

**Authority:** Item 7, Planning Committee Report 24-009 (PED24060)  
CM: June 26, 2024 Ward: City Wide  
Written approval for this by-law was given by Mayoral Decision MDE-2024-15  
Dated June 26, 2024

**Bill No. 113**

**CITY OF HAMILTON  
BY-LAW NO. 24-113**

**To Adopt:**

**Official Plan Amendment No. 210 to the  
Urban 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. 210 to the Urban 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

## Urban Hamilton Official Plan Amendment No. 210

The following text constitutes Official Plan Amendment No. 210 to the Urban Hamilton Official Plan.

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

The purpose and effect of this Amendment is to:

- Amend the Urban Design Policies of Volume 1 to allow temporary and permanent road closures to support public gathering and open space programming;
- 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 to change the density and unit number standards used for the calculation of parkland dedication for residential uses and to establish parkland dedication rates for plans of subdivision based on land area, to align with the changes to the Planning Act made by Bill 23.

### 2.0 **Location:**

The lands affected by this Amendment are located within the Urban 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 Table 3.5.3.1 and Policies B.3.3.2.10, B.3.5.3.11 and B.3.5.3.16 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 Urban Hamilton Official Plan.

This Official Plan Amendment is Schedule “1” to By-law No. 24-113 passed on the 26<sup>th</sup> day of June, 2024.

