



City of  
**Peterborough**

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**To:** The Members of General Committee

**From:** Cynthia Fletcher  
Commissioner of Infrastructure and Planning Services

**Meeting Date:** November 8, 2021

**Subject:** Report IPSPL21-042  
Development Approval Process Review

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## **Purpose**

To introduce the final report and presentation from Performance Concepts Consulting regarding their review of the City's Development Approval Process.

## **Recommendations**

That Council approve the recommendations outlined in Report IPSPL21-042, dated November 8, 2021, of the Commissioner of Infrastructure and Planning Services as follows:

- a) That Report IPSPL21-042, City of Peterborough Development Approval Process Review, dated October 2021 submitted by Performance Concepts Consulting be received for information; and
- b) That staff be directed to report to Council, by the second quarter of 2022, with a proposed implementation plan for the recommendations to improve the Development Approval Process contained in the Consultant's report, as outlined in Appendix A.

## **Budget and Financial Implications**

There are no budget and financial implications related to the recommendation in this report. Implementation of recommendations put forward in the Consultant's Report will require funding, which will be determined through future budget review.

## Background

The Development Approval Process is a core regulatory service provided by the City of Peterborough which is primarily based on the legislative requirements of the **Planning Act** and **Building Code Act**.

The delivery of the Development Approval process can be challenging from a coordination point of view. The process can feature a series of complicated technical back and forth interactions between staff and development applicant / consultants. The City is committed to streamlining the current Development Approval Process model and modernizing the associated AMANDA information technology platform.

In April 2021, the City retained Performance Concepts Consulting and Dillon Consulting (the “Consultant”), to undertake a comprehensive review of the Development Approval Process, co-ordinated by the Planning Division, to identify and examine opportunities for improvements. The objective is to develop more efficient and consistent processes and improve service delivery, both internally and externally. The City will benefit from a comprehensive review of its Development Approval Process, including recommendations for process improvements.

The Development Approval Process review was funded by the Provincial Government through the Audit and Accountability Fund Grant Program. The intent of the Audit and Accountability Fund Grant Program is to support Ontario municipalities that are committed to identifying and implementing service delivery efficiencies. The program requires an impartial and objective third-party review to identify efficiencies. A condition of funding requires that the Consultant’s final report (Appendix A) is posted on the City’s website.

The review included an evaluation of the existing Development Approvals Process, including a review of processes associated with a variety of application types such as Pre-Application Consultation, Official Plan Amendments, Zoning By-law Amendments, Plan of Subdivision / Condominium, Site Plan Control, Minor Variance and Consent. In addition, a review of best practices in other municipalities and consultation with the following key stakeholders involved in the Development Approval Process was undertaken:

- City staff from Infrastructure and Planning Services, Clerks, Legal, Fire Services, Geomatics/Mapping, Recreation and Heritage Preservation;
- External agencies (i.e., Peterborough Utilities and Otonabee Region Conservation Authority);
- The development industry; and
- Councillors.

Consultation with City staff and external agencies involved with the Development Approval Process identified a number of key issues and opportunities for improvement that focus on the following areas:

- Circulation and review timeframes for development planning application;
- Development Approval Process staffing resources and capacity;
- Existing technology; and
- Roles and responsibilities of staff involved in the Development Review Process.

## Analysis

Twenty-one (21) recommendations were made by the Consultant for process improvements relating to new revenue streams, staffing and capacity, process execution and streamlining, Development Approval Process technology modernization and key reporting and performance indicators.

Key recommendations from the report are summarized below based on five (5) theme areas:

- Revenue Stream Modernization Resources Investment
  - Ensure modernized /robust non-property tax revenue streams are in place to ensure “Growth pays for Growth”
- Staffing and Resources Investments
  - Robust staffing investments are required to streamline the review process and ensure timeline agreements are met.
- Process Streamlining and Technology
  - Increased use of technology and legislated tools will lead to streamlined DAP processes.
- Results Based Scorecard and Accountability
  - Measuring and reporting results is critically important for service delivery, execution and accountability. Measurement tools and performance targets will require an updated / modernized AMANDA workflow tool configuration.
- AMANDA Technology Solution
  - All City business units involved in the Development Approval Process should adopt and utilize AMANDA as the control system for navigating the incoming influx of applications.

The consultant's final report presents a phased approach of implement their recommendations based on the following timelines: Do Now (6 months), Do Soon (12 – 18 months) and Do Later (18+ months).

## **Next Steps**

For the 2022 budget, Planning Fees have been increased. In 2022, staff plan to conduct a comparative review of the City's fees related to the Development Approval Process.

One position has been included in the 2022 budget to continue modernizing the Development Approval process, through the use of the AMANDA system.

Staff intend to review all recommendations and proposed phased approach in more detail. A work plan will be developed to guide the implementation of the recommended Development Approval Process improvements. The implementation plan will consider best investment and revenue opportunities in the short-medium term. Budget and Financial impacts will be presented to Council for consideration through future report(s).

## **Summary**

Implementation of recommended process improvements are anticipated to provide a more streamlined and efficient Development Approval Process that reduces technical review turnaround times. Staff will review the recommendations and proposed phased approach to develop an implementation plan. Staff will report to Council by the second quarter of 2022 with a proposed implementation plan for the recommendations to improve the City's Development Review Process.

The Development Approval Process performance challenges facing the city moving forward are primarily focused on resources, fee structure, process streamlining, efficiency and consistency. Development Approval Process workload will continue based on the increasing number of development applications for both greenfield developments and infill developments.

Submitted by,

Cynthia Fletcher  
Commissioner of Infrastructure and Development Services

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**Attachments**

Appendix A – Development Approval Process Final Report, October 2021



CITY OF PETERBOROUGH

# Development Approval Process Review

October 2021

*Submitted by:*

Performance Concepts Consulting

*Submitted to:*

City of Peterborough

In Association with:

Dillon Consulting Limited

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**Appendices**

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A City of Brantford - Delegation Report



## 1.0 Preamble

The Development Approvals Process (DAP) is a core City of Peterborough service delivered with input from various Provincial agencies. The delivery of DAP can be challenging from a coordination and process execution point of view. DAP features a series of complicated technical back-and-forth interactions between City staff and development applicants/consultants - the DAP “ping-pong” game. Differences in approach across Ontario municipalities can be confusing, and applicants can lose confidence in the efficiency and consistency of the DAP model. The City of Peterborough is committed to streamlining its current DAP processing model and modernizing the associated AMANDA information technology platform/toolkit.

Timely and consistent DAP process execution by the municipality will provide cash flow/financing predictability for new development interests coming to Peterborough. Existing residents and businesses will have improved confidence that diligent/consistent DAP execution will support their quality-of-life goals and promote community prosperity.

The City of Peterborough retained Performance Concepts/Dillon to conduct this Review in Q2 2021. The Peterborough DAP review has been conducted under the auspices of the Province’s Audit and Accountability Fund Grant Program. The Audit and Accountability Fund Program requires the Performance Concepts/Dillon team to conduct an impartial and objective 3rd party review to identify efficiencies and performance improvement opportunities. The Final Report will be posted on the City of Peterborough website as per the requirements of the Provincial program.

The Peterborough DAP review has been executed exclusively on-line during the COVID-19 pandemic. Performance Concepts/Dillon would like to acknowledge the focus, perseverance and flexibility of the multi-departmental City staff team that supported the DAP review using video conferencing tools such as GoToMeeting, Microsoft Teams, Zoom and Mentimeter.com.

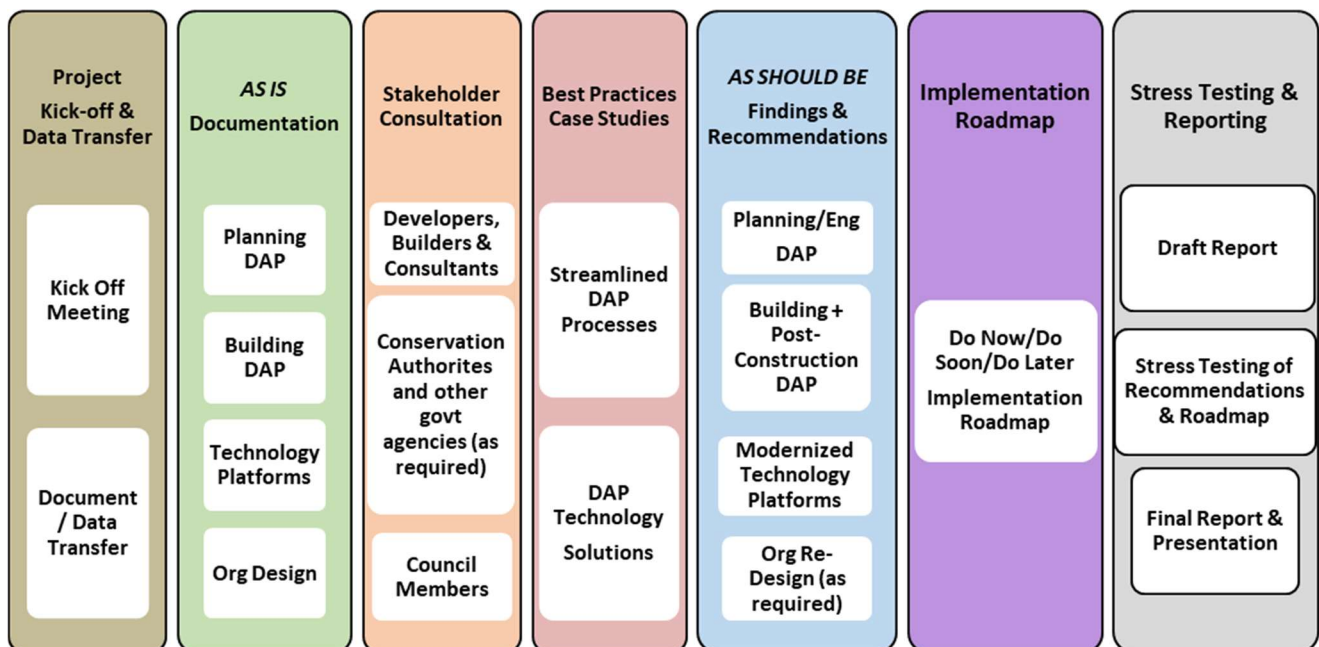
The COVID 19 pandemic has clearly demonstrated that traditional “over the counter” approaches to DAP execution can and should be modernized across the Ontario municipal sector. The Peterborough DAP review has confirmed that the municipality can transform the applicant’s experience via new technologies such as an on-line development approvals portal and an upgraded/fully implemented AMANDA workflow software solution.

The Performance Concepts/Dillon team congratulates Peterborough for completing this DAP review under the evolving circumstances of the COVID 19 “new abnormal”. This Final Report meets the requirements of the Audit and Accountability Fund Program and positions the City to proceed with the recommended Implementation Roadmap in Q4 2021 and beyond.

## 2.0 Executive Summary

### Introduction & Methodology

The City of Peterborough review of the Development Approvals Process (DAP) has been executed by the Performance Concepts/Dillon team as per the Province's Municipal Modernization Program. The Peterborough DAP review followed an established evidence-based methodology employed by Performance Concepts/Dillon. *As Should Be* Findings and Recommendations have been informed by stakeholder consultations with the local development industry, members of Council, and City staff in the Infrastructure and Planning Services (IPS) department and beyond. Draft Recommendations were stress tested and positioned across a Do Now/Do Soon/Do Later Implementation Roadmap. This Final Report meets all requirements under the Municipal Modernization Program funding agreement.



### Towards DAP Transformation

Transforming DAP into a high-performance service delivery model requires sustained improvement/modernization across three performance lenses (see figure below).

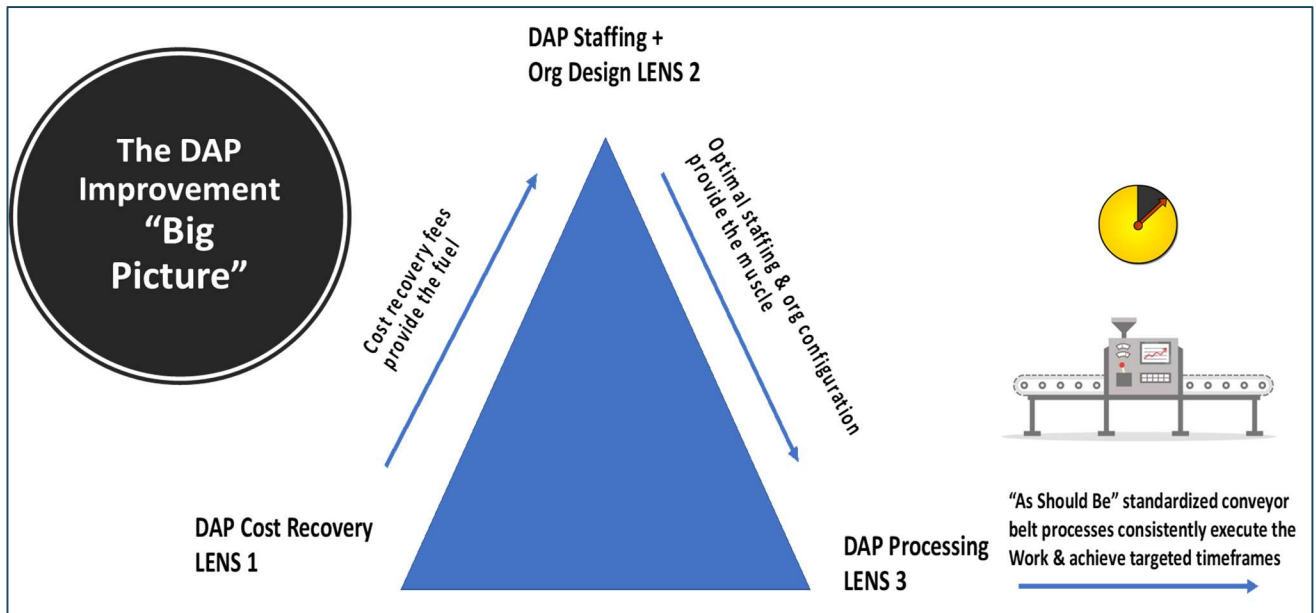
The 1<sup>st</sup> “big picture” performance lens is the DAP cost recovery/revenue stream lens. DAP fee design innovations and aggressive “growth pays for growth” fees pricing are critical ingredients to provide the fuel for robust/necessary DAP staffing investments.

The 2<sup>nd</sup> big picture performance lens is the DAP staffing/org design lens. A robust staffing model that delivers the right amount/right cross-disciplinary mix of staff processing hours is essential to high performing DAP. Councils are more likely to approve robust staffing investments when the DAP fees fuel minimizes/eliminates property tax subsidization. An optimal org design is the final ingredient. One

Window integrated Planning/Development Engineering organization design can be effective. So can tightly integrated Development Engineering/Public Works models.

The 3<sup>rd</sup> big picture performance lens is the creation of “As Should Be” streamlined/coordinated DAP processes supported by a modernized IT portal/workflow tool solution. Process innovations that improve up-front submission quality pay downstream dividends during effort intensive Technical Review Cycles. Delegated Council approvals to staff also pay significant processing time dividends.

All three big picture performance improvement lenses interact to create the transformation benefits that the City requires to meet the challenge posed by imminent DAP application volumes.



A portfolio of Recommendations has been developed according to the three “Big Picture” performance lenses outlined in the figure above. Recommendations have then been further categorized as either *Strategic* or *Tactical* based on their relative impact on overall DAP performance. Each Recommendation has been linked to an “As Should Be” Finding and its expected DAP performance benefits have been documented.

The Findings/Recommendations in this Final Report have been developed in parallel with the City’s DAP technology modernization initiative. Recommendations have been crafted to integrate with the City’s upcoming DAP online portal and upgraded AMANDA workflow tool. The positive impacts of DAP process streamlining will be accelerated by the planned IT toolkit modernization. These two parallel DAP initiatives will now move forward seamlessly.

## **DAP Modernization/Improvement: Strategic and Tactical Recommendations plus an Implementation Roadmap**

**Do Now** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution within 6 months.

**Do Soon** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution within 12-18 months.

**Do Later** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution beyond 18 months.

## Revenue Stream Modernization: Recommendations & Implementation Roadmap

The following Strategic and Tactical Recommendations will ensure modernized/robust DAP non-property tax revenue streams are in place to fuel a “Growth Pays for Growth” service delivery model.

#	As Should Be Findings	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S1	Peer municipality analysis confirms Peterborough’s DAP fees under-recover staff’s “all in” application processing effort/ costs. Result is a significant property tax subsidy benefitting new development. No “Growth Pays for Growth” cost recovery framework is currently in place.	<p><b>Planning/Engineering DAP should be governed by the same “enterprise” full-cost recovery financial policy framework as Building. The City’s ultimate cost recovery target should be at least 80% and should incorporate a 25% internal charge from City indirect support functions like Finance/HR/Facilities/IT plus Council governance.</b></p> <p><b>Execute a Full-Cost Planning Fees Review/Study and set “Growth Pays for Growth” Cost Recovery Targets for all core DAP Application Categories.</b></p> <ul style="list-style-type: none"> <li>• <b>Develop a 2022-2024 3-year Phase-In plan for implementing modernized DAP fee structures.</b></li> <li>• <b>Consider new DAP fees such as a 3<sup>rd</sup> Circulation fee to incentivize high quality applicant submissions and DAP processing efficiency</b></li> </ul>	<p>Reduction/elimination of the existing property tax subsidy to new development.</p> <p>A sustainable/robust DAP fees revenue stream will fund necessary City staffing “muscle” to secure consistent/ predictable application processing timelines. The result should be <u>actual</u> DAP timeframes that consistently meet new City timeframe <u>targets</u>.</p>	✓	✓	✓

#	As Should Be Findings	Tactical Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
T1	Peterborough’s current 5.5% Construction Value fee can/should be adjusted upwards based on the Peer municipalities comparison put forward in this Report.	<b>Adjust the City’s current 5.5% Construction Value Fee to 6%</b>	Engineering DAP revenue stream enhancements will support the recommended IPS processing hours upgrade for infrastructure Subject Matter Experts (SMEs). The fee enhancement will also support the staffing capacity upgrades required to address expanded MOE delegation of approvals authority to the City.	✓		

## Staffing & Resources Investments: Recommendations & Implementation Roadmap

Once DAP fee modernization is in place, robust staffing investments are required to modernize DAP and secure processing timeframes predictability. Failure to secure processing timeframe predictability will expose the City to a worst case “planning by OLT/LPAT” risk scenario. Resourcing investments in additional DAP staff (business case justifications) are contained in the body of this Report.

#	<i>As Should Be Findings</i>	<b>Strategic Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
S2	Current IPS resourcing levels for DAP are failing to generate timely/consistent application processing timeframes. The resulting DAP application processing chokepoints are in turn generating negative \$ impacts for the local development industry, and negative economic development/housing supply impacts for Peterborough and its residents.	<p><b><i>Invest in additional IPS Subject Matter Expertise to stabilize DAP application processing timeframes (5,400 new DAP processing hours in 2022 – equivalent to 3 new DAP FTEs)</i></b></p> <p><b><i>Secure 3<sup>rd</sup> party transitional expertise for AMANDA configuration &amp; invest in a dedicated AMANDA FTE for ongoing support/training for Planning/Engineering DAP</i></b></p>	Expanded DAP processing hours will contribute to stable/consistent application processing times across the City (when implemented in combination with modernized DAP fees and an upgraded DAP technology platform featuring an aggressive rollout of AMANDA across the City)	✓	✓	
S3	The 2019 <i>One Window</i> DAP organization restructuring requires additional detailed/granular clarification of the roles and responsibilities of various IPS business units and staff teams.	<b><i>Refine and implement the “One Window” Org Design for DAP, with an ongoing focus on this Report’s documented “Who Does What” IPS Roles and Responsibilities matrix</i></b>	Clarified roles and responsibilities across IPS will reduce DAP application processing redundancies and improve the efficiency ROI of current and proposed staffing capacity. Incremental improvements in DAP timeframe stability/consistency will be secured over time. AMANDA based DAP workflow rationalization will be supported.	✓	✓	✓



#	<i>As Should Be Findings</i>	<b>Tactical Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
T2	Development industry stakeholders and IPS staff members have identified the elimination of the Stormwater SME chokepoint as an immediate “must resolve” priority.	<b><i>Prioritize the elimination of Stormwater SME choke point when deploying the additional 5,400 processing hours in 2022</i></b>	Elimination of the existing DAP Stormwater SME chokepoint will contribute to ongoing/incremental DAP application processing timeframe stabilization/ improvement.	✓	✓	
T3	The imminent MOE expansion of delegated approvals for water, wastewater and stormwater infrastructure provides an opportunity to significantly reduce DAP processing timeframes. However, this download of review/approval responsibility to the City also creates a resourcing capacity challenge that has not yet been addressed.	<b><i>City staff to provide Council with a preparedness/resourcing plan re. the imminent MOE expansion of delegated approvals for water, wastewater, and stormwater infrastructure</i></b>	Ongoing and significant reduction in DAP processing timeframes - supported by a modernized Engineering DAP fee structure. Elimination of the problematic current MOE approvals chokepoint identified by development industry stakeholders.	✓		

## DAP Conveyor Belt Process Streamlining & Technology: Recommendations & Implementation Roadmap

Modernized DAP revenue streams invested in robust staffing investments will position the City to execute governance reform and “As Should Be” streamlined end-to-end DAP processes.

#	As Should Be Findings	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S4	Expanded delegation of Council’s Site Plan approval authority to City staff will generate significant DAP conveyor belt efficiencies and secure measurable processing time reductions. Council can retain its ability to consider infrequently occurring contentious Site Plan applications upon instruction to staff.	<p><b>Expand Delegated Authority to Staff – Initial priority is Full Delegation of Site Plan Control</b></p> <p><b>The City should consider additional delegated authority opportunities in a 2022 City staff report (having due regard for opportunities outlined in the recently adopted Brantford staff report attached to this Report)</b></p>	<p>Significant City staff processing hours will be redeployed from writing time-consuming Council reports for relatively routine Site Plans to dealing with higher value-added DAP issues. Processing timeframe reductions of an estimated 2-3 months per application will be secured via Council’s expanded delegation.</p> <p>Additional processing time reductions are possible as per the Brantford report.</p>	✓		
S5	The City currently struggles to execute time sensitive Post-Draft Plan DAP processes according to optimal sequencing and timing overlaps. AMANDA is not currently being utilized to manage process flow/sequencing.	<p><b>Use AMANDA’s existing “drawbridge” functionality to ensure coordinated/sequential execution of the Post-Draft Plan Detailed Engineering Review, Ministry of Environment Delegated Approvals, Early Servicing Agreements, and Subdivision Agreements.</b></p> <p><b>This will require expanded AMANDA usage (including access and training) across all IPS business units.</b></p>	DAP execution risks will be reduced, processing timeframes will be stabilized for new housing, and development industry requirements for efficient/consistent processes leading to lot creation and building permit applications will be addressed.		✓	✓

#	<i>As Should Be Findings</i>	<b>Tactical Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
T4	Restructuring the City's existing Pre- Consultation model in tandem with a new DAP online portal will deliver significant improvements/benefit for applicants and the City DAP team.	<b><i>Create a formalized Pre-Consultation Understanding for Applicants - tied to the submission of a complete application across the City's upcoming DAP portal</i></b>	The recommended "As Should Be" Pre-consultation Understanding will improve the completeness/quality of DAP application submissions and generate downstream processing efficiencies during the 1 <sup>st</sup> Technical Review Cycle. Shorter/fewer Technical Review Cycles per application should result over time.	✓	✓	
T5	Re-positioning the <i>Neighbourhood Meeting</i> to occur before detailed/potentially contentious DAP applications are submitted will ensure community input can shape Subdivision application specifics <u>before</u> significant review effort and costs have been incurred by applicants and the City	<b><i>Insert Applicant's Draft Plan of Subdivision Neighbourhood Meeting as a Complete Application Checklist item within the Pre-Consultation Understanding</i></b>	Positioning the <i>Neighbourhood Meeting</i> prior to a complete Subdivision application submission and the 1 <sup>st</sup> Technical Review Cycle will avoid mid-application re-design "surprises" and reduce wasted billable hour cost/effort by the City and applicants for contentious applications.		✓	✓

T6	Currently the City does not secure the processing benefits of formal Pre-consultation/complete application submission for the Post-Draft Plan Detailed Engineering Review. As a result, the City's Detailed Engineering Review 1 <sup>st</sup> Technical Review Cycle can be negatively impacted by incomplete submissions and/or submission quality problems.	<p><b>Create a formal Application Submission and Pre-Consultation Understanding for the Post-Draft Plan Detailed Engineering Review</b></p> <ul style="list-style-type: none"> <li>• <b>Utilize the City's new DAP portal for administering the new Detailed Engineering Review processes</b></li> </ul>	The new Application Submission & Pre-Consult Understanding processes should result in shorter/fewer Technical Review Cycles - a significant benefit for applicants seeking timely lot registration and a streamlined path to Building permit application submission.	✓		
T7	The City needs to reduce the number of DAP applications with significant content gaps/quality problems that are not resolved prior to going on the "No Municipal Decision" clock and compromising the execution of the 1 <sup>st</sup> Technical Review Cycle.	<p><b>Implement a Two-step Completeness/Adequacy Quality Assurance Process across DAP Application Categories, including adoption of recommended countdown clock Timeframe Targets to be tracked in AMANDA.</b></p>	A rigorously implemented quality assurance process (prior to deeming applications complete) will result in significant downstream DAP efficiencies and overall processing timeframe stability/predictability.	✓	✓	

<p>T8</p>	<p>The required City staff processing effort (i.e., achievable review timeframes) differ across the 1<sup>st</sup> Technical Review Cycle and subsequent Review Cycles. Therefore, any go-forward processing timeframe targets put in place by the City should reflect this complexity/workload reality.</p>	<p><b><i>Set appropriate/ differentiated Timeframe Targets for 1<sup>st</sup> Technical Review Cycle vs subsequent Cycles for DAP Application Categories</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Track actual timeframes versus targets using AMANDA countdown clock functionality</i></b></li> </ul>	<p>Properly designed Technical Review Cycle timeframe targets will improve DAP accountability, support development industry planning/project management, and inform City budget/staffing decisions to secure necessary resources to secure approved targets.</p>	<p>✓</p>	<p>✓</p>	
<p>T9</p>	<p>The City and development applicants both struggle to secure timely design and construction of Right-of-Way Infrastructure Improvements generated by approved DAP applications. This Report’s cause-and-effect diagnosis of DAP Right-of-Way problems suggest the need for innovative mutually supported solutions.</p>	<p><b><i>Organize/Execute a Facilitated Problem-Solving Session with Development Community leaders around the challenges posed by Right-of-Way Infrastructure Improvements necessitated by DAP Approvals</i></b></p>	<p>A properly executed facilitated approach to Right-of-Way solutions could lead to predictable design and construction that is properly sequenced with approved growth. Potential public safety risks associated with delayed intersection improvements in the Right-of-Way could be reduced/eliminated.</p>		<p>✓</p>	

T10	<p>The City's Building department already makes use of AMANDA to sequence and measure its review/approval workflows. The City's Planning/Engineering DAP team is committed to using AMANDA in the same fashion as Building. Currently AMANDA does not sequence/regulate the siloed Planning/Engineering DAP and Building DAP journeys experienced by an applicant.</p>	<p><b>Utilize specific process triggers (in AMANDA) to seamlessly "hand off the baton" from Planning/Engineering DAP to Building DAP</b></p> <ul style="list-style-type: none"> <li>• <b>Tracking and managing Site Plan/Building process overlaps should be the City's initial priority</b></li> </ul>	<p>Properly mapped/executed DAP workflow overlaps can reduce the overall processing time journey across Planning/Engineering DAP and Building DAP for applicants. The City can eliminate the risk of negative/unintended process overlaps by using AMANDA to confirm process trigger points in Site Plan have been secured before Building permit processes/decisions are allowed to move forward.</p>	✓	✓	
T11	<p>The current Conditions Clearance/Securities Release model can be improved/made more accountable by adopting Timeframe Targets, streamlining processes and confirm the accountability of applicant consultants to execute detailed inspections to confirm development agreement Conditions have been met</p>	<p><b>Implement "As Should Be" Conditions Clearance/Securities Release model documented in this Report, including countdown clock Timeframe Targets</b></p>	<p>The City can ensure DAP applicants remain accountable/liable for demonstrating development agreement Condition Clearance using their own consultant's inspections/verification - while still achieving City staff "eyes on the Site" for purposes of making timely/ efficient Securities Release decisions</p>		✓	

## Results Based Scorecard & Culture of Accountability: Recommendations & Implementation Roadmap

Measuring and reporting DAP results is critically important for service delivery execution and accountability. DAP measurement tools and performance targets will require an updated/modernized AMANDA workflow tool configuration. City leadership will also need to champion a DAP culture of accountability, where all City staff/business units commit to timely data population of AMANDA and utilize AMANDA reports/prompts as the central nervous system for navigating the upcoming tsunami of files that are going to be moving across the DAP conveyor belt.

#	<i>As Should Be Findings</i>	<b>Strategic Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
S6	The City does not currently track/report on Planning/Engineering DAP actual timeframes, nor does it establish evidence-supported timeframe targets. The City's required Planning/Engineering DAP IT modernization toolkit is not yet in place to deliver a results-driven management cycle or accountability framework	<p><b><i>Design and Implement an Annual Results-Based Management Cycle for DAP, including KPI-derived Targets and Scorecard Accountability Reporting</i></b></p> <ul style="list-style-type: none"> <li><b><i>Use AMANDA as central nervous system of DAP performance data tracking and reporting</i></b></li> <li><b><i>Eventual migration to City MOUs with development industry around DAP target timeframes (including mutual obligations to meet targets)</i></b></li> </ul>	AMANDA supported Accountability reporting and timeframe performance tracking is central to creating a City/development industry cultural commitment to a timely/predictable DAP application processing "conveyor belt"		✓	✓
#	<i>As Should Be Findings</i>	<b>Tactical Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
T12	Key Performance Indicators are not yet in place to support a DAP Results Based Management framework or an MOU with the development industry concerning mutual obligations to meet timeframe targets	<b><i>Adopt/Populate recommended KPIs in this Report for Pre-Consultation, Complete Applications, Technical Reviews, and Conditions Clearance/Securities Release Decision</i></b>	Adopting KPIs will inform future target setting for DAP timeframes, leading to a stable/predictable application processing conveyor belt. KPI based reporting will support ongoing efforts at the City to build an evidence-based culture of accountability.	✓	✓	✓

## AMANDA Technology Solution: Recommendations & Implementation Roadmap

#	As Should Be Findings	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S7	AMANDA configuration for the entire Planning/Engineering DAP model needs to be informed/leveraged by a Site Plan Proof-of-Concept; featuring AMANDA configuration solutions that can be efficiently applied across other DAP application categories	<b>Leverage required AMANDA configuration/modernization across all DAP application categories using the Site Plan “Proof of Concept” pilot configuration work executed by Performance Concepts/North Lake Design Lab as part of this review</b>	AMANDA configuration will be accelerated by the Proof-of-Concept work already executed during this Review. Timelines for securing configuration across all DAP application categories will be reduced and expected overall DAP performance improvements will be secured more quickly	✓	✓	
S8	The City cannot yet measure its actual DAP processing timeframes using existing AMANDA 7 tracking/reporting functionality, because all DAP staff do not populate AMANDA (nor have they been trained to do so)	<b>Make AMANDA Countdown Clock Configuration a high priority to track actual Application processing file timeframes against updated Timeframe Targets</b>	Accelerating actual application timeframe tracking capabilities will leverage the culture of accountability/ results measurement that is crucial to DAP performance improvement by the City and its applicant partners in the development industry	✓	✓	



#	<i>As Should Be Findings</i>	<b>Tactical Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
T13	Currently the City is only utilizing the AMANDA 7 permits module as it moves forward to modernize Planning/Engineering DAP. The contrast with Brantford's parallel DAP review is significant - where the Planning and Conditions Clearance modules are viewed as essential DAP modernization tools.	<p><b><i>Evaluate the potential ROI of the AMANDA Planning/Condition Clearance modules, and secure any necessary additional AMANDA modules to robustly implement the Recommendations contained in this Report</i></b></p> <p><b><i>Purchase required AMANDA licenses to ensure all IPS Staff participating in DAP can access AMANDA as required</i></b></p> <p><b><i>Design and execute a robust AMANDA Training Program for all IPS Staff participating in DAP</i></b></p>	AMANDA preparedness planning will accelerate the City's ability to streamline development approvals processes and measure/manage processing timeframes.	✓		
				✓	✓	
				✓	✓	

### Measuring/Quantifying DAP Performance Improvement: Picking the Right Lens

The DAP performance challenges facing Peterborough moving forward are focused on capacity building, process streamlining and IT platform modernization. Therefore cost reduction/cost avoidance is not a helpful lens for measuring the performance improvement dividend that can be secured by implementing the Recommendations contained in this Final Report.

