



Parkland Dedication and Payment-in-lieu of Parkland Analysis

Municipality of Dutton Dunwich

April 3, 2025

Watson & Associates Economists Ltd.
905-272-3600
info@watsonecon.ca

Table of Contents

	Page
Executive Summary	i
1. Introduction.....	1-1
1.1 Purpose of this Document.....	1-1
1.2 Summary of the Process.....	1-1
2. Legislative Overview	2-1
2.1 Parkland Dedication.....	2-1
2.2 Alternative Parkland Dedication Rate	2-2
2.2.1 Requirement for a Parkland Dedication By-law.....	2-3
2.3 Payment-in-lieu of Parkland.....	2-4
2.3.1 Determination of Value of Parkland	2-5
2.3.2 Special Account and Reporting Requirements.....	2-6
3. Current Municipality of Dutton Dunwich Policies.....	3-1
3.1 Current Parkland Dedication and Payment-in-Lieu Policies.....	3-1
3.1.1 Parkland Dedication	3-1
3.1.2 Payment-in-Lieu of Parkland.....	3-2
4. Anticipated Growth and Development in the Municipality of Dutton Dunwich	4-1
5. Parkland Analysis.....	5-1
5.1 Overview of Analysis.....	5-1
5.2 Current Inventory of Parkland and Future Needs	5-2
5.2.1 Summary of Current Inventory	5-2
5.3 Parkland Dedication.....	5-3
5.3.1 Residential Dedication	5-3
5.3.2 Non-Residential Dedication.....	5-4
5.3.3 Surplus/Deficit Analysis	5-6
5.3.4 Alternative Rate Requirement for Parkland Dedication.....	5-6
5.4 Payment-in-Lieu of Parkland.....	5-7
5.5 Per Lot Fee	5-8



Table of Contents (Cont'd)

	Page
6. Recommended Policies and Next Steps for Consideration.....	6-1
Appendix A Parkland Dedication By-law Passage Notice Requirements	A-1
Appendix B MPAC/Realtor Database Review	B-1
Appendix C Draft Parkland Dedication By-law	C-1



List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development Charges
Ha.	Hectare
MPAC	Municipal Property Assessment Corporation
Municipality	Municipality of Dutton Dunwich
O.P.	Official Plan
O.Reg.	Ontario Regulation
P.I.L.	Payment-in-Lieu
Sq.ft.	Square Foot
Watson	Watson & Associates Economists Ltd.



Executive Summary



Executive Summary

The Municipality of Dutton Dunwich (Municipality) retained Watson & Associates Economists Ltd. (Watson) to undertake a parkland dedication and payment-in-lieu (P.I.L.) of parkland analysis. The *Planning Act* provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or P.I.L. of parkland. This report aims to provide a detailed analysis to support the proposed parkland dedication by-law by projecting future parkland needs and ensuring that the by-law aligns with the anticipated growth and development of the community. The report is designed to help the Municipality make informed decisions regarding parkland dedication and management, while also considering the financial implications of these decisions. The analysis also evaluates the current parkland dedication practices and P.I.L. to determine if adjustments were necessary to meet the projected demand.

Current Policies

- The Municipality's Official Plan (O.P.) sets out policies with respect to parkland dedication at a rate of 2% for commercial and industrial developments, or 5% for residential or any other use.
- The O.P. notes that the Municipality may accept P.I.L. of parkland dedication at the same rates as above.
- The Municipality's Fees and Charges By-law identifies a fee of \$1,500 for subdivision and condominium developments, or \$500 for new lot creation for consents.
- The Municipality has an inventory of parkland consisting of approximately 4.21 hectares of open space parkland, and 8.01 hectares of active parkland (12.22 hectares total).

Anticipated Growth

- Population Growth: An increase of approximately 559 people from 2025 to 2051.
- Residential Unit Growth: An increase of approximately 364 residential units from 2025 to 2051.
- Employment Growth: An increase of approximately 112 employees from 2025 to 2051.
- Based on the projected population growth and maintaining the Municipality's current standards of parkland, approximately 0.52 hectares of open space



parkland, and 0.99 hectares of active parkland are needed between 2025 and 2051 (1.51 hectares total).

Key Recommendations

- Maintaining and enforcing the current parkland dedication policies in the Municipality's O.P. would provide the Municipality with approximately 1.91 hectares of parkland based on the projected growth to 2051.
- The Municipality should consider increasing the current per lot fees in the Fees and Charges By-law to \$7,860 for low-density residential development (single and semi-detached) and \$3,144 for medium-density residential development (townhouses). These fees should be removed from the Fees and Charges By-law and incorporated into a parkland dedication by-law.
- As an alternative to paying a per lot fee, a landowner may have an appraisal of the land undertaken to determine the P.I.L. amount to be imposed in accordance with the dedication rates in the Municipality's O.P.

