

7.0 Parks and Open Spaces

7.1 Background:

Parks and open spaces are a key component of healthy, liveable and safe communities. For the purposes of this initiative parks and open spaces include municipally, provincially and federally-owned parks, natural areas and waterfronts, outdoor recreational and institutional spaces, like school and recreation centre yards, sports fields and golf courses.

Parks and open spaces provide a range of benefits. On an environmental level, parks and open space mitigate flood risks and impacts of climate change by offering permeable, high-absorbing lands that offset the impacts of potential flood events and trees and vegetation that absorb carbon dioxide and provide cooling canopies. Additionally, parks and open spaces provide areas where native species can thrive within developed, built-up areas. On a human level, parks and open spaces have positive impacts on health; encouraging physical activity, community connections and positive impacts on mental health and early childhood development. Representing significant community assets and aesthetic value, parks and open space support a community's economy by raising the values of adjacent and proximate properties.

Land use planning can play a role in ensuring that these objectives are met.

- Land use planning can support the appropriate creation and renewal of parks and open space by considering modelled demand and population growth, identifying and reserving lands most suitable for the creation of new parks and open spaces and providing policies that aim to protect and enhance these community assets.
- Land use planning is concerned with residential, employment, institutional, recreational and natural spaces and how these land uses fit together to produce resilient, efficient and functional development and land use patterns. Given this integrated approach, land use planning can ensure that parks and open spaces are strategically planned in accordance with other land use patterns; maximizing their potential as community assets in terms of use and access.

Gananoque has a number of parks, open spaces and recreational pathways within its municipal boundaries. Currently, parks and open spaces make up 6% of Gananoque's total area. Given Gananoque's position in relation to the St. Lawrence and Gananoque Rivers, the town's waterfront is central to its parks and open space network. Of the total 6% parks and open spaces identified in Gananoque's current land use schedule, 11 have waterfront locations.

In 2019, the Town of Gananoque and Township of Leeds and the Thousand Islands prepared a joint Recreation Master Plan. This plan outlines a 10-year vision for recreation, parks and trails: The Recreation Master Plan is based on eight guiding principles including developing complete communities through health, wellness and physical activity, age friendly, accessible and inclusive recreation, investment in infrastructure based on smart growth principles, investment in multi-use for the broadest range of access to recreation and strengthening the municipalities' joint role as a tourism destination. Given its strategic waterfront location and compact form, Gananoque is identified as a primary service area for recreational facilities and amenities.

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The Recreation Master Plan includes many service based recommendations for recreational infrastructure in both communities, including some that have land use planning implications. For example, the Recreation Master Plan recommends that consideration be given to expanding the Lou Jeffries Park property boundary to the north to make more effective use of the site and reinforce its role as a regional recreational hub. In terms of parkland, the report states that Gananoque's existing parkland provision standard is 2.23 hectares of parkland/1000 residents. The Plan recommends a minimum parkland provision standard of 3.0 hectares/1000 residents, moving forward. Given the difference between the existing and recommended parkland provision standard, and anticipated population growth described in Section 2, Gananoque will need to increase the amount of parkland provided by approximately 7 hectares to meet the recommended parkland provision standard.

The Recreation Master Plan makes the following observations:

- The parkland dedication policies in the Official Plan be updated as part of the review of the Official Plan.
- Gananoque should focus its efforts on obtaining cash in lieu of parkland as the preferred method of parkland dedication for new developments in order to pool resources to acquire large park parcels that can be used for a variety of active and passive recreation uses or improvement of existing facilities;
- Parkland acquisition in areas of growth and future developments must be considered based on their connectivity to existing parks, open space and trail systems, street frontage and ease of accessibility. It should also be of sufficient size and configuration to allow for the development of a variety of active and passive amenities, with priority given to larger parks.

The Recreation Master Plan makes the following relevant recommendations:

- Maximize the supply of available parkland through a range of strategies, including dedication by development, donations, accessing grants, land trusts, conservation easements, land exchange, partnerships, agreements and direct purchase.
- Consider acquisition of undevelopable open space areas through the development process and other means of securement to provide opportunities for enhanced conservation, and compatible public access and linkages to parks, trails and open spaces, per the Planning Act. This land should not be accepted as part of the parkland dedication requirement.
- Continue to consider cash-in-lieu of parkland and acquisition of additional parkland by other means where land acquired through dedication by development is insufficient in size or shape for the intended park function.
- Continue to require parkland dedication through Official Plan policy, as prescribed in the Planning Act, including alternative conveyance requirements, through physical parkland acquisition or cash-in-lieu of parkland. Update relevant policies within the Official Plan to conform with the changes to the Planning Act.

