



Hamilton/Burlington  
Society of Architects

Members of the Development Industry Liaison Group (DILG)  
c/o Guy Paparella  
City of Hamilton, Planning and Economic Development  
71 Main Street East, 1st Floor  
Hamilton, ON L8P 4Y5

March 19, 2019

Dear Members of the DILG,

The Hamilton-Burlington Society of Architects have been asked for comment on the proposed increases in the Tariff of Fees. We respectfully offer the following.

The HBSA is concerned that despite the continued elevated pace of construction, downtown and lower city development remains precarious and increasing fees could negatively impact the development industry, affecting everyone in the industry ranging from large developers to individual homeowners, and related professions.

The comments from City Economic Development's Glenn Norton recently are evidence of this: <https://www.thespec.com/news-story/9184584-is-lrt-uncertainty-choking-downtown-hamilton-development/>

In Hamilton, demand for office and commercial space is still very weak. Although some of our members are busy with feasibility studies and there is significant developer interest, there is limited follow through and few higher density housing projects actually being built. The industry remains delicate, so these substantial increases seem premature to us.

The HBSA believes any adjustment to development fees should be individually assessed in relation to the development type. Infill and intensification projects, which are highly sustainable, transit supportive, have very low infrastructure costs and therefore are highly desirable. Infill and intensification projects should not be charged the same fees as those for greenfield developments, which are known to be subsidized by City taxpayers given that development charges do not adequately fund the City for their lifetime of maintenance and repair. Accordingly, fees should be lower for infill and intensification projects, and perhaps focusing in specific geographic areas, in order to incentivize projects that are more cost-effective for the city and support the city and province's goals for intensification.

With respect to the specific fees we offer the following:

Site Plan Control Applications are proposed to increase from \$9,800 to \$25,730 for a Full Application, \$1,215 to \$14,760 for a Minor Application and from \$2,370 to \$12,230 for a preliminary Site Plan Review. The magnitude of these increases seems punitive and a disincentive to development. Increasing the tax base is one benefit of development and if the proposed increases are adopted, the city may lose out on opportunities for increased revenue generation, particularly on smaller projects taken on by smaller scale developers. Application fees for Site Plan Control on agricultural uses are similarly proposed to increase from 2 ½ to 6 ½ time current rates. Agriculture is vital for building sustainable communities and small family farms should be encouraged by the City. Only modest increases to fees should be approved.



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The BMA report identifies an increase in Minor Variance Applications of over 50% in the last 4 years. This is concerning from an Open for Business perspective and likely reflects overly restrictive Zoning Bylaws and Zoning By-Law interpretations. It seems almost every project requires Minor Variances now, which creates considerable risk to developers as projects can be appealed to the LPAT. As an older city we need updated Zoning to permit infill and intensification projects without requiring minor variances. Especially when these projects match established good built form. It is worth noting many variance applications are made by individual home-owners. An increase in fee from \$1,619 to \$3,490 is excessive and impactful. We are concerned about the effects these fee increases will have on urban renewal in established neighbourhoods.

The HBSA is also concerned with the magnitude of the fee increase for Rezoning Applications and the doubling of the fees for routine applications and some administrative matters, such as the removal of a “H” Holding Provision.

New fees are also being introduced specifically impacting development downtown: a fee of \$6,260 for a removal of an “H”- Holding Provision, \$8,950 for a Shoring Agreement & Drainage Review, and \$6,750 for a Construction Management Plan.

As indicated in the January 18, 2019 report, the Proposed Tariff of Fees for Planning and Engineering Development Applications is based on a series of “Key Assumptions”. One of these “Assumes ‘status quo’ activity levels which are at historic highs”. As architects, we have witnessed and endured wild swings in the economy. We believe the assumption that the current pace of construction will continue is too optimistic and should not form the basis of Council’s decisions for these fee adjustments. The incentives Council adopted for the Downtown Core have stimulated the private sector growing the downtown, increasing the tax base, and creating a more vibrant and sustainable downtown. This kind of thinking is still needed in Hamilton. Although increases in fees are reasonable to account for the city’s operating costs to process applications, the proposed increase should be reduced, and phased in over time.

Sincerely,

**The Hamilton Burlington Society of Architects**

Christina Karney, Chair  
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Esther Link, Treasurer

Cc:

Sherree Donald – City of Hamilton  
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