

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW NUMBER 2017-16**

**BEING A BY-LAW TO ESTABLISH A PROCESS FOR VALUATING
PARKLAND CASH-IN-LIEU PAYMENTS REQUIRED AS A CONDITION OF
CONSENT APPLICATIONS OR PLANS OF SUBDIVISION OR
CONDOMINIUM:**

WHEREAS, section 51(25) of the Planning Act R.S.O. 1990 (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 recreational purposes;

AND WHEREAS, section 51.1(3) of the Act authorizes the municipality to require the payment of money by the property owner in lieu of accepting a conveyance where the Approval Authority has imposed a condition under section 51(25);

AND WHEREAS section 53(12) of the Act authorizes the Council of a municipality or delegated Committee to give consents to sever lands, to impose conditions in the same manner as under section 51(25) of the Act;

AND WHEREAS section 51.1(4) of the Act requires the value of the land to be determined as of the day before the day of the approval of the draft plan of subdivision (or consent as the case may be);

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. **THAT** the Township of South Frontenac may require up to two percent of the land value as a condition of a consent or plan of subdivision or condominium application to create industrial or commercial lots and up to five percent of the land value for a consent application or a plan of subdivision or condominium to create residential or institutional lots.
2. **THAT** valuations for parkland cash-in-lieu payments for lots created by consent may be provided by a qualified professional realtor chosen by the Township; must be based on a valuation the day before the lot is created; and must include comparables to recent sales in the area. The Township reserves the right to require an additional valuation from a certified professional appraiser;
3. **THAT** a valuation for parkland cash-in-lieu payments for plans of subdivision or plans of condominium shall be provided by a qualified and certified professional appraiser or valuator with an OA-AIC, AACI, P. App or CRA designation – such appraiser to be chosen by the Township of South Frontenac;
4. **THAT** an additional valuation for parkland cash-in-lieu payments for plans of subdivision or plans of condominium may be provided by a qualified and certified professional appraiser or valuator with an OA-AIC, AACI, P. App or CRA designation – such appraiser to be chosen by the owner;
5. **THAT** the valuations noted in item #3 and 4 above shall be brought to Council for a final determination of the value of the land;
6. **THAT** all required valuations shall be undertaken at the owner's expense;
7. **THAT** a flat fee of \$100.00 shall be required as the amount of parkland cash-in-lieu as a condition of approval for any consent application for a lot addition;

8. **THIS BY-LAW** shall come into force in accordance with sections 51, 51.1 and 53 of the Planning Act, R.S.O.1990, either on the date of passage or as otherwise provided by sections 51, 51.1 or 53.

Dated at the Township of South Frontenac this 4th day of April, 2017.

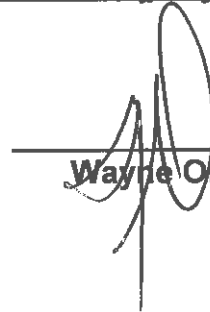
Read a first and second time this 4th day of April, 2017.

Read a third time and finally passed this 4th day of April, 2017.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**



Ron Vandewal, Mayor



Wayne Orr, Clerk-Administrator