

**CITY OF HAMILTON  
M O T I O N**

**Planning Committee Date: September 1, 2015**

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY COUNCILLOR M. PEARSON.....**

**Schedule A to Parkland Dedication By-law**

Whereas, By-law No. 09-124, being 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, was approved on June 10, 2009;

Whereas, Section 12 of By-law No. 09-124 states that Council may, by resolution, vary any of the requirements for parkland dedication or payment in lieu thereof set out in the By-law provided that such variance is:

- (1) less onerous or stringent than the requirement set out herein;
- (2) applicable for a temporary, specified period of time;
- (3) applicable to a specified type or class of development or redevelopment; and,
- (4) applicable to the whole of the City or a specified geographical area thereof.

The period of time specified pursuant to (2) above may be extended once by resolution of Council for an additional period of time not to exceed the period of time specified for the original variance;

Whereas Section 5 of By-law No. 09-124 limits the parkland dedication for all forms of residential development regardless of density, to 5 percent (5%) of Net land area, for properties located within the Hamilton Downtown Community Improvement Project Area as shown on Schedule A.

Whereas, the Downtown Community Improvement Plan boundary was expanded in 2013 and this new boundary is not reflected on Schedule A in By-law No. 09-124; and,

Whereas to implement the Downtown Community Improvement Plan, it is necessary to have a consistent boundary amongst the by-laws.

**THEREFORE BE IT RESOLVED:**

That Schedule "A" to By-law No. 09-124, being 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, be deleted and replaced with the Downtown Community Improvement Plan boundary approved by Council on February 13, 2013.