

Chronology – 2400 Regional Road 56, Glanbrook

	DATE / PROCESS	Site Plan / Engineering	Building Permits	Development Charges (DCs)
1.	March 3, 2017	An initial meeting with Economic Development staff and Owner (Harvey Armstrong Ltd. represented by Larry Murphy) held to discuss proposed development. Possible requirement for Official Plan amendment and Zoning By-law amendment discussed. Subsequently determined as of right zoning applied and Zoning By-law amendment not required.		
2.	March 12, 2017			Finance receives an email from Economic Development cc Owner regarding a DC estimate for a proposed development at 2400 RR 56
3.	March 16, 2017			Finance provides Ec. Dev. cc Owner an estimated DC (\$104,200) based on information provided and current rates and policy . DC rates are subject to change if DC By-law amended, rates indexed, or new DC By-law passed.
4.	July 6, 2017			2017 Annual Indexing of DC Rates
5.	July / August 2017	Planning staff aware of sanitary capacity issues in Binbrook and as a result holding provisions in zoning by-law amendments put in place.		
6.	November 2, 2017	Email exchange between Planning staff and Owner. Planning staff advising that site plan application would need to go to DRT and that would take around 6 weeks and that clearing the conditions could take 8 months or longer . In addition, at the time of the email Planning staff thought a full site plan application would be required and hence the need to go to DRT but by the time the application was submitted only an amended site plan application was required because of existing development on the property. Accordingly, the application did not need to proceed to DRT but the processing time would not have been decreased nor would the time for clearing of conditions be decreased.		

