding strategy must overcome limitations on the City’s ability to be competitive in acquiring land for parks in strong market locations - the cash collected does not match the cost of land, where there is a time gap between collection and acquisition.

Is a Land Bank appropriate?

The City will receive cash-in-lieu of parkland, and may in some instances, receive land dedications that may not be immediately suitable for the development of a park. Land is a resource that over the past few years has been appreciating in value at a faster rate than many other forms of investment. This is a problem for the City because the time lag between when cash-in-lieu is collected, and when a corresponding land acquisition is implemented ensures that the

cash has not appreciated at the same pace as land. The result is the land area is smaller than anticipated, or additional cash is required to acquire the same amount of land.

A land bank has the potential to be a tool of value to the City. The City could acquire land assets based on a “respond to opportunity” approach, and that land may, or may not ultimately be used for parkland but can be available to sell for other purposes to generate the cash, or trade for lands that are appropriate for parkland at the appropriate time. The City could also consider the acquisition of land for parks in strategic locations in advance, financing land acquisitions from a forecast of cash-in-lieu generated from future development. This might allow the City to get “out in front” of land value appreciation, acquiring land in today’s dollars, and offsetting those costs with cash-in-lieu payments from lands that have appreciated in value later on. However, the obvious risk would be exposure to land market fluctuations.

The discussion about a land bank should be about the mechanics of how it could work, and what benefits it might provide to the City in making improvements to the overall parkland system over time.

Consideration 39

It is suggested that the City consider the establishment of a Land Bank for public parkland purposes, either as a mechanism to counter-act the inflationary effects of the cost of land, or to ensure that land is available for public park purposes as the City continues to urbanize and intensify over time.

The Special Bank Account

Consideration 40

- *In administering the special bank account, it is suggested that the City identify the following provisions:*
- *Money in the special cash-in-lieu bank account may be invested in securities that the City is permitted to invest in under the Municipal Act, and any earnings derived from the investment should be paid into*

the special cash-in-lieu bank account;

- *The Treasurer of the City should report on the activities and status of the account in an Annual Financial Statement relating to the special cash-in-lieu bank account. The Annual Financial Statement should include, for the preceding year, an accounting of the opening and closing balances of the special cash-in-lieu bank account and all of the transactions relating to the account, as well as statements identifying:*
 - *Any land or machinery acquired during the year with funds from the special cash-in-lieu bank account;*
 - *Any capital improvements carried out during the year with funds from the special cash-in-lieu bank account;*
 - *Any building erected, improved or repaired during the year with funds from the special cash-in-lieu bank account;*
 - *The details of the amounts spent;*
 - *The amount of money borrowed from the special cash-in-lieu bank account and the purpose for which it was borrowed; and,*
 - *The amount of interest accrued on any money borrowed from the special cash-in-lieu bank account.*

4.6.2 Developers/Development Forms that may be Exempt from Parkland Dedication

The City may exempt certain categories of land use, or specific forms of development from the requirement to provide a parkland dedication and/or cash-in-lieu of land. In addition, some institutional developers, like school boards, hospitals and universities are also exempt. The City may also consider other institutional uses as exempt, or provide a reduced parkland dedication requirement for: seniors housing; affordable housing; or, any category of land use that is defined as providing a public benefit.

In addition, the City may consider eliminating or reducing the parkland dedication requirements as an incentive used to stimulate appropriate development. This could be applied site specifically, or based on achieving a number of defined public benefits, or generally within a geographic area or category of development. There is a concern that broadening the list of types of development types exempt from parkland dedication, or exempting whole land use categories will unduly compromise the City's ability to achieve the desired parkland system target.

Consideration 41

It is suggested that the City consider the following developers or development categories as exempt from any parkland dedication/cash-in-lieu requirement:

- *Development of land, buildings or structures owned by, and used for the purposes of the Corporation of the City of Vaughan, or the Corporation of the Region of York;*
- *Development of land, buildings or structures owned by and used for the purposes of a Board of Education and/or a college, or university as defined in the Education Act;*
- *Development of land, buildings or structures owned and used by the Cortellucci Vaughan Hospital;*
- *The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause beyond the control of the owner, provided that no intensification or change in use is proposed, including but not limited to an increase in total dwelling unit count or total floor area;*
- *The enlargement of an existing single detached or semi-detached dwelling;*
- *Additional Dwelling Units permitted by the City's Official Plan and Implementing Zoning By-Law;*

