

The Corporation of the City of Burlington

City of Burlington By-law XX-2022

A by-law to Amend Residential Parkland Dedication By-law 57-2005
File:110-04-1 ES-06-22

Whereas section 42(3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended (the "Act") provides that as a condition of development or redevelopment of land for residential purposes, the Council of a municipality may, by by-law applicable to the whole municipality or to any defined area or areas thereof, require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed or at such lesser rate as may be specified in the bylaw; and

Whereas section 42(6) of the Act provides that the Council of a municipality may require the payment of money to the value of the land otherwise required to be conveyed in lieu of such conveyance; and

Whereas section 51.1 of the Act as amended provides that the approval authority may require the conveyance of land for park or other recreational purposes to a local municipality; and

Whereas parkland conveyance provisions are set out in the City of Burlington Official Plan; and

Whereas a Parkland Dedication By-Law Review: Background Report prepared by Watson and Associates Economists LTD. ("Watson") and dated June 20, 2022 has been completed in support of the proposed amendment.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. By-law 57-2005 is hereby amended as follows:
 - a. Section 1(e) of the by-law is deleted and replaced with the following:

(e) "Director" means the Director of Engineering Services or the Director's designate;
 - b. Sections 5(3) and 5(4) are deleted and replaced with the following:

5(3) Medium Density

For medium density development, the lesser of:

- i. the number of units in the proposed development divided by 500 x the per hectare land value of the land to be developed as of the day before the day the building permit authorizing development is issued; or
- ii. the number of units in the proposed development x \$33,400.

5(4) High Density

For high density development, the lesser of:

- i. the number of units in the proposed development divided by 500 x the per hectare land value of the land to be developed as of the day before the day the building permit authorizing development is issued; or
- ii. the number of units in the proposed development x \$23,600.

c. The following subsection be added to the by-law:

12. Transition

An application for Building Permit accepted by the City’s Building & By-law Department in accordance with the requirements of City of Burlington Building Permit By-law 66-2019, as amended, prior to July 12, 2022 shall be subject to Bylaw 57-2005 as it read prior to July 12, 2022. 2. This By-law shall come into effect on July 12, 2022.

Enacted and passed this 12th day, of July, 2022

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____