

**Authority:** Item 9, Planning Committee  
Report 21-006 (PED20093(a))  
CM: April 28, 2021  
Ward: City Wide

**Bill No. 078**

**CITY OF HAMILTON  
BY-LAW NO. 21-078**

**Amendment to By-law No. 18-126, A By-law to Require the Conveyance of Land for Park or Other Public Recreational Purposes as a Condition of Development or Redevelopment or the Subdivision of Land (Parkland Dedication By-law)**

**WHEREAS** sections 42 and 51.1 of the *Planning Act* provide that the Council of a local municipality may by by-law require that land be conveyed to the municipality for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of lands;

**AND WHEREAS** subsections 42(3) and 51.1(2) of the *Planning Act* provide for an alternate land conveyance rate of one hectare for each three hundred dwelling units proposed for development provided the municipality has an official plan that contains specific policies dealing with the provision of lands for park or other public recreational purposes at such rate;

**AND WHEREAS** the Council of the City of Hamilton wishes to use these provisions to acquire land and cash to be used for park or other public recreational purposes;

**AND WHEREAS** the Council of the City of Hamilton wishes to increase the supply of housing opportunities by permitting Secondary Dwelling Units within certain residential uses and on certain residential lots;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law 18-126 be amended on the following basis:

1.1 That Section 1 DEFINITIONS be amended by adding the following new definition:

“Secondary Dwelling Unit as defined in Zoning By-law No. 05-200, the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek Zoning By-laws.

1.2 That Section 5.5 be deleted and replaced as follows:

(5) Notwithstanding section 4, where one or two Secondary Dwelling Units are added to a single detached, semi-detached or block or street townhouse dwelling or lot, a cash-in-lieu fixed rate of \$1,131 (effective April 1, 2021)

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applies for each Secondary Dwelling Unit, subject to annual indexing described in subsection 5(7).

**PASSED** this 12<sup>th</sup> day of May, 2021.

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F. Eisenberger  
Mayor

CI-21-A

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Andrea Holland  
City Clerk