DAP performance improvement is properly measured via an alternative lens that is consistent with LEAN thinking principles that focus on optimizing/reducing application processing turnaround/through-put timeframes. A LEAN improvement lens that measures turnaround/through-put times is consistent with the industrial/manufacturing analogy of a DAP conveyor belt producing a series of “black box” application approval products. This performance lens is also consistent with the Province’s mandated “no municipal decision” timeframes that can trigger an OLT/LPAT appeal by applicants.

The Performance Concepts/Dillon team estimates that successful implementation of the “As Should Be” Recommendations advanced in this Report will stabilize application processing timeframes below existing levels (for the current/reasonably predictable annual volume of applications). Reduced application processing times will create significant cashflow and supply chain efficiencies for DAP applicants and the Peterborough development industry. Industry representatives can be consulted moving forward to offer specific \$ estimates of the cost avoidance experienced via stable/predictable processing time “actuals” that meet City targets.

## 3.0 Introduction

### 3.1 Introduction – Peterborough’s DAP Challenge

The Development Approvals Process (DAP) is a forward-facing core service delivered by the City of Peterborough. The Development Approvals Process is a *regulatory* service anchored in the Planning Act, the Municipal Act, and the Building Code Act. Peterborough’s 2021 DAP Review is focused on the Planning/Engineering component of the overall approvals process - although it does address opportunities for a streamlined transition (i.e., the baton handoff) into the City’s Building permit application process.

The Planning/Engineering DAP service delivery model is diverse and varied across Ontario’s growing communities. Ontario municipalities deliver DAP via one of two jurisdictional models:

- **Two-tier DAP** delivered by an upper tier municipality (e.g., a Regional government) simultaneously interacting/coordinating with multiple local municipal delivery partners. Each jurisdiction in the 2-tier model is granted distinct approval authority for certain Planning application categories. However, their DAP work processes are anything but distinct. Each level of municipal government in the two-tier model functions as a commenting agency on the applications processed by the other level. Two-tier DAP is rife with coordination challenges. For instance, Ontario’s Regional governments are typically responsible for building/operating arterial road network, water, and wastewater infrastructure across multiple local municipalities, and they face a significant performance challenge interacting within a series of non-standardized local municipal DAP models. The myriad challenges facing an upper tier government simultaneously participating across several local municipal DAP “conveyor belts” - each featuring different processing timeframe targets/busyness levels/built form realities - are daunting from a logistics/execution perspective.
- **Single-tier DAP** where all Planning application approvals are granted by a single municipality. This model is the default in Ontario jurisdictions without an upper tier County or Regional government – including the City of Peterborough. From a process execution perspective, the single-tier DAP model is inherently more efficient than the two-tier model. It avoids the interjurisdictional complexities and the coordination challenges inherent in the two-tier model. From an accountability point of view the single-tier model is also superior - there is no blame-game to be played between two levels of government if DAP performance is deemed sub-standard. The City of Peterborough has an opportunity to capitalize on this built-in single-tier *efficiency dividend* as it confronts the twin challenges of continued infill projects + intermittent subdivision growth.

An improved/transformed DAP model in Peterborough will require revenue stream modernization, process streamlining, organization re-design, AMANDA refinement, staffing/resourcing adjustments and a results-driven culture focused on measurable processing time targets. Performance Concepts/Dillon is confident that the highly competent/change oriented staff DAP team in Peterborough is up to the task.

### 3.2 Weathering the COVID Storm – A Development Approvals Process Technology Transformation

As noted in the Preamble to this Report, the Performance Concepts/Dillon team has executed this DAP review using an interactive set of online delivery platforms and tools.

Despite the challenges posed by closed municipal offices and social distancing/infection control protocols, the Performance Concepts/Dillon team has completed the Peterborough DAP Review on time and within the City's budget envelope. City staff teams have been cooperative, accountable, and focused on performance improvement opportunities across the Review period. Project management leadership from City senior staff facilitated efficient and effective execution of the work plan.

### 3.3 Provincial Financial Realities – The Municipal Self-Reliance Imperative

The Province's Audit and Accountability Fund Program pre-dates the COVID pandemic. The stated intent of the program is to support larger Ontario municipalities that are committed to identifying and implementing service delivery efficiencies. In the professional opinion of the Performance Concepts/Dillon team, Audit and Accountability Fund efficiency reporting for DAP reviews should use a blend of the following performance lenses:

- Progress in securing a modernized Growth-Pays-for-Growth revenue model that recovers most DAP costs and transparently manages/controls any residual levels of property tax subsidization of development
- Progress in securing DAP process execution/productivity improvements secured via LEAN solutions that are leveraged by DAP portal/workflow tool modernization

Pre-COVID, public statements by the Premier indicated that Audit and Accountability Fund municipal efficiency dividends of 4% to 5% of targeted spending were achievable. In other words, the Province's original goal was to secure *incremental \$ efficiencies* across the municipal sector. Pre-COVID, the Province's incremental improvement vision for the municipal sector seemed reasonably scaled. But now in 2021, the context and stakes around Audit and Accountability Fund DAP reviews have changed dramatically. The figures below are instructive in this regard. The already heavily indebted Provincial government will be more than \$70B further in debt by the end of fiscal year 2021-22. A new provincial-municipal financial reality is now at hand.

An optimized DAP model will be critically important to Peterborough as Council deals with these new fiscal realities and tries to secure a fiscally sustainable recovery from the COVID generated recession. Future development processed by an optimized DAP model can generate a more robust tax base and financial self-reliance for the City in a challenging Federal/Provincial/Municipal financial environment.

## The COVID-19 New Abnormal: Crushing Senior Government DEBT Loads

- The Province reported a deficit of \$38.5 BILLION for 2020-21
  - The Province forecasts a 2021-22 deficit of \$33.1 BILLION in March
  - Deficits for the following 2 years total \$47.9 BILLION
- Province is looking at the Municipal Modernization Program to source significant \$ savings.
  - Is the City of Peterborough ready to embrace significant change in Development Approval Process to buffer upcoming fiscal turbulence and generate post-Covid economic recovery?

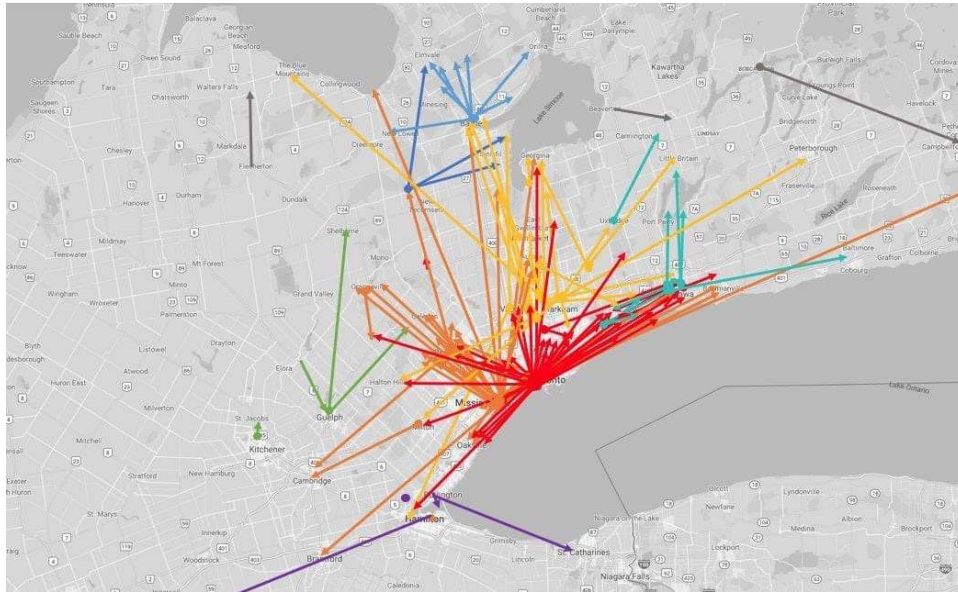
### 3.4 Post COVID-19 Game Changer: New Work/Live Commuter-shed

The COVID pandemic has altered long held household attitudes/calculations concerning work/live balance. Prior to the COVID pandemic, employees across urban Ontario selected their housing with the reality of the daily commute to their workplace firmly in mind. Tolerable daily commute times to the workplace largely defined the live/work balance housing choices made by hundreds of thousands of Ontario households. Housing prices have traditionally been impacted by the need for density and proximity to the workplace. Density has been a by-product of unavoidable daily commuting realities.

COVID has overturned the established work/live balance calculation. The COVID pandemic has served as an 18-month rolling experiment on the decentralization of Ontario's corporate and public sector workforce. On-line virtual platforms have now passed the feasibility test. The expensive commercial real estate model that centrally positioned entire workforces in the urban core of the GTA, Greater Ottawa and other large Ontario cities is transforming. It is highly unlikely that corporate Ontario or large public institutions will return to the traditional pre-COVID model. The flight from density is here to stay.

The post-COVID commuter-shed features knowledge workers in home offices that are fully equipped for online collaboration and can readily access employer databases. These employees will still make the commute to the employer's place of work - but will do so far less often across a typical month. Options/ decisions about where an employee can live are fast becoming uncoupled from the employer's geographic work location. If an employee chooses to take flight from Toronto-style density (and its astronomical housing prices), telecommuting from a home office for 16 workdays per month (while enduring four workdays with a long/grinding commute to the office) becomes tolerable. In fact, this new commuter-shed may also be desirable for employers who can downsize their workplace footprint and costs. The following figure documents 2020 household relocation data supplied by a Toronto real estate firm documenting the flight from density on one single day.

Statistics Canada reports that the Toronto CMA experienced an unprecedented reduction of 50,375 residents between July 2019 and July 2020. The trend has not abated across 2021.



Single day Real Estate Transactions out of Toronto visualized

The evolving/accelerating flight from density in the core of the GTA may have positive implications for the City of Peterborough from an economic development perspective. The flight from density has informed this Review's conclusions around the need for timely transformational change in Peterborough's DAP model. If the City can transform its DAP model into a timely/consistent development conveyor belt, the flight from density may have a limited positive impact on land absorption rates. A restructured DAP model that can generate affordable housing is an enabling factor to retain/attract new knowledge worker residents to Peterborough - a positive result that will benefit the local economy and the taxable assessment base.

### 3.5 A Modern Development Approvals Process "Must-Have": A Robust Planning Policy Framework

An effective DAP service delivery model does not exist in a land use planning vacuum. Developers, Council and City staff need to have regard for the relationship between DAP and community land use policy. In particular there needs to be an appreciation across DAP participants that a deficient policy regime negatively impacts the applicant's development approvals experience.

Three foundational principles are presented to support a holistic and effective land use planning program:

1. The Development Approval Process is not a substitute for effective Community Planning. DAP is linear – applications are submitted, processed and then either approved or denied by Council. The DAP journey is not designed or intended for broad community engagement or to address policy or growth management matters. DAP is intended to be a timely and predictable processing conveyor belt, rather than a community engagement process. Many

municipalities wait and rely on the Development Approvals Process to address community planning matters, and this approach typically results in controversy and an unsatisfactory community response.

2. Obstacles encountered along the Development Approvals Process conveyor belt are often a symptom of a Land Use Policy shortcoming. Development applications essentially get delayed when the development being proposed is not anticipated, either in its envisioned form or scale. This happens if there is insufficient community guidance supplied by the municipality, or if the guidance is out of date. It is incumbent on Council and the staff team to maintain up-to-date policies, guidance, and standards so that DAP is predictable/consistently executed for all stakeholders.
3. Land Use Planning can be “Good or Fast or Cheap - but not all three. Community Land Use Planning is an essential/core municipal service in Ontario, and it must be resourced accordingly. Council wields delegated authority from the Province, via the Planning Act, as the “Approval Authority” for development approvals. The pre-requisite is that the municipal approval authority must have a current and up-to-date Official Plan that clearly sets out expectations and requirements for approval. Although the Official Plan and the policy framework is an understandably vital requirement, too many municipalities are behind in their Policy obligations due to chronic under-resourcing. Adequately resourcing the Official Plan and related policy programs is essential to effectively deliver a modernized DAP service.

### 3.5.1 Growth Management

Growth is coming to Peterborough - and City Council/staff must proactively prepare for and manage this growth. The current population of Peterborough is approximately 82,000 people and the Ontario Growth Plan Forecast for Peterborough is a 2051 build-out population of 125,00 people (minimum). The Growth Plan Forecast represents an increase of 43,000 people or an average 1,400-1,500 people annually across the next 30 years. In order to accommodate this population growth, the City should position itself to increase the supply housing by 600-700 units annually. Failure to address this demand by way of approving adequate supply will significantly impact the cost of housing and overall affordability. It is essential that Council put in place a holistic land use planning program that has the capacity to provide the opportunity for a sufficient supply of housing to meet anticipated demand. Peterborough's Official Plan will allocate population and employment growth forecasts through specific density targets in strategic growth areas, designated greenfield areas for new development, and intensification rates in built-up areas. Council should establish a Secondary Plan program for strategic growth areas where a significant portion of growth and intensification could be directed and identify areas for potential redevelopment through intensification strategies. Only within the context of an up-to-date Official Plan and supporting policy framework will the City have the ability to balance and manage its anticipated growth and development.

### 3.5.2 Secondary Plans

Secondary Plans are prepared and implemented for areas that require detailed land use planning direction. They follow a statutory process and involve significant community and stakeholder consultation at the local level.

Council should make Secondary Plans a prerequisite for strategic growth areas and new designated greenfield areas. Secondary Plans may also be required to provide detailed land use direction for existing greenfield areas and for built-up areas that are facing re-development pressure.

Proactive Secondary Planning is an effective approach to managing growth and setting expectations for the community. This process also ensures efficient land use, appropriate mix of built form, infrastructure and transportation requirements, natural and cultural heritage protection, urban design, and other specific matters beyond general policy.

### 3.5.3 Zoning

An up-to-date Zoning By-law can avoid an excessive number of DAP applications, particularly when zoning is put in place to reflect Official Plan and Secondary Plan designations. Zoning conformity allows for the pre-zoning of sites (with Holding provisions) to proactively streamline the development approval process. This can be integrated into the Secondary Plan program.

### 3.5.4 Financial Considerations

Council has an obligation to maintain planning policies and programs that are current and proactive. Doing so requires adequate resources and Council should be prepared to commit ongoing/adequate funding to the Official Plan and Zoning By-law update programs. Funding for Official Plans and Zoning By-laws are recoverable, in part, through Development Charge and Building Permit revenues. The Development Charges By-law and Building Permit fee structure should ensure these items are captured accordingly.

### 3.5.5 Housing Strategy + Secondary Plans

As already noted, Peterborough will need a steady supply of more diverse housing options in order to remain affordable. A diverse range of housing will ensure choice and provide the opportunity for residents to stay within their neighbourhoods as housing needs change over time and provide the ability to age in place.

Secondary planning and intensification strategies assist municipalities to prepare plans for a strong, healthy, balanced, and complete community, as well as address development and redevelopment pressure, to ensure growth aligns with the context of the surrounding neighbourhood. They also allow for public input as part of community planning exercise rather than a development approval process which is a much more equitable and satisfying method of engagement. It also allows for technical infrastructure matters to be considered more holistically within the context of community character.

### 3.5.6 Natural Heritage System/Watershed Study

Official Plans have policies that identify and protect the natural heritage system and the water resource system. These policies are best implemented through a coordinated Secondary Plan process rather than the Development Approvals Process.



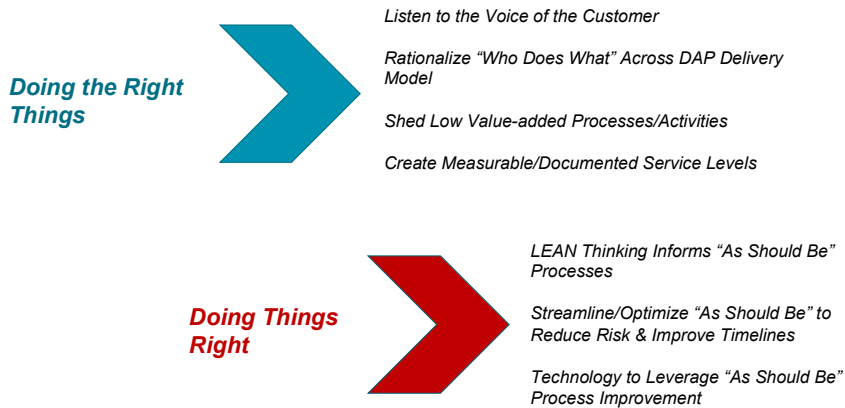
# 4.0 Approach and Methodology

## 4.1 Overarching Approach: Doing the Right Things. Doing Things Right.

Successful DAP reviews are rooted in the following two overarching principles:

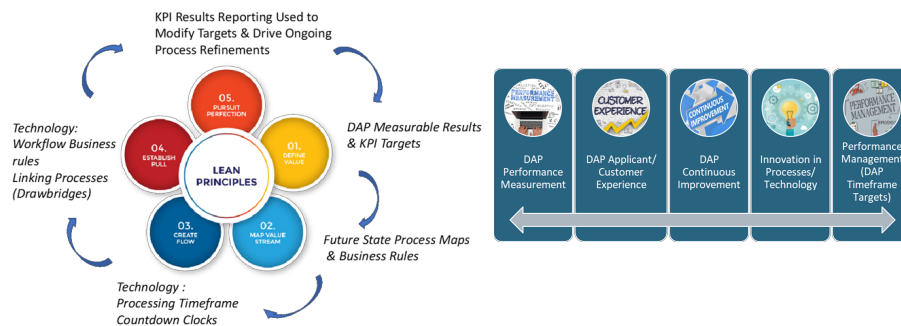
1. Accountable and innovative City governments strive to ensure they are **Doing the Right Things**
2. Accountable and innovative City governments strive to ensure they are **Doing Things Right**

### Overarching Approach to Peterborough’s DAP Review



A properly designed and executed DAP review will engage City Council and staff in the **Doing the Right Things** and **Doing Things Right** improvement dialogue. Clearly defined Council (*Doing the Right Things*) and staff (*Doing Things Right*) perspectives are critical to a successful Peterborough DAP review. Using LEAN thinking process solutions in tandem with technology modernization (to streamline, standardize and measure DAP execution) is practically synonymous with *Doing Things Right*.

### The Power of LEAN Thinking to Transform DAP



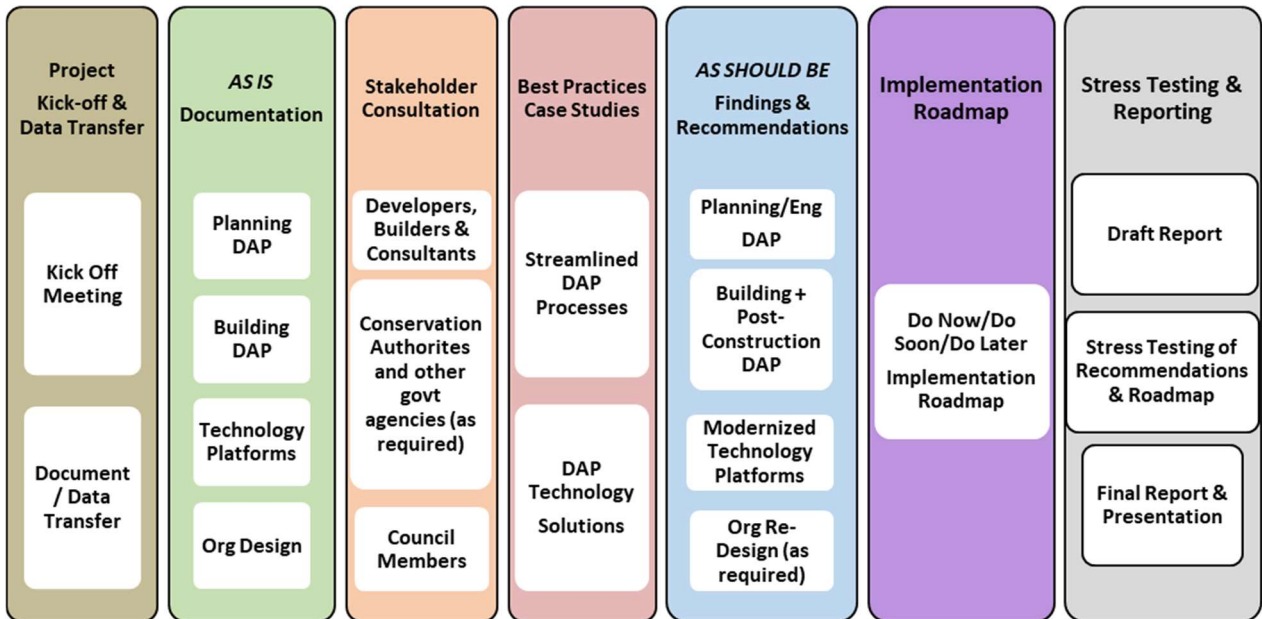
DAP reviews that confirm the need to do different things and/or do things differently are not automatically “right” or binding. Recommendations from a DAP review must pass through the lens of accountable City governance. Councils and staff teams make change - not consultant reports. A well-crafted DAP review is politically astute without being overtly “political”. Successful change/

modernization agendas must secure implementation support from elected Councils and the development community that lives in the real world. These reviews must combine technical proficiency with technology-driven innovation, and they must also support Council’s accountability contract with its taxpayers, development community stakeholders, and residents.

**4.2 Methodology**

**4.2.1 Overall Workplan**

The Peterborough DAP Review & Technology Modernization project has been executed by Performance Concepts/Dillon according to an impartial evidence-based methodology developed across 20+ similar projects. The figure below provides an overview of the Performance Concepts/Dillon team’s methodology.



**4.2.2 Project Kick-off & Data Review**

The late April 2021 Project Kick-off was executed in two steps with i) a DAP Review Steering Committee and ii) members of the City’s extended DAP staff team imbedded in multiple departments. The interactive Kick-off was used to confirm/refine the overall workplan and initiate an extensive data transfer to the Performance Concepts/Dillon team. The Kick-off also provided an upfront opportunity to gauge the City’s appetite for DAP transformation by using the Mentimeter.com interactive polling tool to pose a series of probing questions about DAP performance improvement issues and opportunities. City staff responses to these questions were documented in real time by the Mentimeter.com tool and they are presented in the “As Is” section of this report.

A comprehensive set of DAP “As Is” business process maps were supplied to the Performance Concepts/Dillon team. These maps also shed light on the various City business units responsible for executing processing milestones within the maps. Budgets, fee schedules and historic DAP application volumes were also forthcoming.

#### 4.2.3 “As Is” Documentation and Assessment

A series of interactive facilitated working sessions were held with various City/IPS business units to document and evaluate the current performance of Planning/Engineering DAP around the following processes:

- i. Pre-consultation
- ii. Application Intake to Deemed Complete
- iii. Technical Review Cycles
- iv. Application Approvals/Conditions
- v. Post-construction Condition Clearance

These processes were documented and evaluated as they apply to the Subdivision, Site Plan, and Committee of Adjustment driven development approvals channels.

The “As Is” facilitated working sessions also addressed the “who does what” roles and responsibilities of various City staff and business units across the organization.

#### 4.2.4 Stakeholder Consultation (including Council & Development Community)

Semi-structured Interviews and facilitated working sessions were conducted with interested members of Council, the Peterborough development community, ORCA, and the Peterborough water utility. These interactive outreach sessions with DAP stakeholders provided important insights around current City performance, the challenge of community planning/policy priorities, and performance improvement opportunities to be considered moving forward. Where appropriate, the mentimeter.com interactive polling tool was used to capture stakeholder feedback and generate a deeper discussion around particular DAP performance issues.

#### 4.2.5 Municipal “Best Practice” Case Studies

Performance Concepts/Dillon have conducted numerous DAP service delivery reviews and DAP fee modernization assignments across Ontario and Canada since 2006. Our team has developed case studies around DAP “Growth-Pays-for-Growth” cost recovery models, Application process streamlining, and Technology driven performance measurement/target setting toolkits.

These DAP case studies provide important context and have informed the “As Should Be” Findings/Recommendations package that has been prepared for Peterborough. These case studies highlight DAP transformation challenges to be addressed and they can be viewed as potential shortcuts to secure significant performance improvement.

#### 4.2.6 “As Should Be” Working Sessions

A series of “As Should Be” interactive/facilitated working sessions were held with the City’s core DAP staff teams from across IPS and the rest of the organization. These working sessions mirrored the earlier “As Is” investigation sessions; considering core DAP processing milestones as they apply to Subdivision, Site Plan and Committee of Adjustment development approvals channels. The “As Should Be” working sessions also addressed the post-Draft Plan Detailed Engineering Review that culminates in a subdivision agreement and a pool of registered lots.

Beyond DAP process improvement, the “AS Should Be” investigation/analyses by Performance Concepts/Dillon also addressed DAP fees revenue stream/cost recovery modernization and mission critical staffing/resourcing investments within IPS. A Modern performance measurement toolkit was designed according to municipal best practices, as were new go-forward processing timeframe targets.

Finally, the transformational role played by a fully utilized AMANDA workflow tool, in tandem with an online DAP portal, was carefully considered across “As Should Be” discussions. Updated “As Should Be” process maps have integrated AMANDA functionality around countdown clock timeframe tracking, process drawbridges, and the critical role of a DAP portal in maintaining high quality control standards by screening out incomplete submissions.



## 4.2.7

**Tactical & Strategic Recommendations + Implementation Roadmap**

The “As Should Be” facilitated working sessions, the peer Case Studies, and the 3<sup>rd</sup> party analyses of the Performance Concepts/Dillon team generated a series of draft Tactical & Strategic Recommendations to improve/transform DAP performance. This DAP performance improvement/transformation package includes LEAN inspired re-engineered processes, a refined staffing and org-design model, a modernized DAP portal/AMANDA workflow tool platform, and a set of go-forward Key Performance Indicators (KPIs) and application processing timeframe targets. Potential performance improvement ideas/opportunities have all been subjected to rigorous evidence-based evaluation by the Performance Concepts/Dillon team prior to being upgraded to actionable Tactical or Strategic Recommendations in this Report.

The “As Should Be” Tactical & Strategic Recommendations developed by Performance Concepts/Dillon have been positioned across a *Do Now/Do Soon/Do Later* Implementation Roadmap. The Implementation Roadmap reflects the importance of momentum when it comes to implementing meaningful change. The Implementation Roadmap will chart out timely/significant progress over a compressed timeframe - hopefully without overwhelming the finite capacity of Peterborough to execute the necessary change.

## 4.2.8

**Stress Testing & Technical Report – Documenting DAP Transformation/ Performance Improvements**

Draft Recommendations and the supporting Implementation Roadmap were stress tested with Peterborough’s Project Steering Team and other selected DAP staff. Stress testing ensures a balance between our team’s 3<sup>rd</sup> party independent perspective and the insights of City staff who are imbedded in the day-to-day realities of DAP.

While the Performance Concepts/Dillon team’s Final Report has been informed by stress testing insights supplied by City staff, the Findings/Recommendations and Implementation Roadmap in this Report nonetheless represent our team’s impartial 3<sup>rd</sup> party perspective and professional advice - consistent with the requirements of the City’s Audit and Accountability Fund agreement with the Ministry of Municipal Affairs and Housing.

## 5.0

## Documenting the City's "AS IS" Development Approvals Model

### 5.1 Historic Application Volume Trends

The tables below set out the pattern of historic development approval applications in Peterborough. The 2017 volumes are instructive when reviewing the pattern of greenfield residential development. An estimated 671 lots and 357 multi-residential units were Draft Plan approved. Detailed Engineering Review of required infrastructure (design approval) and phased registration of these lots has continued across 2018-2020. Subdivision approval has required combo-pack OPA/Re-zoning approvals, adding a level of application coordination/complexity for the City's DAP team.

Site Plan activity has been fairly constant across 2017-2020 with 20-30 applications per year. While most Site Plan applications did not require re-zoning, a significant minority required a mix of OPA and Re-zoning combo-packs of parallel approvals.

Committee of Adjust Minor Variance/Severance volumes (50-70 files) were stable over 2017-2020.

BUILDING PERMIT AND PLANNING APPLICATION VOLUME					
	2017	2018	2019	2020	
<b>DAP Applications - Stand Alone Applications</b>					
Official Plan Amendments	0	0	0	0	0
Re-Zoning	8	2	5	5	
Subdivision Draft Plan Approval	0	0	0	0	
Draft Approved Lots/units	671/357	0	0	0	
Site Plan (Residential)	12	5	9	4	
Site Plan (Non-residential)	8	10	10	7	
Draft Plan of Condominium	0	0	0	0	
Minor Variance	39	50	48	26	
Severances	11	21	21	11	
Other (H removal/Part Lot Control/etc)	11	7	12	9	
<b>DAP Applications - Combo Packs</b>					
OPA & Re-zoning	0	1	0	0	
OPA & Re-zoning & Subdivision	2	1	0	0	
OPA & Re-zoning & Site Plan	3	0	7	3	
Re-Zoning & Subdivision	1	0	0	0	
Re-Zoning & Site Plan	3	5	5	8	
Site Plan & Minor Variance	0	0	0	0	
<b>LPAT Appeals</b>					
Number of appeals filed	2	0	0	4	
Number of appeals resolved	2	0	0	0	
<b>Building Permit Applications</b>					
Single family/semis/town house units	169	106	145	64	
Residential Additions/Renovations	350	358	442	348	
Multiple Residential	18	6	8	11	
Non-Residential Part 3	111	88	101	95	
Non-Residential Part 9	38	30	34	26	
Decks/Sheds/Garages	151	133	165	134	
Demolitions (Residential Infill)	17	10	22	5	
Demolitions (other)	6	3	11	4	
Foundation Permits	N/A	N/A	N/A	N/A	

	2017	2018	2019	2020
<b>Site Plans</b>	26	20	31	22
<b>Rezoning</b>	17	9	17	16
<b>Subdivisions</b>	3	1	0	0
<b>CoA Files</b>	50	71	69	37

<b>LPAT Appeals</b>	2	0	0	4
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The spike in OLT/LPAT appeals in 2020 is potentially problematic. These OLT/LPAT appeals consume significant staff capacity in the run-up and execution of a scheduled Hearing. Staff capacity is diverted from new applications entering the system to deal with OLT/LPAT matters. The absence of much needed staff capacity can increase the risk of “no municipal decision” timeframe delays – in essence creating a potential second-wave pile-up of OLT eligible files.

## 5.2 Current DAP Fee Structures & Cost Recovery Model

Non-tax revenue streams yielded by DAP application fees serve as the fuel that funds the necessary City staffing muscle to properly execute development review processes. Modernized Planning/Engineering DAP fee structures can contribute to a best practice “growth pays for growth” cost recovery model and an “enterprise” budgeting model with limited/zero property tax impact - similar to the enterprise 100% cost recovery model found in most Building departments across Ontario cities.

### 5.2.1 Section 69 Planning Act Fees & “Growth Pays for Growth” Cost Recovery Design

Section 69 of the Planning Act requires a municipality to design cost-based DAP fees on a rigorous application category-by-application category basis. Planning Act mandated DAP fees can be appealed to the OLT/LPAT, and each fee must be designed according to rigorous cost recovery standards; no cross-subsidization is permitted across application categories. For purposes of cost recovery transparency, municipal budgeted costs of delivering DAP (wherever they are imbedded in the City's organization structure) should be linked to corresponding cost recovery revenue streams. The municipal operating budget should firmly staple off-setting DAP revenues to its DAP cost centres; thereby producing a visible net property tax levy requirement (or not) associated with DAP workflows. Indirect support functions like HR, Finance, Legal etc. that are consumed by frontline DAP staff teams should also be offset by DAP fee revenues.