**The  
City of Hamilton**

\_\_\_\_\_  
A. Horwath  
Mayor

\_\_\_\_\_  
J. Pilon  
Acting City Clerk

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

| Proposed Change   | Proposed New / Revised Policy   |   |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
|---|---|---|---|---------------------|-------------|----------------------------------|-----------------|-------------|------|-----------------|-------------|------|--|---------------------|-------------------------------|---|---------------------|-------------|-------|-----------------|-------------|------|-----------------|-------------|------|
| <p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>  | <p><b>Bolded text</b> = text to be added</p>  |   |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| <p>B.3.3.2.10 Streets shall be designed not only as a transportation network but also as important public spaces and shall include, where appropriate:</p> <p>a) adequate and accessible space for pedestrians, <i>active transportation</i>, as well as transit, other vehicles, and utilities; (OPA 167)</p> <p>b) continuous sidewalks;</p> <p>c) landscaping such as street trees and landscaped boulevards;</p> <p>d) pedestrian amenities such as lighting, seating, way-finding signage, and <i>urban braille</i>;</p> <p>e) on-street parking;</p> <p>f) public art; <del>and,</del></p> <p>g) amenities and spaces that encourage social interaction, pedestrian activity and animate the streetscape such as public gathering places, patios and sidewalk cafés. (OPA 167); <b>and,</b></p> <p><b>h) allowances for temporary and permanent road closures that support public gathering, open space programming and naturalization.</b></p> | <p>B.3.3.2.10 Streets shall be designed not only as a transportation network but also as important public spaces and shall include, where appropriate:</p> <p>a) adequate and accessible space for pedestrians, <i>active transportation</i>, as well as transit, other vehicles, and utilities; (OPA 167)</p> <p>b) continuous sidewalks;</p> <p>c) landscaping such as street trees and landscaped boulevards;</p> <p>d) pedestrian amenities such as lighting, seating, way-finding signage, and <i>urban braille</i>;</p> <p>e) on-street parking;</p> <p>f) public art;</p> <p>g) amenities and spaces that encourage social interaction, pedestrian activity and animate the streetscape such as public gathering places, patios and sidewalk cafés. (OPA 167); and,</p> <p>h) allowances for temporary and permanent road closures that support public gathering, open space programming and naturalization.</p> |   |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| <p>Table 3.5.3.1 – Parkland Standards</p>   | <p>Table 3.5.3.1 – Parkland Standards</p>   |   |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| <table border="1"> <thead> <tr> <th data-bbox="203 1455 440 1619">Park Classification</th> <th data-bbox="440 1455 654 1619">Per 1,000 Population (Ratios)</th> <th data-bbox="654 1455 802 1619">Minimum Service Radius/<br/>Walking Distance</th> </tr> </thead> <tbody> <tr> <td data-bbox="203 1619 440 1686">Neighbourhood Parks</td> <td data-bbox="440 1619 654 1686">0.7 ha/1000</td> <td data-bbox="654 1619 802 1686"><del>800 m</del><br/><b>500 m</b></td> </tr> <tr> <td data-bbox="203 1686 440 1753">Community Parks</td> <td data-bbox="440 1686 654 1753">0.7 ha/1000</td> <td data-bbox="654 1686 802 1753">2 km</td> </tr> <tr> <td data-bbox="203 1753 440 1791">City-Wide Parks</td> <td data-bbox="440 1753 654 1791">0.7 ha/1000</td> <td data-bbox="654 1753 802 1791">n.a.</td> </tr> </tbody> </table>  | Park Classification   | Per 1,000 Population (Ratios)               | Minimum Service Radius/<br>Walking Distance | Neighbourhood Parks | 0.7 ha/1000 | <del>800 m</del><br><b>500 m</b> | Community Parks | 0.7 ha/1000 | 2 km | City-Wide Parks | 0.7 ha/1000 | n.a. | <table border="1"> <thead> <tr> <th data-bbox="828 1455 1065 1619">Park Classification</th> <th data-bbox="1065 1455 1279 1619">Per 1,000 Population (Ratios)</th> <th data-bbox="1279 1455 1427 1619">Minimum Service Radius/<br/>Walking Distance</th> </tr> </thead> <tbody> <tr> <td data-bbox="828 1619 1065 1686">Neighbourhood Parks</td> <td data-bbox="1065 1619 1279 1686">0.7 ha/1000</td> <td data-bbox="1279 1619 1427 1686">500 m</td> </tr> <tr> <td data-bbox="828 1686 1065 1753">Community Parks</td> <td data-bbox="1065 1686 1279 1753">0.7 ha/1000</td> <td data-bbox="1279 1686 1427 1753">2 km</td> </tr> <tr> <td data-bbox="828 1753 1065 1791">City-Wide Parks</td> <td data-bbox="1065 1753 1279 1791">0.7 ha/1000</td> <td data-bbox="1279 1753 1427 1791">n.a.</td> </tr> </tbody> </table> | Park Classification | Per 1,000 Population (Ratios) | Minimum Service Radius/<br>Walking Distance | Neighbourhood Parks | 0.7 ha/1000 | 500 m | Community Parks | 0.7 ha/1000 | 2 km | City-Wide Parks | 0.7 ha/1000 | n.a. |
| Park Classification   | Per 1,000 Population (Ratios)   | Minimum Service Radius/<br>Walking Distance |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| Neighbourhood Parks   | 0.7 ha/1000   | <del>800 m</del><br><b>500 m</b>            |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| Community Parks   | 0.7 ha/1000   | 2 km  |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| City-Wide Parks   | 0.7 ha/1000   | n.a.  |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| Park Classification   | Per 1,000 Population (Ratios)   | Minimum Service Radius/<br>Walking Distance |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| Neighbourhood Parks   | 0.7 ha/1000   | 500 m                                       |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| Community Parks   | 0.7 ha/1000   | 2 km  |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |
| City-Wide Parks   | 0.7 ha/1000   | n.a.  |   |                     |             |                                  |                 |             |      |                 |             |      |  |                     |                               |   |                     |             |       |                 |             |      |                 |             |      |

