

Bill No. 299
2018

By-law No. CP-9_____

A by-law to amend By-law No. CP-9 entitled "A by-law to provide for the conveyance of land and cash in lieu thereof for park and other purposes."

WHEREAS section 42 of the *Planning Act*, R.S.O. 1990, c. P.13, authorizes the council of a local municipality to pass by-laws requiring as a condition of development or redevelopment the conveyance of land or the payment of money to the value of the land otherwise required to be paid in lieu of such conveyance for park or other recreational purposes;

AND WHEREAS Chapter 16 of the Official Plan for the City of London Planning Area - 1989 contains specific policies dealing with the provision of land for park or other public recreational purposes and the use of the alternative requirement in subsection 42(3) of the *Planning Act*, R.S.O. 1990, c. P.13;

AND WHEREAS the Municipal Council wishes to implement certain changes to the parkland dedication process, effective September 1, 2018;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 2.1 of Part 2 of By-law No. CP-9 is hereby repealed and the following new section 2.1 is enacted in its place:

2.1 Land - for park purposes - conveyance - calculation

As a condition of development or redevelopment for residential purposes of any land within the City of London, the Owner of such land shall, at the request of the Corporation, convey to it for use for park or other public recreational purposes as follows:

- 1) In the case of land proposed for residential development the greater of either five (5%) percent of the land within the development application or an amount of land that is in the same proportion to the number of dwelling units proposed as one hectare bears to 300 dwelling units;
- 2) In the case of land proposed for development or redevelopment for commercial purposes, land in the amount of two percent (2%) of the land within the development application to be developed or redeveloped;
- 3) In the case of land proposed for development or redevelopment for Industrial purposes, parkland dedication requirements will be waived;
- 4) In the case of land proposed for development for use other than those referred in 2.1 1) and 2.1 2), land in the amount of five per cent (5%) of the land within the development application to be developed or redeveloped; and
- 5) Where a development or redevelopment application contains defined hazard or environmentally constrained open space lands, these lands will be excluded from the calculation of parkland dedication as set out in Section 2.1 provided the said lands, are in some form, dedicated to the Corporation.

2. Section 2.2 of Part 2 of By-law No. CP-9 is hereby repealed and the following new section 2.2 is enacted in its place:

2.2 Cash - in lieu of land - prior to permit

Where the Corporation does not request the Owner to convey land, the Owner shall pay money to the Corporation in lieu of such conveyance to the prevailing value of the land otherwise required to be conveyed under section 2.1 of this by-law before the issuance of the building permit or, if more than one building permit is required for the development or redevelopment, before the issuance of the first permit.

As an alternative, the owner can pay the money in one lump sum at a rate of 1 hectare of park land for every 500 residential units at a value set out in Section 2.3.

3. Section 2.3 of Part 2 of By-law No. CP-9 is hereby repealed and the following new section 2.3 is enacted in its place:

2.3 Land – value – per residential dwelling type – Table 1

The prevailing value of land otherwise required to be conveyed under section 2.1 of this by-law for the twelve month period commencing September 1, 2018 and then every twenty-four months thereafter, may be determined by multiplying the value per dwelling unit in Column II of Table 1 for the corresponding type of residential dwelling unit in Column I by the number of that type of dwelling unit proposed on the land, and then adding all of the values for each type of dwelling unit to arrive at the prevailing land value.

Table 1	
Column I	Column II
Average Value of Land	\$432,420/hectare (\$175,000/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$ 1000.00
12m -14.99m lot frontage	\$1300.00
15m -17.99m lot frontage	\$1550.00
18m or greater lot frontage	\$1900.00
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$ 975.00
Attached Rowhousing	\$ 950.00
Attached Apartments	\$ 550.00
Value of Land for Alternative Rate Calculations	
Singles/Semi-detached/Duplex	\$432,420/hectare (\$175,000/acre)
Row Housing (Medium Density)	\$467,250/hectare (\$285,000/acre)
Apartments (High Density)	\$845,310/hectare (\$660,000/acre)
Value of Parkland	
Hazard land	\$16,036/hectare (\$6,490/acre)
Open space land	\$27,026/hectare (\$10,938/acre)
Ration of hazard Land to table land	27 to 1
Ratio of open space land to table land	16 to 1
Table land to be purchased by the Corporation for parkland use	\$432,420/hectare (\$175,000/acre)

4. The inclusion in this by-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

5. This by-law shall come into force and effect on September 1, 2018.

PASSED in Open Council on June 26, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2018
Second Reading – June 26, 2018
Third Reading – June 26, 2018