

April 19, 2016

City of Hamilton
Mayor and Members – General Issues Committee
71 Main Street West,
Hamilton, ON L8P 4Y5

Attn: Mayor Fred Eisenberger, and Members of GIC

Re: PED-12165(a) – Comprehensive Engineering Guidelines

Thank you for affording the Hamilton-Halton Home Builders' Association the opportunity to make a delegation to GIC regarding the comprehensive engineering guidelines being considered tomorrow.

I would like to take the opportunity to relay our sincere thanks in the process that has been taken to review the document. Because of its magnitude and implications, it was imperative that the industry and professionals affected by it be consulted, and the consultation process has been for the most part very accommodating, affording us the opportunity to review and provide recommendations/comments/changes as may be appropriate. The time invested by both staff and volunteers from the development industry was considerable, but beneficial to the overall end project.

It is critical for the City to have a process that is open and transparent, but also understood and consistent in its approach and application. As such, a document such as these guidelines is overdue and needed by the industry as a whole. HHHBA does not agree with everything within the document, but that is expected in a process such as this. It is not our intent to discuss the minutia of a design document, however we feel it important to address three aspects of the guidelines with which we have concern, and feel it needs addressing prior to approving the document *carte blanche*:

1. 18m ROW

Planning Committee has heard from HHHBA on more than one occasion about the use of 18m ROW. Contrary to what is suggested in the staff report, **HHHBA members acknowledge and have accepted that it is the City's goal to provide sidewalks on both sides of municipal roadways. However, we maintain that it is NOT NECESSARY to automatically require 20m ROW to accommodate this.**

Many neighbouring municipalities have implemented two sidewalks on much smaller road allowances. In a presentation made on October 15, 2015 to Planning Committee, examples provided include : Kitchener, Milton, Markham, Burlington and Oakville, all municipalities the City considers when reviewing policies from a best practices perspective. In fact, some of these municipalities have ROW smaller than 18m in width while still accommodating two sidewalks. This smaller ROW is in keeping with Places to Grow legislation, and assists with intensification targets the City must reach within the built boundary.

The staff report indicates that:

"It is preferred and strongly recommended that this municipal infrastructure and utility installation occur in a space which is not under a driving surface or sidewalk because when disturbed for repair, maintenance or future replacement purposes, it is much more costly for the taxpayers of the City."

This statement appears to be anecdotal in nature. In our presentation to Planning Committee last October, **HHHBA provided estimates of annual lost property taxes, economic jobs lost, etc. as a result of moving to an 18m ROW.** In meetings we formally requested that the City analyse the costs of increased maintenance and repair, to properly assess this offset. In our final meeting on the topic, attended by Planning staff, Growth Management staff, and Public Works staff, we were advised that such an analysis had not taken place. We were further advised that the fact that it is done in other municipalities is irrelevant, something which flies in the face of many other decisions made by the City of Hamilton when it compares best practises to those of other jurisdictions.

We strongly urge this committee to reconsider the 18m ROW.

2. Transitional Policies

During our discussions with City staff, there was no talk whatsoever about transitional policies. In our last round of comments we specifically requested that we be afforded the opportunity to discuss them. Transition here is not about finances, it is about design, logistics and practicality of process. While we acknowledge that staff have indicated that in extenuating circumstances proponents could approach the City to discuss options, we feel this is not enough to address the complexity of engineering design.

We have submitted the following alternate transitional policy to City staff for consideration:

- For those projects that have received conditional draft plan approval on or before April 20th, current rules would apply so long as the first submission has been made on or before August 1, 2016 (allowing for a minimum of three months to prepare a submission vs 6 weeks)
- For those projects that have a draft plan of subdivision application submitted in excess of 180 days prior to April 20th, which is not yet approved, current rules would apply given the proponent could reasonably assume that they would receive approval within this time frame (therefore would qualify for the first point). Given the proponent has no control over when draft plan approval is received after the application is deemed complete, an exact timeframe cannot be established in this instance.
- For those projects with imminent draft plan approval pending, submitted less than 180 days prior to April 20th, current rules **COULD** apply so long as the first submission has been made on or before August 1, 2016.
- For those projects that are a phased draft plan (ie. Phase 1 is submitted/approved/constructed, as per the above criteria, etc.) the current rules would apply. (The intent here is that it would allow continuity of standards for sewer design, ROW widths, location of services, etc.)

- That it is recognized that there are circumstances that we cannot anticipate, and in such instances a proponent could approach the Senior Director of Growth Management and ask for his/her discretion in applying standards subject to providing appropriate rationale.
- Where possible in the above instances, changes in construction materials, construction practises, etc. that can be accommodated will be. The intent of the above transitional rules is to allow for consistency in design standards (ROW width, sewer design, etc.) which are impacted much earlier in the process or as a result of changed standards in phasing.

We would be open to alternative wording, etc. that reaches the same intent as the above.

3. Annual Review of Guidelines Document

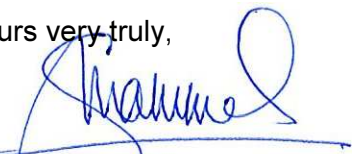
In our discussions with City staff, all agreed that the document is best when considered a living document that is updated from time to time to address changes in design and construction, City policy, etc. Parties generally agreed that an annual review be carried out.

We would formally request that staff be directed to ensure that the annual review be carried out, working with HHHBA as it did during this process as an effective means to a workable document.

Additionally, however, we would further request that staff be directed to limit changes to the document to that annual process and review. As noted above, consistency in process is critical to effective development and design, and changes made unilaterally and without due process of review, notification, etc. can hamper the process and ultimately affect timely review and design, unnecessarily lengthening an already arduous process. In some exception circumstance, staff could approach the industry through the Development Industry Liaison Group should a change be required, but we feel that a comprehensive review of changes, and incorporation of the same into the parent document is critical for engineers and developers alike.

It is our recommendation that the document be approved, subject to the above changes. We thank you for your consideration of our position and submission, and are available at any time to discuss this with staff or the committee.

Yours very truly,



Suzanne Mammel, MBA, CET
Executive Officer/Policy Director
Hamilton-Halton Home Builders' Association

Copy - Mr. Chris Murray, City Manager
- Mr. Jason Thorne, General Manager, Planning and Economic Development
- Mr. Tony Sergi, Senior Director, Growth Management
- Mr. Guy Paparella, Director, Growth Planning