The Municipality is undertaking a public process and anticipates passing a parkland dedication by-law on May 28, 2025. A meeting of Council is scheduled for May 14, 2025, and a public meeting is scheduled for May 22, 2025.

Council will consider the findings and recommendations provided in the report, and in conjunction with public input, approve such policies it deems appropriate. These directions will refine the draft by-law which is appended in Appendix C.



Report



Chapter 1

Introduction



1. Introduction

1.1 Purpose of this Document

The *Planning Act* provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or P.I.L. of parkland. This report has been prepared to support the proposed parkland dedication by-law and outline the analysis to support the Municipality's parkland practices.

The Municipality of Dutton Dunwich (Municipality) retained Watson & Associates Economists Ltd. (Watson), to undertake a Parkland Dedication and Payment-in-lieu of Parkland Analysis. Watson worked with Municipal staff to prepare the parkland analysis and policy recommendations.

This Parkland Dedication and P.I.L. of Parkland Analysis, containing the proposed by-law, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the report's recommendations and an outline for the basis for these recommendations.

This report has been prepared, in the first instance, to summarize the relevant legislation (Chapter 2), the Municipality's current parkland practices (Chapter 3), and the anticipated growth and development within the Municipality (Chapter 4) to make the exercise understandable to those who are involved.

The report then analyses the opportunities for future parkland policies (Chapter 5) and suggests recommended policies and next steps for the Municipality's consideration (Chapter 6). The chapters in the report are supported by Appendices containing additional information and an initial draft parkland dedication and payment-in-lieu by-law.

1.2 Summary of the Process

A public consultation meeting has been scheduled for May 22, 2025 with a purpose to present the analysis to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology, and the proposed approach.



The report and draft proposed by-law will be available for public review on April 3, 2025.

The process to be followed in finalizing the report and recommendations includes:

- consideration of responses received prior to, at, or immediately following the public consultation meeting; and
- finalization of the report and Council consideration of the by-law.

Figure 1-1 outlines the proposed schedule to be followed with respect to the by-law adoption process.

Figure 1-1
Schedule of Key Process Dates for the Municipality of Dutton Dunwich

Schedule of Study Milestone	Dates
1. Data collection, staff review, analysis and policy work	January to March 2025
2. Public release of report and proposed by-law	April 3, 2025
3. Council meeting	May 14, 2025
4. Public consultation meeting advertisement placed in newspaper(s)	No later than May 8, 2025
5. Public meeting of Council	May 22, 2025
6. Engagement with Local School Boards	May 26, 2025
7. Council considers passage of by-law	May 28, 2025
8. Newspaper notice given of by-law passage	By 20 days after passage



Chapter 2

Legislative Overview



2. Legislative Overview

The Planning Act provides municipalities with the authority to impose conditions on development and redevelopment to receive parkland or P.I.L. 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 P.I.L. of parkland, which is noted below. Additionally, no by-law is required to impose the base dedication provisions under Section 51.1 or 53.

2.1 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) has been added to provide for a reduction in the parkland dedication requirements for affordable or attainable residential units (as defined in the Development Charges Act), the dedication requirements shall not exceed 5% multiplied by the ratio of non-affordable or non-attainable residential units vs. the total number of residential units. For example:

- Number of affordable or attainable residential units: 10



- Number of non-affordable or non-attainable 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 to 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.*

2.2 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

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



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*
 - (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."*

2.2.1 Requirement for a Parkland Dedication By-law

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 P.I.L. 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 the inclusion of 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.



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 provisions for the alternative rate.

2.3 Payment-in-lieu of Parkland

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

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

2.3.1 Determination of Value of Parkland

The value of the land for P.I.L. 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.”

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.”*

2.3.2 Special Account and Reporting Requirements

All money received by the Municipality for the purposes of P.I.L. 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.” There is no specific requirement to spend the money, however, the monies should be allocated to future anticipated projects. As this is also a requirement for Development Charges, it is recommended that the allocation for parkland dedication reserve funds follow a similar process.



Chapter 3

Current Municipality of Dutton Dunwich Policies



3. Current Municipality of Dutton Dunwich Policies

3.1 Current Parkland Dedication and Payment-in-Lieu Policies

This section summarizes Municipality's current policies and practices concerning parkland dedication and P.I.L.

As noted, the Municipality's O.P. and Fees and Charges by-law provide the overarching policies with respect to parkland dedication and P.I.L. of parkland. There is currently no parkland dedication by-law in place.

