



City of Hamilton

OPEN FOR BUSINESS SUB-COMMITTEE

Meeting #: 18-002
Date: September 6, 2018
Time: 2:00 p.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

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

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 March 27, 2018

4. DELEGATION REQUESTS

5. CONSENT ITEMS

5.1 Continuous Improvement Team - Process Review - Micro-breweries - Case Study
No. 20

6. PUBLIC HEARINGS / DELEGATIONS

7. STAFF PRESENTATIONS

7.1 Rural Development and Sustainable Private Servicing (PED18191) (Wards 9, 11, 12,
14, 15)

7.2 Continuous Improvement Process Review - Transportation Reviews for Development
Case Study No. 19 (City Wide)

8. DISCUSSION ITEMS

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



Hamilton

OPEN FOR BUSINESS SUB-COMMITTEE

MINUTES 18-001

Tuesday, March 27, 2018

9:30 a.m.

Council Chambers, 2nd Floor

Hamilton City Hall

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

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
Suzanne Mammel, HHHBA
Wendy Stewart, Hamilton-Burlington Realtors Association

Absent with Regrets: Councillor M. Green – Personal
Councillor J. Partridge – City Business

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

1. Outdoor Boulevard Café Process Improvement (PED18075) (City Wide) (Item 7.2)

(Whitehead/Ferguson)

- (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.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following change to the agenda:

Item 8.1 being moved up to Item 7.2, as it is a Presentation in addition to the staff report.

(VanderBeek/Pasuta)

That the agenda for the March 27, 2018 meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) November 28, 2017 (Item 3.1)

(VanderBeek/Whitehead)

That the Minutes of the November 28, 2017 meeting be received, as presented.

CARRIED

(d) PRESENTATION (Item 7)

(i) Open For Business Accomplishments (Item 7.1)

Jason Thorne, General Manager of Planning and Economic Development, addressed the Committee respecting Open For Business Accomplishments, with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

(Pasuta/VanderBeek)

That the presentation respecting Open For Business Accomplishments, be received.

CARRIED

The presentation is available at www.hamilton.ca.

(ii) Outdoor Boulevard Café Process Improvement (PED18075) (City Wide) (Item 7.2)

Robert Lalli, Strategic Advisor, addressed the Committee with an overview of PED18075, respecting Outdoor Boulevard Café Process Improvement, with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

(VanderBeek/Ferguson)

That the presentation respecting Outdoor Boulevard Café Process Improvement, be received.

CARRIED

The presentation is available at www.hamilton.ca.

For further disposition of this matter, please refer to Item 1.

(e) ADJOURNMENT (Item 12)

(Ferguson/VanderBeek)

That there being no further business, the meeting be adjourned at 11:33 a.m.

CARRIED

Respectfully submitted,

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

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



Hamilton

Planning and Economic
Development Department

Memorandum

Date: September 6, 2018

To: Chair and Members
Open for Business Sub-Committee

From: Ed VanderWindt
Director, Building and Chief Building Official
Planning and Economic Development Department

Subject: **Continuous Improvement Team - Process Review – Micro-breweries – Case Study No. 20**

BACKGROUND

The role of the Planning and Economic Development Department / Public Works Department Continuous Improvement Team (CIT) is to review select case studies after they have been through the approval process to identify any lessons learned and opportunities for process improvements.

OBSERVATIONS AND ISSUES

The rise in the popularity of craft breweries and distilleries in the City of Hamilton has resulted in the Building Division initiating a review of the application of the Ontario Building Code (OBC) for buildings that are comprised of a micro-brewery, winery, distillery or other similar uses. The review included several case studies that specifically contained a micro-brewery and an associated ancillary use for the public such as a tasting room, retail store, public gathering space, or multi-purpose room.

Life safety and protection of occupants is the primary concern for a Building Official. The concern is not only for protection from obvious hazards found in processes for a brewery and distillery, but also for public uses that are deemed to be independent of the primary brewery or distillery use. At issue for these operations is when there is a requirement to construct a fire separation that serves as a physical barrier between a micro-brewery use and public spaces considered as separate major occupancies.

Large-scale distillation and refining operations which have large quantities of flammable and combustible liquids were not considered in this review. These highly hazardous operations contain processes that include crushing of malts and contain high accumulation of vapour and quantities of combustible materials. Typical micro-breweries and distilleries often contain

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limited quantities of flammable liquids and are, therefore, considered a lower hazard category.

When reviewing a Building Permit Application, there are three primary factors that are taken into consideration to determine when a fire separation is required:

1. Major Occupancy Definition;
2. Use and Operation of Facility; and,
3. Size and Scale of Occupancy.

Uses are first reviewed under the definition found in the OBC:

1.1.4.2. Definition: Major Occupancy

Major occupancy means the principal occupancy for which a building or part of a building is used or intended to be used, and is deemed to include the subsidiary occupancies that are an integral part of the principal occupancy.

All rooms or spaces in a building that contain uses other than a micro-brewery and do not meet the intention of a subsidiary occupancy would be deemed to be a Major Occupancy.

The determination for a subsidiary occupancy is based on consideration of the use and operation of the building. This includes identifying a variety of factors including: can the other uses operate independently from the micro-brewery use, who has control or occupancy of the room or space, and direct or after-hours access. Any uses that cannot be considered a subsidiary occupancy to a micro-brewery would be deemed a separate major occupancy.

Protection of major occupancies of a building is the basic requirement in the OBC and is regulated by the following:

3.1.3.1. Separation of Major Occupancies

(1) Except as provided by Sentences (2) to (5), major occupancies shall be separated from adjoining major occupancies by fire separations having fire-resistance ratings conforming to Table 3.1.3.1.

Size and scale of occupancy provides further relaxation to the fire separation requirements should they meet the following:

3.2.2.8. Exceptions for Major Occupancies

(1) In a building in which the aggregate area of all major occupancies in a particular Group or Division is not more than 10% of the floor area of the storey in which they are located, these major occupancies need not be considered as major occupancies for the purposes of this Subsection, provided they are not classified as Group F, Division 1 or 2 occupancies.

Uses that do not exceed the 10% threshold would, therefore, be permitted relief under this part of the OBC.

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OUTCOMES

After a detailed review of several previously issued Building Permits containing a micro-brewery and other associated uses, the Building Division is confident that the applications were reviewed and issued consistently and appropriately for the intended and stated uses. The Building Division will ensure to continue to maintain the standards described above and remain consistent in the application of the OBC when reviewing Building Permit Applications for craft and micro-breweries.



INFORMATION REPORT

TO:	Chair and Members Open For Business Sub-Committee
COMMITTEE DATE:	September 6, 2018
SUBJECT/REPORT NO:	Rural Development and Sustainable Private Servicing (PED18191) (Wards 9, 11, 12, 14, 15)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Heather Travis (905) 546-2424 Ext. 4168
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

Council Direction:

N/A

Information:

1.0 Background:

1.1 History of rural development reviews, roles and responsibilities

Since 2006, sustainable servicing principles have been a key part of the Rural Hamilton Official Plan (RHOP), which ensures that any Planning application in the rural area will not have a significant health or environmental impact originating from a development's water or wastewater servicing. The Development Planning team has used Public Works (Hamilton Water, Source Water Protection team) and Public Health (Healthy Environments, Safe Water team) as technical supports to determine if a given development application meets the sustainable servicing principles of the RHOP.

1.2 What is the issue?

Development in Rural Hamilton is, for the most part, dependent on private services (sewage disposal and water supply). There are policies in the RHOP which address the provision of private services, with the aim of establishing sustainable private services which do not to create a negative impact on surrounding groundwater and users nearby. Based on provincial guidelines and regulations from the Ministry of Environment,

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Conservation and Parks, the City's Guidelines for Hydrogeological Studies and Technical Standards for Private Services was approved by Council in 2013. These guidelines are the framework for assessing sustainable servicing within the RHOP.

