

Memorandum

To	Gudrin Beggs
From	Gary Scandlan and Daryl Abbs
Date	December 14, 2023
Re:	Parks Plan – Parkland Dedication and Payment-in-lieu of Parkland Analysis

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This Parks Plan memorandum is being provided to summarize Watson & Associates Economists Ltd. (Watson)'s review and analysis of the Town of LaSalle's parkland dedication and payment-in-lieu of parkland policies.

1. Introduction

Watson was retained by the Town of LaSalle (Town) to undertake a review and analysis of the Town's current policies with respect to parkland dedication and payment-in-lieu of parkland. This memo outlines the relevant legislation, the Town's current policies, analysis of alternative policies, and next steps/considerations for Town staff. Summary information along with a draft parkland dedication by-law are provided in the appendices. This analysis incorporates the recent changes to the Planning Act via *Bill 23, More Homes Built Faster Act, 2022*.

2. Legislative Overview

The Planning Act provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or payment-in-lieu of parkland. Section 42 of the Planning Act provides for the rules with respect to conveyance of land for park purposes (to be imposed by by-law), Section 51.1 provides the rules for the conveyance of parkland imposed as a condition of approval of a plan of subdivision, and Section 53 provides the rules for conveyance of parkland required for consent. The following outlines the relevant paragraphs of Section 42. Note: the rules under Section 51.1 and 53 are similar except for the date of determination of value for payment-in-lieu of parkland, which is noted below. Additionally, no by-law is required to impose the base dedication provisions under Section 51.1 or 53.



Parkland Dedication

Section 42 (1) provides that the municipality may require land be conveyed in the amount of 2 per cent for industrial and commercial development and 5 per cent for all other development (i.e., residential, and institutional):

“42 (1) As a condition of development or redevelopment of land, the council of a local municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land be conveyed to the municipality for park or other public recreational purposes.

(2) A by-law passed under this section comes into force on the day it is passed, or the day specified in the by-law, whichever is later.”

New from Bill 23:

Section 42 (1.1) is proposed to be added upon proclamation by the Lieutenant Governor. This section provides for a reduction in the parkland dedication requirements for affordable residential units. Once enacted, where there are affordable residential units (as defined in the Development Charges Act), the dedication requirements shall not exceed 5% multiplied by the ratio of non-affordable residential units vs. the total number of residential units. For example:

- Number of affordable residential units: 10
- Number of non-affordable residential units: 90
- Total units: 100
- 5% multiplied by (90 divided by 100) equals 90% of 5% or 4.5%.

Section 42 (1.2) has been added to provide for an exemption for non-profit housing developments (as defined in the Development Charges Act).

Section 42 (1.3) has been added to provide for a similar residential intensification exemption as the Development Charges Act:

(1.3) A by-law passed under this section does not apply to the erection or location of,

- (a) a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;*
- (b) a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other*



than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or

- (c) *one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.*

Alternative Parkland Dedication Rate

For residential development or redevelopment, a municipality may also impose an alternative requirement to the 5 per cent dedication based on a rate of one hectare for each 600 net residential units¹, as follows:

“(3) Subject to subsection (4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or redevelopment for residential purposes, the by-law may require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 600 net residential units proposed or at such lesser rate as may be specified in the by-law. R.S.O. 1990, c. P.13, s. 42 (3).”

New From Bill 23

Section 42(3.0.2) has been added to identify that the number of units included in the calculation is the net new residential units after the development or redevelopment. This provides for a credit for the existing units.

Section 42(3.0.3) is proposed to be added to note that affordable residential units and attainable residential units (as defined in the Development Charges Act), shall be excluded from the net residential unit’s calculation.

Section 42(3.3) has been added to provide caps on the maximum dedication/payment-in-lieu required. This section is provided as follows:

- (3.3) *A by-law that provides for the alternative requirement authorized by subsection (3) shall not require a conveyance or payment in lieu that is greater than,*
 - (a) *in the case of land proposed for development or redevelopment that is five hectares or less in area, 10 per cent of the land or the value of the land, as the case may be; and*

¹ New for Bill 23. Previous amount was one hectare for each 300 dwelling units.



- (b) *in the case of land proposed for development or redevelopment that is greater than five hectares in area, 15 per cent of the land or the value of the land, as the case may be.”*

Requirement for a Parkland Dedication By-law – Alternative Residential Rate

To use the residential alternative requirement of one hectare for each 600 net residential units, a municipality must have the policy in their Official Plan document and pass a by-law which outlines parkland dedication (and payment-in-lieu of parkland) requirements. As of the passage of Bill 73 (Smart Growth for our Communities Act) in 2015, Section 42 of the Planning Act was amended to include a requirement to complete a Parks Plan prior to include the use of the alternative rate provisions in an Official Plan. Now, as per Bill 23, a Parks Plan is required to be undertaken prior to passing a by-law which includes the alternative residential rate.

The Town does have the alternative provisions included in their Official Plan; therefore, it appears a Parks Plan would not be required. Section 42 (4.1) and (4.2) denote the requirement for a Parks Plan and the need for consultation with school boards and other persons as the municipality considers appropriate. There is no prescription as to the contents of the Parks Plan.

To impose the alternative rate under Section 42 or 51.1 of the Planning Act, the municipality must pass a by-law. Section 42 (3.1) and (4.4) to (4.24) provide for the rules/requirements to pass a by-law with the inclusion of the alternative rate. A summary of the subsections is as follows:

- **Consultation:** the municipality shall consult with persons and public bodies as the municipality considers appropriate (note that in the preparation of a Parks Plan, the Municipality shall consult with every school board that has jurisdiction and may consult with any other persons or public bodies the municipality considers appropriate);
- **Notice of Passage:** the municipality shall give written notice of the passing of the by-law within 20 days of passage and identify the last day for appealing the by-law (40 days after passage). Details of the notice requirements are set out in O.Reg. 509/20 and are provided in Appendix A;
- **Appeal of By-law to the Ontario Land Tribunal:** A by-law may be appealed. The Clerk has certain duties on appeal which are listed in subsection 4.10. The Tribunal has various powers to dismiss the appeal or direct the municipality to amend the by-law.

Although a by-law is required to impose any parkland dedication under Section 42 of the Planning Act, the notice and consultation requirements do not appear to apply if the by-law does not include provision for the alternative rate.



Payment-in-lieu of Parkland

The Town may receive payment-in-lieu of parkland based on the value of the land otherwise to be conveyed. Further, if the Town has authorized the use of the alternative rate for parkland dedication, payment-in-lieu may be received instead, at a rate of one hectare for each 1,000¹ net residential units.

“(6) If a rate authorized by subsection (1) applies, the council may require a payment in lieu, to the value of the land otherwise required to be conveyed.”

“(6.0.1) If a rate authorized by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 1,000 net residential units proposed or such lesser rate as may be specified in the by-law.”

Determination of Value of Parkland

The value of the land for payment-in-lieu of parkland purposes shall be determined as of the day before the building permit is issued.

“(6.4) For the purposes of subsections (4.19), (6), (6.0.1) and (6.2), the value of the land shall be determined as of the day before the day the building permit is issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.”

Note, for parkland conveyed as a condition of a plan of subdivision, the value shall be determined as of the day before the approval of the draft plan of subdivision. Section 51.1 (4) provides for the following:

“(4) For the purpose of determining the amount of any payment required under subsection (3) or (3.1), the value of the land shall be determined as of the day before the day of the approval of the draft plan of subdivision.”

Note, for parkland conveyed under consent, the value shall be determined as of the day before the provisional consent was given. Section 53 (13) provides for the following:

“(13) If, on the giving of a provisional consent, land is required to be conveyed to a municipality for park or other public recreational purposes and the council of the municipality requires a payment in lieu, for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given.”

¹ New for Bill 23. Previous amount was one hectare for each 500 dwelling units.



New From Bill 23

Sections 42(2.1), (2.2), (2.3), and (2.4) have been added to provide for a rate freeze similar to what is included in the Development Charges Act. This is provided as follows:

- (2.1) *The amount of land or payment in lieu required to be provided under this section is the amount of land or payment in lieu that would be determined under the by-law on,*
- (a) *the day an application for an approval of development in a site plan control area under subsection 41 (4) of this Act or subsection 114 (5) of the City of Toronto Act, 2006 was made in respect of the development or redevelopment;*
- (b) *if clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of this Act was made in respect of the development or redevelopment; or*
- (c) *if neither clause (a) nor clause (b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.*
- (2.2) *Subsection (2.1) applies regardless of whether the by-law under which the amount of land or payment in lieu would be determined is no longer in effect on the date the land is conveyed, the payment in lieu is made or arrangements for the payment in lieu that are satisfactory to the council are made, as the case may be.*
- (2.3) *If a development was the subject of more than one application referred to in clause (2.1) (a) or (b), the later one is deemed to be the applicable application for the purposes of subsection (2.1).*
- (2.4) *Clauses (2.1) (a) and (b) do not apply if, on the date the first building permit is issued for the development, more than two years have elapsed since the application referred to in clause (2.1) (a) or (b) was approved.”*

Special Account and Reporting Requirements

All money received by the Town for the purposes of payment-in-lieu shall be paid into a special account and spent only for the following purposes (as per Subsection 42(15)):

- acquisition of land to be used for park or other public recreational purposes;
- erection, improvement, or repair of buildings; and
- acquisition of machinery for park or other public recreational purposes.



Subsection 42(17) of the Planning Act provides that a council that passes a by-law under Section 42 shall provide the reports and information as prescribed in the regulation. Ontario Regulation 509/20, Section 7 identifies the information that shall be provided to the public each year (for the previous year):

1. Statements of the opening and closing balances of the special account and of the transactions relating to the account.
2. In respect of the special account referred to above, statements identifying,
 - a. land and machinery acquired during the year with funds from the special account,
 - b. buildings erected, improved, or repaired during the year with funds from the special account,
 - c. details of the amounts spent, and
 - d. for each asset mentioned in subparagraphs I and ii, the manner in which any capital cost not funded from the special account was or will be funded.
3. The amount of money borrowed from the special account and the purpose for which it was borrowed.
4. The amount of interest accrued on any money borrowed from the special account.

New From Bill 23

Section 42(16.1) has been added to require that: “in each calendar year beginning in 2023, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.”

3. Current Practice and Analysis

3.1 Overview of Guiding Documents

LaSalle’s Official Plan (O.P.), Section 7.11: “Parkland Dedication” sets out policies with respect to parkland dedication. This section discusses parkland standards, requirements for parks, and parkland dedication guidelines. Section 7.11, notes that parkland dedication may be required at the rates of 5% for residential development and 2% for commercial and industrial development. An alternative residential rate of one (1) hectare for each 600¹ dwelling units may be used if it provides for more dedication than the 5% rate. For a mixed-use development that includes a residential component, the parkland dedication will be based on a pro-rated percentage of gross floor area allocated to each the residential and non-residential use. There is no mention for

¹ New for Bill 23. Previous amount was one hectare for each 300 dwelling units



dedication to be received from institutional development. It also notes that the Town may accept payment-in-lieu of parkland dedication.

In 2015, the Town undertook a detailed Parks & Recreation Master Plan. This plan undertook a review of Town policies with respect to parks and recreation, identified the current inventory of parks, and identified the potential need for future parks. Recommendations were provided to review and update the Town's policies with respect to parkland dedication.

Additionally, the Town's Zoning by-law was reviewed, however there were no specific references or definitions to parkland, parks, or recreation.

