



City of Hamilton

OPEN FOR BUSINESS SUB-COMMITTEE REVISED

Meeting #: 18-001
Date: March 27, 2018
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

	Pages
1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
2. DECLARATIONS OF INTEREST	
3. APPROVAL OF MINUTES OF PREVIOUS MEETING	
3.1 November 28, 2017	3
4. DELEGATION REQUESTS	
5. CONSENT ITEMS	
6. PUBLIC HEARINGS / DELEGATIONS	
7. STAFF PRESENTATIONS	
7.1 Open For Business Accomplishments	
*7.1.a Added Attachment (Presentation)	7
8. DISCUSSION ITEMS	
8.1 Outdoor Boulevard Café Process Improvement (PED18075) (City Wide)	51
*8.1.a Presentation respecting Outdoor Boulevard Cafe Process Improvement	59

9. MOTIONS
10. NOTICES OF MOTION
11. GENERAL INFORMATION / OTHER BUSINESS
12. PRIVATE AND CONFIDENTIAL
13. ADJOURNMENT



Hamilton

OPEN FOR BUSINESS SUB-COMMITTEE

MINUTES 17-003

Tuesday, November 28, 2017

1:30 p.m.

Council Chambers, 2nd Floor

Hamilton City Hall

Present: Mayor F. Eisenberger
Councillor M. Pearson (Chair), T. Whitehead, L. Ferguson, A. VanderBeek, R. Pasuta, J. Partridge

Also in attendance: Patrick Campbell, Stoney Creek Chamber of Commerce
Ed Fothergill, Hamilton Chamber of Commerce
Graham McNally, Hamilton Burlington Society of Architects
Matteo Patricelli, Flamborough Chamber of Commerce
Valerie Webster, Hamilton Burlington Realtors Association

Absent with Regrets: Councillor M. Green - Personal

THE FOLLOWING ITEMS WERE REFERRED FOR THE CONSIDERATION OF THE GENERAL ISSUES COMMITTEE:

- 1. Regional Tractor Sales Ltd. Site Plan Approval and Building Permit Issuance Timelines (Ward 15) (PED17202) (Item 5.1)**

(Partridge/Pasuta)

That Report PED17202, respecting Regional Tractor Sales Ltd. Site Plan Approval and Building Permit Issuance Timelines, be received.

CARRIED

- 2. Licensing Turn-Around Timelines (PED17215) (City Wide) (Item 5.2)**

(Eisenberger/VanderBeek)

That Report PED17215, respecting Licensing Turn-Around Timelines, be received.

CARRIED

3. Posting of Licensed Contractors Online (PED17216) (City Wide) (Item 5.3)

(Eisenberger/Pasuta)

That Report PED17216, respecting Posting of Licensed Contractors Online, be received.

CARRIED

4. Proposed Amendments to Sign By-law 10-197 (Construction Hoarding) (PED17217) (Item 5.4)

(VanderBeek/Ferguson)

That Report PED17217, respecting Proposed Amendments to Sign By-law 10-197 (Construction Hoarding), be received.

CARRIED

5. Business Licensing By-law Update (PED17218) (City Wide) (Item 5.5)

(Whitehead/Ferguson)

That Report PED17218, respecting a Business Licensing By-law Update, be received.

CARRIED

6. Proposed Delegated Authority for Special Occasions Permits (PED17220) (Item 5.6)

(Whitehead/Ferguson)

That Report PED17220, respecting Proposed Delegated Authority for Special Occasions Permits, be received.

CARRIED

7. Progress of the AMANDA Road Map (City Wide) (PED17223) (Item 5.7)

(Ferguson/Pasuta)

That Report PED17223, respecting Progress of the AMANDA Road Map, be received.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Chair introduced Matteo Patricelli who will attend the Open For Business Sub-Committee as the representative of the Flamborough Chamber of Commerce. Arend Kersten, also in attendance in the public gallery, has retired from his position on the Flamborough Chamber of Commerce.

The Clerk advised that there were no changes to the agenda.

(Eisenberger/Whitehead)

That the agenda for the November 28, 2017 meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) May 25, 2017 (Item 3.1)

(Whitehead/Partridge)

That the Minutes of the May 25, 2017 meeting be received, as presented.

CARRIED

(d) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

(Ferguson/Pasuta)

That the following amendments to the Open For Business Outstanding Business List, be approved:

Items to be Removed:

Item N - Tractor Sales Site Approval Plan (O4B March 7, 2017, Item 11.5)

Item D - Licensing Turn-Around Timelines (O4B September 29, 2016, Item 7.2)

Item C - Posting of Licensed Contractors Online (O4B, October 23, 2013)

Item H - By-law Consultation Schedule (O4B, January 28, 2016, Item 7.1)

CARRIED

(e) **ADJOURNMENT (ITEM 12)**

(Ferguson/VanderBeek)

That there being no further business, the meeting be adjourned at 2:46 p.m.

CARRIED

Respectfully submitted,

Councillor M. Pearson, Chair
Open for Business Sub-Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Open For Business Update