The policies require that prior to approval of various *Planning Act* applications, the proponent must demonstrate that private systems are provided which are capable of sustaining the proposed uses with acceptable levels of impacts on groundwater and surface water resources. One of the primary indicators of impacts from rural development is nitrates, a pollutant that originates from septic systems.

Concerns have been raised that the current private servicing regime and, in particular, the planning approvals process to implement this framework, is resulting in obstacles, delays and additional costs for development in the rural area.

The primary issues / areas of concern which have arisen relate to the following matters:

1. Site Plan Control applications for development on private services in the rural area for uses which are already permitted by the Zoning By-law: In these scenarios, although the use is permitted, the requirement to demonstrate sustainable servicing at the site plan stage can result in significant costs and delays, and can result in an inability for the development to proceed.
2. Niagara Escarpment Commission (NEC) Development Permits for the approval of a new or redeveloped single detached dwelling, on an existing lot of record: Within the NEC Development Control area, a development permit is required for a new or redeveloping single detached dwelling, which triggers the extra layer of servicing review. This requirement can add cost and time to a project, and may result in the inability to proceed with development.
3. Use of a Cistern as a water supply: The policies of the RHOP require development to be serviced by a well with sufficient quantity and quality of water to support the use. In cases of redevelopment of a use already on a cistern, this requirement can cause significant delay and cost to a project. Further, in certain situations it is not possible to secure a sufficient supply through a well alone, and supplementing with a cistern may be required.
4. Enlargement of existing, undersized lots: The policies of the RHOP permit a minor lot addition severance to support the enlargement of an existing and developed undersized lot, provided criteria are met. This criteria includes the need to satisfy all sustainable servicing requirements for the enlarged lot, which is not always feasible. A need for increased flexibility to allow minor lot additions which represent an improvement to an existing situation has been identified.

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5. Better information for applicants up-front in the process: One concern relating to development in the rural area is the need for potential applicants to be better informed about the requirements, timing and cost of developing in the rural area, particularly as it relates to rural servicing requirements and studies. Better information up-front for applicants about the costs and requirements of development is required.

A working group comprised of staff from Planning, Building, Public Works, and Public Health was established to consider the issues noted above and develop recommendations for improvement.

1.3 What is the magnitude of the issue?

The table below summarizes the number of development applications received on a yearly basis in Hamilton's Rural area. The numbers range from approximately 130 to 160 applications per year.

Rural Development Applications, 2015 – 2017				
Type	2015	2016	2017	Total
Committee of Adjustment - Consent	24	18	15	57
Committee of Adjustment - Variance	60	58	45	163
Condominium	1	0	0	1
Formal Consultation	10	13	10	33
Official Plan Amendment	1	0	2	3
Site Plan	27	16	40	83
Subdivision	1	0	1	2
Zoning Amendment	6	4	7	17
NEC Development Permit	29	24	41	94
Total	159	133	161	453

2.0 Provincial requirements re adequate servicing:

2.1 Ministry of Environment, Conservation and Parks (MOECP) or Ontario Building Code (OBC)

A significant underlying issue that is causing a problem in the review of private servicing arises from differing provincial legislation and standards amongst different ministries. The review of private services is mandated by both Ministry of Environment, Conservation and Parks (MOECP) legislation and the Ontario Building Code (OBC) under the Ministry of Municipal Affairs and Housing (MMAH). The different legislation, while complementary in some aspects, also provides different direction and

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requirements which are followed by City staff in different departments. The following table summarizes the applicability of the different provincial legislation in the City review process:

Type of Development	Applicable Provincial Legislation / Guidelines re Servicing	Nitrate Review?
Proposed development requires an approval under the <i>Planning Act</i> (Plan of Subdivision, consent, OPA, ZBA, Site Plan)	MOECP Guideline D-5-4 and OBC review	Yes
Proposed development does not require an approval under the <i>Planning Act</i> (use is already permitted by zoning, site plan not required, lot is existing)	OBC review	No
NEC Development Permit application	MOECP Guideline D-5-4 and OBC	Yes
(Note that all proposed development which generates daily sewage flow greater than 10,000 litres per day requires MOECP review and approval, regardless of whether or not <i>Planning Act</i> approval is required).		

The impact of this difference in policy review primarily relates to the review of nitrate risks from a given development's septic system. When development applications under the *Planning Act* are made, the RHOP requires a review of nitrate levels on lands to determine whether adequate private services can be accommodated. When applications are reviewed as required by those policies, Guideline D-5-4 is used to determine the proposed development's impacts on groundwater and whether the development is supportable. Nitrates are reviewed and considered important because nitrate contamination can have an impact on groundwater and human health. Excess nitrate in water supplies can lead to methemoglobinemia (or "blue baby syndrome") particularly in infants. Nitrates can interfere with the ability of blood to carry oxygen and has led to death in rare cases. Furthermore, the incidence of gastrointestinal cancers has been linked to excess nitrate in water supplies. From an ecological perspective, excess levels of nitrate promote algae growth in aquatic ecosystems. Throughout the life cycle of algae growth and decomposition, oxygen in the water is consumed which can cause the death of other aquatic organisms including fish species as well as significantly disrupt the local ecosystem.

At this time, the OBC does not require that nitrate, pathogen, or phosphorus impacts be reviewed in the approval or enforcement process for sewage disposal systems. The OBC does review soil conditions, calculation of daily design flow, minimum clearances, minimum size of septic tanks, design and construction of leaching beds and operation and maintenance.

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The issue of nitrate impact is a key issue because it affects development and redevelopment in number of ways – size of building, lot size or whether or not it should proceed at all. The additional review required to ensure conformity with MOECC and the City’s hydrogeological guidelines also adds to the time and cost of the proposed development.

2.2 Greenbelt Plan and MMA interpretation

On the Planning side, the Provincial policy direction regarding private servicing is contained in the Greenbelt Plan, which states:

“4.1.1.2 Proposals for non-agricultural uses must demonstrate that:

- a) the use is appropriate for location on rural lands;
- b) the type of water and sewer servicing proposed is appropriate for the type of use.”

To seek clarity, City staff raised this issue of differing provincial legislation with Provincial planning staff with the Ministry of Municipal Affairs (MMA) and directly asked the question “what is considered appropriate servicing”? Is “appropriate servicing” achieving compliance with MOECP or OBC? MMA staff indicated that compliance with OBC requirements is the standard to achieve appropriate servicing for uses permitted as-of-right by the Zoning By-law. For all other scenarios, including new lot creation or an Official Plan or Zoning By-law amendment application to expand the permitted uses on a property, compliance with MOECP guidelines is required.

3.0 Working Group Suggested Improvements and Changes:

The City’s staff working group on rural development and sustainable private servicing has been meeting frequently over the last year to find solutions to the various issues affecting rural development. The following ideas, process changes and policy changes are proposed:

3.1 Mapping Project – awareness of constraints:

There are certain known areas within Rural Hamilton where the potential for groundwater impacts from development is greater due to thin soils, fractured bedrock, or high groundwater levels. Having a larger thickness of unsaturated soil underneath the leaching bed of a septic system promotes better operation of the system and reduces groundwater quality risks. MOECP Procedure D-5-4 also discourages development in these “hydrogeologically sensitive areas”. For example, it is known that the soil conditions in Sheffield are very thin, with fractured bedrock exposed at the surface in some locations. These conditions do not allow for the natural environment to manage

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sewage pollution effectively, and can increase the risks to nearby groundwater users. There are other areas with similar issues. Within these areas, there is a greater potential for development delays, reduced development yield, or in limited cases denial of the application altogether.