Finally, a review of the Town's 2020 Development Charge (D.C.) Background Study was undertaken. The D.C. study sets out the inventory of parkland, amenities, and recreation facilities over the previous 10-year period. The study also sets out the growth-related capital needs for parks and recreation services (except purchase of parkland) that are to be recovered through D.C.s.

3.2 Current Parkland Dedication and Payment-in-Lieu Policies

The O.P. provides the overarching policies with respect to parkland dedication and payment-in-lieu of parkland. There is currently no parkland dedication by-law in place.

3.2.1 Parkland Dedication

Overview

For residential development and redevelopment, the O.P. provides that parkland be dedication at a rate of 5% of the land or one (1) hectare of land for each 600¹ dwelling units; whichever is greater. For commercial and industrial development or redevelopment, parkland dedication is required at a rate of 2% of the lands. There are no policies with respect to institutional development. For a mixed-use development that includes a residential component, the parkland dedication requirement is based on the pro-rated percentage of gross floor area allocated to each individual use (residential vs. non-residential).

The alternative residential rate has not been utilized as there is currently no by-law in place.

Alternative Rate Requirement for Parkland Dedication

As provided in the O.P., for residential development, the Town may require parkland be dedicated at a rate of one (1) hectare for each 600¹ dwelling units. This rate is to be used where it would provide for a greater amount of dedication relative to the 5% rate.

¹ New for Bill 23. Previous amount was one hectare for each 300 dwelling units.



This can be calculated by analyzing the density of development at the breakeven point (i.e., where both rates provide the same land dedication).

To calculate the breakeven point of density, if we assume there is a 20-hectare development, the parkland dedicated at the 5% rate would yield a dedication of one (1) hectare. If we utilize the alternative rate of one (1) hectare for 600 net residential units, this will imply that to get the same amount of land dedication, there will need to be a density of 600 units on the 20 hectares of development. This equates to a density of 30 units per hectare or 12 units per acre. If density exceeds this breakeven point, the Town will receive more land by using the alternative rate.

Analysis

There are a few potential revisions to the current practice that may assist the Town in maximizing receipt of dedicated parkland.

- Consider revising the O.P. to include parkland dedication requirements of 5% for institutional development.
- Revise the O.P. and include in a parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development exceeds density of 30 units per hectare or 12 units per acre). As a result, the Town may consider utilizing the alternative rate for all high-density developments and reviewing density of each low-density and medium-density development on a case-by-case basis.

3.2.2 *Payment-in-Lieu of Parkland*

Overview

With respect to policies regarding payment-in-lieu of parkland, the O.P. (Section 7.11) states that the Town may accept payment-in-lieu of parkland dedication if it is determined that:

- The required land dedication fails to provide an area of suitable size, location, and shape for parkland development to the satisfaction of the Town.
- The required land dedication would render the remainder of the site unsuitable or impractical for development;
- The area within which the development is proposed is well served by existing parks and open space areas and no further parks are required; or
- The Town is pursuing other parkland initiatives for community or Town facilities that would benefit from cash-in-lieu of parkland dedication.

The planning Act allows a municipality to require payment-in-lieu of 5% for residential and institutional lands and 2% for commercial and industrial lands. However, the Town currently utilizes a fee per lot of \$750 for residential purposes only.



Alternative Rate Requirement for Parkland Dedication

The Planning Act allows for use of the alternative rate for payment-in-lieu of dedication, however, the rate at which the value is determined is based on one (1) hectare for each 1,000 net residential units. Similar to dedication of parkland, if the Town chooses to impose the alternative residential rate, the Town should clearly define when it is appropriate to use the alternative rate relative to the 5% rate. This can be estimated by analyzing the density of development at the breakeven point (i.e., where both rates provide the same payment-in-lieu of dedication).

To calculate the breakeven point of density, if we assume there is a 20-hectare development, the payment-in-lieu would be based on the equivalent value of dedication of 5% of the lands dedication and would yield a value equivalent to the dedication of one (1) hectare. If we utilize the alternative rate of one (1) hectare for 1,000 net residential units, this will imply that to get the same amount of equivalent land dedication, there will need to be a density of 1,000 units on the 20 hectares of development. This equates to a density of 50 units per hectare or 20 units per acre. If density exceeds this breakeven point, the Town will receive more payment-in-lieu by using the alternative rate.

Per Lot Rate

Historically, the Town has utilized a per lot rate of \$750 for residential payments in lieu of parkland dedication. Watson has reviewed this rate and estimated the equivalent value of the land for a typical lot in the Town. That is, what is the assumed value of the land at the 5% dedication rate using the per lot fee of \$750. This summary is provided in Table 3-1.

Table 3-1
Town of LaSalle
Per Lot Equivalent Value Calculations

Residential Lots	Historical Charge	Calculated Charge based on Average Land Values
Average Price per Acre		\$ 1,500,000
Assumed Density per Acre		6
Assumed Value per Lot	\$ 15,000	\$ 250,000
P.I.L. Parkland Charge per Lot	\$ 750	\$ 12,500

As per the table above, at \$750 per residential lot, the assumed value of the land would be \$15,000 per lot. To compare this calculated value per lot to the current market, Watson undertook a review of recent sale price data from MPAC (Municipality Property Assessment Corporation). Through a review of recent subdivision developments, lot values prior to building permits were observed to be approximately \$250,000 (in 2023\$).



Assuming a density per acre of 6 units (based on historical building activity), the average price per acre would be \$1,500,000. This land value analysis was estimated using MPAC¹ database information and is summarized in Appendix C. As a result, utilizing \$250,000 per lot for the above analysis would appear reasonable. At the 5% dedication rate, this results in a fee per lot of \$12,500. The current rate per lot is significantly lower than the amount that would be collected using the 5% rate or the alternative rate (i.e., based on value of land the day before building permit, as provided under S.42 of the Planning Act).

With respect to the commercial and industrial rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Town require an appraisal be undertaken and the 2% dedication rate be applied.

The recent changes arising from Bill 23 have required that development or redevelopment proceeding through a site plan application or zoning by-law amendment application have their payment-in-lieu rates frozen at the time the application is submitted. As a result, it is recommended that a per lot rate not be used for these types of development and that appraisals are required to apply the 5%/2% rates.

Analysis

There are a few potential revisions to the current practice that may assist the Town in maximizing receipt of payment-in-lieu of parkland.

- Consider revising the O.P. to include payment-in-lieu of parkland dedication requirements of 5% for institutional development.
- Consider a parkland dedication by-law with the following provisions:
 - Consider increasing the residential per lot fee for all residential lots with provision for indexing.
 - Consider using the per lot fee for severances and consents only and requiring an appraisal for use of the 5% in all other circumstances.
 - Consider imposing the 2% dedication rate requirement on commercial and industrial development.
 - The Town may consider utilizing the alternative rate for all high-density developments and reviewing the density of each low-density and medium-density development on a case-by-case basis.
- Include in a parkland dedication by-law, guidance on the use of the alternative rate requirement (i.e., when development equals or exceeds a density of 50 units per hectare or 20 units per acre).
 - As a result, the Town may consider utilizing the alternative rate for all high-density developments and reviewing the density of each low-density and medium-density development on a case-by-case basis.

¹ MPAC database review undertaken as of May 2023



3.3 Current Recoveries from Development Charges

3.3.1 Overview of Parks vs. Recreation

The Development Charges Act (D.C.A.) allows for the recovery of growth-related capital costs. Section 2(4) of the D.C.A. lists the services for which recovery of capital costs are eligible; this includes parks and recreation services. There is an exception however, with respect to land for parks which is outlined in Section 2.1 of Ontario Regulation 82/98. Ineligible parkland includes land for woodlots and land that is acquired because it is environmentally sensitive. Land for an enclosed structure used throughout the year for public recreation and land that is necessary for the structure to be used for that purpose, including parking and access to the structure is eligible for inclusion in a D.C. background study and by-law.

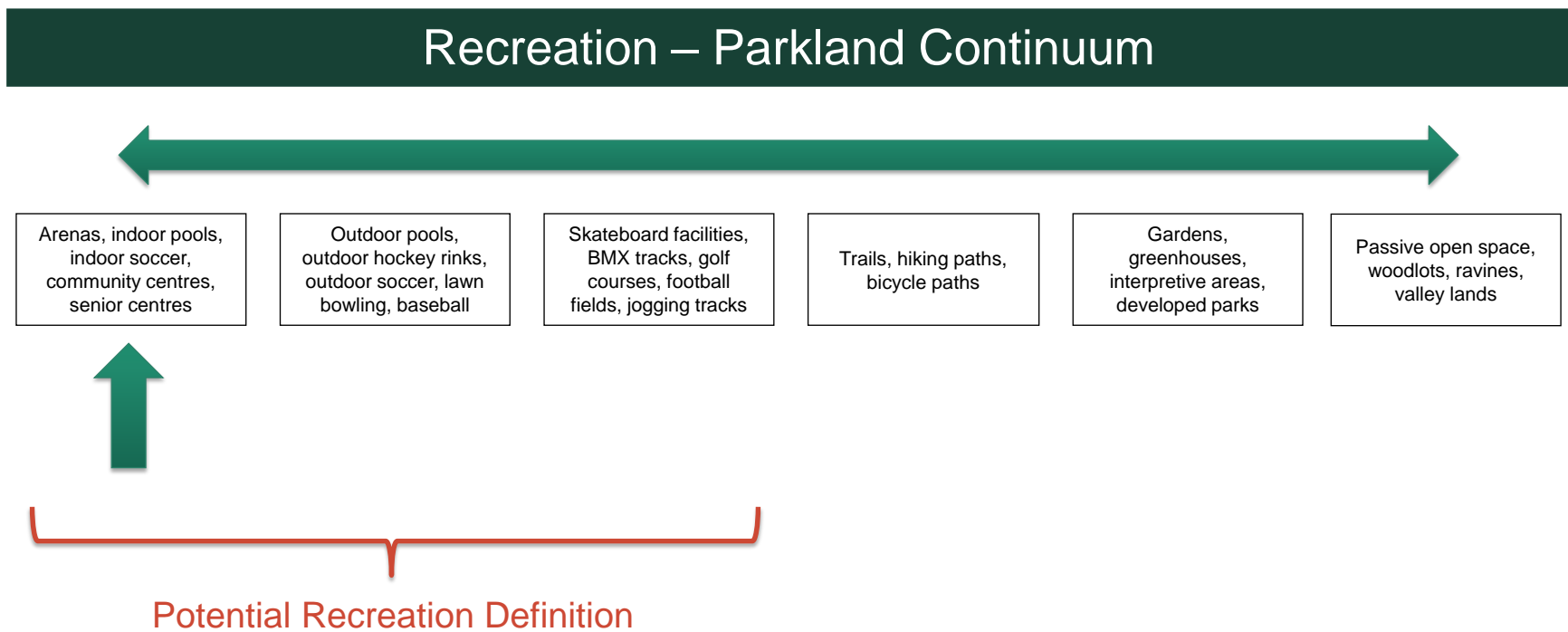
In summary, land for park purposes is not eligible for inclusion in a D.C., however, land for recreation is eligible. The distinction between parkland and land for recreation purposes is important in determining which lands may be recovered from new development through D.C.s as this will help maximize the recovery of costs.