### 5.2.2 Peer Review of Peterborough DAP Fees (Design and Pricing)

A technically sound peer review of DAP fees can provide important insights around the City's preparedness to fund the necessary DAP staffing model.

The Performance Concepts/Dillon team has executed the peer review analysis of DAP fees appearing below. Eight “like” City comparators were selected for the analysis - four single-tier Cities and four Cities situated within 2-tier Regional systems. DAP fees across the 2-tier City comparators have been aggregated to include the Region's fees as well as the lower-tier City fees.

Fee design is diverse across the comparators. In order to execute an apples-to-apples analysis, a number of application scenarios were designed, and then each comparator's fees were applied against that scenario. The fee comparison application scenarios are as follows:

- 2 *Draft Plan of Subdivision* scenarios based on differing unit counts (100 or 200)/hectares (10 or 15)
- A Post-Draft Plan *Detailed Engineering Review* scenario where the value of constructed works being reviewed/approved is \$1M
- A multi-residential Site Plan with 50 units/2-hectares
- A Non-residential Commercial Site Plan with 2,000 square metres of GFA
- A major Re-zoning for a 100-unit residential application
- A Standard Condo for a 50 unit/2-hectare residential project

The full comparator analysis of the various fee scenarios appears in the figure on the next page.





### Peer Comparators DAP Fees Analysis

Planning Fee Scenario:	Single-Tier Peers						Two-Tier Peers						
	Peterborough	Brantford	Hamilton	Kingston	Guelph	Average	St Catharines	Milton	Cambridge	Kitchener	Average		
<b>Subdivision</b>	\$6,450	\$47,090	\$81,769	\$24,160	\$38,437	\$47,864	\$12,553	\$81,581	\$24,800	\$10,965	\$32,475	Average Local Tier	
Units													100
Hectares													10
<b>Subdivision</b>	\$6,675	\$52,465	\$103,369	\$38,005	\$38,437	\$58,069	\$12,553	\$92,381	\$39,800	\$11,915	\$39,162	Average Local Tier	
Units													200
Hectares													15
<b>Sub-div Eng. Review</b>	\$55,000	\$50,000	\$60,000	n/a hourly rate	\$60,000	\$56,667	n/a	\$63,500	\$50,000	n/a	\$56,750	Average Local Tier	
Construction Value													\$1,000,000
<b>Res Site Plan</b>	\$3,000	\$12,770	\$56,707	\$11,033	\$10,848	\$22,839	\$7,435	\$10,185	\$13,460	\$9,641	\$10,180	Average Local Tier	
Units													50
Hectares													2
<b>Commercial Site Plan</b>	\$2,700	\$12,770	\$40,437	\$8,105	\$10,668	\$17,995	\$7,435	\$10,167	\$13,460	\$8,861	\$9,981	Average Local Tier	
Square Meters													2,000
<b>Major Re-zoning</b>	\$6,000	\$14,490	\$24,109	\$7,591	\$17,031	\$15,805	\$10,000	\$37,856	\$13,000	\$11,618	\$18,119	Average Local Tier	
Units													100
<b>Standard Condo</b>	\$6,090 (2 ha)	\$38,310	\$21,750	\$11,160	\$10,264	\$20,371	\$6,974	\$13,020	\$6,600	\$7,640	\$8,558	Average Local Tier	
Units													50
Hectares													2
							\$10,904	\$16,085	\$12,750	\$13,790	\$13,382	Average Local Tier	

The peer comparators analysis reveals the following growth-pays-for-growth Observations/Findings:

- Peterborough's Draft Plan of Subdivision revenue stream falls far outside the "growth pays for growth" fee design framework exhibited by most of the peers. Peterborough is therefore relying on a significant property tax subsidy from existing residents/taxpayers to fund the required staff processing effort associated with Subdivision Draft Plan applications. The difference between Peterborough's \$6,450 fee for a 100-unit subdivision and the average fee of \$47,864 for the four single-tier comparators is particularly noteworthy.
- Peterborough's revenue stream generated by its % Construction Value fee for Post-Draft Plan Detailed Engineering Review delivers cost-recovery performance similar to that of its single-tier and two-tier peer City comparators.
- Peterborough's current fee design/pricing for both residential and ICI Site Plans is generating sub-par revenue streams compared to the averages for single-tier and two-tier comparators. Many of the peers have designed their Site Plan fee to consist of a robust base fee (\$) plus a financially impactful per unit/per hectare/GFA escalator (\$). This approach to Site Plan fee design results in larger/complex projects paying a higher fee relative to smaller/straightforward projects. While Peterborough currently attaches a per unit/GFA escalator to its Site Plan base fees, the base fee itself is far too low (\$1,000/\$1,500) and the \$45 per unit /60 cent per metre escalators are not financially impactful for larger projects. As a result of these fee design shortcomings, the City is relying on a significant property tax subsidy from existing residents/taxpayers to fund the required staff processing effort associated with all residential and ICI Site Plan applications.
- Peterborough's current fee design/pricing for Re-zonings is generating sub-par revenue streams compared to the averages for single-tier and two-tier comparators. As was the case with Site Plans, the culprits are an excessively low base fee and a financially insignificant \$45/unit escalator.

The "As Should Be" component of this Report will address DAP fee modernization opportunities.

## 5.3

## Council Governance and Limited Delegation to Staff

Peterborough currently makes 2-step DAP governance decisions using General Committee meetings and Council meetings. General Committee provides a forum for staff reports to be received and recommendations considered. General Committee also provides a platform for public input via Planning Act statutory public meetings. Council serves as the final decision-making authority as it considers draft recommendations that have been dealt with at General Committee. The 2-step Governance model adds approximately 2-months to the applicant's DAP journey compared to expedited/delegated DAP approvals options that do not require effort-intensive staff reports or Council involvement.

The Mentimeter.com figure below reflects City staff's input on the matter of expanding delegation of Council approvals to City staff. City staff are confident that development industry stakeholders will support delegated approvals in order to reduce overall processing timeframes. Staff also believe delegated approvals will help them manage workload and protect timeframe compliance during periods of peak busyness. Staff believe robust delegation opportunities exist but are not convinced City Council is willing to trade control for results by supporting expanded delegation.

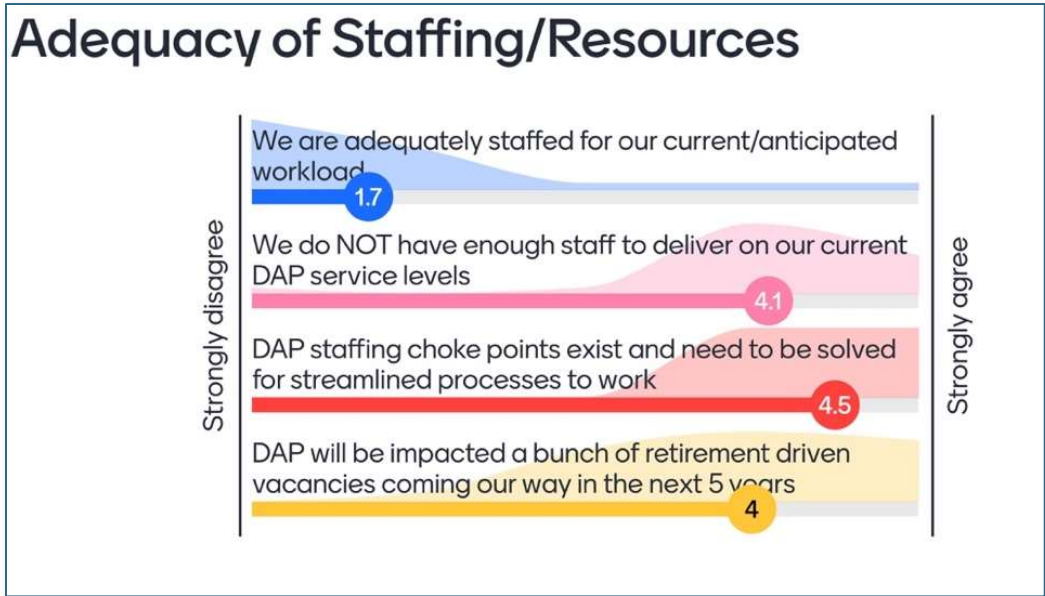


The Mentimeter.com figure below reflects input from development community representatives on the matter of expanding delegation of Council approvals to City staff. Industry stakeholders were unanimous in their support for delegated approvals to staff across Site Plans and Condominiums and other DAP non-controversial decisions. Like City staff, development industry participants see delegated approvals to staff as a proven "best practice" to reduce processing timeframes and avoid OLT/LPAT "no municipal decision" appeals that intrude into local community planning approvals.



**5.4 Current Organization Design & Staffing Resources**

City staff are unanimous in their professional observation that the City’s DAP model is not adequately staffed. This observation is not inconsistent with the objective fact that Peterborough’s DAP fee revenue streams are relatively meagre compared to “like” City peer comparators. The resourcing concerns extend across all participating IPS business units, especially among staff who have significant duties/accountabilities beyond DAP (see figure below). Of particular concern is the widely held viewpoint that imminent staff turnover due to retirement will reduce the organization’s accumulated competencies/experience that are so important to a high performing DAP model.

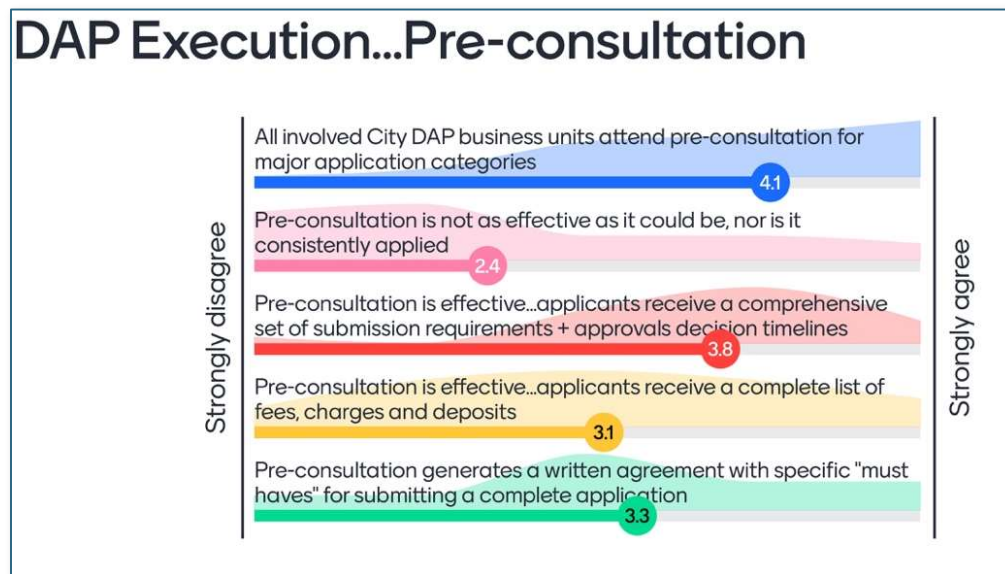


## 5.5

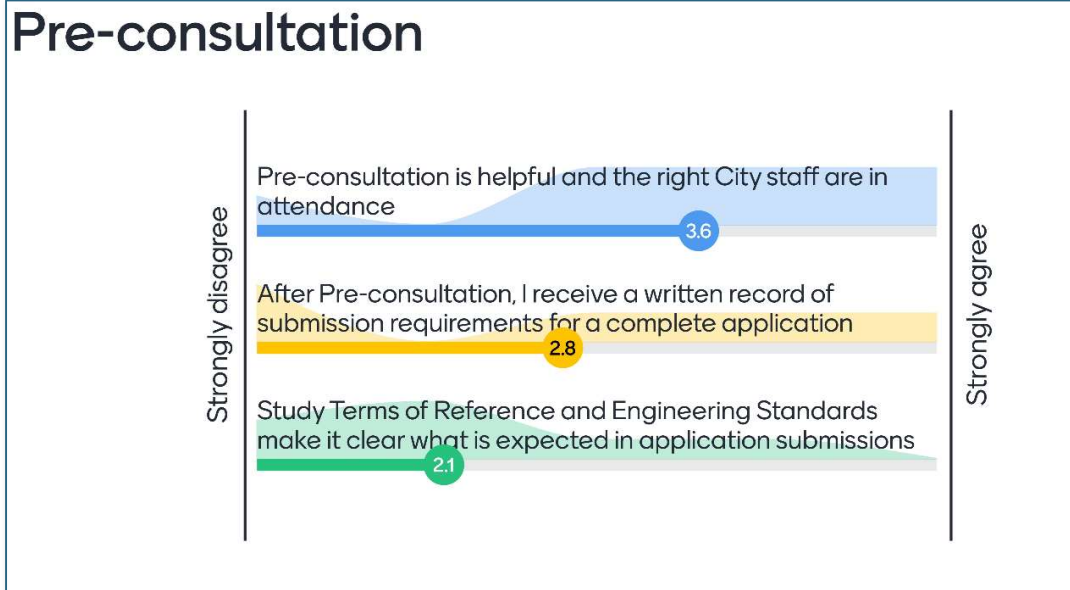
**Pre-consultation Model**

Well-executed Pre-consultation is a determinant of an efficient, standardized DAP conveyor belt. Peterborough's pre-consultation model contains the characteristics/elements of an effective "best practice" approach (see figure below). Submission requirements are clear and sufficiently granular. Pre-consult meetings with the applicant are pre-scheduled each month - with backed-up submission deadlines that create space and time for City staff to prepare. Staff believe the current model is solid and runs "like a well-oiled machine" in the words of one City staff participant.

The only problematic feature of the pre-consult process according to staff, is the effort intensive, manual nature of consolidating post-meeting data/comments in the Pre-consult template by the Planner. If the AMANDA workflow tool were properly utilized, this work would be streamlined by City staff participants each entering commentary directly into a fillable PDF template already imbedded in AMANDA.



Development industry participants acknowledge that Pre-consult is useful in moving projects forward with enhanced/mutual understanding (see figure below). Industry stakeholders in Peterborough cite a common shortcoming of many municipal Pre-consult models, the lack of granular up-to-date specifics concerning Engineering Design Standards and Terms of Reference for required studies. Ambiguity around specific requirement extend the duration of the Technical Review Cycles, a major concern for cashflow sensitive developers/applicants. Some City staff have also acknowledged the benefits of updated/modernized Terms of Reference.

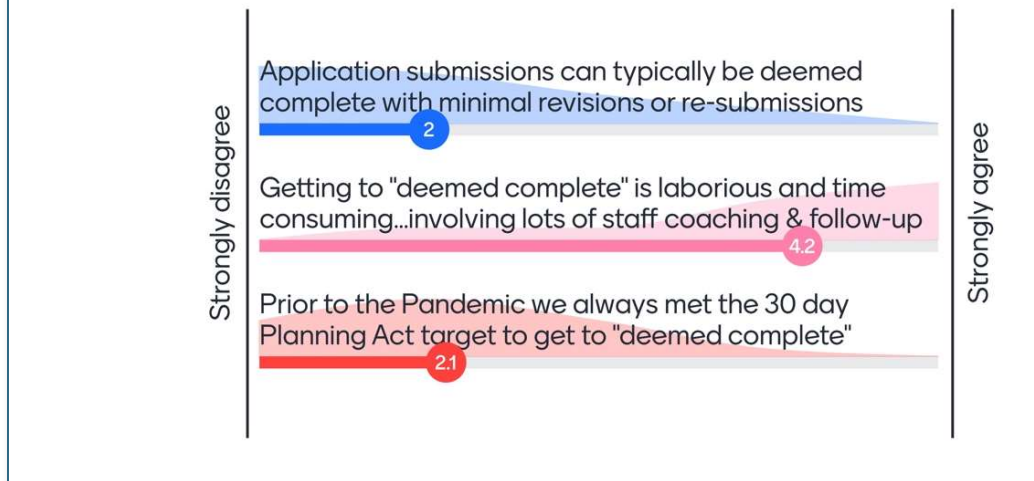


### 5.6 Application Submission to Deemed Complete

The process of application intake and reaching a “Deemed Complete” decision is logistically challenging for most municipalities. Peterborough is no exception. The key issue is application submission quality control. If a municipality accepts application submissions with gaps or sub-standard content it creates problems during the 1<sup>st</sup> Technical Review Cycle and beyond. The Review Cycles may exceed targeted timeframes and there may be an excessive number of cycles. Put another way, the overall duration of the Technical Review ping-pong game with applicants is largely a function of upfront application package quality.

City staff have been clear that the existing approach to “deemed complete” is rife with process execution problems (see figure below). Problematic applicant submissions do not reflect the technical submission checklist requirements established at Pre-consult. Significant time/effort is spent coaching certain applicants and closing quality gaps in submitted materials. Sub-optimal process execution and quality control problems result in the “deemed complete” decision sometimes missing the 30-day Planning Act deadline.

## DAP Execution...Deemed Complete



Peterborough typically uses a “piece count” approach to determining application submission package completeness. The submission pieces are determined at the conclusion of Pre-consult, and they are provided to the applicant in a checklist. Once the application submission is made the file Planner executes a cross-referencing of the pieces submitted versus the “should be submitted” pieces documented at Pre-consult.

In some municipalities the approach taken is a 2-step approach. A “shallow dive” content adequacy review is executed for selected studies/submission pieces following the more straight-forward piece count cross referencing. The “shallow dive” content review is focused on whether the piece count verified items are actually good enough in terms of substantive quality to move forward into the 1<sup>st</sup> Technical Review Cycle. If the answer is “yes” then the 2-step quality control test is finished and the “deemed complete” countdown clock turned on. This countdown clock eventually determines the future trigger point for a potential “no municipal decision” appeal to the Ontario Lands Tribunal (OLT/LPAT). If the answer is “no” then the applicant is notified of the “deemed incomplete” decision and must correct/re-submit deficient submission items in order to get to “yes”. An eventual “yes” answer from the municipality moves the file forward into the 1<sup>st</sup> Technical Review Cycle and turns on the OLT/LPAT clock.

Peterborough staff recognize the merits of the 2-step process but do not consistently apply it due to perceived resourcing constraints, nor do staff track “deemed complete” decision timeframes in AMANDA.

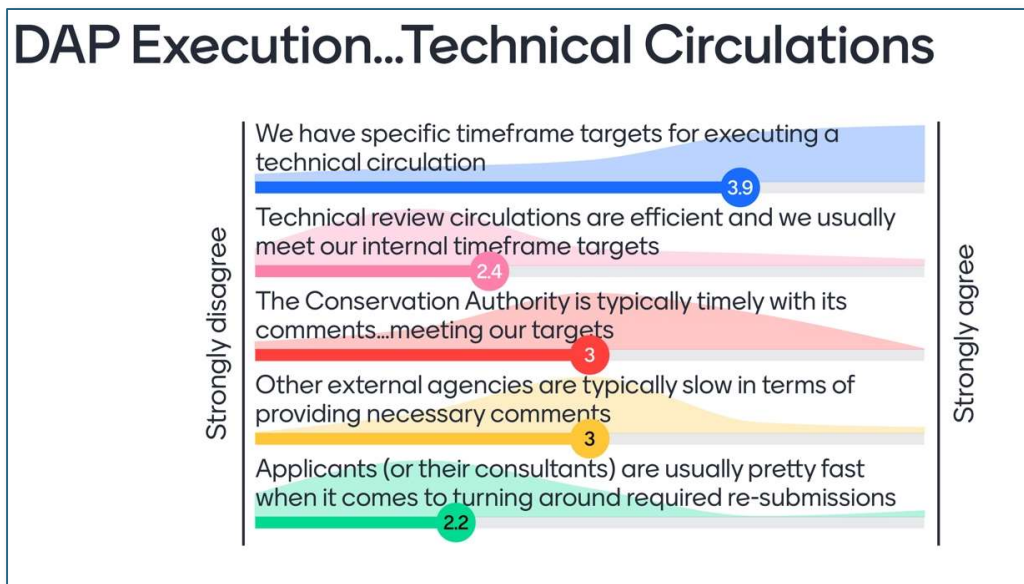
## 5.7 Technical Review Cycles

City staff have delivered a clear message on Technical Review Cycle processing timeframes:

- The City has aspirational timeframe targets for completing Review Cycles
- The City does not consistently meet these timeframe targets
- Applicants also suffer from timeframe challenges when providing re-submissions at the end of a Review Cycle

Currently AMANDA is not tracking timeframes for Technical Review Cycles, therefore it is not possible to measure the variance between actual timeframes versus aspirational targets. Staff agree with the Performance Concepts/Dillon team that timeframes should be measured using “controllable file days” where the municipality has custody of an application. When an applicant has custody of the file to supply necessary information or prepare a re-submission, then the City’s controllable files days countdown clock is turned off.

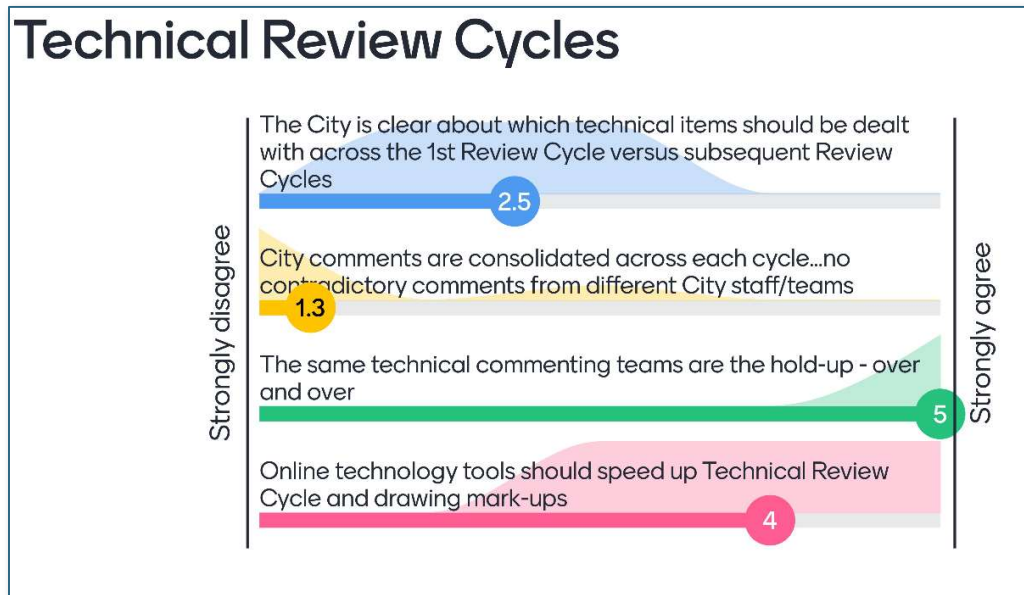
Staff have also been clear that differing complexity levels among the files in a given application category (e.g., Site Plans) may require differential timeframe targets for Technical Review Cycles. There is also a recognition that 1<sup>st</sup> Technical Review Cycles are more effort intensive and that they deal with a wider range of submission items. Therefore 1<sup>st</sup> Review Cycles may merit a longer timeframe target than subsequent Review Cycles.



Development industry stakeholders have clearly identified process execution problems that will benefit from process re-engineering and resourcing upgrades moving forward (see figure below). Development industry participants in DAP have identified problems with City staff comment consolidation at the end of a Review Cycle (not happening). Recurring processing chokepoints (consistently slow City business units) have been identified to the Performance Concepts/Dillon team. Development industry representatives are positive/optimistic about the ability of modernized portal/workflow tool/drawing mark-up solutions to speed up Technical Review Cycles and improve



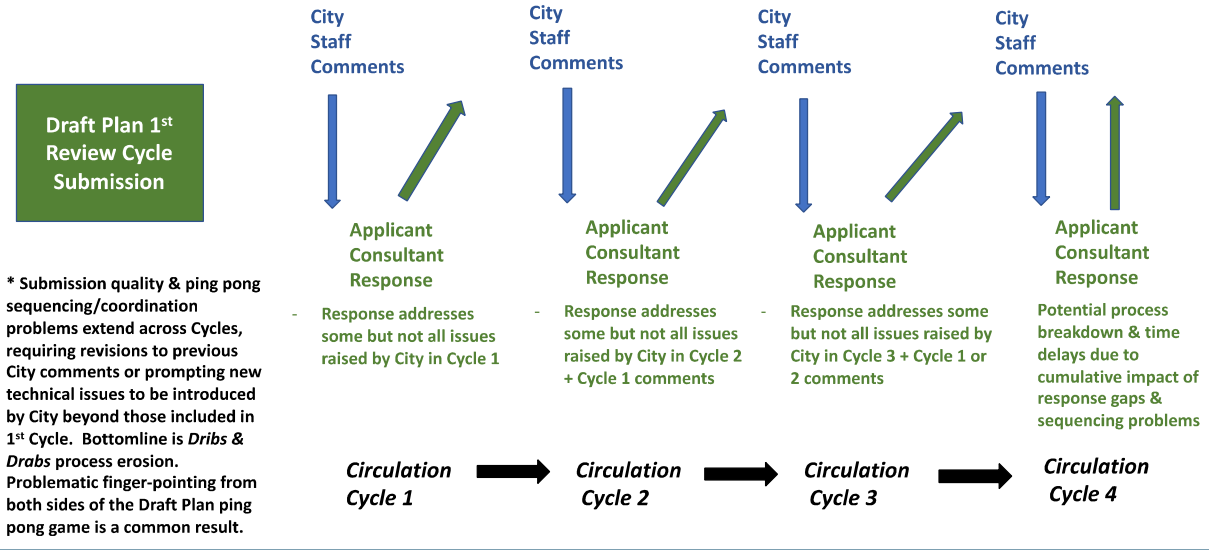
accountability across the DAP ping pong game of back-and-forth infrastructure design submissions/approvals.



## 5.8 Draft Plan of Subdivision Processing Channel

Performance Concepts/Dillon have evaluated the "As Is" processing channel for Draft Plans of Subdivision. Our evaluation has been informed by process mapping already undertaken by the City. Finite DAP resourcing in IPS business units has created an unsatisfactory workload/timeframes trade-off in the eyes of both City staff and development industry representatives. The absence of a "shallow dive" Quality control step prior to the 1<sup>st</sup> Technical Review Cycle, plus the unmet need for the City to update Terms of Reference for core studies contribute to process execution problems (see figure below). The Drips and Drabs descriptor aptly captures the "drift" of the technical DAP ping pong game across Review Cycles without clear resolution. Finger pointing about the cause of the Drips and Drabs problem is counterproductive. Both sides of the DAP ping pong game need to be properly resourced and working in close/seamless collaboration (leveraging a modern DAP technology platform) in order to secure acceptable/consistent processing timeframes and arrive at a crisp resolution of technical/design challenges during each Review Cycle.

### Subdivision Draft Plan Ping Pong...Dribs and Drabs Problem

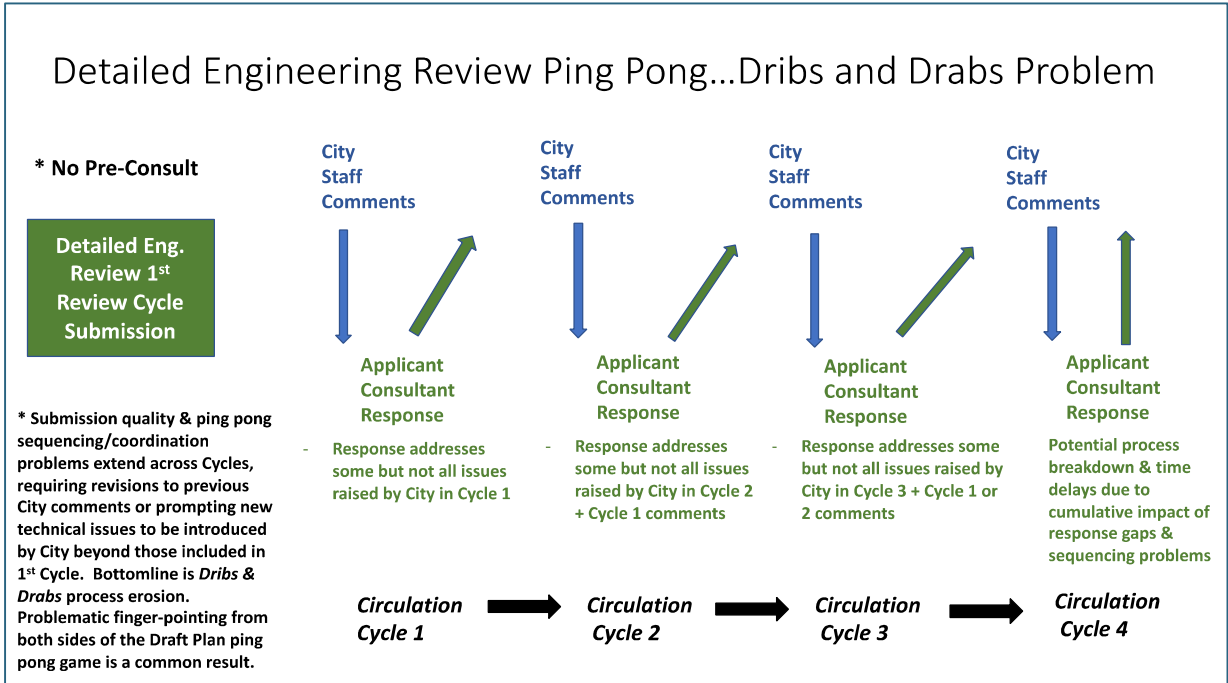


## 5.9 Post-Draft Plan Detailed Engineering Review

Peterborough currently does not administer its Post-Draft Plan Detailed Engineering Review phases like an upfront Planning Act application – for instance a Site Plan or a Re-Zoning. There is no Pre-consult process to document a technical checklist of mandatory submission requirements. There is no “shallow dive” to evaluate the quality/adequacy of a technical submission package prior to the 1<sup>st</sup> Technical Review Cycle. No measurement friendly countdown clock timeframes are tracked in AMANDA reports because most IPS staff do not currently track any of their workflow in AMANDA.

### Dribs and Drabs Process Execution Problem

Finite DAP resourcing in IPS business units has created an unsatisfactory workload/timeframes trade-off in the eyes of both City staff and development industry representatives. The absence of a “shallow dive” Quality control step prior to the 1<sup>st</sup> Technical Review Cycle, plus the unmet need for the City to update Engineering Design Standards contribute to process execution problems (see figure below). As is the case with Subdivision Draft Plans, the Dribs and Drabs descriptor aptly captures the “drift” of the technical DAP ping pong game across Review Cycles without clear resolution. IPS business units/technical staff are adamant about their role as the “last line of defence” to ensure high quality infrastructure design is required/approved during DAP, in order to max-out the life cycle of roads and pipes and other assets. These IPS business units face a steep challenge in trying to balance finite resources, the need for thorough due diligence review of submissions, and the imperative of meeting processing timeframe targets/development industry timeframe expectations.

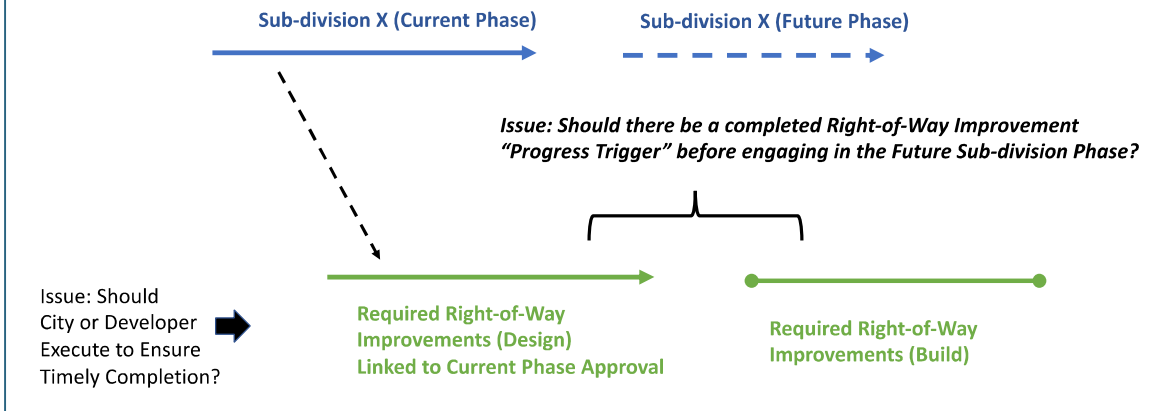


Finger pointing about the cause of the Dribs and Drabs problem across Technical Review Cycles is counterproductive. Both sides of the DAP ping-pong game need to be properly resourced and working in close/seamless collaboration (leveraging efficiencies via a modern DAP technology platform) in order to secure acceptable/consistent processing timeframes and arrive at a crisp resolution of technical/design challenges during/across Review Cycles.

