



## Proposal Response:

Proposed Regulatory Changes under the Planning Act Relating to the  
Cutting Red Tape to Build More Homes Act, 2024 (Bill 185):  
Removing Barriers for Additional Residential Units  
ERO #: 019-8366

Parks and Recreation Ontario Submission  
May 10, 2024

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## About Parks and Recreation Ontario

Parks and Recreation Ontario (PRO) is a non-profit association with over 6,500 members that delivers services to more than 85% of Ontario's population. We are devoted to advancing equitable access to quality parks and recreation services for all Ontarians. PRO champions the health, social, and environmental benefits of parks and recreation through evidence-based practices, advocacy, and collaborative cross-sectoral partnerships. Our work includes policy and research, education, training and professional development opportunities, as well as our flagship quality standards program, HIGH FIVE®. We envision a future for Ontario where every person has equitable access to vibrant communities, sustainable environments, and personal health.

## Introduction

PRO strongly supports government action to address critical housing shortages in Ontario and understands the realities of increasing supply in a responsive and timely manner. We are writing to offer commentary and recommendations on the proposed regulatory changes under the Planning Act relating to Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024* (ERO #: 019-8366).

Since the introduction of the *More Homes Built Faster Act (2022)*, PRO has been actively engaging with the Ministry of Municipal Affairs and Housing to ensure that parks and recreation remain a priority throughout the development and expansion of municipalities across Ontario. In 2022, PRO [submitted a response to Bill 23](#) to the Standing Committee on Heritage, Infrastructure, and Cultural Policy.

In January 2024, PRO appeared before the Standing Committee on Economic Development and Finance to present our [2024 pre-budget recommendations](#). We called on the province to support the health of growing neighbourhoods through the establishment of a "Resilient Parks" funding program to assist municipalities by offsetting the financial burden and impacts of the *More Homes Built Faster Act (2022)*.

PRO also gratefully acknowledges the opportunity to participate in the Ministry's Technical Advisory Table and recent participation in a stakeholder consultation session for the Ministry's Developer-Identified Parkland Dedication Requirements study. In addition to participating in a consultation session, PRO submitted a 17-page feedback and recommendations report that was compiled using direct feedback from our members. Key messages included:

- **Legislation repeal:** Repeal and replace this legislation. At minimum, ensure the regulations **require developer-identified parkland to meet the same criteria as municipally identified parkland**.
- **Help municipalities build complete communities:** If the development process is amended to encourage POPS (hard, tree-less, urban plazas) as substitutes for parkland, the quality and overall health of cities will be compromised. Quality parkland matters; **housing supply cannot be built without appropriate planned and funded infrastructure, including parks**.

- **Financial impacts are real:** By accepting encumbered land to satisfy parkland dedication requirements, municipalities are foregoing more revenue. **Municipalities can no longer afford to buy parkland and are struggling to keep up with renewal of existing investments in park infrastructure.**
- **Ensure equity and access:** Municipal control over parkland spaces allows access to be equitable and non-discriminatory. **Without additional revenue, local governments are unable to sustainably fund parks and recreation projects that will serve growing communities and equity-deserving groups.** This will challenge equitable access and the quality of park experiences across the province.

## Parkland Dedication Recommendations

While PRO does not have any recommendations that pertain to the province's additional residential unit (ARU) framework, we would like to express our continued concern with parkland dedication requirements under the current Planning Act that have not been addressed by this proposal nor Bill 185.

### Recommendation:

**Parkland dedication requirements need to be repealed through Bill 185 or subsequent legislation.**

Under the current legislation, privately-owned public spaces and encumbered lands fulfill parkland dedication requirements for future housing projects and other developments. These lands are not suitable replacements nor equivalent to community parkland and lack accessibility and infrastructure to support school learning. Further, the reduction in development charges results in decreased revenue that inhibits municipalities in supporting community growth, including enhanced parks and recreation infrastructure.

PRO was disappointed to learn that Bill 185 does not address any proposed amendments to the Planning Act regarding parkland dedication, specifically encumbered lands or privately-owned public spaces (POPS). It is vital that we reiterate our previous messages to the province that remain a significant concern and could be addressed in Bill 185 or subsequent legislation. The province should ensure that the Planning Act:

- a. Allows municipalities the ability to determine parkland locations.
- b. Allows municipalities to have the discretion to determine an appropriate value for crediting privately owned publicly spaces (POPS) towards parkland dedication requirements.
- c. Allows municipalities to establish the criteria for POPs and/or stratified parkland, rather than these matters being prescribed by a provincial regulation.

Changes to parkland requirements significantly impact the quality of parkland and long-term service provision in communities across Ontario. Both encumbered lands and POPS lack the accessibility of true public spaces and will result in communities with fewer places for safe and enjoyable recreation uses. To deliver public

benefits, parkland needs to be unencumbered and, in a condition safe and satisfactory to the municipality. The parkland needs to provide the ability to deliver park programming and urban tree canopy growth.

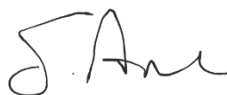
Finally, subsection 42(15) of the Planning Act requires that all monies received by a municipality as payment in lieu of parkland, along with all proceeds from the sale of lands received as a parkland dedication, are held by the municipality in a special account. Bill 23 required that from 2023 onward, a municipality must spend or allocate at least 60% of the money in the special account at the beginning of that year annually. This poses a significant challenge to strategic capital planning for small and mid-size municipalities who may require several years to save for a singular community project. The requirement to spend 60% of their parkland reserve effectively eliminates that ability to plan for a large project.

## Conclusion

Currently, the Planning Act allows developers to choose where to locate parkland. This will result in small sections of undevelopable land being dedicated. PRO continues to respectfully requests that the province allow municipalities to refuse to accept the conveyance of lands and opt to accept cash-in-lieu where parkland is determined to be undesirable for any reason. Municipalities have vastly different local contexts, and municipal staff are best suited to understand their local parks context and to establish criteria for accepting parkland.

We are pleased to discuss our comments further with the Ministry, should any clarity be required. Thank you for the opportunity to provide comments on this important proposal.

Sincerely,



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