Presentation to Open For Business Subcommittee

March 27, 2018

PRESENTATION OVERVIEW

Development Trends

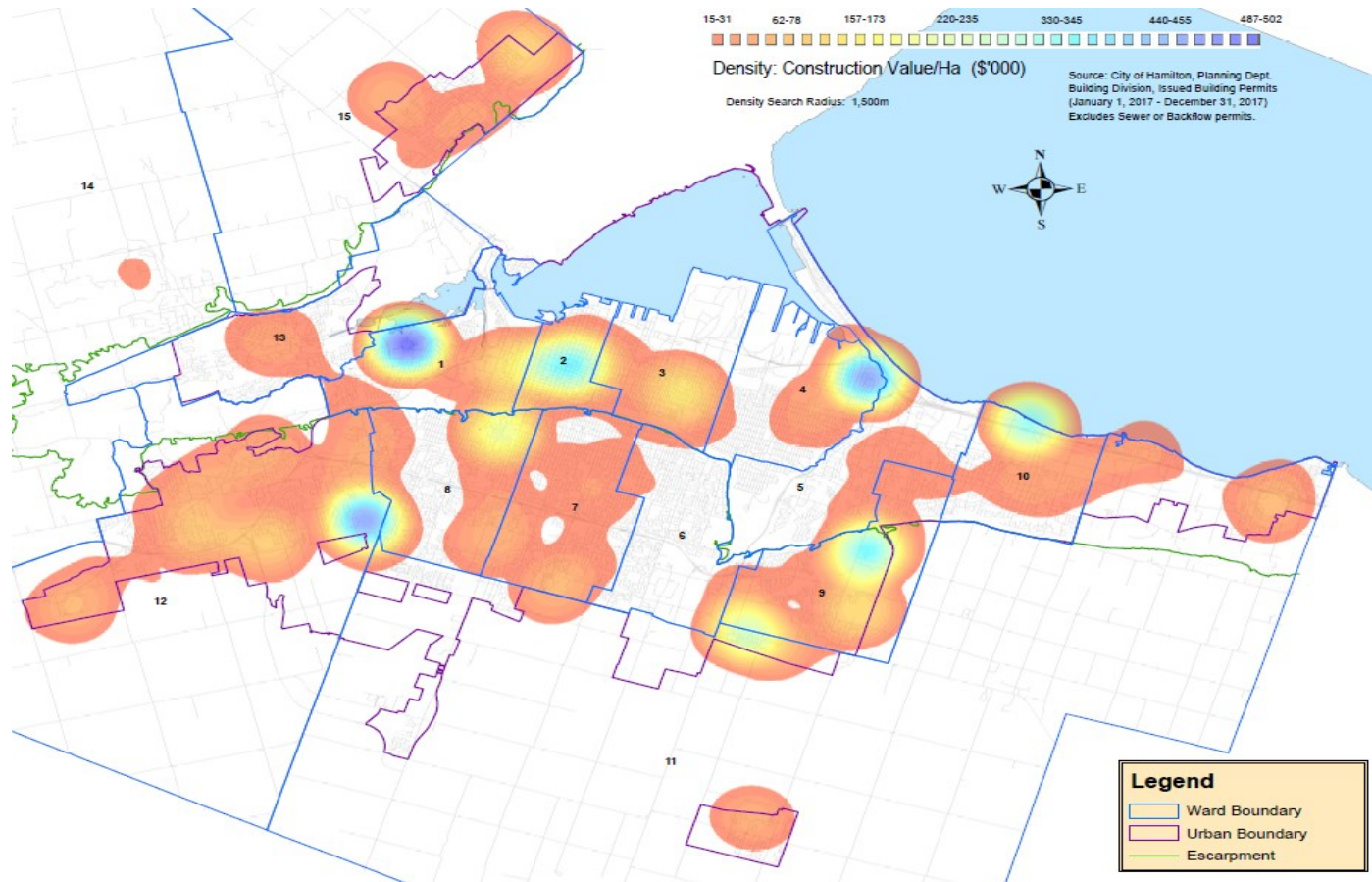
Our Open For Business Initiative

How We're Doing

DEVELOPMENT TRENDS

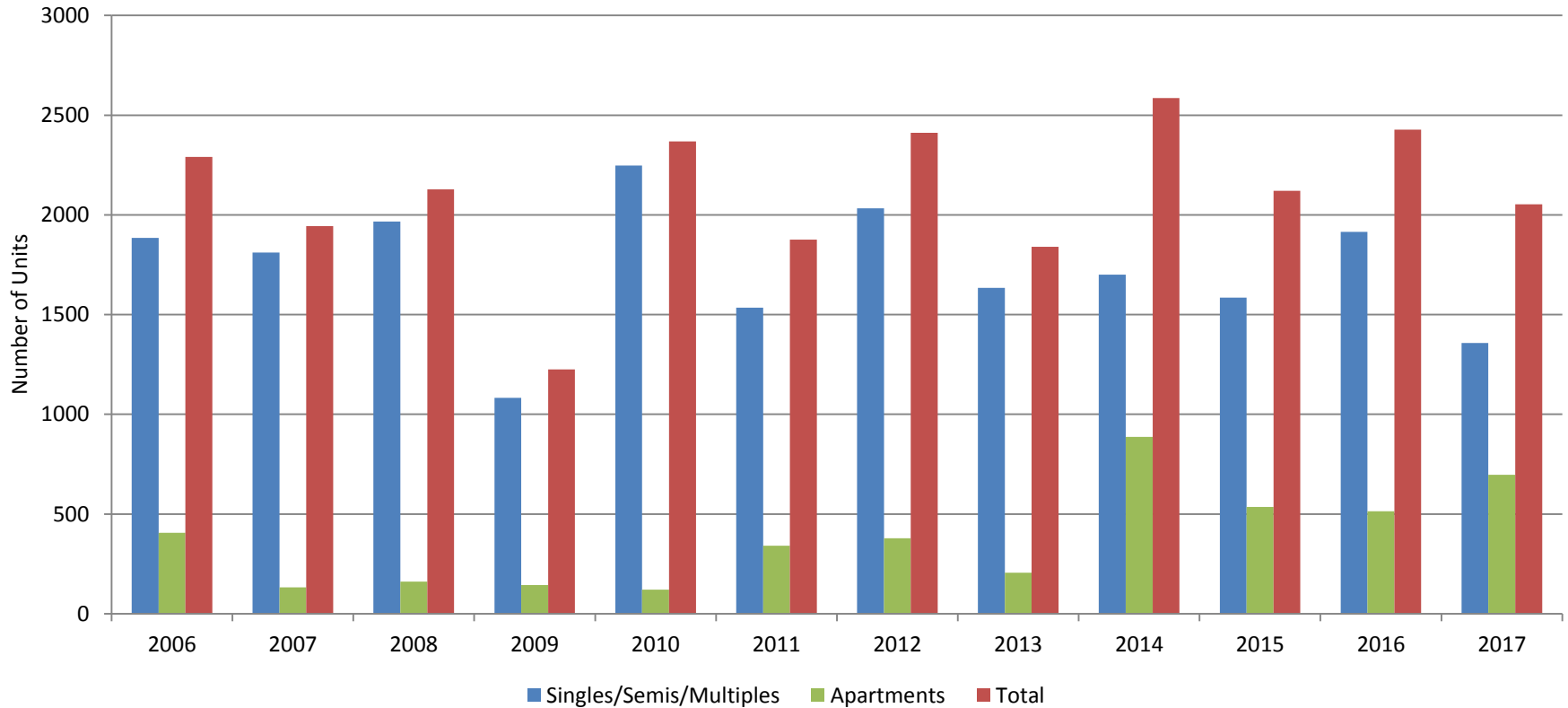
BUILDING PERMIT ACTIVITY

Year	Construction Value
2006	\$682,547,814
2007	\$801,719,348
2008	\$818,462,450
2009	\$692,402,386
20010	\$1,096,299,091
2011	\$731,019,287
2012	\$1,499,627,394
2013	\$1,025,785,000
2014	\$1,143,192,846
2015	\$1,108,192,846
2016	\$1,056,237,746
2017	\$1,364,145,418



