



City of Hamilton
DEVELOPMENT INDUSTRY LIAISON GROUP
AGENDA

Meeting #: 22-003
Date: March 14, 2022
Time: 9:00 a.m.
Location: Due to the COVID-19 and the Closure of City Hall
All electronic meetings can be viewed at:
City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Sandra Frempong (905) 546-2424 ext. 6701

	Pages
1. WELCOME	
2. NEW BUSINESS	
3. MINUTES FROM THE PREVIOUS MEETING(S)	
3.1. February 14, 2022	3
4. PRESENTATIONS	
4.1. Demolition Control Area By-law Update	5
4.2. Community Benefits Charge Information Session	19
5. DISCUSSION ITEMS	
5.1. Draft Sewer Use By-law - <i>Hector Quintero / Susan Girt</i>	
5.2. AEGD Wastewater Allocation Policy - <i>Alvin Chan</i>	

5.3. MCR/GRIDS 2 Process Update

– *Steve Robichaud*

5.4. Housekeeping OPA and Zoning By-Law Updates– Steve Robichaud

– *Steve Robichaud*

6. ADJOURNMENT

3.1



DEVELOPMENT INDUSTRY LIAISON GROUP

Monday, February 14, 2022

9:00 AM

Webex

Present:

Alvin Chan, City of Hamilton
 Arden Semper, Branthaven Homes
 Binu Korah, City of Hamilton
 Carlo Ammendolia, City of Hamilton
 Ed Fothergill, Fothergill Planning & Dev.
 Gavin Norman, City of Hamilton
 Jared Marcus
 Johnathan Vandriel
 Jorge Caetano
 Ken Coit
 Kevin Hollingworth, Metropolitan Consulting
 Leif Olson
 Matt Johnston, Urban Solutions

Michelle Diplock, WE HBA
 Mike Collins-Williams, WE HBA
 Paul Szachlewicz, Hamilton Chamber of
 Commerce
 Richard Schumacher, Branthaven Homes
 Rick Lintack, HBSA
 Rob Lalli, City of Hamilton
 Sandra Frempong, City of Hamilton
 Steve Molloy, City of Hamilton
 Steve Robichaud, City of Hamilton
 Steve Spicer, Multi-Area Developments
 Steven Frankovich, S. Llewellyn & Assoc.
 Suzanne Mammel
 Tony Sergi, City of Hamilton
 Wes J. Kindree

Regrets:

Angela Storey
 Brenda Khes, GSP Group
 Brian Hollingworth, City of Hamilton
 Carolyn Paton
 Christine Newbold, City of Hamilton
 Delia McPhail, City of Hamilton
 Dio Ortiz
 Ed VanderWindt, City of Hamilton
 Heather Travis, City of Hamilton
 Hector Quintero, City of Hamilton
 Jason Thorne, City of Hamilton
 Joey Coleman, The Public Record
 Joanne Hickey-Evans, City of Hamilton
 Kirk Weaver, City of Hamilton
 Lindsay Gillies, City of Hamilton
 Louise Thomassin, City of Hamilton

Mark Bainbridge, City of Hamilton
 Mark Candello, GSAI
 Mark Inrig, City of Hamilton
 Martha Kariuki, City of Hamilton
 Melanie Pham, City of Hamilton
 Meghan Stewart
 Paula Hamilton, Toms & McNally Design
 Peter Topalovic, Transportation
 Ryan Kent, City of Hamilton
 Sarah Knoll
 Sherry Vanderheyden, City of Hamilton
 Steve Spicer, Multi-Area Developments
 Sue Ramsey
 Susan Girt, City of Hamilton
 Terri Johns, T Johns Consulting
 Trevor Jenkins

1. Welcome – Mike Collins-Williams, WE HBA

Mike welcomed everyone to the DILG meeting.

