

City of Mississauga
Corporate Report



<p>Date: February 17, 2023</p>	<p>Originator's files: LA.07.BIL</p>
<p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Meeting date: March 6, 2023</p>

Subject

Municipal Reporting on Planning Matters - Proposed Minister's Regulation under the Planning Act

Recommendation

1. That the positions and recommendations outlined in the report dated February 17, 2023 from the Commissioner of Planning and Building entitled "Municipal Reporting on Planning Matters - Proposed Minister's Regulation under the Planning Act" be approved, and that staff be authorized to prepare additional detailed comments on the proposed Minister's regulation, as needed.
2. That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing; Mississauga's Members' of Provincial Parliament (Deepak Anand, Member of Mississauga Malton; Rudy Cuzzetto, Member of Mississauga – Lakeshore; Natalia Kusendova, Member for Mississauga Centre; Kaleed Rasheed, Member for Mississauga East – Cooksville; Sheref Sabawy, Member of Mississauga – Erin Mills; Nina Tangri, Member of Mississauga – Streetsville), the Association for Municipalities Ontario, and the Region of Peel.

Executive Summary

- The Province has issued a draft Regulation "[Municipal Reporting on Planning Matters](#)" to collect a broad range of planning information.
- Staff support the Province's goal of collecting development data to understand growth and change in Ontario's urban municipalities. Further to this, staff support the creation of a publicly available data resource that can be used by policy makers and the development industry alike, to provide information on how the planning system is performing and the delivery of housing in our cities.

- However, the data being requested by the Province is complex and difficult to interpret. Staff have provided a range of comments and recommendations for the Ministry of Municipal Affairs and Housing to consider in making use of this data and maximize its value going forward. Moreover, City staff have provided detailed information on each of the data points requested in Appendix 1.
- Overall, Mississauga is well positioned to respond to this request and the Planning and Building Department have been working closely with the IT Division to implement this type of tracking system. While this Provincial request may require some initial effort up front, it is hoped that the City will soon have the infrastructure in place to be able to automate its response to this request in the near term.

Background

On May 2, 2019, the Honourable Steve Clark, Minister of Municipal Affairs and Housing (the Minister) presented the “*More Homes, More Choice: Ontario’s Housing Supply Action Plan*” (the Plan), with the goal of increasing the supply of new ownership and rental housing in Ontario. The Plan transforms Ontario’s land use planning system and includes changes to many Acts, regulations and provincial planning policies. One amendment to the *Planning Act* was to provide the Minister with the authority to require municipalities and planning boards to report information on planning matters.

As part of this new power, the Minister has now proposed a [Regulation](#) to measure progress towards the goals of its Plan. All comments are to be submitted by March 8, 2023.

The purpose of this report is to: highlight to Council the new requirements; identify areas of support and areas that could be reconsidered; and seek authority to submit these comments to the Province.

Data required by the Minister

The Province has requested the following data points to be reported on quarterly, beginning June 30th, 2023:

- Official plan amendment applications
- Zoning by-law amendments
- Plans of condominium
- Plans of subdivision
- Site plan applications
- Land severances (consents)
- Minor variances
- Number of housing units built as-of-right

On an annual basis, municipalities are to report on: strategic growth areas, intensification targets, employment areas and employment area conversions, existing water and wastewater infrastructure, and major transit station area boundaries.

For all data points 5-year of historical data (from 2018-2022 inclusive) must be provided. All data must be provided in a machine-readable format.

Further detail on data requirements are included in Appendix 1.

Mississauga is well positioned to respond to this request

Late last year the Planning and Building Department and the Information Technology Division launched a joint project to create a Development Pipeline for Mississauga. Utilizing new technologies such as ArcGIS Urban, the project team has been working to define the points of interest along the development pipeline that would be key metrics to report on in a more consistent and automated manner. This new provincial requirement aligns well with this project, and City staff can build these provincial requirements into this pipeline project.

The timing of the two pieces of work are also well aligned, with City staff aiming to have completed the Development Pipeline for Mississauga by mid year and the Province looking for the first municipal report by June, 2023.

Comments

Support for development tracking and creating a public data resource

As a data driven municipality, City staff support the Minister's goal of collecting development data to understand growth and change in Ontario's urban municipalities.

Further to this, City staff support the creation of a publicly available data resource that can be used by policy makers and the development industry alike, to provide information on how the planning system is performing and the delivery of housing in our cities.

Development data is complex to interpret and the ability to compare data is limited

The Province has requested many data points that seek to measure how quickly a municipality is processing applications. Staff would like to note that planning data is complex, nuanced and the ability to compare it across time and between municipalities is limited.

