

Authority: Item 7.1, Audit, Finance and Administration Committee AFA 25-012, Report FCS25072 CM: October 29, 2025 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2025-017
Dated October 29, 2025

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 25-202

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 October 29, 2025, approved a Report FCS25072 dated October 23, 2025 entitled “Child Care Centre Development Charges”

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

Child Care Centre Development Charges Exemption

1. The following section is hereby added to Section 27 of By-law 24-072, as amended:
 - (g) a Child Care Centre operated by a Non-Profit Child Care Provider located in a building owned by a Board of Education subject to Board of Education providing assurance in a form satisfactory to the General Manager of Finance and Corporate Services and Finance that said use will be located in the building and that:
 - (i) the City at the discretion of the General Manager of Finance and Corporate Services enter into agreements with Boards of Education for the purposes of providing such assurance and that the General Manager of Finance and Corporate Services or their delegate be authorized to execute such agreements on such terms and conditions

- satisfactory the General Manager of Finance and Corporate Services and in form satisfactory to the City Solicitor;
- (ii) the General Manager of Finance and Corporate Services or their delegate be authorized to execute ancillary agreements and documents in connection with agreements described in subsection 27(g)(i);
 - (iii) in the absence of an agreement described in subsection 27(g)(i) the General Manager of Finance and Corporate Services or their delegate be authorized to execute such documents in connection with the assurance on such terms and conditions satisfactory to the General Manager of Finance and Corporate Services.
- (h) a Child Care Centre operated by a Non-Profit Child Care Provider
2. The following sections are hereby added to Section 1 of By-law 24-072, as amended:

“Child Care Centre” has the meaning ascribed to it in the *Child Care and Early Years Act, 2014, as amended.*”

“Non-Profit Child Care Provider” 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, and which operates a Child Care Centre;

Consolidation

3. 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

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

PASSED this 29, October 2025

A. Horwath
Mayor

M. Trennum
City Clerk