

OPEN FOR BUSINESS SUB-COMMITTEE

RESPONSE FROM HAMILTON CHAMBER OF COMMERCE

A. **A) PRINCIPLES**

The review and approval process at the City, regardless of the type of application, should adhere to a number of key principles. The process must be:

clear
predictable
consistent
fair
commensurate with the level of review required
competitive with other jurisdictions

B) **OBJECTIVES**

In order to achieve these principles, the process must include the following characteristics, some of which are currently in place for some applications:

1. Fees that properly relate to the size of the project and the scope of work required. As an illustration of an inefficiency at this point is the cost of an application for plan of subdivision. The base fee for such an application to create one lot is \$6,000 for example. This is the same application fee as for a 100-lot subdivision.
2. The process should have clearly defined timetable expectations.
3. Submission requirements should be clear and consistent.
4. The process should be driven by predetermined timing parameters, and not have timing parameters driven by the process. (For example, the date of the public meeting to deal with a specific application should be included on the rezoning notice sign at the time it is installed on the property.)
5. There should be an opportunity to have variable rates and levels of service for different applications (i.e., Zoning Verification allows for a quicker turnaround time for a higher fee).
6. There should be a penalty for non-compliance with the implementation of policy. This is currently found in the zoning verification process where application fees are refunded if the response is not prepared within the allocated time period. It is currently a requirement of the applicant to pay for the cost of any recirculation for delays created by the applicant.
7. The principles and components of the process should apply to all planning related applications including zoning by-law and official plan amendment.

C) POSITIVE ASPECTS OF RECENT CHANGES AND CURRENT PRACTICES

1. Recent changes to the process to require a Formal Consultation meeting with staff have been very effective from both a cost and a timing perspective. The cost is minimal, and the time frames are very tight.
2. This process also clearly outlines expectations of the proponent in moving forward with the application.
3. This process helps to weed out either difficult or frivolous considerations.
4. The process minimizes some of the risk and uncertainty associated with the approval process.
5. Applications to the Committee of Adjustment are a good example of how the process is defined by timing parameters. The date of the meeting to consider the application is determined and known at the time of the submission of the application. Therefore, submission deadlines are understood, as are dates for the consideration of the application.

D) RECOMMENDATIONS

1. That the principles in Part A be adopted and used as a foundation for the consideration of changes to the planning approval process.
2. That the objectives outlined in Part B be adopted.
3. That the Chamber and the City work together to improve the current approval process to achieve outcomes that are consistent with Parts A and B. In the interim, some initial suggestions include the following:
 - a. (a) setting minimum threshold response times to phone calls, emails and report submissions;
 - b. (b) allow for concurrent review of application for building permit at the same time site plan conditions are being satisfied;
 - c. (c) allow the Committee of Adjustment to approve applications to add a use to a list of permitted uses on a property if it is similar to existing uses;
 - d. (d) expand the range of applications that would be deemed appropriate for minor zoning application;
 - e. (e) institute a process for minor official plan amendment application;
 - f. (f) delegation to staff of uncontentious applications for minor variance and/or consent.