Chronology – 2400 Regional Road 56, Glanbrook

	DATE / PROCESS	Site Plan / Engineering	Building Permits	Development Charges (DCs)
7.	April 17, 2018	<p>Site Plan Application received in the form of an amended site plan as a result of existing development, no formal-consultation meeting requested by Owner, and application not subject to a DRT meeting</p> <p>Site plan application did include the following:</p> <p>Site Servicing & Grading Plan dated and stamped on April 13/18 by J. Schooley, Upper Canada Consultants does not illustrate holding tank. Proposed 100mm sanitary lateral connection to existing sanitary main on Reg. Rd 56 shown.</p> <p>The site plan application, despite the Owner by its own admission knowing connection to sanitary services was not possible, proposed a connection to the sanitary lateral.</p> <p>Site plan indicated existing septic tank to be removed but did not include temporary holding tank on site plan. Planning staff, in absence of any information proposing the use of holding tank and given the site servicing plan and grading plan that was submitted, assumed that the intention of the Owner was that development be serviced by municipal services.</p> <p>At this date sanitary sewer had been constructed across frontage of property when RR56 was urbanized by the City under Contract No. C15-05-15 but could not be used by Owner until downstream Centennial Trunk Sewer was completed and commissioned. Owner acknowledges in DC complaint letter that Owner was aware connection to sanitary sewer and water services could not be made during the building period and that they had intended to use a holding tank until services could be connected.</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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8.	April 24, 2018	Site Plan Application (SPA-18-082) is deemed complete and circulated for comments with comments requested by May 17, 2018.		
9.	May 17, 2018	Earliest date upon which Owner could have appealed site plan application to the LPAT for non-decision if concerned that not being processed in a timely fashion. Owner never appealed the site plan application to the LPAT.		
10.	July 6, 2018			2018 Annual Indexing of DC Rates
11.	July 23, 2018	<p>All comments received from the initial circulation for Site Plan. Comments were provided to Planning Staff at different times by different departments/divisions. For example, Development Engineering comments provided June 4, 2018 whereas comments from Building Department regarding zoning review were provided July 23, 2018. Planning staff attempted to have comments provided earlier.</p> <p>Three-month period to receive comments is consistent with timing of processing of other site plan applications at the City. City website indicating a 4 to 6-week period between complete application and conditional approval appears to be out of date. Owner site plan application processed no differently than any other site plan application.</p> <p>No comment made regarding inability to connect to sanitary or water services but such a comment would not have surprised the Owner given the content of the Section 20 Complaint letter that they were aware sanitary and water services were not available.</p> <p>Issue regarding emergency storm water overflow identified by development engineering (see comment #8). No response received from Owner until meeting held between Owner’s consultant and development engineering staff on Feb 6, 2019.</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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		<p>Extensive zoning comments provided regarding non-compliance with zoning resulting in need for minor variance application.</p> <p>The following Departments/Divisions/Agencies provided comments on the dates indicated:</p> <ul style="list-style-type: none"> a. Hydro One – May 2, 2018 b. Zoning – July 23, 2018 c. Public Health – April 25, 2018 d. Enbridge – May 7, 2018 e. Forestry – May 16, 2018 f. Healthy Communities – April 27, 2018 g. Corporate Services – May 1, 2018 h. Natural Heritage – May 15, 2018 i. Parking – May 8, 2018 j. Urban Design – May 7, 2018 k. Waster – May 16, 2018 l. Development Engineering – June 6, 2018 m. Transportation – June 25, 2018 n. Cultural Heritage – June 8, 2018 <p>Zoning comments not received until July 23, 2018 because zoning review staff were backlogged due to the number of files being received for review. As of May 2018, an additional staff member was hired as zoning comments were still several months behind in respect of Planning files due to the extremely heavy workload and number of files coming in. This staff member required several months of training and began reviewing files in July of 2018. At this point, zoning review staff began to catch up on our outstanding files. As of July 2018, the average response time for zoning review for Planning files was 30 working days. As of July 2019, the average response time for Planning files was 25 working days.</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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12.	July 25, 2018	Planning staff, Ward Councillor, Owner and builder meet to discuss zoning comments and Owner advised that minor variances would be required to address the non-compliant zoning items.		
13.	August 13, 2018	Committee of Adjustment application received		
14.	September 6, 2018	Committee of Adjustment meeting was held; the decision was rendered at the hearing with no conditions – APPROVED within less than 4 weeks of application – City expedited report to save time – generally 6-8 weeks to get in front of COA.		
15.	September 10, 2018 (Not September 12, 2018 as contained in Owner's Complaint)	<p>Telephone call from Planning staff to Owner advising of servicing capacity issue and that no site plan approval could be provided until capacity becomes available. Owner advised this would be part of conditional approval. Owner in subsequent communications in October 2018 understood incorrectly that site plan application processing was put on hold. Email from Owner dated September 10, 2018 confirms discussion.</p> <p>Processing of the site plan application continued, including, but not limited to, staff trying to figure out how to address a holding tank as a condition (assuming it was acceptable to building staff) instead of the standard condition stating no final approval can be provided until services are available to finalize the conditional approval letter.</p> <p>The standard condition, restricting final approval until services were available, was consistent with respect to how other development applications in Binbrook, including site plan applications, with the similar servicing capacity issues, were being processed.</p> <p>Examples include, but are not limited to, the following site plan applications:</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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		<p>(1) DA-17-083 (3079 Binbrook Road): Received on August 4, 2017 Condition: <i>The Applicant / Owner shall demonstrate that there is adequate Sanitary Sewer Capacity within the municipal sewer system to accommodate this development to the satisfaction of the Manager, Development Approvals;</i></p> <p>(2) DA-18-132 (2506-2520 Regional Road 56): Received on July 11, 2018 Condition: <i>That prior to the issuance of any Servicing Permits for the proposed development, the required sanitary pumping and trunk sewer upgrades to the Binbrook Sanitary Sewer Pumping Station are to be completed to the satisfaction of both the Director of Public Works and the Senior Director of Growth Management;</i></p> <p>(3) DA-18-202 (3435 Binbrook Road): Received on October 31, 2018 Comment Received, <i>No Special Condition Required: The Binbrook Sanitary Sewer Pumping Station has reached its capacity and it cannot accommodate any further developments with this catchment area. Upgrades to the Binbrook Pumping Station/trunk sewer are required and the completion of the works is in progress.</i></p> <p><i>We therefore wish to advise that we are in support of this site plan application proceeding to conditional approval. However, the applicant/owner is to be advised that no servicing permits will be issued for this development until such time that the required sanitary pumping and trunk sewer upgrades are complete and it is determined that adequate capacity is available for this development to the satisfaction of both the director of public works and the senior director of Growth Management; and</i></p>		

