



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	July 9, 2020
SUBJECT/REPORT NO:	Parkland Dedication Reserve Status Report as of December 31, 2019 (FCS20056) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Samantha Blackley (905) 546-2424 Ext. 2132
SUBMITTED BY:	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Report FCS20056 "Parkland Dedication Reserve Status Report as of December 31, 2019" be received and made available to the public;
- (b) That Report FCS20056 "Parkland Dedication Reserve Status Report as of December 31, 2019" be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

EXECUTIVE SUMMARY

As per the requirements of the *Planning Act, 1990*, as amended, an annual report of the Parkland Dedication Reserve activity must be provided to Council. The Parkland Dedication Reserve Status Report is the "Treasurer's Statement" as outlined in the *Planning Act, 1990*, as amended, which must be made available to the public and forwarded to the Ministry, at their request.

The Parkland Dedication Reserve receives revenues assessed under Sections 42, 51.1 and 53 of the *Planning Act, 1990*. These funds are to be "spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes".

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The overall Parkland Dedication Reserve balance has increased by \$13.39 M since 2018 to a balance of \$56.15 M. This increase is due to collections exceeding direct capital expenditures. The stated balance excludes a potential liability for over-dedication of land by developers. The over-dedication is currently estimated at \$25.32 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2019 would be \$30.83 M.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The Parkland Dedication Reserve Status Report reflects balances in the City's audited financial statements and the Financial Information Return (FIR). The year-end Parkland Dedication Reserve balance is \$56.15 M, as outlined in Table 1.

Table 1
Parkland Dedication Reserve
For the year ended December 31, 2019

Beginning Balance:	\$42,763,240.12
Revenues:	
Interest Income	1,237,051.40
Dedication Fee	15,406,951.45
Property Purchases Repayment (Note 1)	454,481.99
Bishop Ryan Returned Funding	<u>198,394.00</u>
Total Revenues	\$17,296,878.84
 Confidential Land Purchases	 \$ 3,906,035.00
 Ending Balance	 <u>\$56,154,083.96</u>

Note to Table 1:

(1) The outstanding principal for Council authorized borrowings from this Reserve as at December 31, 2019 is \$1,021,579.27

Table 2 shows that the stated year-end balance excludes a potential liability for over-dedication of land by developers for 28 subdivisions. The over-dedication is currently estimated at \$25.32 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2019 is \$30.83 M.

Table 2
Parkland Dedication Reserve – Available Balance
As at December 31, 2019

Stated Balance:	\$56,154,083.96
Potential liability resulting from over-dedication of land (23 fully registered subdivisions)	(\$10,455,699.00)
Potential liability resulting from over-dedication of land (5 registered and ongoing subdivisions)*	<u>(\$14,867,567.00)</u>
Available balance:	\$30,830,817.96

* These agreements have been partly registered. The parkland dedication amount for the entire subdivision is not finalized until all phases have been registered. At this time, the City will pay any remaining over dedication.

Staffing: None.

Legal: None.

HISTORICAL BACKGROUND

Report FCS20056 is historical, in nature, and details the 2019 activity in the Parkland Dedication Reserve.

The Parkland Dedication revenues were collected through Sections 42, 51.1 and 53 of the *Planning Act, 1990*, as amended, which provide the Council of a local municipality to require the conveyance of land to the municipality for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of lands. The Parkland Dedication By-law 18-126 provides the City specific enactment of these sections.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Parkland Dedication Reserve Status Report FCS20056 is the “Treasurer’s Statement” as outlined in the *Planning Act, 1990*, which must be sent to the Minister, if requested.

RELEVANT CONSULTATION

Staff from Planning and Economic Development has provided information regarding the over-dedication of parkland and are supportive of Report FCS20056.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

As per the requirements of the *Planning Act, 1990*, as amended, an annual report regarding the Parkland Dedication Reserve activity must be provided to Council and made available to the public.

The Treasurer's statement for the Parkland Dedication Reserve should include the following information for the preceding year, as per the requirements of the *Planning Act, 1990*, section 42 (18).

- (a) Statements of the opening and closing balances of the special account and of the transactions relating to the account;
- (b) Statements identifying,
 - (i) any land or machinery acquired during the year with funds from the special account,
 - (ii) any building erected, improved or repaired during the year with funds from the special account,
 - (iii) details of the amounts spent, and
 - (iv) for each asset mentioned in subclauses (i) and (ii), the manner in which any capital cost not funded from the special account was or will be funded; and
- (c) Any other information that is prescribed (2015, c. 26, s. 28 (11)).

The *Planning Act, 1990* was updated through the *Smart Growth for Our Communities Act, 2015* which received Royal Assent on December 3, 2015. The resulting changes to the *Planning Act, 1990* came into effect for the year ended December 31, 2015.

This status Report FCS20056 reflects the changes to the requirements of the *Planning Act*. Notably, municipalities are required to show which projects have been funded from the Parkland Dedication Reserve, as well as, the other amounts funded to those projects during the year. There is also the requirement that Council makes this statement available to the public. The Parkland Dedication Reserve Status Report FCS20056 will be made available to the public through either Committee minutes or on request.

Report FCS20056 summarizes the changes in the Parkland Dedication Reserve for the year ended December 31, 2019. The Parkland Dedication Reserve balance as of December 31, 2019 was \$56.15 M. The increase in the Parkland Dedication Reserve balance of \$13.39 M is due to collections exceeding direct capital funding of expenditures as reported in Table 1. The Parkland Dedication Reserve forecast balance for future years is presented as part of the annual reserve forecast report. This report is presented to satisfy statutory requirements for reporting historical use of the reserve. This includes the repayments to this Reserve from Council authorized borrowings as illustrated in Table 1. The outstanding principal for Council authorized borrowings from this Reserve as at December 31, 2019 is \$1,021,579.27. Annual repayments to this Reserve continue until 2027.

Table 2 shows that the stated year-end balance includes the potential liability for over-dedication of land by developers. The over-dedication is currently estimated at \$25.32 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2019 is \$30.83 M.

ALTERNATIVES FOR CONSIDERATION

Not applicable.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

APPENDICES AND SCHEDULES ATTACHED

None.

SB/dt