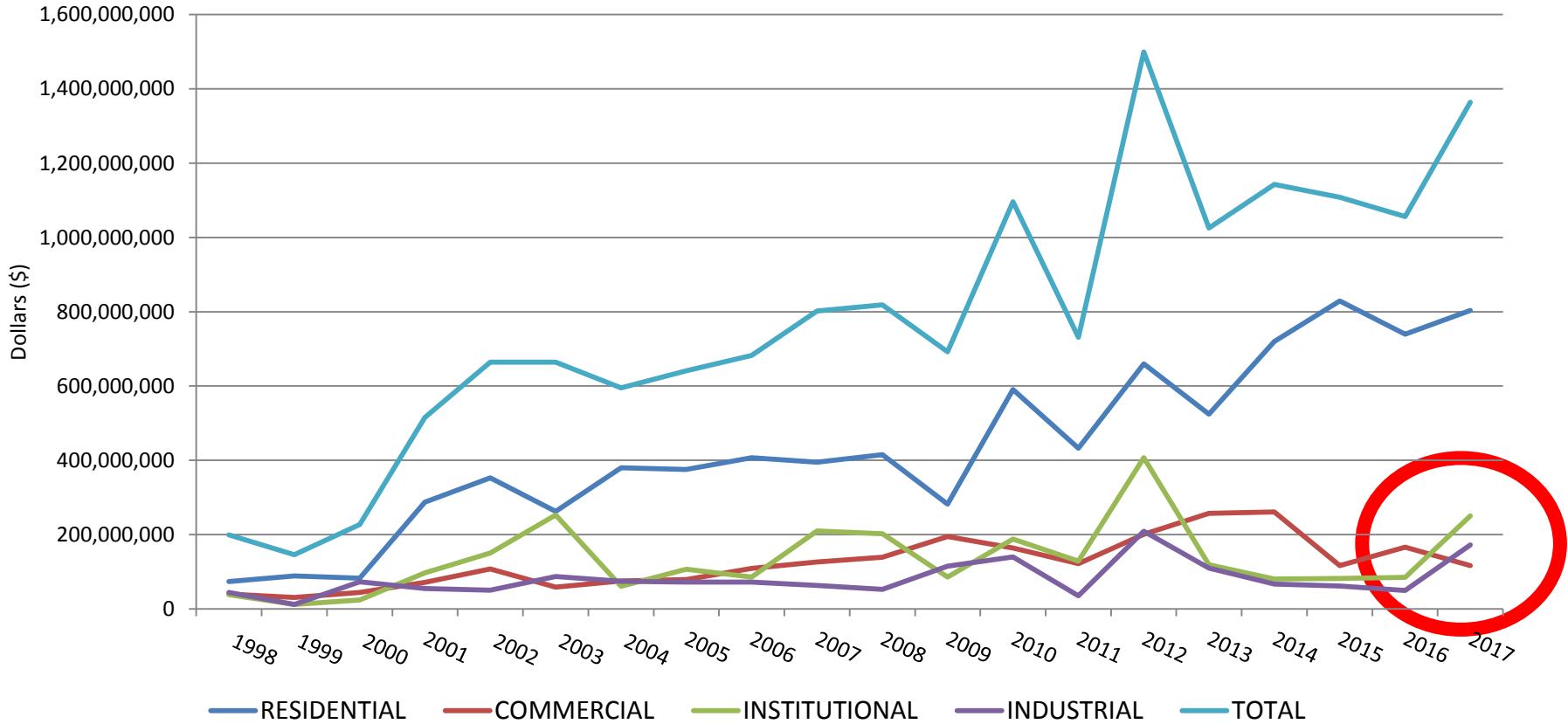
RESIDENTIAL DEVELOPMENT

Housing Units

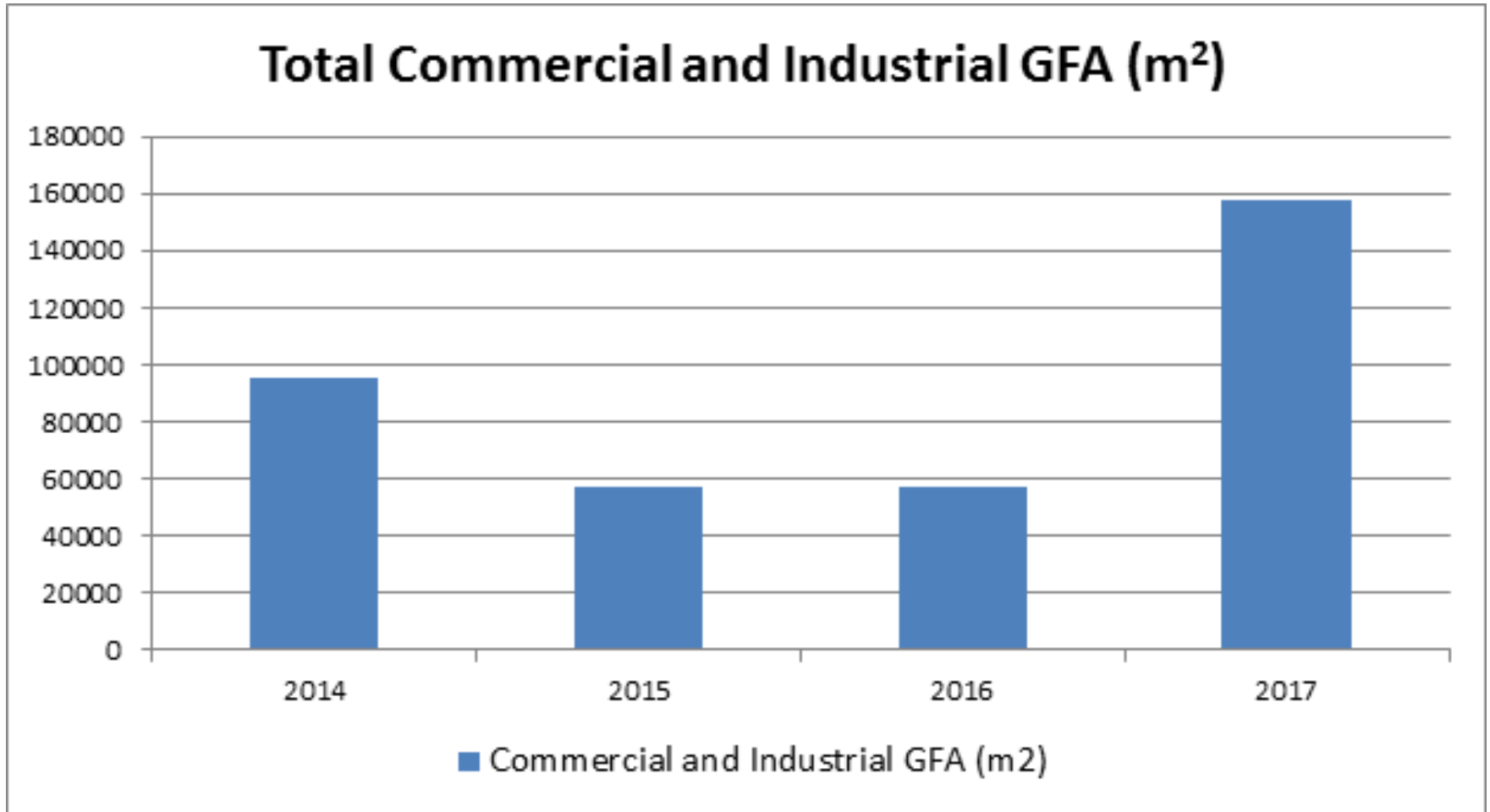


NON-RESIDENTIAL DEVELOPMENT

Building Permit Construction Values By Type

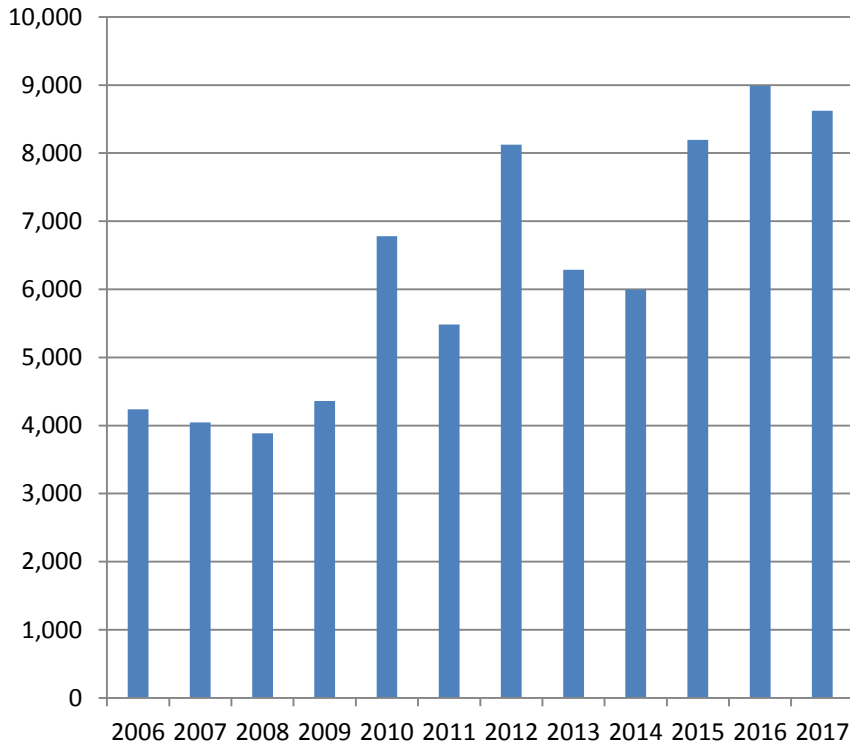


NON-RESIDENTIAL DEVELOPMENT

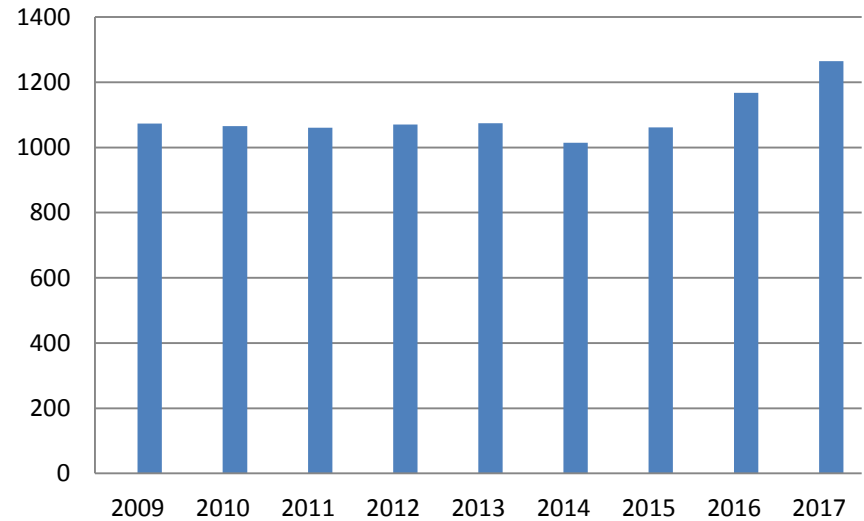


DEVELOPMENT ACTIVITY

Number of Building Permits Issued



Number of Development Applications



OUR OPEN FOR BUSINESS INITIATIVE

OUR OPEN FOR BUSINESS INITIATIVE

In May 2015 ...

- Re-launch of OFB Council Sub-Committee
- Presentation of findings from consultant's report on development approvals process review
- Appointment of Director of Open For Business
- Council approved budget investments in planning and economic development

OUR OPEN FOR BUSINESS INITIATIVE

34 initiatives in 34 months

- a) Eliminating the unnecessary steps
- b) Streamlining the necessary steps
- c) Clear guidelines and expectations
- d) Technology
- e) Staff development and customer service

ELIMINATING THE UNNECESSARY STEPS

1. Parking requirements in older commercial areas
2. Building Permits for festival tents
3. Zoning for farmer's markets
4. Planning approvals for model homes
5. Land dedications for road widenings
6. New rural zoning by-law
7. Encroachment agreements
8. Commercial & Mixed Use Zoning
9. Site Plans for Sales Trailers
10. Legal non-conforming signs
11. Business Licensing By-law review

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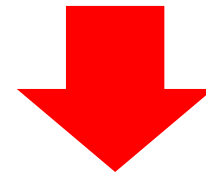
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Retail

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11. Business Licensing By-law review

STREAMLINING THE NECESSARY STEPS

12. Concurrent building permit review
13. Concurrent minor variance approvals
14. Concurrent Form 1 review
15. Conditional Building Permits for brownfield sites
16. Development Engineering re-organization
17. Liquor license applications
18. Lean Review of Draft Plan of Subdivision Approval Process

STREAMLINING THE NECESSARY STEPS

12. Concurrent building permit review

13. Concurrent minor variance approvals

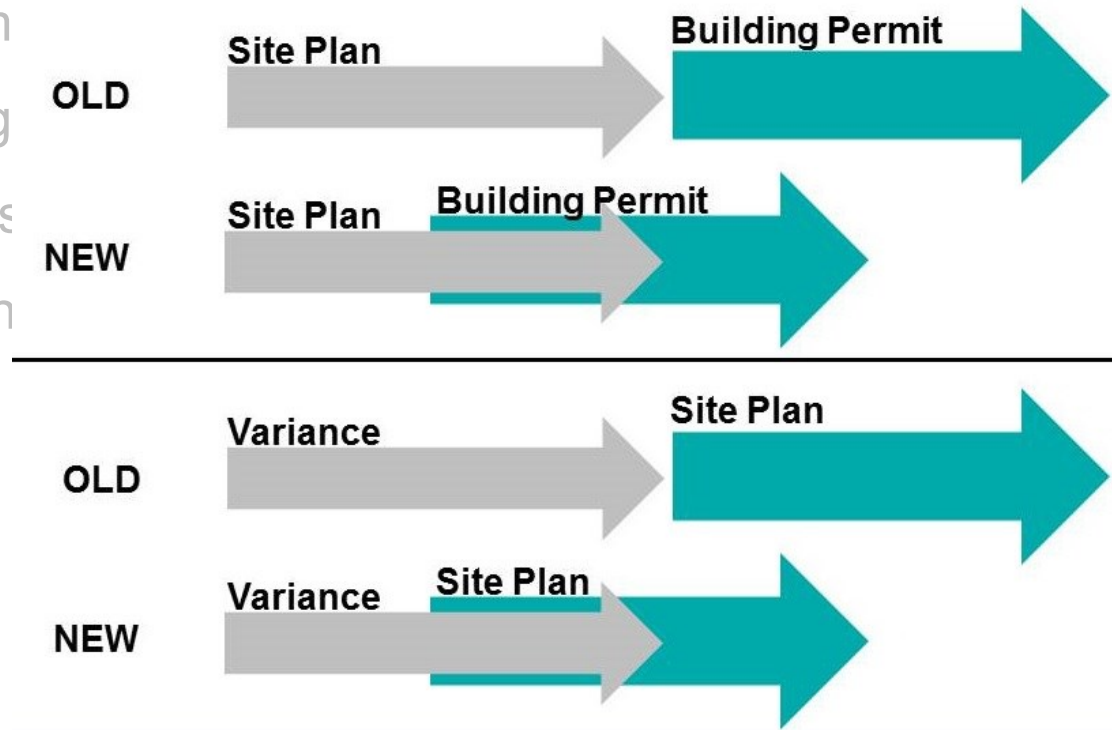
14. Concurrent Form 1 review

15. Conditional Building Perm

16. Development Engineering

17. Liquor license applications

18. Lean Review of Draft Plan



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18. Lean Review of Draft Plan of Subdivision Approval Process

CLEAR GUIDELINES & EXPECTATIONS

19. Comprehensive engineering guidelines
20. Site Plan Approval timelines
21. Standardized template for engineering submissions
22. Clear language in zoning verifications
23. Pre-screening of Form 1 applications
24. Sign variances
25. Zoning Verification at Formal Consultation

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26. AMANDA platform for development applications
27. Digital Building Permit Applications
28. Open Data

26. AMANDA platform for development applications

27. Digital Building Permit Applications

28. Open Data

2017 110838 000 00 FILM Film Permit

Type FILM Film Permit	Status Approved
Sub Type Location Permit	Parent ID 774509
Work	Row ID 774735
Group Film Permits	

Primary Property

Address 71 CROSS STREET, DUNDAS, Ontario, CAN	Roll 2515260200190...	PropID 158826	Folder Unit
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Location

Tracking Dates and Reference Information

In Date May 04, 2017	Issue/Approve	Expires May 11, 2017
Ref. No.	Issued By	Final Date
Name Canadian Tire		Priority

Description

71 CROSS ST. DUNDAS

26. AMANDA platform for development applications

27. Digital Building Permit Applications

28. Open Data



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Development Applications - Active

List of active applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision indicating the number of days the applications are active from the deemed complete date to the date of the Planning Committee meeting in relation to statutory timeframes for non-decision appeals prescribed by the Planning Act.

Update frequency: monthly

Format: [CSV](#) | [XLS](#)

[Data notes](#)

Development Approval Timelines

NEW

Timelines for the completion of various steps in the development review process within the Planning and Economic Development Department

Building Permit Review - Average timelines to issue a Building Permit. **Format:** [CSV](#) | [XLS](#)

Business Licence Review - Average timelines to issue a Business Licence and total number of licences issued. **Format:** [CSV](#) | [XLS](#)

Committee of Adjustment Hearings and Consent Applications - Average timelines for Committee of Adjustment Hearings and Consent applications. **Format:** [CSV](#) | [XLS](#)

Engineering Submissions for Site Plan - Average timelines to process Engineering Submission for Site Plan and total number of applications submitted. **Format:** [CSV](#) | [XLS](#)

Engineering Submissions for Subdivisions - Average timelines to process Engineering Submission for subdivisions and total number of applications submitted. **Format:** [CSV](#) | [XLS](#)

Reports to Planning Committee - Average timelines for Staff Reports of Development Applications to get to Planning Committee. **Format:** [CSV](#) | [XLS](#)

Zoning Verification - Average timelines for Zoning Verifications for Planning Files. **Format:** [CSV](#) | [XLS](#)

Update frequency: yearly

[Data notes](#)

STAFF DEVELOPMENT & CUSTOMER SERVICE

29. Continuous Improvement Team
30. Business Facilitation Team
31. Future Ready leadership development program
32. “PEDEats”
33. Lean Six Sigma
34. Greenbelt Training