3.1.1 Parkland Dedication

Dutton Dunwich's O.P., Section 8.11: "Parkland Dedication" sets out policies with respect to parkland dedication. The O.P. provides that parkland be dedicated at a rate of 5% of the land for residential development, a rate of 2% of the land for commercial and industrial development, and a rate of 5% of the land for developments other than residential, industrial or commercial.

The alternative residential rate has not been utilized as there is currently no by-law in place and the policies are not included in the O.P.

3.1.1.1 Evaluation of the Land Proposed to be Dedicated

The O.P. provides that the land proposed to be dedicated to the Municipality be evaluated by the Municipality for acceptance based on the following criteria:

- Accessibility to park users;
- Site characteristics and potential;
- Size and shape of parcel;
- Potential for expansion;
- Proximity to adjacent recreation and public open space;
- Development and maintenance costs; and
- Natural heritage values.

Additionally, the O.P. identifies the Municipality may not accept part, or all of the proposed land to be dedicated if part of which is identified as 'Hazardous Lands' or has



physical limitations or hazards. All lands dedicated to the Municipality shall be of a physical state satisfactory to the Municipality and shall meet the minimum standards of drainage, grading, and general condition.

3.1.2 *Payment-in-Lieu of Parkland*

The O.P. provides that the Municipality may accept P.I.L. of parkland at a rate of 5% of the land value for residential development, a rate of 2% of the land value for commercial and industrial development, and a rate of 5% of the land value for developments other than residential, industrial or commercial. The O.P. outlines that the Municipality may consider accepting P.I.L. of parkland under the following circumstances:

- Where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland;
- Where the required dedication of land would render the remainder of the site unsuitable or impractical for development; and
- Where it is preferable to have consolidated parkland of a substantial size servicing a wide area.

The Municipality's Fees and Charges By-law 2025-10 also includes provisions for P.I.L. of parkland. The by-law identifies that the Municipality may accept the greater of 5% of the land value or a fee of \$1,500 for subdivisions and condominiums. For new lot creation for consents, save and except surplus farm dwellings, the Municipality may accept a fee of \$500.

Table 3-1 outlines the Municipality's current practices with respect to parkland dedication and P.I.L. of parkland.



Table 3-1
Municipality of Dutton Dunwich
Summary of Current Practices

Current Parkland Dedication Policies	Residential	Commercial	Industrial	Institutional
Parkland Dedication (Percentage of Land to be Dedicated)	5%	2%	2%	5%
Payment-in-Lieu (Percentage of Land Value)	5%	2%	2%	5%
Per Lot Fee (\$)	Subdivision or Condominium - \$1,500	-	-	-
	Consent - \$500	-	-	-



Chapter 4

Anticipated Growth and Development in the Municipality of Dutton Dunwich



4. Anticipated Growth and Development in the Municipality of Dutton Dunwich

Watson previously undertook a Development Charges (D.C.) Background Study with Dutton Dunwich. As part of the study, a growth forecast was prepared to estimate the population and unit growth for residential development, and the employment and gross floor area growth for non-residential development, (i.e. the Industrial, Commercial and Institutional (IC&I) sector). The anticipated growth to undertake the parkland analysis is based on the D.C. growth forecast.

The population growth is forecasted for the Municipality to 2051 in Table 4-1. The residential unit growth is forecasted for the Municipality to 2051 in Table 4-2, and the non-residential employment growth is forecasted for the Municipality to 2051 in Table 4-3.

Table 4-1
Municipality of Dutton Dunwich
Forecasted Population Growth

Population	Current	Future	Growth
	2025	2051	2025-2051
Population	4,541	5,100	559
Total	4,541	5,100	559

Table 4-2
Municipality of Dutton Dunwich
Forecasted Residential Unit Growth

Units	Current	Future	Growth
	2025	2051	2025-2051
Single/Semi-Detached (Low-Density)	1,569	1,931	362
Townhouses (Medium Density)	77	79	2
Total	1,646	2,010	364



Table 4-3
Municipality of Dutton Dunwich
Forecasted Non-Residential Employment Growth

Employees	Current	Future	Growth
	2025	2051	2025-2051
Industrial	201	225	24
Commercial	466	523	57
Institutional	282	313	31
Total	949	1,061	112



