

Sent by Email

March 8, 2023

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Subject: Bill 109, *More Homes for Everyone Act*, 2022
Comments from the City of Pickering – ERO Posting 019-6619 Municipal Reporting on
Planning Matters – Proposed Minister’s Regulation under the *Planning Act*
File: L-1100-057

Please find attached comments from the City of Pickering with respect to Environmental Registry Ontario Posting 019-6619, regarding proposed municipal reporting on planning matter under the *Planning Act*. Thank you for your consideration.

Yours truly



Catherine Rose, MCIP, RPP
Chief Planner

BW:jc

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Enclosure Pickering Comments Regarding Municipal Reporting on Planning Matters

ERO Posting	City of Pickering Comments
<p>ERO Posting 019-6619 (Closing March 8, 2023) Municipal Reporting on Planning Matters – Proposed Minister's Regulation under the <i>Planning Act</i></p>	
<p>Municipal Reporting on Planning Matters</p>	
<p>Municipal Data Regulation</p> <p>The description of the Proposed Regulation states: “The creation of an overall network of a municipal data reporting regulation that would provide accurate and up to date data that the government can use to measure progress towards Housing Supply Action Plan commitments including the construction of 1.5 million new homes over the next 10 years.”</p>	<p>Concerns with the proposed Regulation</p> <ul style="list-style-type: none"> • The current regulation would place the burden for creating the Provincial database on municipal resources. The Province should be taking the financial responsibility for the generation of the database and not municipalities. Municipal staff are focusing resources towards updating municipal processes, and approving <i>Planning Act</i> applications, to get more housing approved and this level of reporting will take staff resources away from that goal without additional funding. • The data being requested does not allow for reporting of information that provides a fulsome picture of possible time delays getting homes built. For example: <ul style="list-style-type: none"> ○ The data being requested does not provide the opportunity to track times through the application process where the municipality is waiting on comments from external agencies; applicants’ submission of revised plans, studies, fees, execution of agreements or other information; and concurrence of applicants on conditions of approval. ○ The data being requested does not track major revisions initiated by applicants or land owners to existing planning approvals. ○ The data being requested does not track the time between <i>Planning Act</i> application approvals and building permit submission/issuance for that planning application. However, it is noted that this time period is beyond the control of the municipality, and would be problematic to collect, as it can be years between planning approval and building permit submission/issuance.

	<ul style="list-style-type: none"> • A significant amount of the information being requested is publicly available to the Ministry already (i.e. <i>Planning Act</i> applications, monitoring/growth trends reports, OLT appeals, Official Plans, etc.). The Upper Tier municipalities track development application activity. This effort will now be duplicated. • Particularly with regard to data on non-residential uses, in the absence of providing clarification as to the “what and why” it is being measured, it is unclear what policies or zoning information would be relevant. • There is no mention of making the information collected available to municipalities. The database, at least in the aggregate, should be accessible and available to all municipalities to understand trends within Regions and the Province. <p>Recommendations</p> <ul style="list-style-type: none"> • That the data required to be reported by municipalities be narrowed to applications for residential, or mixed use, to measure the potential to meet the Housing Supply Action Plan goals. • That the data fields be expanded to allow an explanation or comment addressing the timelines for processing applications. • The consolidated data be accessible to all municipalities.
<p>Data Reporting Requirements</p>	
<p>General Comments</p>	<p>Concerns with the Reporting Requirements</p> <ul style="list-style-type: none"> • The volume and level of information required will place significant strain on municipal staff resources. • The posting indicates the Ministry would provide a guidance document, templates and require machine readable geospatial data. These details are required to determine exactly how much staff time and resources will be required to meet the Ministry’s reporting criteria.

- Quarterly reporting to commence as of June 30, 2023 without full information of the guidance document and templates will give little time for municipalities to figure out what data gaps they need to address.
- The City's approach to building good communities is through an iterative process of collaboration between staff, the public and the development industry, to resolve issues and avoid litigious situations.
- Many development projects have multiple planning applications (such as an official plan amendment, a rezoning, and a site plan; or a plan of subdivision, plan of condominium, a rezoning and a site plan). It is important that the units for multiple applications associated with a single development project are only counted once.
- Consider tracking only applications over a certain minimum number of residential units.
- The cost estimate of just under \$4,000.00 and the length of time estimate of about 3 weeks to collect this information is grossly underestimated, particularly if computer programs need to be written to transfer data from existing data management systems, (e.g. AMANDA), to the Provincial templates.