- *The enlargement of an existing commercial, industrial, or institutional building or structure where the size of the subject site is unchanged; and,*
- *A temporary building or structure.*

Consideration 42

It is suggested that the City consider the following developers or development categories as being subject to a reduced parkland dedication/cash-in-lieu requirement:

- *Development of land, buildings or structures that is a nursing home, as defined by the Long-Term Care Homes Act;*
- *Development of land, buildings or structures for affordable housing in accordance with the definition of affordable housing in the Provincial Policy Statement;*
- *Development of land being undertaken by a not-for-profit organization; and,*
- *Development of land within a designated Heritage Conservation District that is in substantial conformity with the policies and guidelines of the Heritage Conservation District Plan, the Official Plan and any applicable Secondary Plan.*

Consideration 43

It is suggested that the City, notwithstanding the list of exemptions and reductions identified in Considerations 49 and 50 above, reserve the right to exempt, or reduce the parkland dedication/cash-in-lieu requirement for any land use, development project or specific development site, at the discretion of Council.

4.6.3 Lands that should Count/Not Count for Parkland Dedication

In a general sense, the City looks for lands to be dedicated for parkland that are otherwise considered developable. In some instances, however, it is important to remember that a diverse parkland system includes a range of public parkland, including public parks that may not be intended to accommodate sports fields or other active recreational activities. There is more flexibility with more passive park types to accommodate slopes, woodlots, natural heritage and cultural heritage features. Lands identified as within the Natural Heritage System are not typically acceptable for parkland dedication, with the notable exception of the City of London that does accept those lands, with a significant reduction in value.

In the City of Vaughan, there are also significant land areas that are identified as within the Oak Ridges Moraine Area, and in the Greenbelt - lands with physical/natural constraints, as well as lands that are only constrained from development by the applicable Provincial and Regional policy frameworks. In some instances, these lands may be appropriate candidates to accommodate either active or passive recreational opportunities and as such, may be appropriate for consideration as parkland dedication.

Consideration 44

It is suggested that the City of Vaughan identify the following as fully acceptable lands for parkland dedication:

Lands in a condition satisfactory to the City and in accordance with the requirements of the City's park planning policies and guidelines respecting the acquisition of land, including a Record of Site Condition pursuant to the Environmental Protection Act; and,

Lands that are generally free of any/all encumbrances.

Consideration 45

It is suggested that the City identify the following as potentially being acceptable lands for parkland dedication, (in addition to other forms of ownership/securement identified in previous Considerations) but at a reduced rate - to be determined by the City on a case-by-case basis, in recognition of the associated constraints of the land to accommodate recreational opportunities:

- Lands that are within the designated Greenbelt, or within the designated Oak Ridges Moraine, that are not also identified as being within a natural heritage feature or any associated ecological function (subject to an Environmental Impact Statement accepted by the City);*
- Lands that include defined woodlands that are not included within the Natural Heritage System (subject to an Environmental Impact Statement accepted by the City);*
- Lands that include slopes between 5% and 15%, that are not identified as being within a natural heritage feature or any associated ecological function (subject to an Environmental Impact Statement accepted by the City); and/or,*
- Lands that include designated cultural heritage resources or cultural heritage landscapes.*

Consideration 46

It is suggested that the City of Vaughan identify the following as not acceptable lands for parkland dedication:

- Lands that are part of a natural heritage feature or any associated ecological function (subject to an Environmental Impact Statement accepted by the City);*
- Lands that are susceptible to flooding, have poor drainage, erosion issues, extreme slopes (greater than 15%) or other environmental or physical conditions*

that would interfere with the lands potential development or use as a public park;

- *Lands that are required to accommodate storm water management facilities. And, where lands for parks purposes include storm water management facilities, that portion of the land that includes a storm water management facility should not be included in the area calculation for parkland conveyance;*
- *Lands that are deemed to be contaminated in any way;*
- *Lands used for utility corridors or any other infrastructure; and/or,*
- *Lands that are encumbered by easements or similar legal instruments that prohibit public use.*

Consideration 47

It is suggested that the City, notwithstanding the provisions of the previous Consideration, consider accepting constrained lands for acquisition or securement, or as part of the required parkland dedication. Where the constrained lands are to be part of a required parkland dedication, the land area provided should be substantially discounted at a rate to be determined by the City in recognition of the associated constraints of the land to accommodate recreational opportunities.

4.6.4 Other Administrative Elements

What is the overall applicability of the New By-Law?

In general, the Parkland Dedication By-Law should be applicable throughout the City, and for all categories and types of development, and in all geographic locations.