**Right of Way Improvement Issues**

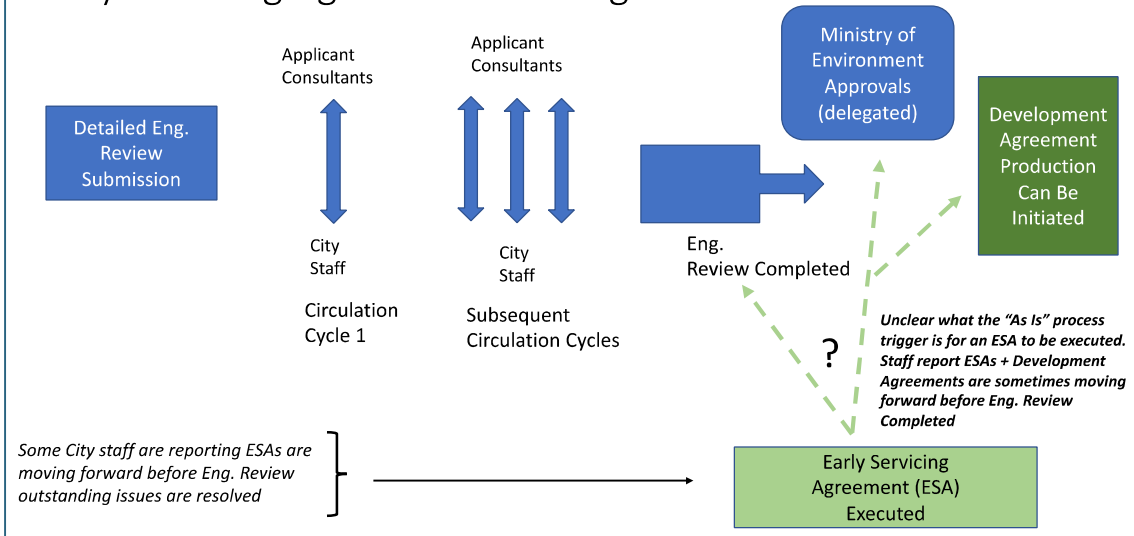
An issue of particular importance to IPS staff is the need for timely design/construction of municipal right-of-way infrastructure improvements by applicants in order to accommodate development file approvals (see figure below). Timeframes for applicants to provide design/construction of right-of-way improvements are embedded in Subdivision and Site Plan agreements. A complex set of circumstances are causing delays in the design and construction of right-of-way improvements by applicants. One source of delay is a Development Charges cashflow crunch that prevents the City from re-imbursing applicants for the cost of growth-related right-of-way improvements in a timely fashion. Another source of delay is the attempt by some applicants to negotiate deadline extensions with the City in the design/construction of the required infrastructure improvements, presumably for their own advantageous business reasons (such as cashflow).

## DAP Process Issues in the Municipal Right-of-Way



Beyond the already-discussed Drips and Drabs process execution challenge, Peterborough also faces an important coordination challenge involving the following mission critical aspects of the Post-Draft Plan Detailed Engineering Review (see figure below). It is unclear whether the City is consistently executing a staged progression across i) an approved Engineering Review Design ii) Ministry Approvals in place iii) Early Service Agreement execution iv) Development Agreement execution. IPS business units have expressed concern that Development Engineering is moving forward towards a completed ESA and a Development Agreement before late stage/final design issues have been ironed out with applicants. The coordination challenges in some ways represents a collision between the DAO objectives of careful due diligence versus timeliness of file progression for applicants.

## Early Servicing Agreements Timing Problem

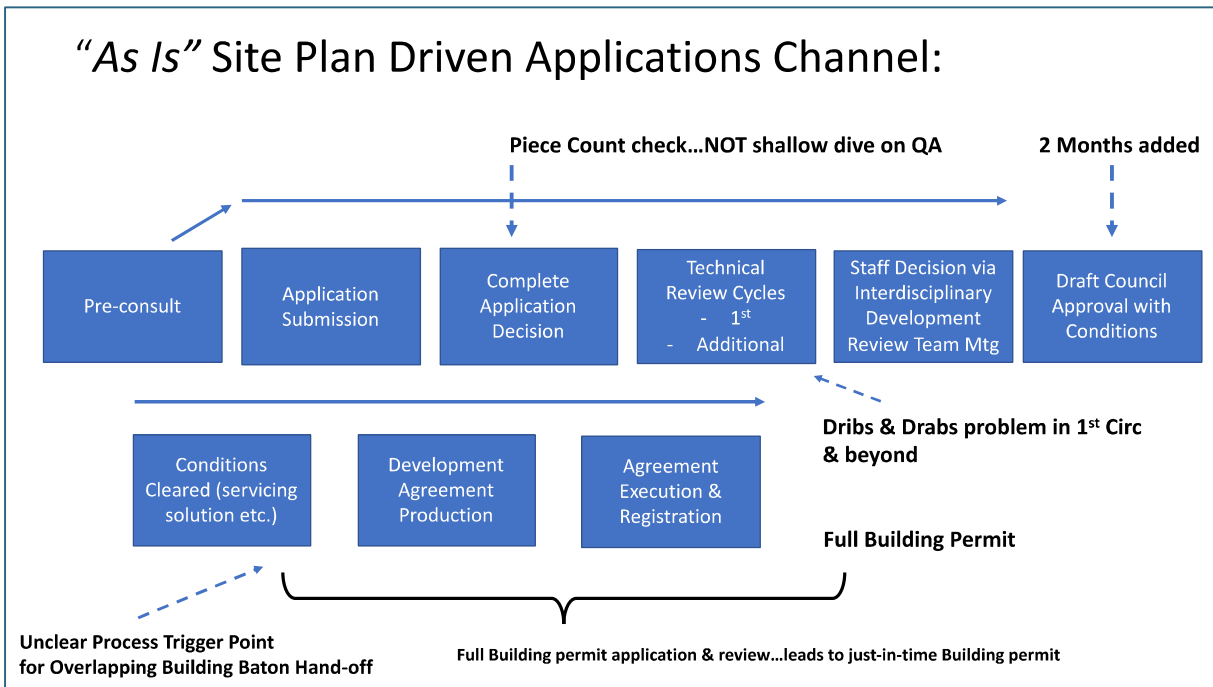


5.10 Site Plan Processing Channel

Performance Concepts/Dillon have evaluated the "As Is" processing channel for Site Plan Control. Our evaluation has been informed by process mapping already undertaken by the City. Peterborough executes a conventional, industry standard Site Plan process, featuring Council approval of standard/complex applications (see figure below). Only relatively minor Site Plans are delegated to staff for approval. Application submissions are subjected to a piece count completeness review, but not a "shallow dive" content adequacy screening. The absence of a 2-part QA review causes processing challenges during the 1<sup>st</sup> Technical Review Cycle associated with application quality gaps.

Technical Review Cycle staff comments are consolidated by Planners, but any contradictory positions across the City's technical disciplines are not necessarily resolved before applicants receive the comment packages. Internally IPS business units are complimentary/appreciative of the logistics/processing support supplied by the City's two designated Planners that handle Site Plan files. Process execution problems identified in Subdivision and Detailed Engineering Review channels have largely been avoided during Site Plan review.

The requirement of Council approval for significant Site Plans adds two months to the applicants DAP approvals journey. If an applicant has staggered a Re-Zoning approval first (thereby resolving land use issues) and then submitted a Site Plan application towards the end of the Re-zoning (as recommended by City staff), the extra 2-months for Council to approve a primarily technical process like Site Plan Control can feel onerous and unnecessary. Most of Ontario's larger municipalities have opted for a more aggressive policy than Peterborough when it comes to Site Plan delegated approvals.



### 5.11 Re-zoning "Combo Packs" of Applications

The Pre-consult/Application Intake/Deemed Complete process for a Re-zoning is identical to a Subdivision Draft Plan. The absence of a "shallow dive" content adequacy review creates workload/process execution challenges downstream during the 1<sup>st</sup> Technical Review Cycle.

There are staging/sequencing challenges with Re-Zoning applications that are anchored to a core Site Plan file. Applicants make a risk management decision on the timing of the Site Plan application relative to the Re-Zoning application. Concurrent applications are relatively high risk. A Site Plan submission that is sequenced near/at the end of a Re-zoning process is far less risky, since it is prudent for an applicant to resolve land use/zoning compliance matters first before incurring the expense of securing detailed Site Plan design and paying Site Plan application fees.

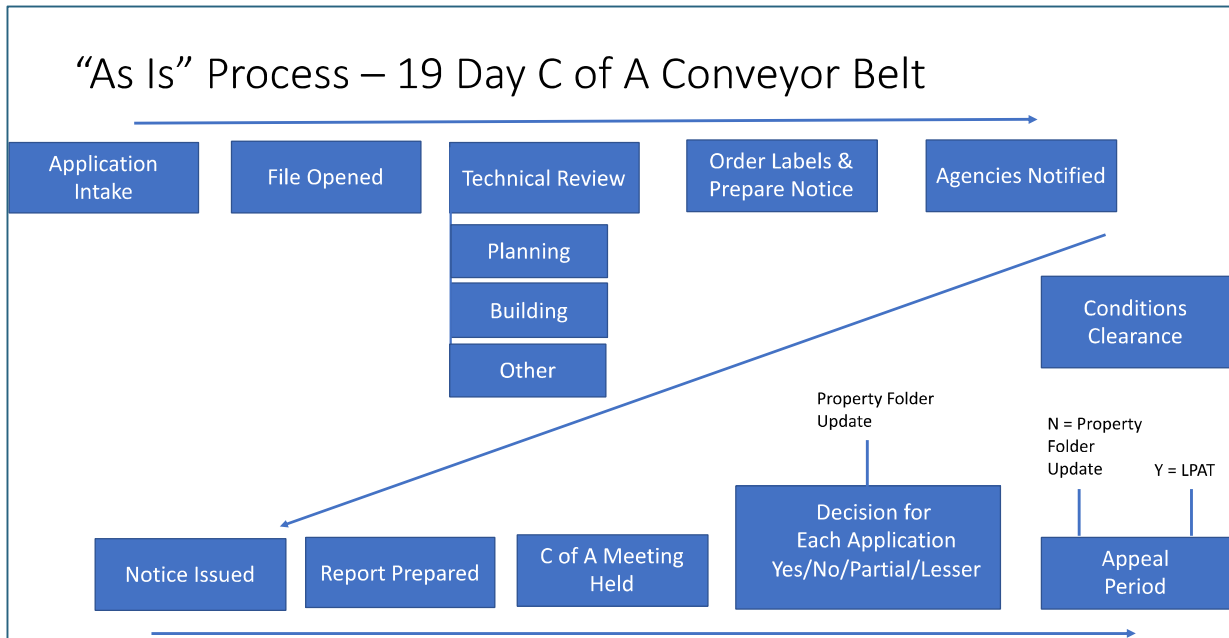
City staff can advise applicants on the sequencing/staging options when it comes to Re-zoning applications anchored to a Site Plan, but the final risk management decision rests with the applicant.



## 5.12 Committee of Adjustment Processing Channel

The Committee of Adjustment (C of A) processes Minor Variance and Consent applications according to a standardized monthly processing cycle with time-sensitive workflow processes (see figure below). The Peterborough C of A model features the following characteristics:

- Limited margin for error re. processing timeframes
- Variability of applications volumes across each monthly cycle
- City staff reports for each file/application



City Planning staff report reasonably consistent alignment between Committee decisions and City Planners' report recommendations.

In some cases where applicants attempt to use the Minor Variance process as a workaround to avoid more complex/expensive Re-zoning applications, the Committee and City staff have exercised vigilance to protect integrity of the Re-zoning process.

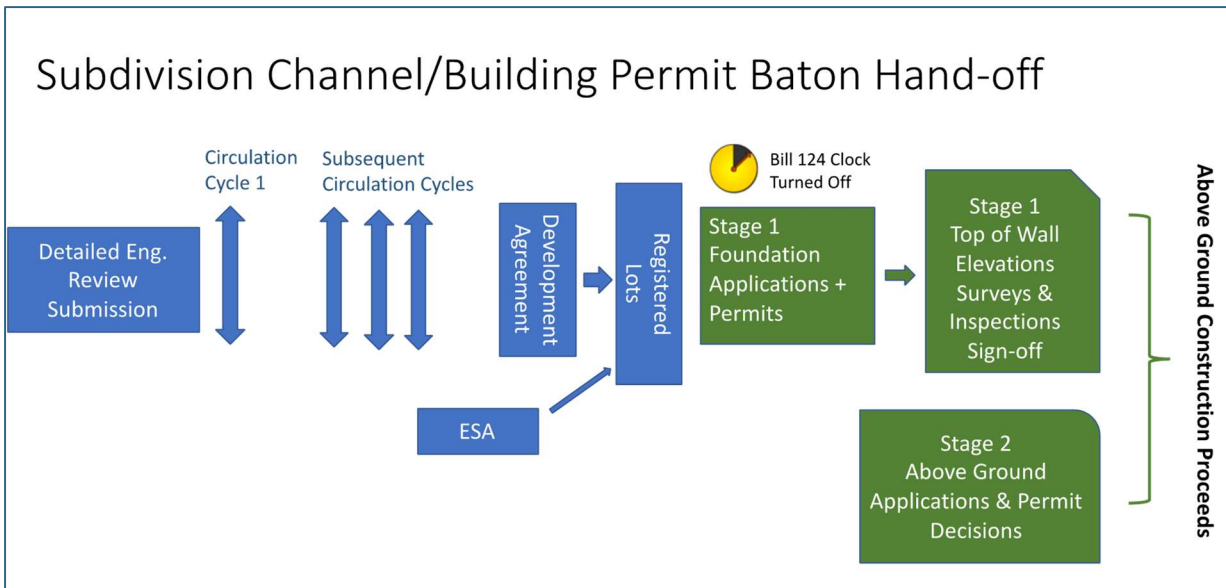
Overlapping of the monthly C of A report deadline with competing deadlines for other DAP files can cause workload spikes/choke points for Development Planning and Development Engineering staff. Open-ended C of A agendas (without caps on the number of files per meeting) can exacerbate these

Committee of Adjustment processes/commenting timeframes are not integrated into AMANDA. AMANDA workflow data management efficiencies/timeframe tracking represent significant improvement opportunities moving forward.

5.13 Planning/Engineering DAP “Baton Handoff” to Building DAP

Modernized DAP processes feature an overlapping baton-handoff from Planning/Engineering DAP (governed by the Planning Act) to Building DAP (governed by the Building Code Act). Well calibrated processing overlap provides applicants with a shorter overall DAP journey without compromising the effectiveness of the entire DAP model in securing regulatory compliance and high-quality development.

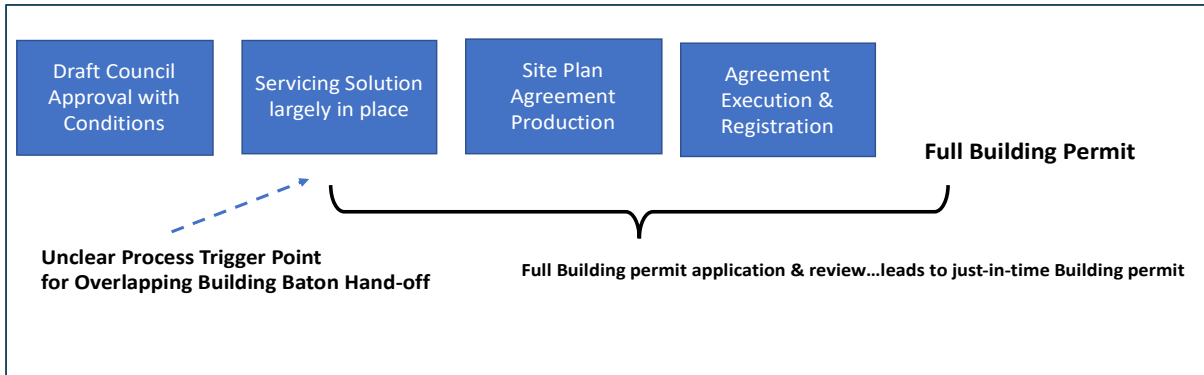
Peterborough executes an innovative and efficient baton handoff within the Subdivision generated approvals channel. The approach is not overlapping. Lots are registered before Building permit applications are initiated. The City uses a 2 stage Conditional Building Permits model. Stage 1 consists of a straightforward Foundation permit application and a quickly issued Foundation Permit. Since the applicant is not making a full/complete Building permit application the Building Code Act/Bill 124 clock is turned off and the City is not subject to a 10-day deadline for the full Building permit decision. Having obtained a Foundation Permit, an applicant can get in the ground without delay. While foundation construction is underway a second Conditional Building permit application (for above ground construction) can be received and reviewed by the City. Once the City executes its top-of-wall elevations inspection/survey sign-off (under the auspices of the stage 1 Permit), staff can authorize the Stage 2 above-ground permit and framing can proceed in an uninterrupted construction flow. The baton hand-off is a win-win for the City and the development industry – construction starts early, and the City avoids the staffing burden that would be required to meet “on the clock” Building Code Act permit decision deadlines.



The baton hand-off between Site Plan and Building follows a municipal sector industry standard model. A full Building permit application is permitted after Council draft approval of the Site Plan. Planning and Building staff then engage in a coordination dialogue around sufficient progress for clearing servicing solution conditions. While a specific processing trigger point has not been documented by the City for the overlapping Full Building permit application, the Building department

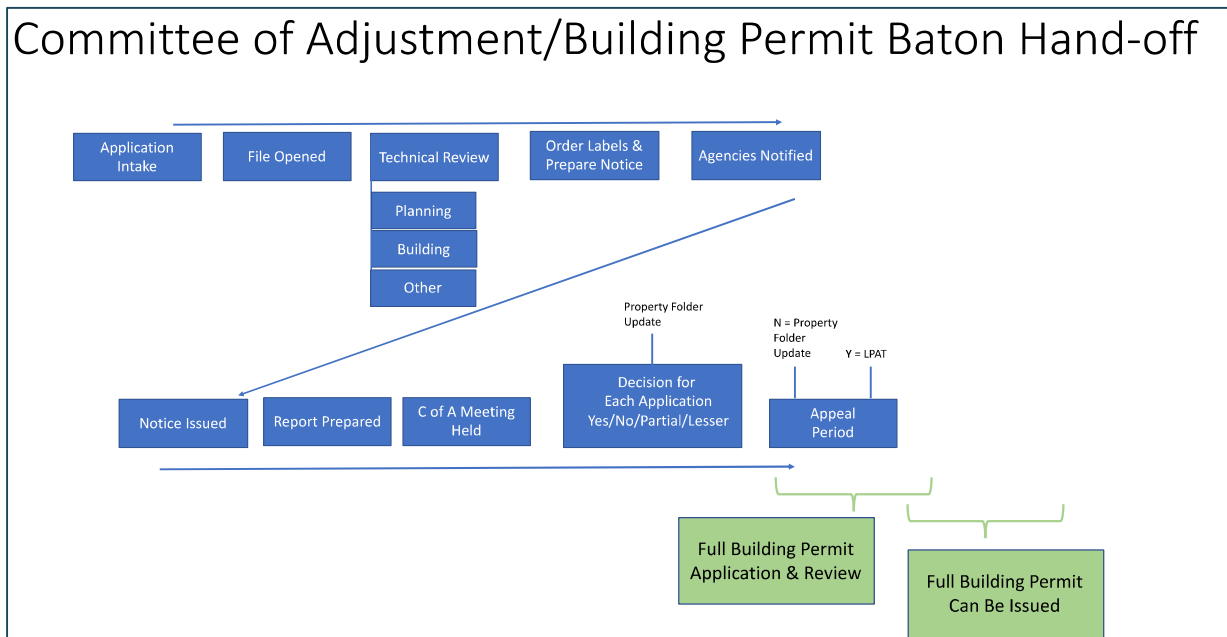


typically completes its review by the time the Site Plan agreement is ready for execution. A Building Permit can be issued immediately following the now completed Site Plan process. Applicants save significant time via the overlap in their overall Planning DAP/Building DAP journey.



The baton handoff between the Committee of Adjustment and Building is straightforward (see figure below). A full Building permit application will be accepted during the appeal period at the conclusion of a successful Minor Variance application. A Building Permit can typically be issued by City staff immediately after the end of an uncontested 20-day Minor Variance appeal period.

### Committee of Adjustment/Building Permit Baton Hand-off

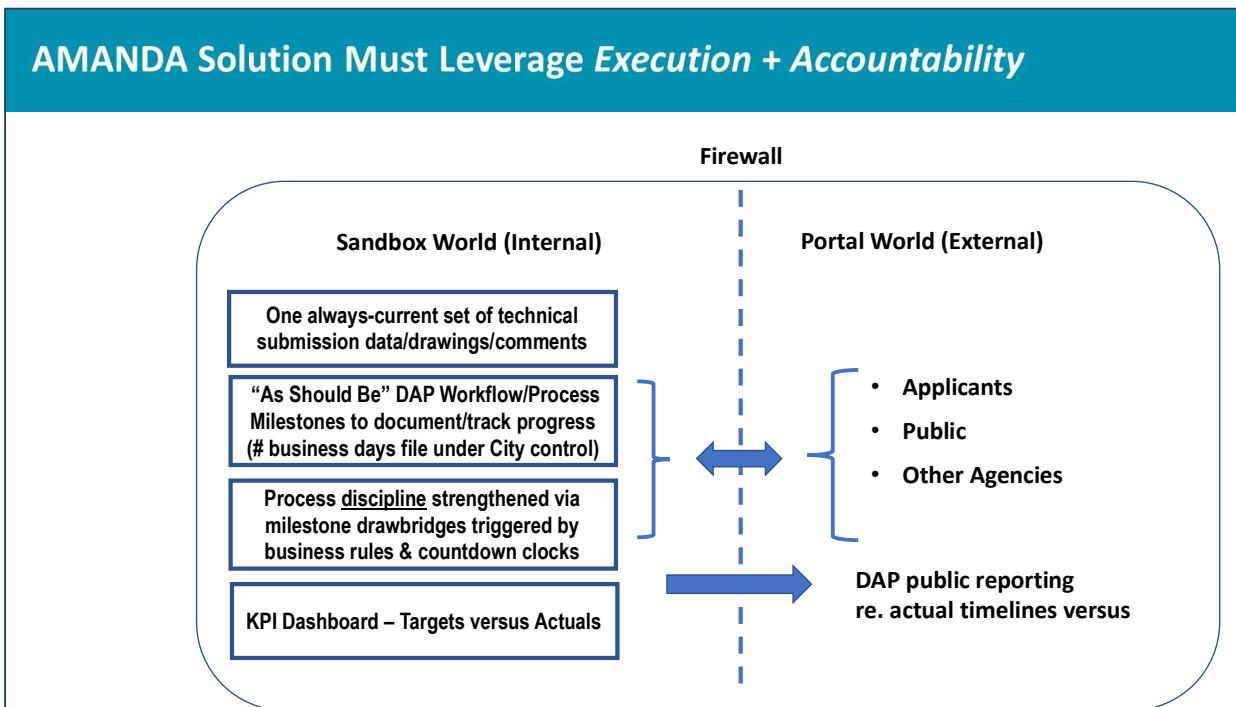


#### 5.14 AMANDA Workflow Technology Tool

AMANDA was originally designed as a permitting software solution. As is the case in most Ontario municipalities using AMANDA, Building Services were the early adopters in Peterborough. Changes to the Building Code Act in 2005 required municipalities to deliver permit decisions according to legislated timeframes. CBOs across Ontario used AMANDA to generate timeframe reporting by timestamping key processing milestones from application intake to the Building Permit decision.

Since 2005 City staff have intermittently attempted to commit to AMANDA as a Planning DAP workflow tool. To date these efforts have been unsuccessful. Staff from various IPS business units involved in Planning/Engineering DAP do not populate the current AMANDA 7 permits module, nor have they been trained to do so. To the extent City Planners use AMANDA at all, the full functionality of the tool is not currently being utilized. Application processing milestones are not being tracked or internally/externally reported. While the City has tried to set processing timeframe targets, it is not able to compare actual processing timeframes against these targets. A significant amount of DAP work is executed by Planners and stored outside of AMANDA in "black box" data sets/applications. The failure to employ AMANDA as a Planning/Engineering DAP workflow "central nervous system" predates the current IPS management team and many of the IPS frontline staff. There is a strong consensus across the City's current DAP staff team that "As Should Be" streamlined DAP execution processes should be managed/tracked using AMANDA. Currently the City has not purchased the AMANDA 7 Planning Approvals module or its supporting Conditions Clearance module. The City is currently considering whether or not additional modules are required beyond the AMANDA 7 Permits module used mostly by Building.

The figure below illustrates the DAP workflow functionality that can be delivered by AMANDA working in combination with an online DAP portal. The AMANDA sandbox will ensure DAP submission packages/documents/drawings are always updated across Technical Review Cycles. Process milestones can be tracked/time stamped, based on controllable file days. File progress across application milestones can be sequenced/coordinated using checkmark "drawbridges" built into AMANDA.



Performance reporting/report cards can be built into AMANDA using countdown clock functionality.

A DAP online portal will provide "read" access into AMANDA to allow the public, applicants, and external agencies to track progress of individual files and/or compare processing timeframes across a pool of files in a particular Planning application category.

The Performance Concepts/Dillon team is familiar with functionality capabilities built into AMANDA. While not endorsing AMANDA (or any other specific workflow tool) as a best practice solution, our team can confirm that AMANDA can definitely be configured to act as an effective Planning/Engineering DAP workflow tool.

### 5.15 **A Significant "As Is" Gap - Measuring DAP Performance**

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AMANDA milestone tracking/timestamping within each Planning/Engineering DAP application is the key to developing and implementing Key Performance Indicators (KPIs). The City already sets "soft" timeframe targets for its core DAP application categories, without tracking actual timeframes in AMANDA to compare actual processing performance times against desired performance times.

City staff across IPS are committed to developing KPIs in a coordinated rollout using the AMANDA workflow tool for Planning/Engineering DAP. Timeframe targets will reflect tracking progress across new "As Should Be" application review processes, and these targets will be informed by countdown clock tracking of actual processing timeframes after a fully configured AMANDA 7 Module rollout at some point in 2022.

The "As Should Be" section of this Report will propose a best practices performance measurement/results management model for DAP. Specific Key Performance Indicators (KPIs) and service level targets will be identified/recommended.

## 6.0 DAP “Best Practices” Scan - Case Studies

### 6.1 Case Study: Adopting a “Growth Pays for Growth” DAP Cost Recovery Model

DAP staffing models across Ontario suffer from chronic under-resourcing. Development Engineering teams (including designated subject matter experts) are especially prone to understaffing. Municipal staffing models do not reflect the fact that Draft Plan of Subdivision application volumes usually generate multiple Detailed Engineering Review phases per Draft Plan - a volumes multiplier workload challenge. As well the Province has compressed “no municipal decision” timeframe triggers for applicants to appeal to the OLT/LPAT. Finally, infrastructure design issues and built form innovations requiring resolution through DAP are growing more complex over time. Staffing shortfalls among can cause systemic processing timeframe failures, which in turn can prompt developers to pursue “planning by LPAT” as opposed to working collaboratively with municipalities.

Modern DAP revenue streams are required to fund the badly needed DAP staffing investments and IT workflow tools that can secure reasonable/predictable processing timeframes. These “growth pays for growth” revenue streams can reduce/eliminate property tax subsidization from existing taxpayer to fund new development. It is a political fact of life that elected Councils are wary of tax supported staffing increases for DAP. They are typically more willing to consider DAP fee supported staffing with only minor net tax supported budget impacts.

Innovation in the design of DAP fees is critically important for growth municipalities. Transitioning away from flat/fixed base fees for Subdivisions and Site Plans is necessary. The alternative of a base fee (\$) plus a per-unit/lot/hectare escalator (\$) is a best practice. A full-cost DAP fees review to ensure Planning Act Section 69 design compliance is also a positive step (activity-based costing fees justification). Finally, putting in place a % Construction Value fee to fund 100% of the required engineering review staff processing capacity is essential. The % Construction Value fee rate “sweet spot” based on peer comparisons is between 5% to 6%. Tiered % Construction Value rates (as in Milton and other GTA greenfield growth municipalities) are also a useful innovation in fees design.

Overall DAP cost recovery targets in the 75% to 100% range are advisable. The DAP cost-of-service “base” for these recovery targets should include IT system costs, indirect support costs like HR/Finance/Legal, a portion of Governance costs, and frontline DAP delivery costs wherever they are located within a municipal organization structure. The DAP cost base must be understood to extend well beyond a generic municipal Planning department. Full cost DAP fee reviews/studies are an import source of technical legitimacy for securing a “growth pays for growth” municipal budgeting model.

Once the DAP fuel is in place, via well designed fees and aggressive cost recovery targets, the pathway to adequate resourcing/staffing becomes readily achievable.

## 6.2

## Case Study: Business Process Re-engineering to Improve Application Timeframes

The Province has relentlessly increased pressure on municipalities to accelerate DAP processing velocity across their conveyor belt of applications. Bill 108 has compressed the “no municipal decision” timeframes trigger for an OLT/LPAT appeal to completely unrealistic levels (see table below). Performance Concepts/Dillon notes that the “no municipal decision” timeframe standard is expressed in simple calendar days, not business days nor municipal “controllable file processing days”.

### Bill 108 is a DAP Timeframes Game Changer

	Pre-Bill 139	Bill 139	Bill 108
Official Plan Amendment or OPA/Re-Zoning Combo Pack	180 Days	210 Days	120 Days
Re-Zoning	120 Days	150 Days	90 Days
Subdivision Draft Plan	180 Days	180 Days	120 Days

Site Plan Section 41 “no decision” trigger for OLT/LPAT is 30 Days

Across dozens of DAP review assignments, Performance Concepts/Dillon has documented process re-engineering “quick wins” that are applicable to Peterborough. These process re-engineering “quick wins” can help stabilize/reduce overall DAP execution timeframes as the City faces the imminent challenge of rapidly escalating application volumes and workload.

#### **Key Finding: Carefully Calibrate Overlapping Planning and Building Permit Processes**

Many Ontario municipalities still employ a *sequential* processing model where Building Permit applications are not encouraged prior to Site Plan agreement execution or Subdivision lot registration. The sequential model typically triggers aggressive Building Code Act timeframes for a Building Permit decision by the municipality - since applicable law is typically in place and a complete Building Permit application has been submitted.

A growing number of Ontario municipalities have opted for an *overlapping* processing model.

Once a Site Plan application has progressed to a certain point (typically a 2<sup>nd</sup> completed technical circulation or Engineering sign-off on the site drawings), a Building Permit application is encouraged. The Building plans examination process is executed in parallel with the production of the Site Plan development agreement and the final execution of that agreement. Once the Site Plan agreement is executed the Building permit decision is immediately delivered on a “just in time” basis (thereby satisfying applicable law requirements). From the point of view of the applicant, the overall timeframes for the overlapping model are significantly shorter than the sequential approvals model. The Building permit issuance timeframe may take longer than the Bill 124 standard, but the overall DAP timeframe for the applicant is shorter.

Rather than rely on ad-hoc communication between Planning and Building staff to coordinate the overlap, the emerging best practice is to implement a DAP workflow technology solution. The DAP workflow tool solution works in the following manner:

1. Establish a Site Plan process milestone that acts as the trigger for receipt of a complete Building Permit application. A common trigger point is Engineering sign-off on the Site Plan drawings.
2. Create a progress “check-mark” in the workflow tool for the above selected trigger point. If that trigger is not check marked in the workflow tool, the workflow tool will not initiate/accept a new Building Permit application for the project in question.
3. Once the trigger point has been check-marked, Building Department staff proceed with their application review and they arrive at a permit issuance decision. The Building Code Act timeframe clock has been turned off because final Site Plan approval has not been secured.
4. The workflow tool is pre-programmed to prevent issuance of a Building Permit (once the permit decision milestone has been reached) unless a second Site Plan processing trigger has been check-marked; Final Site Plan approval that culminates in the agreement execution. Once that second trigger has been check-marked the DAP workflow tool will lower its sequencing drawbridge and allow Building Permit issuance.

