



OFFICE CONSOLIDATION

Parkland Dedication By-law 41-2000 (as amended by By-laws 103-2000, 342-2004, 9-2010, 65-2012)

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.

“High Density Residential Development and Medium Density Residential Development” shall have the same meaning as in the City of Brampton Official Plan **(342-2004)**.

“Institutional” means hospitals, correctional institutions and associated facilities, elementary and secondary schools, colleges, universities, places of worship and related uses, military and cultural buildings, day care centres, residential care facilities for more than ten persons and long term care centres **(By-law 9-2010)**

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 5% of the land being developed or redeveloped, or one (1) hectare for each three hundred (300) dwelling units proposed, whichever is greater; **(By-law 65-2012)**
 - (2) In the case of lands proposed for development or redevelopment for Commercial or Industrial or Institutional purposes, land in the amount of two per cent (2%) of the land to be developed or redeveloped; and **(By-law 9-2010)**
 - (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) Notwithstanding Section 3(2), the value of High Density Residential development land shall not exceed the average market value for fully zoned and serviced Medium Density Residential land across the municipality, as determined by the City on an annual basis **(342-2004)**;
 - (4) 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 **(342-2004)**.

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. **Deleted – By-law 65-2012**
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 5% of the land being developed or one (1) hectare for each three hundred (300) dwelling units proposed, whichever is greater; **(By-law 65-2012)**
 - (b) In the case of lands proposed for Commercial or Industrial or Institutional purposes land in the amount of two per cent (2%) of the land to be used for Commercial or Industrial or Institutional uses; and **(By-law 9-2010)**
 - (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 any other provision in this By-law, this By-law shall not apply where the development or redevelopment consists of the making of an addition or alteration to an existing building or structure used for Commercial or Industrial purposes, provided that the addition or alteration is used for Commercial or Industrial purposes **(103-2000)**.

Sections 2 and 6 of this By-law shall not apply to lands proposed for institutional uses by a Board as defined in subsection 1(1) of the *Education Act*, R.S.O. 1990, c.E. 2. **(By-law 65-2012)**

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

Original Signed by: Peter Robertson, Mayor
Original Signed by: Leonard J. Mikulich, Clerk

Schedule A – Deleted – By-law 65-2012