

Memorandum

Additional Revision to Parkland Dedication By-law 2022-51

August 29, 2022

The purpose of this memorandum is to summarize an additional revision to the Parkland Dedication By-law 2022-51. As part of Staff Report 2022-50 (August 22, 2022), Council was made aware of a small number of minor edits proposed to the Parkland Dedication By-law. However, one item was brought to staff's attention through public correspondence received on this item. Staff are proposing to address this additional item in this new by-law.

Through the correspondence, it was submitted that the current definition of "development" in the by-law is overly broad and does not clearly indicate the types of development applications to which the Parkland Dedication By-law applies. Here is the current definition of "development":

"Development" means the construction, erection, or placing of one or more buildings or structures on land or making an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing a commercial parking lot, or the creation of dwelling units, or any application that requires approval under the Planning Act."

After considering this matter, researching such definitions in other municipal parkland by-laws and consulting with our legal team and external legal counsel, staff are proposing the following revised definition of 'development':

"Development" means:

- i. the construction, erection or placing of one or more buildings or structures on land;
- ii. the making of an addition or alteration to a building or structure that, in the opinion of Town staff, has the effect of substantially increasing the size or usability thereof;
- iii. the laying out and establishment of a commercial parking lot;
- iv. the subdivision of land;
- v. the granting of provisional consent."

This revision more clearly identifies the instances where parkland and/or fees are to be received by the Town.

This revision is in addition to those outlined in Staff Report 2022-50 which went to the August 22, 2022 Committee of the Whole.

For more information, please contact Adrian Cammaert, Manager, Planning Services, acammaert@newmarket.ca