Staff have retained a consultant to create a mapping project of Rural Hamilton that will characterize the suitability of areas for sustainable servicing and thereby rural development. The maps are a synthesis of various hydrological and geological datasets to create coloured low/medium/high vulnerability scores for areas in rural Hamilton. The maps are being developed by a consultant and peer reviewed by Planning Department and Public Works staff and, potentially, a working group comprised of individuals with local knowledge of Hamilton's geology and groundwater. Ultimately these maps will be a tool owned and utilized by Development Planning staff to support rural development applicants through the process of applying for and obtaining development permits.

Having up-to-date information will be beneficial for members of the public and property owners that may be considering development in the rural area. Providing information up front to potential applicants can manage expectations of potential development yield and avoid surprises later in the process.

3.2 Cisterns:

Policy C.5.1.1 of the RHOP states that all development (including redevelopment) must proceed by way of a well with sufficient quantity to sustain the use. In general, a cistern may only be used as a supplementary water supply system, and may only be permitted after it has been demonstrated that sufficient quantity can be provided from the well alone. The RHOP prohibits cisterns for new development because it requires a permanent off-site water source (i.e. City's urban water system). Further, cisterns are not considered a sustainable water source because of the reliance on off-site water supply.

This policy has created some issues for both residential and non-residential developments in the rural area, particularly in cases of redevelopment of a site which is already reliant on a cistern. To address this concern, staff are proposing the following policy changes:

- Permit the redevelopment of an existing use with a cistern to continue using a cistern. This option is beneficial to applicants who will not be delayed by a requirement to find a new water supply as part of a redevelopment application.
- Permit new development or redevelopment to proceed by way of cistern, or a combination well / cistern, if it has been demonstrated by the proponent (in the form

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of a well test or study) that groundwater quality and quantity in the vicinity is inadequate to support the use.

These changes will have the benefit of being less costly and less time consuming for applicants who wish to proceed with development or redevelopment on a cistern, in accordance with the above policy changes. These policy revisions were brought forward as part of the Rural Official Plan Update in July, 2018.

3.3 Lot Additions:

There are many existing undersized lots (i.e. less than one acre) in the rural area. Some of these lots are already developed with a single detached dwelling or other type of development, while others are vacant. In some cases, development occurred many years ago under different standards, and the existing sewage system may be inadequate or in need of repair or replacement.

It is recognized that enlarging an undersized lot will have a beneficial effect by providing a greater area for dilution of sewage effluent. The RHOP currently recognizes this situation, and Policy F.1.14.2.7 allows for minor lot additions to existing undersized lots to meet all sustainable servicing requirements. However, the policy requires that the minor lot addition must be large enough to result in the lot meeting all sustainable servicing requirements of the RHOP, meaning that nitrate levels at the property line will be within acceptable levels. This requirement is problematic for two reasons. One, it is not always possible or desirable for a property owner to acquire enough additional land to meet this requirement. Two, requiring conformity to the strict standards of the RHOP does not recognize that even a smaller lot addition will provide an overall benefit by increasing the existing lot size.

To provide greater flexibility to approve development of minor lot additions which increase the size of existing undersized lots, staff are proposing to amend policy F.1.14.2.7 to allow for lot additions to undersized lots which are existing and developed, even if the lot addition does not increase the size of the lot enough to meet all requirements of sustainable servicing. The lot addition must not result in adjacent lots becoming unsustainable and shall take as little acreage as possible out of agricultural use.

The benefit of this policy change is that it will allow consent applications for an addition to an undersized lot, which represent an improvement over an existing situation, to proceed more quickly and with reduced costs for the applicant. These policy revisions were brought forward as part of the Rural Official Plan Update in July, 2018.

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4.0 Other Issues: Site Plan Control Applications and NEC Development Permits:

The staff working group also reviewed the issues surrounding rural Site Plan Control applications for uses permitted by the Zoning By-law, and NEC Development Permits for single detached dwellings.

4.1 Site Plan Control Applications for Permitted Uses:

The working group considered different options for addressing the issues (timing, cost, inability to develop existing lots) associated with rural Site Plan Control applications for uses permitted by the Zoning By-law. One option which was reviewed was a process change for the review of Site Plan Control applications for uses already permitted in the Zoning By-law, whereby the servicing review would take place only at the building permit stage. Adequate servicing would be determined through the regulations of the Ontario Building Code and not reviewed against the RHOP sustainable servicing requirements (including nitrate impacts). This process change would primarily be applicable to Site Plan Control applications for permitted industrial and commercial uses (as other permitted uses such as agriculture and single detached residential are exempt from site plan review). Certain types of development which are significant water users or have the potential to have a significant groundwater impact (eg. greenhouses) would continue to be circulated for review in accordance with the hydrogeological guidelines.

While the above change was reviewed and evaluated by the staff working group, staff are not recommending this process change due to concerns over potential health and environmental impacts (related to nitrates) which may go un-reviewed and un-mitigated if the private servicing review is deferred solely to the OBC stage.

As a result, staff are not proposing any changes to the Site Plan Control process for the review of rural applications. However, staff note that the mapping project noted above will be an integral tool in informing potential applicants of the constraints, timing and costs of a proposed development or redevelopment project going forward.

4.2 NEC Development Permits:

Within the NEC Development Control (DC) area, single detached dwellings (new or expansion) on existing lots require a development permit from the NEC prior to proceeding to building permit, and therefore conformity with the City's RHOP is required. As such, these applications trigger review for sustainable servicing (including nitrate impact). Properties within the NEC Development Control area are therefore subject to a more stringent review process than those properties outside of the DC area, which can lead to additional delays in the development approval process for these property owners.

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The staff working group considered options for addressing this discrepancy between the servicing review of single detached dwellings within and outside of the Development Control area. One option considered was a policy change which would exempt all NEC permits for the development of single detached dwellings on existing lots of record from hydrogeological review under the City's Hydrogeological guidelines and RHOP. This would capture development on vacant lots of record within the NEC DC area. The developments would still be required to meet OBC requirements. The rationale behind this option is that single detached dwellings are permitted uses on appropriately zoned lots within the rural area, and conformity with OBC would be deemed to be appropriate servicing.

While the above change was reviewed and evaluated by the staff working group, staff are not recommending this policy and process change due to concerns over potential health and environmental impacts (related to nitrates) which may go un-reviewed and un-mitigated if the private servicing review is deferred solely to the OBC stage.

As a result, staff are not proposing any policy or process changes to the review of NEC permit applications for single detached dwellings.

5.0 Conclusion and Summary of Recommendations

In summary, staff have moved forward on the following process and policy changes to address the recent concerns raised with regards to rural development on private services:

- (a) Mapping of constraint areas: areas within Rural Hamilton where the potential for groundwater impacts from development is greater will be identified and mapped. This mapping will be available at the Development Planning counter, to provide information up front to potential applicants in order to manage expectations of potential development yield and avoid surprises later in the process.
- (b) Cisterns: revisions to the RHOP were brought forward in July 2018 to permit cisterns as a sole water source in cases of redevelopment of a use which already relies on a cistern, or to permit a cistern as a primary water source where it can be demonstrated that groundwater quality or quantity is not sufficient.
- (c) Lot additions: revisions to the RHOP were brought forward in July 2018 to allow greater flexibility for staff to review proposed lot addition applications, in recognition of the improvement gained from increasing the size of an existing undersized lot.

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6.0 Next Steps

The draft constraint mapping, once completed, will be shared with rural councillors and, if desired, a working group with local knowledge of groundwater in the area.

Staff will continue to monitor the application of Official Plan policies, development standards and processes applicable to the rural area, and where process improvements are identified, staff will bring the identified changes forward to Committee and Council for consideration.