The case study best practice is best expressed as *carefully calibrated overlap managed/overseen with a DAP workflow tool functioning as a process coordination drawbridge.*

***Key Finding: Expand/Strengthen Upstream Processes to Generate Downstream Efficiencies***

Rigorous quality control at the front-end of DAP can generate significant downstream processing benefits. The following front-end process innovations can reduce the duration and number of Technical Review Cycles that are the core driver of DAP conveyor belt velocity/duration.

- At the end of the Pre-consult process, require the applicant to enter into a mutually agreed upon written “Understanding” that documents the required DAP approvals and the supporting checklist of technical submission items for each application. The applicant should be required to electronically acknowledge the Understanding document, and an application submission cannot proceed without the acknowledgement of the Understanding document. This refined Pre-consult model places the municipality in a strong position to reject application submissions that do not conform with the requirements of the Understanding document - after all the applicant agreed to the requirements via the electronic acknowledgement.

A DAP portal for application intake can be programmed to reject any application upload attempt by an applicant that does not include the complete inventory of submission checklist requirements set out in the Pre-consult Understanding document. A portal can/should filter incomplete applications according to the Understanding checklist for each pre-consult (checklists imbedded in the DAP workflow tool and referenced by the portal when setting up application intake forms/screens).

- A 2-step quality assurance screening process can be implemented once an application has been successfully submitted across a DAP portal. The first step is a “piece count” scan. A municipal Planner/Planning Tech can quickly evaluate the submitted materials for each checklist submission item to ensure it appears to be valid and does not have obvious/conspicuous gaps. The second step is a “shallow dive” adequacy review where Planning/Engineering staff execute a content adequacy review of key submitted elements. This adequacy review is not as thorough as the upcoming Technical Review Cycle deep dive review. The key is to ascertain that the submitted materials are “good enough” to proceed for a Technical Review Cycle on a timeframe countdown clock with a targeted completion deadline. If the shallow dive review finds showstopper content gaps/inadequacies, then the application is refused, and remedial action is required of the applicant via a re-submission of the entire application package. If the shallow dive review finds the submitted materials adequate, the application can be deemed complete/adequate, and an official 1<sup>st</sup> Technical Review Cycle can proceed according to its own timeframe clock/target.

***Key Finding: Maximize Delegated Approvals Authority from Council to Staff***

Progressive Councils that delegate Site Plan approval to staff are trading control for results. Site Plan timeframes can be significantly compressed once Planning staff execute the appropriate technical review, arrive at a delegated decision but do not need to produce Council reports, avoid having to schedule a decision on a future Council agenda, or risk an ill-advised decision by Council members not conversant in the technicalities of Site Plan technical solutions. Overall Site Plan approval timeframes can be reduced by 25% to 33% in the experience of the Performance Concepts/Dillon team (compared to a sequential model). Contentious/disputed Site Plan files can be escalated by staff for Council consideration on an “exceptions” basis. It is worth remembering that Site Plan approvals do NOT require public consultation, making them delegation friendly. A range of other Planning/Engineering approvals are suitable for delegation - Condominiums, H Removal, development agreement execution, amended Draft Plan application approvals, Draft Plan extension etc.

***Key Finding: Adopt Differential Processing Time Targets for Technical Review Cycles***

Technical Review Cycles are the core work element in Planning/Engineering DAP. The technical ping-pong between applicants and the municipality needs to be executed in a timely fashion, but not so fast that due diligence in securing design excellence is compromised. Timeframe targets for timely municipal review are essential. Timeframes are measured in *file processing days under municipal control*. The municipality cannot control the timeframes of the applicant on that side of the technical ping pong game.

The 1<sup>st</sup> Technical Review Cycle is a different animal than subsequent Review Cycles. All of the technical submission items submitted with the application are still on the table and require comment/analysis. Any quality gaps/content problems with submitted items need to be addressed/resolved. In contrast subsequent Review Cycles will deal with progressively fewer items,

and the complexity of the comments/analysis will hopefully be reduced. Bottomline, 1<sup>st</sup> Review Cycle timelines need to be longer than subsequent Review Cycle timelines.

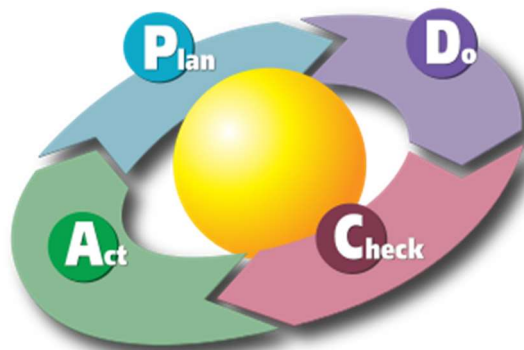
Differential processing time targets should also address the issue of complexity. Reviewing a 400 unit/20 Hectare Subdivision Draft Plan is inherently more complex than reviewing a 100 Unit/10 Hectare Draft Plan. DAP fee design acknowledges this complexity gap by applying a per unit escalator (\$) on top of a base fee (\$). Processing timeframes for Review Cycles can/should reflect these complexity realities. For instance, a 1<sup>st</sup> Review Cycle timeline of 35 business days might be sufficient for a Detailed Engineering Review phase of 100 units. But a Detailed Engineering Review phase of 250 units may well require a 60-day Review Cycle.

The combination of a longer 1<sup>st</sup> Review Cycle, with an overlay of additional time for complex/larger applications, constitutes a processing/measurement best practice for growth municipalities.

### 6.3 Case Study: Using Workflow Tool Supported KPIs to Implement a Results Based DAP Model

From a process execution perspective, DAP is best understood as a “ping pong” game played by municipal staff, external agencies, and applicants. Technical submissions supplied by applicants’ “ping” and “pong” back and forth until the City/external agencies are satisfied that the required land use and infrastructure design approvals can be granted to the applicant. At any given point in time a Planning DAP application is under the management/control of the municipality or the applicant. A timely/predictable conclusion to the DAP “ping pong” game is a shared objective of all participants.

Key Performance Indicators (KPIs) are a must-have component for a DAP model to function according to Results Based Management principles. DAP KPIs must be designed to track/measure *controllable processing days* that an application spends on the municipal side of the “ping pong” game. Conversely, it is the applicant’s job to measure/manage the number of days the file spends under their control. *Controllable processing day* KPIs can be used to set performance targets across key DAP progress milestones. *Actual controllable days* can be compared to *targeted controllable days*. Targets can differ across the various DAP application categories (i.e., Site Plan versus Minor Variance). Targets can also differ across DAP application processing milestones (i.e., Deemed Complete versus 1<sup>st</sup> Technical circulation versus Development Agreement production).





### ***The DAP Results Management Cycle***

KPIs and performance targets based on *controllable file processing days* inject process execution discipline into DAP. Accountability is improved via regular comparisons of actual required processing days versus targeted days. All of this data can and should be tracked and reported via a DAP workflow tool like AMANDA.

Peter Drucker, perhaps the most highly regarded management thinker/guru of the 20<sup>th</sup> century, often noted that “...you can’t manage what you can’t measure”. Results focused KPIs will promote a DAP culture of accountability within any municipal management team, and KPI data/targets will inform a municipal staff team’s decision about which DAP files to work on at any given point in time. Setting DAP performance targets is an iterative process. Prior to tracking timeframe progress in a DAP workflow tool, a municipality can set “soft” targets that are not informed by actual tracked timeframes. Once reliable timeframe tracking data is available from an adopted DAP workflow tool solution, targets can be firmed up and annual actual processing timeframes can be evaluated against annual planned timeframes. If actuals fail to meet targets, process or staffing adjustments will be required to close the gap. The ultimate destination is an annual Plan-Do-Check-Act cycle of measurement-driven continuous improvement - a Managing for Results framework for DAP.

## 7.0

## Towards “As Should Be” DAP Transformation

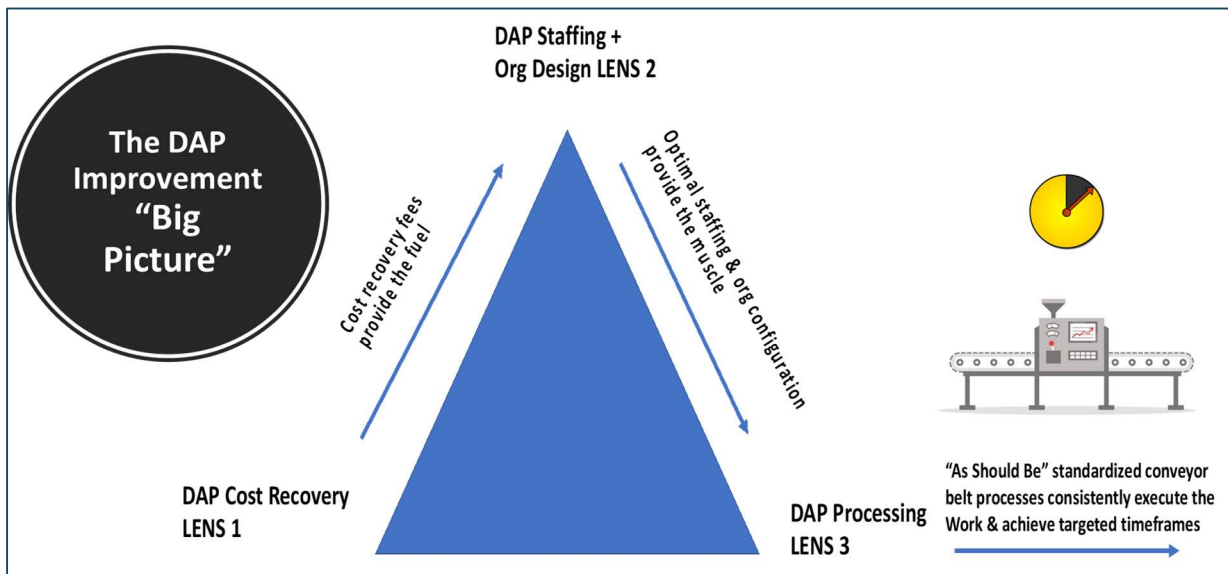
Transforming DAP into a high-performance service delivery model requires sustained improvement/modernization across three performance lenses (see figure below).

The 1<sup>st</sup> “big picture” performance lens is the DAP cost recovery/revenue stream lens. DAP fee design innovations and aggressive “growth pays for growth” fees pricing are critical ingredients to provide the fuel for robust/necessary DAP staffing investments.

The 2<sup>nd</sup> big picture performance lens is the DAP staffing/org design lens. A robust staffing model that delivers the right amount/right cross-disciplinary mix of staff processing hours is essential to high performing DAP. Councils are more likely to approve robust staffing investments when the DAP fees fuel minimizes/eliminates property tax subsidization. An optimal org design is the final ingredient. One Window integrated Planning/Development Engineering organization design can be effective. So can tightly integrated Development Engineering/Public Works models.

The 3<sup>rd</sup> big picture performance lens is the creation of “As Should Be” streamlined/coordinated DAP processes supported by a modernized IT portal/workflow tool solution. Process innovations that improve up-front submission quality pay downstream dividends during effort intensive Technical Review Cycles. Delegated Council approvals to staff also pay significant processing time dividends.

All three big picture performance improvement lenses interact to create the transformation benefits that the City requires to meet the challenge posed by imminent DAP application volumes.



## 7.1 DAP Cost Recovery Lens - Securing the Fuel

The “As Is” analysis of peer comparator DAP fees design/pricing has informed the “As Should Be” the “Securing the Fuel” Findings put forward by the Performance Concepts/Dillon team.

### 7.1.1 Full Cost Recovery DAP Fees

Peterborough lags behind peer cities in securing a “growth pays for growth” DAP funding model. Systemic under-recovery of DAP costs is creating a significant property tax funded subsidization of new development by existing residents and businesses. Planning Act Section 69 requires activity-based costing rigour in designing a modernized portfolio of cost-recovery DAP fees. Modernized fee structures/pricing will generate a sustainable/robust revenue stream that will contribute to appropriate staffing capacity (DAP processing hours) and stable/consistent application processing timeframes. Consistent processing timeframes are critically important to development industry firms managing their cashflow and construction supply chains. Modernized DAP fees will have a significant positive impact on applicant outcomes and should generate positive longer term financial benefits for the industry and for Peterborough taxpayers currently subsidizing development.

#### ***Overarching Need for a Planning DAP Full-cost Fees Review***

Ontario growth municipalities have established a “best practice” recipe for modernizing DAP fee design and cost-informed pricing. The key is to undertake a full-cost DAP fees study executed by a firm with demonstrated expertise/experience in activity-based costing as it applies to DAP. A full-cost DAP fees study can be completed within a 4-month timeframe, in time to secure meaningful Planning DAP revenue enhancement within the 2022 budget year. A Peterborough full-cost DAP fee review will not only modernize existing fees. It will also identify new DAP fees to incentivize high quality applicant submissions and promote an efficient application review process (e.g., Resubmission fees beyond 2<sup>nd</sup> Technical Review cycle).

In order to provide financial stability and demonstrate the link between modernized fees and improved DAP performance, a phase-in plan for Peterborough’s “growth pays for growth” DAP fees model is a prudent and appropriate option for the City to consider. A three-year phase-in demonstrates ongoing partnership with the development industry to ensure value-for-money DAP improvements materialize in tandem with cost allocation fairness for existing taxpayers.

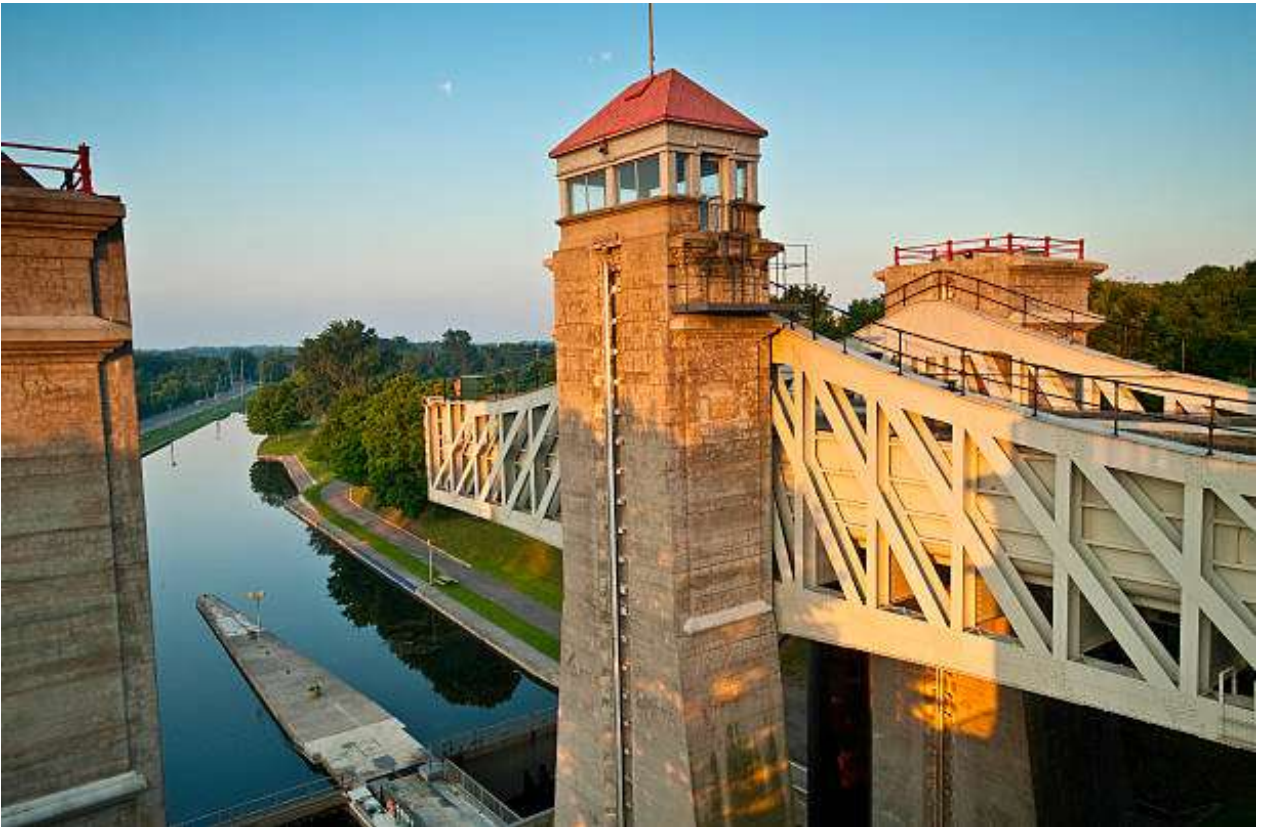
#### ***% Construction Value Fee Rate Adjustment***

There is ample evidence from the peer municipal comparison of Engineering Review fees for Peterborough to adjust its current 5.5% Construction Value rate to 6% moving forward. The net revenue stream improvement will help support the recommended new 5,400 billable hours for IPS Subject Matter Experts to support DAP and meet new target timeframes.

## 7.1.2

**Aggressive “Growth Pays for Growth” Cost Recovery Targets**

Planning/Engineering DAP should be governed by the same “enterprise” full-cost recovery financial policy framework as Building. The City’s ultimate cost recovery target should be *at least 80%* and should incorporate a 25% internal charge from City indirect support functions like Finance/HR/Facilities/IT plus Council governance. Staff should finalize a three-year phased migration plan to its Planning/Engineering DAP cost recovery target prior to Council adopting the 2022 operating budget.



## 7.2 DAP Staffing/Org Design Lens - Securing the Muscle

Once the DAP fee revenue stream has been modernized to supply the fuel, the City can make critical investments to upgrade its resourcing/staffing muscle across IPS. That muscle will be deployed to execute streamlined DAP processes and secure predictable/consistent processing timeframe service standards. Without the muscle the execution of DAP processes will not be timely, and the City will be internalizing unacceptable levels of risk around a “planning by OLT/LPAT” worst case scenario.

### 7.2.1 Initial IPS Investments in DAP Subject Matter Expertise

Feedback gathered from City staff and development industry participants points to the need for additional DAP processing capacity (billable hours) across the IPS business units that supply “deep dive” technical review for Subdivisions, Site Plans and Detailed Engineering Reviews. This work is typically focussed on the road network/traffic system, water infrastructure, wastewater infrastructure and stormwater infrastructure.

In a perfect world, the City would be able to generate an accurate forecast of upcoming DAP applications and use that forecast to project processing hours required per application. In the real world the pattern of DAP demand in Peterborough is not as predictable as a municipality like Brantford that is about to experience a decade of steady/predictable greenfield residential subdivision growth. The pattern in Peterborough is more fluid with periodic waves of activity and lulls. Therefore, a less mechanical/less arithmetic approach to resourcing upgrades is required. The recommended upgrades are less about volume increases and more about stabilizing processing timeframes at appropriate/consistent levels that comply with service level standards/targets. The evidence is clear that current actual processing timeframes do not comply with City “soft” targets, nor do they meet reasonable development industry expectations.

On the good news side of the staffing capacity challenge, the City is going to develop robust non-tax revenue sources to fund a billable hours’ upgrade. The 5.5% Construction Value DAP Engineering Review fee is a case in point.

A 2022 staffing capacity upgrade of 5,400 billable hours for Subject Matter Experts to address DAP workload will inject significant processing timeframe stability into DAP. This 5,400 added processing hours equates to 3 FTEs of DAP capacity expansion. A DAP capacity expansion will also ensure existing billable processing capacity within IPS business units is made available for the City’s traditional non-DAP capital construction program.

It needs to be noted by Council/City staff leadership that *approving* a DAP staffing capacity upgrade is far different than implementing/executing that upgrade. The employment market for the technically qualified staff the City requires is extremely tight. Municipal and private sector competition for qualified/experienced staff is fierce. The City may need to adjust its compensation model to succeed in retaining the required expertise. Retirement and recruitment challenges will need to be addressed in parallel moving forward.

### 7.2.2 Subsequent Investments in Planning/Engineering One Window Staff

The role of *One Window* staff is to coordinate DAP workflow across applicants, consultants, Council, IPS Subject Matter Experts and other City business units. One Window Staff also deal with content reviews that do not require direct involvement from SMEs. Once AMANDA is properly rolled out as the DAP “central nervous system” One Window staff will become much more productive/efficient in their important coordination/logistics role. Any potential staffing upgrades within the *One Window* staff team should be deferred until the AMANDA productivity dividend becomes more apparent. The priority is recruiting the required 5,400 SME processing hours (3 FTE equivalent) in other IPS business units.

### 7.2.3 Priority SME Staffing Choke Point to Eliminate

Timely execution of Stormwater Technical Review by a combination of *One Window* staff + Subject Matter Experts has been identified as a choke point by the City and development community representatives. A significant portion of the recommended 5,400 additional SME billable processing hours should be devoted to stabilizing stormwater review timeframes.

### 7.2.4 AMANDA Configuration Choke Point

AMANDA workflow tool modernization/configuration is a key driver of DAP improvement for Peterborough. The City is not properly resourced with specialized AMANDA expertise across its Planning, Building and IT business units to utilize AMANDA as the “central nervous system” of a high performing DAP model. Contracted AMANDA expertise is both available and necessary for the City to execute timely Planning/Engineering DAP workflow modernization and integration with a new DAP portal, Bluebeam mark-up software, and GIS data layers. As is currently the case for the Building department, ongoing permanent AMANDA expertise (at least 1 FTE) is required for Planning/Engineering DAP workflow tool configuration, performance reporting and staff training. AMANDA support hours/expert staff should be specifically linked to Planning/Engineering DAP and recovered via modernized DAP fees following the recommended full-cost fees review.

### 7.2.5 Emerging City Resourcing Challenge – Pending Expansion of MOE Delegation of DAP Approvals

The Province is currently laying the groundwork for a significant expansion of its delegated review/approvals model for water, wastewater, and stormwater infrastructure. The delegation of MOE approvals represents a significant opportunity to improve DAP processing timeframes across Ontario. The traditional MOE “in-sourced” review and approvals model has created significant DAP processing time bottlenecks in the past. Delegated municipal approvals should generate measurable efficiencies. However, the staffing/processing hours required for operationalizing this responsibility download are not yet in place in Ontario cities – including Peterborough. City staff need to proactively plan for assuming expanded MOE delegated approvals responsibilities in the 2022 budget, including the designation of a qualified P Eng. to assume the role of the MOE’s delegated “decider”.

## 7.2.6 Organization Design Refinements & Roles/Responsibilities Clarification for Executing DAP

Changes in organization design should always be subjected to the test of “form follow function”. DAP is no exception to this organization design principle. Peterborough requires service delivery transformation across DAP. Organization design can either help or hinder in the necessary transformation of the DAP processing conveyor belt. The creation of an IPS *One Window* development review team in 2019 (consisting of Development Planners and Development Engineers) was an appropriate action to create focus/accountability for DAP execution. However, the City’s transition to *One Window* remains a work in progress. Detailed implementation requires additional clarity around the roles/responsibilities of the Planning/Engineering team and the *Subject Matter Experts* (SMEs) distributed across other IPS business units. The SMEs have significant duties outside of DAP that must be balanced against their DAP accountabilities, with the reality of finite “billable hours” capacity looming large. Any role and responsibility inefficiencies/unnecessary redundancies need to be addressed.

The following “Who Does What” roles clarification matrices will complete the transition to an efficient *One Window* org design model with distributed/reliable SME support if/when required. Matrices have been developed for the following application categories:

- Site Plans
- Re-zonings
- Subdivision Draft Plans
- Post-Draft Plan Engineering Reviews

In each case the goal has been to develop Primary/Secondary responsibility across City business units and ORCA. Significant clarity and minimal redundancy in roles will be achieved for future application review purposes. Subject Matter Expertise will be secured as required from certain City business units not officially circulated in the clarified “Who Does What” matrices. Implementation of these clarified Primary/Secondary responsibilities will be secured and refined over time by City staff.

The process of establishing “Who Does What” DAP roles and responsibilities employed during this DAP review can and should be used to address upcoming DAP execution challenges. An important example is the pending expansion of MOE delegated approvals to the City for water, wastewater and stormwater services required by growth.

Finally, clarification of IPS roles and responsibilities is required for AMANDA to properly sequence and regulate DAP application workflows and identify/solve potential choke points.

**“Who Does What” Role Clarification – Site Plan**

The following list of Site Plan “complete application” submission requirements has been subjected to role clarification/sorting by Performance Concepts and a City staff team. Not every submission requirement in the master list is necessary for every submitted Site Plan application. The Site Plan/Concept Plan item at the beginning of the list will be widely reviewed by all DAP business units for technical commentary, and subsequent specific submission items in the list will now be subjected to a streamlined review by significantly fewer overlapping City DAP business units or by a Primary “decider” business unit. ORCA will conduct parallel supporting reviews as required by their distinct mandate.

**Site Plan Application Submission**  
Application Submission Checklist

	Development Planning	Development Engineering	Infrastructure Management	Transportation	Eng & Construction	Public Works	Building	Public Utility - Water	Fire	ORCA
Site Plan / Concept Plan	Primary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary
Context Plan										
Building Elevations/ Conceptual Renderings/Building Massing Models		Primary								
Landscape Plan	Primary		Secondary							
Site Servicing Plan		Primary								
Grading Plan		Primary								
Construction Management/Staging Plan		Primary								
Lighting/Photometrics Plan	Primary									
Tree Compensation Plan			Primary							
Arborist Report			Primary							
Tree Inventory & Preservation Plan			Primary							
Planning Justification Report / Planning Rationale	Primary									
Parking Justification Report				Primary						
SWM Pond Planting Plan			Primary							
SWM Report			Primary							Primary
Functioning Servicing Report		Primary								
Erosion and Sediment Control Plan		Primary								Secondary
Existing Conditions Plan		Primary								
Archeological Assessment	Primary									
Underground Parking Plans	Primary									
Floor Plans							Primary		Primary	
Water and Wastewater Servicing Capacity/Feasibility Study		Primary								
Clean Water Act Notice										Primary
Hydrological Study			Primary							
Geotechnical Study		Primary								
Heritage Impact Study	Primary									
Noise/Vibration Impact Study	Primary									
Natural Heritage Impact Study	Primary		Secondary							Secondary
Cultural Heritage Impact Study	Primary									
Sun/Shadow Study	Primary									
Traffic Study				Primary						
Topographic Survey		Primary								
EIS/ Environmental Impact Brief										Primary
Urban Design Guidelines	Primary		Secondary							
Slope Stability Study		Secondary								Primary

PRIMARY RESPONSIBILITY  
SECONDARY RESPONSIBILITY





**“Who Does What” Role Clarification – Subdivision**

The following list of Subdivision Draft Plan “complete application” submission requirements has been subjected to role clarification/sorting by Performance Concepts and a City staff team. Not every submission requirement in the master list is necessary for every submitted Subdivision Draft Plan application. The Draft Plan of Subdivision item at the beginning of the list will be widely reviewed by all DAP business units for technical commentary, and subsequent specific submission items in the list will now be subjected to a streamlined review by significantly fewer overlapping City DAP business units or by a Primary “decider” business unit. ORCA will conduct parallel supporting reviews as required by their distinct mandate.

**Subdivision Application Submission**  
Application Submission Checklist

Development Planning	Development Engineering	Infrastructure Management	Transportation	Eng & Construction	Building	Public Works	Public Utility - Water	Env Services	Fire	ORCA
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Draft Plan of Subdivision	■									
Planning Justification Report	■									
Preliminary Natural Heritage Feature Screening	■		■							■
Environmental Impact Study										■
Natural Heritage Monitoring Plan										■
Tree Inventory/Preservation/Enhancement Study			■							■
Floodplain and Erosion Hazard Study										■
Geotechnical/Slope Stability Study		■								■
Cut/Fill Floodplain Analysis										■
Hydrogeological Assessment			■							
Groundwater and Well Monitoring Plan		■								
Fish Habitat Assessment										DFO
Energy Conservation Study										
Environmental Site Assessment/Record of Site Condition	■				■					
Shoreline Engineering Report										■
Fluvial Geomorphology Study/Meander Belt Analysis										■
Water Balance Analysis			■							■
Species at Risk Screeking/Evaluation										■
Cultural Heritage Impact Assessment	■									
Archaeological Assessment	■									
Cultural Heritage Conservation Plan	■									
Parking Study			■							
Functional Servicing Study		■								
Impact Development Strategy		■	■							■
Preliminary Sediment and Erosion Control Plan		■								■
Water Quality Impact Assessment			■							■
Land Use Feasibility Analysis/Noise Study	■	■								
Land Use Compatibility Study	■	■								
Vibration Impact Study	■	■								
Retail Market Analysis	■									
Infrastructure Cost Assessment		■								
Municipal Financial Impact Assessment	■									
Affordable housing assessment	■									
Public Consultation Strategy	■									

PRIMARY RESPONSIBILITY ■  
SECONDARY RESPONSIBILITY ■

**“Who Does What” Role Clarification – Detailed Engineering Review**

The following list of Detailed Engineering Review “complete application” submission requirements has been subjected to role clarification/sorting by Performance Concepts and a City staff team. Not every submission requirement in the master list is necessary for every submitted Detailed Engineering Review application. Each specific submission item in the list will now be subjected to a streamlined review by significantly fewer overlapping City DAP business units or by a Primary “decider” business unit. ORCA will conduct parallel supporting reviews as required by their distinct mandate.

**Detailed Engineering Review Application Submission**  
Application Submission Checklist

	Development Planning	Development Engineering	Infrastructure Management	Transportation	Eng & Construction	Public Works	Building	Public Utility - Water	Env Services	Fire	ORCA
General Servicing Plans											
Landscaping Plans											
Lot Grading Plans											
Plan & Profile Street Design Plans											
Stormwater Management Pond Plans											
Utility Co-ordination Plans											
Erosion and Sediment Control Plans & Reports											
Engineering Details											
Pavement Marking and Signage Plans											
Street Lighting and Photometrics Plan											
Tree Inventory & Preservation Plan											
Planning Justification Report											
Parking Justification Report											
SWM Report & Functioning											
Existing Conditions and Removals Plans											
Archeological Assessment											
Concept Site Plan											
Hydrogeological Study											
Geotechnical Study											
Noise Impact Study											
Natural Heritage Impact Study											
Topographic Survey											
Urban Design Guidelines											

PRIMARY RESPONSIBILITY  
SECONDARY RESPONSIBILITY





**“Who Does What” Role Clarification – Re-Zoning**

The following list of Re-Zoning “complete application” submission requirements has been subjected to role clarification/sorting by Performance Concepts and a City staff team. Not every submission requirement in the master list is necessary for every submitted Re-Zoning application. The Site Plan/Concept Plan item at the beginning of the list will be widely reviewed by all DAP business units for technical commentary, and subsequent specific submission items in the list will now be subjected to a streamlined review by significantly fewer overlapping City DAP business units or by a Primary “decider” business unit. ORCA will conduct parallel supporting reviews as required by their distinct mandate.

