

## Corporation of the Town of Renfrew

### By-Law Number 77-2025

Being a by-law to require the conveyance of land for park or other public recreational purposes as a condition of the development or redevelopment of land within the Town of Renfrew, or the payment of money in lieu of such conveyance.

Whereas section 42 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, authorizes the council of a local municipality to pass by-laws requiring as a condition of development or redevelopment the conveyance of land or the payment of money to the value of the land otherwise required to be paid in lieu of such conveyance for park or other public recreational purposes; and

Whereas the Council for the Corporation of the Town of Renfrew has adopted policies within its Official Plan pertaining to the conveyance of land or payment-in-lieu thereof to the Town as a condition of development or redevelopment under the *Planning Act*; and

Whereas sections 51.1 and 53 of the *Planning Act*, RSO 1990, as amended, authorize the council of a local municipality to require, as a condition to the approval of a plan of subdivision or as a condition of the approval of a Consent, the conveyance of land or the payment in lieu of such conveyance for park or other public recreational purposes; and

Whereas the Council of the Corporation of the Town of Renfrew deems it necessary and expedient to enact a by-law to provide for the provision of lands for parkland and the use of the alternate requirements therefor;

Now Therefore the Council of The Corporation of the Town of Renfrew hereby enacts as follows:

#### 1.0 Definitions:

In this by-law:

- 1.1 “**Act**” means the *Planning Act*, R.S.O. 1990, c.P.13, as amended.
- 1.2 “**Building Permit**” means a permit issued pursuant to the *Ontario Building Code Act*, as amended.
- 1.3 “**Cash-in-lieu**” means a payment of money for park or other public recreational purposes which is collected in lieu of a conveyance of land which would otherwise be required to be conveyed pursuant to the parkland provisions of the *Planning Act* as incorporated into this by-law.
- 1.4 “**Commercial**” means the use of land, buildings or structures for a use not otherwise defined herein, and which are used in connection with:
  - i. the selling of commodities to the general public;
  - ii. the supply of services to the general public;
  - iii. office or administrative facilities; or
  - iv. such similar uses as determined by the Town.
- 1.5 “**Council**” means the Council of the Corporation of the Town of Renfrew.
- 1.6 “**Develop**” means the construction, erection or placing of one or more buildings or structures on land; the making of an addition or alteration to a building or structure that, in the opinion of Town staff, has the effect of substantially increasing the size or usability thereof; the laying out and establishment of a commercial parking lot;
  - i. the subdivision of land;
  - ii. the granting of provisional consent; or

- iii. “development” within the meaning of section 41 of the Planning Act;  
  
and “development”, “redevelop”, and “redevelopment” have a corresponding meaning.
- 1.7 **“Gross Floor Area”** has the meaning given to it in the Town’s Zoning by-Law.
- 1.8 **“Industrial”** means the use of land, buildings or structures for a use not otherwise defined herein, and which are used in connection with:
  - i. Manufacturing, producing, or processing of goods;
  - ii. Warehousing or bulk storage of goods;
  - iii. A distribution center;
  - iv. A truck terminal;
  - v. Research or development in connection with manufacturing, producing or processing raw goods; or
  - vi. such similar uses as determined by the Town.
- 1.9 **“Owner”** means the registered owner of the land to be developed, redeveloped, or subdivided.
- 1.10 **“Parkland”** means land for parks and other public recreational purposes;
- 1.11 **“Residential”** means the use of land, buildings, or structures for human habitation.
- 1.12 **“Town”** means the Corporation of the Town of Renfrew.

## **2.0 Administration**

- 2.1 Council hereby delegates to the Director of Development and Environment and his or her designate, the power and authority to administer and apply this by-law, including but not limited to, determining whether a conveyance of a portion of land or the payment of money in lieu of such conveyance shall be required as a condition to the development or redevelopment of lands, and if required, the amount of said conveyance or payment, in accordance with this by-law.

## **3.0 Parkland Conveyance or Payment in Lieu**

- 3.1 The Town, in its sole discretion, may require the conveyance of land as a condition of development or redevelopment, in which case the amount of land to be conveyed by the Owner to the Town will be calculated in accordance with the following provisions:
  - a. In the case of land proposed for development or redevelopment for residential purposes, land in the amount of five percent (5%) of the total area of the land being Developed or redeveloped;
  - b. In the case of land proposed for the development or redevelopment for commercial purposes, land in the amount of two percent (2%) of the total area of the land being developed or redeveloped;
  - c. In the case of land proposed for development or redevelopment for industrial purposes, parkland dedication requirements will not be required; and
  - d. In the case of a mixed-use development or mixed-use redevelopment, the required conveyance of parkland shall be determined in accordance with Sections 2(a), (b) and (c) of this by-law. The amount of parkland required will be based on the area of the lands, prorated proportionally to the building Gross Floor Area allocated to each use.