Chronology – 2400 Regional Road 56, Glanbrook

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		<p>(4) DA-19-049 (3100-3140 Regional Road 56): Received on March 5, 2019 Condition: <i>That prior to the issuance of any Servicing Permits for the proposed development, the required sanitary pumping and trunk sewer upgrades to the Binbrook Sanitary Sewer Pumping Station are to be completed to the satisfaction of both the Director of Public Works and the Senior Director of Growth Management.</i></p> <p>However, by end of September 2018 temporary holding tanks were being considered by staff as an interim measure.</p>		
16.	September 11, 2018	Email from Owner to Planning in which amongst other matters Owner advises he has letter from City confirming existing septic can be converted to a holding tank that can be used until connection to City sanitary service can be made. As indicated below no such letter ever produced.		
17.	September 12, 2018	<p>Phone call between Owner and Development Engineering staff (confirmed by email from Owner same date) regarding use of temporary holding tank and possible condition of site plan approval that permit for holding tank obtained. At no time during this call was the Owner advised that the site plan processing would be put on hold. Owner's email confirming call does not indicate any hold put on processing of site plan application.</p> <p>After September 12, 2018 the temporary holding tank issue was considered by staff (discussions between departments) the result was that the conditions of site plan approval did not contain such a special condition and contained the standard site servicing condition.</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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18.	September 17 and 18, 2018	Email exchange between Owner and Development Engineering staff, Staff confirm no functional servicing strategy included in site plan application which would have described temporary holding tank proposal. In addition, staff asks Owner if found copy of letter which Owner alleged had from a City Department indicating temporary holding tank would be permitted. No such letter was ever produced.		
19.	September 26, 2018		Voicemail message from Owner (L. Murphy) to Chief Building Official asking for assistance to resolve servicing issue in respect of site plan application so that can obtain building permit. No mention made of temporary holding tank.	
20.	September 27, 2018	CBO advises Planning Staff that a temporary holding tank can be used if it meets the requirements of the Ontario Building Code.		
21.	September 28, 2018		<p>Telephone call between CBO, Building staff, Planning staff and Owner. CBO advises this is his first conversation with owner regarding the possibility of the use of a holding tank as an interim measure. Contrary to assertion in Owner Complaint letter, CBO advises he did not speak with Owner in 2017 and had not assured the owner in 2017 that a temporary holding tank would be permitted.</p> <p>Owner advised during phone call that minimum size for holding tank would be 9000 L.</p>	
22.	October 5, 2018		Phone call between CBO and Owner. Owner advises he has an existing septic tank, not sure of size but indicates it's at least 4546 L and would like to use that as holding tank.	

Chronology – 2400 Regional Road 56, Glanbrook

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			Owner does not submit alternative solution proposal to Building until May 1, 2019 and it is denied on June 28, 2019.	
23.	October 5, 2018		Email from CBO to Owner advising that City would consider entering into a holding tank agreement for the use of a holding tank as an interim measure until services are available. CBO advises that this was not approval of a holding tank as a building permit application would need to be submitted and all requirements under the Ontario Building Code would need to be met for approval of the holding tank.	
24.	October 5, 2018		Further to CBO email of same date, owner provides information requested by CBO in connection with obtaining permission for a holding tank.	
25.	October 10 - 24, 2018		<p>Building and Owner email back and forth regarding requirements to submit an alternative solution to use the existing septic tank.</p> <p>Owner acknowledges he needs to apply for a permit for a holding tank. Owner acknowledges building staff have provided a process to apply for an alternative solution. Owner asks for description of process for holding tank that meets the code requirements of minimum 9000 L.</p> <p>Building staff describe process for such application to Owner.</p>	