Chapter 5

Parkland Analysis



5. Parkland Analysis

5.1 Overview of Analysis

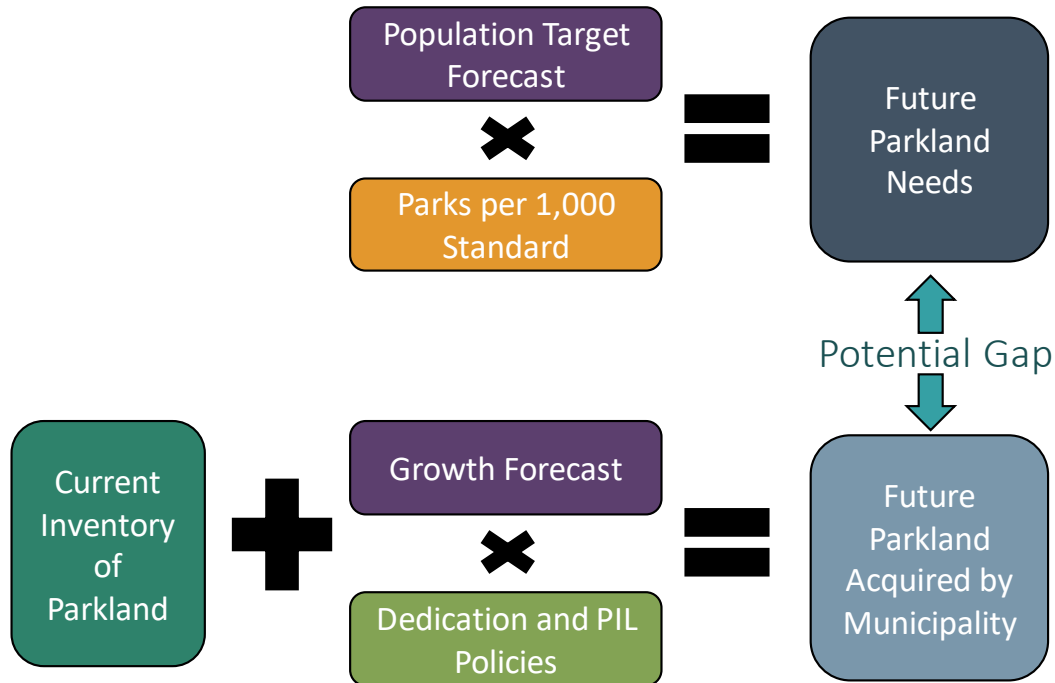
The analysis herein seeks to identify the maximum amount of parkland that may be received through dedication and compares that to the additional parkland required to meet the Municipality's service level targets.

To quantify the impacts, the following section provides for the anticipated parkland dedication, calculated by using the maximum allowable provisions set out in the *Planning Act*, the Municipality's current parkland inventory, and the Municipality's growth forecast.

Figure 5-1 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 5.2. To estimate the potential future parkland, the maximum allowable provisions of the *Planning Act* are applied to the anticipated growth and added to the current inventory of parkland. Once the anticipated parkland received analysis is complete, the potential gap in parkland may be identified.



Figure 5-1
Municipality of Dutton Dunwich
Parkland Needs Analysis



5.2 Current Inventory of Parkland and Future Needs

5.2.1 Summary of Current Inventory

A review of the Municipality's 2024 Development Charges (D.C.) Background Study was undertaken. The D.C. study sets out the inventory of parkland over the previous 15-year period. The current inventory of parkland in the Municipality as identified in the D.C. study is classified as open space (e.g. Centennial Park, Cowal Hall, etc.) and active parkland (e.g. Sons of Scotland Park). Table 5-1 provides for a summary of the current inventory.



Table 5-1
Municipality of Dutton Dunwich
Inventory of Parkland (Hectares)

Inventory of Parkland (Hectares)	Standard per 1,000 Population	Current	Future	Growth
		2025	2051	2025-2051
Open Space	0.93	4.21	4.73	0.52
Active Parkland	1.76	8.01	8.99	0.99
Total	2.69	12.22	13.73	1.51

As provided in the table above, based on the current population in the Municipality, the service level standards are approximately 0.93 hectares of open space, and 1.76 hectares of active parkland per 1,000 population. As the municipality does not have a Parks and Recreation Master Plan, it is recommended that the current standards per 1,000 population be used for future target levels of service.

Based on an anticipated population of 5,100 people in 2051, the Municipality would need approximately 1.51 hectares of future parkland. This equates to a need for an additional 0.52 hectares of open space parkland and 0.99 hectares of active parkland by 2051.

5.3 Parkland Dedication

With respect to parkland dedication, the *Planning Act* allows for municipalities to require 2% dedication from commercial and industrial developments and 5% dedication for all other development (i.e. residential and institutional).

5.3.1 Residential Dedication

Table 4-2 provides for a summary of the anticipated residential units to be constructed in the Municipality over the forecast period to 2051 (approximately 362 low density and 2 medium density units).

Based on recent sales of vacant developable lots over the past two years, the assumed residential densities in the Municipality are 10 and 25 units per hectare for low, and medium density developments, respectively. Applying the density assumptions to the anticipated residential unit growth in the Municipality provides for approximately 33.28



hectares of residential developable land over the forecast period. At a parkland dedication rate of 5%, the total parkland to be dedicated would be approximately 1.81 hectares.