**Re-Zoning Application Submission**  
Application Submission Checklist

	Development Planning	Development Engineering	Infrastructure Management	Transportation	Eng & Construction	Building	Public Utility - Water	Env Services	Fire	ORCA
Site Plan or Concept Plan	Primary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary	Secondary
Planning Justification Report	Primary									
Preliminary Natural Heritage Feature Screening	Secondary		Secondary							Primary
Environmental Impact Study	Secondary		Secondary							Primary
Tree Inventory/Preservation/Enhancement Study			Primary							Secondary
Floodplain and Erosion Hazard Study			Secondary							Primary
Geotechnical/Slope Stability Study		Primary								Secondary
Cut/Fill Floodplain Analysis										Primary
Hydrogeological Assessment			Primary							
Groundwater and Well Monitoring Plan		Primary								
Fish Habitat Assessment										DFO
Energy Conservation Study										
Environmental Site Assessment/Record of Site Condition	Primary					Secondary		Secondary		
Shoreline Engineering Report			Secondary							Primary
Fluvial Geomorphology Study/Meander Belt Analysis										Primary
Water Balance Analysis			Secondary							Primary
Species at Risk Screening/Evaluation										Primary
Cultural Heritage Impact Assessment	Primary									
Archaeological Assessment	Primary									
Cultural Heritage Conservation Plan	Primary									
Traffic Impact Study				Primary						
Parking Study				Primary						
Functional Servicing Study		Primary								
Preliminary Stormwater Management Report		Secondary	Primary							Secondary
Preliminary Sediment and Erosion Control Plan		Primary								Secondary
Water Quality Impact Assessment			Primary							Primary
Land Use Feasibility Analysis/Noise Study	Primary	Secondary								
Land Use Compatibility Study	Primary	Secondary								
Vibration Impact Study	Primary	Secondary								
Retail Market Analysis	Primary									
Affordable housing assessment	Primary									
Rental Housing Conversion Assessment	Primary									
Public Consultation Strategy	Primary									
Building Elevation Drawings	Primary					Secondary			Secondary	
Angular Plane Analysis	Primary									
Shadow Impact Study	Primary									
Urban Design Report and Streetscape/Public Realm Plan	Primary	Secondary		Secondary						

PRIMARY RESPONSIBILITY   
SECONDARY RESPONSIBILITY 

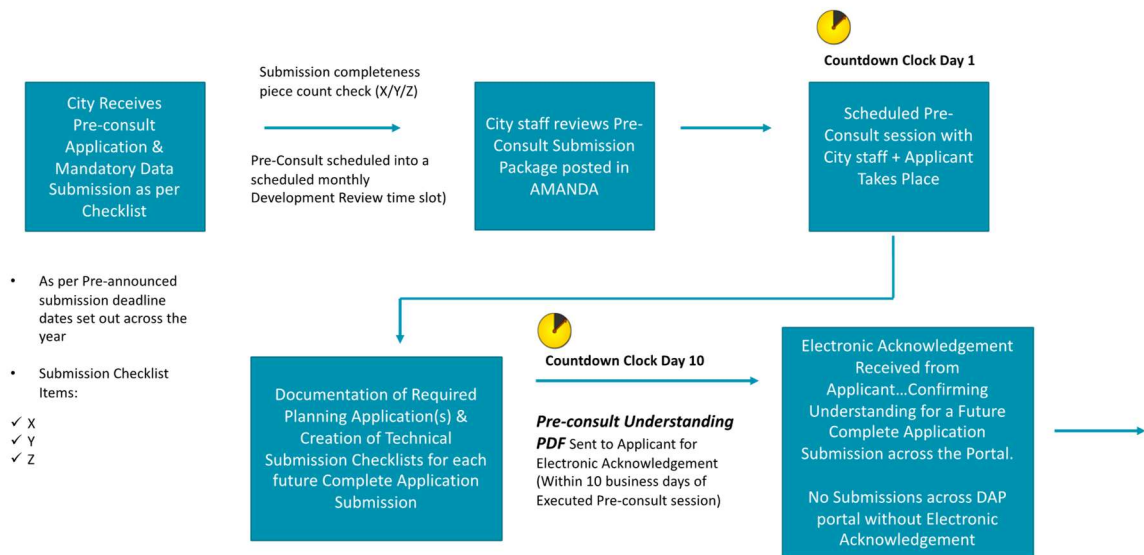
### 7.3 Strengthening the “As Should Be” DAP Conveyor Belt

Once the DAP fuel and the staffing/processing hours muscle have been modernized and upgraded to reflect the need for consistent/predictable processing timeframes, the City has a window of opportunity to streamline/standardize DAP delivery processes. Process improvement is inextricably tied to IT transformation via a DAP portal integrated with a fully utilized AMANDA workflow tool.

#### 7.3.1 Securing a Formalized Pre-Consultation Understanding with Applicants

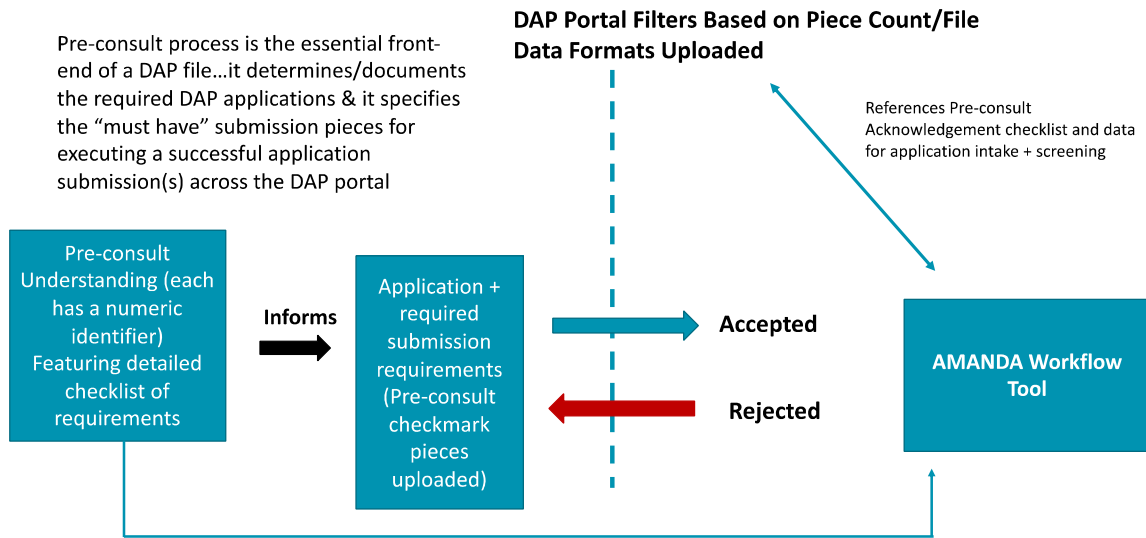
The City’s pre-consultation model needs to be properly integrated with a new DAP portal and a fully deployed AMANDA workflow tool. The “As Should Be” process mapping (see figure set out below) sets a new City’s 10-day service standard for producing a complete submission requirements package for applicants. It maintains Peterborough’s existing practice of pre-scheduling “Pre-consult Only” meeting slots across the calendar year. A new Pre-consultation Understanding document will formalize the results of the Pre-consult meeting with applicants. Applicants will need to electronically acknowledge the contents and requirements of the Pre-Consultation Understanding in order to apply over the portal with application forms/submission packages for specific DAP approvals.

### “As Should Be” Site Plan Process – Pre-Consult Understanding Stage



DAP IT modernization will leverage the “As Should Be” Pre-consult improvements. The figure below documents the interactions between a new Pre-consult Understanding, a new DAP Portal and a fully utilized AMANDA. Pre-Consultation and Application Submission are seamlessly integrated via these modernized DAP IT tools.

## Portal/Workflow Tool – Filtering Application Completeness

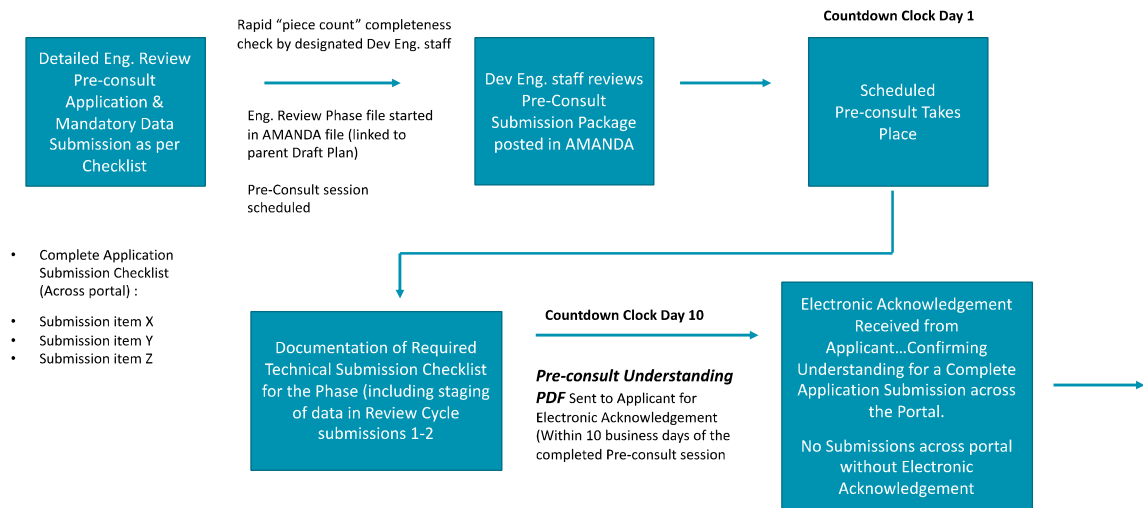


An intriguing process improvement opportunity at the Pre-consult stage involves the Draft Plan of Sub-division *Neighbourhood Meeting* executed by the Applicant. Moving the *Neighbourhood Meeting* much earlier in the DAP process could significantly improve the Draft Plan process for some Subdivisions. Requiring a *Neighbourhood Meeting* as a complete application requirement before application submission would ensure community feedback informs the DAP review prior to Technical Review Cycles are initiated. The current approach of timing the *Neighbourhood Meeting* during the Technical Review Cycle can be disruptive if community feedback prompts an applicant to make wholesale changes between Cycle 1 and Cycle 2. An earlier *Neighbourhood Meeting* eliminates the potential processing disruption by ensuring there are no community feedback surprises compromising a submitted application. The “As Should Be” Pre-consult model could accommodate this innovative timing adjustment for the *Neighbourhood Meeting*.

### **Engineering Review Pre-Consultation**

The City’s execution of Post-Draft Plan *Detailed Engineering Review* phases will benefit from adopting a formal application submission process that begins with a new mandatory Pre-Consultation process (see process mapping figure below). The new *Detailed Engineering Review Pre-consult* will mirror the “As Should Be” process already set out above for Planning Act applications. It will culminate in a formalized Pre-consult Understanding document that is delivered to the applicant within 10 business days of the scheduled/executed Pre-consult meeting. An electronic acknowledgement of the Detailed Engineering Review Pre-Consult Understanding (terms/requirements) by the applicant will be required before an application submission package will be accepted across the DAP portal.

## “As Should Be” Detailed Engineering Review – A New Pre-Consult Understanding

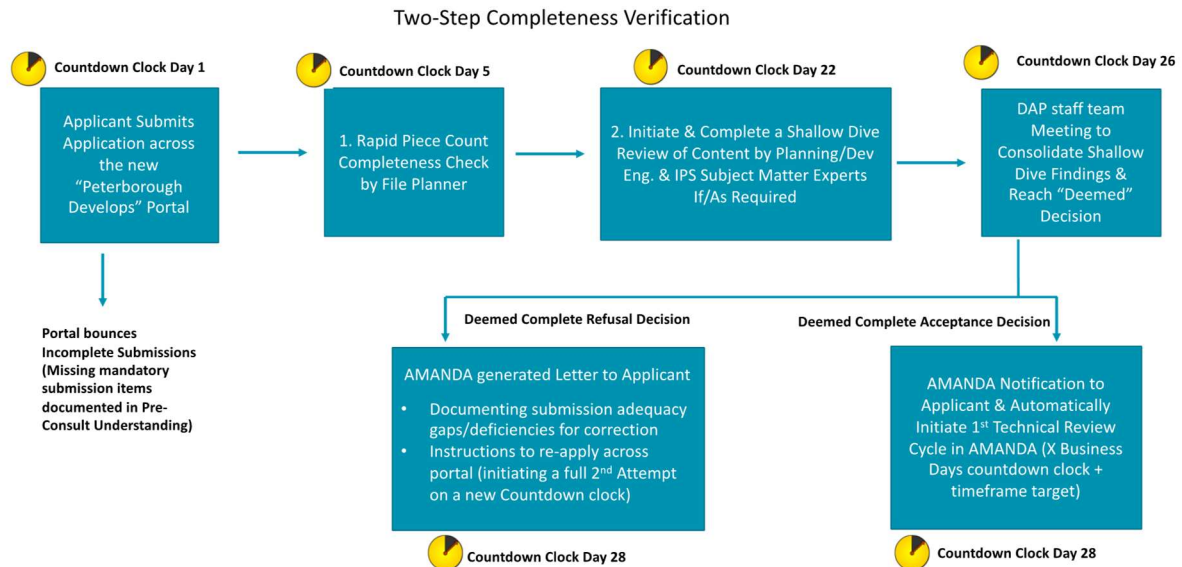


### 7.3.2

#### Application Submitted to Deemed Complete/Adequate - Improved Quality Assurance

The “As Should Be” application submission process for most Planning/Engineering DAP applications is set out in the figure below. The “As Should Be” process reflects the necessary deployment of a new DAP portal and a fully utilized AMANDA 7 workflow tool. Applications will be automatically screened before being accepted across the Portal. This will be accomplished by the Portal application intake screen referencing submission requirements embedded in the numerically identified Pre-Consult Understanding stored in AMANDA. The City will then implement a 2-step completeness review Step 1 is a submission “piece count” confirmation designed to quickly confirm the receipt of potentially viable documents. Step 2 is a “shallow dive” content adequacy review. IPS business units/assigned staff will access the application submission package in AMANDA, and then target their individual content adequacy “shallow dive” review to the specific submission pieces they are accountable for as per a new “who does what” matrix tool. An interdisciplinary staff meeting will then be held to certify the application adequate/complete or deem it inadequate/incomplete. This adequacy/completeness decision will be made within 30 days as per Planning Act requirements. If deemed complete, the file will turn on the Province’s LPAT “no decision” countdown clock and it will proceed for a 1<sup>st</sup> Technical Review Cycle “deeper dive” review. Inadequate/incomplete applications will require corrective re-submission of the application and a repeat of the entire process. A complete re-submission requirement for inadequate files incentivizes applicants to supply high quality submissions in order to avoid re-submission delays. High quality submissions by applicants are rewarded with an expeditious pivot to the Technical Review Cycle section of the DAP conveyor belt.

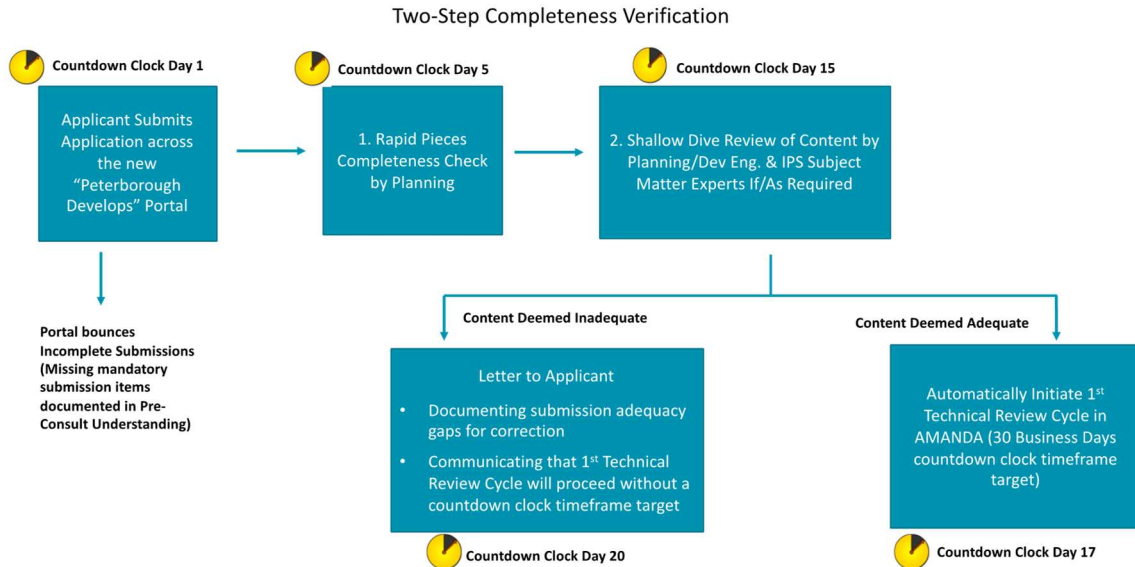
## “As Should Be” Subdivision or Re-Zoning – Application Submission + Completeness Verification Stage



### Site Plan Application Completeness Check + Adequacy Review

Site Plans are not subject to a municipal “deemed complete” process drawbridge, as are other Planning Act files like Re-Zonings or Sub-divisions. A more nuanced application intake process is therefore required. The “As Should Be” Site Plan application intake process is set out in the process map figure below. The Pre-Consult/Portal submission upload is exactly the same as other Planning applications. A Step 2 “Shallow dive” content adequacy review follows the Step 1 “piece count” verification. Files with adequate submission content move forward to Technical Review Cycle 1 with a City timeframe target/commitment in place. Files that fail the content adequacy “shallow dive” will move forward, but without any specific timeframe target/commitment. Supplemental data will be required before an “inadequate” file moves forward for a Technical Review Cycle - to be completed as/when City staff resources are available. This approach services to incentivize complete/adequate Site Plan submissions despite the absence of a Planning Act “deemed complete” legal drawbridge to refuse incomplete Site Plan applications.

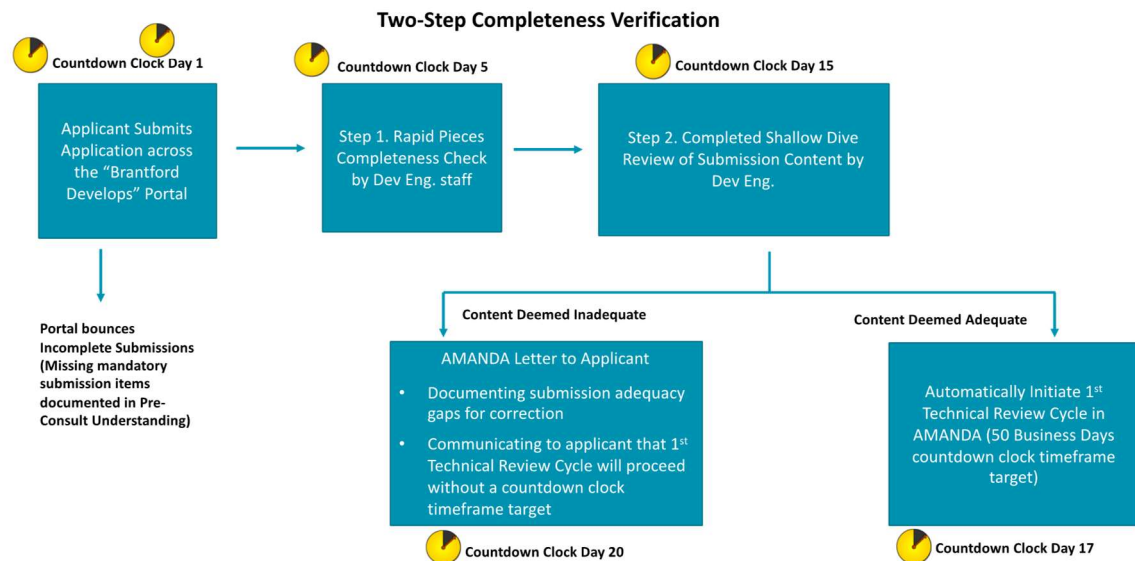
## “As Should Be” Site Plan Process – Application Submission + Completeness Verification Stage



### Detailed Engineering Review Completeness Check + Adequacy Review

Following the execution of the new “As Should Be” Pre-consult for Post-Draft Plan Detailed Engineering Review submissions, a 2-Step completeness check + content adequacy review (identical to the Site Plan process) will be executed (see figure below). Inadequate submissions will proceed once corrected, but the City’s 1<sup>st</sup> Technical Review Cycles processing time standard will not be in place. Alternatively, complete/adequate submissions will proceed to the 1<sup>st</sup> Technical Review Cycle approximately 17 business days after acceptance across the DAP Portal.

## Detailed Engineering Review– Application Submission & Completeness Verification Stage





### 7.3.3 Technical Review - 1<sup>st</sup> Cycle and Subsequent Cycles

Technical Review Cycles to approve land use and infrastructure design are a core component of DAP that consumes significant processing effort/time by IPS and other City staff.

#### ***Site Plan Technical Review Cycles***

A Peterborough “As Should Be” Technical Review Cycles process map (for Site Plan) appears below. Each Review Cycle is supported by an AMANDA countdown clock that tracks controllable business days and prompts staff to action when timeframe target deadlines are looming.

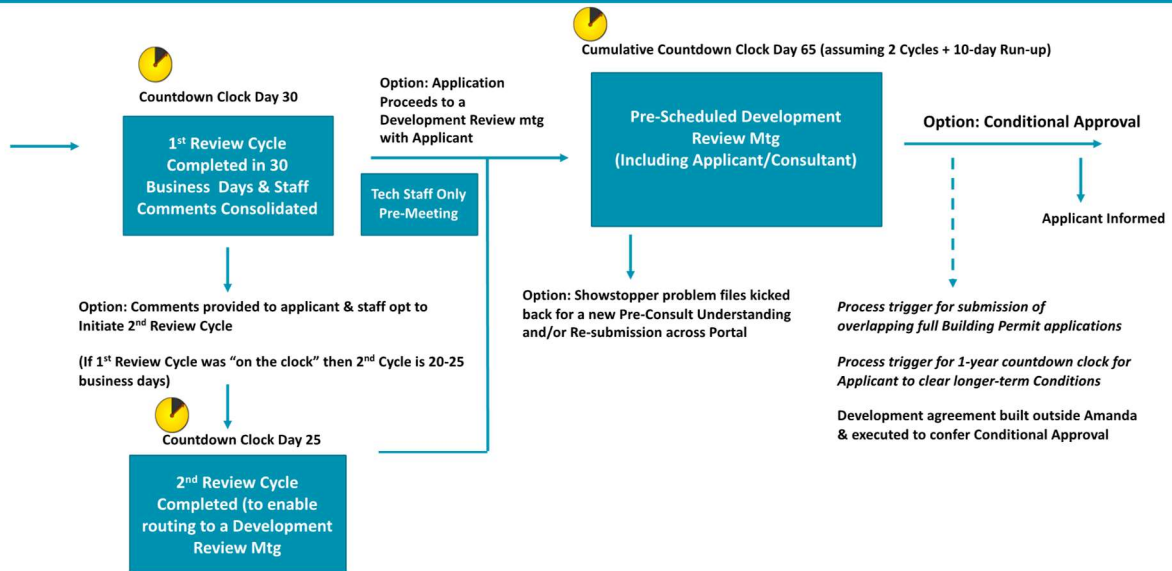
Notably the 1<sup>st</sup> Technical Review Cycle can/should be longer than subsequent Review Cycles. A 1<sup>st</sup> Review Cycle timeframe target of 30 controllable business days for Standard Site Plans is appropriate for a diligent deep dive across all submission items. If the Site Plan is unusually complex (due to high residential units count, complex servicing challenges, or other measurable factors), an additional complexity extension can be added to the timeframe target for the 1<sup>st</sup> Review Cycle.

Subsequent Review Cycles can be calibrated for 20-business day or 25-business day timeframe targets, again based on a complexity designation by staff.

All involved City staff should be trained in AMANDA and should be entering comments/mark-ups etc. directly into the AMANDA workflow tool. File Planners will be freed-up from their current onerous/low-tech consolidation of these various comments/mark-ups. Proper utilization/commitment to AMANDA will improve City consistency in meeting Review Cycle timeframe targets.

After the completion of required Technical Review Cycles, a staff-only review session will ensure the City team is on the same page re. the file and the potential “approve with conditions” decision. A Development Review Committee meeting between City staff and applicants will then deliver/confirm the details around a Conditional Approval decision. A Conditional Approval decision at the end of the overall Technical Review Cycle process will serve to trigger i) a complete Building Permit application ii) a 1-year Countdown clock for clearing longer term Conditional Approval conditions.

## Site Plan Process – Technical Review Cycles/Conditional Approval Stage



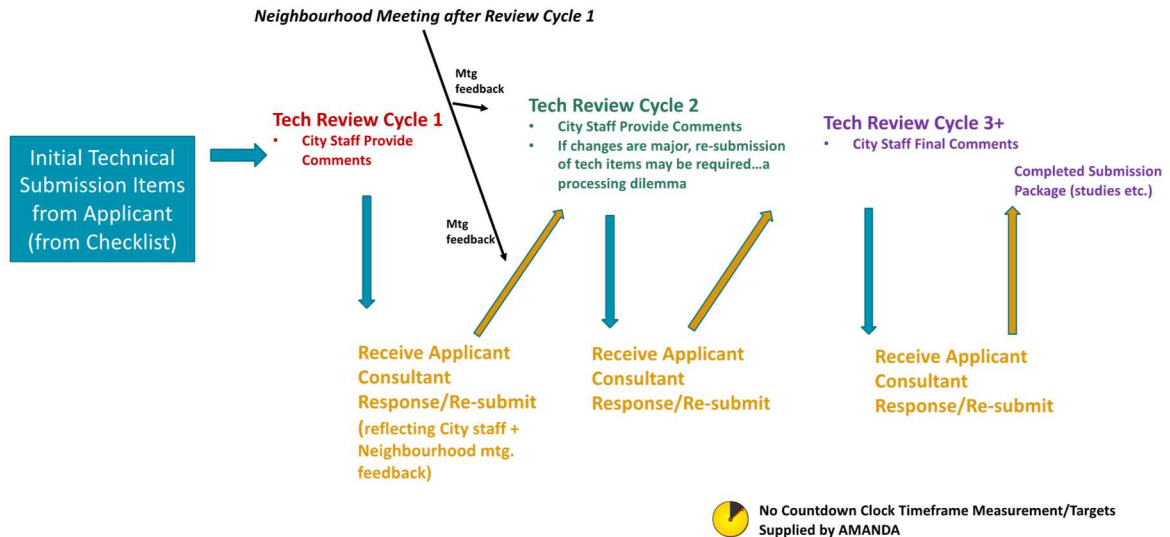
### Subdivision Draft Plan Technical Review Cycles

A Peterborough “As Should Be” Technical Review Cycles process map for Draft Plan of Subdivision appears below. Each Review Cycle is supported by an AMANDA countdown clock that tracks controllable business days and prompts staff to action when timeframe target deadlines are looming.

The 1<sup>st</sup> Technical Review should be executed against a countdown clock target of 50 business days for standard applications. If the Subdivision Draft Plan submission is unusually complex due to a high residential unit count/lot count/hectares area factor, servicing challenges etc. then an additional complexity extension of 20 business days can be added to the timeframe target for the 1<sup>st</sup> Review Cycle. Subsequent Review Cycles may require timeframe targets similar to the 1<sup>st</sup> Cycle or perhaps slightly reduced. The required timeframe may be determined by the nature of community feedback received at the Neighbourhood Meeting (if it occurs during the Review Cycle component of DAP and not earlier before Complete Application Submission as has already suggested as an option).

All involved City staff should be trained in AMANDA and should be entering comments/mark-ups etc. directly into the AMANDA workflow tool. File Planners will be freed-up from their current onerous/low-tech consolidation of these various comments/mark-ups. Proper utilization/commitment to AMANDA will improve City consistency in meeting Review Cycle timeframe targets.

## Technical Review Cycles: Subdivision Draft Plan

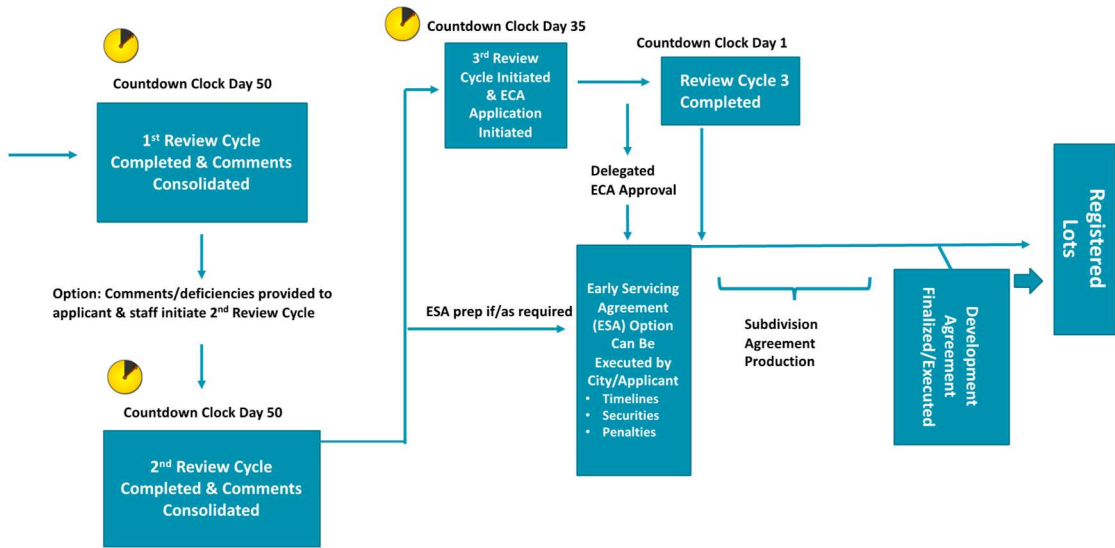


### Post-Draft Plan Detailed Engineering Review Cycles (per Phase)

A Peterborough “As Should Be” Technical Review Cycles process map for Detailed Engineering Review appears below. Each Review Cycle is supported by an AMANDA countdown clock that tracks controllable business days and prompts City staff to action when timeframe target deadlines are looming. An aspirational 3 Technical Cycles model appears in the figure below. Technical Review Cycles 1-2 are 50 business days, and subsequent cycles are 35 days, unless the units/lot count for the phase is unusually high, and a complexity timeframe extension is merited.

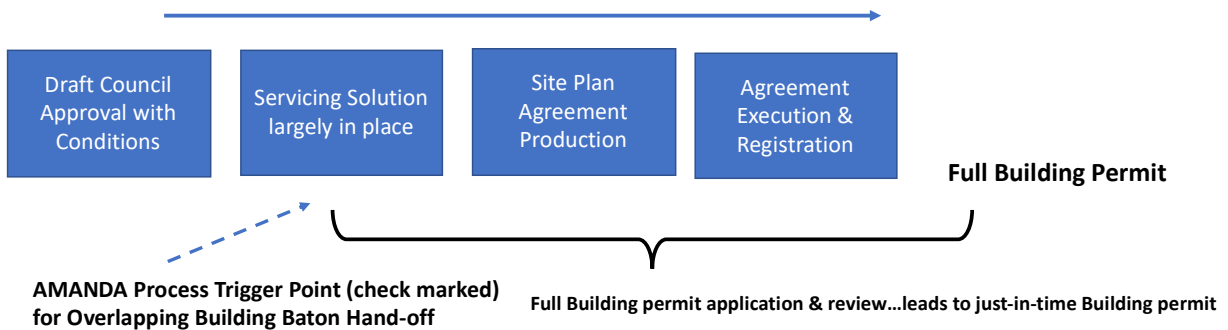
The completion of the 3<sup>rd</sup>/penultimate Review Cycle serves as a trigger for the Ministry of the Environment delegated approvals decision by the City. The Ministry of the Environment delegated approval by the designated City engineer in turn acts as a process trigger for an Early Servicing Agreement to be finalized with the applicant. The “As Should Be” result is a more coordinated/orderly sequential process where approved infrastructure design at the end of the Technical Review Cycles has informed both the Ministry of the Environment delegated approvals, and the servicing solutions actually put in place after signing the Early Servicing Agreement.

## Detailed Engineering Review – Technical Review Cycles/Registered Lots



### 7.3.4 Planning/Engineering DAP Approvals & the Transition to Building DAP

Peterborough’s Site Plan overlapping transition into Building DAP mirrors the “best practice” approach set out in the Case Study included in **Section 6.2** of this Report (see figure below).



AMANDA becomes the process drawbridge for managing the overlap between Site Plan and Building, using specific process triggers to create a standardized/consistent baton hand-off. After 2+ Technical Review Cycles generate a Site Plan Conditional Approval at a Development Review meeting, AMANDA will accept a complete Building Permit application that has been knowingly taken “off the Building clock” because Site Plan is not complete. A complete Building Permit can be issued after detailed submission review by Building staff that runs in parallel with the clearance of certain Site Plan approval conditions and the production/execution of the Site Plan agreement. The overall baton handoff result is a standardized/coordinated overlapping model that reduces overall applicant processing time. The baton handoff is no longer a function of informal staff communication, instead it is executed using the “drawbridge” functionality in AMANDA that requires specific Site Plan triggers to be confirmed (check marked) before Building processes can be initiated or completed.