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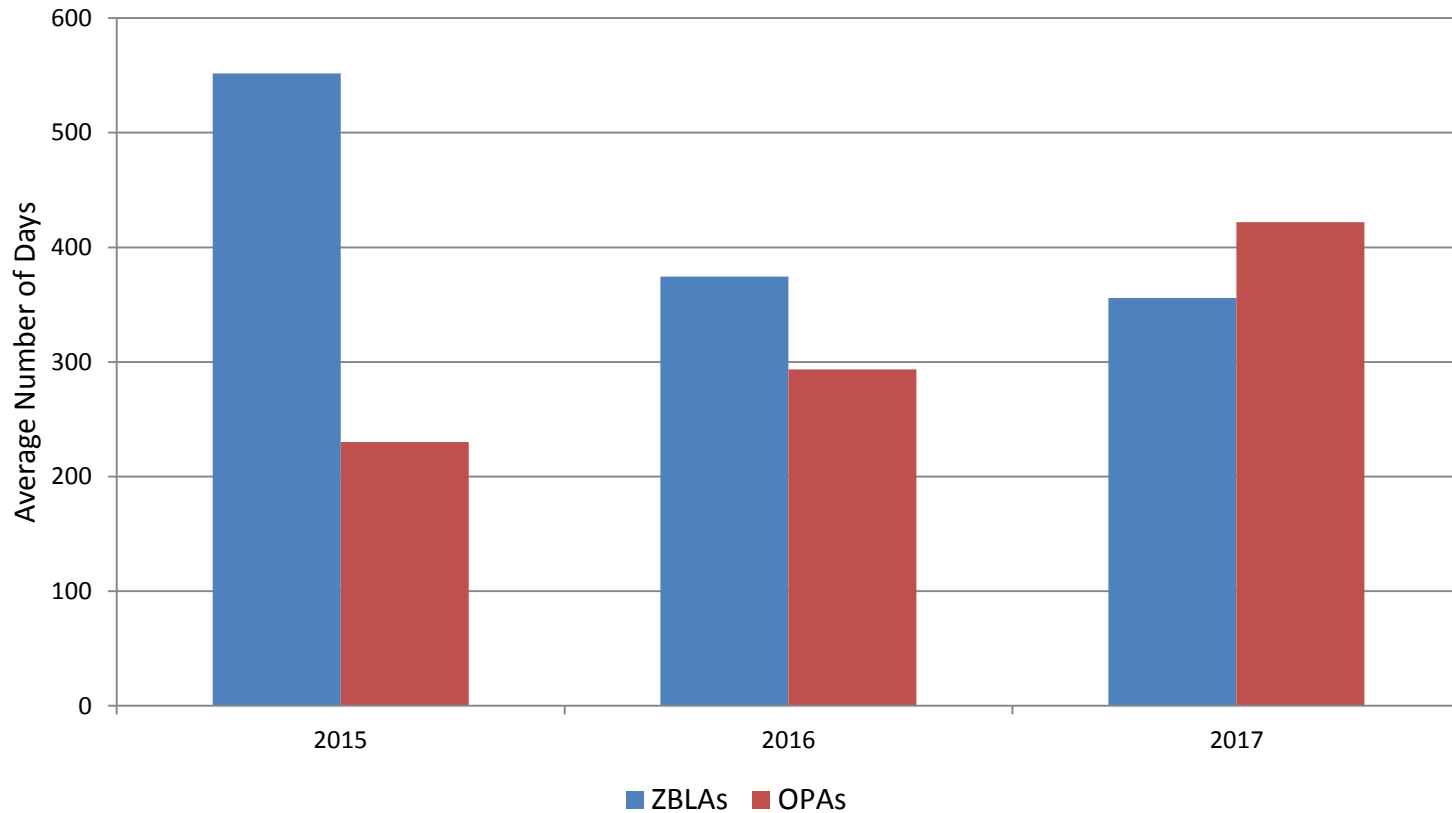
- 34. Greenbelt Training



HOW WE'RE DOING

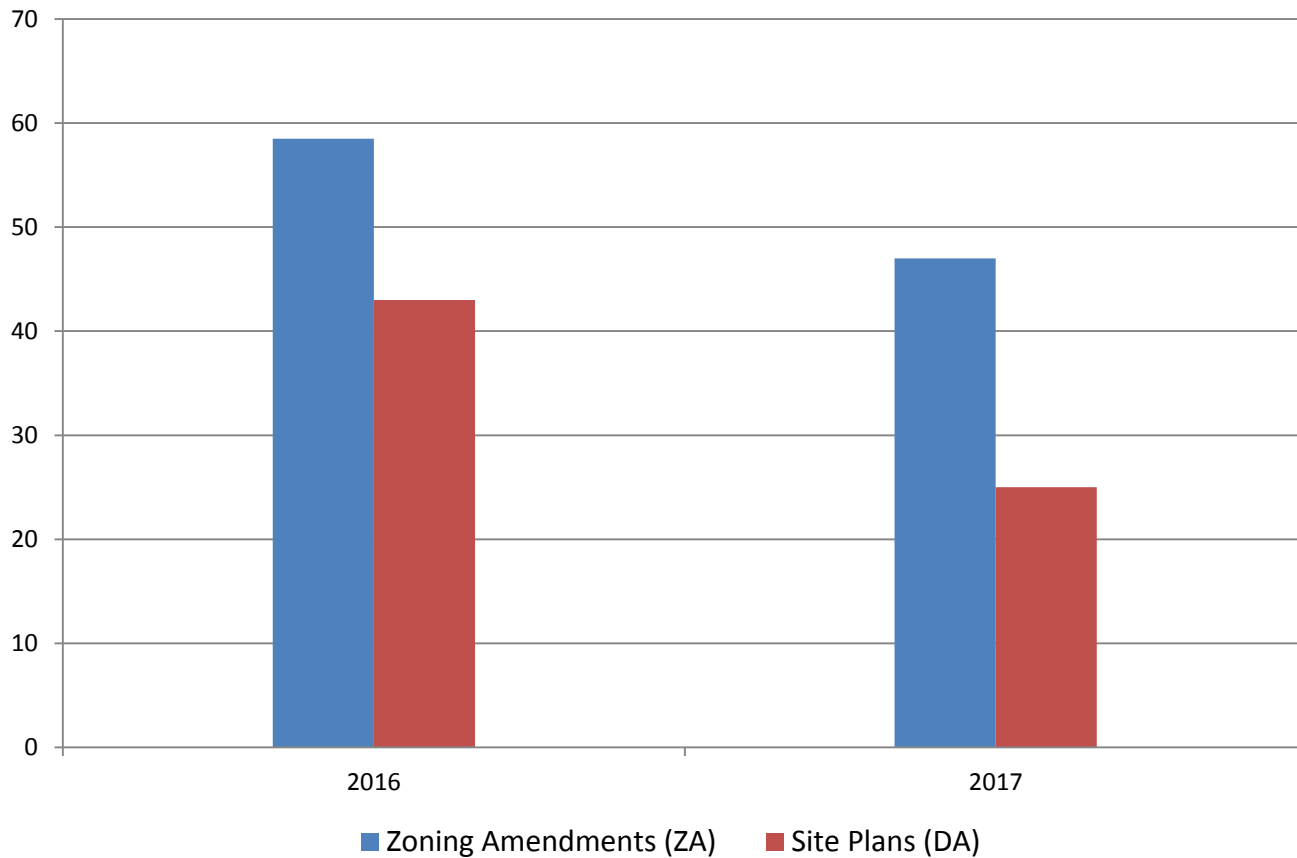
OFFICIAL PLAN / ZONING BY-LAW AMENDMENTS

Approval Timelines – Reports to Planning Committee



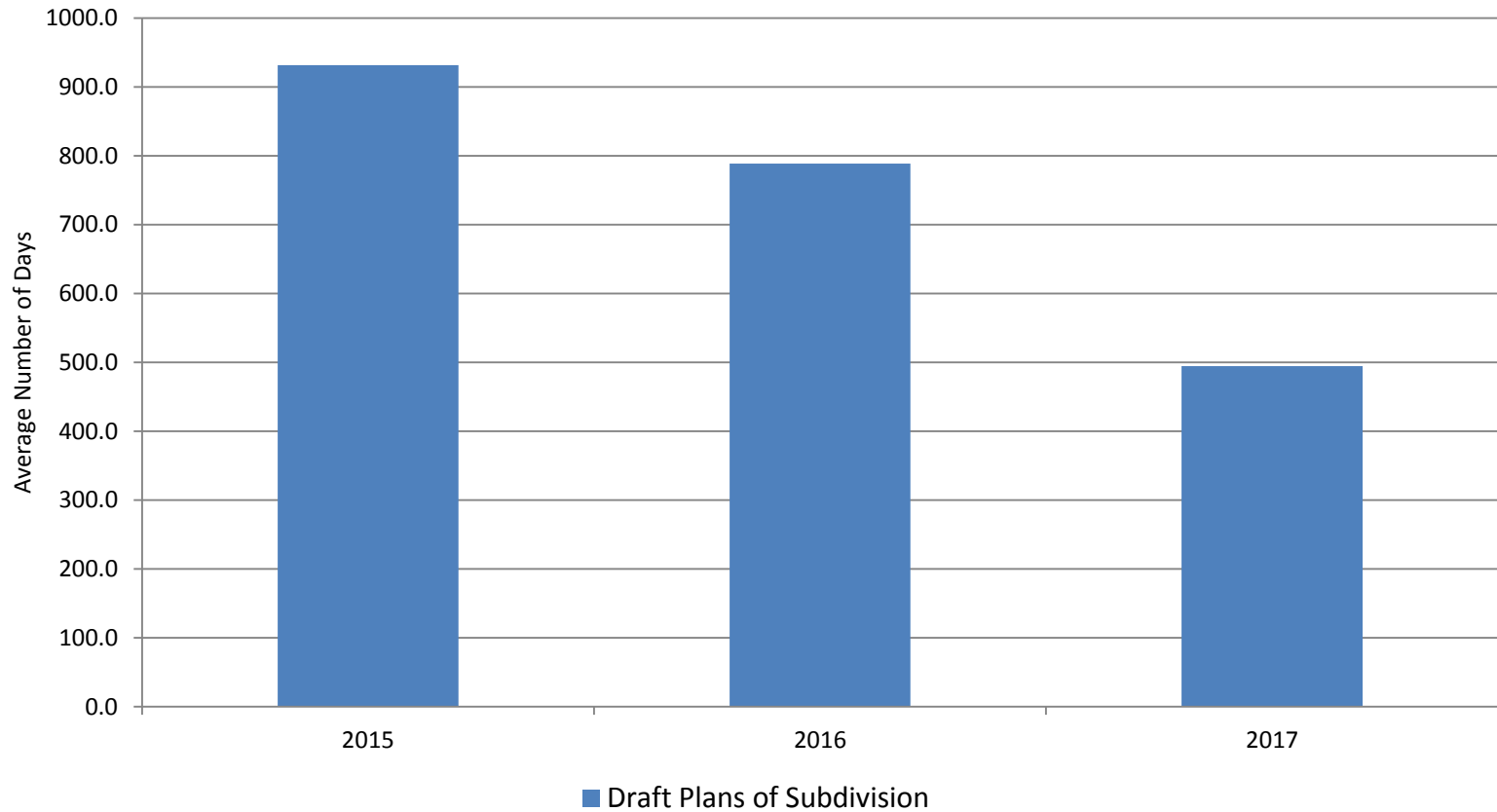
OFFICIAL PLAN / ZONING BY-LAW AMENDMENTS