Chronology – 2400 Regional Road 56, Glanbrook

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			<p>Owner advises building staff that it is Owner's understanding that processing of site plan application is on hold because of lack of servicing but that planning can provide approval of site plan while application of holding tank is being reviewed by Building department.</p> <p>Owner's understanding incorrect, Planning staff have confirmed site plan application processing was continued after Owner was advised on Sept. 12 that final approval could not be provided unless City services were available.</p>	
26.	October 19, 2018	Email from Owner to Planning staff advising Owner working with Building department to obtain permit for holding tank. Owner advises he is aware that site plan cannot be approved until servicing issue is settled. Expresses concern that issue not identified earlier. This expression of concern appears inconsistent with complaint letter which indicates that he was aware at time of application that servicing was not available and would not be available through construction period and the that the holding tank was an option, but it was not identified in the site plan application.		
27.	October 25, 2018		Building by email advises Owner of requirements for a Class 5 Holding Tank.	

Chronology – 2400 Regional Road 56, Glanbrook

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28.	December 13, 2018	Submission from the applicant received before conditional approval issued		
29.	December 20 – December 21, 2018	Email exchange between Planning staff and Owner. Planning staff advises they are still working on how to deal with holding tank (in context of site plan approval). Owner responds with email advising he does not understand why holding tank still an issue. Owner acknowledges that holding tank is required until the new sanitary sewer is completed and commissioned and that Owner “knew this as far back as 3 years ago when first conceived project”. Owner acknowledges holding tank must meet Building Code requirements. Owner advised on October 5, 2018 by Building staff that Owner needed a building permit for holding tank. As of December 20, 2018, despite knowing he would need holding tank as far back as 3 years ago and knowing since October 5 needed a building permit for it, Owner had not applied for a building permit for the holding tank. Permit for holding tank not applied for until April 17, 2019.		
30.	December 21, 2018		Email exchange between Building, Development Engineering and Planning staff in attempt to resolve how holding tank dealt with in respect of clearing conditions for conditional approval. Building advises that they need to know trunk sewer is approved in capital budget and project scheduled for completion in a short (2 year) timeframe (Chief Building Official ensuring holding tank is interim by this requirement). Building staff advised sanitary sewer had been constructed across frontage of property when RR56 was urbanized by the City under Contract No. C15-05-15 but could not be put in for service (used by Owner) until downstream Centennial Trunk Sewer was completed and	

Chronology – 2400 Regional Road 56, Glanbrook

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			commissioned with anticipated (at that time) completion in the first quarter of 2019.	
31.	January 4, 2019	Conditional Approval issued		
32.	January 4, 2019	December submission circulated (circulated with conditional approval letter)– comments due Jan 28		
33.	January 28, 2019	Development Engineering Comments provided to Planning regarding January 4, 2019 submission from Owner. Seventeen matters identified that needed to be addressed by Owner. In addition, Development Engineering staff advise SWM brief not submitted to address comments from June 4, 2018 (provided to owner on July 23, 2018 as part of comprehensive comments). Following conditions of conditional approval still outstanding/not cleared by Owner: 2(a) (erosion and siltation control), 3(b)(i) and (ii) (grading and drainage), 3(c) (SWM design), 3(d) (road widenings), 3(k)(i) and (ii) (site servicing plan). Only 3(k)(i) and (ii) relate to holding tank issue.		
34.	February 6, 2019	Letter of Credit was processed, and taxes were deemed up to date (starting to clear conditions)		
35.	February 6, 2019	Meeting between Development Engineering staff and Owner’s builder. Development Engineering staff advised, in response to comments provided to Owner on July 23, 2018 in respect of SW emergency overflow issue, that the emergency spill overflow outlet to the street is higher than the 100 storm level and will not work. Discussion regarding outlet to north to adjacent property occurs and Development Engineering staff advise permission of landowner to north will be required. Condition 3(c) included in conditional approval issued on January 4, 2019 to address this issue.		
36.	February 8, 2019	Package received for partial clearance to site plan engineering Site Plan Conditions 3(a) and 3 (c)-grading, SWM (upon receipt of permission letter from adjacent owner).		