Historically, the Town has paid for land for indoor recreation facilities (e.g., arenas, community centres, etc.) through D.C.s and all other parkland has been acquired through dedication or paid with funds collected from payment-in-lieu of parkland. However, a consideration of “recreation” may be undertaken. For example, an indoor soccer field built inside of an air supported structure would be considered an indoor facility and the land for the facility may be funded with D.C.s. If the soccer field was constructed outside, the land would be funded from the parkland reserve. In both cases, the use of the “facility” is the same, however, the funding is different. If soccer facilities (both indoor and outdoor) were defined as “recreation” in all of the Town’s policies (e.g., O.P., parks and recreation master plans, zoning by-law, etc.) there is the potential for the Town to recover the cost of the land from D.C.s.

Figure 3-1 provides for a continuum of parks and recreation uses. These range from indoor facilities such as arenas to open space parkland. The green arrow on the left denotes the current definition of recreation utilized by the Town (i.e., for which land is included in the D.C. study). There is a potential for the recreation definition to be expanded to include outdoor recreation uses such as pools, outdoor hockey rinks, outdoor soccer, lawn bowling, baseball diamonds, skateboard facilities, BMX tracks, golf courses, football fields, and jogging tracks.



Figure 3-1
Town of LaSalle
Recreation to Parkland Continuum





3.3.2 Current Definitions in Town of LaSalle Documents

To assess and confirm the Town's current definitions of parks and recreation, Watson undertook a review of the following documents:

- Town of LaSalle Official Plan (2018);
- Town of LaSalle Zoning By-law Update Background Report (2021); and
- Town of LaSalle Parks & Recreation Master Plan Update (2015).

Through a review of these documents, each reference to parks and/or recreation was noted to ascertain the Town's assumed definition of each term. The O.P. refers to each term in various ways and there is no clear distinction between parkland and recreation land. The Parks & Recreation Master Plan utilizes the terms in various contexts and appears to have different meanings in different sections. For example, the Executive Summary section speak to parks and recreation facilities separately, implying they are distinct from one another. However, the Neighbourhood Parks definition includes passive recreational activities and states that while it is not intended for organized team sporting activities, use may vary across neighbourhood parks.

Table B-1 in Appendix B provides for a list of the relevant instances of the term's parks and recreation in the above listed documents, along with notes on the implication of the definitions/references. As we understand, the Town is looking at updating their parks master plan in the next few years and the Town may revisit the suggested clarification of wording for parks and recreation definitions at that time.

3.3.3 Opportunities for Maximizing Recoveries

The Town may seek to maximize recovery of costs for recreation land by utilizing recovery through D.C.s as much as possible. To achieve this, the Town must first update their existing policy documents to clearly define parks versus recreation. These refined definitions should be consistent between all policy documents. Should the Town wish to proceed with this approach, sample definitions can be provided for the Town's consideration.

4. Impacts of Current Practice vs. Alternative Approaches

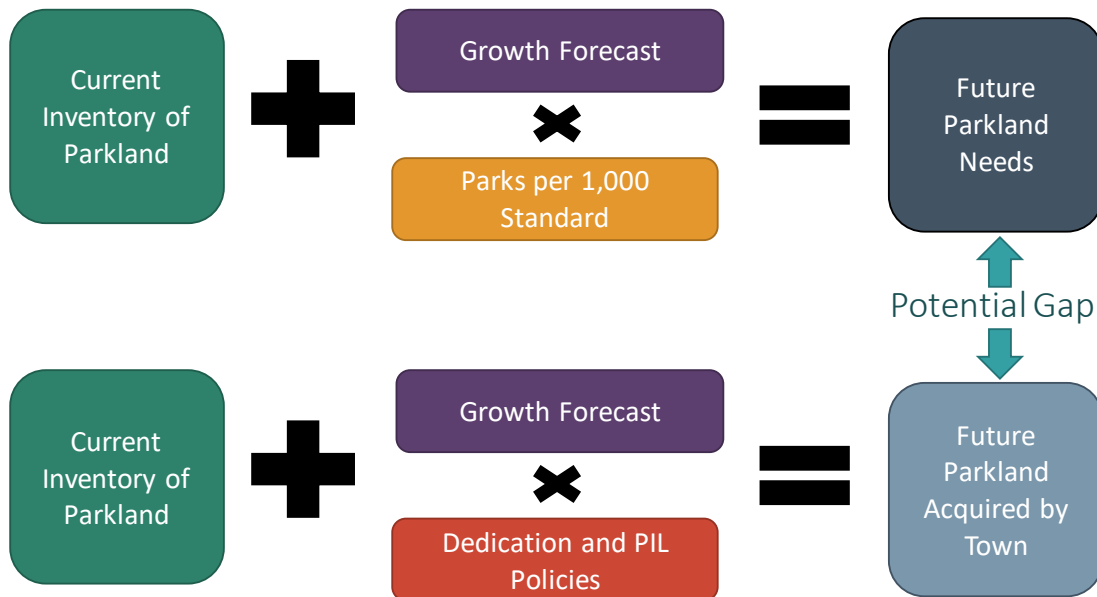
4.1 Approach to Analysis

To quantify the impacts of the various approaches on the Town's ability to receive and purchase parkland, the following section provides for the anticipated parkland dedication and payment-in-lieu of dedication, calculated by using the Town's 2020 D.C. background study growth forecast, and the various rates described above.

Figure 4-1 provides an overview of the analysis. To estimate the future parkland needs, the current parkland inventory is added to the parkland needs arising from new

development. This analysis is presented in Section 4.2. To estimate the potential future parkland received and/or payment-in-lieu of parkland received, various dedication and payment-in-lieu policies are applied to the anticipated growth and added to the current inventory of parkland. Once the anticipated parkland/ payments received analysis is complete, the potential gap in parkland/funding may be identified.

Figure 4-1
Town of LaSalle
Parkland Needs Analysis



4.2 Current Inventory of Parkland and Future Need

4.2.1 Summary of Current Inventory

Table 4-1 provides for a summary of the 2023 inventory of parkland in the Town of LaSalle:

Table 4-1
Town of LaSalle
Inventory of Parkland (2023)

Inventory of Parkland	Total Acres	Total Hectares
Community Parks	305.10	123.47
Neighbourhood Parks	74.90	30.31
Total Parkland	380.00	153.78

A review of the anticipated parkland needs to 2040 was undertaken based on the anticipated population and the service level of five (5) acres of parkland per 1,000 residents for community parks and two (2) acres of parkland per 1,000 residents for neighbourhood parks. The calculations provide that the Town would require 322.40 acres or 130.47 hectares of parkland, implying that by 2040, the Town would not need to receive (or purchase) additional parkland on a Town-wide basis, however, when reviewing each type of parkland, the Town would need an additional 17.21 acres of neighbourhood parks. This information is summarized in Table 4-2:

Table 4-2
Town of LaSalle
Required Parkland by 2040 as per Recommended Service Level and Anticipated Growth

Parkland Requirement Calculations	Current Parkland Inventory	Acres Required in 2040 Based on a Population of 44,184	Additional Parkland Needed
Community Parks Required (acres)*	305.10	230.29	-
Neighbourhood Parks Required (acres)**	74.90	92.11	17.21
Total Parkland Required (acres)	380.00	322.40	17.21
Total Parkland Required (hectares)	153.78	130.47	6.97

*Community parkland based on a standard of 5 acres per 1,000 population

**Neighbourhood parkland based on a standard of 2 acres per 1,000 population

4.2.2 Analysis

Parkland Inventory

As noted, based on the current parkland inventory of 380 acres, it would appear that (on a Town-wide basis) LaSalle has more parkland than what is required by 2040. However, when the analysis is undertaken separately for each category it would appear the Town would need an additional 17.21 acres. Consideration was also provided with respect to proximity standards for neighbourhood parks. The Parks and Recreation Master Plan recommends that neighbourhood parks be located within a five (5) minute walk from a residence. As a result, the analysis was also conducted on the basis that the standard of two (2) acres per 1,000 population be applied to all new growth. Undertaking this analysis suggests that the Town may need 26.22 additional acres of parkland by 2040.

Parkland Categories

The Town's O.P. identifies that the community structure is to include community and neighbourhood parks. Neighbourhood parks are mentioned as being centrally located to the neighbourhoods they are intended to serve; however, no definitions of the categories are provided.

The Town's Parks & Recreation Master Plan does provide a hierarchy of parkland with defined categories such as parkettes, neighbourhood parks, and community parks. As we understand, the Town will be undertaking an update to their Parks and Recreation

Master Plan in the coming years and the Town may revisit the parks standards and park categories at that time. This analysis is based on the standards outlined in the current Parks & Recreation Master Plan update from 2015.

4.3 Parkland Dedication

4.3.1 Current Approach

With respect to parkland dedication, currently the Town receives parkland dedication in the amount of 5% of the land area for residential developments and 2% of the land area for industrial and commercial developments. No dedication requirements are generally applied to institutional developments.

The current inventory was measured as of 2023. As a result, the growth forecast period utilized for this analysis is 2023 to 2040. The Town’s 2020 D.C. background study growth forecast was utilized for this analysis and prorated to align with the forecast period in this analysis. Table 4-3 provides for a summary of the anticipated residential units to be constructed over this time period. With assumed densities of 10, 15, and 40 units per acre for low¹, medium, and high-density development, respectively, the total acres of residential development lands equal 388.33 acres (or 157.16 hectares). At a parkland dedication rate of 5%, the total parkland to be dedicated would be 19.42 acres (or 7.86 hectares).

Table 4-3
Town of LaSalle
Residential Parkland Dedication at 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/acre)	Total Acres	Total Acres Dedicated at 5%
Singles	3,195	10	319.50	15.98
Towns	494	15	32.93	1.65
Apartments	1,077	30	35.90	1.80
Total	4,766		388.33	19.42
Total Hectares			157.16	7.86

Table 4-4 provides for a summary of the anticipated non-residential development to be constructed over the 2023-to-2040-time horizon. Based on the D.C. growth forecast, it is anticipated that there will be an additional 2,298 employees in the Town by 2040. Utilizing the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 1.51 million sq.ft. Assuming the industrial buildings have a lot coverage of 25%, and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 5.22 million sq.ft.

¹ As noted in section 3.2.2, recent low-density developments were observed to have a density of approximately 6 units per acre, however, the D.C. background study forecast utilized an assumption of 10 units per acre for future development.

This equates to a total land area of 119.77 acres (or 48.47 hectares). Based on a 2% dedication rate applied to industrial and commercial properties (currently, the Town is not imposing the dedication requirements on institutional development), this would provide the Town with 1.59 acres (or 0.64 hectares) over the forecast period.

Table 4-4
Town of LaSalle
Non-residential Parkland Dedication at 2% (0% Institutional)

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area	Total Acres of Land Area	Total Acres Dedicated at 2%
Industrial	225	1,200	270,000	25%	1,080,000	24.79	0.50
Commercial	1,296	550	712,800	30%	2,376,000	54.55	1.09
Institutional	777	680	528,360	30%	1,761,200	40.43	-
Total	2,298		1,511,160		5,217,200	119.77	1.59
Total Hectares						48.47	0.64

In total, this approach would yield the Town with approximately 21 acres (8.50 ha) of parkland if every property provided parkland dedication.

4.3.2 Base Provisions of the Planning Act (5% Residential and Institutional, 2% Commercial and Industrial)

The Planning Act allows municipalities to require parkland dedication at a rate of 2% of land for commercial and industrial development and 5% for all other development (i.e., residential, and institutional).

In this approach, the calculated residential dedication would be the same as presented in Table 4-3. The non-residential parkland dedication calculations in Table 4-4 have been restated in Table 4-5 with institutional parkland dedication calculated at the 5% rate. In total, this scenario would provide the Town with 23.03 acres (19.42 acres from residential and 3.61 acres from non-residential).

