

The Corporation of the City of Guelph

By-law Number (2021) - 20603

A By-law of The Corporation of the City of Guelph providing for principled exemptions from parkland dedication for the development of Places of Worship or for the purposes of the development of a burial or cemetery site

WHEREAS under section 42 of the *Planning Act* (Ontario) as amended, municipalities have the power and discretion to impose a requirement that land, or cash-in-lieu of land, be conveyed to the municipality for parkland as a consequence of development or redevelopment of land;

AND WHEREAS Guelph's Parkland Dedication By-Law (2019)-20366 (the "PDBL") enacted pursuant to section 42 of the *Planning Act* defines "development" and "redevelopment" for this purpose, and sets out in section 33 thereof a list of principled exemptions for development and redevelopment for which the conveyance of land or payment of cash-in-lieu thereof is not required;

AND WHEREAS the PDBL expressly reserves to Council the right and authority to designate additional categories of development and redevelopment activities which are exempt from the requirement to convey land or to pay cash-in-lieu thereof;

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

1. Section 3 of the PDBL is amended to add the following definition between subparagraphs (k) and (l) thereof:

(k.1) "Place of Worship" means that part of a building or structure which is exempt from taxation under the *Assessment Act*, R.S.O. 1990, c. A.31, as amended, or any successor thereto;

2. Section 33 of the PDBL is amended by adding the following new subparagraph between subparagraphs (h.1) and (i) thereof:

(h.2) Development or Redevelopment of a Place of Worship or of a cemetery or burial ground exempt from taxation under the *Assessment Act*, R.S.O. 1990, c. A.31, or any successor thereof;

Passed this tenth day of May, 2021.

Cam Guthrie, Mayor

Trista Di Lullo, Acting Deputy City Clerk