



Parkland Dedication Policy

1.0 General

The Planning Act authorizes municipalities to require the conveyance of land for park or other public recreational purposes. The amount may not exceed 2% for commercial or industrial development, and may not exceed 5% for all other development; alternatively, land in the amount of 1 hectare per 300 residential units may be required. This authority extends to subdivision approvals, consent (e.g., severance, easement, right-of way), and site plan approval for the development or redevelopment of land. It is the municipality's option to require cash in lieu of land.

For residential development the City will require parkland dedication based on 5% or 1 hectare per 300 residential units, whichever is the greater.

1.1 Active Park and Natural Open Space

It is the general intent of the City of Kitchener that where the Planning Act authority is used to require the dedication of land, that land will be intended for active park purposes, and that other means be used to protect, and if necessary to acquire, natural open space.

1.2 Subdivision

In plans of subdivision the City will use the park dedication provisions of the Planning Act generally for the purpose of obtaining land for active park purposes, but may opt to obtain cash in lieu of land in limited circumstances.

1.3 Site Plan and Severance

For land severance and site plan approval the City will use the park dedication provisions of the Planning Act generally for the purpose of obtaining cash in lieu of park land, but may opt to acquire land in limited circumstances.

2.0 Valuation and Appraisal

Land value for purposes of cash in lieu of park land for plans of subdivision of 4 hectares or more shall be determined by accredited appraisal, with the cost of the appraisal paid from the Park Trust Fund.

Land value, for purposes of cash in lieu of park land dedication as a condition of plans of subdivision less than 4 hectares, or site plan approval, or consent/land severance, shall be determined at the rates set out in this policy, based on accredited appraisals of classes of land. If an owner or applicant wishes to dispute the City's rate, they may obtain, at their own cost, an appraisal from an accredited appraiser. The City may accept the alternate appraisal, require a peer review paid from the Park Trust Fund, or negotiate a mutually acceptable compromise.

Land values for the accredited appraisals of classes of land shall be calculated as prescribed under Sections 42, 51.1 or 53 of the Planning Act, 1990.

Despite the accredited appraisals of classes of land, the City may decide to conduct a site-specific accredited appraisal for cash in lieu of park land dedication, with the cost paid from the Park Trust Fund.

The appraised land class rates shall be adjusted from time to time. Such periodic updated appraisals for each class of land shall be obtained at intervals not exceeding 5 years.

2.1 Residential Site Plan Approval or Consent Approval

- Street Townhouse: 5% of \$9,800 per metre of street frontage, excluding the difference between minimum side yard abutting a street and minimum interior side yard
- Other Street Fronting Residential: 5% of \$9,200 per metre of street frontage, excluding the difference between minimum side yard abutting a street and minimum interior side yard
- Multiple Residential (Apartment): 5% of \$1,359,000 per hectare
- Multiple Residential (Townhouse other than street fronting): 5% of \$1,110,000 per hectare

2.2 Residential Subdivision (less than 4 hectares)

- 5% of \$615,000 per hectare

2.3 Commercial, Industrial and Institutional Consent Approval

Park dedication will generally not be required as land division generally does not increase development potential for commercial, industrial or institutional development.

2.4 Commercial, Industrial and Institutional Site Plan Approval

- Commercial 2% of \$1,110,000 per hectare
- Business Park 2% of \$555,000 per hectare
- Industrial 2% of \$490,000 per hectare
- Institutional 5% of \$800,000 per hectare

3.0 Exemption & Interpretation

The following principles will be applied to determine exemption from park dedication requirements:

3.1 If the maximum allowable park dedication has previously been made, no further park dedication will be required in the event of development or redevelopment .

3.2 If no park dedication has previously been made, the City will require the maximum allowable dedication except for the following:

3.2.1 If land is partially developed and the remaining part is to be developed or redeveloped, the parkland dedication will be based on the total area of the site less that area in which existing development is to remain. The City reserves the right to collect park dedication fees on future redevelopment or intensification on that portion of the land on which park dedication was not assessed.

3.2.2 If land is partially or fully developed and further intensification is to take place the City will require park dedication on the basis of only the new development, as a proportion of the total development. For non-residential intensification the dedication will be based on the proportion of new gross floor area. For residential intensification the dedication will be based on the proportion of new dwelling units.