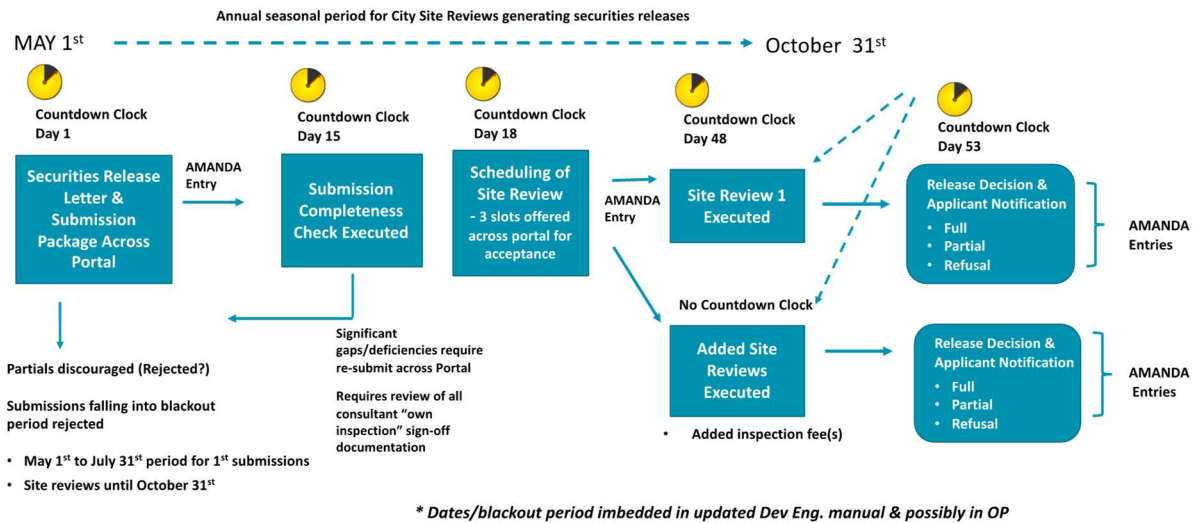
Similar AMANDA drawbridge functionality will ensure that lots created at the end of the Detailed Engineering Review process are registered prior to Building permits being issued.

## 7.3.5

### Post-Construction Conditions Clearance & Securities Release

Planning/Engineering DAP continues on the far side of Building Permit issuance, mandated Inspections and Occupancy. Post-construction conditions imbedded in Site Plan and Subdivision agreements remain to be cleared. Securities collected to ensure condition compliance may be eligible for return to applicants. The process mapping figure below sets out the “As Should Be” Conditions Clearance and Securities Release stage of DAP.

#### “As Should Be” Post-Construction Condition Clearance + Securities Release Stage



Applicants submit a condition clearance/securities release package over the DAP Portal. Applicant consultants are obligated to conduct their own detailed inspections and guarantee compliance with City requirements. A City staff completeness check of the submission is conducted, and the results of the check eventually generate a scheduled Site Review offering within 18 business days. The Site Review visit does NOT constitute a detailed inspection, that is the sole responsibility of the applicant’s consultants. The scheduled City staff Site Review should take place within 30 business days of the application scheduling notification sent to the applicant. The securities release decision follows 5 days after the actual Site Review visit. The entire process should be executed in 53 business days.

The nature of the post-construction Conditions Clearance process (including the Site Review visit) requires that it be executed after a winter has transpired - therefore falling within the suggested May 1<sup>st</sup> to October 31<sup>st</sup> period. The remainder of the year is a blackout period where consultant inspections/City Site Reviews/securities release is not viable. The timing of applications is therefore critical. A cut-off date of July 31<sup>st</sup> for applications is necessary to ensure Site Review visits can be scheduled/executed, and securities decisions rendered, before the November 1<sup>st</sup> blackout period commences.

### 7.3.6 Expanded Council Delegation to Staff

City staff are well aware that the current DAP Governance framework requires restructuring in order to address development industry concerns about processing timeframes and expedite the window of opportunity to expand housing supply. Expanding Council’s delegated approvals to staff will free-up significant amounts of report writing time to execute technical review work and expedite approvals. The “As Should Be” DAP conveyor belt will require these efficiencies (and others) to maintain appropriate/standardized velocity to resolve housing supply shortages and manage “no municipal decision” OLT/LPAT risk.

A comprehensive review of delegated approvals opportunities is merited. The City of Brantford has just gone through this process with Council and their comprehensive staff report is attached in a technical appendix for reference. The obvious/compelling delegation expansion opportunity for Peterborough is to extend Council’s partial/limited Site Plan delegation to all applications. Significant timeframe savings are achievable for multi-residential Site Plans contributing to housing supply solutions. Combo-pack Re-zonings (with mandated public consultation) can address any problematic land use/community feedback issues, thereby rendering Site Plan control a purely technical exercise. By sequencing Re-zonings first and then transitioning to the Site Plan only in the late stage of the Re-zoning, applicants and the City can expedite technical Site Plan files in a technical/delegated setting. Council can successfully trade control for results, without compromising opportunities for appropriate community consultation/feedback on significant files.

## 8.0

## AMANDA Functionality & Configuration

A modernized AMANDA configuration for Planning/Engineering DAP will improve efficiency, reduce staffing upgrade costs in the *One Window* DAP team, and secure processing timeframe accountability by comparing actual tracked timeframes against targeted commitments to the public/development community.

## 8.1

### DAP Workflow Tool Functionality Requirements

The following DAP workflow tool functionality requirements need to be considered by the City as it moves forward with DAP modernization/process improvement.

1. Track the progress of each/every DAP file against/across standardized milestones linked together in a mapped/consistently executed process (DAP is horizontal/linear)
2. Document & report elapsed timeframes (# file processing business days) to progress from one standardized processing milestone to the next milestone (when a DAP file is under municipal control).
  - Business rules to trigger a mutually recognized file transfer back and forth between an applicant and a municipality.
3. Document and report applicant/consultant controllable file days (as per above).
4. Link the various Planning DAP/Engineering DAP/Building DAP review/approval processes around the specific land parcel that is the central focus of the applicant's journey... speaks to GIS integration
5. Attach City staff documents/comments/approvals to a Planning DAP/Engineering DAP/Building DAP file – with that information attachment being process milestone specific
6. Generate timeframe reporting analytics for all internal business units + external agency partners. Timeframe reporting requires time stamping for each/every significant processing milestone within/across Planning DAP/Engineering DAP/Building DAP
7. Triage each application file's processing urgency/aging in order to support City staff decisions around which file(s) to work on first at the beginning of any given day
8. Prompt staff when DAP files are approaching timeframe target deadlines & reduce the risk of missing a milestone specific timeframe target
9. Produce multi-file analytics profiles across a group of similar DAP files based on key standardized processing milestones. For instance, all active Site Plans. Or all active applications belonging to ACME Development Inc.
  - Result is a "photo snapshot" of linear progress/status for a collection of relevant DAP files within a single comparative report
10. Regulate/link various processing milestone approvals delivered by different municipal business units ...create sequential approvals "discipline" with check-off boxes "clicked" at milestone X before milestone Y can be completed (process drawbridges to create/enforce sequencing)

11. Must be available/used by ALL DAP participating staff/business units (including Conservation Authority/Upper Tier/Consultants as applicable). Requires remote access + full functionality beyond City Hall.
12. Portal must contribute to impersonal “zero tolerance” complete submission discipline when filtering uploaded submission attempts...tied to the pre-consult submission checklist acknowledged by applicants.

## 8.2 **Functionality Review of AMANDA – Can It Do the Job in a Transformed DAP?**

Peterborough has enjoyed success in using AMANDA 7 as the “central nervous system” of its Building DAP model. Building departments across Ontario are obligated in law to track permit decision timeframes and inspection notification timeframes. A culture of measuring process execution and controlling application submission quality is common across Building departments.

Municipal Planning/Engineering DAP teams across Ontario have not always developed the same measurement/timeframe driven culture. The use of a workflow tool as the “central nervous system” of Planning/Engineering DAP has lagged behind the pioneering efforts in Building departments. While many of the functionality requirements are similar, it is nonetheless important to confirm that AMANDA 7 will deliver the required Planning/Engineering DAP functionality. The figure below documents the results of an AMANDA functionality assessment carried out by the Performance Concepts/Dillon team. The results of our team’s functionality assessment are clear - without claiming that AMANDA is a superior solution compared to other workflow tools in the market, we have high confidence that AMANDA 7 can deliver the required functionality for Planning/Engineering DAP moving forward.



## WORKFLOW TOOL

#	Functionality:	Explanation:	Priority:	AMANDA ver 7
1	User Configurability	City IT support must be able to easily change process milestones, timeframe metrics and staff approval authorities internally	Required	✓
2	User Permission Setting	City IT support must be able to create users for internal staff and external agencies, with customizable permission settings	Required	✓
3	Local Municipal Customization	DAP Workflow Tool must be able to support parallel / customized processes / business rules / participants across all City business units	Required	✓
4	Integration with Land Parcel Information Systems (GIS)	DAP Workflow Tool must link all Planning and Building applications back to the originating land parcel/property owner/applicant	Required	✓
5	Application Milestone Tracking / Current Status	Track the progress / current status of each/every DAP file against/across standardized milestones linked together in a mapped process (DAP is horizontal/linear).	Required	✓
6	Application Milestone Measuring	Have the ability to count "controllable business days" for each file based on the "custody" of the file (municipal custody + applicant custody)	Required	✓
7	System Wide Measurement (KPIs)	Ability to count "system-wide" units of work (e.g. number of pre-consults, number of complete applications, number technical review cycles, number of approved applications, other KPIs etc)	Required	✓
8	Timeframe Target Setting	DAP Workflow Tool must have the ability to set countdown clock performance timeframes for each milestone/application category	Required	✓
9	Timeframe Actuals Reporting	DAP Workflow Tool must be able to report actual timeframes vs targets for each individual application and system-wide by application category	Required	✓
10	File Aging/Triaging	DAP Workflow Tool must be able to provide "real time" data on files approaching timeframe target deadlines	Required	✓
11	Staff Prompting	DAP Workflow Tool must be able to prompt staff regarding file status, aging and file triage based on red, amber, green status or similar notification scheme	Required	✓
12	Usable by all Business Units	DAP Workflow Tool must be accessible by all DAP business units in all four municipalities (assuming reasonable internet bandwidth)	Required	✓
13	Intuitive/Friendly User Interface	DAP Workflow Tool must be easy to understand, user-friendly and intuitive for both full time users and occasional part-time users from external agencies/actors	Required	✓
14	Document Version Manager	Ability to keep a constant "working" version of all Submission documents/attachments/staff comments while providing access to previous versions. Documents stapled to specific milestones. Creates file audit / OLT capacity.	Required	✓
15	Fee Calculation/Processing	Workflow Tool functionality should include calculation and payment confirmation of DAP fees and Development Charges (at point of application or later)	Optional	✓
16	Training	Vendor capacity to provide training relevant to applicants, consultants, external agencies and municipal staff	Required	✓
17	Multiple Workflow Tool Integration	Overall Workflow Tool solution able to integrate separate Planning and Building modules supplied by different vendors (e.g. City may have different existing or procured backend tools for Building DAP) (Integration examples include BLUEBEAM, GIS, ASYST and MPAC)	Optional	✓

### 8.3 AMANDA – City’s Portal/Workflow Project

The City has undertaken a DAP technology modernization project in parallel with this DAP review. The technology project is focused on a new DAP portal for applicants to engage in online application submission, fees payment and file progress tracking. The portal will play an important role in securing complete, high -quality submissions that comply with transparent and granular submission content specifications. Quality control efficiencies will be secured by the portal automatically refusing substandard application packages - thereby rewarding and incentivizing high quality submissions and diligent applicants.

The AMANDA 7 workflow tool will be integrated with the portal. This integration will strengthen the process execution of both Planning/Engineering DAP and Building DAP.

The execution of this DAP review has been carefully coordinated with the City’s portal/AMANDA project to ensure “As Should Be” process improvement recommendations reflect the new technology platform that will be used to execute DAP processes moving forward. Specific IPS staffing upgrades have been documented in earlier sections of this Report (Section 7.2.4)

### 8.4 AMANDA – Site Plan “Proof of Concept”

In order to integrate Peterborough’s evolving DAP technology platform with “As Should Be” processes, Performance Concepts has undertaken an AMANDA 7 implementation “Proof of Concept”. The Proof of Concept has focused on a standard Site Plan application. AMANDA 7 has been configured (with full functionality) to manage/regulate the execution of a Site Plan from Pre-consult through to Approval and onwards to final clearance of Conditions and return of securities. The process documentation, timeframe measurement, and City-wide participation issues resolved in the Site Plan Proof of Concept will inform the rollout of a modernized AMANDA solution for all Planning/Engineering DAP application categories across 2022.

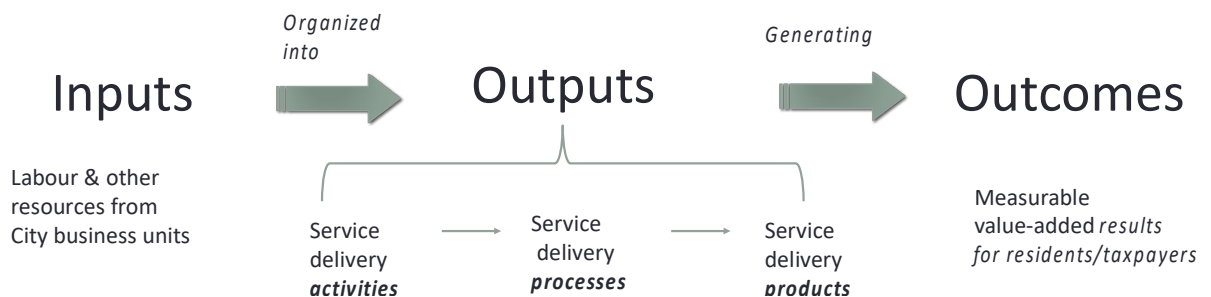
This deliverable has been executed within the AMANDA 7 permit module. The Site Plan Proof of Concept could also be readily transferred into the AMANDA Planning/Condition Clearance module used by some AMANDA municipalities. Peterborough has not purchased AMANDA Planning/Condition Clearance models at this time.

## 9.0

## Towards Results Based Management - Key Performance Indicators (KPIs)

The Development Approvals Process (DAP) is a horizontal service delivery system that involves multiple actors within the City as well as external agencies like ORCA. DAP extends across Planning Act, Engineering and Building Code Act components. Each of these DAP processes/components generate countable units of output. These countable DAP outputs/products in turn create positive outcomes/impacts for both applicants and the existing Peterborough community.

### Key to Results Based Management: Understanding Municipalities as Service Delivery Systems (Service Logic Model)



The DAP service delivery model is complex due to the multiplicity of actors and approvals processes associated with different types of land use and infrastructure design decisions.

But DAP is measurable/manageable when the right mix of data management and performance measurement tools are brought into play. An interactive Portal + AMANDA technology platform is crucial to measuring and reporting on DAP performance.

## 9.1

### DAP Can Be Standardized with LEAN Thinking/Toolkits

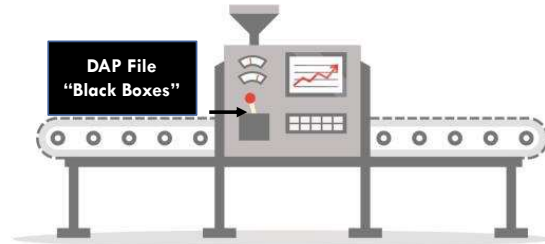
Feedback from the development community across Ontario is remarkably consistent. The DAP conveyor belt should function with consistent and predictable velocity. Consistency, not absolute velocity, is the key to a high performing DAP model in the eyes of the development industry.

From the perspective of the existing Peterborough community and key stakeholders, the quality of review by the City (due diligence) is paramount.

The sweet spot is achieved by balancing appropriate due diligence and predictable/consistent velocity across the DAP conveyor belt. The figure below sets out these balancing requirements in terms of LEAN Thinking around performance improvement.

## Building the City’s DAP “Industrial” Assembly Line

1. **Velocity** of the DAP assembly line (timelines for generating DAP outputs)
2. DAP assembly line **Quality** (completeness/quality of applicant submissions & City technical review)
3. **Consistency** of the DAP assembly line (Maintaining/Tracking **Velocity + Quality** across multiple DAP files at any given point in time)



**DAP Assembly Line – LEAN Thinking in Action**

Before measurement tools can be calibrated, the City needs to commit to desired results/outcomes. The figure below documents appropriate results statements around Dedicated Inputs, Standardized Processes/Timeframes, and the leveraging of the AMANDA workflow tool to track DAP processing performance and generate accountability reporting to City staff, Council, applicants, and the community.

## Desired DAP Performance Results

### Dedicated DAP Staff Team Inputs:

Stable/adequate staffing capacity to process DAP applications (Dedicated Inputs)

### Achieving:

Standardized/streamlined DAP processes meeting targeted City timeframes

### Using

AMANDA Countdown Clock tracking/reporting on *Municipal Controllable File Processing Days*



The countable units of work that will form the backbone of DAP performance reporting are set out in the figure below. Pre-consults, Application submissions, Review Cycles and Post-Construction Inspections are the key outputs subject to target setting and reporting.

## Core Planning/Eng. DAP Processing Outputs

1. **Pre-consults** navigated forward to application submissions
2. **Application submissions** navigated forward to complete applications
3. Complete applications that move through **Technical Review Cycles** enroute to a municipal approval decision
4. Post-Construction **Inspections/Security Release Decisions**

All 4 of these DAP outputs are countable & measurable!

- # Pre-consult Understandings generated
- # Submitted applications navigated forward to Deemed Complete
- # Technical Review Cycles executed
- # Inspections/Security release decisions executed

For Technical Review Cycle measurement, the key design concepts are set out in the figure below.

Average actual timeframes can be compared to an Average Timeframe target. Timeframes would be measured in controllable file processing days. A percentile approach to targets is also useful. For instance, what is the actual % of Technical Review Cycles/Circulations meeting a 30-day timeframe versus a target of 8/10 meeting that same 30-day timeframe target?

Similar measurement concepts can be applied to the number of Cycles/Circulations. The average number of required Cycles/Circulations for a file can be tracked and compared to a target number of Cycles/Circulations. A percentile approach could track the actual share of Site Plan files that required no more than 3 Cycles/Circulations and compare that actual share to a 6/10 target.

## KPI Design Concepts

### **Technical Review Timeframes**





- ✓ **Percentile approach (8 out of 10 Site Plan circulations in 30 controllable file days or less)**
- ✓ **Average (Actual) Timeframes versus Average (Target) Timeframe**

### **Technical Review Cycle Counts**

- ✓ **Percentile approach (6 out of 10 Site Plans in executed in < 3 circulations)**
- ✓ **Average Actual # circulations versus Average Target # of circulations**

9.2 AS SHOULD BE DAP KPIs

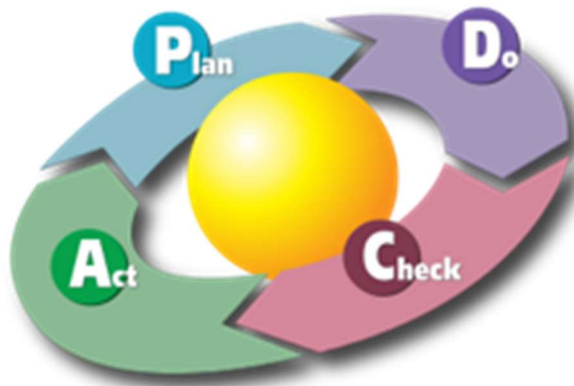
The following four figures (see below) set out specific Key Performance Indicators (KPIs) for pre-Consults, Applications, Review Cycles, and Inspections/Security Release Decisions. These KPIs make use of the KPI Design Concepts already set out in this section of the Report.

Effectiveness (Quality) KPIs		
<b>Pre-consult</b> 	<ul style="list-style-type: none"> <li>Average # business days for an “As Should Be” Pre-consult Understanding to be provided to an applicant following the scheduled Pre-consult meeting                             <ul style="list-style-type: none"> <li>Sorted by Planning Act categories + Detailed Engineering Reviews</li> </ul> </li> <li>% “As Should Be” Pre-consult Understandings processed in 10 business days or less                             <ul style="list-style-type: none"> <li>Sorted by Planning Act categories + Detailed Engineering Reviews</li> </ul> </li> </ul>	Average measures speed % hitting 10-day target measures consistency/predictability
<b>Complete Applications</b> 	<ul style="list-style-type: none"> <li>Average # business days for an application submission (clearing the Portal) to be considered complete/adequate for 1<sup>st</sup> Technical Review Cycle</li> <li>% DAP applications (clearing the Portal) reviewed/considered ready for Technical Review Cycle #1 in 30 business days or less                             <ul style="list-style-type: none"> <li>Sorted by Planning Act categories + Detailed Engineering Reviews</li> </ul> </li> </ul> <p><small>* For KPIs “complete” is defined as deemed “content suitable” for a 1<sup>st</sup> Technical Review Cycle</small></p>	Average measures speed % hitting 30-day target measures consistency/predictability
<b>Technical Reviews</b> 	<ul style="list-style-type: none"> <li>Average # business days for a 1<sup>st</sup> Technical Review Cycle (sorted by DAP application categories &amp; complexity levels)</li> <li>Average # business days for subsequent Technical Review Cycles to be executed (sorted by DAP application categories &amp; complexity levels)</li> <li>Average # Technical Review Cycles required to generate a decision on a given application (sorted by DAP application categories &amp; complexity levels)</li> <li>% Planning application 1<sup>st</sup> Technical Review Cycles completed in X business days or less (sorted by DAP application categories &amp; complexity levels)</li> <li>% Planning application subsequent Technical Review Cycles completed in X business days or less (sorted by DAP application categories &amp; complexity levels)</li> <li>% Post-Draft Plan Detailed Engineering Review Cycles completed in X business days or less (sorted by complexity levels)</li> </ul>	Average measures speed % hitting business day targets measures consistency/predictability
<b>Site Visits/ Security Release Decisions</b> 	<ul style="list-style-type: none"> <li>Average # business days for a Site Visit to be executed after it is scheduled with the applicant</li> <li>Average # business days to communicate a Security Release Decision to the applicant following a completed Site Visit</li> <li>8/10 Site Visits executed in 30 business days or less</li> <li>9/10 Security Release Decisions communicated to the applicant within 10 business days of a Site Visit being executed</li> </ul>	Average measures speed % hitting business day targets measures consistency/predictability

## DAP Scorecard and Accountability Reporting

Results Based Management (RBM) is a cyclical approach/model for achieving efficient and accountable municipal service delivery. The RBM cycle consists of Plan-Do- Check-Act components. DAP performance targets and a properly resourced delivery model define the “Plan” component. Consistent and dependable execution of mapped/measured processes define the “Do” component. The “Check” component involves the comparison of actual results (processing timeframes) against performance targets. Based on the “Check” information and conclusions the “Act” component involves performance target refinements, resourcing adjustments and/or process execution changes.

### ***Results Based Management - A Cycle of Continuous Improvement***



A modernized City of Peterborough DAP model should feature an RBM cycle supported by KPI-derived performance targets. An annual KPI supported DAP performance Scorecard should be produced and publicly reported to foster transparent accountability. Annual budget decision making should be informed by the DAP Scorecard.

### **Roadmap to Build-out “As Should Be” KPIs Over Time**

1. Rapidly secure necessary AMANDA modules
2. Configure AMANDA to deploy “MUST HAVE” DAP functionality (e.g. Countdown Clocks)
3. ALL DAP business units/staff commit to necessary AMANDA “feeding schedule”
4. Adopt initial “soft” KPI targets, uninformed by timeframe actuals not yet measured in AMANDA
  - Limited meaningful reporting (internal)
5. Year-1 KPI actuals from AMANDA subsequently used to firm up go-forward KPI targets
  - Meaningful reporting (internal + external)
6. Align KPIs & performance targets with future budget cycle decision making to ensure adequate staffing levels and resourcing

## 10.0 Implementation Roadmap

Recommendations in this Report have been informed by “As Is” DAP performance investigations and “As Should Be” opportunities for improvement. DAP best practice case studies developed by Performance Concepts/Dillon, and a detailed AMANDA proof-of-concept configuration, have also contributed to both Strategic and Tactical performance improvement recommendations.

### 10.1 Context for Implementation Roadmap – Minimizing “No Municipal Decision” OLT/LPAT Risks to Peterborough

The Performance Concepts/Dillon team always develops an Implementation Roadmap that is closely aligned with our Recommendations. Both Strategic and Tactical Recommendations have been front-end loaded into the Implementation Roadmap in order to avoid the worst-case scenario of community planning being relegated to the OLT/LPAT by developers that have concluded (rightly or wrongly) that the City is unable or unwilling to invest in a timely/predictable DAP conveyor belt.

### 10.2 Do Now, Do Soon, Do Later Implementation Roadmap Timeframes

**Do Now** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution within 6 months.

**Do Soon** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution within 12-18 months.

**Do Later** Strategic and Tactical Recommendations within the Implementation Roadmap require action/execution beyond 18 months.



## Revenue Stream Modernization Roadmap

#	As Should Be Finding	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S1	Peer municipality analysis confirms Peterborough's DAP fees under-recover staff's "all in" application processing effort/ costs. Result is a significant property tax subsidy benefitting new development. No "Growth Pays for Growth" cost recovery framework is currently in place.	<p><b>Planning/Engineering DAP should be governed by the same "enterprise" full-cost recovery financial policy framework as Building. The City's ultimate cost recovery target should be at least 80% and should incorporate a 25% internal charge from City indirect support functions like Finance/HR/Facilities/IT plus Council governance.</b></p> <p><b>Execute a Full-Cost Planning Fees Review/Study and set "Growth Pays for Growth" Cost Recovery Targets for all core DAP Application Categories.</b></p> <ul style="list-style-type: none"> <li>• <b>Develop a 2022-2024 3-year Phase-In plan for implementing modernized DAP fee structures.</b></li> <li>• <b>Consider new DAP fees such as a 3<sup>rd</sup> Circulation fee to incentivize high quality applicant submissions and DAP processing efficiency</b></li> </ul>	<p>Reduction/elimination of the existing property tax subsidy to new development.</p> <p>A sustainable/robust DAP fees revenue stream will fund necessary City staffing "muscle" to secure consistent/ predictable application processing timelines. The result should be <u>actual</u> DAP timeframes that consistently meet new City timeframe <u>targets</u>.</p>	✓	✓	✓

#	As Should Be Finding	Tactical Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
T1	Peterborough's current 5.5% Construction Value fee can/should be adjusted upwards based on the Peer municipalities comparison put forward in this Report.	<b>Adjust the City's current 5.5% Construction Value Fee to 6%</b>	Engineering DAP revenue stream enhancements will support the recommended IPS processing hours upgrade for infrastructure Subject Matter Experts (SMEs). The fee enhancement will also support the staffing capacity upgrades required to address expanded MOE delegation of approvals authority to the City.	✓		

## 10.2.2

## Staffing &amp; Resources Investment Roadmap

#	<i>As Should Be Finding</i>	<b>Strategic Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
S2	Current IPS resourcing levels for DAP are failing to generate timely/consistent application processing timeframes. The resulting DAP application processing chokepoints are in turn generating negative \$ impacts for the local development industry, and negative economic development/housing supply impacts for Peterborough and its residents.	<p><b><i>Invest in additional IPS Subject Matter Expertise to stabilize DAP application processing timeframes (5,400 new DAP processing hours in 2022 – equivalent to 3 new DAP FTEs)</i></b></p> <p><b><i>Secure 3<sup>rd</sup> party transitional expertise for AMANDA configuration &amp; invest in a dedicated AMANDA FTE for ongoing support/training for Planning/Engineering DAP</i></b></p>	Expanded DAP processing hours will contribute to stable/consistent application processing times across the City (when implemented in combination with modernized DAP fees and an upgraded DAP technology platform featuring an aggressive rollout of AMANDA across the City)	✓	✓	
S3	The 2019 <i>One Window</i> DAP organization restructuring requires additional detailed/granular clarification of the roles and responsibilities of various IPS business units and staff teams.	<b><i>Refine and implement the “One Window” Org Design for DAP, with an ongoing focus on this Report’s documented “Who Does What” IPS Roles and Responsibilities matrix</i></b>	Clarified roles and responsibilities across IPS will reduce DAP application processing redundancies and improve the efficiency ROI of current and proposed staffing capacity. Incremental improvements in DAP timeframe stability/consistency will be secured over time. AMANDA based DAP workflow rationalization will be supported.	✓	✓	✓

#	<i>As Should Be Finding</i>	Tactical Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
T2	Development industry stakeholders and IPS staff members have identified the elimination of the Stormwater SME chokepoint as an immediate “must resolve” priority.	<b><i>Prioritize the elimination of Stormwater SME choke point when deploying the additional 5,400 processing hours in 2022</i></b>	Elimination of the existing DAP Stormwater SME chokepoint will contribute to ongoing/ incremental DAP application processing timeframe stabilization/ improvement.	✓	✓	
T3	The imminent MOE expansion of delegated approvals for water, wastewater and stormwater infrastructure provides an opportunity to significantly reduce DAP processing timeframes. However, this download of review/approval responsibility to the City also creates a resourcing capacity challenge that has not yet been addressed.	<b><i>City staff to provide Council with a preparedness/resourcing plan re. the imminent MOE expansion of delegated approvals for water, wastewater, and stormwater infrastructure</i></b>	Ongoing and significant reduction in DAP processing timeframes - supported by a modernized Engineering DAP fee structure. Elimination of the problematic current MOE approvals chokepoint identified by development industry stakeholders.	✓		

## DAP Conveyor Belt Process Streamlining &amp; Technology Roadmap

#	As Should Be Finding	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S4	Expanded delegation of Council's Site Plan approval authority to City staff will generate significant DAP conveyor belt efficiencies and secure measurable processing time reductions. Council can retain its ability to consider infrequently occurring contentious Site Plan applications upon instruction to staff.	<p><b>Expand Delegated Authority to Staff – Initial priority is Full Delegation of Site Plan Control</b></p> <p><b>The City should consider additional delegated authority opportunities in a 2022 City staff report (having due regard for opportunities outlined in the recently adopted Brantford staff report attached to this Report)</b></p>	<p>Significant City staff processing hours will be redeployed from writing time-consuming Council reports for relatively routine Site Plans to dealing with higher value-added DAP issues. Processing timeframe reductions of an estimated 2-3 months per application will be secured via Council's expanded delegation.</p> <p>Additional processing time reductions are possible as per the Brantford report.</p>	✓		
S5	The City currently struggles to execute time sensitive Post-Draft Plan DAP processes according to optimal sequencing and timing overlaps. AMANDA is not currently being utilized to manage process flow/sequencing.	<p><b>Use AMANDA's existing "drawbridge" functionality to ensure coordinated/sequential execution of the Post-Draft Plan Detailed Engineering Review, Ministry of Environment Delegated Approvals, Early Servicing Agreements, and Subdivision Agreements.</b></p> <p><b>This will require expanded AMANDA usage (including access and training) across all IPS business units.</b></p>	DAP execution risks will be reduced, processing timeframes will be stabilized for new housing, and development industry requirements for efficient/consistent processes leading to lot creation and building permit applications will be addressed.		✓	✓

#	<i>As Should Be Finding</i>	Tactical Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
T4	Restructuring the City's existing Pre- Consultation model in tandem with a new DAP online portal will deliver significant improvements/benefit for applicants and the City DAP team.	<b><i>Create a formalized Pre-Consultation Understanding for Applicants - tied to the submission of a complete application across the City's upcoming DAP portal</i></b>	The recommended "As Should Be" Pre-consultation Understanding will improve the completeness/quality of DAP application submissions and generate downstream processing efficiencies during the 1 <sup>st</sup> Technical Review Cycle. Shorter/fewer Technical Review Cycles per application should result over time.	✓	✓	
T5	Re-positioning the <i>Neighbourhood Meeting</i> to occur before detailed/potentially contentious DAP applications are submitted will ensure community input can shape Subdivision application specifics <u>before</u> significant review effort and costs have been incurred by applicants and the City	<b><i>Insert Applicant's Draft Plan of Subdivision Neighbourhood Meeting as a Complete Application Checklist item within the Pre-Consultation Understanding</i></b>	Positioning the <i>Neighbourhood Meeting</i> prior to a complete Subdivision application submission and the 1 <sup>st</sup> Technical Review Cycle will avoid mid-application re-design "surprises" and reduce wasted billable hour cost/effort by the City and applicants for contentious applications.		✓	✓