| Proposed Change  | Proposed New / Revised Policy   |
|--|---|
| <p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>   | <p><b>Bolded text</b> = text to be added</p>  |
| <p>B.3.5.3.15 Notwithstanding Policy B.3.5.3.11, <b>and the standards contained in Table 3.5.3.1 - Parkland Standards:</b></p> <p><b>a)</b> the City may consider a lower parkland standard where a Neighbourhood and Community Park may be feasibly combined on the same site.; <b>and,</b></p> <p><b>b) a greater Minimum Service Radius/Walking Distance for a Neighbourhood Park may be deemed acceptable by the City where another park which provides an equivalent function to a Neighbourhood Park, as described in Policy B.3.5.3.4 b), is located within the 500 metre service radius.</b></p>   | <p>B.3.5.3.15 Notwithstanding Policy B.3.5.3.11 and the standards contained in Table 3.5.3.1 - Parkland Standards:</p> <p>a) the City may consider a lower parkland standard where a Neighbourhood and Community Park may be feasibly combined on the same site.; and,</p> <p>b) a greater Minimum Service Radius/Walking Distance for a Neighbourhood Park may be deemed acceptable by the City where another park which provides an equivalent function to a Neighbourhood Park, as described in Policy B.3.5.3.4 b), is located within the 500 metre service radius.</p>   |
| <p>B.3.5.3.16 Through the preparation of secondary plans or neighbourhood plans, the City shall determine the amount and type of park required based on the following considerations:</p> <p>a) the parkland standards in Policy B.3.5.3.11;</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) the feasibility of providing a range of parkland spaces for all residents within a safe walking distance; <del>and,</del>(OPA 167)</p> <p>f) site characteristics (slope, natural features, frontage in a public road) as defined by the Parks and Open Space Development Guide, adopted by Council.; <b>and,</b> (OPA 167)</p> <p><b>g) Social equity factors such as the proportion of-potential low-income households and consideration of the availability of private amenity space.</b></p> | <p>B.3.5.3.16 Through the preparation of secondary plans or neighbourhood plans, the City shall determine the amount and type of park required based on the following considerations:</p> <p>a) the parkland standards in Policy B.3.5.3.11;</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) the feasibility of providing a range of parkland spaces for all residents within a safe walking distance; (OPA 167)</p> <p>f) site characteristics (slope, natural features, frontage in a public road) as defined by the Parks and Open Space Development Guide, adopted by Council; and,(OPA 167)</p> <p>g) Social equity factors such as proportion the of potential low-income households and consideration of the availability of private amenity space.</p> |

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

| 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>F.1.18.1 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 net 1,000 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 developments or redevelopment 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><del>i) For land designated to permit residential development or redevelopment with a density less than 20 units per hectare, dedication of land not to exceed an amount of 5% of the net land areas to be developed.</del></p> <p><del>ii) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per hectare, parkland shall be dedicated at a rate not to exceed 1 hectare for each 300 dwelling units proposed;</del></p> <p><del>iii) For land designated to permit residential development or redevelopment with a density of 75 to 120 units per hectare, parkland shall</del></p> | <p>F.1.18.1 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), or a combination thereof for developments or redevelopment that contain a mix of residential densities. 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 <i>development</i>.</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) Notwithstanding Policy F.1.18.1 b), regardless of the density of development, a maximum land dedication of 5% of the net land area shall apply to developments of single or semi-detached lots, or duplexes.</p> <p>ii) 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> |

| Proposed Change  | Proposed New / Revised Policy   |
|--|---|
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| <p><del>be dedicated at a rate not to exceed 0.6 hectares for each 300 dwelling units proposed;</del></p> <p><del>iv) Notwithstanding Policy F.1.18.1 a) and Policy F.1.18.1 a) ii) for land designated to permit residential development or redevelopment with a density of 20 to 75 units per hectare where cash-in-lieu payment applies, the rate for calculating parkland dedication shall not exceed a rate of 1.0 hectare for each 500 dwelling units proposed. (OPA 73)</del></p> <p><del>v) For land designated to permit residential development or redevelopment with a density greater than 120 units per hectare, parkland shall be dedicated at a rate not to exceed 0.5 hectares for each 300 dwelling units proposed.</del></p> <p><del>vi) i) Notwithstanding Policy F.1.18.1 b), regardless of the density of development, a maximum land dedication of 5% of the net land area shall apply to developments of single or semi-detached lots, or duplexes.</del></p> <p><del>vii) ii) 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.</del></p> <p><del>viii) iii) Notwithstanding Policy F.1.18.1 a) i) <del>to</del></del></p> | <p><b>iii) Notwithstanding Policy F.1.18.1 a) i) and ii), 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/affordable housing, as provided for in the Parkland Dedication By-law.</b></p> |

| <b>Proposed Change</b>   | <b>Proposed New / Revised Policy</b>   |
|--|--|
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| <b>F.1.18.5 Notwithstanding Policy F.1.18.1 a), the maximum alternative parkland dedication shall also be limited by any maximums required by the <i>Planning Act</i>.</b> | F.1.18.5 Notwithstanding Policy F.1.18.1 a), the maximum alternative parkland dedication shall also be limited by any maximums required by the <i>Planning Act</i> . |