

CITY OF HAMILTON

MOTION

Planning Committee Date: November 1, 2016

MOVED BY COUNCILLOR B. JOHNSON.....

SECONDED BY COUNCILLOR.....

Re: Refund of Minor Variance Application Fees for Residential Properties in the Airport Employment Growth District (AEGD)

WHEREAS, the Airport Employment Growth District (AEGD) is planned to accommodate industrial and employment growth to 2031;

WHEREAS, the existing properties within the AEGD were zoned to permit industrial and employment uses consistent with the Council approved vision for the AEGD which resulted in the existing residential uses becoming Legal Non-Conforming;

WHEREAS, there are approximately 250 residential dwellings within the AEGD that cannot be converted for industrial and employment type uses until municipal water, wastewater and storm water sewers are available to service the lands;

WHEREAS a building permit cannot be issued unless the use complies with the Zoning By-law which does not allow for the existing residential uses to proceed with any additions, alterations or amenities such as pools without first obtaining a variance from the Committee of Adjustment to permit the expansion or alternation of the Legal Non-Conforming residential use prior to obtaining a building permit; and

WHEREAS this creates an unnecessarily financial burden on the existing residents who cannot improve their residential property or develop the property for industrial and employment uses until full municipal services are available;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to refund, upon written request of the owner, the City of Hamilton's required Minor Variance application fee for the expansion or alternation to a residential property in the Airport Employment Growth District (AEGD) where the application is supported by City of Hamilton Planning Staff and approved by the Committee of Adjustment, effective June 1st, 2016 for a 24 month period, to be funded from the Tax Stabilization Reserve Account #110046;
- (b) That staff report back to the Planning Committee on the number of applications and assessment as to whether or not the refund program should be continued in December, 2017.