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February 26, 2024

Municipality of Thames Centre
4305 Hamilton Road
Dorchester, ON N0L 1G3

Attention: Marc Bancroft

RE: Thames Centre: Parkland Dedication By-law

Dear Mr. Bancroft,

Please consider this letter as a summary of comments regarding the draft of the Municipality of Thames Centre's Parkland Dedication By-law. In review of the draft by-law, we have concerns with respect to the following.

- Paragraph 2 of the preamble where it is noted that *"..in the case of a subdivision proposed for Commercial or Industrial purposes 2 per cent, and in all other cases 5 per cent"*. We suggest that this paragraph be revised to note *".. 2 per cent, and in all other cases 5 percent **of the of the land included in the plan**"* to provide clarity and ensure consistency with Section 51.1 of the Planning Act;
- That Section 4 g) be exempt from obligations to convey land for parkland dedication or payment in lieu. Per Section 42(1.3) of the Planning Act, a by-law passed under this section does not apply to the erection or location of residential units;
- That Section 6 be re-worded to note that location and configuration of land required to be conveyed for parkland purposes shall be determined by the Developer/Owner to the satisfaction of Thames Centre. Further, this Section should have consideration for proposed Provincial Policy per Section 42 (4.30) of the Planning Act where a land owner may identify land that is subject to an easement or other restriction or encumbered by below grade infrastructure as parkland to be conveyed to the municipality to satisfy, in whole or in part, parkland dedication requirements;
- That the municipality consider a credit system for accepting constrained and/or hazard lands under Section 7. Alternatively, the municipality should consider excluding these lands from the parkland conveyance and/or payment in lieu calculation if they are not eligible for parkland dedication;



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- That Section 8 a) be revised to note that said lands for parkland dedication shall be conveyed upon registration of both the plan of subdivision and associated subdivision agreement requiring the conveyance. We cannot convey land unless the block has been created through a registered plan of subdivision. Reference to conveyance prior to registration of the plan of subdivision should be removed;
- There is no reference to determination of value under Section 9 with respect to Sections 51.1 and 53 of the Planning Act. Section 9 should be revised to reference determination of value per Section 51.1 (4) and Section 53 (13) of the act, stating that the value of the land shall be determined as the day before the day of the approval of the draft plan of subdivision or the day before the day the provisional consent was given, respectively. Understanding the above, it would be more appropriate to determine value based on preparation of an appraisal with an effective date set as the day before the day the draft plan of subdivision was approved or provisional consent was given and remove reference to payment in lieu on a per lot basis under Section 9 a);
- That Section 9 b), i) be revised to ensure consistency with Section 5 a), i) to reference a density of 30 UPH;
- That Section 10 b) be revised to remove reference to a change in the value of the land based on an extension of approval as referenced in Section 10 a). In the case of approval of a subdivision or consent under Sections 51.1 and 53, determination of value should remain as the day before the day the draft plan of subdivision was approved or provisional consent was given, regardless of an extension. The Planning Act does not speak to a change in value based on an extension of the above noted approvals; and
- That Section 14 consider deferring, in whole or in part, parkland dedication requirements within one phase of development to future phases if that phase of development is not able to fulfill parkland dedication requirements. If the parkland dedication deficit is not made up by the last phase of development, payment in lieu can be provided as required through the implementing subdivision agreement for that last phase of development. This was the approach implemented through one of Sifton's subdivisions and we would request that the above is carried forward through the update to the parkland dedication by-law.



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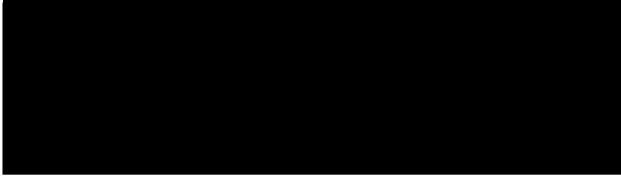




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We appreciate the opportunity to submit comments with respect to the draft Parkland Dedication By-law.

Sincerely,
Sifton Properties Limited



Lindsay Clark, BES
Manager, Planning and Development

Attach. (if any)

Cc: Phil Masschelein, Senior VP Neighbourhood Developments, Sifton Properties Limited