



# COUNCIL'S GUIDE TO ADDRESSING DEVELOPMENT CHARGE (DC) CONCERNS

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Hamilton



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	COMPASSIONATE GRANT REQUEST (ILLUSTRATION 1 IN DEVELOPER'S GUIDE)	POLICY CHANGE REQUEST (ILLUSTRATION 3 IN DEVELOPER'S GUIDE)		SECTION 20 COMPLAINT (ILLUSTRATION 2 IN DEVELOPER'S GUIDE)
WHEN IN THE DEVELOPMENT PROCESS?	Before or after issuance of a building permit	DC By-law is being updated	DC By-law has been adopted	Within 90 days of a DC, or any part of it being paid or payable
HOW?	Delegation to Council (AF&A)	Attend input meetings; Delegation to DC Stakeholders Subcommittee meetings	Delegation to Council (AF&A)	Formal complaint letter on the grounds permitted within the DC Act (2)
LIMITATIONS?	A compassionate grant can only be considered where approval would not result in a violation of <i>Section 106 of the Municipal Act, 2001</i> (Bonusing provision)	Council can add discretionary exemption policy but cannot reduce statutory exemptions. Council is not obligated to provide any discretionary exemptions and a funding source must be identified, if approved	Council can add discretionary exemption policy but cannot reduce statutory exemptions. Council is not obligated to provide any discretionary exemptions and a funding source must be identified, if approved	Complaint must be in accordance with the grounds permitted by the DC Act
COUNCIL OPTIONS?	May elect to hear the delegation or not; may refer the matter to staff for a report back; may pass a motion (with a funding source) to approve a grant; may receive the request and take no further action	May elect to hear the delegation or not; may direct staff to incorporate policy into DC By-law (1), may receive the request and take no further action	May elect to hear the delegation or not; may refer to staff for a report back; may direct an amendment to the DC By-law; may receive the request and take no further action	Must hear the complaint (delegated to AF&A)
WHAT RESOLUTION LOOKS LIKE?	A decision regarding whether or not a grant will be provided; compassionate grant must include identified funding source(s)	A decision by Council to either include in the DC By-law or take no action	A decision to either amend the DC By-law (1) or take no action. A DC By-law amendment must follow a legislative process	Dismiss the complaint or correct any incorrect determination; complainant may appeal a decision or non-decision to LPAT

**Notes:** (1) As per Section 19 of the DC Act, Council has the authority to amend the City's DC By-law subject to application of Section 10-18.  
(2) Refer to Section 20 (3) of the DC Act for more detail.