Consideration 48

It is suggested that the City, in its Parkland Dedication By-Law, state that the By-Law applies to all lands within the corporate

limits of the City of Vaughan, and that the Parkland Dedication By-Law applies to all approved Secondary Plans, Block Plans and development applications pursuant to the Planning Act, which are submitted and deemed complete by the City. In addition:

- *As a condition of development of land, the City should require a parkland dedication be conveyed to the City for park or other public recreational purposes; and,*
- *The required conveyance should be in the form of land, or a cash-in-lieu equivalent to the value of the land required, or a combination of cash and land, at the discretion of the City.*

It is also important to recognize previous conveyances/payments for development, ensuring that the City does not inadvertently extra-charge a development for parkland dedication.

Consideration 49

It is suggested that the City, in its Parkland Dedication By-Law identify that where land has been previously been conveyed, or a payment of cash-in-lieu of such conveyance has been previously received by the City, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by the City in respect of subsequent development or redevelopment applications, unless:

- *There is an increase in the number of dwelling units that would generate additional parkland dedication requirements (not including Additional Residential Units, as defined by the City - see Consideration 10);*
- *There is additional land area that is added to the original development parcel that would generate additional parkland dedication requirements; and/or,*
- *Lands originally identified for development or redevelopment for commercial or industrial purposes are instead proposed*

for development or redevelopment for other purposes that generate a higher parkland dedication.

Further, where such increase in dwelling units is proposed, or where a land use conversion is proposed, from a non-residential land use to a residential land use, or from a commercial or industrial land use to any other land use, the conveyance will be subject to the increase in density/dwelling units/land use proposed and the value determined at the time of the application.

Consideration 50

It is suggested that the City, in its Parkland Dedication By-Law indicate that nothing in the By-Law should be interpreted so as to frustrate, invalidate or supersede any existing agreements that have been previously executed between the land owners and the City with respect to area specific parkland dedication, delivery and funding arrangements, provided that the proposed development proceeds in a manner set out under such agreements.

Consideration 51

It is suggested that the City, in its Parkland Dedication By-Law identify that parkland dedication credits may be considered by the City where a specified developer has over-provided a parkland dedication on one site, and then, subject to approval by the City, may reduce the required parkland dedication on another site in the vicinity of the development being developed by the same developer.

By whom, and how should the New By-Law be administered?

Consideration 52

It is suggested that the City delegate the administration of the Parkland Dedication By-Law to senior staff, who should be authorized to:

- *Negotiate parkland dedication and/or cash-in-lieu for each development application, in accordance with the provisions of the City's Parkland Dedication By-Law and the policies of the Official Plan;*
- *Maintaining records of all lands and cash-in-lieu received and including all expenditures from the cash-in-lieu parkland reserve fund. The cash-in-lieu parkland dedication record and associated financial statements should be reported to the Treasurer of the City of Vaughan; and,*
- *Reviewing the Parkland Dedication By-Law to determine its effectiveness both in terms of its regulatory context and in its consistent application. The review should include consultation with Council, other City staff and affected stakeholders within the City., in accordance with the requirements of the Planning Act.*

When should the new By-Law be reviewed?

Consideration 53

It is suggested that the City review the Parkland Dedication By-Law, at a minimum, in response to changes in Provincial planning policies and/or whenever the City reviews its applicable Official Plan policies. The By-Law should also indicate that it should be reviewed at a minimum of every 5 years, or at an earlier time as prescribed by Council.

When should the new By-Law begin to apply?

It is anticipated that the new parkland Dedication By-Law will be substantially different than the existing practices of the City of Vaughan, and as such, the issue of when the new By-Law becomes applicable, and if there needs to be a transition period between when the new By-Law will take effect. Notwithstanding any transition period, the City will need to have the new Parkland Dedication By-Law in place and operational by September of 2022, as per the requirements of Bill 197. Typically, the provisions of the new By-Law will apply to all development applications pursuant to the Planning Act which are submitted and deemed complete on or after the Effective Date of this By-Law, as determined by the approval of Council.

Consideration 54

It is suggested that the City apply the Parkland Dedication By-Law to all development applications pursuant to the Planning Act, which are submitted and deemed complete as of the Effective Date of the approval of the By-Law, or by September 18, 2022, whichever comes first. Further, it is suggested that the City consider the implications If any Section of the By-Law is determined by a Court or Tribunal, to be invalid, that specific portion of the By-Law should be considered to be severed from the balance of the By-Law, which will continue to operate in full force and effect.