Table 4-5
Town of LaSalle
Non-residential Parkland Dedication; 5% Institutional, Commercial, and Industrial at 2%

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2040)	Assumed Lot Coverage	Total Sq.ft. of Land Area	Total Acres of Land Area	Total Acres Dedicated at 2%*
Industrial	225	1,200	270,000	25%	1,080,000	24.79	0.50
Commercial	1,296	550	712,800	30%	2,376,000	54.55	1.09
Institutional	777	680	528,360	30%	1,761,200	40.43	2.02
Total	2,298		1,511,160		5,217,200	119.77	3.61
Total Hectares						48.47	1.46

* Institutional calculated at 5%

4.3.3 Alternative Residential Rate and 5% Institutional Rate

With respect to use of the alternative rate for parkland dedication of one (1) hectare for every 600 net residential units, the Town would receive approximately 18.78 acres (or 7.60 hectares) of parkland. Table 4-6 provides for the anticipated acres of parkland

dedication based on the residential growth forecast from the D.C. study and use of the alternative rate.

Table 4-6
Town of LaSalle
Residential Parkland Dedication at One Hectare for Each 600 Net Residential Units

Unit Type	Anticipated Units (2023 to 2040)	One Hectare for 600 Net Residential units (ha)	Total Acres	Acres at 10% Maximum*
Singles	3,195	5.33	13.16	13.16
Towns	494	0.82	2.03	2.03
Apartments	1,077	1.80	4.44	3.59
Total	4,766	7.94	19.63	18.78

** As per Bill 23 (now s42(3.3) of the Planning Act), properties 5 hectares or less are limited to 10% of the land area. Parkland dedication for apartments would exceed this limitation, therefore the 10% dedication cap assumption was used.*

With respect to non-residential dedication, the calculations from Section 4.3.2 would still apply (i.e., 3.61 acres). In total, this approach would provide for 22.39 acres (or 9.06 hectares) of parkland dedication over the forecast period.

4.3.4 Summary of Analysis

Table 4-7 provides for a comparison of the approaches to parkland dedication for residential development (5% for residential vs. one hectare for 600 net residential units) and non-residential development (currently policy vs. 2% for industrial/commercial and 5% for institutional). Using the Planning Act's base provisions of 5% for residential development and 2% for non-residential development, the Town would receive an additional 2.03 acres (0.82 hectares) of parkland by 2040 as compared to the current approach.

Table 4-7
Town of LaSalle

Summary Comparison of Current vs. Alternative Rate Approach to Parkland Dedication

Basis for Analysis	Summary	5% for Residential and 2% for Commercial and Industrial	5% for Residential/Institutional and 2% for Commercial /Industrial	1 Hectare for 600 Net Residential Units, 2% for Commercial and Industrial and 5% for Institutional
	Residential Acres	19.42	19.42	18.78
	Non-residential Acres	1.59	3.61	3.61
	Total Acres	21.00	23.03	22.39
Based on 2 Acres/ 1,000 New Growth	Total Acres Required by 2040	26.22	26.22	26.22
	Deficit / (Surplus)	5.21	3.19	3.83
Town-wide Inventory Basis	Total Acres Required by 2040	17.21	17.21	17.21
	Deficit / (Surplus)	(3.79)	(5.81)	(5.18)

The summary of parkland dedication received is analyzed relative to the parkland required in 2040. This is presented for two scenarios;

1. Assuming all new residential growth will require neighbourhood parks (i.e., 2 acres per 1,000 population is applied to the anticipated growth); and
2. Incremental needs based on total population in 2040 relative to the current inventory.

For Scenario 1, the Town would be in a deficit if they continued with the current approach, however, moving to the base provisions (i.e., using 5% for residential and institutional and 2% for commercial and industrial) would allow the Town to reduce the anticipated deficit.

For Scenario 2, the Town would meet their 2040 parkland requirements in all scenarios.

4.4 Payment-in-Lieu of Parkland

With respect to Payment-in-Lieu of Parkland, there are three (3) approaches to imposing these fees on development and redevelopment in the Town:

1. **Historical Policy:** impose a rate of \$750 for residential development;
2. **5%/2% Rates:** impose the equivalent value of 5% of the land area for residential and institutional development and the equivalent value of 2% of the land area for commercial, and industrial development; and

3. **Alternative Rate:** impose the equivalent value of one (1) hectare of land for each 1,000 net residential units for residential development.

Similar to the analysis with respect to parkland dedication, the D.C. growth forecast was used to estimate the amount of development in the Town from 2023 to 2040. The estimated land values in the Town were analyzed based on recent land sales obtained from MPAC and are based on the value of the land the day before building permit issuance (as required by Section 42 of the Planning Act). A summary table of sample properties is provided in Appendix C. Based on the properties analyzed, the average sales price of residential vacant land is assumed to be \$1,500,000 per acre¹ and the average sales price of non-residential properties is approximately \$200,000 per acre for industrial, \$900,000 per acre for commercial, and \$400,000 per acre for institutional developments.

Note, generally parkland is located in residential areas. As a result, the analysis herein assumes that the Town would purchase parkland at the value of residential land the day before building permit. This analysis allows for comparison of the approaches, however, the Town may purchase land at a lower value depending on local circumstances.

4.4.1 Historical Policy

Under the historical policy, the Town imposed a fee of \$750 per lot for residential properties. The Town's 2020 D.C. background study growth forecast was utilized for this analysis and prorated to align with the forecast period in this analysis. Utilizing the growth forecast from the D.C. background study, there are a total of 3,689 low and medium density units anticipated to be constructed over the 2023 to 2040 forecast period. Each of these units are assumed to be developed as one lot for each unit. With respect to high-density development, it has been assumed that there may be an average of 50 units per lot. As a result, its anticipated that there would be an additional 22 apartment lots in total. The number of lots is then multiplied by the fee per lot to estimate the payment-in-lieu of parkland revenue. With respect to non-residential development (commercial, industrial, and institutional), through discussions with staff, in practice the Town does not appear to impose payment-in-lieu of parkland fees on non-residential development. Table 4-8 summarizes these calculations. The total anticipated revenue would be approximately \$2.78 million over the forecast period.

¹ The value utilized in the calculations is based on values in the urban area (i.e., properties serviced with water and wastewater), the day before building permit.

Table 4-8
Town of LaSalle
Anticipated Payment-in-Lieu of Parkland Dedication Revenues for Residential

Development Type	Fee per Lot	Anticipated Lots between 2023 and 2040 (single and town)	Anticipated Lots between 2023 and 2040 (apartments)*	Revenue Anticipated
Residential	\$ 750	3,689	22	\$ 2,783,006
Total				\$ 2,783,006

Based on the residential cost of land per acre (\$1.50m), this would provide the Town with the ability to purchase approximately 1.86 acres of land (or 0.75 ha).

4.4.2 5%/2% Rates

The Planning Act allows municipalities to require payment-in-lieu of parkland dedication at a rate of 2% for commercial and industrial development and 5% for all other development (i.e., residential, and institutional). Note however, the Town’s O.P. does not include a provision for collection of parkland dedication or payment-in-lieu from institutional development.

Table 4-9 provides for a summary of the anticipated residential units to be constructed to 2040. With assumed densities of 10, 15, and 30 units per acre for low, medium, and high-density development, respectively, the total acres of residential development lands equal 388.33 acres (or 157.16 ha). At a value of \$1,500,000 per acre (\$3,706,500 per hectare), the total value of the developable lands would be approximately \$582.50 million. At a rate of 5% of the land value, the Town would receive approximately \$29.13 million.

Table 4-9
Town of LaSalle
Anticipated Payment-in-Lieu of Parkland Dedication Revenues – 5%

Unit Type	Anticipated Units (2023 to 2040)	Density Assumption (units/acre)	Total Acres	Value of Land per Acre	Total Value of Developable Lands	5% of the Total Value
Singles	3,195	10	319.50	\$1,500,000	\$479,250,000	\$23,962,500
Towns	494	15	32.93	\$1,500,000	\$49,400,000	\$2,470,000
Apartments	1,077	30	35.90	\$1,500,000	\$53,850,000	\$2,692,500
Total	4,766		388.33		\$582,500,000	\$29,125,000
Total Hectares			157.16			

Table 4-10 provides for a summary of the anticipated non-residential development to be constructed over the 2023 to 2040 time-period. Based on the D.C. growth forecast, there is approximately 2,298 employees that will be added. Utilizing the sq.ft. per employee assumptions from the D.C. study, the anticipated floor space totals approximately 1.51 million sq.ft. Assuming the industrial buildings have a lot coverage of 25% and institutional/commercial buildings have a lot coverage of 30%, the total land area for non-residential development is approximately 5.22 million sq.ft. This equates to a total land area of 119.77 acres (or 48.47 hectares). At a value of \$200,000 per acre

for industrial, \$900,000 for commercial, and \$400,000 for institutional developments, the total value of the developable lands would be approximately \$70.22 million. At a rate of 2% of the land value for commercial, and industrial, and 5% for institutional, the Town would receive approximately \$1.90 million.

Table 4-10
Town of LaSalle
Anticipated Payment-in-Lieu of Parkland Dedication Revenues
2% for Commercial and Industrial, 5% for Institutional

Type	Anticipated Employment (2023 to 2040)	Sq.ft. per Employee	Anticipated Sq.ft. (2023 to 2041)	Assumed Lot Coverage	Total Sq.ft. of Land Area
Industrial	225	1,200	270,000	25%	1,080,000
Commercial	1,296	550	712,800	30%	2,376,000
Institutional	777	680	528,360	30%	1,761,200
Total	2,298		1,511,160		5,217,200
Total Hectares					

Type	Total Sq.ft. of Land Area	Total Acres of Land Area	Value of Land per Acre*	Total Value of Developable Lands	2% of the Total Value**
Industrial	1,080,000	24.79	\$200,000	\$4,958,669	\$99,173
Commercial	2,376,000	54.55	\$900,000	\$49,090,821	\$981,816
Institutional	1,761,200	40.43	\$400,000	\$16,172,606	\$808,630
Total	5,217,200	119.77		\$70,222,096	\$1,889,620
Total Hectares		48.47			

*Value based on commercial land.

**Institutional based on 5% of the value of the land

In total, this approach would provide the Town with approximately \$31.01 million in payment in lieu of parkland dedication revenues over the forecast period.

4.4.3 Alternative Residential Rate

Regarding receipt of payment-in-lieu of dedication the Planning Act also allows the use of an alternative rate of the value of one (1) hectare of land for each 1,000 net residential units.

With respect to use of the alternative rate, the non-residential payment-in-lieu would remain the same at approximately \$1.90 million. However, if the Town were to utilize the alternative rate for residential developments, the Town would receive approximately \$17.67 million for a total of \$19.55 million. Table 4-11 provides for the anticipated payment-in-lieu of parkland based on the residential growth forecast from the D.C. study and the use of the alternative rate.