Average Number of Days to Complete a Zoning Verification for Planning Files



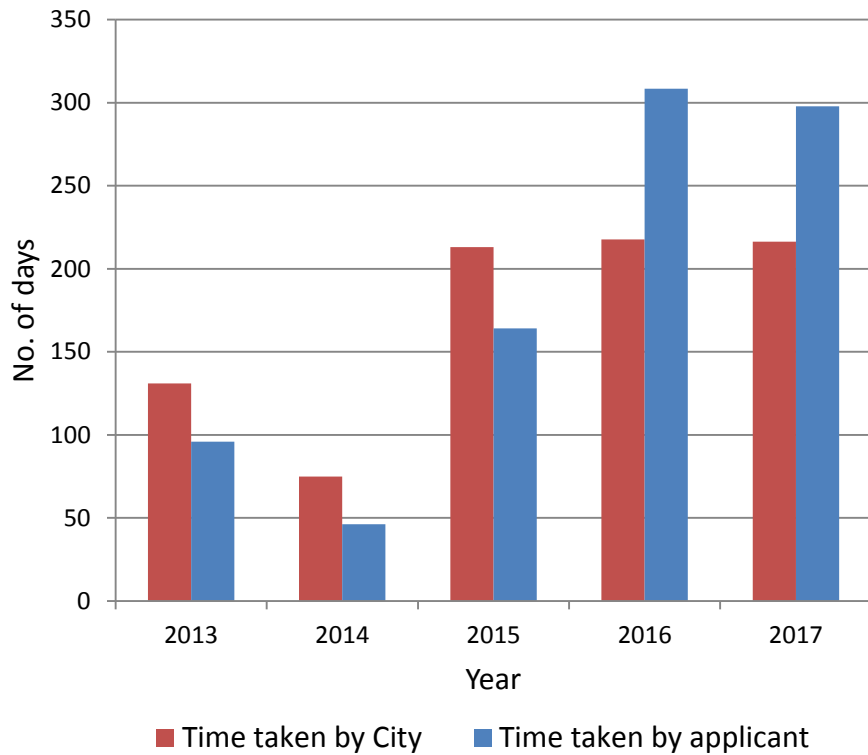
SUBDIVISIONS

Approval Timelines - Draft Plans to Planning Committee

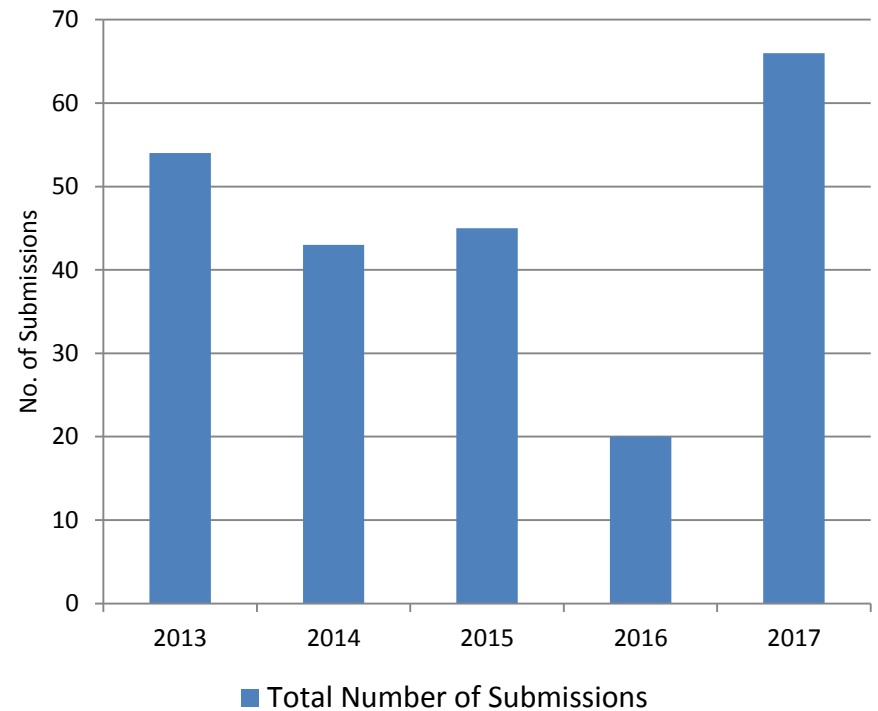


SUBDIVISIONS

Processing Time for Engineering Submissions (Subdivisions)

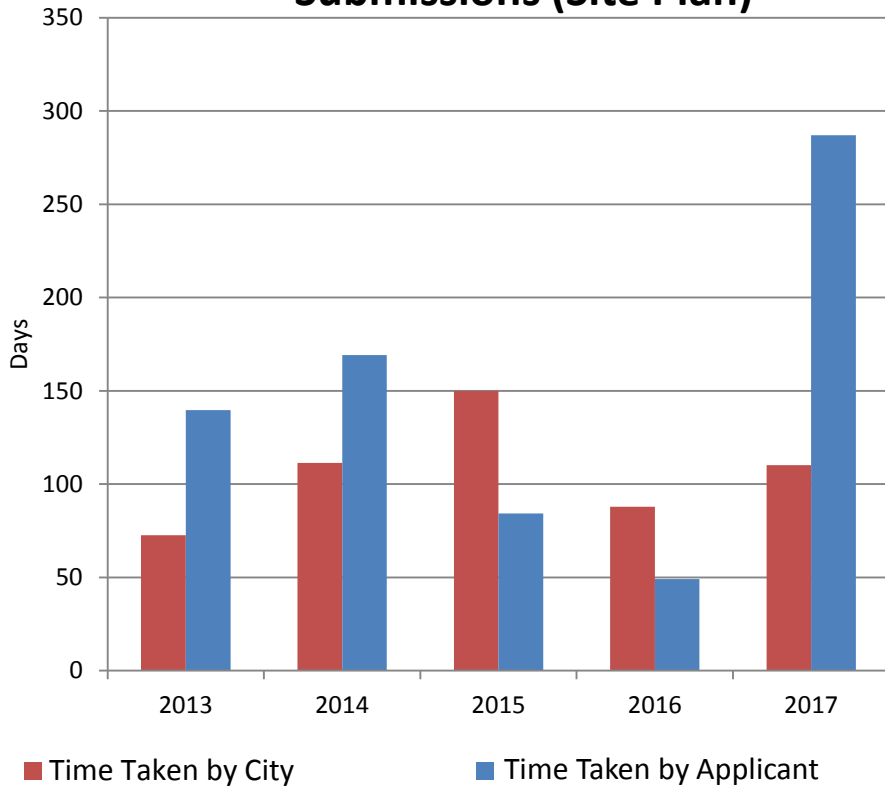


Engineering Submissions Per Year (Subdivisions)

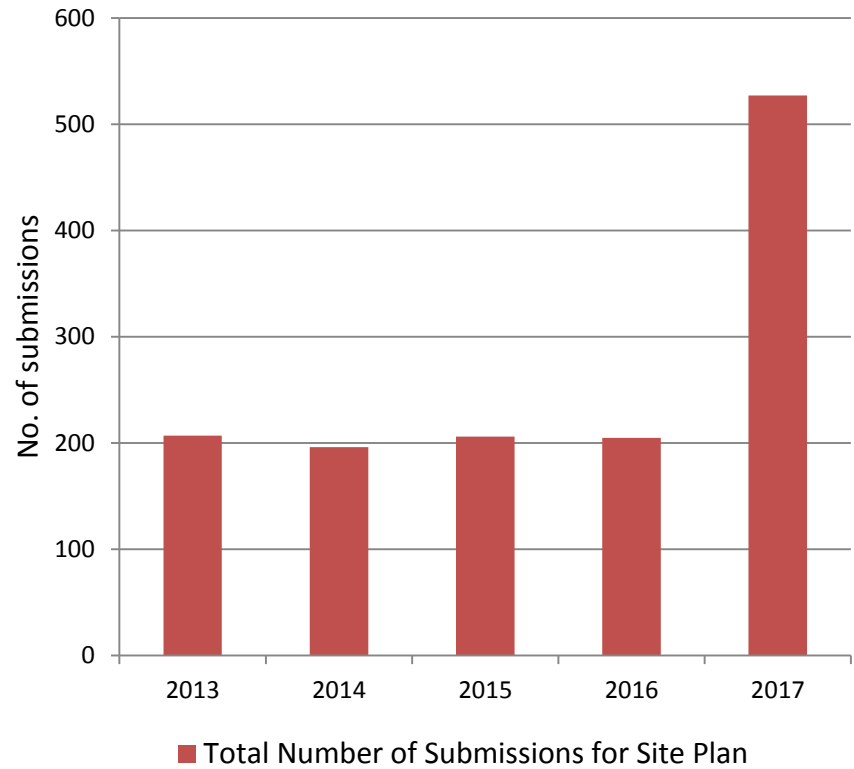


SITE PLANS

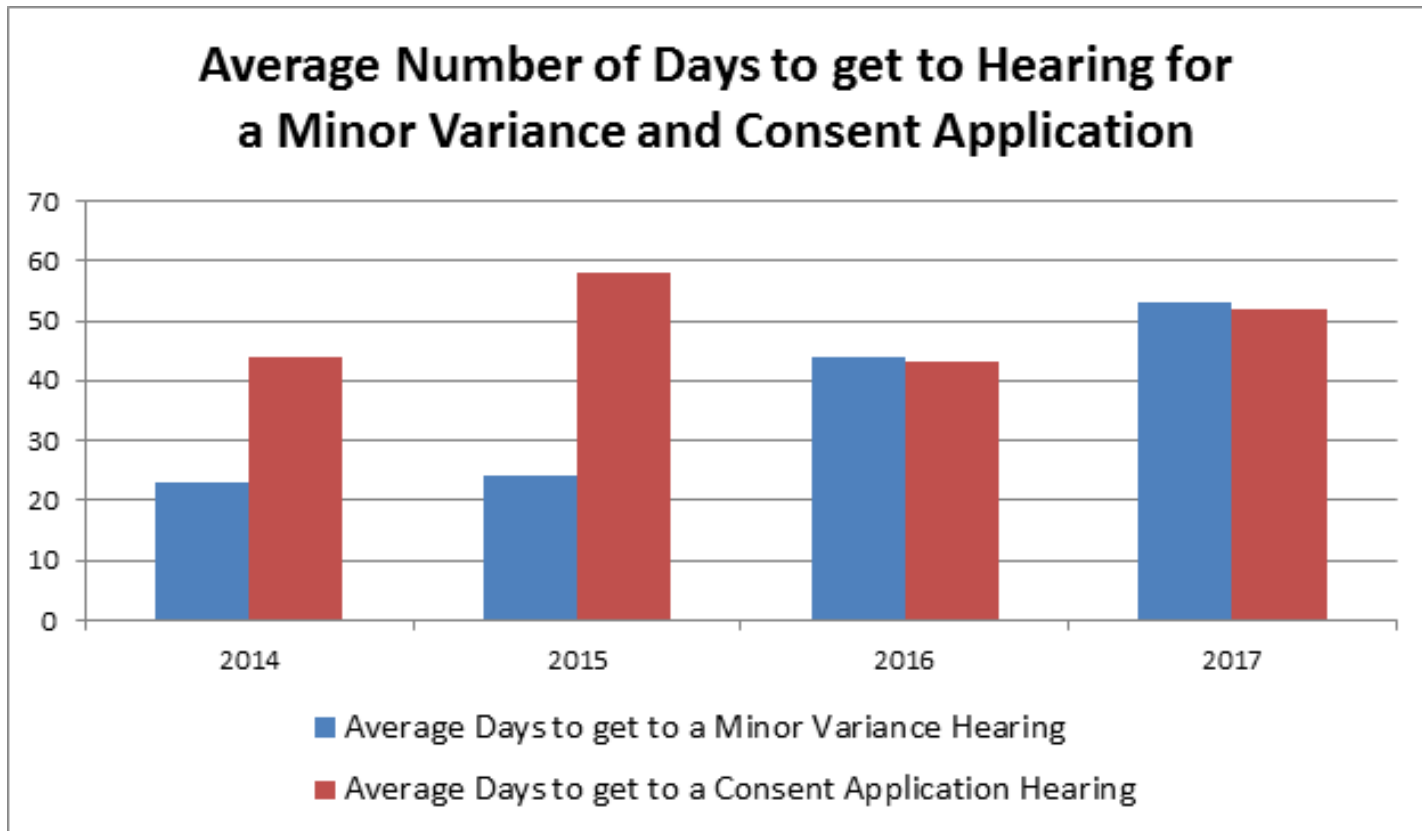
Processing Time for Engineering Submissions (Site Plan)