Table 5-2
Municipality of Dutton Dunwich
Residential Parkland Development

Unit Type	Anticipated Units 2025-2051	Density Assumption (Units/Hectare)	Total Hectares	Total Hectares Dedicated at 5%
Singles (Low-density)	362	10	36.200	1.810
Towns (Medium-density)	2	25	0.080	0.004
Total	364		36.280	1.814

5.3.2 Non-Residential Dedication

Table 4-3 provides for a summary of the anticipated non-residential employment growth in the Municipality over the forecast period to 2051 (approximately 24 industrial, 57 commercial, and 31 institutional employees). Table 5-3 provides a summary of the anticipated parkland to be dedicated from employment land developments. For industrial and commercial lands, at a parkland dedication rate of 2%, the parkland to be dedicated would be approximately 0.06 hectares. For institutional lands, at a parkland dedication rate of 5%, the parkland to be dedicated would be approximately 0.04 hectares, for a total non-residential parkland development of approximately 0.10 hectares. However, it is recommended that the Municipality exempt institutional developments from parkland dedication or payment in-lieu of parkland. As a result, the total parkland to be dedicated from non-residential development is forecasted to be approximately 0.06 hectares.



Table 5-3
Municipality of Dutton Dunwich
Non-Residential Parkland Development

Type	Anticipated Employment 2025-2051	Sq.ft. per Employee	Anticipated Sq.ft. 2025-2051	Assumed Lot Coverage	Total Sq.ft. of Land Area	Total Hectares of Land Area	Total Hectares Dedicated at 2%	Total Hectares Dedicated at 5%
Industrial	24	1,500	36,000	20%	180,000	1.673	0.033	-
Commercial	57	525	29,925	25%	119,700	1.112	0.022	-
Institutional*	31	684	21,204	25%	84,816	0.788	-	0.039
Total	112		87,129		384,516	3.574	0.055	0.039

*Proposed to be exempt



5.3.3 Surplus/Deficit Analysis

Based on the analysis above, if the Municipality were to utilize the 5% rate for residential development, and 2% for commercial and industrial development, the amount of dedicated parkland would be approximately 1.87 hectares, resulting in a surplus of 0.36 hectares based on the Municipality's current standard of parkland per 1,000 population. Table 5-4 provides a summary of the analysis.

Table 5-4
Municipality of Dutton Dunwich
Total Forecasted Parkland Dedication

Parkland Dedication	5% for Residential 2% for Commercial and Industrial
Residential Hectares	1.81
Non-Residential Hectares	0.06
Total	1.87
Total Hectares Required by 2051	1.51
Deficit / (Surplus)	(0.36)

5.3.4 Alternative Rate Requirement for Parkland Dedication

The Planning Act allows for use of the alternative rate for land dedication, however, the rate at which the value is determined is based on one (1) hectare for each 600 net residential units. If the Municipality were to incorporate this dedication rate, it should be used where it would provide for a greater amount of land dedication relative to the 5% rate. 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, utilizing the forecasted residential developable land area of approximately 36 acres, as identified in Table 5-2, the parkland dedicated at the 5% rate would yield a dedication of 1.8 hectares. 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 1,080 units on the 36 hectares of development. This equates to a density of 30 units per hectare. If density exceeds this breakeven point, the Municipality will receive more land by using the alternative rate. As noted in section 5.3.1, the observed residential densities in the Municipality based on historical building activity is approximately 10 units per hectare for



low-density residential (singles/semis), and 25 units per hectare for medium-density residential (townhomes). Given this, it is not recommended that the Municipality consider the use of the alternative rate for parkland dedication as 30 units per hectare is the calculated breakeven point. A visual representation of this analysis is presented in Figure 5-2 as an example.

Figure 5-2
Municipality of Dutton Dunwich
Alternative Rate - Parkland Dedication Analysis

Scenario 1: Below Breakeven Density (10 units/ha)*		Scenario 2: Breakeven Density (30 units/ha)*						Scenario 3: Above Breakeven Density (40 units/ha)*												
1	2	1	2	3	4	5	6	1	2	3	4	5	6	7	8					
3	4	7	8	9	10	11	12	9	10	11	12	13	14	15	16					
5	6	13	14	15	16	17	18	17	18	19	20	21	22	23	24					
7	8	19	20	21	22	23	24	25	26	27	28	29	30	31	32					
9	10	25	26	27	28	29	30	33	34	35	36	37	38	39	40					
Density/ha:	10	dwelling units							30	dwelling units									40	dwelling units
		X							X									X		
Proposed Development:	36	hectares							36	hectares									36	hectares
		=							=									=		
Units/36 ha:	360	dwelling units							1080	dwelling units									1440	dwelling units

