



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 41-2000

To Enact a New Parkland Dedication
By-law and Repeal By-law 166-87

WHEREAS the Official Plan of the City of Brampton Planning Area contains specific policies dealing with the provision and conveyance of lands for park or other public recreational purposes at a rate of one (1) hectare for each three hundred (300) dwelling units proposed as provided in Sections 42 and 51.1 of the Planning Act, R.S.O. 1990, c.P.13 as amended (the Act);

NOW THEREFORE The Council of the Corporation of the City of Brampton hereby ENACTS as follows:

1. In this by-law:

“Development” means that construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing of a commercial parking lot; and

“Redevelopment” means the removal of a building or structure from land and the further development of the land or the substantial renovation of a building or structure and a change in the character or density of the use in connection therewith.

2. As a condition of development or redevelopment of lands in the City of Brampton, the owner is required to convey to the City land for park or other public recreational purposes as follows:

- (1) In the case of lands proposed for development or redevelopment for Residential purposes, at a rate of one hectare for each 300 dwelling units proposed;
- (2) In the case of lands proposed for development or redevelopment for Commercial or Industrial purposes, land in the amount of two per cent (2%) of the land to be developed or redeveloped; and
- (3) In the case of lands proposed for development for use other than those referred to in subsections 2(1) and 2(2), land in the amount of five per cent (5%) of the land to be developed or redeveloped.

3. (1) In lieu of requiring the conveyances referred to above, the City may require the payment of money to the value of the lands required to be conveyed.

- (2) The value of the land shall be determined as of the day before the date of issuance of the building permit in respect of the development or redevelopment or, where more than one building permit is required, as of the day before the date of the issuance of the first permit.
 - (3) The payment required to be made under this by-law shall be made prior to the issuance of a building permit for the land to be developed or redeveloped.
4. Land or cash-in-lieu equivalent required to be conveyed to the City for park or other public purposes pursuant to sections 2 and 3 shall be reduced by the amount of the land conveyance or cash-in-lieu equivalent received by the City pursuant to sections 51.1 or 53 of the Act and no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment will be required by the City in respect of subsequent development or redevelopment unless:
 - (1) There is a change in the proposed development or redevelopment which would increase the density of development; or
 - (2) Land originally proposed for development or redevelopment for Commercial or Industrial purposes is now proposed for development or redevelopment for other purposes.
5.
 - (1) Notwithstanding subsection 2(1), for the development of townhouses within the Downtown Brampton Secondary Plan Area (SP7) as identified on schedule SP7(A) of Chapter 7, Part II of the City of Brampton Official Plan, the City shall require the owner to convey land at the rate of five per cent (5%) of the land to be developed;
 - (2) Provided that this section shall only be in effect until the earlier of December 13, 2001 or the date of issuance of the building permit for the 200th townhouse dwelling unit following enactment within the Downtown Brampton Secondary Plan Area (SP7).
6.
 - (1) As a condition to the approval of a plan of subdivision pursuant to section 51 of the Act or the giving of a provisional consent pursuant to section 53 of the Act, the owner is required to convey to the City land for park or other public recreational purposes as follows:
 - (a) In the case of lands proposed for Residential purposes at the rate of one (1) hectare for each three hundred (300) dwelling units proposed;
 - (b) In the case of lands proposed for Commercial or Industrial purposes land in the amount of two per cent (2%) of the land to be used for Commercial or Industrial uses; and
 - (c) In the case of lands proposed for use other than those referred to in subsections 6(1)(a) and 6(1)(b) land in the amount of five per cent (5%) of the land to be developed for such uses.
 - (2) In lieu of requiring the conveyances referred to in subsection 6(1), the City may require the payment of money to the value of the lands required to be conveyed.
7. Notwithstanding subsections 2(2) and 6(1)(b), no parkland conveyance to the City shall be required for Commercial or Industrial purposes on a temporary basis.

8. By-law 166-87 is hereby repealed.

READ a first, second and third time and passed in Open Council, this **8th** day of March, 2000.

The Corporation of the City of Brampton



Peter Robertson

Mayor



Leonard J. Mikulich

Clerk

Approved as to content:



William H. Winterhalt, MCIP, RPP
Director, Planning Policy and Research

APPROVED AS TO FORM LAW DEPT. BRAMPTON
DATE 