

**CITY OF HAMILTON  
NOTICE OF MOTION**

**Planning Committee: September 18, 2018**

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

**Cash in Lieu of Parking for 11-15 Cannon Street**

WHEREAS, Section 40 (1) of *Planning Act* allows an owner or occupant to enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintain the parking facilities;

WHEREAS, the Committee of Adjustment, at a meeting held on October 25, 2017, approved Minor Variance Application HM/A-17:334 which established a condition that the Applicant enter into a Cash-in-Lieu of Parking Agreement with the City of Hamilton in lieu of providing eight required parking spaces on-site;

WHEREAS, the valuation for parking spaces located within a parking structure, based on the estimated current rates of construction and the estimated land cost determined by current market value of the property, will be finalized by the Planning and Economic Development Department, in accordance with the Cash-in-Lieu of Parking Policy; and,

WHEREAS, an Agreement between the owner or occupant and the City of Hamilton, payment of not less than 50% of the total cost of parking, registration of the Cash-in-Lieu of Parking Agreement on title, and issuance of Certificate by the City Clerk is required to give effect to the Cash-in-Lieu of Parking Agreement;

**THEREFORE BE IT RESOLVED:**

That the Mayor and City Clerk be authorized to approve the cash payment in lieu of 8 required parking spaces in accordance with the Committee of Adjustment decision in order to enter into a Cash-in-Lieu of Parking Agreement for 11-15 Cannon Street West, prepared in a form satisfactory to the City Solicitor.