

Authority: Item 8.1, Audit, Finance and Administration Committee Minutes AFA 25-010 (FCS25026(b))
CM: August 6, 2025 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2025-13
Dated August 6, 2025

Bill No. 157

CITY OF HAMILTON
BY-LAW NO. 25-157

Being a By-Law to amend By-Law No. 24-072, as Amended, “City of Hamilton Development Charges By-Law, 2024”

WHEREAS the *Development Charges Act, 1997, S.O. 1997, c.27* (hereinafter referred to as the “Act”) authorizes municipalities to pass a by-law for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the said by-law applies;

WHEREAS section 19 of the Act provides for amendments to be made to development charges by-laws;

WHEREAS the Council of the City of Hamilton has determined that certain amendments should be made to the City of Hamilton Development Charges By-Law, 2024, as amended (By-Law 24-072);

WHEREAS in accordance with Section 19 of the Act, the City is undertaking to decrease the amount of a development charge that is payable for one or more types of development;

WHEREAS the Council of the City of Hamilton, at its meeting of August 6, 2025, approved a Report FCS25026(b) dated July 31, 2025 entitled “Development Charges By-Law Amendments”

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

Partial Exemption for All Developments

1. The following section is hereby added to By-Law 24-072, as amended:

Temporary Partial Exemption – 2025 to 2027

56. Notwithstanding any other provision of this By-Law, the Development Charges payable under this By-Law respecting all development or redevelopment shall be reduced after all credits, partial exemptions and other exemptions are applied by 20% between September 1, 2025 and August 31, 2027.

2. Section 28 of By-Law 24-072, as amended, is hereby removed and replaced with the following:

The Development Charges payable under this By-law respecting Class A Office Development within the boundaries of the Downtown CIPA shall be reduced by 70% after all credits, partial exemptions and other exemptions are applied under this By-law, except for the partial exemption under Section 56 which shall be applied after the partial exemption in this Section 28 is applied, for only the portion of the Class A Office Development that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior to any amendment thereto applicable to the particular development to which the Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

3. Section 29 of By-Law 24-072, as amended, is hereby removed and replaced with the following:

In addition to the partial exemption provided for in Section 56, all Non-Industrial Development, Industrial Development and the Non-residential component of Mixed Use Development within the boundaries of the Downtown CIPA as shown in By-law 21-163, as amended, is exempt from 40% of Development Charges payable under this By-law.

The exemption in this Section 29 shall be applied after all credits, partial exemptions and other exemptions are applied under this By-law, except for the partial exemption under Section 56 which shall be applied after the partial exemption in this Section 29 is applied, for only the portion of the Building that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior to any amendment thereto applicable to the particular development to which the Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

4. Section 30 of By-Law 24-072, as amended, is hereby removed and replaced with the following:

The Development Charges payable under this By-law respecting all Residential Development within the boundaries of the Downtown CIPA shall be reduced after all credits, partial exemptions and other exemptions are applied except for the partial exemption under Section 56 which shall be applied after the partial exemption in this Section 30 is applied:

- (a) by the percentages;
- (b) for the time periods;
- (c) for the types of applications; and;
- (d) as of the date, identified in the following Table 1:

Table 1: Downtown Hamilton CIPA Partial Exemption

Date	Percentage of reduction (%)
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June 1, 2024 to May 31, 2025	40
June 1, 2025 to May 31, 2026	35
June 1, 2026 to May 31, 2027	30
June 1, 2027 to May 31, 2028	20
June 1, 2028 to May 31, 2029	10
June 1, 2029 to May 31, 2034	0

The Development Charges payable under this By-law respecting all Residential Development within the boundaries of the Downtown CIPA shall be reduced after all credits, partial exemptions and other exemptions are applied under this By-law, for only the portion of the Building that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior to any amendment thereto applicable to the particular development to which the Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

Non-Profit Housing Development Exemptions

5. The following section is hereby added to Section 27 of By-Law 24-072, as amended:

(f) residential units developed by a Non-Profit Housing Developer that (A) either have been approved to receive funding for the development of the dwelling units as affordable housing from the Government of Canada (including their Crown corporations), the Province of Ontario (including their Crown corporations) or the City of Hamilton under an affordable housing program; and (B) such dwelling unit is not eligible for funding for development charge liabilities from the Government of Canada or the Province of Ontario (including their Crown corporations);

6. The following section is hereby added to Section 1 of By-Law 24-072, as amended:

“Non-Profit Housing Developer” refers to (A) a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under the Act, or (B) a corporation without share capital to which the *Canada Not-for-profit Corporations Act* applies, that is in good standing under the Act, or (C) a non-profit housing co-operative that is in good standing under the *Co-Operative Corporations Act*.

Consolidation

7. The City Clerk is hereby authorized and directed to consolidate this and any other duly enacted amendments to By-Law 24-072 into the main body of the said By-Law and to make any necessary and incidental changes to numbering and nomenclature thereof arising from the said consolidation.

Date By-Law Effective

8. This By-Law shall come into force and take effect at 12:01 a.m. on September 1, 2025.

PASSED this 6th August 2025

A. Horwath
Mayor

J. Pilon
Acting City Clerk