HT:mo



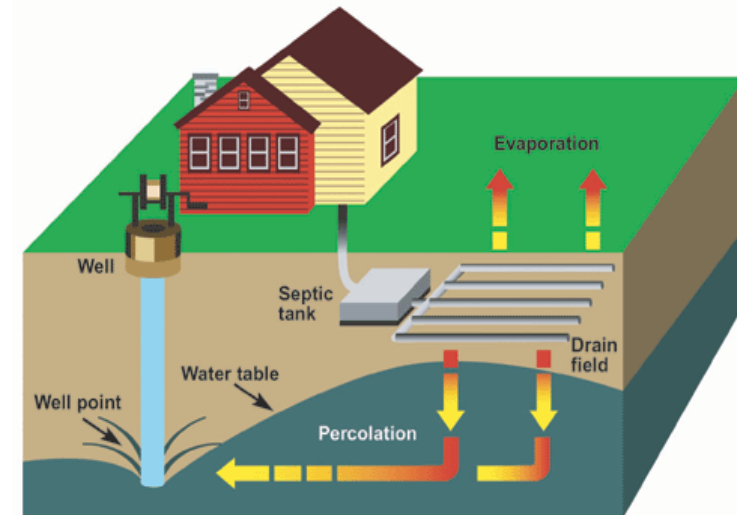
Rural Development and Sustainable Private Servicing

Open for Business Sub-committee

September 6, 2018

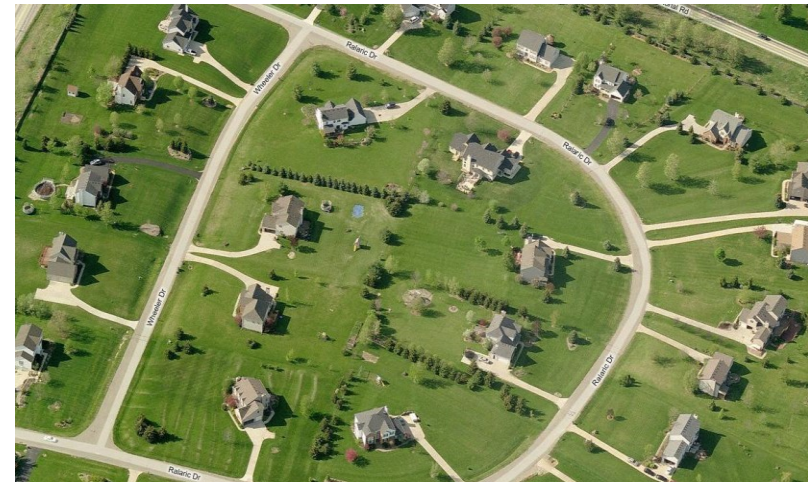
BACKGROUND

- Majority of development in Rural Hamilton is dependent on private services (sewage disposal and water supply)
- Rural Hamilton Official Plan (RHOP) contains policies regarding sustainable private servicing
- Intent of policies is to establish sustainable private services which do not create a negative impact on surrounding groundwater and nearby users.



BACKGROUND

- For *Planning Act* applications (i.e. Zoning By-law Amendments, Site Plans, Subdivision, Consents) in the rural area, the applicant must demonstrate that private services are provided which are capable of sustaining the use with acceptable levels of impact
- City's Guidelines for Hydrogeological Studies and Technical Standards for Private Services – approved by Council in 2013, provides framework for evaluating servicing proposals



RURAL DEVELOPMENT APPLICATIONS

TYPE	2015	2016	2017	Total
Committee of Adjustment - Consent	24	18	15	57
Committee of Adjustment - Variance	60	58	45	163
Condominium	1	0	0	1
Formal Consultation	10	13	10	33
Official Plan Amendment	1	0	2	3
Site Plan	27	16	40	83
Subdivision	1	0	1	2
Zoning Amendment	6	4	7	17
NEC Development Permit	29	24	41	94
Total	159	133	161	453

SUMMARY OF ISSUES

Some of the issues experienced when developing in the rural area include:

- Costs related to studies and peer reviews
- Time associated with application review
- Regulatory gap between MOECP Guidelines and Ontario Building Code
- No recognition of the benefits of improving an existing situation

WORKING GROUP RECOMMENDED CHANGES

A working group comprised of staff from Planning, Building, Public Works, and Public Health was established to consider the rural servicing issues and develop recommendations for improvement.

The following recommendations were proposed by the group:

- Mapping of vulnerable areas
- More permissive use of cisterns
- Increased flexibility for lot additions

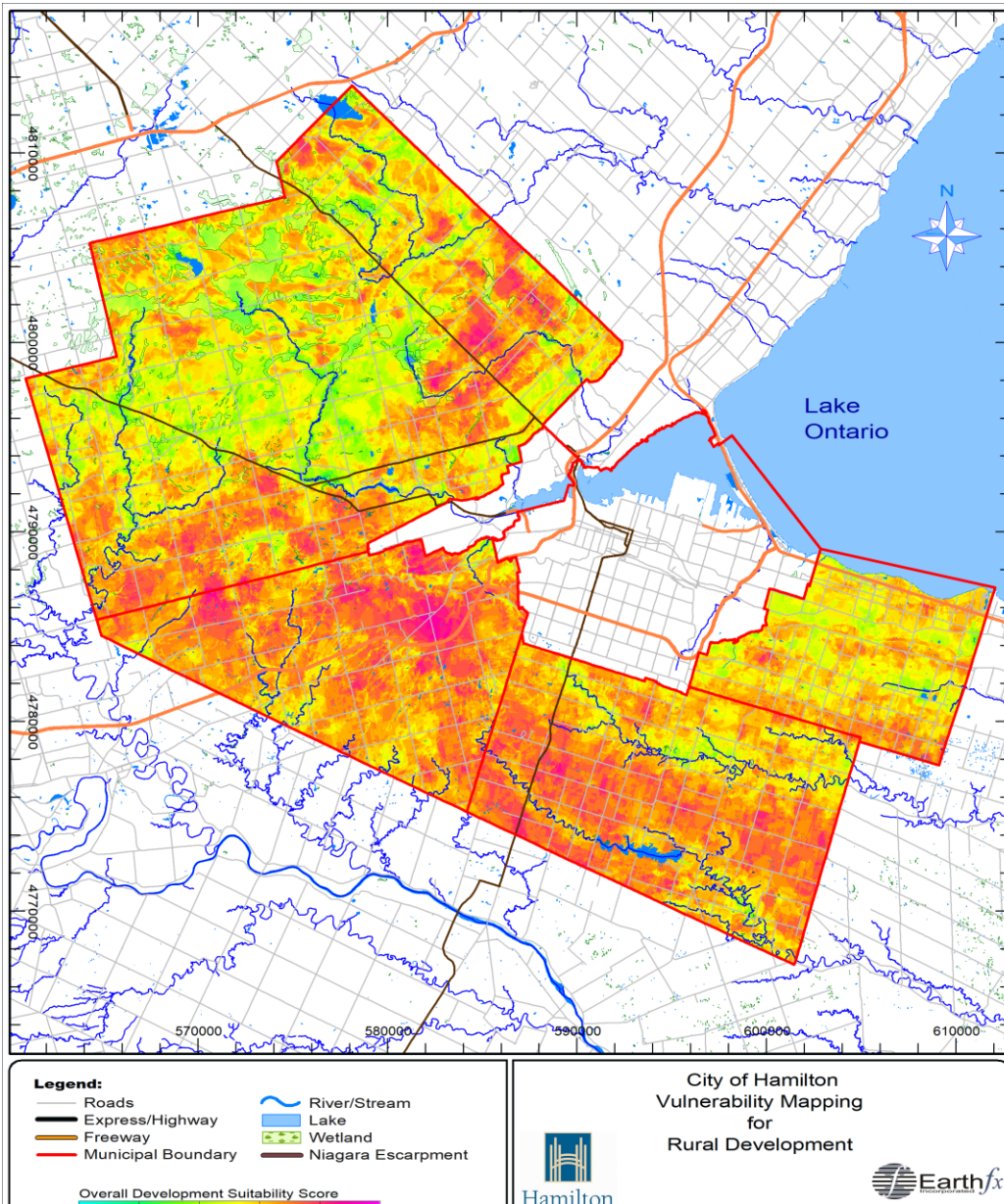




RECOMMENDED IMPROVEMENTS

Better mapping of vulnerable areas in Hamilton

- A consultant has been retained to create a mapping project of the rural area which will characterize the suitability of areas for sustainable servicing and rural development
- Maps will be a tool used by Planning staff to provide up-front information to property owners and members of the public considering rural development
- This will assist with managing expectations of development yield and avoiding surprises in the planning process





