



Hamilton

DEVELOPMENT APPLICATION GUIDELINES

Cost Recovery Agreement

PURPOSE:

This document provides a guideline of the Cost Recovery Agreement, which may be required for the submission of an application under the *Planning Act*. A Cost Recovery Agreement shall be completed as referenced in this document. Failure to complete a Cost Recovery Agreement may result in a submission being considered unsatisfactory and a submitted application being deemed incomplete.

A Cost Recovery Agreement enables the City of Hamilton to recuperate from the applicant/owner certain staffing costs, fees and disbursements for any outside legal counsel and external consultants that may be required for preparation for and attendance at an Ontario Land Tribunal (OLT) hearing, where the City supports a developer on third-party appeals to the developer's proposed land development application. Accordingly, as part of a complete *Planning Act* application for an Official Plan Amendment, Zoning By-law Amendment, or Committee of Adjustment application the applicant/owner will be required to sign and submit a Cost Recovery Agreement. It should be noted that this is often also referred to as Cost Acknowledgement Agreement.

PREPARED BY:

The owner, applicant, lawyer, or agent.

CONTENTS INCLUDE:

The owner/applicant or agent must sign the Cost Recovery/Acknowledgement Form and with a witness and have it sealed by a notary public to verify that signatures, marks and copies of documents are true or genuine.

OTHER INFORMATION:

Official Plan Amendment Application

<https://www.hamilton.ca/sites/default/files/2022-06/pedapplications-official-plan-amendment-zoning-bylaw-amendment-form-2022.pdf> (page 23)

Zoning By-law Amendment Application

<https://www.hamilton.ca/sites/default/files/2022-06/pedapplications-official-plan-amendment-zoning-bylaw-amendment-form-2022.pdf> (page 23)

Cost Recovery Agreement – Development Application Guidelines

Committee of Adjustment Minor Variance or Consent to Sever Land Application
<https://www.hamilton.ca/build-invest-grow/planning-development/committee-adjustment>

REVIEWED BY:

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