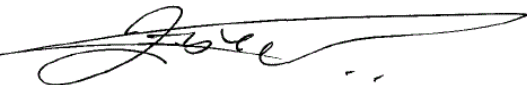




**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Building Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	December 8, 2020
<b>SUBJECT/REPORT NO:</b>	Increase to Permit Fees under the Building By-law (PED20210) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Jorge M. Caetano (905) 546-2424 Ext. 3931
<b>SUBMITTED BY:</b>	Ed VanderWindt Director, Building and Chief Building Official Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That the By-law, attached as Appendix “A” to Report PED20210 to amend City of Hamilton By-law No. 15-058, the Building By-law, be enacted;
- (b) That the fees prescribed in the By-law, attached as Appendix “A” to Report PED20210, be included in the User Fees and Charges By-law, replacing the fees listed under the heading “Classes of Permits and Fees under the Hamilton Building By-law”.

**EXECUTIVE SUMMARY**

On May 18, 2010, (Report PED10050(a)), Council directed the Building Division to adjust permit fees in January of every year to reflect budgetary increases. This Report explains the rationale for increasing the permit fees to cover the reasonable and necessary cost increases associated with budgetary increases expected in 2021. Based on projected expenses, the Building Division is proposing an increase of 2.6% for all permit fees.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Approval of the revised Building Permit Fees will ensure that all direct and indirect costs associated with delivering services related to the administration and enforcement of the *Building Code Act, 1992* are fully recovered.

Staffing: Not applicable.

Legal: The recommendations have no legal implications.

**HISTORICAL BACKGROUND**

On May 18, 2010, (Report PED10050(a)), Council directed the Building Division to adjust permit fees in January of every year to reflect budgetary increases.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Ontario Building Code and *Building Code Act, 1992*.

**RELEVANT CONSULTATION**

Legal Services Division has been consulted.

Finance, Administration and Revenue Generation Division has been consulted.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Table 1 below provides a summary of the budgeted expenses under the Building Enterprise Model associated with the administration and enforcement of the *Building Code Act, 1992* for 2020 and 2021.

**TABLE 1**

<b>Building Division</b>		
<b>Statement of Expenses for the Building Enterprise Model</b>		
<b>(Budget)</b>		
	<b>2020 Budget</b>	<b>2021 Draft Budget</b>
Expenses		
Direct Costs	\$11,775,550	\$12,000,010
Indirect Costs	<u>\$ 1,486,640</u>	<u>\$ 1,610,040</u>
<b>Total Expenses</b>	<b><u>\$13,262,190</u></b>	<b><u>\$13,610,050</u></b>

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Based on budget figures, the Building Division's expenditures for 2021 are expected to increase to \$13.61 million from the 2020 budget expenditures of \$13.26 million. This increase is mainly due to inflationary/cost of living increases from labour and administrative costs including pension and other employee benefits which our Division will incur in 2021. Based on the figures noted in Table 1, the Division's projected increase in expenses from 2020 to 2021 is 2.6%. Accordingly, to meet this expected increase, the Building Division is proposing to increase permit fees by 2.6% (see Appendix "B"). This will ensure that fees cover the expected cost increases associated with budgetary increases in the cost of operations incurred in 2021.

Please note that, in order to simplify fees, the proposed 2.6% permit fee increase shown on the attached Appendices have been rounded off to the nearest full cent for all fees under \$100 and to the nearest full dollar for all fees over \$100.

As additional information, staff undertook a survey of the current permit fees of seven Ontario Municipalities for several different classifications of permits as shown in Appendix "C". The proposed 2021 permit fees for the City of Hamilton in these classifications, with the exception of Group B Institutional and Group C Residential House, are all below the average of the sampled Municipalities. For clarification, the permit fees provided for the seven municipalities are based on current 2020 rates and do not reflect any proposed fee increase for 2021. All of our current 2020 permit fees are below the average of the seven municipalities surveyed.

Staff are also proposing the following changes to the Building By-law:

- Add a requirement that demolition permit applications must now include a completed, and signed, Demolition Application Checklist. This is to ensure that applicants are made aware, at time of permit application, that additional requirements may be applicable to the demolition from the Ministry of the Environment, Conservation and Parks and/or from the Ministry of Labour.
- Clarify the requirements for permit applications submitted through the ePLANS online service.
- Several housekeeping amendments in order to clarify the intent of the By-law.

Increasing the permit fees to cover the reasonable and necessary costs associated with the expected rise in expenses from 2020 to 2021 will ensure these costs, associated with the administration and enforcement of the *Building Code Act, 1992*, are covered by the users of the system with no reliance placed on the general levy for its operation.

## **ALTERNATIVES FOR CONSIDERATION**

The alternative would be to maintain the current fees, however, this could result in having to transfer additional funds from the Building Stabilization Fund which would go against the Building Division's mandate of administering and enforcing the *Building Code Act, 1992* as a fully cost-recovered and self-funded program within the City. Maintaining the current fees would also go against Council's direction given on May 18, 2010, (Report PED10050(a)) to the Building Division to adjust permit fees in January of every year to reflect budgetary increases in the cost of operations.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

### **Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report 20210 - Proposed Building By-law Amendment

Appendix "B" to Report 20210 – Existing and Proposed Fees for 2021

Appendix "C" to Report 20210 – Permit Fee Comparison

JMC:ll