



Hamilton

MINUTES

OPEN FOR BUSINESS SUB-COMMITTEE

Wednesday, January 25, 2012

9:30 a.m.

Room 192

Hamilton City Hall

Present: Councillor R. Powers, Chair
Councillor T. Whitehead, Vice-Chair
Councillors C. Collins, R. Pasuta, and M. Pearson

**Absent with
Regrets:** Councillor L. Ferguson, other City business

Also Present: C. Phillips, Senior Advisor, Planning Department
N. Shleehahn, Manager of Business Development
G. Norman, Manager, Engineering Design and Construction
M. Hazell, Senior Director, Parking & By-law Services
B. Young, Director, Municipal Law Enforcement
A. Fletcher, Manager, Strategic Services, Special Projects
G. Norton, Manager, Urban Renewal
T. Sergi, Senior Director of Growth Management
D. Ortiz, Manager, Building Engineering and Zoning
P. Mallard, Director of Planning
D. Spence, Communications Officer
K. d'Andrade, Coordinator, Business Facilitation
K. Huigenbos, Co-Ordinator, Small Business Enterprise Centre
I. Bedioui, City Clerk's Office

1. CHANGES TO THE AGENDA

The Clerk advised there were no changes to the agenda.

(Pearson/Pasuta)

That the agenda for the January 25, 2012 meeting be approved as presented.

CARRIED

2. DECLARATIONS OF INTEREST

There were none declared.

3. ADOPTION OF MINUTES

(Pasuta/Pearson)

That the Minutes of the January 11, 2012 meeting be approved as presented.

CARRIED

4. PRESENTATIONS AND STAFF OVERVIEW

(i) Overview - Business Licence Process (4.1)

Chris Phillips provided a brief introduction to the presentation and indicated that the goal is to address Item 3 of the Sub-Committee's mandate which is to review the approval processes. Today's presentation will cover Zoning Verification, Building Permits and Business Licences. A copies of the hand-out were distributed. Debbie Spence provided a flow chart of the processes copies of which were also distributed.

Zoning Verification:

Dio Ortiz presented the following:

- Zoning Verification Application Form – copies of the form were distributed;
 - Details of the proposed use, proposed address and site plan drawing are required;
- Why these Details are Important;
- How staff determine response;
- Challenges;
 1. Zoning verification request from customer only provides limited information on proposed use; therefore, no details on regulations are provided in the Zoning Verification response back to the customer;
 2. Cannot locate building permit records to determine last permitted use;
 3. Zoning Verification Application Form
- Potential outcomes from zoning verification request
 - Proposed use is permitted and meets regulations:
 - Step two: Complete business licence application;

Bill Young presented the following:

- Business/Establishment Licence
- Business Licence Application Form (a copy was distributed)
- How staff determine response;
- Challenges
 1. Technology: internal process (AMANDA) and build in capacity for email and online;
 2. We do not “own” the process for obtaining information and compliance;
 3. Often delays are a result of various requirements from other Divisions/Departments;
 4. Applicants are still experiencing problems for different licence requirements from the former municipalities.
- The City’s business brochures were distributed.

Change of Use/Building Permit

Dio Ortiz presented the following:

- Potential outcomes from zoning verification request
 - Proposed use is NOT permitted:
 - Step two: Apply for a Temporary Occupancy Permit OR Zoning By-law Amendment;
 - Proposed use is permitted, but is not the same as current use OR cannot find Building Permit to show that last recognized use is the same as the proposed use:
 - Step two: Apply for a Building Permit (Change of Use);
 - Optional Step three: Ontario Building Code Pre-consultation review
- Building permit (change of use) application
- Potential outcomes of a Building Permit Application
 - Application is approved (complies with Building Code)
 - Building Permit is issued and work can begin;
 - Or, letter is sent to owner/architect noting deficiencies in the application;
 - Owner/architect must address each of the deficiencies to have their application approved.
- Building permit statistics
- Challenges
 1. Legal Non-conforming status;
 2. Heritage (listed or designated);

Committee discussed the following points:

- Applicants can apply for a zoning verification form on-line, at the One Stop or on the third floor;
- Can be obtained within 10 days if not a rush, or within 48 hours with payment for express service;
- How does the City of Hamilton compare with other municipalities with respect to issuing zoning verifications?
- If the City wants to be flexible, what are the options?
- The issue of the City's liability must be considered;
- If there are any outstanding work orders are they registered on title – it depends;
- The new Urban Official Plan is still in transition;
- Some uses would be permitted under the new Urban Official Plan which are not permitted now – a chronic problem;
- Staff will report at a future meeting regarding how the Temporary Occupancy Policy will be implemented (i.e. staff will obtain Council approval prior to granting a temporary occupancy to businesses meeting the criteria);
- What is a site plan drawing – it does not necessarily need to be prepared by a professional;
- Is this explained on the City's website – no;
- How does staff determine whether a use is permitted? – look at old by-laws; go by the last permitted use, etc.
- Dio Ortiz to provide a list of what is required to prove legal non-conforming status;
- The problems with missing records;
- One Stop service – what additional steps are required to process application? - depending on the application, staff will escort the applicant to the third floor if necessary and request the inspections required by other agencies;
- How long does it take to get the approvals – varies but could be as quick as one week;
- The business licenses are not processed on site – they are processed at the City Centre;
- Renewals are not encouraged to attend at the One Stop – that service is primarily for new applicants;
- Staff want to install cameras so new applicants requiring photos (i.e. taxi drivers) do not need to go to the City Centre;
- How does the City compare with other municipalities regarding the timelines of getting a business licence:
- The fairness of the fees: i.e. paying separately for three licences that are side by side, why pay for overlap of inspections, etc.;

- Suggestion that a standardized form be created so that the findings of all the inspectors can be recorded so that they can see the big picture and determine what inspections are required;
- How many applicants withdraw once they hit an obstacle? Can we get that information? – Dio Ortiz has started tracking re-submissions;
- Annual statistics on building code violations;
- One Stop staff do not have the expertise to deal with building code requirements;
- Option of live staff person vs. technology;
- Zoning information provided on the web will be expanded;
- The Sub-Committee proposed that the zoning information on the web also include heritage information and that Councillors and their Administrative Assistants be trained at a Planning Committee meeting on how to utilize the site;
- Customer service vs. recovery cost;
- Create a “travelling road show” to be hosted by the BIA’s and the Chamber of Commerce to provide information respecting the business licence process;
- Could be implemented in conjunction with the Business Enterprise Centre’s information sessions.

5. DISCUSSION ITEMS

(i) Small Businesses (Item 5.1)

(a) Data Collection – Surveys and Comparators

Due to the lack of time, this item was deferred to a future meeting.

6. Adjournment

(Collins/Whitehead)

There being no further business, the meeting be adjourned at 11:40 a.m.

Respectfully submitted,

**Councillor R. Powers, Chair
Open for Business Sub-Committee**

**Ida Bedioui
Legislative Co-ordinator
Open for Business Sub-Committee
January 25, 2012**