#### **4.0 Condition of Conveyance**

- 4.1 The location, physical condition, size, accessibility and configuration of land required to be conveyed pursuant to this by-law shall be determined by the Town in its sole discretion. Parkland shall be free of all encumbrances, including but not limited to such easements which the Town, in its sole discretion, is not prepared to accept, shall be free of any contamination, and shall otherwise be in a level and graded condition satisfactory to the Town.
- 4.2 Lands that are not part of, or contiguous to, the lands subject to development or redevelopment may be accepted by the Town, at its sole discretion, in fulfillment or partial fulfillment of a required conveyance. The value of such lands will be determined in a manner consistent with the Valuation and Appraisal section of this by-law.

#### **5.0 Payment-In-Lieu of Parkland**

- 5.1 In lieu of requiring the conveyances referred to in Section 2 of this by-law, the Town may require the payment of money for the value of the lands otherwise required to be conveyed, in whole or in part.
- 5.2 For the purposes of payment-in-lieu value, land value shall be determined as of the day before the first building permit is issued in respect of the development or redevelopment. In the case of subdivision or consent, the value shall be determined before the day the consent certificate is issued or the subdivision agreement is registered.
- 5.3 The value of the land for which payment is being made in lieu of a conveyance shall be established by way of an appraisal of the fair market value of the land to the satisfaction of the Town. The appraisal shall be undertaken by a certified professional appraiser of real estate, who is designated as an Accredited Appraiser by the Appraisal Institute of Canada with experience appraising all types of real property. In circumstances where the value of the land to be conveyed is expected to be less than \$10,000 the Town may consent to an alternative method of appraisal. In all circumstances the appraisal of value shall be obtained by the Owner and shall be at the sole cost and expense of the Owner.
- 5.4 An appraisal shall remain current for a maximum period of two years from the date of the appraisal. However, the Town may request an updated appraisal at any time, in its sole discretion.
- 5.5 As an alternative to the appraisal method referred to in Section 7, for payment-in-lieu for a consent application, the Town may, in its sole discretion, accept a "flat rate" in the following situations:
- a. Non-waterfront residential lot: \$3,500.00 (\$70,000 assumed)
  - b. Waterfront residential lot: \$5,000.00 (\$100,000 assumed)
  - c. Agricultural severances where residential use is permitted on the newly created lot: \$3,000.00 (\$60,000 assumed)

#### **6.0 Timing of Conveyance or Payment**

- 6.1 The conveyance of land for park purposes and/or payment-in-lieu pursuant to this by-law shall be required as follows:
- a. As a condition of approval of a plan of subdivision, prior to the release of the plan for registration pursuant to Section 51 of the Act;
  - b. Prior to the approval of a description under Section 50 of the Condominium Act, RSO. 1990, Chapter c.76;

- c. As a condition of approval of a consent, prior to release of conditions for a consent, pursuant to Section 53 of the Act;
- d. Prior to the execution of a site plan agreement, pursuant to Section 42 of the Act;
- e. Prior to the issuance of a building permit for land proposed for development or redevelopment; or
- f. Otherwise in accordance with the terms of an agreement entered into between the owner of the land and the Town.

## **7.0 Exemptions**

- 7.1 The conveyance of land for park purposes or the payment of money in-lieu of accepting the conveyance is not required for development, redevelopment, subdivisions or consents where it is known, or can be demonstrated, that the required parkland conveyance or cash-in-lieu thereof has been previously satisfied in accordance with the *Planning Act*, unless:
  - a. there is a change in the proposed development or redevelopment that would increase the density, or
  - b. land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.

## **8.0 Prohibition**

- 8.1 No person shall Develop land within the Town unless the Owner has either, conveyed or agreed to convey to the Town the amount of land or cash-in-lieu determined to be required by the Town under this by-Law.

## **9.0 Transition**

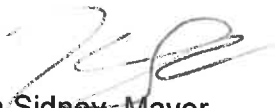
- 9.1 The provisions of this by-law shall apply to all development and redevelopment applications pursuant to the Act, as amended, where a decision by the Town is still pending. However, where an application has been provisionally approved or given draft plan approval in accordance with the Act at the time that this by-law is passed, this by-law shall not apply to the approval.
- 9.2 For consents provisionally approved prior to the passing of this by-law where the conditions of approval have not been satisfied prior to the passing of this by-law, and where a condition has been imposed requiring the dedication of parkland or payment in lieu of parkland, such dedication or payment shall be collected by the Town in accordance with the imposed condition, including the area or value of the required dedication or payment, respectively.

## **10.0 Applicability**

- 10.1 This by-law applies to all lands within the corporate limits of the Town.
- 10.2 That any other by-law inconsistent with the provision contained in this by-law are hereby repealed.
- 10.3 That this by-law shall come into force and deemed passed as per regulation noted in Part VI.1 of the *Municipal Act, 2001*, as amended or replaced from time to time. [Strong Mayor Powers]

Read a first and second time this 23<sup>rd</sup> day of September, 2025.

Read a third and final time this 23<sup>rd</sup> day of September, 2025.

  
Tom Sidney, Mayor

  
Carolynn Errett, Town Clerk

By signing this by-law on September 23, 2025 Mayor Sidney has granted approval, and will not exercise the power to veto this by-law under the Strong Mayor Powers.

