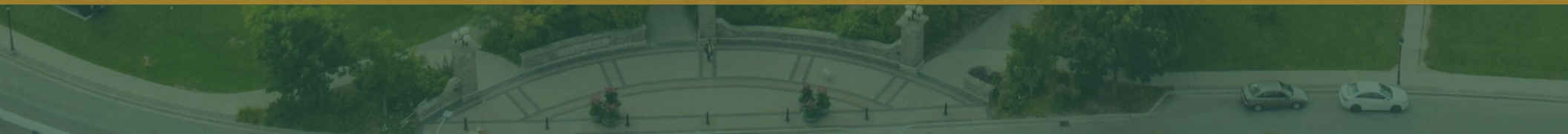


PARK DEDICATION UPDATE

Summary

Places & Spaces - Parks Strategic Plan

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Park Dedication Update

The City of Kitchener utilizes two documents to enact and guide park dedication within the city respectively:

1. Park Dedication By-Law, Chapter 273 – Enacts the Provincial Policy; and
2. Parkland Dedication Policy (2012) – Guides the application of park dedication.

Both documents will be updated following the recommendation and findings of Spaces. This document will summarize and provide the framework for the changes to both documents:

1. Principles of Park Dedication in Kitchener

2. Enacting Planning Policy

3. Exemptions, Reductions and Limits

3. Conveyance of Park Land

4. Conveyance of Cash-in-Lieu of Park Land

5. Transitions

Park Dedication Update

Principles of Park Dedication

1. All development impacts the communities living and working in Kitchener. Public park space is intended for use by all communities in Kitchener, whether living or working in the City, and is vital to supporting complete communities. Public park space is focused on areas where public use and access to is greatest – typically in residential areas. As a result, all development should contribute toward the provision of public park space, but the nature of some development should contribute more significantly.
2. Park land will be evaluated based on a metric of square meters per resident, which both targets and policy guidelines will unify under.
3. In all circumstances parkland dedication in the form of land is preferred over alternative forms of dedication, such as cash in lieu of land;
4. Plans of subdivision must yield developable land for park purposes with no constraints to active park use and the provision of park facilities, unless otherwise determined by the City of Kitchener
5. Infill development, or development within identified park land deficient communities, must make every effort to provide public park land where park land is deemed necessary by the City of Kitchener.

Enacting Planning Policy

The By-Law will enact the Planning Policy park dedication requirements, unchanged from the previous by-law, as follows:

As a condition of development or redevelopment of land within the City of Kitchener, the owner is required to convey to the City land for park or other public recreation purposes:

a) Residential:

i) Consent or Severance – 5% of the land being developed or redeveloped.

ii) Subdivision – 5% of the land being developed or redeveloped, or one (1) hectare for each three hundred (300) dwelling units proposed, whichever is greater.

iii) Site Plan – 5% of the land being developed or redeveloped, or one (1) hectare for each three hundred (300) dwelling units proposed, whichever is greater.

iv) Where cash-in-lieu of land is required for the above alternative residential rates, one (1) hectare for each five hundred (500) dwelling units proposed is the maximum rate.

b) Institutional – 5% of the land being developed or redeveloped.

c) All other development or redevelopment – 2% of the land being developed or redeveloped.

Park Dedication Update

Exemptions, Reductions and Limits

The Policy and By-Law will outline exemptions to Park Dedication, including reductions and limitations of its application as follows:

Exemptions

- Where park dedication has previously been made, unless there is an increase of dwelling units, or a change in use (e.g. commercial to residential)
- All non-residential developments
- Properties that are developed by or on behalf of:
  - City of Kitchener
  - Region of Waterloo
  - Electrical distribution utilities
  - Publicly funded school boards
  - Post-secondary institutions
  - Public hospitals

Reductions

- Affordable Housing:
  - Supportive housing initiatives: 100% reduction
  - Affordable rental housing - maximum park dedication 5% of land area (no alternative rate)
- Accessory Dwelling Units (ADU) are excluded from park dedication unit calculations
- Privately Owned Public Spaces (POPS) eligible for dedication credits up to 25% of the total park dedication requirements, measured by land area.

