

## **PED26072 - Innovation in Planning Approvals Public Comment**

Dear Chair and Members of the General Issues Committee, please accept the below as my public comment on the above noted report. I am pleased to see the City taking steps to improve how residents interact with the Planning Department. I believe this is a good first step, however I believe there are additional opportunities to build on these initiatives to deliver better outcomes for residents.

### **First Wave AI Application Portal**

I understand the value of artificial intelligence tools in the modern era of digital workflows. The benefits that I have personally observed include advanced research capabilities and longitudinal analysis. It is important to note however that responsible use of artificial intelligence tools still requires informed human review. The recommendations or decisions of AI tools should not be relied upon without professional interpretation or replace the role of a professional planner in the zoning compliance process. I believe it is important to ensure that any outputs of the City's AI tools are used to inform staff opinion, rather than replace it.

With the rise of AI tools, it has become increasingly important to consider what happens to the information we feed into them. Is it being processed and stored locally? Is it compliant with MFIPPA? Who owns the information after it is submitted to the tool? What about professional stamps and intellectual property? These are important considerations for a third-party tool interfacing so closely with a public service, which I believe should be explored in a subsequent report to this committee, to ensure that resident data is handled securely and that residents can consent to their data being handled by this platform.

### **The City's "Big Bet"**

I am glad to learn of the city's plans to use its existing suite of tools, namely the Engage Platform, to improve the public information and engagement process for Planning Act development applications. The public's access to timely information about changes proposed to their city and neighbourhood is critically important to the planning process and to a strong local democracy. Without it, resident concerns lead to speculation and misinformation, frustrating constituents and delaying the planning process. Indeed, this requirement is enshrined in the Planning Act, where section 1.0.1 affirms that all materials required for an application are to be made available to the public.

As mentioned in the report, access to these important public records at the City of Hamilton is by request only. Residents need to know what to ask for and who to ask. Access is often delayed, as staff resources are stressed by high workloads. Follow up requests are often required for records that may have been missed. A new public information portal should streamline this process and presents a strong opportunity to support the democratic process surrounding land use planning, and improve transparency at City Hall.

While I am glad that this work is underway, I think it's important to frame this as a "catch up" rather than a "big bet". In addition to section 1.0.1 of the Planning Act, O. Reg. 545/06 and 543/06 require public notices of zoning by-law and official plan amendments to include a statement on when and where additional information will be available for public inspection. On Hamilton's notices, this only refers to the staff report, which is only made available approximately 5-7 days before a Planning Committee Meeting. The language on public notices and signage should be updated to direct the public to the new engage website for the complete materials relating to an application. Many cities in Ontario have recognized the importance of timely access to public information and created similar platforms. Of note, these include London, Mississauga, Kitchener, Oakville, Waterloo and Guelph. So too have local councillors at the city, who have worked to create these tools for their residents in place of an official city website. Similar processes are already used at the City of Hamilton for minor variances and urban boundary expansion applications, demonstrating that this represents an implementation gap, rather than a technological gap. I look forward to this new platform being implemented later this year.

#### **"Quick Win" Minor Variance Pamphlet**

I am pleased to see work underway to improve public education surrounding the committee of adjustment process, as these are typically the most common type of citizen-initiated planning application, and where most citizens will interact with the planning department for developments occurring in their communities. They are generally more common than other Planning Act applications, with as many as 300-400 applications per year. Increasing public education surrounding this process can expedite application processing and reduce the burden on staff for resident coordination.

The pamphlet included in Appendix D to PED26072 is a good starting point for affecting this goal. In its current form, it presents some of the basic information relating to Minor Variances, in a simplified translation of Section 45(1) of the Planning Act. This process is applicable across the province, and many cities have prepared similar guides with varying degrees of detail.

This presents an opportunity to refine the pamphlet to include more information specific to how applications are processed at the City of Hamilton. A more detailed version could include a description of what to expect when your application is reviewed by the city, and a description of the different city divisions that comment on applications, such as development engineering, transportation planning, source water protection, forestry, zoning and development planning. As it stands right now, there is no resource for residents to understand which city departments may comment on their application, and what criteria they are basing their analysis on.

Similarly, it would be valuable for residents and city staff to clearly understand to what extent staff can request conditions on applications. Presently, conditions requested by staff often do not contain sufficient information for the committee or residents to understand their purpose. As a result, they are often waived, leading to city resources being spent on appeals.

A description of external commenting bodies, such as the local conservation authorities, Niagara Escarpment Commission, railways, airports and other similar bodies would be valuable.

I believe there is also an opportunity to expand this guide to cover other common applications handled by the Committee, including consent to sever applications (section 53) or permissions for legal non-conforming properties under section 45(2) of the Act. Each of these application types have similar, but different requirements under the Act.

I believe the pamphlet is a good starting point, but that the City should continue to engage with residents to identify opportunities to increase public awareness in the Committee of Adjustment and Minor Variance processes.

Thank you for your consideration.

Pierre Roy