

CITY OF THOROLD POLICY AND PROCEDURE MANAUAL

PLANNING & BUILDING SERVICES - PLANNING		
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REVISED: Jan 8, 1991		

CASH IN LIEU OF PARKLAND CONVEYANCE

1.0 Parkland Dedication Policy for Development and Redevelopment, Subdivision and Consents

1.1 The determination of whether land or cash-in-lieu of land is to be requested from a developer pursuant to Section 41, 50 or 52 of The Planning Act, R.S.O. 1990 shall be made in cases of proposed plans of subdivision, consents and developments or redevelopments.

1.2 Where it has been determined that land will be accepted, the amount of land to be conveyed shall not be more than 5% of the gross land within a Plan of subdivision.

1.3 Where cash-in-lieu of parkland dedication is required, Policies 2.0, 3.0 or 4.0 shall be complied with, whichever is relevant to the application.

1.4 Policies 2.0, 3.0 and 4.0 shall apply only to residential subdivisions, consents or developments and redevelopments.

2.0 Cash-in-Lieu of 5% Parkland Dedication Pursuant to Section 50 (9) of The Planning Act, R.S.O. 1990 for Plan of Subdivision

2.1 Where Council has decided that cash will be accepted in lieu of the 5% parkland dedication in proposed plans of subdivision, the developer shall pay a sum not exceeding 5% of the value of the land being subdivided, as recommended by the General Committee and approved by Council.

2.2 For the purpose of determining the amount of any parkland payment required, the value of the land shall be determined as of the day before the day of draft approval of the plan of subdivision, and where the owner and the municipality are unable to agree on the value, either party may apply to the Land Compensation Board to have the value determined and the Board shall, in accordance as nearly as may be with the provision of Expropriations Act, determine the value of the land.

2.3 All valuations shall be made by a certified Real Estate Appraiser commissioned by the City to establish the said value in confidence.

3.0 Cash-in-Lieu of 5% of Parkland Dedication for Severed Lots, Section 52 (3) of The Planning Act, R.S.O. 1990

3.1 Urban Area

3.1.1. Lots severed within the Urban Area Boundary shall be subject to a 5% parkland dedication and required to pay cash-in-lieu unless land is specifically requested by the Director of Operations.

3.1.2 Where, on giving of a consent, land is not required to be conveyed to a municipality for park or other public recreational purposes and the Council of the City requires the payment of money to the value of land in lieu of the conveyance for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day of the giving of consent.

3.1.3 All valuations shall be made by a certified Real Estate Appraiser commissioned by the City to establish the said value in confidence.

3.2 Properties outside of Urban Area Boundary

3.2.1 Lots severed outside of the Urban Area Boundary shall be subject to 5% parkland dedication and required to pay cash-in-lieu unless land is specifically requested by the Director of Operations.

3.2.2 Where property is being severed for a single lot only which is equal to or larger in land area than .4 hectares (1 acre), the valuation of the 5% cash payment shall be based on a theoretical severance of .4 hectares (1 acre) for a single detached dwelling purpose.

Where the property is smaller than .4 hectares (1 acre), 5% parkland dedication or cash-in-lieu thereof shall be calculated on the actual lot size.

3.2.3 Where, on the giving of a consent, land is required for park or other public recreational purposes and the Council of the municipality requires the payment of money to the value of the land in lieu of conveyance, for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day of the giving of consent.

3.2.4 All valuations shall be made by a certified Real Estate Appraiser commissioned by the City to establish the said value in confidence.

4.0 Cash-in-Lieu of 5% Parkland Dedication Pursuant to Section 41 (6) of The Planning Act, R.S.O. 1990, for Development of Redevelopment of a Property Pursuant to Section 40 of The Planning Act, R.S.O. 1990

- 4.1 Where it has been deemed that cash will be accepted in lieu of land in proposed development or redevelopment of land pursuant to Section 40 of The Planning Act, R.S.O. 1990, the owner shall pay a sum not exceeding 5% of the value of the land being developed as recommended by the Director of Operations.
- 4.2 For the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day of the issuance of the building permit in respect of the development or, where more than one building permit is required for the development, as of the day before the day of the issuance of the first permit, and where the owner and the municipality are unable to agree on the value, either party may apply to the Land Compensation Board to have the value determined and the Board shall, in accordance as nearly as may be with the provisions of the Expropriations Act, determine the value of the land.
- 4.3 All valuations shall be made by a qualified real estate appraiser commissioned by the City to establish the said values in confidence.