



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 30, 2023
SUBJECT/REPORT NO:	Municipal Reporting on Planning Matters – Proposed Minister’s Regulation Under the <i>Planning Act</i> (PED23082(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
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SIGNATURE:	

COUNCIL DIRECTION

At its meeting on March 21, 2023, the Planning Committee approved that Appendix “A” to Report PED23082 be endorsed as the City of Hamilton’s response to the Municipal Reporting on Planning Matters - Proposed Minister’s Regulation under the *Planning Act*.

INFORMATION

In February 2023, a proposed Minister’s regulation under the *Planning Act* was put forward for consideration outlining quarterly, annual and one-time historical reporting requirements on planning matters for 29 of Ontario’s largest and fast-growing municipalities, including the City of Hamilton. In response, the City submitted feedback to the Ministry of Municipal Affairs and Housing outlining a series of administrative and process related concerns with the proposed reporting requirements (PED23082).

The Ministry has since decided to proceed with the implementation of *Ontario Regulation 73/23 Municipal Planning Data Reporting*. As a result of the feedback collected during the regulation review process, the following changes were made:

- Removal of the request for a one-time five-year historical data report;
- Removal of the request for annual water / wastewater geospatial data;

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

- Collection of residential units built as-of-right data through separate sources rather than through *Ontario Regulation 73/23*; and,
- Quarterly, not annual, reporting on community infrastructure and housing accelerator orders and Minister’s zoning orders.

Under *Ontario Regulation 73/23*, identified municipalities will now be required to report on planning-application information quarterly including:

- Official plan amendment;
- Zoning by-law amendment;
- Site plan;
- Minor variance;
- Land severance (consent);
- Plan of subdivision;
- Plan of condominium;
- Community infrastructure and housing accelerator orders; and,
- Minister’s zoning orders.

Reporting on other planning information is required annually for:

- Areas identified as a Strategic Growth Area with a minimum target;
- Employment areas;
- Employment area conversions;
- Major transit station area boundaries; and,
- Settlement area boundaries.

The submission of planning-application information for Q1/2023 is due to the Ministry on June 30, 2023. To meet the first reporting deadline, staff are working to identify, populate and validate existing data that is collected by the Planning Division into the Ministry-provided templates. Where possible, automation will be set up between Planning databases and software (AMANDA, ESRI) and Ministry templates to reduce the administrative burden of creating reports on a quarterly basis. Where automation is not possible, staff will identify improvements to data collection tools and business processes that are needed to achieve automation in the future. As these improvements will include technical updates to Planning databases and supporting training for staff, it is anticipated that a more manual data collection process will need to continue through 2023 with the goal of fully automated reporting processes by Q1/2024.

The immediate need to respond to reporting requirements under *Ontario Regulation 73/23*, will have an impact on current business priorities across the Planning and Economic Development Department (PED). Impacts on current projects and staff resources are described below:

- Information Technology staff dedicated to supporting the AMANDA database will need to refocus their priorities on the updates needed for data collection related to *Ontario Regulation 73/23*. This will cause a further delay in onboarding new teams in PED to the AMANDA database in an effort to move away from manual business processes. The onboarding plan was previously put on hold to focus on process changes in Planning needed to support Bill 109. All current continuous improvement projects and small change requests for AMANDA would also be put on hold to prioritize updates related to *Ontario Regulation 73/23*.
- Work that is currently happening to advance department and divisional performance monitoring tools including the creation of electronic dashboards will be put on hold. Work to support further automation of corporate reporting processes including the Citizen Dashboard, Open Data and Municipal Benchmarking Network of Canada reporting will also be paused.
- The need to prioritize work for Planning staff in support of *Ontario Regulation 73/23*, may cause delays in existing priority projects including the launch of an online service portal for formal consultation and the development of updated onboarding tools for new staff. Planning staff will also have to consider and implement additional changes to business and data collection processes in response to *Ontario Regulation 73/23* on top of recent changes that have been made to address Bill 109. Training on any business or data collection process changes will be needed.

Previously, the Ministry estimated a direct compliance cost of adhering to the regulation at \$3,953 per municipality for the first year, and \$3,193 per municipality annually thereafter. Following municipal feedback received during the consultation process, the Ministry has updated the estimated compliance costs to \$7,186 per municipality for the first year, and \$3,193 per municipality annually moving forward.

Following each quarterly and annual submission to the Ministry, staff will make all data available that may be shared publicly in accordance with MFIPPA. This will be achieved through reports to the Planning Committee with the goal to transition reporting of this information through the City’s Open Data website.

APPENDICES AND SCHEDULES ATTACHED

None.