Since the Official Plan came into effect, the legislative and regulatory framework governing parkland dedication was updated by the Province of Ontario through the above-described *More Homes, More Choice: Ontario's Housing Supply Action Plan, Bill 108, More Homes More Choice*

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Act, Bill 197 COVID-19 Economic Recovery Act and *O.Reg 509/20*. Initially, the Government proposed to integrating parkland dedication, cash-in-lieu of parkland, development charges and Section 37 benefits into a single Community Benefit Charge. The outcome of this process is that Community Benefit Charges replace Section 37 benefits, while development charges, parkland dedication and cash-in-lieu remain separate requirements.

7.2 The Land Use Planning Framework

7.2.1 The Planning Act

The *Planning Act* requires that municipalities have regard to the adequate provision and distribution of educational, health, social, cultural and recreational facilities when making decisions that affect land use planning matters.

The *Planning Act* permits municipalities to acquire parkland or cash-in-lieu of parkland through Section 42 of the Act or Section 51.1 of the Act.

Section 42(1) of the Act states that as a condition of the 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 percent and in all other cases 5 percent of the land be conveyed to the municipality for park or other public recreational purposes.

Section 42 (3) of the Act states that, subject to 42(4), as an alternative to requiring the conveyance provided for in subsection (1), in the case of land proposed for development or development for residential purposes, the by-law may require that land be conveyed to the municipality for a park or other public recreational purposes at a rate of 1.0 hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the by-law.

Section 42(4) of the Act states that this alternative requirement may not be provided for in a by-law passed under this section unless there is an official plan in effect in the local municipality that contains specific policies dealing with the provision of lands for park or other public recreational purposes and the use of the alternate requirement. The creation of these policies is contingent upon the creation of a parks plan that examines the need for parkland in the municipality (subsection 42(4.1)) that was meets the consultation standards established in subsection 42(4.2)).

Section 42(6) of the Act states that if a rate established by subsection (1) applies, the council may require a payment in lieu, to the value of the land otherwise required to be conveyed.

Section 42(6.0.1) of the Act states that if a rate established by subsection (3) applies, the council may require a payment in lieu, calculated by using a rate of one hectare for each 500 dwelling units proposed or such lesser rate that may be specified in the by-law.

Section 42(6.2)(6.3) allows a municipality to establish a reduction in the cash in lieu payment for proposed redevelopment projects, should the municipality choose to.

Section 42(6.4) states that the value of the land shall be determined as of the day before the day

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the building permit is issued.

Section 42(7) states that if land has or is required to be conveyed for parkland through this section or the land division provisions of the Act, no additional conveyance or payment may be required from subsequent development or redevelopment unless there is an increase in density or land originally proposed for industrial or commercial purposes, is now being proposed for another purpose.

The provisions in Section 51.1 of the Act are similar to the above requirements, except that they are enabled as conditions in the context of land division (i.e. subdivision, condominium and consent) and the valuation of the land occurs on the day before draft approval is received. In addition, if a municipality has imposed a standard 2 or 5 percent parkland dedication, it may require payment in lieu.

7.2.2 The Provincial Policy Statement

Policy 1.1.1 b) states that healthy, liveable and safe communities are sustained by accommodating ... recreation, park and open space, and other uses to meet long-term needs.

Policy 1.5.1 states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources; providing opportunities for public access to shorelines; and recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

7.2.3 The Official Plan

The Official Plan has a number of policies that directly relate to parks and open spaces. The Official Plan's Lowertown's Natural Heritage Features identifies waterfront parks and open spaces as essential for the preservation of natural and biological features, through their integration in Gananoque's open space and parks plans.

Parks and open spaces are identified on Schedule E, including a number of recreational pathways linking these spaces. Notably, the existing recreational pathways provide many access points to both the St. Lawrence River and Gananoque River waterfronts. Recreational pathways and the connections they provide represent a key aspect and strength of Gananoque's park and open space network.

The Official Plan identifies public access and public use of shoreline parks and open spaces as a priority. Additional efforts will be made to preserve natural features along the waterfront, acquire additional waterfront lands and pathways, enhance existing spaces and facilities and improve general access (i.e. pedestrian, cyclist and motorist access).

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The Official Plan states that existing parks provide diverse recreational opportunities (active and passive) and are outfitted with different facilities and infrastructure that encourages recreation. A key priority of the Town of Gananoque is to maintain and enhance the existing inventory of parks.

The Official Plan also includes cash in lieu of parkland policies that enable cash in lieu of the standard 2 or 5 percent parkland dedication requirements in the land division process.

7.3 Conclusion

The Official Plan contains policies on parks and open space, their connectivity and importance as access points to Gananoque's waterfront. The Official Plan should be updated to reflect the recommendations outlined in the Recreation Master Plan and new Planning Act requirements relating to parkland dedication and cash in lieu of parkland.