3.2.3 The Director of Planning, Manager of Development Review or the Manager of Site Development and Customer Service shall be responsible for deciding what constitutes new and existing development if there is a disagreement with the landowner.

3.2.4 Adaptive Re-use shall be considered to be redevelopment.

In cases where lands are being re-developed, or converted from one former land use to another, it will be defined as Adaptive Reuse. The City of Kitchener defines adaptive reuse as the conversion of an older, non-residential building to a new use.

For example:

- *From a commercial, industrial or institutional use to a new residential use*
- *From an industrial or institutional use to a new commercial or office use*

3.2.5 If development on particularly large sites is to be phased, the park dedication for latter phases may be deferred as set out in a Parkland Deferral Agreement to be registered on title, at the discretion of the Director of Planning in consultation with the Director of Operations.

3.2.6 If land division does not have the effect of increasing development potential, no park dedication will be required as a condition of severance, but will be required as a condition of site plan approval for development or redevelopment of severed and/or retained lands.

3.2.7 If subdivision land includes natural open space, the park dedication will be calculated based on the area of land included in the plan, net of natural open space.

3.2.8 Council may opt to exempt public sector institutional development, such as Federal, Provincial or Regional developments, hospitals and universities from park dedication requirements.

3.2.9 The City will honour development agreements entered into prior to the adoption of this policy with respect to park land dedication requirements. However, this provision will not apply to redevelopment or intensification.

Parkland Dedication Plan for Site Plan Agreements

Any development or redevelopment of land anywhere in the City of Kitchener, save and except for properties within the downtown boundary, may require land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 percent and for all other cases 5 percent of the land be conveyed to the City for park or other public recreational purposes; or, alternatively, the payment of money to the value of land in lieu of the conveyance of land or alternatively, land in the amount of 1 hectare per 300 residential units may be required.

In these cases, a "Parkland Dedication Plan" may be required in addition to a Site Plan Application.

The Parkland Dedication Plan requires:

- One digital Parkland Dedication Plan file, formatted to print to letter-size (8 ½" x 11"), on disk or sent by e-mail to planning-mapping@kitchener.ca, submitted in .dwg (AutoCAD); formatted using the City of Kitchener Parkland Dedication Plan template and pen settings and following the Digital Submission Requirements below.
- PDF of the letter-sized (8 ½" x 11") Parkland Dedication Plan on disk or sent by e-mail to planning-mapping@kitchener.ca.

(Template and Documentation available for download at the City of Kitchener website at:

<http://www.kitchener.ca/en/businessinkitchener/SitePlans.asp>

The City of Kitchener's Parkland Dedication Plan Template contains a title block border, north arrow, site statistics text, and title-block text. The file contains all required layers and their specific properties including colour, line-type, and line-weight. The title block layer names and content description can be found in the table *Parkland Dedication Plan Layer Properties and Content* contained below.

Digital Submission Requirements

- All line-work for the site plan drawing should be contained within The City of Kitchener standard site plan title block (see example drawing below)
- Submit the Parkland Dedication Plan, on The City of Kitchener Parkland Dedication Plan template in MODEL SPACE
- Use only the applicable layers of Parkland Dedication Plan
- The drawing must be specifically formatted to be CLEAR AND LEGIBLE in an 8 ½" x 11" (letter) format printout using the City of Kitchener pen settings.
- The City of Kitchener Parkland Dedication Plan Template must be scaled proportionally to fit the site plan drawing.
- Use only standard, true type, font types
- Edit the Title-block text to enter the site owner's name, site address, current date, site plan number (if known), and property legal description.
- Edit the Title-block text layer 'Site Statistics', as applicable,
- Drawing units are to be in metric.
- All data is to be contained on template layers as described in the table entitled *Parkland Dedication Plan Layer Properties and Content*, as applicable.
- Only the content described under each respective layer's "Description of Content" shall be allowed.
- Purge all old or extra drawing layers
- All line work should be closed. i.e. All lines that meet must be snapped together.
- Use of hatch pattern in CAD files should be kept to the Parkland Dedication Area layer.