3.1

2. **New Business**

1. Ed Fothergill: A couple of comments for next meeting. There are two issues: tree hoarding can create a delay. If there is a way to tie that closer to the time of construction. Tree saving plans. Currently working to fill vacancies in the organization that can assist with this process.

3. **Minutes from January 10, 2022 – *Mike Collins-Williams, WE HBA***

Approved with no questions or comments from the minutes as distributed.

4. **Hamilton City-Wide Parks Master Plan – *Vandriel, Johnathan/Leif Olson***

Johnathan had a presentation shared with all attendees. Landscape Architectural Services is leading this study. Joined by Leif Olson from O2 Planning + Design. They are also working with the technical team from the City of Hamilton. Explained the need for the parks master plan – there currently is not one and there are increasing population pressures. Overall the plan will articulate the City's commitment toward a long-term vision for Hamilton's park system. It is a thirty year plan. Explained the challenges the parks face. Talked about acquiring land in non-traditional places. We are still in the early stages of the process. Workbook circulated to give more information and we seek your comments by March 11, 2022 to Johnathan.vandriel@hamilton.ca. Comparing municipalities to see what works and what doesn't work.

5. **MCR/GRIDS 2 Process Update – *Steve Robichaud***

There are two open houses: evening February 17, and in the afternoon of Feb 22 – registration for attendance is required. Can register through engage Hamilton portal. Still on track for May meeting, as well as looking at zoning by-law changes. Question on the residential component – curious what level of engagement with local residents who played the role. Discussed parking standards.

6. **Further Discussions**

Matt Johnston – We have a 45 storey building recommended for approval in a condensed report, processed in 3 months and 5 days. Takes 3 months or so from being placed on an agenda. It's more of an observation, but a lot of clients are calling us asking why it takes so long. Jason responded that there is a lot of back and forth with applications they receive and that can extend the process. The more complete the applications that come in, the less back and forth there is.

Next DILG Meeting will be March 14, 2022

Sandra Frempong, Minute Taker
Administrative Assistant, Growth Management Division



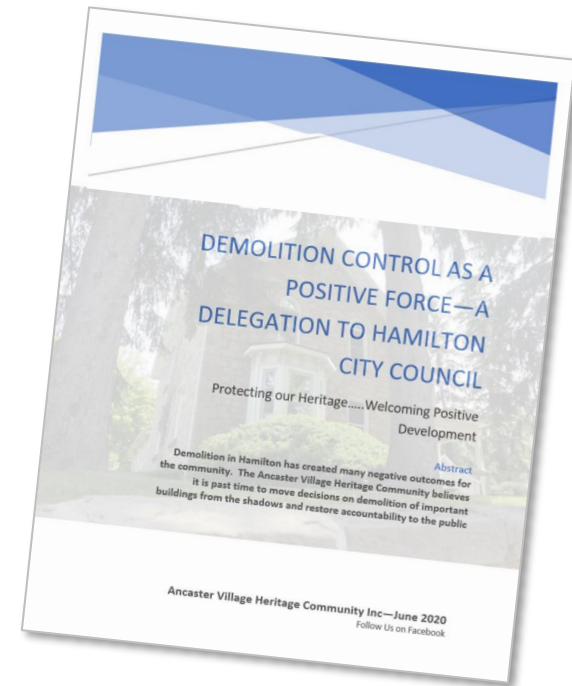
Hamilton

Updated Demolition Control By-Law

Development Industry Liaison Group (WebEx)
March 14, 2022

Background

- AVHC Delegation
 - Planning Committee (July 2020)
 - Hamilton Municipal Heritage Committee (August 2020)
 - Referred to GM of PED
- Presentation to DILG (January 11, 2021)
- Project put on hold in 2021 due to redeployments
- Refined language for new by-law



AVHC Delegation

Ancaster Village Heritage Community - Delegation Request

Revise Demolition Control By-law to require all Building Permits to Demolish buildings more than 90 years old to be considered by Council and allow for public consideration, and improve language around “routine applications”.

