

Understanding the Parkland Dedication By-law (PDBL) Update

June 2022

What is parkland dedication?



The Planning Act allows municipalities to require that land for park or other public recreational purpose be given to the City as part of the approval of a development application. This is done in one of two ways:

1. Developers may transfer land for parks and public recreation, or
2. Developers may provide money for future parks, park equipment or recreational buildings.

Parkland Dedication policies are one tool cities use to acquire more land or funds for new parks as cities grow.

What is the Parkland Dedication Bylaw (PDBL)?

Section 42 of the Planning Act requires the City to have a bylaw in order to require parkland dedication as a condition for some types of development or redevelopment in our community.

This bylaw is applied when applicants submit a building permit.

Staff review building permit applications to determine if the bylaw should be applied.

What is the PDBL used for?

The PDBL is a tool used to either create new parkland or generate funds that are used to acquire parkland.

The funds can also be used to help build, improve or pay for buildings and acquire machinery, although the City rarely uses these funds for this purpose.



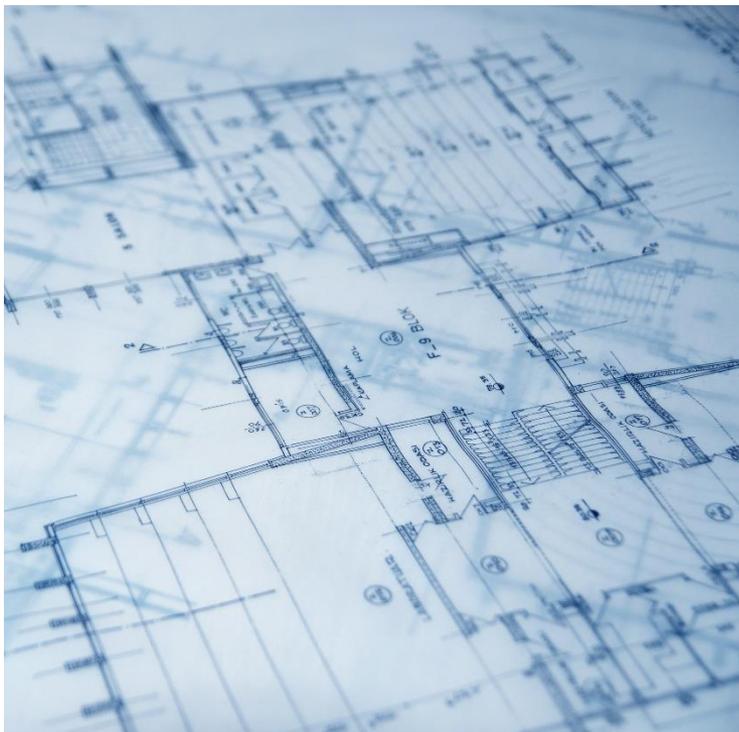
How does the PDBL benefit our community and Guelph's future growth?

Parkland dedication policies and the PDBL help ensure that as Guelph grows, the park system grows with it.

The funds collected are used for strategic acquisitions to meet parkland service levels outlined in [the Official Plan](#).

The Official Plan and other city policy identify broad goals for the park system, and parkland dedication policies and the parkland dedication bylaw are the tools the city uses to meet those objectives, either by acquiring parkland as part of development or seeking the funds necessary to acquire future parkland.

How does PDBL Work?



Staff review development and building permit applications to determine if a specific development application will be subject to the requirements of the parkland dedication bylaw.

Parkland dedication conveyances or payments are collected before a building permit is issued. Meaning, the permit will not be issued until the PDBL requirement is met.

How does the City determine what they charge for parkland?

Different revenue sources pay for parks in the city. The Subdivision rate and the Parkland Dedication rate make up most of this revenue, with subdivision making up the highest portion.

The subdivision rates collected to pay for parks, are applied when someone is subdividing or creating lots from a plot of land.

The Parkland Dedication Bylaw rate is applied when someone is applying for a building permit to build a structure.

Developments pay either the Parkland Dedication Bylaw rate or the Subdivision rate; the City does not charge twice for the same property.

When would PDBL be applied?

The parkland dedication bylaw is typically applied when:

- new residential units are being added to a site,
- a significant renovation is occurring,
- new commercial and/or industrial buildings are being built or land use is changing from one format to another, for example from industrial use to commercial use.



How is parkland dedication calculated?

The parkland dedication alternate rate is calculated as follows:

Low density residence is charged five per cent of the land value

High-density residence is charged based on whether they are giving land to be used for parks, or cash-in-lieu of land.

- For land, 1 hectare of land is given for every 300 units or every 500 units for properties located downtown.
- For cash in lieu, developers pay the equivalent of 1 hectare of land value for every 500 units

Commercial or industrial is charged two per cent of the land value

What is a cap?

The cap is calculated based on land value, which is set at 20 per cent of land value for Downtown developments and 30 per cent of land value for the rest of Guelph.

The City calculates both the parkland dedication alternate rate and the cap. The development pays either the alternate rate or the cap, whichever amount is lower.

Why is the bylaw being updated?

The bylaw is updated once every term of Council or about every four (4) years.

This particular PDBL update is needed to meet the provincial requirements in response to recent legislative changes to Provincial Bills 108, 138, 197, 213. These updates must be made by September 2022.



What changes are being made in this PDBL update?

The City is looking to update the PDBLT to:

- Meet the new provincial legislated requirements,
- Improve bylaw transparency and clarity, such as updating definitions
- Make operational improvements, for example specifying the bylaw only applies to the portion of the property impacted by proposed development for commercial or industrial redevelopment, making it easier to apply the bylaw and calculation the fee

What changes are not being made in this PDBL update?

The Parkland Dedication Bylaw contains rates and limits, known as “caps”, which determine how much the City can charge. The rates are based on provincial legislation and the caps were approved by City Council in 2019. The City is not proposing any changes to the rates and caps in the Parkland Dedication Bylaw as part of this update.

Next steps

July 18 Council meeting to consider approving the PDBL updates

Rolling the approved Park Plan into the Parks and Recreation Master Plan update

Completing a full review the PDBL in the future, including a review of rates and caps. The exact date will be shared publicly as soon as it is determined.

