

Authority: Item 3, Planning Committee
Report 17-004 (PED17032)
CM: February 28, 2017
Wards: City Wide

Bill No. 037

CITY OF HAMILTON

BY-LAW NO. 17-037

To Adopt:

**Official Plan Amendment No. 73 to the
Urban Hamilton Official Plan**

Respecting:

Text Changes to the Parkland Dedication Policies (Phase 1)

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

1. Amendment No. 73 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 8th day of March, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

Urban Hamilton Official Plan Amendment No. 73

The following text constitutes Official Plan Amendment 73 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this Amendment is to:

- Amend the Parkland dedication policies to reflect cash-in-lieu of Parkland dedication rates for certain ground related housing and heritage buildings;
- Correct inconsistencies between the Rural Hamilton Official Plan and the Parkland Dedication by-law for schools; and,
- Implement the *Planning Act* changes introduced by Bill 73.

The effect of this amendment is to introduce different rates for small scale intensification and heritage buildings, bring the Urban Hamilton Official Plan into conformity with the *Planning Act*, and to reflect Parkland Dedication By-law 09-124.

2.0 Location:

The lands affected by this Amendment are located within the Urban Boundary of the City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is that:

- The proposed parkland dedication rates will encourage redevelopment of the old stock mixed use buildings within the City of Hamilton
- The proposed parkland dedication rates will reduce the gap between cash-in-lieu of parkland dedication amounts for different unit types and create a level playing field for developers working on infill or revitalization projects throughout the City
- The proposed amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden

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Horseshoe.

4.0 Actual Changes:

4.1 Text Changes:

Volume 1 – Parent Plan

4.1.1 Chapter F – Implementation – Section 1.18 – Parkland Dedication Policies

That Volume 1 – Chapter F – Implementation – Section 1.18 be amended as follows:

- a) Section F.1.18.1 a) be amended by adding the following new policy as F.1.18.1a)iv) and renumbering subsequent policies accordingly:

“Notwithstanding Policy F.1.18.1 a) and Policy F.1.18.1 a) ii) for land designated to permit residential development or redevelopment with a density of 20 to 75 units per hectare where cash-in-lieu payment applies, the rate for calculating parkland dedication shall not exceed a rate of 1.0 hectare for each 500 dwelling unit proposed.”

- b) Existing Policy F.1.18.1 a) v) be amended by:

- i. deleting the phrase “and a maximum of two apartment dwellings above commercial use.” after the phrase “semi- detached lots, duplexes,”.
- ii adding the word “or” before the word “duplexes”; and,
- iii replacing the comma with a period after the word “duplexes”.

- c) Existing Policy F.1.18.1 a) vii) be amended by:

- i. adding the policy reference “i) to v) to the end of Policy F.1.18
- ii. adding the phrase “, for specific dwelling unit types,” between the phrases “geographic areas of the City” and “and for certain types” so the policy reads as follows:

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“Notwithstanding Policy F.1.18.1 a)i) Council may consider reducing the residential parkland dedication rate for dwellings within specific geographic areas of the City; *specific dwelling unit types*, and for certain types of charitable, non-profit or social/*affordable* housing, as provided for in the Parkland Dedication By-law;”

- d) Existing Policy F.1.18.1 c) be amended by deleting the phrase “and schools,” and replacing it with “uses” between the phrase “residential and commercial” and “subject to any exemption”.
- e) Existing Policy F.1.18.1 d) be deleted in its entirety.

5.0 Implementation:

An implementing By-Law will give effect to this amendment.

This Official Plan Amendment is Schedule “1” to By-law No. 17-037 passed on the 8th day of March, 2017.

**The
City of Hamilton**

F. Eisenberger
MAYOR

R. Caterini
CITY CLERK