



## Staff Report

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<b>Report To:</b>	<b>General Government Committee</b>	
<b>Date of Meeting:</b>	April 17, 2023	<b>Report Number:</b> FSD-012-23
<b>Submitted By:</b>	Trevor Pinn, Deputy CAO/Treasurer	
<b>Reviewed By:</b>	Mary-Anne Dempster, CAO	<b>By-law Number:</b>
<b>File Number:</b>		<b>Resolution#:</b> GG-088-23
<b>Report Subject:</b>	2022 Annual Statement for Cash-in-Lieu of Parkland	

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### Recommendation:

1. That Report FSD-012-23 be received for information.

## Report Overview

This report complies with amendments to the *Planning Act, 1990* which became effective in 2016. The *Smart Growth for Our Communities Act, 2015* requires reporting on Section 37 (Increased Density) and Section 42 (Conveyance of land for park purposes). On June 6, 2019, Bill 108, More Homes, More Choice Act, 2019 received Royal Assent. This Act contained changes to the Development Charges Act and the Planning Act and included the introduction of the new community benefits charge. In November 2022, the Ontario Government passed Bill 23 to increase housing supply and provide attainable housing with significant impacts on Parkland. This report discloses the annual activity in the Cash-in-Lieu of Parkland Reserve Fund for 2022. There is nothing to report for increased density funds or a community benefits charge, at this time.

### 1. Background

- 1.1 In accordance with Section 37 (Increased Density) and Section 42 (Cash-in-Lieu of Parkland) of the *Planning Act*, the Treasurer must provide a financial statement including opening and closing balances to Council relating to cash-in-lieu of parkland monies and increased density funding. This statement must be made available to the public.

### 2. Section 42 (Conveyance of land for park purposes)

- 2.1 Under Section 42 of the Planning Act, a municipality may require, as a condition of development, that land be conveyed to the municipality for park or other public recreational purposes. In certain circumstances, Council may require a payment in lieu of land dedication, to the value of the land otherwise required to be conveyed.
- 2.2 These funds must be held in a special account (Reserve Fund), allocated interest and spent only for the acquisition of land to be used for park or other recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery, particular to park purposes.
- 2.3 Attachment #1 details the Statement of the Treasurer, in compliance with the *Act*.

### 3. Section 37 (Increased Density)

- 3.1 Clarington does not currently have a program set up for Section 37 Community Benefits; therefore, an annual statement is not required. The current Official Plan includes Community Benefits policies (Section 23.14 of the OP). Staff will evaluate these policies as part of the next Official Plan review against recent changes to the Planning Act and as part of the next review of the Development Charges Study.

## 4. Impact of Bill 23 on Parkland Dedication

- 4.1 Highlights of the impacts of Bill 23 on parkland dedication are outlined below.
- 4.1.1. Reduction of alternative parkland dedication rates by half (from 1 ha per 300 dwelling units to 1 ha per 600 dwelling units where parkland is conveyed or from 1 ha per 500 dwelling units to 1 per 1000 dwelling units for cash-in-lieu contributions) and introduction of a maximum parkland/cash-in-lieu cap for residential development.
  - 4.1.2. Parkland dedication rates frozen as of the date a zoning by-law or site plan application is filed and maintains the freeze for up to two years following approval.
  - 4.1.3. Allows landowners to identify the land they intend to provide for parkland, including allowing for encumbered parkland/strata parks, and privately owned publicly accessible parks, and introduces a new avenue of appeal to the Ontario Land Tribunal if there is a disagreement about the parkland being provided.
  - 4.1.4. Reduction or exemption of parkland dedication requirements for affordable housing, attainable housing, and housing developed through an inclusionary zoning program.

## 5. Concurrence

Not Applicable.

## 6. Conclusion

It is respectfully recommended that this report, as required by Section 42 of the *Planning Act, 1990* be received for information and be made available to the public by posting on the Municipality's website.

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Staff Contact: Michelle Pick, Accounting Services Manager / Deputy Treasurer, 905-623-3379 ext. 2605, mpick@clarington.net

Attachments:

Attachment 1 – Cash-in-lieu of Parkland Reserve Fund as at December 31, 2022

Interested Parties:

There are no interested parties to be notified of Council's decision.

**Municipality of Clarington  
Cash-in-lieu of Parkland Reserve Fund  
For the Year Ended December 31, 2022**

	<b>Parkland R/F (504)</b>
Balance as of December 31, 2021	5,183,960
Plus:	
Cash-in-lieu Collected	1,262,483
Reserve Fund Interest	144,763
Amount Transferred from Capital Fund - Land Acquisition	283,286
Subtotal	1,690,532
Less:	
Amount Transferred to Capital Fund - Land Acquisition Costs	-
Subtotal	-
Closing Balance as of December 31, 2022	6,874,492
Committed Amounts from Prior Years	-
Available as of December 31, 2022	6,874,492