

# INFORMATION REPORT

<b>TO:</b> Mayor and Members Planning Committee	<b>WARD(S) AFFECTED:</b> Ward 4
<b>COMMITTEE DATE:</b> August 8, 2011	
<b>SUBJECT/REPORT NO:</b> 180 Beach Boulevard, Hamilton – Cash-in-Lieu of Parkland, PED11139 (Ward 4)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Frank Albrecht, ext 2656
<b>SIGNATURE:</b>	

## Council Direction:

Correspondence from Many Mansions Spiritual Centre Inc. be received and referred to the General Manager of Planning for a report to Planning Committee.

## Information:

Item 5.2 on Council agenda dated June 29, 2011 is correspondence from Douglas Cottrell, Minister of the Many Mansions Spiritual Centre Inc. (MMSCI) seeking relief from a cash-in-lieu of parkland fee of \$3,800.

MMSCI is a Canadian spiritual charity registered as number 839168465RR0001. For the past two years MMSCI has been conducting spiritual services in the Hamilton Beach Rescue Unit Hall. With the intention of making it the permanent place of worship, MMSCI decided to purchase 180 Beach Boulevard which consists of a single family dwelling. In March 2011, MMSCI proceeded with its plans to convert the single family residence into a place of worship with lodging facilities for out of town guests. Accordingly, MMSCI applied for a building permit pursuant to Section 42 of the Planning Act.

As a condition of development or redevelopment of land, Council may pass a by-law (By-law 09-124) requiring dedication of land for parkland or cash-in-lieu thereof. For the subject property, a cash-in-lieu fee of \$3,800 was determined on the basis of 5% of the

estimated land value, in accordance with Section 3(d) of the By-law. However, under Section 11 (6) of the By-law, certain land uses can be exempt of parkland dedication whereby charitable/non profit uses may be exempted as deemed by Council. MMSCI seeks relief of the cash-in-lieu fee under this provision.

Based on the exemptions provided in Council's approved Parkland Dedication By-law 09-124, staff is supporting the requested relief of cash-in-lieu of parkland payment for the proposed development.

FA/sd