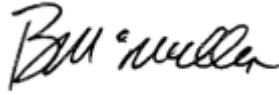




COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	August 7, 2024
SUBJECT:	Process for Inclusion of Capital Studies in the 2024 Development Charges By-law (By-law 24-072)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

Hamilton City Council approved the 2024 Development Charges By-law (By-law No. 24-072) at its meeting on May 8, 2024. This Communication Update is to advise City Council of the next steps related to the inclusion of studies in the 2024 Development Charges By-law now that Bill 185, *Cutting Red Tape to Build More Homes Act* (2024) received Royal Assent on June 6, 2024.

The changes to the *Development Charges Act* (DC Act) and to Ontario Regulation 82/98 under the DC Act stemming from the approval of Bill 185 include the following:

- The inclusion of studies within the eligible capital costs (i.e., growth studies, secondary plans, masterplans and the Development Charges (DC) Background Studies) may be included in the DC calculation.
- The removal of the mandatory phase-in of charges.
- The process for minor amendments to development charge (DC) by-laws.
- A reduction of time for the DC rate freeze related to site plan and zoning by-law amendment planning applications.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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This Communication Update Addresses the Inclusion of Studies in the DC By-law

With the re-introduction of studies as an eligible cost and the streamlined process for DC amendments, municipalities that passed a new DC by-law between November 28, 2022 and June 6, 2024, are allowed to amend their DC by-law to include eligible study costs without preparing a new DC background study or undertaking the statutory public process. This streamlined amendment process waives the usual requirements, such as updated background studies, public consultations and appeal opportunities.

Municipalities have six months from the date of Royal Assent of Bill 185 (June 6, 2024) to make an amendment under this streamlined process. For by-laws passed after June 6, 2024, if studies have not been included in the background study and by-law, the streamlined process for DC amendments does not apply.

City staff and Watson & Associates Economists Ltd. will be preparing an amending DC By-law to include eligible capital studies. The amended By-law and an accompanying report will be discussed at the Audit, Finance and Administration Committee meeting on November 21, 2024 and will be considered for ratification by Council on November 27, 2024.

In an effort to keep the community continually informed, updates on the status of the DC By-law will be shared on the City's website, social media channels and directly with relevant community stakeholders.

Further information on Bill 185 can be found in Report [FCS24034](#).

For more information, please contact:

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Carolyn Paton, Senior Project Manager, carolyn.paton@hamilton.ca
Financial Planning, Administration and Policy Division

APPENDICES AND SCHEDULES ATTACHED

None.