Engineering Submissions Per Year (Site Plan)

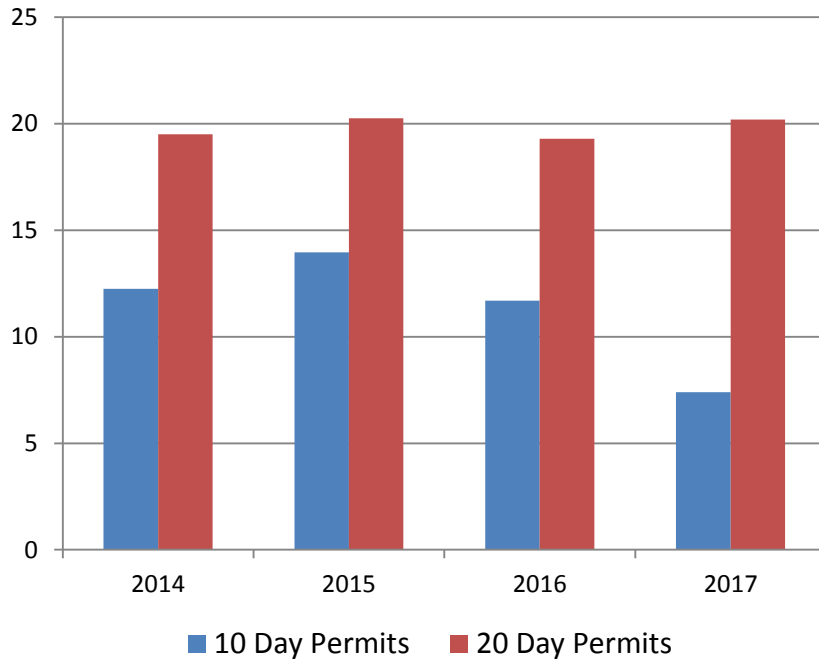


COMMITTEE OF ADJUSTMENT

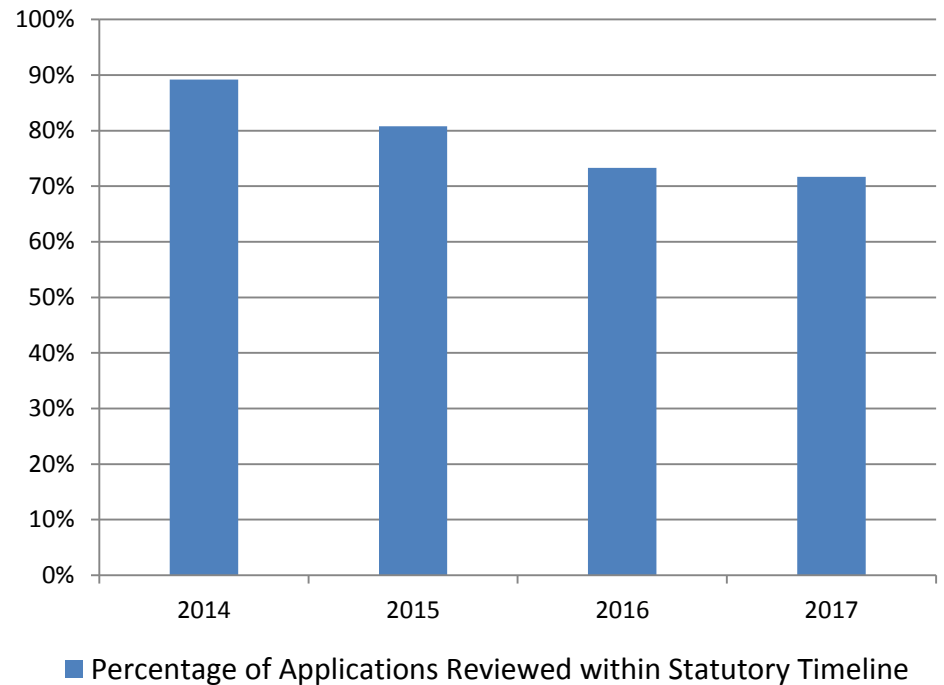


BUILDING PERMITS

Average Review Time for Building Permits

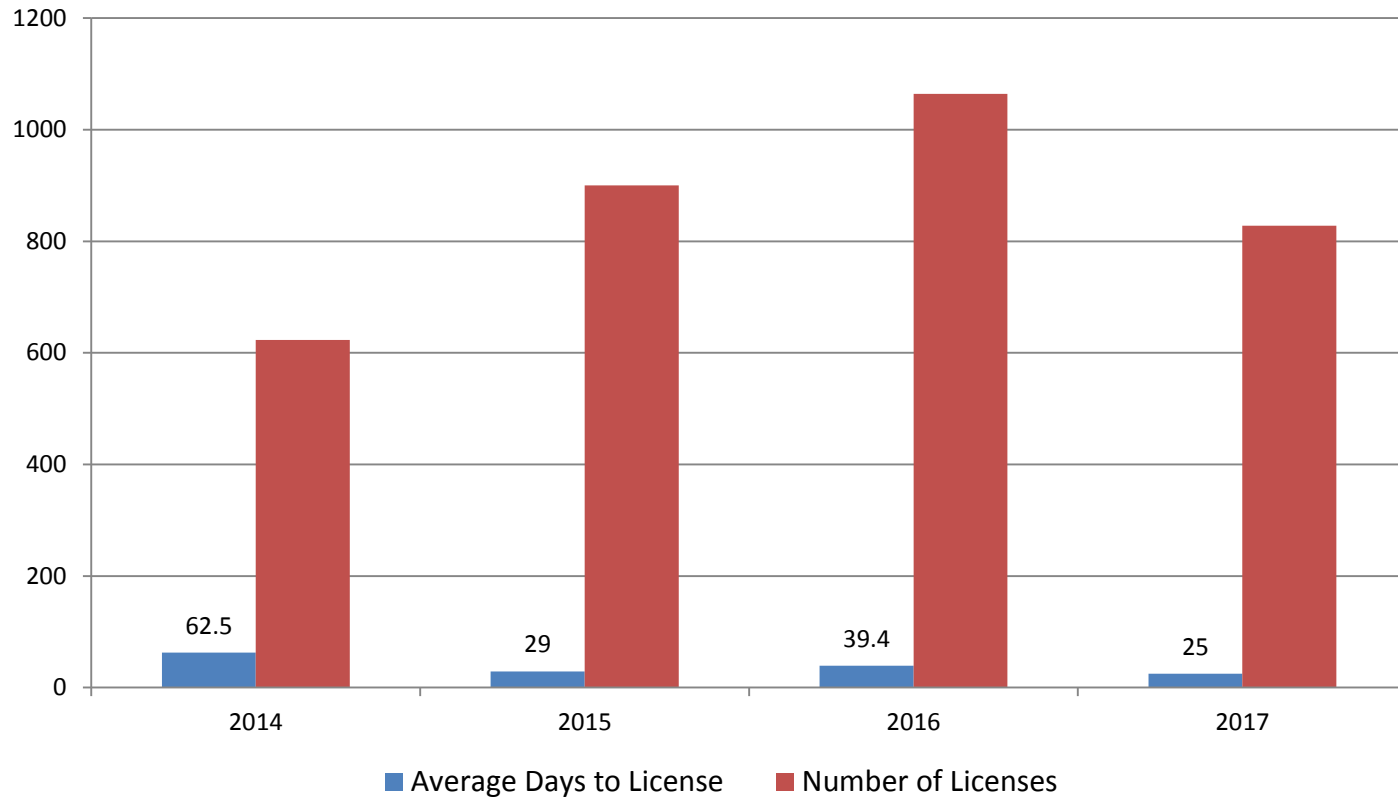


Percentage of Permit Applications Reviewed within Statutory Timeline



BUSINESS LICENCES

Approval Timelines - Business Licences





Open For Business Update

Presentation to Open For Business Subcommittee

March 27, 2018



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
General Manager's Office

TO:	Chair and Members Open For Business Sub-Committee
COMMITTEE DATE:	March 27, 2018
SUBJECT/REPORT NO:	Outdoor Boulevard Café Process Improvement (PED18075) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Robert Lalli (905) 546-2424 Ext. 4674
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Encroachment on City Property Policy, approved by City Council at its meeting of April 29, 2009, through Report PED09127 on the Hess Village Review, which required a patio layout plan to be approved to the satisfaction of the Manager of Development Planning prior to approval of an Encroachment Agreement, be amended to only require a patio layout plan, if the patio construction also requires a Building Permit as defined in the *Building Code Act*,
- (b) That the General Manager of Public Works be authorized and directed to make any and all necessary changes to the existing Encroachment on City Property Policy, previously approved via Report PW11024, to remove the requirement for a minor site plan approval for patios that do not trigger a Building Permit requirement under the Ontario Building Code and to streamline the circulation process for applications for Encroachment Agreements for patios;
- (c) That Legal Services be authorized to modify existing precedent agreements used in granting encroachments, including Outdoor Boulevard Cafés, where required, in accordance with the recommendations made in Recommendation (a) and (b) of Report PED18075.

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.