RECOMMENDED IMPROVEMENTS

More permissive policies for cisterns

- RHOP required that all development proceeded by way of a well – cisterns were only permitted as a supplementary water source, which created issues for redevelopment
- Working group recommended policy change to permit the redevelopment of a use on a cistern to continue on a cistern; and, to allow new development on an existing lot to proceed by way of cistern if it is demonstrated that groundwater is insufficient
- RHOPA 18 implemented this policy change (not final and binding)



RECOMMENDED IMPROVEMENTS

Formally recognizing “improvements” in lot additions

- RHOP has traditionally allowed minor lot additions, provided the size of the lot would meet all sustainable servicing requirements
- Working group recommends policy change to allow for lot additions to undersized lots which are existing and developed, even if the lot addition does not increase the size of the lot enough to meet all requirements of sustainable servicing (must be generally a minimum of 1 acre in size).
- RHOPA 18 implemented this policy change (not final and binding)

SUMMARY OF RECOMMENDATIONS

1. Mapping project - better mapping of vulnerable areas in Hamilton to use as information tool
2. Cisterns – more permissive policies for cistern use
3. Lot additions – more flexibility in lot addition policies





Hamilton

Planning and Economic
Development Department

Memorandum

Date: September 6, 2018

To: Chair and Members
Open for Business Sub-Committee

From: Brian Hollingworth, Director
Transportation Planning and Parking
Planning and Economic Development Department

Subject: **Continuous Improvement Process Review - Transportation Reviews for Development – Case Study No. 19**

The Planning and Economic Development Department (PED), along with the Department's Continuous Improvement Team, continues to review select case studies and current process practices to identify lessons learned and opportunities for process improvements. This Case Study focuses on reviews that are undertaken by the Transportation Planning Section as part of the development application process.

BACKGROUND

Prior to 2018, transportation reviews were distributed amongst a number of Sections in both the Public Works Department and PED. Transportation reviews, by nature, cross-over several subject matter areas from corridor planning, to system operations and safety, with involvement by many stakeholders. This has resulted in inconsistent messages, and delays in providing transportation review comments as part of the development review process. In January 2018, a portion of the Transportation Management and Corridor Management sections were consolidated to form a re-defined Transportation Planning Section, within the newly formed Transportation Planning and Parking Division in PED.

Prior to 2018, the Transportation Management Section provided comments on transportation policy conformance (e.g. Official Plan, Transportation Master Plan, Pedestrian Mobility Plan, and Secondary Plans), Right-of-Way (ROW) requirements and Travel Demand Management (TDM) elements. The Corridor Management Section provided comments relating to roadway function including traffic impacts and sight lines.

OBSERVATIONS AND ISSUES

The new Transportation Planning Section in PED took over a backlog of approximately 200 outstanding transportation reviews in January 2018 (168 Development Applications and 42 Transportation Impact Study (TIS) reports/scopes). Outstanding reviews included applications from 2017 and January 2018. This backlog created a number of

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challenges for the Transportation Planning Section, and some frustration within the development community over delays.

As part of the creation of the new Transportation Planning Section, within PED, Council also approved a new position dedicated to development reviews in the 2018 Budget. This position was filled in April 2018 with the staff getting fully underway in May 2018. In addition, the Director of Transportation Planning and Parking was retained and started in April 2018.

In combination with the staffing appointments, several process improvements were implemented by the new management team. These included the refinement and enhancement of the development file intake and comment tracking system, consistent representation of the Section on the Development Review Team (DRT), early red-lining of comments at or following DRT, and the standardization of common comments. Cross-training of staff was implemented to improve consistency and applicability of comments and a rationalized approach to providing TIS scopes was adopted.

OUTCOME

Since the creation of the consolidated Transportation Planning Section, a new streamlined approach has been implemented to address turnaround time and usefulness of transportation reviews. Table 1 provides a summary of general Development Applications received and reviewed by the Section by month since February 2018 when the new tracking system was adopted. Between February and July, the number of outstanding reviews was reduced from 156 to 86 (45% reduction), despite an influx of new reviews in April and May.

Table 1: Summary of Completed and Remaining Development Reviews

Month	Received	Completed	Balance
<i>Balance as of January 31, 2018</i>			156
February	15	12	159
March	39	34	164
April	36	24	176
May	43	41	178
June	25	103	100
July	31	45	86

The Section also reviews TIS reports, which are required for larger and more complex developments. Between January and April, the Section focused on the backlog of smaller applications, so has made less progress on addressing the outstanding TIS's. Table 2 summarizes the completed TIS reviews, illustrating the increasing output. Additional progress in this area is still required.

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Table 2: Summary of Completed and Remaining TIS Reviews

Month	Received	Completed	Balance
<i>Balance as of January 31, 2018</i>			35
February	2	1	36
March	6	1	41
April	4	1	44
May	11	3	52
June	7	4	55
July	2	6	51

In addition to the table above, Transportation Planning also provides reviews on other development types including surplus lands (including alley and road closures, and encroachments), Travel Demand Management (TDM) reviews, Right-of-Way Impact Assessments (ROWIA), and Committee of Adjustment (COA). A summary of these reviews is shown in Table 3. There is no outstanding backlog relating to these reviews.

Table 3: Summary of Related Transportation Reviews

Type	January 1 – July 31, 2018
	Completed
Surplus Lands	38
TDM	47
ROWIA	14
COA	332
Total	431

In addition, Transportation Planning continues to act as a conduit to the Public Works Department, and co-ordinates many activities to guide development as well as protect for future operations of the transportation system.

NEXT STEPS

Several other areas for improvement are in development. Future activities include, a one-day training session for staff by an external specialist in traffic reviews, updates to the TIS Guidelines to provide clarity on scope and to ensure sustainable transportation needs are considered at the early stages, and continued improvement in the initial categorization of applications to guide staffing assignments. In collaboration with the Planning Section, and Growth Management Section, Transportation Planning reviews will be integrated into the AMANDA System to provide a direct link to the development application, timelines and comment tracking.

If you require any further information on the above matter, please contact Steve Molloy, Manager, Transportation Planning, by e-mail or at Ext. 2975.