Chronology – 2400 Regional Road 56, Glanbrook

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37.	February 14, 2019	Circulation re: package for partial clearance to site plan engineering Site Plan Conditions 3(a) and 3 (c)-grading, SWM (upon receipt of permission letter from adjacent owner), and Landscape Plan (to Forestry) comments requested by March 8, 2019.		
38.	February 15, 2019	Site services fee received – and provided to Development Engineering for clearance by March 12, 2019		
39.	February 19, 2019	Elevations Cleared by Development Planning		
40.	February 26, 2019	Forestry cleared the required landscape condition for street trees		
41.	February 28, 2019	Development Engineering Comments sent for partial clearance - Site Plan Condition 2(a) - erosion and sediment control to allow applicant to make application for building permit		
42.	March 4, 2019	Concurrent Review/Building Permit Review Process permitted to proceed.		
43.	March 4, 2019 to March 5, 2019	Email exchange between Development Engineering staff and Owner's SWM consultant. Development Engineering staff advise SWM brief has still not been provided. Consultant provides SW brief dated July 25, 2018 along with a revised brief dated February 8, 2019 (S. Ryan email March 5, 2019 inadvertently refers to the July 2018 brief as June 2018 brief) but thought had provided at February 6, 2019 meeting. Development Engineering staff advise not provided at meeting. Standard practice is for Development Engineering staff to not accept materials at meetings and that any submissions be provided to Planning for circulation.		
44.	March 6, 2019	Comments from Development Engineering sent for partial clearance to site plan engineering Site Plan Conditions 3(a) and 3 (c)-grading, SWM (upon receipt of permission letter from adjacent owner).		

Chronology – 2400 Regional Road 56, Glanbrook

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45.	March 12, 2019		<p>Concurrent Building Permit Application 19-111798 is submitted “To construct 1-storey, 1060m² addition to retail store Home Hardware” – Permit is not a complete application at this time, also a separate permit is required for holding tank, (not yet applied for). Building Code (Div. C Subsection 1.3.1.3(1) required the application to be reviewed and a decision to issue or not issue the permit within 20 working days – April 9, 2019.</p> <p>Owner’s building permit applications were permitted to be submitted as part of the concurrent review process the City permits. The concurrent process is an optional service the City offers to allow developers to undergo building permit review for BC compliance while still going through site plan process in order to save time between site plan approval and building permit issuance. Alternately, without this service, Owner would not have been able to apply for a building permit until after August 8, 2019 (final site plan approval) and then would have been subject to the 20 working days for OBC compliance review (or a lot longer than 20 working day if additional review was required if the initial BC compliance review had identified issues as it had for Owner’s applications), instead the City was able to issue the permit only 3 working days after the final site plan approval was issued.</p>	

Chronology – 2400 Regional Road 56, Glanbrook

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46.	March 13, 2019			2019 DC Background Study and Proposed By-law changes were made available to the Public by being posted to City website. This posting to the website was communicated through the City's twitter account on March 13, 2019 and a formal public notice was posted in the Hamilton Community News and Hamilton Spectator on March 21 & 22, 2019.
47.	March 21 & 22, 2019			Notice of DC public meeting posted in the Hamilton Community News and Hamilton Spectator
48.	March 25, 2019			The City's twitter account further communicated where the public can access the 2019 DC Background Study as well as invited member of the public to get involved in the discussion.
49.	March 28, 2019		In response to a visit to City Hall Owner is advised by email with the requirements to proceed with building permit for Class 5 Holding Tank.	
50.	April 1, 2019			The City's twitter account further communicated where the public can access the 2019 DC Background Study as well as invited member of the public to get involved in the discussion.
51.	April 8, 2019			The City's twitter account further communicated where the public can access the 2019 DC Background Study as well as invited member of the public to get involved in the discussion.
52.	April 9, 2019		Review letter regarding building permit 19-111798 application for addition sent to Owner. Due date, pursuant to Building Code, to complete review is complied with.	