SUBJECT: Outdoor Boulevard Café Process Improvement - (PED18075) (City Wide) - Page 2 of 5

EXECUTIVE SUMMARY

This Report reflects the work of a multidisciplinary team of City staff in Planning and Economic Development and Public Works to address the issues identified by the Open For Business Sub-Committee and the Planning and Economic Development Continuous Improvement Team with respect to the process by which Outdoor Boulevard Cafés (Patios) are approved in the City. This Report proposes a new, streamlined process in which a Minor Site Plan Application is no longer required for an Outdoor Boulevard Café unless the need for a Building Permit under the Ontario Building Code is required. The new process also reduces the number of City staff and agency circulations to improve efficiency and reduce approval times. These recommendations will address the issue of long approval periods, and will ultimately allow improvements to our process, while still maintaining the integrity of these processes in alignment with our Open For Business mandate.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The recommendations have no financial implications.

Staffing: There are no staffing implications associated with the recommendations in this Report.

Legal: Legal Services will continue to be involved in the agreement process related to encroachments and will be authorized to modify the existing precedent agreement to align with recommendations within Report PED18075.

HISTORICAL BACKGROUND

At its meeting of April 27, 2009, Committee of the Whole (COW) Report PED09127 was considered and subsequently approved by Council (COW Report 09-013) on April 29, 2009, which principally dealt with the administration by the City of such matters as handling of applications for liquor licences, road allowance encroachments through City Outdoor Patio Encroachment Agreements, Encroachment Agreements on the Hess Village Pedestrian Mall and assistance to Hamilton Police Services through the Public Works Department. With respect to the issue of Outdoor Patio Encroachment Agreements, it was recommended that a requirement of approval of an Encroachment Agreement for a patio be that the applicant prepare and submit a patio layout plan to the satisfaction of the Manager of Development Planning.

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SUBJECT: Outdoor Boulevard Café Process Improvement - (PED18075) (City Wide) - Page 3 of 5

Further, Report PW11024 to Public Works Committee on April 4, 2011, approved by Council as Public Works Committee Report 11-005 on April 13, 2011, established the Encroachment on City Property Policy and the Encroachment on City Property Procedure with the General Manager of Public Works authorized and directed to amend the procedure as required. The purpose of this Report was to formalize written policies and procedures detailing steps and controls to manage processes and agreements for encroachments and outdoor boulevard cafés.

Due to recent issues and complaints received from applicants regarding processing timelines for Outdoor Boulevard Café Agreements, staff on the Continuous Improvement Team looked into the feasibility of adjusting the current requirements in order to increase efficiencies while still maintaining the integrity of these processes.

In the Fall of 2017, staff in Legal, Building, Zoning, Fire Prevention Bureau, Licensing, Planning, and Public Works met to discuss and consider changes to current processes and the steps needed in order to ensure compliance is maintained while working through the process changes.

On March 7, 2018, staff proposed process changes to the Continuous Improvement Team that would only require an Outdoor Boulevard Café to require Site Plan Approval if a Building Permit was required and staff were in favour of the proposed changes.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**Encroachment on City Property Policy**

This Policy establishes a formal process for the consideration of requests for encroachments in, on, above, or under City property and subsequent approval and management of Encroachment Agreements.

Municipal Act

The City is authorized to enter into encroachment agreements pursuant to Sections 8, 9, and 10 of the *Municipal Act, 2001*, which further authorizes the City, amongst other things, to delegate its authority and to impose fees or charges on persons for services or activities provided or done by or on behalf of it.

Streets By-Law No. 9329

This By-law describes encroachments on City streets and indicates that an annual fee and charge may be deemed reasonable.

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SUBJECT: Outdoor Boulevard Café Process Improvement - (PED18075) (City Wide) - Page 4 of 5

RELEVANT CONSULTATION

The following City Departments and Divisions were consulted on the proposed process change:

- Corporate Services Department: Legal Services
- Planning and Economic Development Department: Development Engineering, Planning, Building, Licensing, Zoning
- Public Works Department: Engineering Services: Geomatics and Corridor Management
- Fire Prevention Bureau

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The current approval process of a patio requires all applicants to go through the Minor Site Plan Application process followed by the Encroachment Agreement process. This can result in lengthy approval times and extensive staff time across multiple City Departments. Currently, multiple internal and external agencies are circulated through two Departmental processes. The proposed change to only require a Minor Site Plan Application for a patio if a Building Permit is required maintains the integrity and intent of the need for such requirements, while increasing process efficiencies by streamlining the circulation process, which will decrease the approval timeline. The change to remove the site plan process, where no Building Permit is required also provides a significant financial savings to the applicant. The proposed changes, if approved, are expected to shorten the approval process by approximately ten weeks over the existing process.

ALTERNATIVES FOR CONSIDERATION

The City could maintain the existing Outdoor Boulevard Café Encroachment process as is.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

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.

SUBJECT: Outdoor Boulevard Café Process Improvement - (PED18075) (City Wide) - Page 5 of 5

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy and have a high quality of life.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

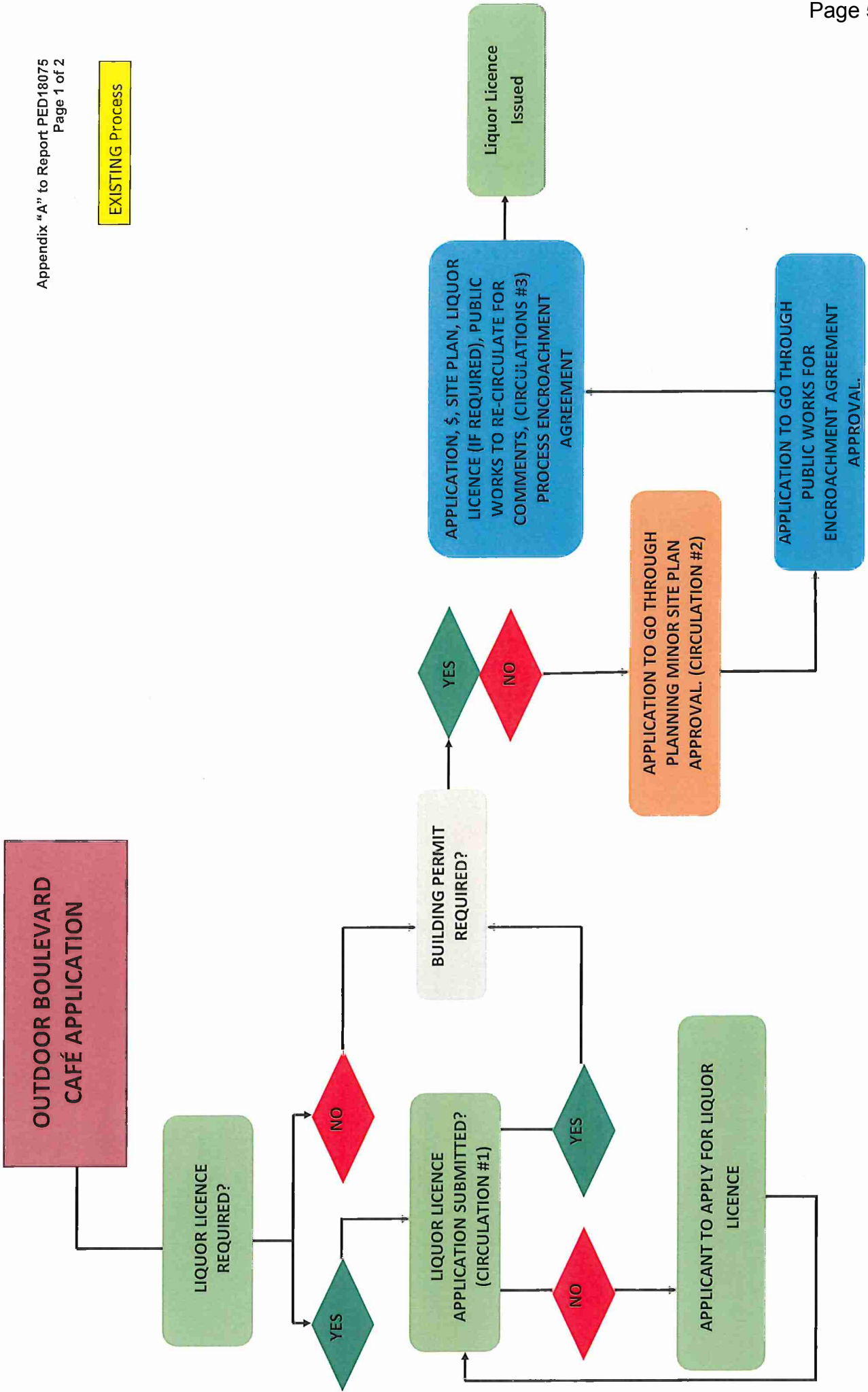
Appendix "A": Flowcharts of Existing and Proposed Processes

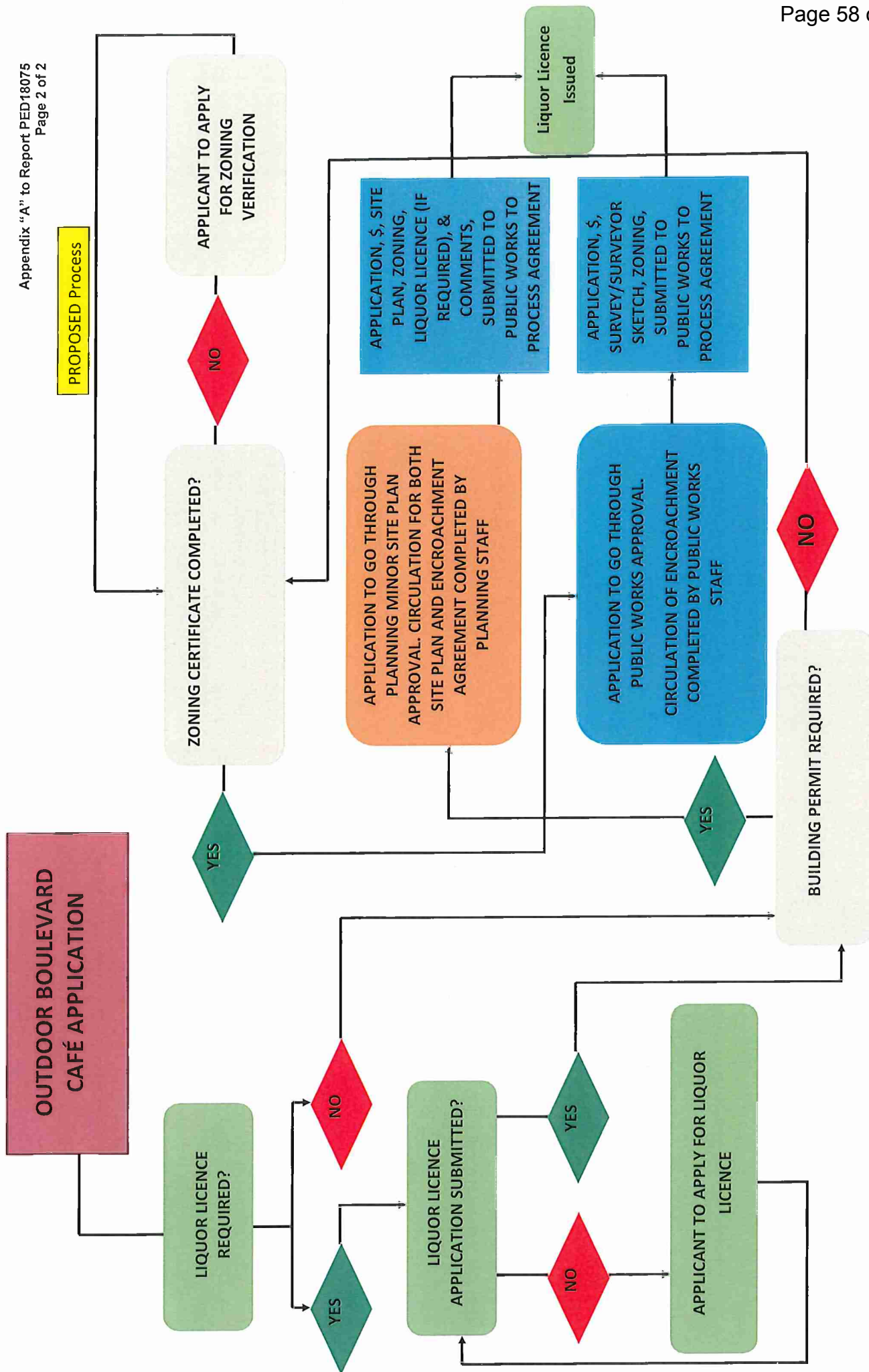
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EXISTING Process