Table 4-11
Town of LaSalle
Residential Payment-in-Lieu of Dedication at One Hectare for Each 1,000 Net Residential Units

Unit Type	Anticipated Units (2023 to 2040)	1 Ha for 1,000 Dwelling Units (Acres)	Value of Land per Acre	Total Value of Equivalent Dedication Lands	Acres at 10% Maximum*	Total Value of Developable Lands at 10% Maximum
Singles	3,195	7.89	\$1,500,000	\$11,842,268	7.89	\$ 11,842,268
Towns	494	1.22	\$1,500,000	\$1,831,011	1.22	\$ 1,831,011
Apartments	1,077	2.66	\$1,500,000	\$3,991,901	2.66	\$ 3,991,901
Total	4,766	11.78		\$17,665,179	11.78	\$ 17,665,179
Total Hectares					4.77	

4.4.4 Summary of Analysis

Table 4-12 provides for a comparison of the approaches to payment-in-lieu of parkland for residential development (per lot fee vs. 5% vs. one hectare for 1,000 net residential units) and non-residential development (No payment vs. 2% for commercial vs. 2% for industrial/commercial and 5% for institutional). Use of the per lot fee provides the Town with approximately \$2.78 million, use of the 5%/2% provides for approximately \$31.01 million, and use of the alternative rate provides for approximately \$19.55 million.

Table 4-12
Town of LaSalle
Summary Comparison of Historical vs. Alternative Rate Approaches

Basis for Analysis	Summary	Per Lot Fee for Residential	5% for Residential and 2% for Commercial and Industrial and 5% for Institutional	1 Hectare for 1,000 Net Residential Units, 2% for Commercial and Industrial and 5% for Institutional
	Residential Recovery	\$2,783,006	\$29,125,000	\$17,665,179
	Non-residential Recovery	\$0	\$1,889,620	\$1,889,620
	Total	\$2,783,006	\$31,014,620	\$19,554,799
Based on 2 Acres/ 1,000 New Growth	Total Value Required by 2040	\$39,327,000	\$39,327,000	\$39,327,000
	Deficit / (Surplus) (\$)	\$ 36,543,994	\$ 8,312,380	\$ 19,772,201
Town-wide Inventory Basis	Total Value Required by 2040	\$25,821,000	\$25,821,000	\$25,821,000
	Deficit / (Surplus) (\$)	\$ 23,037,994	-\$ 5,193,620	\$ 6,266,201

As shown in the table above, utilizing the per lot fee of \$750 would result in significant deficits for the Town, however, moving to use of the base provisions of the Planning Act would provide the Town the most parkland dedication revenues. Note that although the

base provisions of the Act for the Town-wide scenario appear to provide a surplus of funds, parkland dedication funds are used for the following purposes:

- acquisition of land to be used for park or other public recreational purposes;
- erection, improvement, or repair of buildings; and
- acquisition of machinery for park or other public recreational purposes.

5. Observations and Comments

The following provides a summary of our observations and potential recommendations for the Town's consideration.

1. **Parkland Inventory:** Through discussions with staff, it was noted that the Parks and Recreation Master Plan will be updated as well as the Official Plan. For the updates to the master plan, the Town may consider the following:
 - a. Review of current parkland categories. Currently there are two categories, however, many municipalities have additional categories of parks including regional/district parks, waterfront parks, parkettes, etc.
 - b. Review of current inventory. Expanding from point (a) above, the Town should seek to update the current inventory to align with the updated categories.
 - c. Review of service levels. For the updated categories, the Town should consider refining the service level targets to align with best practices and the appropriate targets for the Town.

For the updates to the Official Plan, the Town may consider refining the categories noted to align with the new categories in the master plan.

2. **Parkland Dedication:** The Town's current policy for imposing parkland dedication is to impose the 5% dedication requirement on residential development. The Town should consider imposing the following:
 - a. Utilize the alternative rate for residential development (where the alternative rate provides for more dedication);
 - b. Consider including in the O.P., guidance on when to use the alternative rate (e.g., when density is greater than 12 units per acre);
 - c. Impose the 2% dedication requirements on commercial and industrial developments;
 - d. Consider revising the O.P. to identify the 5% dedication rate for institutional developments and include in a future parkland dedication by-law;

3. **Payment-in-Lieu:** The historical approach to payment-in-lieu of dedication was for all development to pay the per lot fee of \$750. This approach would provide a limited amount of funds. As a result, the following provides a summary of recommendations with respect to payment-in-lieu:
 - a. **Residential Per Lot Fee:** The historical per lot fee is \$750. The Town should consider increasing this fee and apply to consents only. Any increases may be phased-in over time. This fee should be included in a parkland dedication by-law and be subject to indexing. For all other development, the 5% or alternative rate would apply, subject to an appraisal.
 - b. **Site Plan and Zoning By-law Amendment Applications:** Development and redevelopment that proceeds through these applications will have their payment-in-lieu rate frozen at the time of submission of the application. As a result, it is recommended that the Town require an appraisal be submitted with the application to ensure the appropriate value of land is being dedicated.
 - c. **Commercial, and Industrial Per Lot Fee:** With respect to the non-residential rates per lot, it is unclear as to a typical lot size as properties vary depending on the nature of the business. As a result, it would be recommended that the Town require an appraisal be undertaken and the 2% dedication rate be applied.
 - d. **Institutional Development and Redevelopment:** It is recommended that the Town consider revising their O.P. to include policies to collect payment-in-lieu of dedication for institutional development at a rate of 5% of the value of the land. Additionally, this should be included in a future parkland dedication by-law.
 - e. **All Other Residential Development and Redevelopment:** The Town may consider revising their O.P. to include use of the alternative rate (the value is one (1) hectare of land for each 1,000 net residential units) where the alternative rate provides for more payment-in-lieu than the 5% rate.
4. **Parkland vs. Recreation Land:** To maximize recovery of costs for parkland and recreation land, the Town may consider refining definitions in the Official Plan, Zoning By-law, and other policy documents to clearly delineate parkland vs. recreation land. This will allow for more land to be recovered through D.C.s, freeing up the dedication and payment-in-lieu funds to be used for parkland.

6. Next Steps

With respect to next steps, Town staff may consider the observations provided in the above section. The Town may incorporate these observations into a parkland dedication and payment-in-lieu of parkland by-law. A draft by-law has been provided in Appendix D.

We trust that the information provided in this memo is useful and we would be pleased to discuss further.



Appendix A

Parkland Dedication By-law Passage Notice Requirements

APPENDIX A: PARKLAND DEDICATION BY-LAW PASSAGE NOTICE REQUIREMENTS

Section 4(2) of O.Reg. 509/20 provides the following notice requirements:

- 2) Notice shall be given,
 - a) by personal service, fax, mail, or email to,
 - i) as determined in accordance with subsection (3), every owner of land in the area to which the by-law applies,
 - ii) every person and organization that has given the clerk of the municipality a written request for notice of the passing of the by-law and has provided a return address,
 - iii) in the case of a by-law passed by the council of a lower-tier municipality, the clerk of the upper-tier municipality that the lower-tier municipality is in, and
 - iv) the secretary of every school board having jurisdiction within the area to which the by-law applies; or
 - b) by publication in a newspaper that is, in the clerk's opinion, of sufficiently general circulation in the area to which the by-law applies to give the public reasonable notice of the passing of the by-law.
- 3) For the purposes of subclause (2) (a) (i), an owner is any person who is identified as an as owner on the last revised assessment roll, subject to any written notice of a change of ownership of land the clerk of the municipality may have received.
- 4) A notice given by mail to an owner shall be mailed to the address shown on the last revised assessment roll or, if applicable, to the address shown on the notice of a change of ownership of land received by the clerk.
- 5) Notice shall contain the following information:
 - (1) A statement that the council of the municipality has passed a community benefits charge by-law or a by-law under section 42 of the Act, as the case may be, and the statement shall set out the number of the by-law and the date on which the by-law passed.
 - (2) A statement that any person or organization may appeal the by-law to the Local Planning Appeal Tribunal under subsection 37 (17) or 42 (4.9) of the Act, as applicable, by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.
 - (3) The last day on which the by-law may be appealed.

- (4) In the case of a notice of the passing of a community benefits charge by-law, an explanation of the community benefits charges imposed by the by-law.
 - (5) In the case of a notice of the passing of a by-law under section 42 of the Act, an explanation of the parkland and payment in lieu requirements imposed by the by-law.
 - (6) A description of the lands to which the by-law applies, a key map showing the lands to which the by-law applies, or an explanation why no description or key map is provided.
 - (7) The location and times during which persons may examine a copy of the by-law.
- 6) For the purposes of subsection 37 (16) and 42 (4.8) of the Act, the prescribed day is,
- a) if the notice is by publication in a newspaper, the first day on which the publication is circulated;
 - b) if the notice is given by fax, the day that the notice is faxed;
 - c) if the notice is given by mail, the day that the notice is mailed; or
 - d) if the notice is given by email, the day that the notice is emailed.

Appendix B

Parkland vs. Recreation Definitions Review

Table B-1
Town of LaSalle
Parkland vs. Recreation – Review of Definitions in Current Policy Documents

Document	Document Reference	Wording Included in Document	Notes/Observations
Official Plan	Introduction Section 1.1 Purpose of this Plan Page 2	Purpose of this Plan: This Official Plan is one of the most powerful documents the Town has to guide future growth to meet the needs of its community. It helps to determine where homes and businesses are built, where parks, schools, and community facilities are located ; how natural, agricultural and cultural resources are managed; and how to maximize social, environmental and economic benefits-all within context of efficiently providing essential municipal services and community infrastructure .	This section refers to parks as well as community facilities, however, the O.P. appears to define community facilities as including parks, community centres, libraries, arenas, community gardens, gyms, ball diamonds, etc. This definition includes park and recreation uses, mixing the two terms together. To delineate recreation land from parkland, this section may be refined to list recreation separately from parks. Note: this comment applies to all references to community facilities
Official Plan	Growth Management Section 2.2 Strategy Page 5	c) Specific population or job targets or caps are not identified in this Plan. Rather, the Town will rely upon this Plan, the County of Essex Official Plan and the Provincial Policy Statement to provide a guiding policy framework for the review and assessment of applications for development on an application-by-application basis. Development phasing, and the corresponding approval of development applications will be considered on the basis of the ability of the Town, the County, land developers, and development charge related revenue to pay for infrastructure development costs, as required, and through the application of the following criteria: i) Growth shall occur in a comprehensive, logical, efficient and fiscally responsible manner. Primary factors to consider through the review of applications for new development include: • The provision of adequate municipal infrastructure, parks and other community facilities and services to accommodate the proposed growth in a cost-efficient manner;	This section does not identify recreation separate from parks which may imply that recreation occurs on parkland. This section may be refined to identify recreation separate from parks.
Official Plan	A Successful Community Section 3.1 Fundamental Principles Page 7	b) A complete community meets people's needs for Community infrastructure, including educational and recreational facilities, and a robust open space system . Objectives are: i) To support the creation of a complete community with easy access for all residents to a wide range of uses including shopping and restaurants, parks and open spaces , employment opportunities, educational and cultural opportunities, live-work options, mobility options, a mix and diversity of housing types, and a range of community facilities, services and amenities d) A high quality and ultimately a beautiful community includes well designed neighbourhoods, Centres and Corridors, buildings, streetscapes, parks and open spaces . A beautiful community protects natural heritage features and includes an accessible and well-designed system of public parks and open spaces that celebrate the site and provide opportunities for enjoyment by the entire population. A high-quality community includes destinations, landmarks and gateways that distinguish it within its context and establish a sense of place. Crucial to a high-quality community is the attention to the interplay among built form, the public realm and the natural environment. A high-quality community should engender a sense of pride as a place to live and a sense of stewardship in its	This section speaks to recreation and play occurring on parkland, rather than on recreation land. This section may be refined to identify recreation uses (as per the recreation-parkland continuum in Figure 3-1) as occurring on recreation land.