Chronology – 2400 Regional Road 56, Glanbrook

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53.	April 15, 2019			The City's twitter account further communicated where the public can access the 2019 DC Background Study as well as invited member of the public to get involved in the discussion.
54.	April 17, 2019		Building Permit Application 19-118792 is submitted to install Class 5 Holding Tank . The Building Code (Div. C Subsections 1.3.1.3(3) & (4) required the application to be reviewed and a decision to issue or not issue the permit within 20 working days – May 17 (Weekends, Good Friday and Easter Monday not working days – Building Code Div. C. 1.3.1.3(8))	
55.	April 18, 2019			2019 DC Background Study and By-law Public Meeting at City Hall. Both a morning (9:30am) and evening (7 pm) session were held in order to accommodate schedules of members of the public.
56.	April 23, 2019		Building (CBO and staff) agreed in principal the use of Class 5 Holding Tank.	
57.	April 25, 2019		Owner submits responding information to April 9, 2019 review letter (re: building permit for addition).	
58.	May 1, 2019		An Alternative Solution is submitted to propose the use of the existing 4500L tank.	
59.	May 7, 2019		Second review letter is issued to Owner regarding construction of addition.	
60.	May 14, 2019	Engineering Submission received from Owner		
61.	May 17, 2019		Review letter issued for the holding tank permit application. Due date, pursuant to Building Code, to complete review is May 17 and deadline is complied with.	

Chronology – 2400 Regional Road 56, Glanbrook

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62.	May 27, 2019		Copy of the Holding Tank Agreement forwarded to legal department for review.	
63.	May 31, 2019		Legal requested to update the Holding Tank Agreement.	
64.	June 4, 2019	Engineering Submission comments sent out. Storm letter from neighbour had not been received at this point.		
65.	June 6, 2019	Another Engineering submission received from Owner.		
66.	June 7, 2019	<p>Revised Site Plan Received (to include new holding tank). Holding tank never illustrated on site plan prior to this point.</p> <p>Site Plan dated March 2018 and stamped by J.S. Anderson P. Eng. on April 13/18 does not illustrate holding tank.</p> <p>Site Servicing & Grading Plan dated and stamped on April 13/18 by J. Schooley, Upper Canada Consultants does not illustrate holding tank. Proposed 100mm sanitary lateral connection to existing sanitary main on Reg. Rd 56 shown.</p> <p>Site Plan dated and stamped by T. Nugyen P. Eng. on January 18/19 illustrates existing septic tank and new 100 gallon septic storage tank.</p> <p>Site Servicing & Grading Plan dated and stamped on Feb. 8/19 by J. Schooley, Upper Canada Consultants does not illustrate holding tank. Proposed 150mm sanitary lateral connection to existing sanitary main on Reg. Rd 56 now shown.</p> <p>Final Site Servicing & Grading Plan dated and stamped on April 16/19 by J. Schooley, Upper Canada Consultants illustrates existing septic tank to be converted to temporary holding tank. Proposed 150mm sanitary lateral connection to existing sanitary main on Reg. Rd 56 still shown.</p>		