Amount of Parkland Dedicated (ha)			
	Scenario 1: Below Breakeven Density	Scenario 2: Breakeven Density	Scenario 3: Above Breakeven Density
5% of 36 ha:	1.80	1.80	1.80
1 ha/600 units:	0.60	1.80	2.40
Recommended Approach:	5% of land	Breakeven	Alternative Rate

*Represents 1 hectare of developable land

5.4 Payment-in-Lieu of Parkland

The *Planning Act* allows municipalities to require dedication of parkland or P.I.L. of dedication. When the Municipality requires P.I.L. lieu of dedication, they can require the



same provisions as discussed above. That is, the Municipality would receive an amount that is the equivalent value of 5% of the value of land from residential development, and 2% of the value of land from commercial and industrial development.

5.5 Per Lot Fee

The Municipality currently has a per lot fee for P.I.L. of parkland dedication of \$1,500 for subdivision or condominium lots, or \$500 for residential consents. A review of the \$1,500 rate and the estimated equivalent value of the land for a typical lot in the Municipality was undertaken. That is, the assumed value of the land at the 5% dedication rate using the per lot fee of \$1,500. This summary is provided in Table 5-5.

Table 5-5
Municipality of Dutton Dunwich
Per Lot Equivalent Value Calculations

Unit Type	Current Charge – Low Density	Calculated Charge Based on Average Land Values – Low Density	Calculated Charge Based on Average Land Values - Medium Density
Average Price per Hectare	\$300,000	\$1,572,000	\$1,572,000
Average Density per Hectare	10	10	25
Assumed Value per Lot	\$30,000	\$157,000	\$63,000
P.I.L. Parkland Charge Per Lot	\$1,500	\$7,860	\$3,144

As per the table above, at \$1,500 per residential lot, the assumed value of the land would be \$30,000 per lot. To compare this calculated value per lot to the current market, Watson undertook a review of recent sale price data from the Municipal Property Assessment Corporation (MPAC), and lots for sale on Realtor.ca. Based on the properties surveyed, the average price per hectare is approximately \$1,572,000 for residential land areas (based on the value the day before building permit). The review of MPAC and Realtor properties is summarized in Appendix B.

Utilizing an assumption of 10 units per hectare for low density development based on historical and current building activity, the estimated value per lot (or per unit) would be approximately \$157,000, resulting in a fee for low density residential development at 5% of the value of the land of \$7,860. The current rate per lot is significantly lower than the amount that would be collected using the 5% rate.



Additionally, for medium density developments, utilizing an assumption of 25 units per hectare, the estimated value per lot would be approximately \$63,000, resulting in a per lot (or per unit) fee for medium density residential development at 5% of the value of the land of \$3,144.

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, an appraisal would be undertaken and the 2% dedication rate be applied for commercial and industrial.

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 P.I.L. 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.



Chapter 6

Recommended Policies and Next Steps for Consideration



6. Recommended Policies and Next Steps for Consideration

The following provides a summary of potential policy recommendations for the Municipality's consideration.

1. The Municipality should impose parkland dedication in accordance with the Official Plan, at a 5% dedication rate on residential development, and a 2% dedication rate on commercial and industrial development.
2. The Municipality should consider increasing the current per lot fee of \$1,500 to \$7,860 for low-density residential development and \$3,144 for medium-density residential development. It is recommended that the Municipality amend the Fees and Charges by-law, 2025-10 to remove these charges and include them in a parkland dedication by-law.
3. Where the Municipality is unable or unwilling to collect parkland dedication, it is recommended that the Municipality impose P.I.L. of parkland dedication at the above per lot fees, or to the equivalent of 5% of the value of the land for residential development, and 2% of the value of the land for commercial and industrial development. It is recommended that the Municipality requires the landowner to undertake an appraisal of the land value at the owner's expense, to determine the P.I.L. amount to impose.
4. It is recommended that the Municipality exempt institutional developments from parkland dedication and P.I.L. of parkland dedication.
5. It is recommended that Council consider potential exemptions, including but not limited to all non-residential development. Given the Municipality is projected to receive a surplus of parkland based on future development and the current standards, the Municipality may consider exempting certain types of development. It is noted however that any payment received in-lieu of parkland dedication shall be paid into a special account and spent for the following purposes (as per Subsection 42(15)):
 - a) acquisition of land to be used for park or other public recreational purposes;



- b) erection, improvement, or repair of buildings; and
 - c) acquisition of machinery for park or other public recreational purposes.
6. It is recommended that Municipal staff and Council consider the observations and recommendations provided in this section to incorporate into a parkland dedication and P.I.L. of parkland by-law. A draft by-law has been provided in Appendix C.