Recommendations

- The level of detail required for each application should be greatly simplified.
- Should the level of detail required remain the same, the Province should provide municipalities with funding for staffing to provide this data, ensuring local resources are not removed from processing planning applications to get housing built.
- Provide the guidance document and templates for review and comment prior to passing the regulation to allow for feedback on how to most effectively provide information being required.
- Require all reporting to be no more frequently than twice a year (e.g. March 31 and September 30).

	<ul style="list-style-type: none"> • Require reporting to begin starting in 2024. • Identify a mechanism to ensure units associated with a project that has multiple planning application approvals are only counted once.
<p>Minor Variances Land Divisions/Consents</p>	<p>Comments</p> <ul style="list-style-type: none"> • Third Party Appeals are not permitted anymore for these types of applications. • In Pickering, a significant amount of time is spent on processing and evaluating these types of applications. However, for Pickering, the value of reporting on them seems quite removed from the objective of delivering more homes faster. <p>Recommendation</p> <ul style="list-style-type: none"> • Remove Minor Variance and Land Division application reporting requirements.
<p>Site Plans</p>	<p>Recommendation</p> <ul style="list-style-type: none"> • As noted in the comments under section one, if the purpose of the data request is to measure progress towards Housing Supply Action Plan commitments, it is recommended that data on Site Plan applications be limited to those that include residential uses.
<p>Plan of Subdivision</p>	<p>Recommendation</p> <ul style="list-style-type: none"> • The data should enable the tracking of red line or major revision submissions for approved draft plans.
<p>Community Infrastructure and Housing Accelerator Tool and Ministers Zoning Orders (MZO's)</p>	<p>Technical Comments</p> <ul style="list-style-type: none"> • Define what is required by “downstream approval status”. • The reporting of these residential units would be a duplication of the units associated with the registration of draft plans of subdivisions, condominiums, zoning by-law amendments and site plans.

	<p>Recommendation</p> <ul style="list-style-type: none"> • If the purpose of the data collection is to track the use of these specific tools, a field should be added to the data collected for each major application as to whether it is located within, or associated with, these tools.
<p>Areas identified as a Strategic Growth Area with a minimum target</p>	<p>Technical Comments</p> <ul style="list-style-type: none"> • More detail on the proposed Provincial templates and requirements is needed to understand if municipalities have what the Province will require in a current geospatial format. <p>Recommendation</p> <ul style="list-style-type: none"> • As noted with the section on the Accelerator Tool and MZO's, if the purpose of the data collection is to track the location of the applications, a field should be added the data collected for each major application as to whether it is located within, or associated with, a strategic growth area with a minimum growth target (or an area subject to an intensification target, an employment area conversion, or a major transit station area.
<p>Employment Areas</p>	<p>Technical Comments</p> <ul style="list-style-type: none"> • In the absence of providing clarification on what is being measured, it is unclear what is meant by "other relevant policy or zoning requirements". • More detail on the proposed Provincial templates and requirements is needed to understand if municipalities have what the Province will require in a current geospatial format. <p>Recommendation</p> <ul style="list-style-type: none"> • As noted in the comments under section one, if the purpose of the data request is to measure progress towards Housing Supply Action Plan commitments, it is recommended data on applications within an employment area be eliminated. • Provide greater clarity on the information sought for employment areas.

Existing Water and Wastewater Infrastructure	<p>Recommendation</p> <ul style="list-style-type: none"> The data collected should identify upfront who provides the services (upper tier, single tier, lower tier or combination), and then ask for the details.
Number of housing units built as-of-right	<p>Technical Comments</p> <ul style="list-style-type: none"> There is no easy way to track this data nor any details on how this is defined.
Historical Data Reporting	<p>Technical Comments</p> <ul style="list-style-type: none"> Without being able to review the details of the guidance document and templates, it is unclear what impacts the December 31, 2023 timeline will have on staff resources. This is a very onerous task if the same level of detail is required for all past applications as for going forward. <p>Recommendation</p> <ul style="list-style-type: none"> Consider accepting aggregated data on units approved, per year.