BH:SM:cr

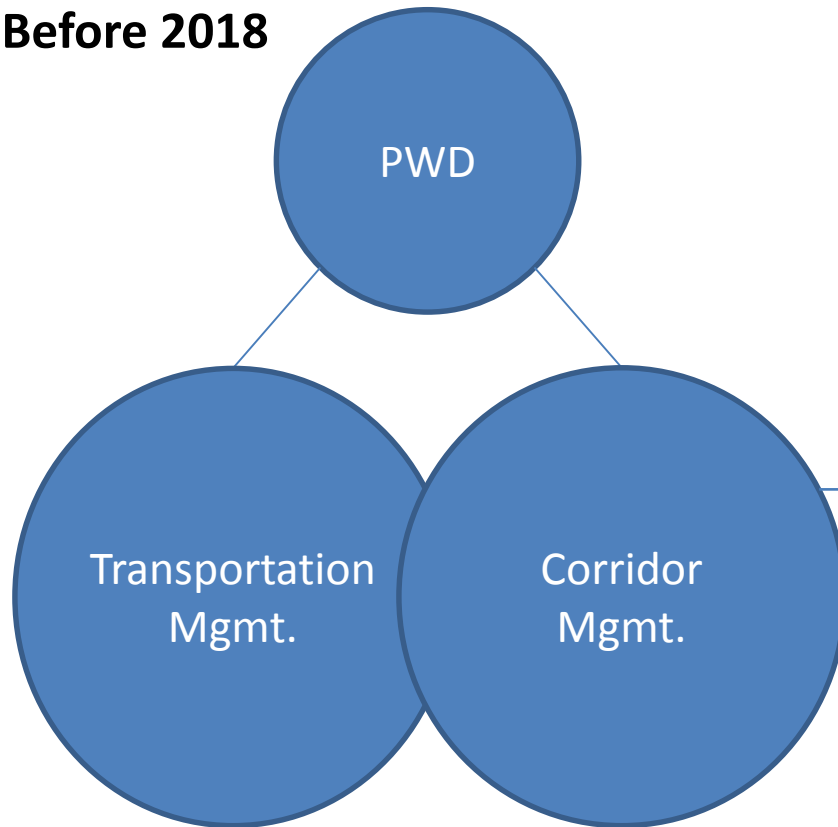


CONTINUOUS IMPROVEMENT:
TRANSPORTATION REVIEWS FOR DEVELOPMENT
CASE STUDY 19

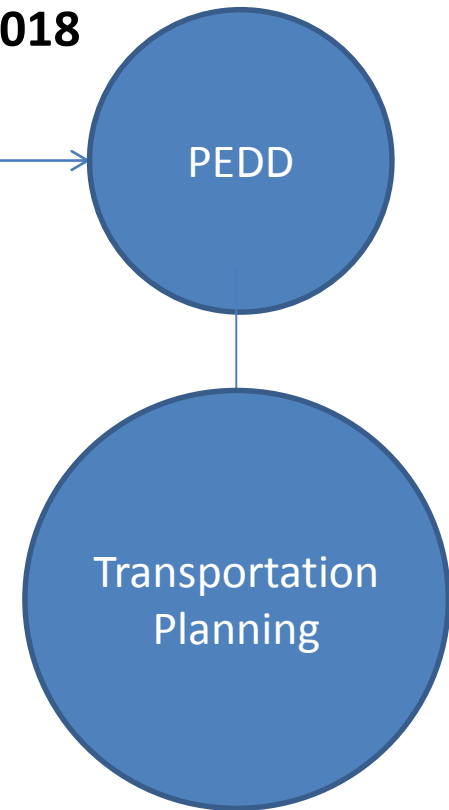
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Continuous Improvement

Before 2018

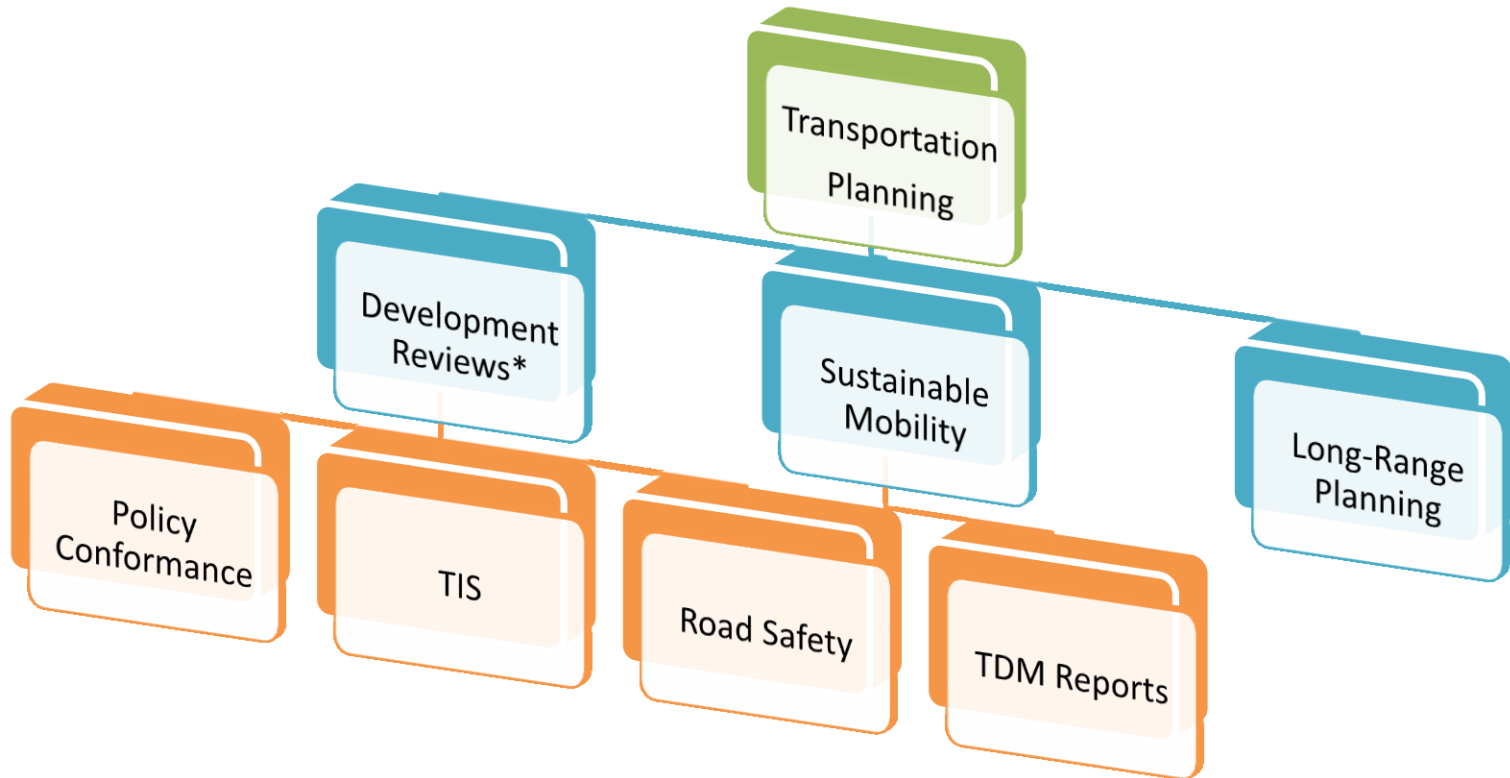


As of 2018



Continuous Improvement

Services provided by Transportation Planning



* Conduit to Public Works to coordinate reviews

Continuous Improvement

Transportation policy conformance examples:

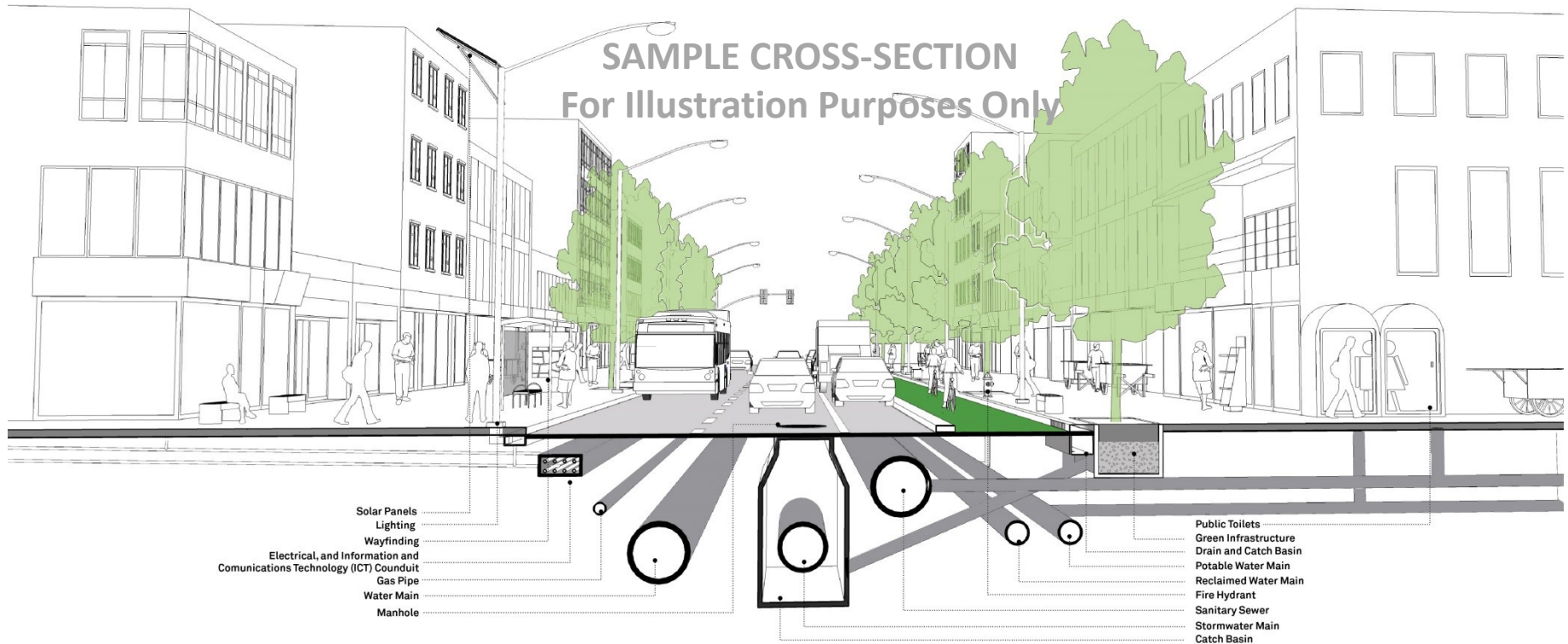
- Official Plan
- Secondary Plans
- Transportation Master Plan
- Sub-area Transportation Plans
- Pedestrian Mobility Plan
- Cycling Master Plan
- Conformance or integration with Environmental Assessments
- Higher-Order Transit
- Transit-Oriented Development Guidelines
- Right-of-Ways*
- Daylight Triangles*

* In coordination with Public Works and Development Engineering

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Continuous Improvement

Right-of-Ways

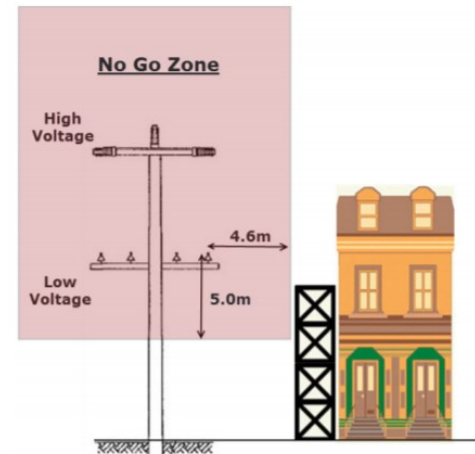
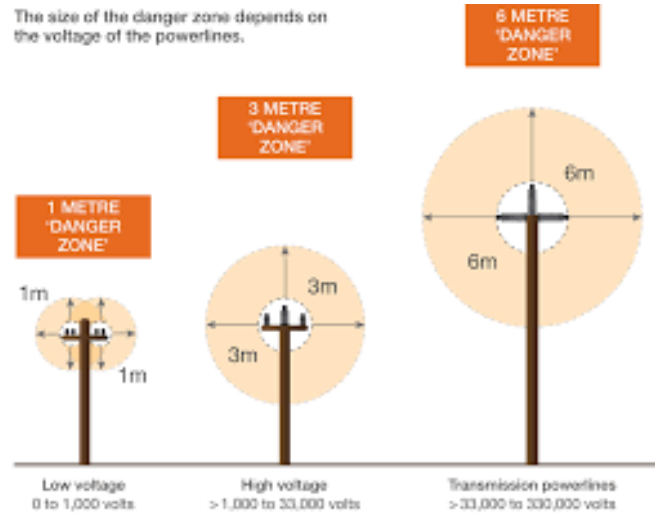


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Right-of-Ways



The size of the danger zone depends on the voltage of the powerlines.



Scaffolding No Go Zone

Continuous Improvement

Transportation review examples:

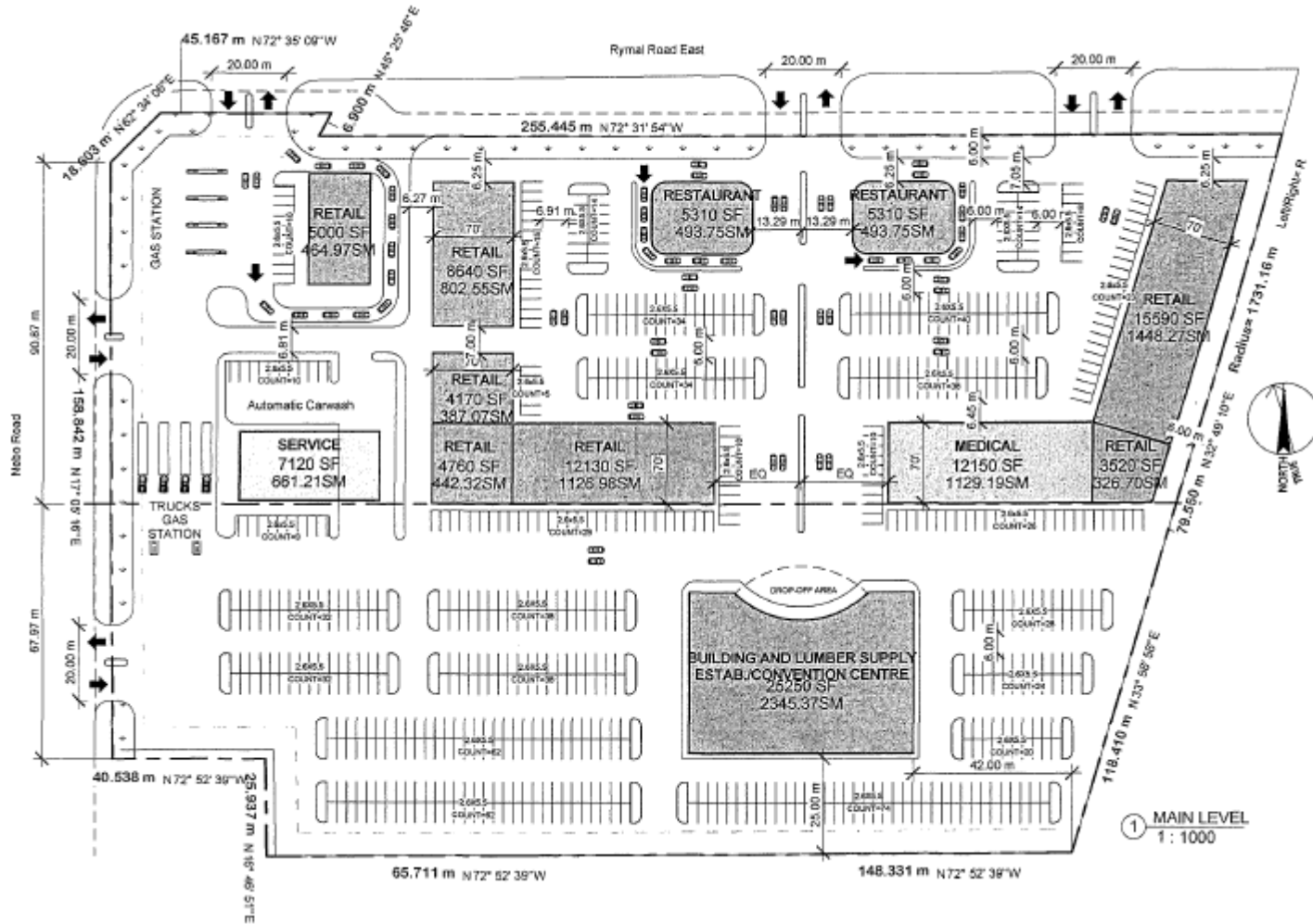
- Intersection and driveway sight-lines
- Driveway access and alignment
- Pedestrian and cycling routing, access and safety
- Parking lay-bys
- Site plan layout, circulation and loading
- Access management
- Visibility triangles
- Transportation Impact Studies*
 - Trip generation/assignment
 - Traffic signal operations
 - Queuing
 - Turn Lane requirements
 - Multi-modal assessments
 - Traffic Calming Studies*
 - Minimize cut-through traffic
 - Address speeding issues
 - Proactively improve road safety