Document	Document Reference	Wording Included in Document	Notes/Observations
		<p>long-term care and maintenance. Objectives are: ... iv) To ensure that parks and open spaces, including the Town's Trail, Natural Heritage and Greenway Systems, are beautiful, accessible and linked. Parks and open spaces need to be visible and accessible from, and integrated with the trail and street system, and include a full array of opportunities for outdoor festivals, recreation and play, as well as quiet contemplation. In addition, neighbourhood parks need to be centrally located within the neighbourhood that they are intended to serve, and wherever possible co-located with other community facilities. High quality landscape architecture will ensure that these outdoor spaces include public art and appropriate grading, paving and planting materials that celebrate the landscape context; ...</p>	
Official Plan	Section 3.22 Urban Design Pages 12-15	<p>d) A mixed-use community that is walkable/bikeable, with connected trail/greenway facilities and public gathering places, where opportunities for social and recreational interaction are increased and where commercial and community services can be provided within easy walking and cycling distances, is a requirement of this Plan.</p> <p>g) Community infrastructure and institutional uses, recreational facilities, public buildings, and arts and cultural facilities shall be in locations that are accessible by the active transportation network and by public transit to meet the needs of people of all ages, backgrounds, and capabilities throughout the various stages of their lives.</p> <p>j) The layout of streets, configuration of lots and the siting of buildings and parking areas shall ensure that: iii) There are significant areas of unobstructed road frontage adjacent to the greenway system, particularly for schools, parks and natural heritage features, to allow for views into such sites and for public access and neighborhood safety and enjoyment.</p> <p>k) All residents in the Town's Urban Area should be able to sit safely and conveniently walk/cycle to one or more component of the parks and open space system and/or the natural heritage system.</p> <p>l) Parks and Open Spaces should be accessible and visible from street system.</p> <p>m) Parks are an integral component of the Town's open space system, and for recreational, natural heritage and stormwater management purposes, should be located along/near existing and planned LaSalle greenway features.</p> <p>n) Parks and Open spaces should be developed with native, water efficient drought resistant planting materials.</p> <p>p) The Town supports and will take a leadership role in the coordination, design and implementation of a comprehensive Greenway System. The Town's Greenway System is indicated on Schedule A: Community Structure and includes the following:</p>	<p>The term "recreation" is used in a fluid manner that speaks to interactions as well as physical buildings (facilities). Additionally, in item m) it is stated that parks and open space are used for recreational purposes. This implies that there is no distinction between parkland and recreation land.</p> <p>To refine this section, the Town may consider clearly separating recreational activities from parkland. This may include listing recreation lands separate from parks and open spaces.</p> <p>With respect to item p) recreation lands may be considered as an additional component of the community structure. This would assist in separating parkland from recreation land.</p>

Document	Document Reference	Wording Included in Document	Notes/Observations
		<ul style="list-style-type: none"> i) Natural Corridors; ii) Core natural heritage sites; iii) Community/neighbourhood parks and other public open spaces; and iv) Linkages (natural or human-made) 	
Official Plan	Land Use Designations Section 4.2 LaSalle Town Centre District Designation Page 20	<p>Permitted Uses</p> <p>b) ...Permitted uses on lands designated as LaSalle Town Centre District Designation may include:</p> <p>...</p> <p>vii) Community facilities, parks and open spaces.</p>	<p>This section appears to delineate community facilities from parks and open spaces, however, as noted above, the definition of community facilities appears to encompass recreation and park uses.</p> <p>To refine this section, the Town may consider listing recreation land and recreation uses separate from parks and open space.</p>
Official Plan	Land Use Designations Section 4.4 Vollmer Recreation District Designation Page 23	<p>a) The lands within the Vollmer Recreation District Designation will be designed as a focal point for major recreational facilities, both indoor and outdoor. This Plan focuses on broadening the attractiveness of the Vollmer Recreation District Designation and promoting good urban design and high quality architecture and landscapes. Lands within the Vollmer Recreation District Designation are considered to be a key destination for the evolving transit system.</p> <p>Permitted Uses:</p> <p>b) Buildings and recreation-focused facilities throughout the Vollmer Recreation District Designation may develop as a comprehensively planned public facility, consisting of individual buildings and adjacent outdoor recreation facilities/fields. New development is encouraged to accommodate an array of complementary land uses. Permitted uses on lands designated as Vollmer Recreation District Designation may include:</p> <ul style="list-style-type: none"> i) Recreational and entertainment facilities; ii) Public parks and open spaces; iii) Community centres; iv) Conservation areas; v) Flood and erosion hazard control/management facilities; vi) Parking facilities at-grade and/or in structure; and vii) Public uses and public and private utilities. 	<p>Recreation facilities and community centres have been identified separate from parks and open spaces, however, this section may be clarified further by including definitions in the O.P. for parkland and recreation land. This may then be incorporated into this section to make a clear distinction between the parks and open spaces versus recreational uses (which may be recovered through development charges).</p>

Document	Document Reference	Wording Included in Document	Notes/Observations
Official Plan	Land Use Designations Section 4.5 Mixed Use Corridor Designation Page 24 and 25	Permitted Uses c) ...Permitted uses on lands designated as Mixed-Use Corridor Designation may include: ... v) Institutional uses, cultural, recreational and entertainment facilities, community facilities, parks and green spaces;	Similar to comments above, community facilities are identified separate from parks and green spaces, however, it appears community facilities includes park uses as well as recreation uses. This section may be refined similar to the comments noted above.
Official Plan	Land Use Designations Sections 4.6, 4.7, 4.8, 4.9, 4.10	Similar wording as noted above	Similar to comments above, community facilities are identified separate from parks and green spaces, however, it appears community facilities includes park uses as well as recreation uses. This section may be refined similar to the comments noted above.
Official Plan	Section 4.7 Residential District Designation Page 29	Intent - An array of housing and building types, as well as uses that support neighbourhood living, are encouraged throughout the Residential District Designation. Development in the Residential District Designation will contribute to the creation of compact, connected and walkable/bikeable neighbourhoods, where a wide range of community assets, such as schools, parks, mixed use corridors , the town centre and the waterfront, are within a five-minute walk.	Recreation may be noted in the list of community assets to make a clear distinction from parks.
Official Plan	Section 5.2: Urban Area Use Specific Policies Policies for non-residential neighbourhood supporting uses Page 43	Non-residential supporting uses, such as community facilities, parks and open spaces should be clustered to create a focal point for the neighbourhood and to facilities access by all forms of transportation.	Recreation facilities and community centres have been identified separate from parks and open spaces; however, this section may be clarified further by including definitions in the O.P. for parkland and recreation land. This may then be incorporated into this section to make a clear distinction between the parks and open spaces versus recreational uses.
Official Plan	Section 5.2: Urban Area Use Specific Policies Policies for Parks and Open Spaces Page 44	Parks and open spaces are a valuable resource to the community and contribute to the quality of life in LaSalle. Parks and open spaces are to provide for a comprehensive and connected open space system of parks and trails, a buffer between land uses, and increase the opportunities for recreation and general enjoyment of an area while having regard for the Town's natural areas that are not designated as part of the Natural Heritage System. Parks and open spaces: • Are permitted in any land use designation within the Town of LaSalle, and may include: -- Public parks; -- Agricultural uses including community gardens, garden plots, nursery gardening; -- Community centres; -- Conservation areas; -- Utility corridors, abandoned railway lines, wildlife passages, or stormwater management facilities; -- Flood and erosion hazard control / management facilities; and, -- Public infrastructure; • In addition to their primary recreational function may incorporate accessory buildings and structures, and limited commercial uses which serve the primary recreational function, such as concession stands, and restaurants; and,	This section specifies that community centres are permitted on parks and open space. Further, this section refers to the "primary recreational function" of parks and open space, implying that parkland is used for recreation. This section may be refined by including an additional item for recreation land policies which permit the activities/infrastructure deemed to be recreation (as per the Town's definition and based on the continuum in Figure 3-1).

Document	Document Reference	Wording Included in Document	Notes/Observations
		<ul style="list-style-type: none"> • Parkland dedication or cash-in-lieu of parkland will occur in accordance with the provisions of the Planning Act, and in accordance with the policies of this Plan • When considering the siting of a new park facility or the expansion of an existing park, the policies in Chapter 3 of this Plan shall be applied. 	
Official Plan	Section 7.10 Community Improvement Plans Page 67	<p>c) The entire Town is designated as a Community Improvement Area, based on the following conditions being present:</p> <p>ii) Community facilities such as parks, community centres, libraries, arenas, community gardens, gymnasiums, ball diamonds and similar type facilities are deficient or have deteriorated;</p>	This section notes community facilities as including parks and recreational uses. For clarity between parkland and recreation land, the Town may consider identifying park uses versus recreation uses in this list.
Official Plan	7.11 Parkland Dedication	<p>a) The Town shall require parkland dedication as a condition of development, consent, or subdivision approval, in an amount equivalent to:</p> <p>i) 2 percent of the gross land area for all non-residential land uses, commercial or industrial purposes;</p> <p>ii) 5 percent of the gross land area, or one hectare for each 300 dwelling units for residential purposes, whichever is greater; and,</p> <p>iii) For a mixed-use development that includes a residential component, the parkland dedication requirement shall be based on the pro-rated percentage of Gross Floor Area allocated to each individual use.</p> <p>b) Where parkland dedication is required by this Plan, the Town shall ensure that the land to be conveyed is suitable for development as a park, taking into consideration its size, location, configuration and condition.</p> <p>c) Any component of the Natural Heritage System, including any hazard lands shall not be accepted for parkland dedication. To ensure conveyed lands are suitable for parkland development, they shall not include lands that are susceptible to major flooding, or have poor drainage, erosion, steep slopes or other environmental or physical conditions that would interfere with the potential development or use of the land as an active public recreation area. Sites subject to these conditions may be integrated, where possible, into the development of public park areas by serving as pedestrian walkways, as part of a linear trail system, as passive recreation areas, or as natural areas.</p> <p>d) Where the development parcel abuts a water body, the Town may require that the lands dedicated for parkland be comprised of land bordering the water body to increase public access to the shoreline/water's edge.</p> <p>e) Wherever possible, lands dedicated for parkland purposes should contribute to a linked system of municipal parks, Provincial parks, Conservation Areas and other public lands of natural or recreational value, with an emphasis on developing corridors along the shoreline.</p> <p>f) Cash-in-lieu of parkland dedication may be required in the following circumstances:</p> <p>i) The required land dedication fails to provide an area of suitable size, location, and shape for parkland development to the satisfaction of the Town;</p> <p>ii) The required land dedication would render the remainder of the site unsuitable or impractical for development;</p>	<p>In general, this section speaks to parkland dedication and payment-in-lieu of dedication going towards the development of a park. Should the Town wish to recover costs for recreation land through the D.C., this section may be refined to include wording that the payment-in-lieu of dedication funds will be used for parkland and the Town will fund recreation land through the D.C. to the extent possible.</p> <p>In items c) and e), references to recreation may be removed to help delineate parkland from recreation land.</p>

