CITY OF HAMILTON
Community Benefits Charge (CBC) Information

*Effective September 18, 2022*

**Purpose of CBC’s**
Community Benefits Charges are intended to work in conjunction with Development Charges and Parkland Dedication fees to ensure that municipalities have the tools and resources they need to build complete communities and support the ability to finance the infrastructure necessary to accommodate growth. Under the Planning Act, any municipality in Ontario can create and collect a CBC from new buildings or structures and redevelopment related to growth providing the development is **a minimum of five storeys high and has 10 or more residential units**. The CBC is paid as a **one-time fee** by the property developer or builder based on a **rate of 4% of land value the day before the building permit is issued**. A CBC can be collected for any public service asset providing those costs are not already covered by Development Charges or Parkland Dedication Fees.

**By-law**
A Community Benefits Charge By-law No. 22-158 was passed on the 22nd day of June 2022. This By-law applies to all land within the City of Hamilton except lands that are owned by and used for the purposes of:

(a) the City or a Local Board; or
(b) a Board of Education.

**CBC Rate**
CBC’s are payable based on a rate of 4% of the land value of the property on the day before the building permit is issued.

**Impact on Development Charge Rates**
With the change in the legislation, all services included in the City’s current DC By-law remain eligible under the DCA, except for Parking Services, Airport Services, and portions of Social Services. Changes to the DC rates which incorporate these changes can be found here [Development Charge Rates](#).

**Exemptions**
The following is a list of CBC **mandatory** exemptions under Subsection 37(4) of the Planning Act:

- Long-term care homes
- Retirement homes
- Universities, colleges, and Indigenous Institutes
- Memorial homes, clubhouses, or athletic grounds of the Royal Canadian Legion
- Hospices

In addition to the mandatory exemptions above, the following **discretionary** exemptions are included: CBC policy and By-law are aligned with the current DC By-law while still in effect (expires June 2024).
These include:
- A reduction in the amount of 40% of CBC's payable to the City providing that the property is within the boundaries of the Downtown CIPA as illustrated in Map “A” below
- A reduction in the amount of 50% of CBC’s payable to the City for the purpose of creating a Residential Facility or Lodging House within the existing Building envelope.

In-Kind Contributions

A municipality that has passed a CBC By-law may, but is not required, to allow the landowner to provide to the municipality: facilities, services or matters required because of development or redevelopment in the area to which the By-law applies. Prior to providing these contributions, the municipality shall advise the landowner of the value of the In-Kind contributions that will be attributed to them. This value shall be deducted from the amount the landowner would otherwise be required to pay under the CBC By-law. In-Kind contributions will be considered at the sole discretion of the General Manager, Finance and Corporate Services in accordance with the guidelines set out in the CBC Policy and By-law. The value of the contribution must be evaluated by an external party prior to consideration by the City. The cost of the evaluation will be borne solely by the developer. All in-kind contributions must be endorsed by City Council.

Where to Pay a CBC

CBC’s are collected by the City of Hamilton Building Department at:

Hamilton City Hall
71 Main Street W.
Hamilton ON L8P 4Y5

Treasurer’s Statement & Reporting

The City Treasurer will prepare an annual statement regarding the use of CBC funds and the CBC Reserve Fund balance. Copies of the CBC By-law are available from the Clerk’s office on the 1st Floor of City Hall, 71 Main St. W., Hamilton, Ontario L8P 4Y5 and on the City’s website www.hamilton.ca.

For Further Information regarding CBC’s, please contact Carolyn Paton at carolyn.paton@hamilton.ca or at 905-546-2424 ext. 4371.