Limits (Caps)

- Park Dedication as a condition of Cash-in-Lieu of Land limited to a maximum of **$11,862** per dwelling unit, linked to the *Residential - Medium Mixed Use under 2 FSI land use category*.
- Park Dedication as a condition of Land through Subdivision limited to the lesser of 10 sq.m. per resident, or 1 hectare per 300 units *(Planning Act maximum)*. Average persons per Residential Dwelling Type from Statistics Canada will be referenced in the updated policy to implement this cap consistently and transparently.
- Park Dedication as a condition of Land through Site Plan Approval limited to 10% of the total site area. *Note - cap does not apply to Cash-in-Lieu of Land.*

Park Dedication Update

Conveyance of Park Land

General Requirements

The following general criteria will be followed when accepting lands conveyed to the City of Kitchener as park land:

- Free and clear from all encumbrances at the discretion of the City Solicitor; and,
- In a condition deemed satisfactory by the City and in accordance with the requirements of the City's Official Plan, Park Dedication Policy, Development Manual and other City policies related to the acquisition of real property.

The City will not consider any land uses as park land dedication requirements including:

- Environmental lands, including but not limited to: *Natural Heritage Conservation lands, Cultural Heritage landscapes and corridors, Stormwater dedicated areas,Flood Plain Conservation Lands, Woodlots, Streams, creeks or wetlands*
- Contaminated or suspected of being contaminated, unless otherwise remediated through environmental analyses and Record of Site Condition process
- Privately built, owned and operated recreational areas

Property Criteria

The City of Kitchener will use the following three-stage criteria to determine if land dedication will be pursued or accepted from an infill development through Site Plan Application processes:

Stage 1: Either must apply

1. Located within any community with a park acquisition priority
2. Development creates a need for park acquisition by reducing the community park provision below the City's average.

Stage 2: All must apply

1. The site is suitable for use as public park land, in current or remediated states;
2. Free and clear from all encumbrances

Stage 3: Recommended 3 must apply:

1. Land connects to existing or planned park or open space system
2. Compliments existing recreational features and assets within the community
3. Land is situated within 500m walking distance of the development or residences it is intended to serve
4. Provide a space for people of all ages, genders, cultures, religions, abilities and incomes
5. Suitable for future community needs and growth

Park Dedication Update

Conveyance of Park Land

Off-Site Land Dedication

If a development is to provide land as its park dedication requirement, it is expected to do so within the limits of the development.

In applications where land is critical or high needs for park service delivery, dedication of l**and off-site may be pursued if mutually agreed upon by both the Developer and City of Kitchener**.

Off-site land must meet the same criteria as on-site land dedication.

Off-site land will be considered land area based within the Park Dedication requirement. Off-site land will be considered **equal to land provided on-site, regardless of the property's market value**. If the total park dedication cannot be met with off-site dedications, the remaining land requirement will apply to the development site and required as an additional cash-in-lieu dedication.

Off-site dedication will be pursued at the sole discretion of the City and must establish a direct connection to the impact of the proposed development.

Park Dedication Update

Conveyance of Cash-in-Lieu of Park Land

The practice and structure of cash-in-lieu of park land will not change in the updated dedication policy and by-law. Land values will be updated as shown on this page.

Land value, for purposes of cash in lieu of park land dedication as a condition of plans of subdivision, site plan approval, or consent/ land severance, will be determined by average valuation rates determined by an accredited appraiser (AACI) for the specified classes of land.

If a development wishes to dispute the City's rate or is not of a type set out in the classifications, site specific appraisals may be submitted.

The appraised land rates shall be adjusted regularly by the City of Kitchener. Such periodic updated appraisals for each class of land shall be obtained at intervals not less than one (1) year, not exceeding two (2) years.

Category	Applicable Built Form	$ per Hectare	Maximum CIL per Residential Unit
Retail / Neighbourhood Commercial	N/A	$3,830,000	N/A
Industrial	N/A	$1,853,000	N/A
Employment / Office	N/A	$2,348,000	N/A
Residential - Lots	Individual lots development	$36,080 (per linear meter)	N/A
Residential - Low Density	Subdivisions, including: Single detached, Semi detached & Townhomes	$2,348,000	$4,696
Residential – Medium (<2 FSI)	Cluster townhouses, Stacked townhouses, and Quad units	$3,830,000	$7,660
Residential - Medium, Mixed Use (<2 FSI)	N/A	$5,931,000	**$11,862***
Residential - High, 5-10 FSI	N/A	$19,768,000	$39,536
Residential - High, 10+ FSI	N/A	$43,243,000	$86,486

**** Limit of cash-in-lieu of park land dedication***

Park Dedication Update

Transitions

Once the by-law comes into force, transition periods will be established for on-going development applications.

The revised by-law and policy will apply to all applicable development that has not:

1. Been deemed complete by the City's Planning department in the case of consent, condominium, subdivision or building permit applications;

2. Received Approval in Principle from the City's Planning department in the case of Site Plan Application and fulfilled the park dedication requirement within three (3) years following date of AIP.


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