

**Authority:** Item 7, Planning Committee Report 24-009 (PED24060)  
CM: June 26, 2024 Ward: City Wide

**Bill No. 115**

**CITY OF HAMILTON**

**BY-LAW NO. 24-**

**To Adopt:**

**Official Plan Amendment No. 40 to the  
Rural Hamilton Official Plan**

Respecting:

**Alignment with Parks Master Plan and Bill 23**

**(City Wide)**

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

1. Amendment No. 40 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26<sup>th</sup> day of June, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

## Rural Hamilton Official Plan Amendment No. 40

The following text constitutes Official Plan Amendment No. 40 to the Rural Hamilton Official Plan.

### 1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to:

- Amend the Parkland Policies of Volume 1 to incorporate social equality factors into the determination of parkland amount and type and reduce the Minimum Service Radius/ Walking Distance to Neighbourhood Parks; and,
- Amend the Parkland Dedication Policies of Volume 1 by increasing the number of units for the calculation of parkland dedication for residential uses and to establish parkland dedication rates for plans of subdivision based on land area.

### 2.0 **Location:**

The lands affected by this Amendment are located within the Rural Area of the City of Hamilton.

### 3.0 **Basis:**

The basis for permitting this Amendment is:

- The Amendment implements the recommendations of the City of Hamilton Parks Master Plan (September 2023);
- The Amendment is consistent with amendments made to the *Planning Act* through Bill 23, *More Homes Built Faster Act, 2022* and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

### 4.0 **Actual Changes:**

#### 4.1 **Volume 1 – Parent Plan**

**Text**

4.1.1 Chapter B – Communities

- a. That Policies B.3.5.3.9 and B.3.5.3.14 of Volume 1: Chapter B – Communities be amended, as outlined in Appendix “A” attached to this amendment.

4.1.2 Chapter F – Implementation

- a. That Policy F.1.18.1 of Volume 1: Chapter F – Implementation be amended, as outlined in Appendix “B” attached to this amendment.

**5.0 Implementation:**

An implementing amendment to the City’s Parkland Dedication By-law will give effect to the amendments to the Rural Hamilton Official Plan.

This Official Plan Amendment is Schedule “1” to By-law No. 24-115 passed on the 26<sup>th</sup> day of June, 2024.

**The  
City of Hamilton**

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

Appendix “A” – Volume 1, Chapter B – Communities

Proposed Change	Proposed New / Revised Policy																		
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>																		
<p>B.3.5.3.9 To ensure the provision of an adequate amount of parkland, the following standards shall be used in the determination of parkland needs:</p> <p>a) Rural Settlement Areas (as defined on Schedule D – Rural Land Use Designations, and Maps 1 to 19 in Volume 2 of this Plan)</p> <table border="1" data-bbox="203 640 802 940"> <thead> <tr> <th>Park Classification</th> <th>Per 1,000 Population (Ratios)</th> <th>Minimum Service Radius/ Walking Distance</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Parks</td> <td>0.7 ha/1000</td> <td><del>800 m</del> <b>500 m</b></td> </tr> <tr> <td>Community Parks</td> <td>0.7 ha/1000</td> <td>n/a</td> </tr> </tbody> </table> <p><b>i) Any park with an equivalent function to a Neighbourhood Park, as described in Policy B.3.5.3.4 a) and as determined by the City, shall satisfy the 500 metre Minimum Service Radius / Walking Distance standard established in Policy B.3.5.3.9 a).</b></p>	Park Classification	Per 1,000 Population (Ratios)	Minimum Service Radius/ Walking Distance	Neighbourhood Parks	0.7 ha/1000	<del>800 m</del> <b>500 m</b>	Community Parks	0.7 ha/1000	n/a	<p>B.3.5.3.9 To ensure the provision of an adequate amount of parkland, the following standards shall be used in the determination of parkland needs:</p> <p>a) Rural Settlement Areas (as defined on Schedule D – Rural Land Use Designations, and Maps 1 to 19 in Volume 2 of this Plan)</p> <table border="1" data-bbox="829 640 1429 940"> <thead> <tr> <th>Park Classification</th> <th>Per 1,000 Population (Ratios)</th> <th>Minimum Service Radius/ Walking Distance</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Parks</td> <td>0.7 ha/1000</td> <td>500 m</td> </tr> <tr> <td>Community Parks</td> <td>0.7 ha/1000</td> <td>n/a</td> </tr> </tbody> </table> <p>i) Any park with an equivalent function to a Neighbourhood Park, as described in Policy B.3.5.3.4 a) and as determined by the City, shall satisfy the 500 metre Minimum Service Radius / Walking Distance standard established in Policy B.3.5.3.9 a).</p>	Park Classification	Per 1,000 Population (Ratios)	Minimum Service Radius/ Walking Distance	Neighbourhood Parks	0.7 ha/1000	500 m	Community Parks	0.7 ha/1000	n/a
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<p>B.3.5.3.14 Through the review and preparation of Rural Settlement Area Plans, the City shall determine the amount and type of park required based on the following considerations:</p> <p>a) The parkland standards in Section B.3.5.3.9;</p> <p>b) Projected population;</p> <p>c) The location of other parks in adjacent areas;</p> <p>d) The feasibility of locating parks near schools and Natural Open Spaces; <del>and</del></p> <p>e) Site characteristics (slope, natural features, frontage in a public road) as defined by the Landscape Manual for Parks, adopted by Council. (OPA 5) (OPA 23); <b>and,</b></p>	<p>B.3.5.3.14 Through the preparation of Rural Settlement Area Plans, the City shall determine the amount and type of park required based on the following considerations:</p> <p>a) The parkland standards in Section B.3.5.3.9;</p> <p>b) Projected population;</p> <p>c) The location of other parks in adjacent areas;</p> <p>d) The feasibility of locating parks near schools and Natural Open Spaces;</p> <p>e) Site characteristics (slope, natural features, frontage in a public road) as defined by the Landscape Manual for Parks, adopted by Council. (OPA 5) (OPA 23); and,</p>																		

