



**The Corporation of the City of Cornwall
Planning Advisory and Hearing Committee**

File Number:

Applicant:

Department: Planning, Development and Recreation
Division: Planning
Report Number: 2022-117-Planning, Development and Recreation
Prepared By: Alex Gatien, Development Planner
Meeting Date: July 18, 2022
Subject: New Parkland Dedication By-law

Purpose

To consider a final version of a new Parkland Dedication By-law for the City of Cornwall.

Recommendation

Based on the proceeding discussion, it is recommended:

- (a) That PAC receive the final draft of the Parkland Dedication By-law.

Background

Section 42(1) of the Planning Act enables municipalities to adopt By-laws to provide for the conveyance of parkland for the development or redevelopment of land. The City's current Parkland Dedication By-law was adopted in 1989 and must be replaced by September 18, 2022, as required by the changes made to Section 42 of the Planning Act under Subsection 2 (5) of Schedule 17 of the COVID-19 Economic Recovery Act of 2020.



Planning staff provided an overview of the reasons for updating the By-law at the April 19, 2022 PAC Meeting

Discussion

The new Parkland Dedication By-law has now been reviewed extensively by both City staff and external consultants. The By-law has gone through two rounds of review with the City's legal counsel at BLG, and was also reviewed by Watson and Associates Economists Ltd.

On July 15, The Planning Division met with Chief Financial Officer, the Manager of Infrastructure Planning, the Manager of Recreation and Facilities and the Municipal Assessor regarding the application and administration of the new By-law. The Planning Division will prepare a guide for development proponents once the new By-law has been adopted by Council.

The Planning Division emailed members of Cornwall's development community to inform that staff have prepared a new Parkland Dedication By-law. Staff received no responses. Staff also created a webpage explaining the draft By-law, which was promoted through the City's social media channels.

While there have been some formatting and wording changes, the content of the By-law has not been substantially changed from the draft that was presented to PAC in April.

To summarize what was presented at the April PAC meeting, the new By-law includes the following changes from the current Parkland Dedication Bylaw:

1. It is based on uses and does not reference the Zoning By-law.
2. It introduces a 2% parkland dedication rate for non-residential development.
3. It identifies clear criteria for what lands are and are not suitable for parkland dedication.
4. It establishes exemptions and reductions in Parkland Dedication requirements for certain types of development.
5. It sets out criteria for when the City would accept cash-in-lieu of parkland, and it provides discretion for the City to accept a combination of land and cash-in-lieu if appropriate in the context of the development.
6. It includes the new alternative (cash-in-lieu) rate for higher density development that was introduced in the Planning Act as part of the COVID-19 Economic Recovery Act. The City must update its Parkland Dedication By-law by September 18, 2022 to comply with this legislation.



The only notable change in the final draft is the addition of a Parkland Dedication requirement for residential lots created by consents on older Plans of Subdivision and on infill lots in older parts of the City of Cornwall that have not previously contributed to parkland dedication. This is authorized by Section 53(13) of the Planning Act. The flat fee will be \$750 per lot. This fee can be adjusted in the future as required as the By-law is intended to be reviewed every three years.

The parkland dedication rate for residential development is normally 5%. Should an applicant dispute the \$750 fee, the land valuation provisions of Section 5.2 of the By-law can be used to determine the value. However, \$750 would represent 5% of \$15,000, which represents a very low price for a residential lot. The flat fee is intended to simplify the process and eliminate the need for an assessment for small-scale residential development.

Conclusion

The new Parkland Dedication By-law will bring Cornwall's parkland dedication up to the rates used by most municipalities in Ontario. It will provide increased capital funding for the acquisition of new parks and for improvements to existing parks. The By-law provides clear direction for staff and applicants in terms of process, rates, timing, and the determination of value for parkland dedication.



Report Approval Details

Document Title:	Parkland By-law Update - 2022-117-Planning, Development and Recreation.docx
Attachments:	- Final Draft Parkland Dedication By-law - July PAC Meeting.pdf
Final Approval Date:	Jul 14, 2022

This report and all of its attachments were approved and signed as outlined below:

Mark A. Boileau - Jul 14, 2022 - 1:41 PM

Maureen Adams - Jul 14, 2022 - 2:36 PM