

# **The Corporation of the Township of Guelph/Eramosa**

## **By-law Number 40/2002**

### **A by-law to set the amount of cash-in-lieu of a conveyance to the Township for park land purposes.**

**WHEREAS** Section 69(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, provides that the Council of a municipality may, by By-law, establish a tariff of fees for the processing of applications made in respect of planning matters; and

**WHEREAS** Section 51(25) of the Act authorizes the Approval Authority to impose as a condition of approval of a plan of subdivision that lands be conveyed to the municipality for park or other public recreational purposes; and

**WHEREAS** Section 51.1(3) of the Act authorizes the municipality to require the payment of money by the owner in lieu of accepting a conveyance where the Minister has imposed a condition under Section 51(25); and

**WHEREAS** Section 53(12) of the Act authorizes the Council or the Land Division Committee where authority is delegated to it by the Council to give consents to sever lands, to impose conditions in the same manner as the Minister under Section 51(25) of the Act; and

**WHEREAS** Section 51.1(3) of the Act authorizes a municipality to require the payment of money by the owner in lieu of accepting a conveyance with respect to an Application for Consent under Section 53(9); and

**WHEREAS** Section 42(1) of the Act authorizes the municipality as a condition of any development or redevelopment of land, to require that lands be conveyed to the municipality for park or other public recreational purposes; and

**WHEREAS** Section 42(6) of the Act authorizes the municipality to require the payment of money in lieu of accepting a conveyance where such a condition has been imposed under Section 42(1) of the Act.

**NOW THEREFORE**, the Council of the Corporation of the Township of Guelph/Eramosa enacts as follows:

1. That at the time of the creation of any new lots either by way of subdivision or by consent where the Township is entitled to receive a conveyance for park or other recreational purposes under Sections 51(25), 53(12) or 42(1) of the Planning Act, Council may require payment of money by the owner of the land in lieu of accepting a conveyance, pursuant to Sections 51.1(3) and 42(6).
2. That the Council shall in those cases where it is deemed advisable to accept money in lieu of a conveyance, require the payment of FIVE HUNDRED DOLLARS (\$500.00) for each residential lot created.
3. That the payment so required shall be paid upon registration of the plan of subdivision or when the conveyance is endorsed with the certificate of the Secretary-Treasurer of the Land Division Committee of the County of Wellington, pursuant to Section 53(42) of the Act, as the case may be.

4. This by-law shall come into effect upon the day of passing.
5. This by-law shall repeal By-law 55/94 of the former Township of Guelph, By-law 708-88 of the former Township of Pilkington and By-law 28/97 of the former Township of Eramosa.

READ a first and second time this 3<sup>rd</sup> day of **September, 2002.**

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David Adsett, Mayor

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Janice Sheppard, Clerk

READ a third time and finally passed this 3<sup>rd</sup> day of **September, 2002.**

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David Adsett, Mayor

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Janice Sheppard, Clerk