Open For Business Outdoor Boulevard Café Process Improvement

Presentation to Open For Business Sub-Committee
March 27, 2018

Two Types of Patios:

- On Street Patio Program
- Outdoor Boulevard Café

TWO TYPES OF PATIOS

On Street Patio



TWO TYPES OF PATIOS

Outdoor Boulevard Café



How Did We Get Here?

HOW DID WE GET HERE?

History

- In April 2009, Council amended the way in which Encroachment Agreements were going to be handled.
- All applicants that wanted to have a patio had to submit a patio layout to the satisfaction of the Manager of Development Planning, Heritage and Design.
- It was determined that the best way to process these layouts was with a Minor Site Plan Application.

HOW DID WE GET HERE?



HOW DID WE GET HERE?



HOW DID WE GET HERE?



TODAY'S PATIOS



TODAY'S PATIOS



Today's Patio Construction:

- Mostly created on grade
- No construction = No Building Permit
- Only fence or railing delineating the area where alcohol is permitted
- On City property so requires an Encroachment Agreement

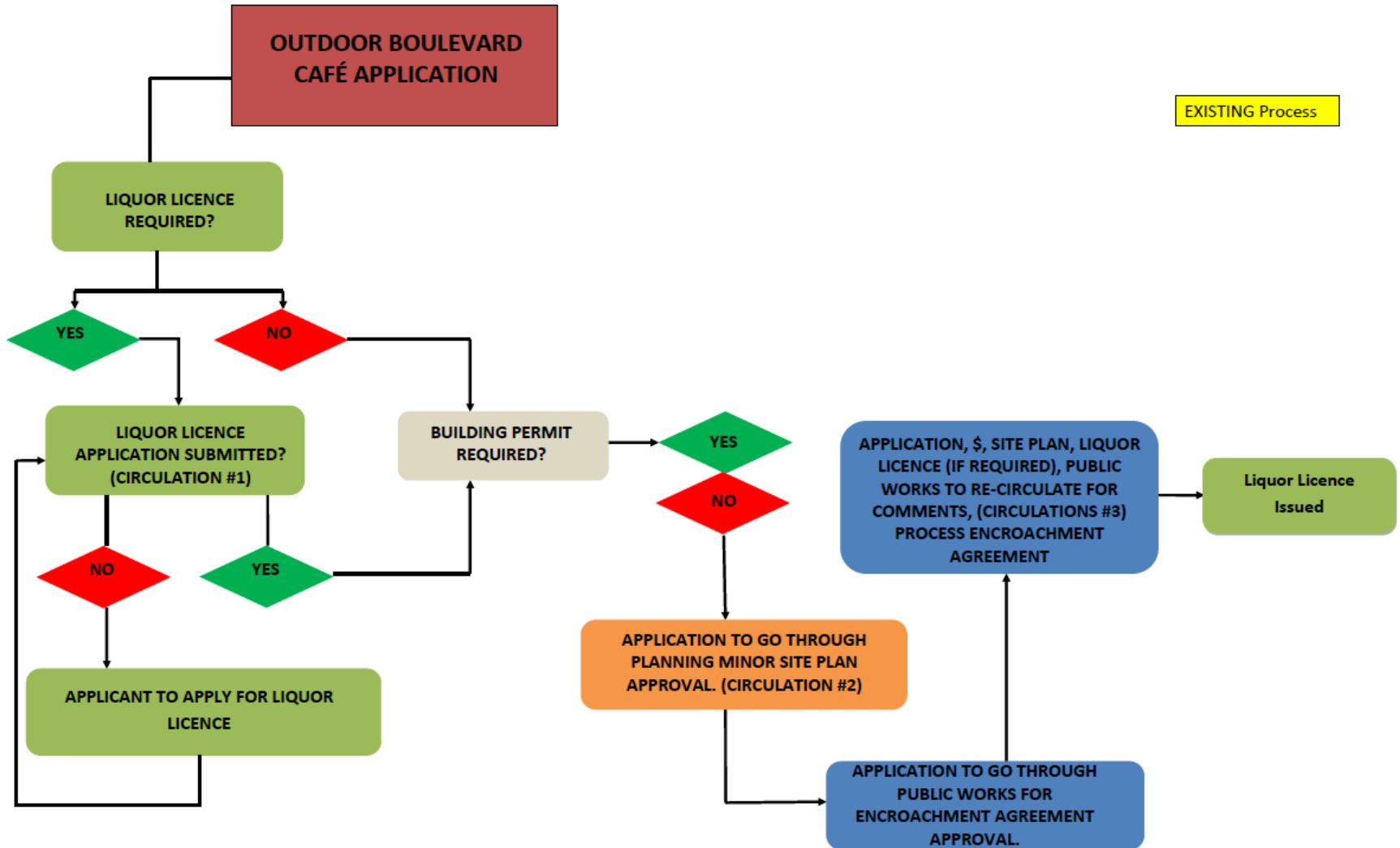
ELIMINATING THE UNNECESSARY STEPS

ELIMINATING THE UNNECESSARY STEPS

Feedback

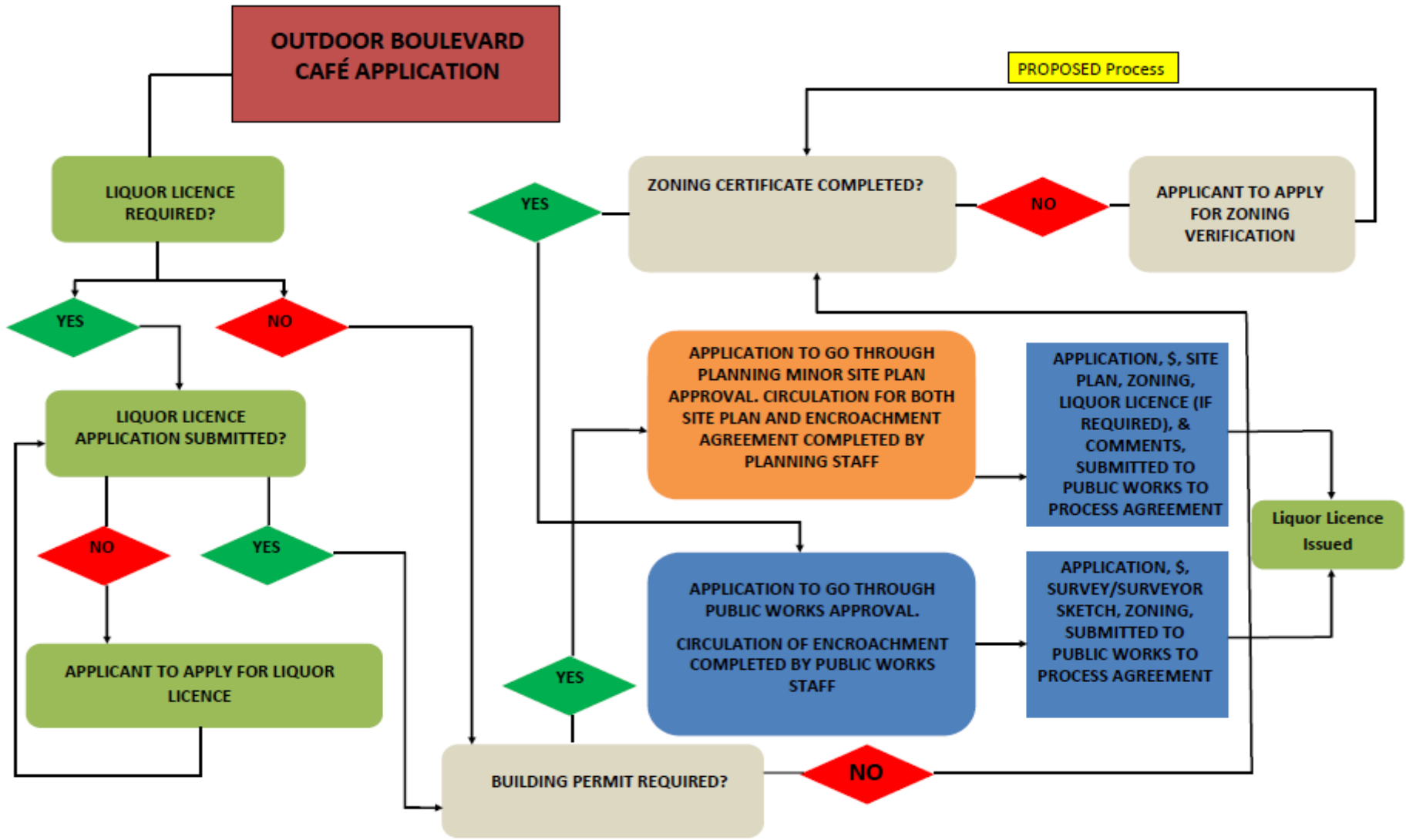
- Listened to our BIAs
- Spoke to Hamilton Burlington Society of Architects
- We heard time and time again through our PEDEats sessions of the long delays in receiving patio approval

ELIMINATING THE UNNECESSARY STEPS



STREAMLINING THE NECESSARY STEPS

STREAMLINING THE UNNECESSARY STEPS



CLEAR GUIDELINES & EXPECTATIONS

CLEAR GUIDELINES & EXPECTATIONS