Additional feedback from October 9, 2020 meeting:

- 90-year old buildings just a suggestion – open to other options to ensure unprotected properties of heritage interest are reviewed
- Get the ones that matter to Council – not looking to overload staff and Council
- Remove subjectivity (interpreting “routine applications”)

Refresher

- Demolition Control
- Observations
- Themes
- Updated Demolition Control By-law

Clarifications on Demolition Control

- Enabled by Section 33 of *Planning Act* to prevent demolition without a permit
- Only applies to “residential property”
- Not a public process (only owner can appeal)
- Council has 30-days to make a decision
- Council must issue a permit to demolish where a building permit has been issued for new construction
- Inferred intent: retention of housing stock / residential units

Section 33 (1), *Planning Act*

“dwelling unit” means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals;

“residential property” means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building.

Summary of Observations

- Public participation in heritage conservation via **BHI Strategy**
- Demolition Control is not a heritage conservation tool – but should align with City policy and process
- Premature demolition of “residential property” (heritage or not) can be prevented by ensuring new uses are considered through **development application** process
- Improved transparency with undelegated applications

Themes

- Proactive Register listing and designations
- **Demolition Control Area By-law Updates**
- Register demolition process
- Internal process and communication

Demolition Control Area By-law Updates

- Intent of By-law
- Definitions
- “Routine application” and delegated authority scope
 - Delegate where permissions for replacement buildings and / or uses have been granted
 - Undelegated applications considered at Council (transparency)

Existing Demolition Control By-law Language

[...] "routine applications" include, but are not limited to, an application to demolish a residential building:

- in an established neighbourhood when the standard conditions in section 6 would apply;*
- to facilitate a development under an approved site plan or approved draft plan of subdivision;*
- in a zone that does not permit a residential use;*
- when another non-residential use is permitted;*
- to facilitate land assembly for future development;*
- in the Rural Area when abutting lands would not be impacted.*

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Proposed By-law Language

Council delegates to the Chief Building Official its authority to issue Demolition Control Approval pursuant to subsections 33(3) and 33(6) of the Planning Act for applications to demolish Residential Property where:

- a) the erection of a new building is proposed on the site of the Residential Property to be demolished and where the standard conditions in section 7 of this By-Law apply;*
- b) Final Site Plan Control approval has been granted for redevelopment of the Residential Property to be demolished;*
- c) Draft Plan of Subdivision approval has been granted for redevelopment of the Residential Property to be demolished, for which the Subdivision Agreement has been registered and the preliminary grading and servicing conditions have been satisfied;*
- d) demolition of the Residential Property is a condition of an approved Consent to Sever and all other conditions of the approved Consent to Sever have been met; or,*
- e) the Residential Property has been severely damaged by a fire or natural disaster and the demolition has been recommended by a Professional Engineer licensed to practice in Ontario.*

Next Steps

- Presentation to Heritage Committee (April 1, 2022)
- Staff report to Planning Committee (April 22, 2022)

Thank you!

Thoughts on the updated by-law language?

Other feedback or questions?



City of Hamilton 2022 Community Benefits Charge

Development Industry Liaison Group Meeting

March 14, 2022



What is a Community Benefits Charge?

Current Legislation

The COVID-19 Economic Recovery Act (Bill 197) received Royal Assent on July 21, 2020, and amendments came into effect on September 18, 2022

- D.C.A. amendments include changes to eligible services
 - All services included in the City's current D.C. By-law remain eligible under the D.C.A., except for Parking Services, Airport Services, and portions of Social Services (now can only include Child Care and Early Years Programs)
- Planning Act Amendments
 - Community Benefits Charges may be imposed by By-law for buildings or structures with five storeys or more **and** with 10 or more residential units.
 - The prescribed maximum C.B.C. rate (as per O. Reg. 509/20) is 4% of the property's land value prior to the day of building permit issuance.



What is a Community Benefits Charge?

