

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 11220

BEING A BY-LAW TO AUTHORIZE AS A CONDITION OF DEVELOPMENT OR REDEVELOPMENT OF THE CONVEYANCE OF PARKLAND TO THE CITY OF WELLAND OR CASH-IN-LIEU THEREOF FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL LANDS WITHIN THE CITY OF WELLAND AND TO REPEAL CITY OF WELLAND BY-LAW 11022

WHEREAS Section 42(1) of the Planning Act, Chapter P13, R.S.O. 1990, as amended, enables local municipalities, by By-law to require that land in the amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes 2% and in all other cases 5% of the land to be conveyed to the municipality for park or other public recreation purposes;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to require conveyances for commercial, industrial and residential development and redevelopment;

AND WHEREAS Sections 42(3) and 42(4) of the Planning Act, Chapter P13, R.S.O. 1900, as amended, provide that as an alternative to requiring the conveyance of land to be developed or redeveloped for residential purposes and where an Official Plan Policy is in place, the municipality may require grants to the municipality for park or other public recreation purposes, land at the rate of one (1) hectare for each three hundred (300) dwelling units proposed;

AND WHEREAS Official Plan Amendment No. 55 to the City of Welland Official Plan, approved by the Minister of Municipal Affairs on July 7, 1996, provides such specific Policies with respect to alternate requirements for Conveyances;

AND WHEREAS the Council of the Corporation of the City of Welland deems it necessary to impose such conditions for Park Land Dedication or Cash-in-Lieu payments thereof;


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


1. Within the whole of the City of Welland, as a condition of development or redevelopment of land;
 - a) two percent (2%) of the land proposed for development or redevelopment for commercial or industrial purposes; or equivalent Cash-in-Lieu thereof, shall be required by way of Conveyance to the City of Welland for park or other public recreation purposes;
 - b) in all other cases five percent (5%) of the land proposed for development or redevelopment, or equivalent Cash-in-Lieu thereof, shall be required to be Conveyed to the City of Welland for park or other public recreation purposes;

2. As an alternative to requiring the Conveyance of Land or Cash payment provided for in Section 1 hereof, in the case of land proposed for development or redevelopment for residential purposes, the City of Welland may require that land, or equivalent Cash-in-Lieu thereof, be Conveyed to the municipality for park or other public recreation purposes at a rate of one (1) hectare for each three (300) hundred dwelling units proposed;

3. That City of Welland By-law 11022 be and the same is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 19TH DAY OF MAY, 1998.


MAYOR


CLERK