

**BY-LAW 2010-158**

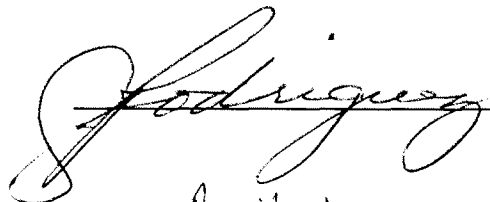
**A BY-LAW OF THE CITY OF GREATER SUDBURY TO  
ADOPT A POLICY FOR THE DISPOSITION OF PARKLAND**


**WHEREAS** the Council of the City of Greater Sudbury deems it advisable to adopt a Policy for the Disposition of Parkland;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY  
HEREBY ENACTS AS FOLLOWS:**

1. The Policy for the Disposition of Parkland attached hereto as Schedule "A" is hereby adopted.
  
2. This By-law shall come into force and take effect immediately upon final passage.

**READ AND PASSED IN OPEN COUNCIL** this 14th day of July, 2010.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

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**Park Land Disposal Policy**

In determining whether or not a Park Land property shall be declared surplus and sold by the City, the following criteria and requirements shall apply:

**Criteria**

1. Consider parkland for disposal if site is deemed non-essential for current or future use, within the context of service area standards, and a balanced, connected parks system.
2. Consider parkland for disposal if there is ample supply and type of the same park and open space or facility in the neighborhood, ward, and community based on the adopted classification system, and service area standards.
3. Parkland disposal should conform to the policies of the Official Plan.
4. Waterfront properties owned by the municipality will not be offered for sale or disposal except in the case of municipal shore allowances
5. Other surplus Parks and Open Space lands may be considered for sale subject to:
  - a. There are overlapping service areas,
  - b. There are no facilities or site facilities are significantly underutilized,
  - c. There are no important ecological or environmental functions present, or no recognized natural heritage features,
  - d. The lands are located within an area that has an oversupply of existing and planned parkland, following the target of 4 ha per 1000 residents, within 800m of residential areas without crossing a major barrier. Generally, a neighbourhood should be served by both a neighbourhood park and natural park, based on the adopted classification system.
  - e. The lands are not needed for future parks as identified by the parks classification system or municipal infrastructure requirements.
6. Parkland should not be disposed if the site has an identified risk management function or liability or it protects significant municipal assets (i.e. well head protection).
7. Parkland should not be disposed where there are significant opportunities to add or link to existing green space or further create a more balanced parkland system.

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8. Proposed site for disposal should have low or limited recreation potential, conservation potential, or attractiveness/sense of place.

**Other Requirements**

9. Disposal is based on an appraisal of fair market value both for full or limited marketability sites.
10. Following internal circulation/review, proposed disposals should be circulated to the ward councilor, area CANs, playground and neighbourhood association, or other community groups known to represent area interests, for input, and to all property owners within a 200 metre radius, requesting written comments if any within 30 days of mail-out. Area mail out radii may be increased based on the significance of the disposal on the advice of the ward councilor, or for properties valued at greater than \$100,000. For these more significant disposals, a small, clearly worded notice may also be placed in the appropriate media.
11. A generic sign will also be posted on the site for 30 days. This sign will have contact information (phone and website) regarding this potential disposal. A copy of the area mail-out, and a clear notice of the cut-off date for comments will also be affixed to the sign. The notice will also be posted to the city website, linked by a clearly visible and clearly labeled 'button' on the 'residents' page.
12. All residents who have submitted written comments will be informed of the date of the Planning Committee meeting at which the matter will be considered for decision.
13. The staff report regarding the proposed disposal should include: the rationale for the sale of parkland, a map localizing the site, and the expected benefits to the City and ward parks system from the sale. The staff report should also include attached copies of all public comments received, and a section relating the staff recommendation to these comments.
14. Funds from the sale of surplus parkland would be deposited in the Parkland Reserve. Fifty percent of the funds from any particular sale will be directed towards acquisition of parkland based on the adopted priority list. The other fifty percent of the funds from any particular sale will be directed towards acquisition of parkland or park development in the ward in which the sale was made.