

Item 6.6
PED17032



Hamilton

**Parkland Dedication Official Plan Policy and By-law
Review – Small Scale**

**Redevelopment/Housekeeping Amendments –
Planning Committee Meeting,
February 28, 2017**



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Purpose

Review of Parkland Dedication rates and associated Official Plan Policy and By-law changes being undertaken in 2 Phases:

- **Phase 1 - Ground related Housing and Heritage Buildings (urban area - outside the CIP area) and Bill 73 (*Planning Act* changes)**
- Phase 2 - Parkland Dedication rates (urban area - outside the CIP area), valuation methods



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Background

- September 2015 - Council approves a temporary freeze for parkland dedication rates (expiry March 2017)

Unit Type	Method of Calculation Prior to Temporary Reduction	Proposed Method of Calculation for Temporary Reduction
Street townhouses outside a plan of subdivision	Calculation based on density of development	5% of net land area
6 apartments above a commercial use	Calculation based on density of development	5% of net land area
Accessory dwelling unit in a single detached dwelling	5% of net land area	\$500
Additional dwelling units within a building designated under the Ontario Heritage Act	Calculation based on density of development	\$500

- October 2015 - \$7,500 cap units in excess of 300 dwelling units per hectare (expiry May 2017)



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Redevelopment Since Temporary Freeze Rates

- Townhouses Outside a Plan of subdivision
 - 6 units from 2 projects (loss of approximately \$55,700)
- Residential Units Above Commercial
 - 11 units from 4 projects (loss of approximately \$75,500)
- Residential Units within Heritage Buildings
 - 7 new units (loss of \$60,000)
 - 15 units under review
- Accessory Dwelling Units
 - 51 units (loss of approximately \$127,000)



Recommendations for Rate Changes

- **Recommendation 1**

Use a 5% land dedication rate of 5% of land area instead of density provisions for:

- Street townhouses outside a plan of subdivision
- Maximum of 6 residential units above a commercial use (in a building that existed at the date of passing of by-law)



Recommendations for Rate Changes (Cont'd)

- **Recommendation 2**

Use flat rate of \$750 per unit (to be indexed annually) instead of 5% of land area for:

- Accessory Dwelling units within single detached dwellings existing at the date of passing of by-law)

- **Recommendation 3**

Use flat rate of \$500 per unit (to be indexed annually) instead of density provisions for:

- Additional units within heritage buildings existing at the date of passing of by-law)



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Annual Indexing of Fixed Rates

- Fixed amounts or \$ caps shall be adjusted annually on April 01 starting the year following the year this By-law is approved / enacted
- Equal to the Year-Over-Year Median Price Change (%) for all Residential property types in Hamilton, as reported by the Realtors Association of Hamilton-Burlington in its annual Market Report (published in late Jan/early Feb)



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Other Proposed Changes

- Bill 73 (Changes to the Planning Act) fro Cash in Lieu Rate
 - Cash-in-lieu changes to maximum one hectare for each 500 units
 - Land dedication remains at maximum one hectare for each 300 units
- Will no longer distinguish between street and block townhouses when calculating parkland dedication requirements



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Implementation

- Two Instruments
 - Official Plan (Urban and Rural)
 - Parkland Dedication By-law 09-124
- Inconsistency between OP's and the By-law - Parkland Dedication rate for schools is 5%; OP's have 2%
- OPA's are required:
 - to allow for alternative rate provisions;
 - Implement change from Bill 73; and
 - Correct error for school dedication rate



Implementation

- OPA's are required:
 - To allow for alternative rate provisions;
 - To implement change from Bill 73; and,
 - Correct error for school dedication rate
- Changes to the Parkland Dedication By-law
 - To allow for alternative rate provisions;
 - To include the indexing requirement for flat rates; and,
 - To implement change from Bill 73.