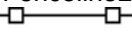
Please Do Not:

- Do not overwrite the assigned symbology, or layer colours.
- Do not redraw title-block
- Do not use your own Site Statistics formatting.
- Do not xref any files. (Bind xref files through the xref manager under the Insert menu.)
- Do not attach any raster images to the CAD file submitted.

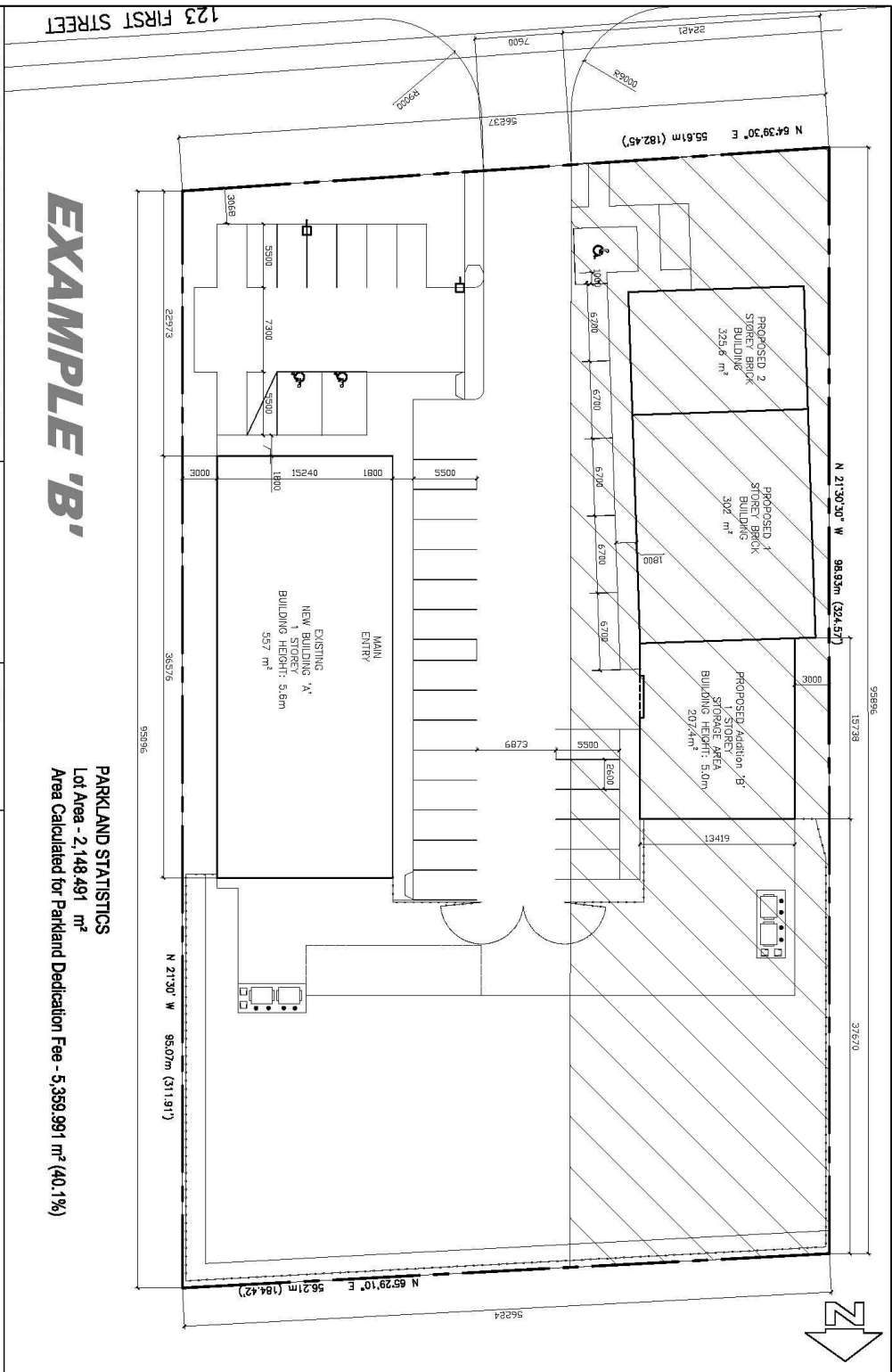
Do not include the following on the submitted 8 ½" x 11" (letter) Digital Plans:

- No Company Stamps or Logos
- No Legends
- No Key Maps
- No Additional North Arrows
- No References To Other Drawings
- No Features '*To Be Removed*'
- No Commercial Names
- No Point Elevations
- No Slopes
- No Grading Lines
- No Swales
- No Trees
- No Cross Sections
- No Inside Building Details
- No Empty Layers
- Truck Turning Circles
- Setback lines

Parkland Dedication Plan Layer Properties and Content

Layer Name	Colour	Linetype	Layer Description	Entity Types
BEARINGS_DIST	Green-Index 3 (0,255,0)	Continuous	Bearings and distances of the legal property boundary.	Text
EX_STRUCTURES	Grey-Index 8 (128,128,128)	Continuous	Existing buildings, structures, forms and associated text.	Line/Polyline & Text
EX_USE	Grey-Index 8 (128,128,128)	Continuous	Existing buildings, structures, forms and associated text.	Line/Polyline & Text
FENCE	Red-Index 1 (255,0,0)	Fenceline2 	Fence-location, height, and type.	Line/Polyline & Text
MISC	White-Index 7 (255,255,255)	Continuous	Miscellaneous	Line/Polyline & Text
OUTDOOR_CONTAINERS	White-Index 7 (255,255,255)	Continuous	Proposed containers, vaults, facilities for waste collection and associated text	Line/Polyline & Text
PARKING	Yellow-Index 2 (255,255,0)	Continuous	Parking space lines, handicapped space symbol indicating handicapped parking and associated text	Line/Polyline & Text
PARKLAND DEDICATION AREA	Red-Index 1 (255,0,0)		Polygon outlining area used to calculate Parkland Dedication fee. Hatch Style: ANSI31; Angle: E; Scale: 25	Polyline & Hatch
PARKLAND DEDICATION AREA DIM	Red-Index 1 (255,0,0)		Rotated Dimension of Parkland Dedication area. Dim Style : STANDARD	DIM
PAVEMENT	Red-Index 1 (255,0,0)	Continuous	Lines showing the edge of pavement, curbs and sidewalks and associated text.	Line/Polyline & Text
PLAN_DIM	Red-Index 1 (255,0,0)	Continuous	All relevant dimensions including building, yards, driveways, parking in metric.	Line/Polyline & Text
PLAN_TEXT	Green-Index 3 (0,255,0)	Continuous	All relevant descriptive text and text leaders.	Text
PROPERTY_LINE	Magenta-Index 6 (255,0,255)	Center2 - - - - -	Lines showing the legal property boundary of the subject site and associated text. All line work must be closed (snapped together at meeting points).	Line/Polyline & Text
PROPOSED_BUILD	Blue-Index 5 (0,0,255)	Continuous	Lines showing the proposed building and any new structure and associated text. All line work must be closed (snapped together at meeting points).	Line/Polyline & Text
RIGHT_OF_WAY	Yellow-Index 2 (255,255,0)	Continuous	Lines showing existing right of ways.	Line/Polyline
STREET_TXT	White-Index 7 (255,255,255)	Continuous	Street Name text.	Text
SURVEY	White-Index 7 (255,255,255)	Continuous	Survey monuments, iron bars, and associated text.	Line/Polyline & Text
SWM	White-Index 7 (255,255,255)	Continuous	Storm water management areas (ponds etc) and associated text.	Line/Polyline & Text
TITLEBLOCK_LINE	Cyan-Index 4 (0,255,255)	Continuous	Titleblock linework	Line/Polyline
TITLEBLOCK_TXT	Red-Index 1 (255,0,0)	Continuous	Titleblock text and Site Statistics	Text





PARKLAND DEDICATION PLAN		REVISID: SITE PLAN APPLICATION: SP 08/ ##/ X/ YZ	
XYZ Ltd. 123 FIRST ST		LEGAL DESCRIPTION City of Kitchener DEVELOPMENT AND TECHNICAL SERVICES DEPARTMENT	
SCALE 1: 1,000 DATE: JANUARY 1, 2008		CAD FILE: SP.dwg	