Chronology – 2400 Regional Road 56, Glanbrook

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67.	June 7, 2019	Pest Control Plan received by Planning for clearing Special Condition #1. Typically, an applicant clears this condition within a month, in this case it took Owner 6 months to clear the condition. Owner provided the document at the beginning of June so it took Staff less than a month to clear - see June 28, 2019 entry below.		
68.	June 7, 2019		Response letter received to second review letter dated May 7, 2019 relating to building permit for addition	
69.	June 12, 2019			<p>2019 DC By-law adopted at Council 2019 By-law contains two sets of DC rates: "Gap rates" period June 13 – July 5, 2019 (for project would mean rate is \$19.43 per sq. ft. during this gap period) "New rates" in effect as of July 6, 2019</p> <p>2019 DC By-law does not contain the 5,000 sq. ft. expansion exemption for non-industrial which was in the 2014 DC By-law and which was included in the March 16, 2017 estimate. The lack of the expansion exemption and the change in DC rates due to indexing and then the new rates in the 2019 DC By-law are the reasons for the increase in the DC's payable by the Owner when compared to the 2017 estimate, with the lack of the expansion exemption being the primary reason for the increase.</p>
70.	June 12, 2019	<p>As of this date the following matters were still outstanding in regard to the conditional site plan approval:</p> <ul style="list-style-type: none"> • Pest Control Plan • Enbridge Crossing Agreement • Tariff of Fee 	<p>As of this date the following matters were still outstanding in regard to building permits:</p> <p>Building Permit No. 19-118792 (addition): (a) approval of Class 5 Sewage</p>	

Chronology – 2400 Regional Road 56, Glanbrook

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		<ul style="list-style-type: none"> • Best Effort Watermain Fee • Grading and Drainage Control • Stormwater Management Design • Site Servicing Design 	<p>System (temporary holding tank) under Building Permit Application #19-118792,</p> <p>(b) payment of outstanding fees and charges as identified on review letter #2 dated May 7, 2019, and</p> <p>(c) approval of site plan and zoning to sign off.</p> <p>Building Permit No. #19-118792 (for temporary holding tank):</p> <p>(a) All items on the review letter dated May 17, 2019 including completion of holding tank agreement.</p>	
71.	June 13, 2019			<p>2019 DC By-law in force.</p> <p>Difference from 2017 estimate is \$134,111.49 (\$1,349.32 related to EDCs, \$132,762.17 related to City DCs)</p> <ul style="list-style-type: none"> - Actual permit has 1,381 sq. ft. more than estimate requested in 2017 - \$1,349.32 is due to additional sq. ft. and Education DC increases (City has no authority with respect to these DCs) - \$27,862.17 of City DC increase due to additional sq. ft. - \$4,000 due to City DC rate increases - \$100,900 due to lack of 5000 sq. ft. non-industrial expansion exemption <p>If the building permit had been issued with the rates and policy as of June 12,</p>

Chronology – 2400 Regional Road 56, Glanbrook

	DATE / PROCESS	Site Plan / Engineering	Building Permits	Development Charges (DCs)
				2019 (last day of 2014 DC By-law) the total City DC payable would have been \$98,602.95 less than the calculation under the 2019 DC By-law at permit issuance. The 5,000 sq. ft. non-industrial expansion exemption would have applied offset by the fact that the per sq. ft. rate was higher on June 12, 2019 vs at permit issuance.
72.	June 14, 2019		Responding information submitted by Owner in response to items C1 to C5 in the review letter regarding the temporary holding tank building permit review dated May 17, 2019.	
73.	June 19, 2019	Engineering submission for purpose of clearing site plan engineering conditions, grading plan, SWM, road widening and site servicing. Circulated June 19 - comments due by July 10.		
74.	June 26, 2019		Review of the responding information completed, and applicant notified with the pending items as following <ul style="list-style-type: none"> - To Approve the Alternative Solution - To complete and sign the Holding Tank Agreement 	
75.	June 27 & 28, 2019			Notice of 2019 DC By-law passing posted in Hamilton community news and Hamilton Spectator. Appeal deadline is July 22, 2019 – no appeal filed by HAL. Notice of passing is also posted on City Website and tweeted.
76.	June 27, 2019	Comments sent to applicant from planning for final clearance to site plan engineering conditions, grading plan, SWM, road widening and site servicing. Note outstanding requirements associated with registration of Holding Tank Agreement.		

