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Corporation of the Municipality of French River Parkland Dedication Policy

1. PURPOSE

This policy establishes guidelines for the contribution of Parkland dedication fees from the severance of land. The goals of this policy are to ensure adequate parkland for the residents of the Municipality of French River and to ensure an equitable contribution to the Parkland Fund from all new severances of land.

2. POLICY

It is the policy of the Corporation of The Municipality of French River

- 2.1** To provide parkland for the residents of the Municipality of French River.
- 2.2** To provide a parkland fund to be used to provide park areas and equipment, and to maintain existing parkland facilities.
- 2.3** The Municipality reserves the right to chose between requiring either 5% of the land being severed or an amount of money which represents 5% cash in lieu.
- 2.4** If the value of the land before severance cannot be easily determined and if the newly created lots are waterfront properties, then the value of the pre severed property will be determined by a qualified independent appraiser at the owner's expense.
- 2.5** If the value of the land before severance cannot be easily determined and if the newly created lots are not waterfront properties, and the total area of the newly created lots does not exceed 10 acres, then the minimum contribution for park purposes will be set at \$1,000. The landowner will have the option to have the pre severed property valued by a qualified independent appraiser at the owner's expense, and the 5% contribution shall apply to the appraised value, or pay the \$1,000 amount.
- 2.6** If the land before severance is valued at \$40,000 or less, the proponent can chose to value the land by obtaining the services of a real estate agent. The real-estate agent must provide three comparables with an analysis of the value of the land in question. The objective is to reduce the cost to proponents for assets that are of a lesser value, in the valuation of their land. The proponents are advised that even if the purchase price for their property is under \$40,000, if the comparables indicate that the land value is over \$40,000 then they will have to get an appraisal from a qualified appraiser even though they spent funds for a real-estate agent's property valuation. The Municipality will not rely of the sale price of the land to determine parkland dedication fee but on the real estate appraisal either from a real-estate broker or from an appraiser. It is the property owner who would decide which method to use but if the real-estate broker shows that the value is more than \$40,000 the property owner has the responsibility to get

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an Appraiser’s land valuation. Proponents have the option to choose the method of valuation for properties that they estimate to be valued at \$40,000 or less, but if the property is valued at more than \$40,000 then they have to accept their choice and take the responsibility to get an appraisal at their cost by a qualified appraiser.

3. SCOPE

This parkland dedication policy applies to all new severances of land after July 19, 2006.

4. Rational

The Municipality of French River is a rural municipality depending on tourism and the cottage industry. It is the intent of the Council of the Municipality of French River to protect the character of the rural and waterfront landscape for the enjoyment of the natural beauty of the area by adopting a parkland dedication policy.

The Municipality of French River also wishes to encourage development without undue hardships to the developers. Rather than subject all properties to a market value appraisal, small severances that are not subject to a subdivision agreement will have the option to pay a minimum fee in order to avoid a costly appraisal.

5. AUTHORIZED LOCATION

The location of municipal parks will be determined by Council as recommended by the recreation department and the planning board. The maintenance and establishment of new parkland will be subject to budget restrictions. Consideration will be given to usage volumes and safety.

6. AUTHORITY

Authority to control parkland dedication is derived from section 42(1) and section 51.1(1) of the Planning Act R.S.O. 1990 c.P.13.

This policy is approved by Resolution No. 2006-303 of the Council of The Municipality of French River, this 26 day of July, 2006.

Revision

The revision was approved by Resolution No. 2011-596 of the Council of The Municipality of French River, this 19 day of October, 2011.