Under Bill 197

- Section 37(2) allows local/single tier municipalities to impose community benefits charges against land to pay for the capital costs of facilities, services and matters required due to development/redevelopment.
- To implement a charge, a C.B.C. by-law must be passed by Council.
- Before passing a C.B.C by-law under subsection (2), a strategy must be prepared that:
 - identifies the facilities, services and matters that will be funded with community benefits charges; and
 - complies with any prescribed requirements (defined by O. Reg. 509/20)



Methodology of C.B.C. Strategy

Community Benefits Charges will only apply to developments that are 5 storeys or more and have a minimum 10 residential units. As such the following must be assessed to determine the C.B.C. for the City:

1. Determine the amount of anticipated development and redevelopment that will be eligible to have a C.B.C. imposed on it by reviewing the most recent growth forecast information, applications in the development process, etc.
2. Estimate the land values of the eligible developments/redevelopments in consultation with City Realty staff based on recent appraisal available and/or through information provided by an appraiser contracted for purposes of the C.B.C. strategy.
3. Determine the estimated funding envelope based on 4% of the land values.
4. Estimate the increase in need for services and the share of the capital costs required because of the development/redevelopment.
5. Determine how much of the capital costs relate to the eligible development & redevelopment and complete the formal calculations to determine the percentage to impose for a C.B.C. (to a maximum of 4%)



Eligible Growth and Land Valuation

Eligible Growth:

Estimate the anticipated amount, type and location of eligible development and redevelopment for a C.B.C.:

- High Density Development Only – a minimum 5 storeys with at least 10 residential units
- Amount and Location - discussions have taken place with City Planning staff and Watson’s demographics team related to the “No Urban Boundary Expansion Forecast” to determine the amount and location of the eligible growth
- Consideration for the timing of eligible development (i.e. 10 years (2022-2031))

Land Valuation:

Estimate the land values of the eligible developments/redevelopments in consultation with City realty staff by location as identified through the growth forecast.

- The average land valuations will be summarized by locations with regard to density.



Potential Services to be Considered

The types of growth-related capital that can be included in a C.B.C. can include:

- Non-D.C. eligible services:
 - Services Recently Removed from D.C.: Parking, Airport, Certain Studies,
 - Other Non-eligible D.C. Services: Municipal Administration Building Expansion, Museum, Arts Centre, Public Art, Heritage Preservation, Landfill, Public Realm Improvements, Community Gardens, Space for Non-Profits, Affordable Housing, etc.;
- Former Services recovered under Section 37 of the Planning Act (not applicable for the City);
- Parkland Acquisition, except for parkland dedication related; and
- D.C. eligible services (Growth-related capital not included in the D.C.).