* In coordination with Public Works

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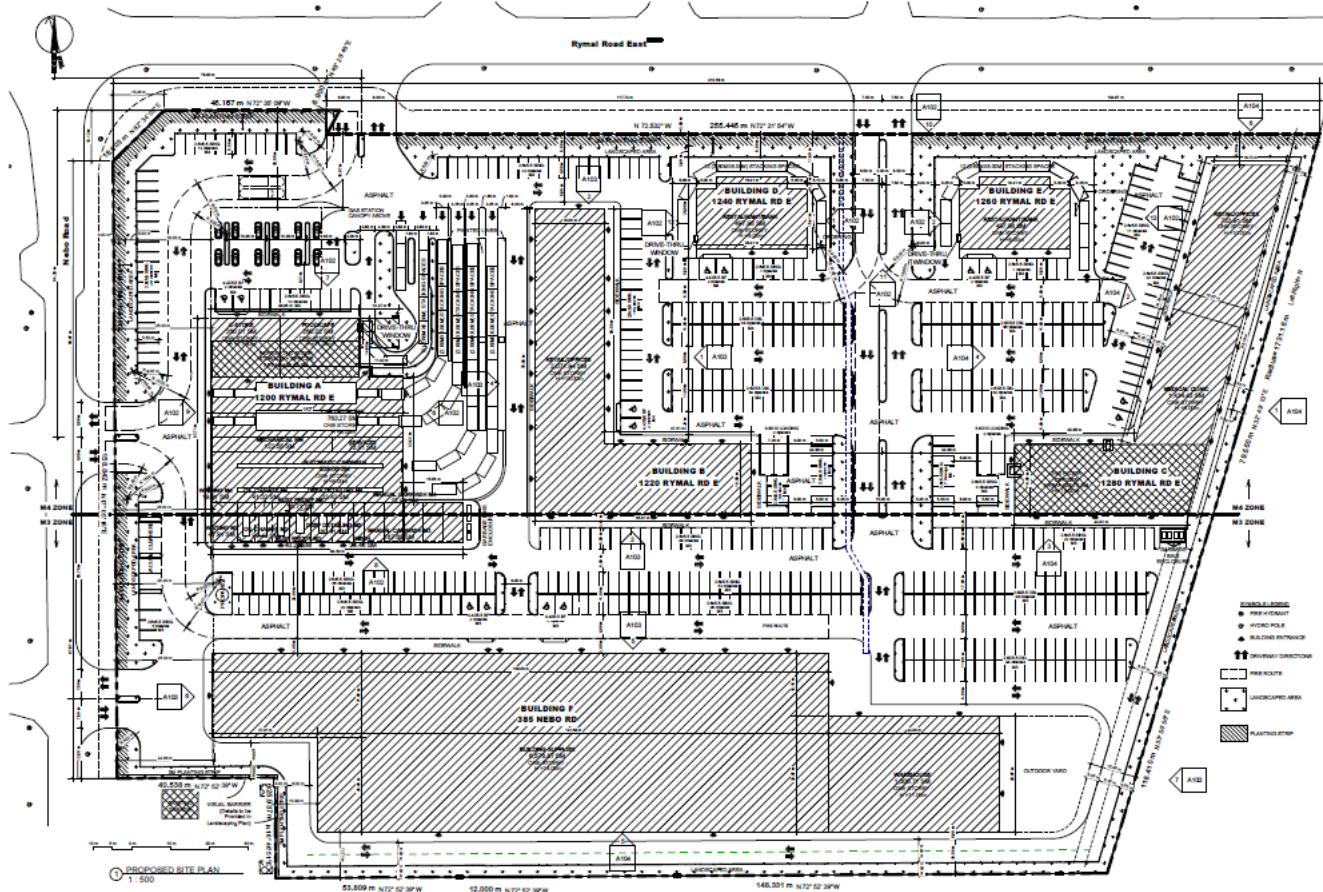
Continuous Improvement

Before



Continuous Improvement

After...



...and still fine tuning.

Continuous Improvement

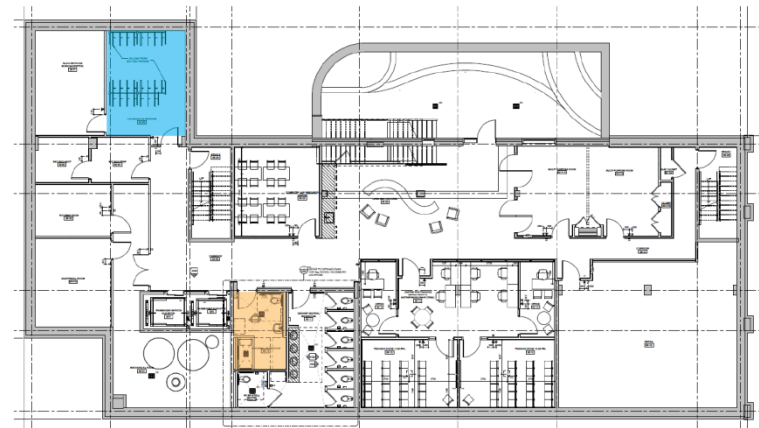
Travel Demand Management (TDM):

Encourage behaviour change by encouraging developments to integrate strategies to reduce trips and re-mode, such as:

- On-site bicycle racks
- Pedestrian, cycling, and transit accommodation
- Smart Commute program
- Car Share spaces
- Bike Share integration (if applicable)
- Carpool parking
- Parking strategies
- Wayfinding / signage

Continuous Improvement

TDM Measures



Continuous Improvement



Continuous Improvement

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Continuous Improvement

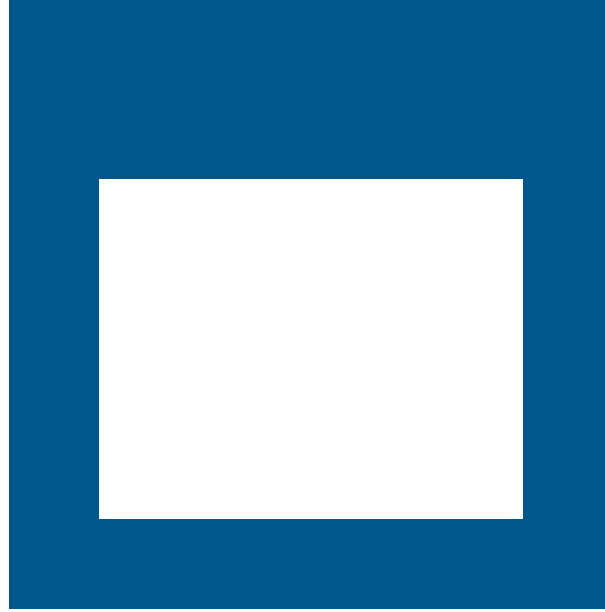
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Continuous Improvement

Next Steps

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- Improve initial categorization of applications to guide staffing assignments
- Integrate Transportation Planning reviews into the Amanda System to provide a direct link to the development application, timelines and comment tracking
- Continuous refinement of process for efficiencies
- Improving historical filing information to improve consistency
- Continue to collaborate with PED and PWD stakeholders to improve commenting process



THANK YOU