Applications vary in size and complexity

The Province is requesting information including application numbers, dates, and status, but is not requesting unit counts for most types of applications. It is expected the Province may wish to compare processing times, irrespective of the size and complexity of the applications.

The Province may wish to consider the expansion of the data being requested to in order to differentiate between small and large developments, the latter which are more complex and time consuming to review.

The Province may also wish to differentiate applications as occurring in greenfield versus infill situations, as the latter are significantly more complex, generate public interest and thus typically take longer to process.

Application processes vary across municipalities

The Province has requested data from all of Ontario's urban municipalities. City staff support this direction, and consider having housing data focussed on the delivery of housing in our cities will be a useful resource.

However, based on the fields requested, it does appear the Province may have an interest in comparing data on processing times between municipalities. It is suggested that this could be problematic, particularly for data collected prior to 2023, given municipality have their own planning processes in place.

For example, Mississauga is one of the few municipalities that allows for conditional building permits, which enable an applicant to start construction while their site plan application is under review. While this allows for timely building and is greatly appreciated by the development industry, it may extend the amount of time it takes to process a site plan.

Today in Mississauga there are 6,000 units under construction where site plan has not yet been approved. In these cases it is difficult to compare Mississauga's timelines for processing site plans with a municipality where site plan delays would result in construction delays.

To address this, the Province may wish to consider adding data points that would help measure development milestones (e.g. when does the application start and when are shovels in the ground) to get a fuller picture of how long it takes for a development to be realized.

Application processes have been significantly reformed

As a result of Bill 109, municipalities across Ontario have experienced major reforms to their planning processes. Therefore, the Province will need to be cautious about comparing Mississauga's performance in 2023 to earlier years.

For example, Mississauga used to allow for concurrent approvals of Official Plan Amendments, re-zoning and site plan applications. This allowed for all three applications to move through the process together, which extended the process of each individual application but may have helped to speed up the application overall.

To meet the Bill 109 timelines, the City is no longer adopting this practice and will not accept a site plan application until the zoning is in place. While this may result in the appearance of site plans being processed more quickly (e.g. the 60 day timeline will be met) it is only tracking a smaller part of the processes than that which used to be covered as part of a site plan application prior to 2023.

Along a similar line is that in the past, data showed that site plans applications would be sitting with city staff verses the applicant at a ratio of 3:1. Given the City now has 60 days to process a site plan application, many of these issues will be resolved outside of this official process. This will result in applications being processed more quickly, but it may not cut down time taken to move a development forward overall.

Again, the Province could consider augmenting its request list to consider how quickly development milestones are being reached in addition to how fast applications are being processed.

Potential for double counting when reporting on development data

One of the key challenges when working with development data is to avoid double counting.

For example, the Province has requested unit counts for Plan of Condominiums and number of lots for Plan of Subdivisions. There is a great deal of overlap between unit counts for these two fields. It is suggested that when the Province request Plan of Subdivision lot counts that it be reported on by housing type in order to understand what units are also being included in the Plan of Condominiums. It will also be important that these fields are not added together.

City staff are very familiar in working with this data, and would be pleased to provide any training or expert advice to the Province on how to avoid double counting.

Financial Impact

Mississauga is well positioned to respond to this request, however it will require staff time, changes to intake processes and technology upgrades.

First year

The City does collect all of the data points requested, but some are not available in a digital, extractable format. Manual effort will be required to digitize and transform some of these data points in year 1.

Automating this collection process will require investment in technology upgrades as well as process changes, some of which we currently have underway but some of which have not yet been contemplated.

City staff expect that the Province's estimate of compliance (\$3,953) is a significant under estimation of the time and resources that will be required in the first year.

Subsequent years

City staff are hopeful that responding to this request could become largely automated.

That said, it would likely still take a few days each quarter to run the report, check and verify the data and transfer it to the Province. A few days for a staff person each quarter would likely exceed the Province's estimate (\$3,193) for financial impacts after year one.

In order to reduce costs for municipalities, the Province may reconsider the need for quarterly reporting. City staff update our planning data twice a year and we find this more than adequate. If bi-annual reporting became the standard, meeting the Province's estimated costs for reporting in subsequent years could likely be achieved.

Conclusion

Overall, City staff are supportive of the Province's goal of tracking development data and would be happy to work with Provincial staff to explain some of the challenges associated with working with this data and explain how to maximize the value of this data going forward.

Attachments

Appendix 1: Detailed Comments to Province on Data Requirements



Andrew Whitemore, M.U.R.P., Commissioner of Planning & Building

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