Document	Document Reference	Wording Included in Document	Notes/Observations
		<p>iii) The area within which the development is proposed is well served by existing parks and open space areas and no further parks are required; and,</p> <p>iv) The Town is pursuing other parkland initiatives for community or Town facilities that would benefit from cash-in- lieu of parkland dedication.</p>	
Zoning By-law	Definitions Page 10	<p>"Parks and Open Space" means a publicly or privately owned open space areas specifically defined or set aside for active and/or passive recreational uses. Parks and open space include all landscaping, facilities and apparatus, playing fields, trails and buildings and structures that are consistent with general outdoor recreational purposes.</p> <p>"Recreational Facility" means an establishment whose purpose is to refresh mind and body through physical activities such as a health club, spa, fitness studio, gymnasium, arena and any other similar sporting facilities. Seniors Centres, Youth Centres and Community Centres are recreational facilities.</p>	<p>Parks and open space are defined to include recreational uses. Further, recreation facility is restricted to traditional structures.</p> <p>Should the Town wish to recover additional recreation lands through the D.C. (e.g., programmable play fields, ball diamonds, etc.), the definition of parks and open space should be refined to exclude these recreational uses. The definition of recreational facility may be expanded to include the play fields, ball diamonds, etc. An additional definition of recreation lands may be added whereby the identified facilities on the land are recreational facilities (as defined to include the play fields, ball diamonds, etc.)</p>
Zoning By-law	Section 4 - Zone Provisions Recreational Districts Page 41	<p>The Recreational Districts provide major focal points for recreational activities, particularly the Vollmer Culture and Recreation Complex. These Districts are intended to provide opportunities for both indoor and outdoor recreation, including through parks, open spaces, community gardens, golf courses and other recreational facilities.</p>	<p>This statement appears to define parks and open spaces as recreation. This section may be refined by identifying a list of recreational uses, then stating that parks and open spaces may be permitted in the recreational district.</p>
Parks & Recreation Masterplan Update	n/a	n/a	<p>As the Town is currently seeking to update their parks and recreation master plan, a detailed review of the current document was not undertaken. For the updated master plan, it is recommended that the Town consider delineating parkland uses from recreation land uses as per Figure 3-1.</p> <p>The Town may consider</p>

Document	Document Reference	Wording Included in Document	Notes/Observations
			including wording in their Request for Proposal to request that the retained consultant ensure there is a distinction between recreation land and parkland.

Appendix C

MPAC Database Review

Table C-1
Town of LaSalle
MPAC Data
As of May 2023

MPAC Database

Property Code - 100 - Vacant Residential Land not on water

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$74,000	\$276,100	2023-03-01	0.31	\$ 885,687
Address 2	\$106,000	\$250,000	2023-03-01	0.20	\$ 1,246,919
Address 3	\$93,000	\$250,000	2023-03-01	0.13	\$ 1,893,245
Address 4	\$93,000	\$250,000	2023-03-01	0.13	\$ 1,891,475
Address 5	\$93,000	\$250,000	2023-03-01	0.13	\$ 1,891,475
Address 6	\$93,000	\$250,000	2023-03-01	0.13	\$ 1,891,475
Address 7	\$92,000	\$250,000	2023-03-01	0.13	\$ 1,927,143
Address 8	\$116,000	\$399,000	2023-02-01	0.27	\$ 1,467,690
Address 9	\$117,000	\$435,000	2023-02-01	0.26	\$ 1,645,276
Address 10	\$86,000	\$225,000	2023-02-01	0.50	\$ 452,612
Address 11	\$157,000	\$663,717	2023-01-17	0.49	\$ 1,350,527
Address 12	\$124,000	\$360,000	2022-11-01	0.32	\$ 1,117,699
Address 13	\$112,000	\$250,000	2022-11-01	0.23	\$ 1,080,352
Address 14	\$91,000	\$250,000	2022-11-01	0.12	\$ 2,025,526
Address 15	\$91,000	\$250,000	2022-11-01	0.12	\$ 2,024,715
Address 16	\$91,000	\$250,000	2022-11-01	0.12	\$ 2,024,715
Address 17	\$91,000	\$250,000	2022-11-01	0.12	\$ 2,024,715
Address 18	\$93,000	\$250,000	2022-11-01	0.13	\$ 1,914,380
Address 19	\$102,000	\$469,000	2022-12-01	0.18	\$ 2,679,716
Address 20	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,096,891
Address 21	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,095,154
Address 22	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,096,022
Address 23	\$86,000	\$250,000	2022-10-01	0.10	\$ 2,538,896
Address 24	\$117,000	\$250,000	2022-10-01	0.25	\$ 1,019,704
Address 25	\$107,000	\$250,000	2022-10-01	0.19	\$ 1,294,294
Address 26	\$90,000	\$250,000	2022-10-01	0.12	\$ 2,119,292
Address 27	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,096,022
Address 28	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,096,022
Address 29	\$91,000	\$250,000	2022-10-01	0.12	\$ 2,096,022
Total		\$ 8,327,817		5.42	
Average Per Acre					\$ 1,500,000

MPAC Database

Property Code - 106 - Vacant Industrial

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 2	\$83,000	\$487,500	2022-09-01	2.13	\$ 228,873
Address 3	\$82,000	\$900,000	2021-09-01	2.84	\$ 316,901
Address 4	\$351,000	\$228,684	2021-02-01	3.82	\$ 59,865
Total		\$ 1,616,184		8.79	
Average Per Acre					\$ 200,000

MPAC Database

Property Code - 105 - Vacant Commercial

Address	Current Value Assessment	Last Sale Amount	Last Sale Date	Acres	\$ Per Acre
Address 1	\$207,000	\$797,900	2019-01-01	0.43	\$ 1,851,312
Address 2	\$119,000	\$797,900	2019-01-01	0.16	\$ 5,118,781
Address 3	\$872,000	\$1,650,000	2020-11-01	2.49	\$ 662,651
Address 4	\$399,000	\$595,000	2021-01-01	0.93	\$ 642,039
Total		\$ 3,042,900		3.57	
Average Per Acre					\$ 900,000

* Addresses have been removed for confidentiality purposes.



Appendix D

Draft Parkland Dedication By-law



Town of LaSalle

By-law __-2023

Being a by-law to provide for the dedication of parkland or the payment in lieu thereof for all development or redevelopment in the Town

Whereas section 42 of the *Planning Act* provides that for the development or redevelopment of land, the council of a local municipality may, by by-law, require that land in an amount not exceeding, in the case of land proposed for Development or Redevelopment for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent, be conveyed to the municipality for park or other public recreational purposes;

And whereas section 51.1 of the *Planning Act* provides that an approval authority may impose, as a condition of the approval of a plan of subdivision, that land be conveyed to the local municipality for park or other public recreational purposes, such land not to exceed, in the case of a subdivision proposed for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent;

And whereas section 53 of the *Planning Act* provides that section 51.1 of the *Planning Act* also applies to the granting of consents;

And whereas in the case of land proposed for Development or Redevelopment for residential purposes, a municipality may require that such land be conveyed at the rate of up to one hectare for each 600 Net Residential Units, provided that the municipality has specific policies dealing with the provision of lands for park or other public recreational purposes, and the use of this alternative requirement is included within its Official Plan;

And whereas in the case of land proposed for Development or Redevelopment for residential purposes, a municipality may require that Payment-in-Lieu of land be provided at a rate up to the equivalent value of one hectare for each 1,000 Net Residential Units, provided that the municipality has specific policies dealing with the provision of lands for park or other public recreational purposes, and the use of this alternative requirement is included within its Official Plan

And whereas a Parks Plan was prepared in consultation with the local school boards and other persons or public bodies the municipality considered appropriate, and made publicly available on _____, 2023;

And whereas the Council of the Town of LaSalle wishes to use the provisions of the *Planning Act* for the purposes of acquiring and providing parkland for the use and enjoyment of the residents of the Town of LaSalle;



Now therefore the Council of the Town of LaSalle hereby enacts as follows:

Part 1: Interpretation

Definitions

1. In this by-law:
 - (a) “**Act**” means the Planning Act, R.S.O. 1990, c.P.13
 - (b) “**Affordable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the *Development Charges Act*;
 - (c) “**Attainable Residential Unit**” means a residential unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act*;
 - (d) “**Board of Education**” has the same meaning as “board”, as defined in the Education Act, R.S.O. 1990, c.E.2, as amended;
 - (e) “**Commercial**” means the use of land, buildings, or structures for a use which is not industrial, and which are used in connection with:
 - i. the selling of commodities to the general public; or
 - ii. the supply of services to the general public; or
 - iii. office or administrative facilities.
 - (f) “**Council**” means the Council for the Town of LaSalle;
 - (g) “**Development**” means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof;
 - (h) “**LaSalle**” means Town of LaSalle;
 - (i) “**Gross Floor Area**” has the same meaning as in the Town’s Development Charges By-law, as amended.
 - (j) “**Industrial**” means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;
 - (k) “**Institutional**” means the use of land, buildings, or structures for hospitals, correctional institutions and associated facilities, municipal facilities, elementary and secondary schools, colleges, universities, places of worship and ancillary uses, military and cultural buildings, daycare centres, residential care facilities for



more than ten persons and long-term care centres;

- (l) **“Mixed Use”** means the physical integration of two or more of the following uses within a building or structure or separate buildings or structures on the lands proposed for Development or Redevelopment: Commercial; Industrial; Institutional; Residential; or any other use not noted herein;
- (m) **“Non-profit housing development”** means development of a building or structure intended for use as residential premises by,
 - i. a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
 - ii. a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - iii. a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act, or any successor legislation.
- (n) **“Official Plan”** means the Town’s Official Plan, as amended.
- (o) **“PIL”** means payment-in-lieu of parkland otherwise required to be conveyed.
- (p) **“Planning Act”** means the Planning Act, R.S.O. 1990, c.P.13, as amended,
- (q) **“Redevelopment”** means the removal of a building or structure from land and the further Development of the land or, the expansion or renovation of a building or structure which results in a change in the character or density of the use in connection therewith;
- (r) **“Residential”** means the use of land, buildings, or structures for human habitation;
- (s) **“Residential Unit”** means one or more habitable rooms each of which is accessible from the others and which function as an independent and separate housekeeping unit in which separate kitchen and sanitary facilities are provided for the use of the occupants, with a private entrance from outside the building of from a common hallway or stairway inside the building;
- (t) **“Rural Area”** means those areas designated as not being within a settlement area by the Official Plan;
- (u) **“Shared Use Agreement”** means an agreement between a Board of Education and LaSalle for the sharing of buildings and/or property;



(v) “**Town**” means the Corporation of the Town of LaSalle; and

(w) “**Zoning By-law**” means the by-law passed pursuant to section 34 of the Planning Act.

Rules of Interpretation

2. (1) The following rules of interpretation shall be applied to interpretation of this by-law:
 - (a) References to items in the plural include the singular, as applicable.
 - (b) The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are intended to be representative examples and not intended to be an exhaustive list.
 - (c) Headings are inserted for ease of reference only and are not to be used as interpretation aids.
 - (d) Specific references to laws or by-laws are meant to refer to the current laws applicable at the time that this by-law was enacted and shall be interpreted to include amendments, restatements and successor legislation.
 - (e) The obligations imposed by this by-law are in addition to obligations otherwise imposed by law or contract.
 - (f) Where this by-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements may be provided but are of no force or effect. The abbreviation "mm" stands for millimetres and "m" stands for metres.
 - (g) Terms with capitals shall be read with the meaning in section 1 and other words shall be given their ordinary meaning.
 - (h) If any court of competent jurisdiction finds any provision of this by-law is illegal or *ultra vires* of the jurisdiction of the Town, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this by-law.
 - (i) Nothing in this by-law relieves any person from complying with any provision of any federal or provincial legislation or any other by-law of the Town.
 - (j) Where a provision of this by-law conflicts with the provisions of another by-law in force in the Town, the more specific by-law shall prevail.