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; or
 - c) by posting on the website of the municipality if, in the clerk's opinion, a newspaper described in clause (b) does not exist.
- 3) For the purposes of subclause (2) (a) (i), an owner is any person who is identified as an 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 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 Ontario Land Tribunal under subsection 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.
 - 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 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;
 - aa) if the notice is given by posting on a website, the first day on which it is posted on the website;
 - 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.

It is noted that O.Reg. 509/20 is used for both community benefits charges and parkland. All references to community benefits charges have been omitted from the sections above.



Appendix B

MPAC/Realtor Database Review



Appendix B: MPAC/Realtor Database Review

Table B-1
Municipality of Dutton Dunwich
MPAC Data (as of March 2025)

Address	Current Value Assessment	Last Sale Amount	Last Sale Date
Address 1	\$49,000	\$185,254	2025-01
Address 2	\$49,000	\$185,254	2024-09
Address 3	\$49,500	\$213,594	2024-09
Address 4	\$48,000	\$187,878	2024-08
Address 5	\$50,000	\$165,000	2024-10
Address 6	\$47,500	\$154,000	2024-07
Address 7	\$49,500	\$120,000	2024-01
Address 8	\$51,000	\$120,000	2024-01
Address 9	\$48,500	\$120,000	2024-01
Address 10	\$51,000	\$120,000	2024-01
Address 11	\$51,000	\$130,000	2024-01
Address 12	\$48,500	\$120,000	2024-01



Table B-2
Municipality of Dutton Dunwich
Realtor Data (as of March 2025)

Address	Listing Price	Hectares
LOT 66 BOUW PL	\$ 189,900	0.09
LOT 62 BOUW PL	\$ 189,900	0.09



Appendix C

Draft Parkland Dedication By-law



Municipality of Dutton Dunwich

By-law XX-2025

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

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 the Council of the Municipality of Dutton Dunwich 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 Municipality of Dutton Dunwich;

Now therefore the Council of the Municipality of Dutton Dunwich hereby enacts as follows:

Part 1: Interpretation

Definitions

1) In this by-law:

“Act” means the *Planning Act*, R.S.O. 1990, c.P.13;

“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;

“Apartment” means a Residential Dwelling comprised of a building containing more than four Dwelling Units where the units are connected by an interior corridor;



“Attainable Residential Unit” means a residential unit that meets the criteria set out in subsection 4.1(4) of the *Development Charges Act*;

“Board of Education” has the same meaning as **“board”**, as defined in the Education Act, R.S.O. 1990, c.E.2, as amended;

“Commercial” means any non-residential development not defined under "institutional" or "industrial";

“Council” means the Council for the Municipality of Dutton Dunwich;

“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;

“Dutton Dunwich” means Municipality of Dutton Dunwich;

“Dwelling unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

“Gross Floor Area” has the same meaning as in the Municipality’s Development Charges By-law, as amended.

“Industrial” means lands, buildings or structures used or designed or intended for or in conjunction with:

- i. the production, compounding, processing, packaging, crating, bottling, packing, or assembling of raw or semi-processed goods or materials in not less than seventy-five percent of the total gross floor area of the building or buildings on a site ("manufacturing") or warehousing related to the manufacturing use carried on in the building or buildings;
- ii. research or development in connection with manufacturing is not less than seventy-five percent of the total gross floor area of the building or buildings on a site;
- iii. retail sales by a manufacturer, if the retail sales are at the site where the manufacturing is carried out, such retail sales are restricted to goods manufactured at the site, and the building or part of a building where such retail sales are carried out does not constitute greater than twenty-five



percent of the total gross floor area of the building or buildings on the site;
or

- iv. Office or administrative purposes, if they are,
 - a. carried out with respect to manufacturing or warehousing; and
 - b. in or attached to the building or structure used for such manufacturing or warehousing;

“Institutional” means lands, buildings or structures used or designed or intended for use by an organized body, society or religious groups for promoting a public or non-profit purpose;

“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;

“Multiple Dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

“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.

“Official Plan” means the Municipality’s Official Plan, as amended.

“PIL” means payment-in-lieu of parkland otherwise required to be conveyed.

“Planning Act” means the *Planning Act*, R.S.O. 1990, c.P.13, as amended;



“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;

“Residential” means the use of land, buildings, or structures for human habitation;

“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 or from a common hallway or stairway inside the building;

“Rural Area” means those areas designated as not being within a settlement area by the Official Plan;

“Semi-detached Dwelling” means a building divided vertically into two dwelling units each of which has a separate entrance and access to grade;

“Shared Use Agreement” means an agreement between a Board of Education and Dutton Dunwich for the sharing of buildings and/or property;

“Single Detached Dwelling” means a residential building consisting of one dwelling unit and not attached to another structure;

“Municipality” means the Corporation of the Municipality of Dutton Dunwich; and

“Zoning By-law” means the by-law passed by the Municipality 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 Municipality, 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 Municipality.
- j. Where a provision of this by-law conflicts with the provisions of another by-law in force in the Municipality, the more specific by-law shall prevail.

