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From: VanderWindt, Ed <Ed.VanderWindt@hamilton.ca>
Sent: May 20, 2021 1:24 PM
To: Morris, Brian <Brian.Morris@hamilton.ca>
Cc: Davenport, Alicia <Alicia.Davenport@hamilton.ca>; Gillies, Lindsay <Lindsay.Gillies@hamilton.ca>; Caetano, Jorge <Jorge.Caetano@hamilton.ca>; Peter, Frank <Frank.Peter@hamilton.ca>; Wong, George <George.Wong@hamilton.ca>; Ortiz, Dio <Dio.Ortiz@hamilton.ca>
Subject: Inclusion of a Farm Business Registration Number on Agricultural Building Permit Applications

Hi Brian,

There are two distinct areas of Development Charges applicability within the Agriculture and Rural Affairs Advisory Committee's request: 1) Building Permits, and 2) Development Charges.

1) **Building Permits**
   The *Building Code Act* prescribes a specific list of regulations as deemed to be "Applicable Law" in relation to the issuance of building permits. The municipality may not add or detract from the list.

   A "*Farm Business Registration Number*" is not defined as applicable law for the purpose of obtaining a Building Permit for an agricultural building and therefore may not be demanded as part of the permit issuance process.

2) **Development Charges**
   Having said the above, when Applicants submit a Building Permit Application for an agricultural building, the application is reviewed whether it is for a farm operation for the purpose of applying the Development Charges By-law and collecting the related fee.

   If it is not expressly clear that it is for a farm operation, staff forward the Building Permit Application to the city's Finance Team under the guidance of Lindsay Gilles, Supervisor Development Charges, Programs and Policies for a further determination.

   Ms. Gilles has advised us that within the Development Charges By-law 19-142 a "Farming Business" is defined for the purpose of determining the applicability of collecting Development Charges by the related *Farm Business Registration Number* and the number is requested by the Finance Team for the determination of the By-law.

   From By-law 19-142:
   "Farming Business" means a business operating on Agricultural Land with a current Farm Business Registration Number issued pursuant to the Farm Registration and Farm Organizations Funding Act, 1993, S.O. 1993, c.21, and assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.

Following your latest email, management staff met with Ms. Gilles to review the questions posed by the Agriculture and Rural Affairs Advisory Committee and through that discussion it

was confirmed that the process is in place, is followed and Development Charges are applied as required.

Trusting the above is helpful to the Agriculture and Rural Affairs Advisory Committee and clears up any concerns,

Kind regards,

Ed

Hamilton

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