Application

3. The provisions of this by-law apply to the entire geographic area of the Town of LaSalle.



Exemptions

4. Development or Redevelopment described in the subsections (a) through to and including (f) shall be exempt from the obligations to convey land or make a PIL under Parts 2 and 3 of this by-law:
 - a) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of the Town of LaSalle;
 - b) Development or Redevelopment of land, buildings or structures owned by and used for the purposes of a Board of Education, where a Shared Use Agreement exists;
 - c) The replacement of any building that is a direct result of destruction due to accidental fire or other accidental cause provided that no intensification or change of use is proposed, including but not limited to an increase in total Residential Units count or Gross Floor Area;
 - d) The enlargement of an existing Residential Unit provided that the enlargement does not result in additional Residential Units;
 - e) The enlargement of an existing Commercial, Industrial, or Institutional building or structure if the Gross Floor Area is enlarged by 50% or less. The area of the existing building or structure shall be calculated by reference to the first building permit which was issued in respect of the building or structure for which the exemption is sought;
 - f) Institutional development;
 - g) Development or Redevelopment of land, buildings or structures for temporary construction uses as defined by the Town's Zoning By-law; and
 - h) Development or Redevelopment or location of,
 - i. a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
 - ii. a third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
 - iii. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a



parcel of urban residential land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

Part 2: Conveyance of Land for Park Purposes

5. Land shall be required to be conveyed to LaSalle for park purposes as a condition of Development or Redevelopment of land in an amount to be determined in accordance with subsections (a) through to and including (e).
 - a) In the case of lands proposed for Residential uses, at a rate of five per cent (5%) of the land being Developed or Redeveloped:
 - i. With respect to land proposed for development or redevelopment that will include affordable residential units or attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the amount of land that may be required to be conveyed under subsection (1) shall not exceed 5 per cent of the land multiplied by the ratio of A to B where,
 - “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
 - “B” is the number of residential units that are part of the development or redevelopment; or
 - ii. if the density of the development is greater than 30 units per hectare, at a rate of one (1) hectare for each six hundred (600) net Residential Units proposed.
 - the net residential units proposed shall be determined by subtracting the number of residential units on the land immediately before the proposed development or redevelopment from the number of residential units that will be on the land after the proposed development or redevelopment;
 - Affordable residential units and attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, and residential units described in subsection 4.3 (2) of that Act shall be excluded from the number of net residential units;
 - in the case of land proposed for development or redevelopment that is 5 hectares or less in area, the maximum conveyance shall be 10 per cent of the land; and
 - in the case of land proposed for development or redevelopment that is greater than 5 hectares in area, the maximum conveyance shall be 15 per cent of the land.



- b) In the case of lands proposed for Commercial, or Industrial uses, land in the amount of two per cent (2%) of the land to be Developed or Redeveloped.
- c) In the case of a Mixed-Use Development or Redevelopment, land in the aggregate, calculated as follows:
 - i. the Residential component, if any, as determined by LaSalle, of the lands being Developed or Redeveloped, shall require the conveyance of land as determined in accordance with subsection (a) of this by-law; plus
 - ii. the Commercial, or Industrial component of the lands being Developed or Redeveloped, if any as determined by LaSalle, shall require the conveyance of land as determined in accordance with subsection (b) of this by-law; plus
 - iii. the component of the lands proposed for any use other than Residential, Commercial, or Industrial if any as determined by the Town, shall require the conveyance of land as determined in accordance with subsection (d) of this by-law.
- d) In the case of lands proposed for Development or Redevelopment for a use other than those referred to in subsections (a), (b) and (c) of this section, land in the amount of five per cent (5%) of the land to be Developed or Redeveloped.
- e) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the conveyance shall be determined on the date of the planning application. Where both planning applications apply, conveyance shall be determined on the date of the later planning application.

Location of Conveyance and Condition of Title

- 6. Subject to restrictions in the Planning Act, the location and configuration of land required to be conveyed pursuant to this by-law shall be as determined by LaSalle and all such lands shall be free of all encumbrances, including but not limited to such easements which LaSalle, in its sole and absolute discretion, is not prepared to accept and shall be free of any contamination, including but not limited to any toxic, noxious or dangerous contaminants, and shall otherwise be in a condition satisfactory to LaSalle.
- 7. A requirement as part of Development or Redevelopment to convey any valley land or watercourse corridors, woodlands, natural heritage system lands and associated buffers, easements, vista blocks and storm water management ponds, as those terms are defined in the Official Plan or any secondary plan adopted under the Official Plan, shall not be considered to be a conveyance of land for park purposes



in satisfaction of a requirement under this by-law.

Timing of Conveyance

8. Where land is required to be conveyed in accordance with this by-law, the lands shall be conveyed as follows:
 - a) in the case of Development or Redevelopment to be approved pursuant to sections 51.1 or 53 of the Planning Act, the conveyance of land may be required as a condition of approval, and said lands shall be conveyed to LaSalle either prior to or immediately upon registration of the plan of subdivision or upon the consent being given, as determined by LaSalle; and
 - b) in the case of Development or Redevelopment where land has not been conveyed or has not been required pursuant to sections 51.1 or 53 of the Planning Act, LaSalle shall require the conveyance of land as a condition of Development or Redevelopment prior to building permit issuance in accordance with section 42 of the Planning Act.

Part 3: Payment-in-Lieu of Parkland

9. In lieu of requiring the conveyance of land required by part 2 of this by-law, LaSalle may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the following:
 - a) Where the PIL has been required for a consent pursuant to sections 51.1 or 53 of the Planning Act, PIL may be provided on per lot basis where the land is used for a Residential use as per Schedule 1.

The per lot rates shall be indexed annually on January 1st of each year commencing January 1, 2024 by the CMHC housing starts by dwelling type index and posted by LaSalle. LaSalle's failure to post the indexed rate shall not waive the requirement for compliance with this by-law.

If the applicant does not agree with the per lot rate, they may submit a property appraisal subject to the PIL requirements in subsection b).

- b) For all other development or redevelopment, the PIL shall be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
 - i. in the case of lands proposed for Residential uses, at a rate of five per cent (5%) of the value of land being Developed or Redeveloped
 - 1) With respect to land proposed for development or redevelopment that will include affordable residential units or



attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, or residential units described in subsection 4.3 (2) of that Act, the PIL that may be required shall not exceed 5 per cent of the value of the land multiplied by the ratio of A to B where,

- “A” is the number of residential units that are part of the development or redevelopment but are not affordable residential units, attainable residential units or residential units described in subsection 4.3 (2) of the Development Charges Act, 1997; and
 - “B” is the number of residential units that are part of the development or redevelopment; or
- 2) if the density of the development is greater than 50 units per hectare, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net Residential Units proposed.
- the net residential units proposed shall be determined by subtracting the number of residential units on the land immediately before the proposed development or redevelopment from the number of residential units that will be on the land after the proposed development or redevelopment;
 - Affordable residential units and attainable residential units, as defined in subsection 4.1 (1) of the Development Charges Act, 1997, and residential units described in subsection 4.3 (2) of that Act shall be excluded from the number of net residential units;
 - in the case of land proposed for development or redevelopment that is five hectares or less in area, the maximum conveyance shall be 10 per cent of the land; and
 - in the case of land proposed for development or redevelopment that is greater than five hectares in area, the maximum conveyance shall be 15 per cent of the land.
- ii. in the case of lands proposed for Commercial, or Industrial uses, the value of two per cent (2%) of the land to be Developed or Redeveloped;
- iii. in the case of a Mixed-Use Development or Redevelopment, the value of the land in the aggregate, calculated as follows:
- 1) the Residential component, if any as determined by LaSalle, of the lands being Developed or Redeveloped, shall require the PIL of the value of land as determined in accordance with paragraph (i) of this subsection; plus



- 2) the Commercial, or Industrial component of the lands being Developed or Redeveloped, if any as determined by LaSalle, shall require the conveyance of land as determined in accordance with paragraph (ii) of this subsection; plus
- 3) the component of the lands proposed for any use other than Residential, Commercial, or Industrial, if any as determined by the Town, shall require the conveyance of land as determined in accordance with paragraph (iii) of this subsection; and
- iv. in the case of lands proposed for Development or Redevelopment for a use other than those referred to in paragraphs (i), (ii) and (iii) of this subsection, the value of five per cent (5%) of the land to be Developed or Redeveloped.

Timing of PIL Payment and Determination of Value

10. PIL shall be paid as follows:

- a) For Development or Redevelopment where the payment of PIL is not required as a condition of an approval or a consent, pursuant to either sections 51.1 or 53 of the Planning Act, the PIL shall be paid prior to the issuance of the building permit in respect of the Development or Redevelopment in accordance with section 42 of the Planning Act. The value of the land shall be determined as of the day before the day the building permit is issued in respect of the Development or Redevelopment or, if more than one building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
- b) In the event that an extension of an approval described in subsection (a) or (b) is requested, the value of the land shall be determined as of the day before the day of the approval of the extension.
- c) Where the development of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within two years of building permit issuance, the PIL shall be calculated on the value of the land on the date of the planning application. Where both planning applications apply, PIL shall be calculated on the value of the land on the date of the later planning application.

Part 4: Other



Previous or Required Conveyances

11. Notwithstanding parts 2 and 3 of this by-law, if land has been conveyed or is required to be conveyed to LaSalle for park or other public recreational purposes or PIL has been received by LaSalle or is owing to it pursuant to a condition imposed pursuant to sections 42, 51.1 or 53 of the Planning Act, no additional conveyance or payment in respect of the lands subject to the earlier conveyance or payment will be required by LaSalle in respect of subsequent Development or Redevelopment unless:
 - a) There is a change in the proposed Development or Redevelopment which would increase the density of the development; or
 - b) Land originally proposed for Development or Redevelopment for Residential, Commercial, or Industrial, uses is now proposed for Development or Redevelopment for other uses.
12. Where there is a claim of previous conveyance or PIL payment, it is the applicant's/owner's responsibility to provide suitable evidence of such previous conveyance or PIL payment, to LaSalle's satisfaction.
13. Land or PIL required to be conveyed or paid to LaSalle for park or other public recreation purposes pursuant to parts 2 and 3 of this by-law shall be reduced by the amount of land or PIL previously received by LaSalle pursuant to sections 42, 51.1 or 53 of the Planning Act in respect of the lands being Developed or Redeveloped.

Phased Development

14. Where approvals are issued in phases for Development or Redevelopment, LaSalle shall calculate and require the conveyance of land for park purposes or the payment of PIL, in accordance with parts 2 and 3 of this by-law, on a phase-by-phase basis.

Part 5: General

15. Where a determination is required to be made by LaSalle in this by-law, that determination shall be made by the [Position of Staff Member that Makes Determination]. The [Position of Staff Member that Makes Determination]'s decision shall be final.
16. This by-law shall be referred to as the "Parkland Dedication By-law".
17. By-law xx-xxxx and any amendments to the by-law are repealed. Policies made prior the adoption of By-law xx-xxxx respecting conveyance of land for park purposes and payment in lieu of conveyance of land for park purposes are rescinded.



18. This by-law comes into force upon passage.

Schedules

The following schedule shall form part of this By-law:

Schedule 1: PIL of Parkland Per Lot Fee Required as a Condition of a Severance or Consent

Read and passed in open session on _____, 2023.

Mayor

Clerk



**Schedule 1 to By-law XX-2023
PIL of Parkland Per Lot Fee Required for a Consent**

January 1, 2023, onwards*
\$XX

**Rates are subject to indexing as per Section 9(a)*