

THE CORPORATION OF THE CITY OF GUELPH

By-Law Number (1989) - 13410

A by-law to amend the Corporation of the City of Guelph Municipal Code (Amendment No. 23) by adding a new Chapter 209, to be entitled Parkland Dedication, which by-law will designate the whole of the City of Guelph as the area in which the conveyance of land for park purposes may be required as a condition of development or redevelopment of land for industrial, commercial and residential purposes, in accordance with Section 41 of the Planning Act, S.O. 1983 and to repeal By-Law Number (1986)-12313.

The Council for the Corporation of the City of Guelph, in accordance with the provisions of the Planning Act, S.O. 1983, hereby ENACTS AS FOLLOWS:

209-1. In this By-Law:

- (a) "Development" shall mean the construction, erection or placing of one or more buildings or structures on lands, or an addition or alteration to a building or structure which adds more than 50% of the existing gross floor area to the building or structure.
- (b) "Redevelopment" shall mean the removal of buildings or structures from a site and the construction or erection of other buildings or structures thereon; and, shall include an addition that is larger than 50% of the total gross floor area of the original or existing building or structure, and "conversions".
- (c) "Conversion" shall mean the alteration or change of use of an existing building or structure to some other use or the alteration or change of an existing building or structure to create new residential units.

209-2. The whole of the City of Guelph, as from time to time constituted, is hereby designated as the area in which conveyances of land for park purposes shall be required as a condition of development or redevelopment.

209-3. The conveyance of land for park purposes as a condition of development or redevelopment shall be required as follows:

- (a) in the case of land, located outside of a municipally developed industrial or business park, proposed for development or redevelopment for commercial or industrial purposes, up to 2 per cent of the land involved, where one or more of the following conditions are met:
 - (i) the lands to be developed or redeveloped includes river bank lands that are designated for park use in either the Recreation, Parks and

Culture Master Plan or the Official Plan for the City of Guelph;

- (ii) a portion of the land to be developed or redeveloped is required to provide access to a park or recreation facility;
 - (iii) a portion of the land to be developed or redeveloped is required to complete the development of a park or recreation facility.
- (b) in the case of land proposed for development or redevelopment for residential purposes, according to the following:
- (i) for single-detached, semi-detached lots, at the rate of 5 per cent of the land involved;
 - (ii) for residential developments having a net density of less than 50 units/hectare (20 units/acre), at a rate of five per cent of the land involved;
 - (iii) for residential developments having a net density equal to or greater than 50 units/hectare (20 units/acre) but less than or equal to 100 units/hectare (40 units/acre), at a rate of up to 7.5 per cent of the land involved;
 - (iv) for residential developments, with a net density of more than 100 units/hectare (40 units/acre), at a rate of up to 10 per cent of the land involved.

209-4. A cash payment in lieu of conveyance of land for park purposes may be required by Council, in accordance with Section 41 of the Planning Act S.O. 1983. The value of the cash in lieu payment shall be determined as follows:

- (i) in the case of building permit applications for single or semi-detached dwellings, according to the following schedule:

R.1A	-	\$1,800/dwelling unit
R.1B	-	\$1,500/dwelling unit
R.1C	-	\$1,200/dwelling unit
R.1D	-	\$1,125/dwelling unit
R.2	-	\$1,125/dwelling unit

- (ii) in the case of building permits for residential development or redevelopment purposes not included in Section 209-4(i), where 5 units or less are created, at a rate of \$1,000/unit for each additional unit created;

- (iii) in the case of the conversion of a dwelling into a group home or lodging house, at a rate of \$1,000 per project.
- (iv) in all other cases, by qualified real estate appraisers appointed by the City and in accordance with the rates established in Section 4(b) of this By-Law.

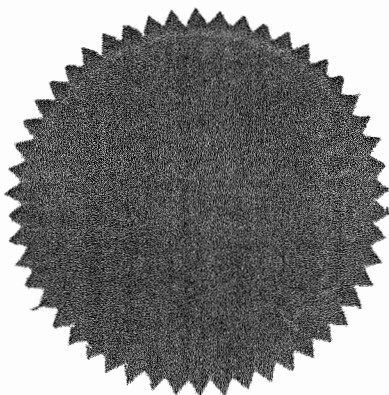
209-5. In determining the amount of land to be conveyed or payment of cash in lieu, any previous park conveyance or cash in lieu payment for park purposes shall be taken into account by the City, in accordance with the requirements of Section 41 of the Planning Act, S.O. 1983.

209-6. Title for the land to be conveyed or the payment of cash in lieu thereof shall be received by the Chief Building Official prior to the issuance of any building permit for the proposed development or redevelopment.