Growth Forecast - C.B.C. Eligible Growth Breakdown

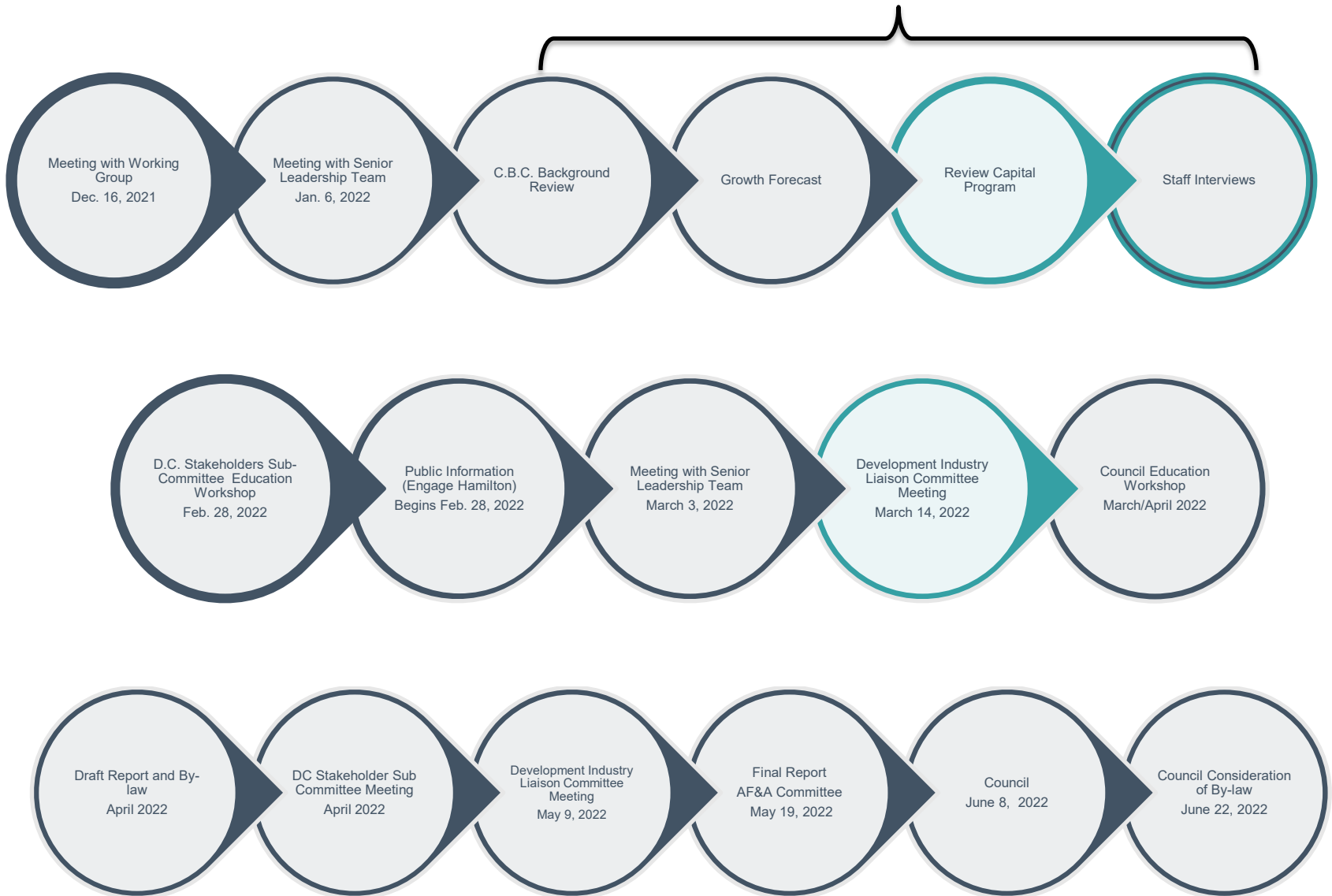
- Based on applications in the planning process, approximately 55% of all apartment units will be in buildings that have a minimum of 5 storeys and minimum of 10 residential units.
- Therefore, of the 18,308 apartment units identified for the growth forecast period from 2022-2031, 10,084 units would be eligible for recovery of a C.B.C.
- Based on the eligible units in the planning process, the following provides a breakdown of the anticipated location of the eligible units:

Area	C.B. C. Eligible Units			
	Registered	Draft Approved	Pending	Total
Ancaster	-	-	-	-
Dundas	-	132	121	253
Flamborough	-	233	74	307
Glanbrook	-	-	-	-
Upper Hamilton	-	1,462	2,427	3,889
Stoney Creek	1,023	367	-	1,390
Lower Hamilton (Inside the Downtown Secondary Plan Area):				
Mid-Rise (5-15 Storeys)	-	40	-	40
High-Rise (Over 15 Storeys)	-	764	2,431	3,195
Lower Hamilton (Outside the Downtown Secondary Plan Area)	-	885	125	1,010
Total	1,023	3,883	5,178	10,084



Study Schedule

Jan. – Mar. 2022





Questions?