

**FACILITY**  
**Chapter 273**  
**PARK DEDICATION**

**Article 1**  
**DEVELOPMENT OR REDEVELOPMENT**

- 273.1.1 Commercial - other development
- 273.1.2 Residential purposes - alternative
- 273.1.3 Payment in lieu of land
- 273.1.4 Exception - Downtown Kitchener Community Area

**Article 2**  
**REPEAL**

- 273.2.1 By-law - previous

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WHEREAS the *Planning Act*, R.S.O. 1990, provides that as a condition of development or redevelopment of land, the Council of a local municipality may require land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, two percent and for all other cases five percent of the land be conveyed to the City for park or other public recreational purposes;

AND WHEREAS the Act also permits an alternative requirement with respect to land for residential purposes, of dedication at a rate of one hectare for each 300 dwelling units proposed subject to specific policies with respect thereto being set forth in the City's Official Plan;

AND WHEREAS the Act also permits the Council of a local municipality to require the payment of money to the value of land in lieu of the conveyance of land.

**Article 1**  
**DEVELOPMENT OR REDEVELOPMENT**

**273.1.1 Commercial - other development**

As a condition of development or redevelopment of land anywhere in the City, land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, two percent and in all other cases five percent of the land shall be conveyed to the City for park or other public recreational purposes, free of encumbrance and without cost to the City.

**273.1.2 Residential purposes - alternative**

As an alternative to the requirement of Section 273.1.1 and, as a condition of the development or redevelopment of land anywhere in the City for residential purposes, land at a rate of one hectare for each 300 dwelling units proposed in any such development or redevelopment shall be conveyed to the City for park or other public recreational purposes, free of encumbrance and without cost to the City.

**273.1.3 Payment in lieu of land**

The City may require the payment of money to the value of land otherwise required to be conveyed under Sections 273.1.1 and 273.1.2, in lieu of the conveyance.

**273.1.4 Exception - Downtown Kitchener Community Area**

Sections 273.1.1, 273.1.2 and 273.1.3 do not apply to the Downtown Kitchener Community Improvement Area as defined in the Downtown Kitchener Community Improvement Plan, approved under section 28 of the *Planning Act*, R.S.O.1990, c. P.13.

**Article 2**  
**REPEAL**

**273.2.1 By-law - previous**

By-law 86-191, By-law 86-256, By-law 95-136 and the contents of Chapter 273 are hereby repealed. By-law 2008-93, 20 May, 2008.