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<b>f) Social equity factors such as the proportion of-potential low-income households and consideration of the availability of private amenity space.</b>	f) Social equity factors such as the proportion of-potential low-income households and consideration of the availability of private amenity space.

Appendix “B” – Volume 1: Chapter F – Implementation

Proposed Change	Proposed New / Revised Policy
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<p>F.1.18.1 In accordance with the <i>Planning Act</i>, and in considering any <i>development/redevelopment</i> proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.</p> <p>a) Council shall require a parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1.0 hectare for each <del>300</del> <b>600</b> dwelling units proposed <b>where land is dedicated or 1.0 hectare for each 1,000 net dwelling units where cash-in-lieu of payment is provided.</b></p> <p>The rate to be applied will be that which yields the greater amount of either land or cash-in-lieu, or a combination thereof for <i>developments or redevelopment</i> that contain a mix of residential densities. <b>The maximum parkland dedication shall also include any reductions required by the <u>Planning Act</u> for affordable or attainable residential units or non-profit housing development.</b></p> <p>For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential <i>development or redevelopment</i>:</p> <p>i) In the case of lands to be developed for an individual single detached dwelling in a rural area, the parkland dedication shall be based on an amount not to exceed 2.5% of a 0.4 hectare lot. This policy is not applicable to designated Rural Settlement Areas.</p>	<p>F.1.18.1 In accordance with the <i>Planning Act</i>, and in considering any <i>development/redevelopment</i> proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.</p> <p>a) Council shall require a parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1.0 hectare for each 600 dwelling units proposed where land is dedicated or 1.0 hectare for each net 1,000 dwelling units where cash-in-lieu of payment is provided.</p> <p>The rate to be applied will be that which yields the greater amount of either land or cash-in-lieu. The maximum parkland dedication shall also include any reductions required by the <u>Planning Act</u> for <i>affordable</i> or attainable residential units or non-profit housing development.</p> <p>For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential <i>development or redevelopment</i>:</p> <p>i) In the case of lands to be developed for an individual single detached dwelling in a rural area, the parkland dedication shall be based on an amount not to exceed 2.5% of a 0.4 hectare lot. This policy is not applicable to designated Rural Settlement Areas.</p>

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
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<p>ii) 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, certain types of charitable, non-profit or social/<i>affordable</i> housing, as provided for in the Parkland Dedication By-law. (OPA 13)</p> <p>b) Council shall require a parkland dedication in the amount not exceeding 2% for commercial purposes except as exempted in the Parkland Dedication By-law.</p> <p>c) Council shall require a parkland dedication in an amount not exceeding 5% for institutional proposals, and all other land use proposals other than residential and commercial uses, subject to any exemption as set out in the Parkland Dedication By-law. (OPA 13)</p> <p>d) Council shall require a combination of dedication rates as defined in Policy F.1.18.1 applicable to specific use and/or density for any <i>development</i> including a subdivision containing lands proposed for a variety of land uses.</p> <p><b>e) Notwithstanding Policy F.1.18.1 a) and Policy F.1.18.1 a) i), the maximum alternative parkland dedication shall also be limited by any maximums required by the <i>Planning Act</i>.</b></p>	<p>ii) 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, certain types of charitable, non-profit or social/<i>affordable</i> housing, as provided for in the Parkland Dedication By-law. (OPA 13)</p> <p>b) Council shall require a parkland dedication in the amount not exceeding 2% for commercial purposes except as exempted in the Parkland Dedication By-law.</p> <p>c) Council shall require a parkland dedication in an amount not exceeding 5% for institutional proposals, and all other land use proposals other than residential and commercial uses, subject to any exemption as set out in the Parkland Dedication By-law. (OPA 13)</p> <p>d) Council shall require a combination of dedication rates as defined in Policy F.1.18.1 applicable to specific use and/or density for any <i>development</i> including a subdivision containing lands proposed for a variety of land uses.</p> <p>e) Notwithstanding Policy F.1.18.1 a) and Policy F.1.18.1 a) i), the maximum alternative parkland dedication shall also be limited by any maximums required by the <i>Planning Act</i>.</p>