Application

- 3) The provisions of this by-law apply to the entire geographic area of the Municipality of Dutton Dunwich.

Exemptions

- 4) Development or Redevelopment described in the subsections (a) through to and including (g) 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 Municipality of Dutton Dunwich;



- 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. Institutional Development;
- d. 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;
- e. The enlargement of an existing Residential Unit provided that the enlargement does not result in additional Residential Units;
- f. Development or Redevelopment of land, buildings or structures for temporary construction uses as defined by the Municipality's Zoning By-law; and
- g. Development or Redevelopment 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 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 Dutton Dunwich 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; and:
 - 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 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.
 - 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 Dutton Dunwich, of the lands being Developed or Redeveloped, shall require the conveyance of land as determined in accordance with subsection 5(a) of this by-law; plus
 - ii. the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Dutton Dunwich, shall require the conveyance of land as determined in accordance with subsection 5(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 Municipality, shall require the conveyance of land as determined in accordance with subsection 5(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 or Redevelopment of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within 24 months 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 the 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 Dutton Dunwich and all such lands shall be free of all encumbrances, including but not limited to such easements which Dutton Dunwich, 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 Dutton Dunwich.
- 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 Dutton Dunwich either prior to or immediately upon registration of the plan of subdivision or upon the consent being given, as determined by Dutton Dunwich; 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*, Dutton Dunwich 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, Dutton Dunwich may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the following:
 - a. For all Residential Development or Redevelopment, the PIL may be calculated and imposed by unit type based on Schedule 1. These rates shall be indexed annually on January 1st of each year commencing January 1, 2026 by the Statistics Canada New Housing Price Index (house and land, most recent month year-over-year) and posted by Dutton Dunwich. Dutton Dunwich's failure to post the indexed rate shall not waive the requirement for compliance with this by-law.
 - b. Where an applicant does not agree with the per unit rate identified in Schedule 1 to this by-law, the applicant shall commission an appraisal and the PIL shall be based on the equivalent value of the land as per the following:
 - i. in the case of lands proposed for Residential Development or Redevelopment, at a rate of five per cent (5%) of the value of land being Developed or Redeveloped; and
 - ii. 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.
- iii. For Commercial and Industrial Development or Redevelopment, as well as Mixed-Use Development, the PIL shall be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
- a. 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;
 - b. in the case of a Mixed-Use Development or Redevelopment, the value of the land in the aggregate, calculated as follows:
 - i) the Residential component, if any as determined by Dutton Dunwich, of the lands being Developed or Redeveloped, shall require the PIL of the value of land as determined in accordance with subsection 9(a) or 9(b) of this by-law; plus
 - ii) the Commercial or Industrial component of the lands being Developed or Redeveloped, if any as determined by Dutton Dunwich, shall require the PIL of the value of land as determined in accordance with paragraph (i) of this subsection; plus
 - iii) the component of the lands proposed for any use other than Residential, Commercial, or Industrial, if any as determined by the Municipality, shall require the PIL of the value of land as



determined in accordance with subsection 9(b) 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) and (ii) 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) 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 or Redevelopment of land results from the approval of a site plan or zoning by-law amendment and the approval of the application occurred within 24 months 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 Dutton Dunwich for park or other public recreational



purposes or PIL has been received by Dutton Dunwich 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 Dutton Dunwich 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 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 Dutton Dunwich's satisfaction.

13) Land or PIL required to be conveyed or paid to Dutton Dunwich 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 Dutton Dunwich 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, Dutton Dunwich 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.

Redevelopment

15) In the case of Redevelopment, the maximum amount of the parkland dedication and/or PIL shall not exceed an amount equal to the amount calculated as per the previous sections of this by-law, multiplied by the ratio of "A" to "B" where,

- "A" is the floor area of any part of a building or structure, which part is proposed to be erected or located as part of the Development or Redevelopment, and



- “B” is the floor area of all buildings and structures that will be on the land after the Development or Redevelopment.

Part 5: General

16) Where a determination is required to be made by Dutton Dunwich 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.

17) This by-law shall be referred to as the “Parkland Dedication By-law”.

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 Unit for Residential Development

Read and passed in open session on May 28, 2025.

Mayor

Clerk



Schedule 1
PIL Per Unit for Residential Development

Unit Type	PIL per Unit May 28, 2025 to December 31, 2025
Single-Detached Dwellings and Semi-Detached Dwellings	\$7,860
Multiple Dwellings (Townhouses)	\$3,144

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