

MEMO / NOTE DE SERVICE



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TO: Chair and Members of Planning Committee and Mayor and Members of Council

DESTINATAIRE : Président et membre du Comité de l'urbanisme et Maire et membres du Conseil

FROM: Marian Simulik,
General Manager and City Treasurer /
Corporate Services Department
613-580-2424, ext. 14159
Marian.Simulik@ottawa.ca

Contact :
Nancy Wynands,
Account Manager, FSU / Corporate
Services
Phone number 613-580-2424, ext 21274
Nancy.Wynands@ottawa.ca

EXPÉDITEUR : Marian Simulik,
Directrice générale et Trésorière
municipale / Services généraux
613-580-2424, poste 14159
Marian.Simulik@ottawa.ca

Personne ressource :
Nancy Wynands,
GC, Unité du soutien financier / Service
généraux
613-580-2424, poste 21274
Nancy.Wynands@ottawa.ca

DATE: August 15, 2016

15 août 2016

FILE NUMBER: ACS2016-CSD-FIN-0001

SUBJECT: **Cash-in-Lieu of Parkland**

OBJET : **Règlement financier des frais relatifs aux terrains à vocation de parc**

The purpose of this memorandum is to provide the Ward, City-Wide and Special Administrative Area Cash-in-Lieu of Parkland (CILP) reserve balances as at June 30, 2016. Please reference Document 2.

Balances have been adjusted to account for existing commitments, funds committed for planned area parkland acquisition(s) and any appeals or refunds that are deemed to be highly probable. A comprehensive review of funds committed for planned area parkland

acquisitions has recently been completed. Commitments that are not within new communities where parks have been previously identified to be reserved for parkland acquisition, through a Community Design Plan, have been removed; resulting in increased balances in the associated ward reserves, and in the City-wide reserve. See Document 1 for the definition of Funds Committed for Planned Area Parkland Acquisition(s).

Cash-in-lieu of Parkland receipts have been provided on the basis of completed development applications where cash-in-lieu of payments have been received. Development applications that are currently under circulation or where payments have not been received yet from the developer are not reflected in this list.

Policy Requirements

In accordance with the Cash-in-Lieu of Parkland policy (Council 9 September 2015, ACS2015-PAI-DCM-0001):

1. Cash-in-lieu shall only be used for eligible projects permitted by the Planning Act as further defined by the Policy.
2. Cash-in-lieu funds collected through the development review will be allocated as follows:
 - a. Sixty per cent (60%) of the funds paid will be allocated to use in the Ward in which the development is located and forty per cent (40%) of the funds paid will be allocated for citywide purposes.
 - b. In a special administrative area identified in the Parkland Dedication By-law, one hundred per cent (100%) of the funds paid will be allocated to use in the special administrative area where the development is located.
3. Cash-in-lieu funds collected and allocated to both Ward and citywide use shall be free for use for any eligible project defined by this policy except for the following:
 - a. Funds that are subject to an appeal. These funds shall not be committed to or used for any purpose until the appeal is resolved.
 - b. Funds that are collected through the development process in new communities and that are required to contribute to the acquisition of specific parkland already identified in a later phase of the community's development.

These funds shall be reserved for that purpose only and may not be used for any other eligible purpose.

- c. Funds collected for a development project that is abandon will be returned to the proponent unless they are committed to a specific eligible project. If they are committed to a project, the funds will be permanently credited to the development rights for that address.
4. Cash-in-lieu funds collected and allocated to both Ward and citywide use shall not be used for any purpose that is an 'ineligible project' as defined by the policy. Reference Document 1 for definitions of Eligible and Ineligible Projects.
 - 4.1 Cash-in-lieu accounts cannot be used in a manner that could result in negative balances at any time. Projects selected to be paid from CILP accounts must not have the potential to exceed available funds in the account at the time the project is chosen.
5. The policy does not apply to funds collected pursuant to the *Development Charges Act*.
 - 5.1 Cash-in-lieu funds collected and allocated to both Ward and city-wide use shall not be used to offset, or as a substitute for, normal yearly budgets for parks and recreation growth, repair or renewal. CILP funds are to be viewed as supplemental to regular budgeting to support more projects or projects with larger scope than would have been possible using regular budgets.

Any inquiries regarding eligible projects associated with an existing park should be directed to Kevin Wherry, Manager, Recreation Planning and Facility Development. Any inquiries concerning ward account balances should be directed to Nancy Wynands, Account Manager, FSU, Corporate Services.

Marian Simulik

General Manager and City Treasurer / Directrice générale et Trésorière municipale

cc: Senior Leadership Team

Kevin Wherry, Manager, Recreation Planning and Facility Development

Lee Ann Snedden, Chief, Development Review Services

Connie Hess, FSU Analyst, Corporate Services

Document 1 – Definitions

Funds Committed for Planned Area Parkland Acquisition(s)

The Cash-in-lieu of Parkland Policy calls for 100% of the ward portion of CIL funds collected within new communities where parks have been previously identified to be reserved for parkland acquisition within the planning area. The planned areas are identified through Community Design Plans.

These commitments were previously identified as Funds Earmarked for District Parklands. The name has been updated to better reflect the intended purpose.

Eligible project(s)

- Acquisition of land for public park purposes.
- Capital projects for the development of new public parks which may include any associated site preparation and drainage; the provision of park facilities, such as, play equipment, sports fields and pathways: or the provision of recreation facilities, such as community centres, indoor pools and arenas.
- Capital projects to increase the capacity of existing public parks and/or recreation facilities to accommodate more intensive public use; the provision of additional park facilities, for example play equipment, splash pads and site furniture; and /or the provisions of additional recreation facilities, for example the expansion or upgrading of program spaces in community centres, indoor pools and arenas.
- The non-growth component of growth-related capital projects, for Parks Development and Recreation Facilities, identified in the City's Development Charges Background Study.
- Projects for repair, renewal and lifecycle replacement in relation to fixed recreation and park assets and the total project costs (planning, design and implementation) associated with these works.
- Projects within prioritized forecasts or workplans of scheduled works identified as part of renewal planning and programming undertaken in accordance with the City's Comprehensive Asset Management Policy but unfunded as part of the current year's normal budget, may be brought forward for implementation using CILP funds but require no pay-back from future renewal budgets. The schedule

escalation window will be limited to no more than four years ahead of the current year respecting the need for full scope and design requirements in setting targeted implementation expectations.

Ineligible project(s)

- Any non-capital costs (studies, ongoing operations, maintenance, etc.).
- Any project that will require operating budgets.
- Any costs associated with the acquisition of non-fixed or portable recreational assets for example sports equipment, exercise equipment, etc.
- Any cost or work associated with facilities or property not owned by the City.
- Any capital project associated with facilities operated through a public private partnership to deliver City recreational services.
- Any capital project associated with land that is not a public park.
- Any capital project associated with land that is not either one of a public park or being used for recreational purposes.

Plaques, engravings, etc. acknowledging the funding source as a cash-in-lieu of parkland account are not permitted on items with a total value of less than \$10,000.