209-7. This by-law shall not pertain to the conveyance of land for purposes or payment of cash in lieu thereof in the case of the subdivision or severance of land in accordance with Sections 50 and 52 of the Planning Act, S.O. 1983.

209-8. By-Law Number (1986)-12313 is hereby repealed.

PASSED this 4th day of December, 1989.



[Handwritten Signature]

 MAYOR

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 CLERK

AMENDED

By By-Law

13845

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (1990)-13545

A By-law to amend By-law Number (1989)-13410, known as The Parks Dedication By-law for the City of Guelph and to Adopt Municipal Code No.32 which amends Chapter 209, Parkland Dedication of The Corporation of the City of Guelph Municipal Code.

The Council for the Corporation of the City of Guelph hereby enacts the following:

1. By-law Number (1989)-13410 is hereby amended by adding a new section following section 209-3(b):

209-3(c) Notwithstanding subsection 209-3(b), the conveyance of land for park purposes shall be 5% of the land involved, where:

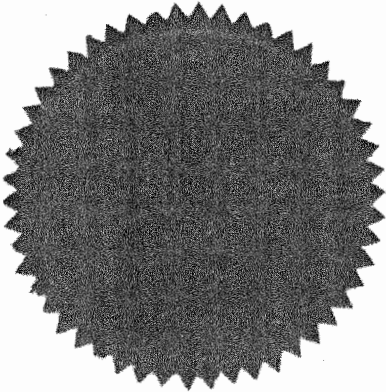
- (i) the land is located within the area defined by London Road, the Speed River, and Gordon/Norfolk/Woolwich Street;
- (ii) development or redevelopment is for rental residential purposes;
- (iii) the lands to be developed or redeveloped do not include river bank lands, any portion of lands required to provide access to a park or recreation facility, or any portion of lands required to complete development of a park or recreation facility.

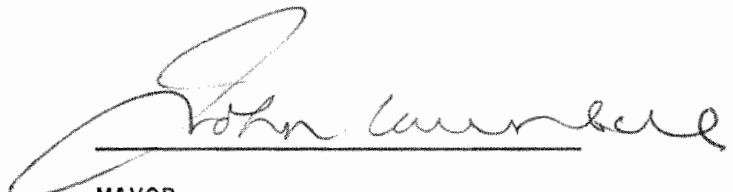
2. By-law Number (1989)-13410 is hereby amended by deleting Section 209-7 and replacing it with the following:

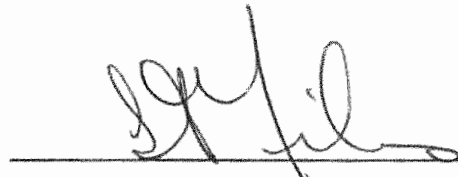
209-7 This By-law shall not apply to lands where 5% conveyance of land, or payment of cash-in-lieu thereof, for park purposes has been provided as a condition of subdivision or consents approved prior to November 7, 1989.

3. That Municipal Code Amendment No.32. which amends Chapter 209, "Parkland Dedication" of the Corporation of the City of Guelph Municipal Code is hereby adopted.

PASSED this 22nd day of May, 1990.




MAYOR


CLERK

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2007)-18225

A by-law to amend By-law Number (1989) – 13410, as amended, known as the Parks Dedication By-law for the City of Guelph to amend parkland dedication requirements for lodging houses and group homes and to adopt Municipal Code Amendment #421, amending Chapter 209, Section 4 of the Corporation of the City of Guelph’s Municipal Code.

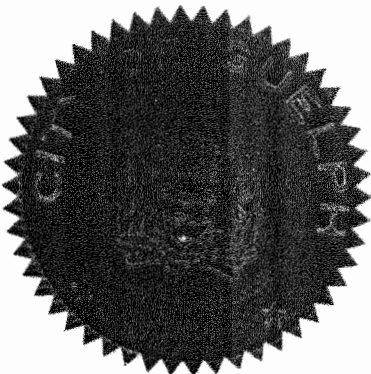
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. This By-law is hereby adopted as Municipal Code Amendment #421, amending Chapter 209, Section 4 of the Corporation of the City of Guelph’s Municipal Code.
2. By-law Number (1989)-13410, as amended, is hereby further amended by deleting Section 209-4 iii) which states:

“A cash payment in lieu of conveyance of land for park purposes may be required by Council, in accordance with Section 41 of the Planning Act S.O. 1983. The value of the cash in lieu payment shall be determined as follows:

- (iii) in the case of the conversion of a dwelling into a group home or lodging house, at a rate of \$1,000 per project.”

PASSED this FIFTH day of FEBRUARY, 2007.



Handwritten signature of Karen Farbridge in cursive script.

KAREN FARBRIDGE - MAYOR

Handwritten signature of Tina Agnello in cursive script.

TINA AGNELLO – DEPUTY CITY CLERK