



City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Growth Management Division, Planning and Economic Development Department
Physical Address: 71 Main Street West, 6th floor
Phone: 905.546.2424 Ext. 2978 Fax: 905.540.5611
Email: Alvin.Chan@hamilton.ca

April 28, 2020

SENT BY EMAIL

Development Industry Liaison Group ("DILG")

Dear Kirstin Jensen,

Subject: Response to DILG submissions Regarding the Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (City Wide) (PED19015(b))

In review of your electronic mail dated April 23rd 2020, in response to the Proposed Amendment to the Tariff of Fees for Planning and Engineering Development Applications (City Wide) (PED19015(b)), the City provides the following responses:

- 1) Slide 3 (proposed amendments – rezoning applications) states a maximum for commercial & industrial of \$60,000 but does not indicate the base fee of \$35,054 which is then mentioned on Slide 5. This fee should be reflected / explicit, so it is well known that the max \$60,000 is on top of the base fee?**

A: As is the current practice under Site Plan Control Applications, the per unit and per square metre charges are in addition to the base fee.

Of note, staff are replacing the above noted monetary limit of \$60,000, with a maximum of 5,000 square metres, being a maximum additional \$40,000, opposed to \$60,000, as noted below in response to Question 2.

Therefore, a Complex Re-zoning Application for non-residential development is subject to a base fee of \$35,054 and an additional charge of \$8 / square metre up to a maximum of 5,000 square metres, being a maximum charge of \$75,054.

- 2) Changes to the non-residential fees helps, however the base fee plus the max GFA fee at +\$90,000 is still too much for application costs?**

A: The intention was to establish an upset limit with respect to non-residential development proposals while maintaining the principle of Growth Pays for Growth and ensuring full cost recovery for the processing of the application.

Upon further review, opposed to using a monetary upset limit, staff propose to use the same square metre limit as Site Plan Control, being a 5,000 square metre facility. Accordingly, the maximum fee for a non-residential development proposal is now \$75,054.

- 3) Slide 8 (site plan - proposed amendments) is confusing and we would like more explanation as to what a unit will be considered (for instance in retirement home or similar facilities, often inconsistent as to whether a project with kitchenette is considered a unit or a suite when calculating fee tariff)?**

A: As per the proposed definition, the definition of “Unit” is independent of that of the Ontario Building Code. The intention is to establish a fee per unit, whereby any beds / heads, whether singular or plural, which are contained within four walls for habitation purposes is deemed to be a unit for the purpose of the fee.

A single occupant room is deemed to be a unit. Also, a unit with any number of beds / heads within it, is deemed to be a singular unit for the purpose of the fee.

- 4) Looking for a bit more clarification on the implications of the 2nd section on that slide – where ground related residential counts the same as vertical – was this differentiated before?**

A: There was previously no differentiation between vertical and ground related developments. The form of development requires different levels of review and evaluation. Accordingly, a separate category for ground related development under the Site Plan Control Application using the same rates as that of Vertical Developments is proposed.

However, it should also be noted that the City intends to review this proposed fee in the future to ensure that the principle that “growth should pay for growth”; and, that the City recovers the cost to review and process large multi-phased developments that may take multiple years to proceed from conditional approval to final approval.

- 5) Slide 9 – stand alone official plan fee increase/the 25% surcharge needs further explanation – no real justification provided as to why the fee is being increased - the number of units or the size of the buildings proposed doesn’t necessarily indicate the amount of staff energy to review a file, rather the complexity of the required supporting studies**

A: As mentioned in the report, the City has historically applied a 25% reduction to the Official Plan fee where it is combined with other Development Applications at the time of application.

For ease of administration, the 2019 Fee By-law established an Official Plan Amendment fee that assumed a combined application and had therefore included the 25% fee reduction.

**Subject: Response to DILG submissions Regarding the Proposed
Amendment to the Tariff of Fees for Planning and Engineering
Development Applications (City Wide) (PED19015(b)) Page 3 of 3**

Accordingly, it is necessary to revise the fee to reflect stand-alone Official Plan Amendment Applications by applying a 25% fee surcharge, to reflect the fact that the proposal is not a Combined Application, and to ensure that "Growth Pays for Growth."

Sincerely,

A handwritten signature in black ink, appearing to read 'Alvin Chan', with a long horizontal stroke extending to the right.

Alvin Chan
Manager, Legislative Approvals / Staging of Development
Planning and Economic Development Department.

c.c. Jason Thorne, General Manager
Tony Sergi, Senior Director, Growth Management
Steve Robichaud, Director of Planning and Chief Planner
Anita Fabac, Manager, Development Planning, Heritage & Design
Joe Gravina, Business Facilitation
Alvin Chan, Manager, Legislative Approvals / Staging of Development
Nick Carnicelli, Carriage Gate Homes
Matt Johnston, UrbanSolutions