Chronology – 2400 Regional Road 56, Glanbrook

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		Development Engineering comments that site servicing condition related to holding tank satisfied/cleared as of this date, but comments advise no servicing permits would be issued until Building Department permits use of Holding Tank (separate building permit required). Condition 3(c) related to SW emergency outlet not cleared as letter of permission/agreement from adjacent owner not received. Other outstanding items: holding tank agreement and commutation costs.		
77.	June 28, 2019		Alternative Solution review, for use of existing septic tank in lieu of 9000 l new holding tank, completed and Owner notified by email that proposal has been denied. Revised draft holding tank agreement provided to Owner.	
78.	June 28, 2019	Pest Control Plan approved		
79.	July 2, 2019	Lighting Plan cleared by Development Planning		
80.	July 3, 2019	Meeting between Ward Councillor, Planning staff, Building staff, Engineering, Legal staff, and Owner. The meeting was held to discuss what conditions were still outstanding and if there were any documents required to be submitted by the applicant. In addition, the following matters were discussed in the meeting: holding tank agreement, what would satisfy City regarding permission from neighbouring landowner for potential storm water discharger to their property with legal advising permission letter may not be sufficient to protect City and that an easement was ideal.		
81.	July 3, 2019		Revised holding tank drawings to comply with OBC requirement has been submitted and approved on the spot.	
82.	July 5, 2019		Legal staff, by email, provide revised Holding Tank Agreement completed and submitted to Owner to sign and draft development agreement also provided to Owner for purpose of obtaining permission for storm water outlet to neighbour's lands. This agreement provided as middle	

Chronology – 2400 Regional Road 56, Glanbrook

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			ground/compromise in lieu of easement because easement would have needed a consent which was not possible for owner to obtain in context of their timing pressures. Owner and neighbour refused to sign this agreement and another agreement was eventually entered into.	
83.	July 6, 2019			Second DC rate table from 2019 DC By-law comes into effect. DC rate for project is \$20.18 per sq. ft. vs June 12, 2019 rate of \$20.54 per sq. ft. Education Board's 2019 DC By-law's come into effect (City has no authority over EDCs)
84.	July 10, 2019		Owner signed the agreement and submitted 4 copies to City of Hamilton.	
85.	July 12, 2019		Holding Tank Agreement registered on title.	
86.	July 12, 2019		Building (SR) requests a DC estimate from Finance (AC) for a proposed development at 2400 RR 56.	
87.	July 15/16, 2019		Finance (AC) inquired about the date the complete building application was submitted and accepted by Building. Building (SR) confirms that the building permit application is not yet considered complete.	
88.	July 16, 2019		Finance (AC) provides DC calculation based on permit data and current rates and policy to Building (SR)	
89.	July 29, 2019	Agreement with adjacent landowner to permit emergency SW outlet to drain to neighbour's lands received but it is not one provided by Legal but is accepted. Condition 3(c) of condition approval therefore not satisfied until forty-six days after new DC By-law 19-142 comes into effect.		
90.	August 7, 2019	Condition 3(c) of condition approval, relating to SW outlet cleared by Development Engineering.		
91.	August 8, 2019	Site plan receives final approval.		
92.	August 8, 2019		Building CBO deems the building permit application complete	

Chronology – 2400 Regional Road 56, Glanbrook

	DATE / PROCESS	Site Plan / Engineering	Building Permits	Development Charges (DCs)
93.	August 9, 2019		Owner pays \$104,200 towards total DC liability and agrees to defer payment of the balance through a deferral agreement	
94.	August 13, 2019		Building Permit 19-111798 (building addition) and 19-118792 (holding tank) issued. The building permits would have been issued at a later date if City did not permit concurrent review process.	
95.	August 14, 2019	Mayor and Clerk execute agreement regarding permission for SW outlet to drain to neighbour's lands.		
96.	October 3, 2019		Owner decides not to execute the DC deferral agreement and pays the DC balance owing of \$134,111.49. Includes a letter indicating intent to file Section 20 complaint under DC Act.	
97.	October 11, 2019			DC Act, Section 20 complaint is received by clerks.