CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

Report to: Chair and Members Committee of the Whole
Submitted by: Tim McCabe General Manager Planning and Economic Development Department

Date: March 9, 2009
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SUBJECT: 2009 Tariff of Fees (PED09032(b)) (City Wide)

RECOMMENDATION:

That Appendix "A" of Report PED09032, as amended, being the recommended revised Planning and Engineering Fees for 2009, be further amended as follows:

(a) That a new fee of $2,795.00 be applied to applications for Zoning Amendment - Severance of Surplus Farm Dwelling.

(b) That new fees equivalent to one-half (½) of the applicable Site Plan Application fee be applied to Site Plan Applications for Agricultural Uses.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

This report recommends further revising the Planning and Engineering Fees for 2009 (Appendix "A" to Report PED09032, as revised) to introduce new fees for Farm Based/Agricultural Use Site Plan applications, and Zoning Amendment applications relating to the severance of a surplus farm dwelling.

BACKGROUND:

As part of the 2008 Work Program, staff undertook a comprehensive review of the Planning and Development Engineering fees structure. BMA Management Consulting Inc. was retained by the City to assist in providing an activity based cost analysis to
process Development applications along with a comparison of fees with other comparable size municipalities.

Report PED09032, related to the proposed 2009 User Fees, was presented to the Economic Development and Planning Budget Committee Meeting on January 28, 2009. The Committee approved the Schedule of Fees, as amended, by the following:

(i) That staff be directed to provide information on the development fees charged by Kitchener, Brantford, and Grimsby, including the percentage of actual costs recovered, to the Budget Steering Committee.

(ii) That the fees for Committee of Adjustment applications, and Pits and Quarries expansions, be red-lined until later in the Budget process, when staff has brought forward further information on the fees, and their impacts.

Subsequently, Report PED09932(a) respecting 2009 Tariff of Fees was presented to the Budget Steering Committee at their meeting of February 12, 2009. The Committee approved the following revisions to Appendix “A” of Report PED09032:

(i) That the fee for Minor Variance applications be reduced from $1,210.00 to $1,000.00.

(ii) That a new fee of $1,210.00 be applied to applications for “After the Fact Variances” being where development has proceeded prior to submission of the application for relief of By-law requirements.

(iii) That a fee of $40,000.00 for Pit or Quarry Expansion be referenced as a new fee, not a revised fee.

On February 24, 2009, Committee of the Whole approved the new Tariff of Fees, as amended as part of Budget approval for the Department of Planning and Economic Development’s 2009 Operating Budget. This report and recommendation proposes to further amend the new Tariff of Fees as related to zoning by-law amendment and site plan fees for agricultural-related applications.

In January 2009, the updated Hamilton Agricultural Profile was approved by Council. Task 6 of the Agricultural Action Plan gave the following direction:

"6. Create an “Open for Business” strategy and task force for agriculture to assist the agriculture industry during the development process. This Open for Business Task Force would work with staff to ensure equity in fees and charges for the industry that are comparable to other agriculture communities and streamline the development process."

At its meeting of February 26, 2009, the Agricultural and Rural Affairs Advisory Committee (ARAAC) passed the following motion:
2. Update Status of Draft Rural Zoning By-law (Item 5.3)

The Agricultural and Rural Affairs Advisory Committee requests that Environmentally Sensitive Areas (ESA) identified in the rural areas of the City of Hamilton be subject to requirements and fees that allow for the long term viability of the agricultural community thereby allowing this sector to grow and prosper.

**ANALYSIS/RATIONALE:**

Consistent with the previously noted Task (6) of the Agricultural Action Plan, and the concerns of the ARAAC respecting fees, staff recommends that the following new fees be approved:

(i) **Zoning Amendment - Severance of Surplus Farm Dwelling $2,795.00.**

This represents half (½) of the proposed fee for a Routine Zoning Application ($5,585.00), which is typically required to implement a condition of severance approval where a surplus dwelling is created due to a farm consolidation. Considering that the planning merits have been analyzed at the Severance Application stage, and the application is primarily administrative in nature, staff supports the introduction of a new fee. For comparative purposes, the City of Ottawa has a similar fee which is approximately half of the fee for a Minor Zoning Amendment ($2,100.00 vs. $4,590.00).

(ii) **Site Plan Applications for Agricultural Use - ½ the Applicable Fee.**

As previously noted, the ARAAC has raised a concern with respect to the amount of ESA designated lands within the rural areas of the City; thereby causing significant restrictions on agricultural farm development. In this regard, the ARAAC has requested consideration of fees. Implementation of the Natural Heritage System policies in the New Rural Official Plan (under appeal) will necessitate the requirement for Site Plan approval for new buildings or structures, and expansions, for agriculture uses, where none was required before. Accordingly, staff supports a new fee of half (½) of the applicable Site Plan fee for Agricultural Uses. In this regard, the fees would be as follows:

- Minor Site Plan - $365.00 vs. $730.00
- Site Plan Amendment - $715.00 vs. $1,425.00
- Full Site Plan - $2,940.00 vs. $5,880.00
- Preliminary Review - $715.00 vs. $1,425.00
- Extension - $480.00 vs. $960.00
- Resubmission of Plans on 4th Occasion - $945.00 vs. $1,890.00

**Note:** These new fees will not apply to Agricultural-Related Uses, such as farm-related commercial and industrial uses.
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**ALTERNATIVES FOR CONSIDERATION:**

N/A.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: The proposed changes to the fee for Zoning Amendments for Surplus Farm Dwellings would result in an annualized decrease in revenues of between $5,585.00 and $11,170.00, based on 2 to 4 such applications a year. Reduced fees for site plans will not decrease revenue projections as these applications were not previously required for agricultural uses.

Staffing: N/A.

Legal: N/A.

**POLICIES AFFECTING PROPOSAL:**

N/A.

**RELEVANT CONSULTATION:**

N/A.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Supports the rural community.

Environmental Well-Being is enhanced. ☐ Yes ☑ No

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

: PDM