T6	Currently the City does not secure the processing benefits of formal Pre-consultation/complete application submission for the Post-Draft Plan Detailed Engineering Review. As a result, the City's Detailed Engineering Review 1 <sup>st</sup> Technical Review Cycle can be negatively impacted by incomplete submissions and/or submission quality problems.	<p><b>Create a formal Application Submission and Pre-Consultation Understanding for the Post-Draft Plan Detailed Engineering Review</b></p> <ul style="list-style-type: none"> <li>• <b>Utilize the City's new DAP portal for administering the new Detailed Engineering Review processes</b></li> </ul>	The new Application Submission & Pre-Consult Understanding processes should result in shorter/fewer Technical Review Cycles - a significant benefit for applicants seeking timely lot registration and a streamlined path to Building permit application submission.	✓		
T7	The City needs to reduce the number of DAP applications with significant content gaps/quality problems that are not resolved prior to going on the "No Municipal Decision" clock and compromising the execution of the 1 <sup>st</sup> Technical Review Cycle.	<p><b>Implement a Two-step Completeness/Adequacy Quality Assurance Process across DAP Application Categories, including adoption of recommended countdown clock Timeframe Targets to be tracked in AMANDA.</b></p>	A rigorously implemented quality assurance process (prior to deeming applications complete) will result in significant downstream DAP efficiencies and overall processing timeframe stability/predictability.	✓	✓	

T8	The required City staff processing effort (i.e., achievable review timeframes) differ across the 1 <sup>st</sup> Technical Review Cycle and subsequent Review Cycles. Therefore, any go-forward processing timeframe targets put in place by the City should reflect this complexity/workload reality.	<p><b><i>Set appropriate/ differentiated Timeframe Targets for 1<sup>st</sup> Technical Review Cycle vs subsequent Cycles for DAP Application Categories</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Track actual timeframes versus targets using AMANDA countdown clock functionality</i></b></li> </ul>	Properly designed Technical Review Cycle timeframe targets will improve DAP accountability, support development industry planning/project management, and inform City budget/staffing decisions to secure necessary resources to secure approved targets.	✓	✓	
T9	The City and development applicants both struggle to secure timely design and construction of Right-of-Way Infrastructure Improvements generated by approved DAP applications. This Report's cause-and-effect diagnosis of DAP Right-of-Way problems suggest the need for innovative mutually supported solutions.	<p><b><i>Organize/Execute a Facilitated Problem-Solving Session with Development Community leaders around the challenges posed by Right-of-Way Infrastructure Improvements necessitated by DAP Approvals</i></b></p>	A properly executed facilitated approach to Right-of-Way solutions could lead to predictable design and construction that is properly sequenced with approved growth. Potential public safety risks associated with delayed intersection improvements in the Right-of-Way could be reduced/eliminated.		✓	

T10	<p>The City's Building department already makes use of AMANDA to sequence and measure its review/approval workflows. The City's Planning/Engineering DAP team is committed to using AMANDA in the same fashion as Building. Currently AMANDA does not sequence/regulate the siloed Planning/Engineering DAP and Building DAP journeys experienced by an applicant.</p>	<p><b>Utilize specific process triggers (in AMANDA) to seamlessly "hand off the baton" from Planning/Engineering DAP to Building DAP</b></p> <ul style="list-style-type: none"> <li>• <b>Tracking and managing Site Plan/Building process overlaps should be the City's initial priority</b></li> </ul>	<p>Properly mapped/executed DAP workflow overlaps can reduce the overall processing time journey across Planning/Engineering DAP and Building DAP for applicants. The City can eliminate the risk of negative/unintended process overlaps by using AMANDA to confirm process trigger points in Site Plan have been secured before Building permit processes/decisions are allowed to move forward.</p>	✓	✓	
T11	<p>The current Conditions Clearance/Securities Release model can be improved/made more accountable by adopting Timeframe Targets, streamlining processes and confirm the accountability of applicant consultants to execute detailed inspections to confirm development agreement Conditions have been met</p>	<p><b>Implement "As Should Be" Conditions Clearance/Securities Release model documented in this Report, including countdown clock Timeframe Targets</b></p>	<p>The City can ensure DAP applicants remain accountable/liable for demonstrating development agreement Condition Clearance using their own consultant's inspections/verification - while still achieving City staff "eyes on the Site" for purposes of making timely/ efficient Securities Release decisions</p>		✓	



## Roadmap to Build a Results Based Scorecard &amp; Culture of Accountability

#	As Should Be Finding	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S6	The City does not currently track/report on Planning/Engineering DAP actual timeframes, nor does it establish evidence-supported timeframe targets. The City's required Planning/Engineering DAP IT modernization toolkit is not yet in place to deliver a results-driven management cycle or accountability framework	<p><b>Design and Implement an Annual Results-Based Management Cycle for DAP, including KPI-derived Targets and Scorecard Accountability Reporting</b></p> <ul style="list-style-type: none"> <li>• <b>Use AMANDA as central nervous system of DAP performance data tracking and reporting</b></li> <li>• <b>Eventual migration to City MOUs with development industry around DAP target timeframes (including mutual obligations to meet targets)</b></li> </ul>	AMANDA supported Accountability reporting and timeframe performance tracking is central to creating a City/development industry cultural commitment to a timely/predictable DAP application processing "conveyor belt"		✓	✓

#	As Should Be Finding	Tactical Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
T12	Key Performance Indicators are not yet in place to support a DAP Results Based Management framework or an MOU with the development industry concerning mutual obligations to meet timeframe targets	<b>Adopt/Populate recommended KPIs in this Report for Pre-Consultation, Complete Applications, Technical Reviews, and Conditions Clearance/Securities Release Decision</b>	Adopting KPIs will inform future target setting for DAP timeframes, leading to a stable/predictable application processing conveyor belt. KPI based reporting will support ongoing efforts at the City to build an evidence-based culture of accountability.	✓	✓	✓

## AMANDA Technology Solution

#	<i>As Should Be Finding</i>	Strategic Recommendations	Expected Benefits	DO NOW	DO SOON	DO LATER
S7	AMANDA configuration for the entire Planning/Engineering DAP model needs to be informed/leveraged by a Site Plan Proof-of-Concept; featuring AMANDA configuration solutions that can be efficiently applied across other DAP application categories	<b><i>Leverage required AMANDA configuration/modernization across all DAP application categories using the Site Plan “Proof of Concept” pilot configuration work executed by Performance Concepts/North Lake Design Lab as part of this review</i></b>	AMANDA configuration will be accelerated by the Proof-of-Concept work already executed during this Review. Timelines for securing configuration across all DAP application categories will be reduced and expected overall DAP performance improvements will be secured more quickly	✓	✓	
S8	The City cannot yet measure its actual DAP processing timeframes using existing AMANDA 7 tracking/reporting functionality, because all DAP staff do not populate AMANDA (nor have they been trained to do so)	<b><i>Make AMANDA Countdown Clock Configuration a high priority to track actual Application processing file timeframes against updated Timeframe Targets</i></b>	Accelerating actual application timeframe tracking capabilities will leverage the culture of accountability/ results measurement that is crucial to DAP performance improvement by the City and its applicant partners in the development industry	✓	✓	

#	<i>As Should Be Finding</i>	<b>Tactical Recommendations</b>	<b>Expected Benefits</b>	DO NOW	DO SOON	DO LATER
T13	Currently the City is only utilizing the AMANDA 7 permits module as it moves forward to modernize Planning/Engineering DAP. The contrast with Brantford's parallel DAP review is significant - where the Planning and Conditions Clearance modules are viewed as essential DAP modernization tools.	<p><b><i>Evaluate the potential ROI of the AMANDA Planning/Condition Clearance modules, and secure any necessary additional AMANDA modules to robustly implement the Recommendations contained in this Report</i></b></p> <p><b><i>Purchase required AMANDA licenses to ensure all IPS Staff participating in DAP can access AMANDA as required</i></b></p> <p><b><i>Design and execute a robust AMANDA Training Program for all IPS Staff participating in DAP</i></b></p>	AMANDA preparedness planning will accelerate the City's ability to streamline development approvals processes and measure/manage processing timeframes.	✓		
				✓	✓	
				✓	✓	

## 11.0 Conclusions & Moving Forward with Change

### 11.1 3<sup>rd</sup> Party Assessment

Implementation and execution of organizational change is always challenging. It requires focus and perseverance. The Performance Concepts/Dillon team recommends a 3<sup>rd</sup> party implementation progress review in Q4 of 2022 or Q1 of 2023. This independent progress evaluation will compare actual implementation of the Roadmap against the *Do Now* & *Do Soon* actions and timeframes set out in in this Report.

Remedial actions will be recommended (if required) to keep/get implementation on-track as Peterborough transitions across *Do Now* to *Do Soon* for a range of change driven action items.

### 11.2 DAP Performance Improvement: Measurement Lenses to Consider

The DAP performance challenges facing Peterborough moving forward are focused on capacity building, process streamlining and IT platform modernization. Therefore cost reduction/cost avoidance is not a helpful lens for measuring the performance improvement dividend that can be secured by implementing the Recommendations contained in this Final Report.

DAP performance improvement is properly measured via an alternative lens that is consistent with LEAN thinking principles that focus on optimizing/reducing application processing turnaround/through-put timeframes. A LEAN improvement lens that measures turnaround/through-put times is consistent with the industrial/manufacturing analogy of a DAP conveyor belt producing a series of “black box” application approval products. This performance lens is also consistent with the Province’s mandated “no municipal decision” timeframes that can trigger an OLT/LPAT appeal by applicants.

The Performance Concepts/Dillon team estimates that successful implementation of the “As Should Be” Recommendations advanced in this Report will stabilize application processing timeframes below existing levels (for the current/reasonably predictable annual volume of applications). Reduced application processing times will create significant cashflow and supply chain efficiencies for DAP applicants and the Peterborough development industry. Industry representatives can be consulted moving forward to offer specific \$ estimates of the cost avoidance experienced via stable/predictable processing time “actuals” that meet City targets.

The community benefit associated with Recommended DAP improvements can be measured using the following metrics:

- The \$ value of new Road, Water, Wastewater and Stormwater infrastructure approved/accepted by the City (5 year rolling average).
- The \$ value of construction approved by the City Building Department at the end of the Planning/Engineering/Building DAP approvals process (5 year rolling average). This construction value translates into taxable assessment that funds core City services to residents and businesses.

# **Technical Appendix A**

## ***City of Brantford - Delegation Report***



Alternative formats and communication supports available upon request. Please contact [accessibility@brantford.ca](mailto:accessibility@brantford.ca) or 519-759-4150 for assistance.

**Date** September 13, 2021 **Report No.** 2021-49

**To** Chair and Members  
Building Construction Process Review Task Force

**From** Nicole Wilmot, Chief Planner and Director of Planning  
People, Legislated Services and Planning

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## 1.0 Type of Report

Consent Item   
Item for Consideration

## 2.0 Topic **Delegation of Authority – Streamlining Planning Processes [Financial Impact – No Direct Financial Impact]**

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## 3.0 Recommendation

- A. THAT Report 2021-49 regarding Delegation of Authority for Planning Processes BE RECEIVED; and
- B. THAT comments received from the Building Construction Process Review Task Force BE INCLUDED in the report being forwarded to the Committee of the Whole – Community Development.

## 4.0 Executive Summary

On January 28, 2013, Council established a Building Construction Process Review Task Force. The mandate of the Task Force was to review the development, building and construction processes and provide recommendations for improvements to Council.

In 2019, City Council identified through the “2019-2020 Council Priorities” that where there is opportunity to do so, streamlining of City procedures should be a priority of Council (see Section 8.3 of Report 2019-384). As a result, in February 2020, the City retained KPMG Canada to lead a review of the City’s Development Building Review Process. This resulted in a report that was considered by Council in October 2020, which contained recommendations to improve service delivery. The second phase of this review is underway, and is being led by the Chief Administrator’s Office. The consultants of this review are Dillion Consulting and Performance Concepts Consulting Inc.

The purpose of this Report is to provide the Building Construction Process Review Task Force with background information, so that they may provide input into a future report that will be prepared and forwarded to the Committee of the Whole – Community Development. The Committee of the Whole report will contain recommendations to further streamline the delivery of technical planning services provided by the Planning Department, by delegating an additional six (6) services to Staff and revising existing delegated authority to the Chief Planner/Director of Planning due to the reorganization of the Community Development Commission and Corporate Services Commission into the new People, Legislated Services, and Planning Commission.

These processes involve applications related to the following:

- Removal of a Holding Provision;
- Relief from Part Lot Control;
- Determining Major vs. Minor Amendments to Draft Approved Plans of Subdivision;
- Extension of the lapsing period for Draft Approved Plans of Subdivision and Condominium; and,
- Condominium Exemption.

In Staff’s opinion, the delegation of these matters to the Chief Planner/Director of Planning makes more efficient use of Council and Administration’s time and will improve service delivery to the development community. Streamlining the review and approval process for certain types of straightforward applications will allow development to ultimately proceed in a more timely fashion.

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It is recommended that the Building Construction Process Review Task Force receive this Report and that Staff be directed to incorporate the comments from the task force into the “Delegation of Authority – Planning Processes” report being prepared for the Committee of the Whole – Community Development.

## 5.0 Purpose

The purpose of the Building Construction Process Review Task Force is to review building and construction processes within the City of Brantford and identify areas where there is opportunity for increased efficiencies. As such, Planning Staff are bringing forward this report identifying areas where the delivery of technical planning services provided by the Planning Department could be streamlined by delegating six (6) services to Staff, and revising certain existing delegated authority to the Chief Planner/Director of Planning.

Staff is requesting input from the Building Construction Process Review Task Force, and will incorporate their comments into the Report being prepared for the Committee of the Whole – Community Development.

## 6.0 Background

On January 28, 2013, Council established a Building Construction Process Review Task Force. The mandate of the Task Force was to review the continuum of the building construction process and provide recommendations for improvements to Council.

City Council identified through the “2019-2020 Council Priorities” that if there is opportunity to do so, streamlining of City procedures should be a priority of Council. As a result, in February 2020, the City retained KPMG Canada to lead a review of the City’s Development Building Review Process. The purpose of this review was to identify opportunities to create more streamlined and efficient processes when dealing with development applications. The KPMG Report was considered by Council in October 2020, and it identified recommendations to improve service delivery. One of the observations in Section 4.2 of the KPMG Report was that *“Council and Senior Management review and approve applications which consumes valuable time and causes delays as the applications go through the chain of command. The measured delegation of authority could be enhanced.”* The resulting recommendation was that the municipality should *“consider developing a measured delegation of authority such that Management can take decisions on approvals of small/frequent/less complex applications.”* The second phase of this review is underway, led by the



Chief Administrator's Office. The consultants leading this review are Dillion Consulting and Performance Concepts Consulting Inc.

It is also important to note, that now that the new Official Plan has been approved by the Minister of Municipal Affairs and Housing, Planning staff are experiencing an increase in requests for pre-consultations and development planning applications, and the delegation of authority for planning applications will become even more important to ensure timely approvals for straightforward applications. Planning staff are of the opinion that any effort to reduce the number of applications presented to the Committee of the Whole – Community Development and Council, particularly for minor/less complex applications, which have often already gone through a public process will be advantageous to the City and development community alike.

The delegation of additional planning applications to City Staff would provide authority to approve and execute all documents as set out in Delegation of Authority By-law 169-2021. Specifically, "Schedule B" sets out the planning approvals that have been delegated to staff, and the procedures for the processing of planning applications that are subject to the delegated authority.

The current Planning approvals delegated to staff include:

- Heritage Easement Agreements;
- Minor Heritage Alteration Permit, as defined in "Schedule 7" to Chapter 26 of the Municipal Code;
- Major Heritage Alteration Permit, as defined in "Schedule 7" to Chapter 26 of the Municipal Code;
- Agreements regarding planning and development incentive programs;
- Parking Exemption Agreements;
- Severance Agreements;
- Site Plan Control Agreements;
- Site Plan Control Approvals;
- Draft plan of subdivision and condominium approvals; and,
- Final plan of subdivision and condominium approvals.

The Planning Department has considered and identified a number of additional planning processes that could be further streamlined by delegating the approval authority to Staff. The delegation of these matters to the Chief Planner makes

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more efficient use of Council and Administration's time, will decrease wait times for straightforward/minor development applications, and will ultimately improve service to the development community.

These processes involve applications related to the following:

- Removal of a Holding Provision;
- Relief from Part-lot Control;
- Determining Major vs. Minor Amendments to Draft Approved Plans of Subdivision;
- Extension of the lapsing period for Draft Approved Plans of Subdivision and Condominium; and,
- Condominium Exemption.

In addition to the types of applications noted above, there are processes such as the approval of alterations to properties designated under the *Ontario Heritage Act* that are currently required to be signed off by the General Manager of People, Legislated Services and Planning. With the reorganization of the Community Development Commission and Corporate Services Commission into the new People, Legislated Services, and Planning Commission, the approval authority has transitioned to the General Manager of People, Legislated Services and Planning.

It is recommended that Council's authority to approve such applications be delegated to the Chief Planner/Director of Planning rather than the General Manager of People, Legislated Services and Planning as is current practice. This will allow for a more efficient and streamlined approach to the approval of such applications and execution of routine documents. Where applicable, the Delegation of Authority By-law 169-2021 should be amended to reflect that the Chief Planner/Director of Planning (or their delegate) has the signing approval authority in these situations.

## **7.0 Input from Other Sources**

The Clerks Department and Legal Services were consulted through the updates to the Delegation of Authority process. Planning Staff also consulted with staff in Development Engineering. No concerns were reported in relation to the updated process.

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Planning Staff also consulted with Dillon Consulting and Performance Concepts Consulting Inc., who have been retained by the City to conduct a review of the Development Application Process (DAP). Their comments are contained in **Appendix A**, and are discussed in Section 8.0 of this Report.

## 8.0 Analysis

As noted in Section 6.0 of this Report, it is important to note, that now that the new Official Plan has been approved by the Minister of Municipal Affairs and Housing, the planning department is experiencing an increase in application volumes for both existing infill applications and block plans in the expansion lands, and in order to maintain/improve service levels the delegation of authority for planning applications will become even more important. As noted in the memorandum provided by Performance Concepts Consulting Inc. (see **Appendix A**), Brantford is positioned to become a major Golden Horseshoe Greenfield development site, and it is anticipated that the peak volume of applications will occur at the front end of the 2021-2051 period. They indicate that approximately 300-400 residential units will be constructed annually in the northern boundary expansion lands, starting as early as 2024- 2027 and that the required Planning/Engineering applications will need to be processed in 2022-2023 to meet the fast-approaching peak demand. This is in addition to the increase in complex applications for lands within the City's existing built boundary.

The memo also outlines the risk to the municipality if staff are unable to process the volume of applications within the prescribed timelines in the *Planning Act*, and that developers may then appeal their applications to the Ontario Land Tribunal (formerly the Local Planning Appeals Tribunal) for a "lack of decision", thereby taking the decision making out of the hands of Council. They concur that delegated staff approvals are a critically important tool to improve efficiencies, particularly for straightforward applications, freeing up Council and Staff's time to deal with more complex planning matters.

Based on the above, Planning Staff recommends that the following planning processes be delegated to Staff.

### 8.1 Delegation of Removal of "Holding (H)"

Section 36 of the *Planning Act* authorizes municipalities to apply a Holding Provision to an amending zoning by-law in order to delay development of the site until specific conditions are met. Holding Provisions may also be

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applied to achieve orderly staging of development, confirm adequate infrastructure and community services, ensure the execution of legal agreements, approval of subdivision plans and/or approval of any necessary supporting studies. The most common use of the Holding Provision in the City of Brantford is to ensure adequate municipal water and sewer services and related system capacity exist to service the property, and to ensure the execution of legal agreements. In the past, Planning Staff often used the Holding provision for many site specific zoning by-law amendments, with conditions imposed for the removal of the Holding now considered redundant, given that other *Planning Act* approvals were required before development could proceed such as site plan control, issuance of building permits, or the registration of a subdivision. Moving forward, Staff will establish criteria to warrant when the use of a Holding provision is appropriate and in the public interest. This will ensure a more customer-friendly and efficient process, while still protecting the interests of the City.

When the conditions of the Holding Provision have been met, the “H” symbol can be removed, which is currently completed through the approval of an amending By-law by Council. Applicants are required to fill out an application and submit it along with any accompanying background information that substantiates how the conditions of the “H” have been met. Following a review of all applicable information and comments from agencies, a report considering the matter is prepared and presented to Committee of the Whole. The “H” is merely intended to be applied when the principle of the use has already been determined, but there are outstanding technical conditions that must be met prior to the development of the site.

The current process for the removal of a Holding (H) provision requires the preparation of a Staff Report and By-law for consideration by Council. This process has structured corporate deadlines which must be adhered to; otherwise the report or by-law cannot be advanced. Quite often, the removal of the “H” request occurs just as a Plan of Subdivision is being registered, and the requirement to forward a report and by-law to Council for the removal of the Holding provision causes delays in the issuance of building permits. Because each Holding Provision includes specific and detailed conditions that must be met prior to their lifting, delegating this approval authority to staff is one measure that Council can take to reduce delays associated with development approvals, while still protecting the

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interests of the municipality. It is important to note that the process to lift a Holding provision is administrative in nature. The application, i.e. site – specific zoning bylaw amendment for which the holding applies, has already gone through a public process and been approved by Council.

## **8.2 Delegation of Relief from Part Lot Control**

Relief from Part Lot Control is another form of land division in addition to Plans of Subdivision and Consents. Section 50 of the *Planning Act* allows a municipality to pass a by-law that excludes lands within a Registered Plan of Subdivision from the *Planning Act's* Part Lot Control regulations.

An example of how relief from Part Lot Control is used is the division of semi-detached and street townhouse units in a registered Plan of Subdivision. Applications for this relief are usually submitted after construction begins and the building foundations are approved. This makes it easier to determine accurate property boundaries between units and their shared walls/foundations.

Municipalities such as the City of Hamilton have delegated the authority to approve an application for exemption from Part Lot Control for lands within the City to the General Manager, Planning and Economic Development. If the General Manager's decision is to approve the exemption, City Council will then adopt the by-law exempting the lands from Part Lot Control.

Over the last five years, fifteen applications for relief from Part Lot Control have been considered by Council. Of these applications, only one has been separated for discussion. The delegation of authority to staff for the approval of applications for relief from Part Lot Control will eliminate the requirement for the preparation of a Planning Staff Report, and will reduce the number of items on the Committee agenda for consideration. This will also expedite the process for applicants, and will avoid potential conflicts between real estate closing dates and the approval dates by Council.

## **8.3 Delegation to Determine Major / Minor Status in Revisions to Draft Approved Plans of Subdivision**

At any time prior to final plan approval, there may be requests (from agencies, the municipality or the applicant) to change the conditions of draft approval and/or to change the layout of the plan. These revisions to

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Draft Approved Plans of Subdivision are commonly referred to as “red line” revisions. If the changes are considered minor by the municipality, no notification is required under Section 51(47) of the *Planning Act*. If the changes are considered major by the municipality, the proposed changes are subject to the same procedures respecting review as the original proposal, and a public meeting as well as a Staff report, and Council approval is required.

Previously, there was no formal policy in place to determine if proposed changes to a Draft Plan of Subdivision were major or minor, and it was a judgment decision rendered by the General Manager of Community Development (now People, Legislated Services and Planning). This decision was based on whether there would be an impact to the public, and whether the changes would maintain the intent of the Draft Plan Approval. The red-line revisions were only permitted in situations where an application had already been presented through a public process.

The implementation of criteria to determine the major/minor status of the requested changes will streamline the process, create transparency, and only place matters before Council that will have implications to the public, or to the intent of the original approval of the Draft Plan of Subdivision. Internal departments will be consulted prior to determining the major/minor status, to ensure that there are no servicing implications.

Planning Staff recommends that the following criteria be established to differentiate between major/minor amendments to Draft Plan Approval for Subdivisions, and that these criteria be incorporated into the Planning Department – Community Services Procedural Manual (see **Appendix B**).

The proposed criteria are as follows:

Major Amendments to Draft Approved Plans of Subdivision shall include:

- Additional technical studies or revisions to existing technical studies are required;
- Significant reduction or addition to number of lots or blocks;
- Changes to lot types i.e. Single-detached to multi-unit;
- Addition/revision or removal of park blocks;

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- Changes to street patterns;
  - Changes to boundaries of Natural Heritage parcels; and
  - Changes that are subject to Provincial policies.

Minor Amendments to Draft Approved Plans of Subdivision shall include:

- Proposal does not require additional technical studies or revisions to existing technical studies;
- Changes to lot or block lines which do not significantly affect the number of units or road patterns;
- Changes to proposed right-of-way width;
- The proposed change does not impact any Provincial policies; and,
- Proposals do not result in a conflict with Official Plan policies and Zoning By-law regulations.

Planning Staff recommend that major amendments to draft plan conditions or to the draft plan itself continue to be forwarded to Committee of the Whole for their consideration. All changes that are considered minor would be subject to the approval of the Chief Planner/Director of Planning, and would not require consideration by Council or a public meeting.

#### **8.4 Delegation to Extend Lapsing Period for Draft Approved Plans of Subdivision and Condominiums**

Pursuant to Section 51(32) of the *Planning Act*, in granting approval to a draft plan of subdivision or condominium, the municipality may specify that the approval lapses at the expiration of a given time period, and the approval shall lapse at the expiration of the time period. The City of Brantford typically grants draft plan approval for three years, however, in cases where there are extenuating circumstances that may affect the completion/satisfaction of conditions (i.e. extension of services through another property), a longer lapsing period has been granted.

To date, the method whereby an extension of draft plan approval has been granted requires a report to be prepared by Staff and forwarded to Council. As per Section 51(33) of the *Planning Act*, the approval authority

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may extend the approval for a time period specified, and may further extend it. It should be noted that no extension is permissible if the approval lapses before the extension is given.

Due to the length of time required for a request for extension to be circulated for comment, the time for Planning Staff to write a report, and the time it takes for the scheduling of the application on a Committee of the Whole – Community Development agenda, the applicant must submit the request for an extension several months before their lapsing date. In many instances, the applicant has not kept track of the lapsing date, and there are severe time constraints to ensuring that the application is placed on an agenda before the Draft Plan Approval expires. This often presents several administrative challenges for the Planning and Clerks Departments to coordinate additions to agenda's. In previous instances, the requests for extension have been granted for anywhere from one year to three additional years.

Planning Staff recommend that this function be delegated to Staff, as the process does not involve the review of additional reports or plans and does not allow for any changes to the original application. As such, it is administrative in nature, and delegating this approval to staff will improve customer service, and create further efficiencies by freeing up time for Council consideration of other more pertinent matters.

## **8.5 Draft Plan Approval of Condominium Delegated Authority**

Section 51(16) of the *Planning Act*, allows the owner of land or the owner's authorized agent to apply to the City for approval of a plan of condominium similar to a plan of subdivision. There are five different types of condominium (standard, common element, vacant land, phased and leasehold), and currently all types of applications are brought forward to the Committee of the Whole for approval of the Conditions of Approval and for approval of the Draft Plan itself. Of the five types, only vacant land condominiums are required by the *Planning Act* to have a statutory public meeting. All other Condominium Applications are brought forward as an Item for Consideration, unless they are combined with another *Planning Act* application (such as an Official Plan Amendment, Zoning By-law Amendment, or Plan of Subdivision). In these instances, the application is brought forward to a Public Meeting with the associated applications. In this regard, the usefulness of bringing an application for Draft Plan of Condominium before Council is questionable given that a condominium is



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a form of tenure and all land use planning issues would have been dealt with through the Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and/or Site Plan Control applications.

Once a condominium application has been Draft Approved by Council, Development Planning Services oversees the administration of the final approval, and the General Manager of People, Legislated Services and Planning and the Chief Planner/Director of Planning have delegated authority for the final condominium approval. This means that once all conditions imposed by Council have been cleared, the General Manager or Chief Planner/Director of Planning is able to sign off on the final plans.

The various types of condominium applications and any proposed changes are outlined below as follows:

### **8.5.1 Vacant Land Condominiums**

Vacant Land Condominiums are a type of freehold condominium where the units do not need to be constructed at the time of registration of the condominium. The land must be vacant for the condominium to be considered Vacant Land. Where Vacant Land works the best is for condominium projects that are similar in design and use to a standard Plan of Subdivision. The difference between a Plan of Subdivision and a Vacant Land Condominium is that the subdivision would have public roads, whereas the Vacant land Condominium would have private roads.

Under Section 7 of Regulation 544/06 of the *Planning Act*, Vacant Land Condominium applications must have a Public Meeting, similar to a Zoning By-law Amendment or Official Plan Amendment. Due to this requirement, Vacant Land Condominiums have not been included in the request for delegated authority through the Delegation of Authority By-law changes. The process for Vacant Land Condominiums will remain the same as it is currently.

### **8.5.2 Condominium Conversions**

Condominium Conversions are applications to convert existing rental units into separate ownership. This applies to all uses, including residential, commercial and industrial.

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Due to the impacts on a large number of people/existing tenants, Planning Staff are of the opinion that Condominium Conversions should continue to be directed to Council. Therefore, the approval process for Condominium Conversions will not change with the Delegation of Authority.

### **8.5.3 Delegated Authority for Phased, Common Elements, Standard and Leasehold Condominium Applications**

As mentioned in Section 8.5.1 of this Report, the process is intended to remain the same for Vacant Land Condominiums. For the remainder of Condominium Applications, which currently are brought forward to Council to consider the proposed conditions, and which do not require a statutory public meeting under the Planning Act, members of Council will continue to be circulated through the original technical circulation, with approval delegated to Staff. Through this process, members of Council will have input into the proposed conditions, and upon satisfying departments through the technical circulation as well as the Ward Councillors, the plan, along with a list of Draft Plan conditions, will be brought to either the General Manager of People, Legislated Services & Planning or the Chief Planner/Director of Planning for approval. Draft Plan of Condominiums are appealable to the former LPAT, now the Ontario Lands Tribunal (OLT), and therefore upon approval through the General Manager or Chief Planner/Director of Planning, a notice of decision will be sent out to all residents within 120 m of the subject property. Furthermore, Planning Staff will incorporate a process into the Delegation of Authority By-law that would permit the referral of unique or contentious matters to the Committee of the Whole – Community Development.

## **8.6 Condominium Exemptions**

The *Condominium Act, 1998, S.9* contains provisions permitting an application for a plan of condominium to proceed directly to final approval, thereby bypassing the requirements for notice and draft approval, which are normally part of the approval process under the *Planning Act*. The approval authority can exempt a plan of condominium application on an

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application-by-application basis, or by passing a by-law that identifies the classes of condominiums that will be exempted from approval.

The *Planning Act* does not expressly identify criteria under which an application for a plan of condominium may be exempt from the need for approval. However, plans of condominium are subject to the same legislated criteria as plans of subdivision. In the case of plans of condominium, there may be circumstances in which all relevant planning considerations have been reviewed and found acceptable in the context of other planning applications for the development. In these circumstances, an exemption may be appropriate.

An example of when a condominium exemption may be appropriate would be when an application has been through Official Plan Amendment and/or Zoning By-law Amendment, as well as Site Plan Control, and there is nothing outstanding to review to establish the tenure. Further, developments that are relatively 'typical' with less common elements may be a situation where exemption is appropriate. Alternatively, if there is a subdivision or severance that requires shared infrastructure (i.e noise wall, entrance feature), condominium exemption can be used to establish the shared piece of infrastructure as a common element. Exemption works well in this case as it is a simple process for something that requires limited review by City Staff.

Planning Staff would not consider a Draft Plan of Condominium Exemption in every case, and would advise the applicant whether or not an application for exemption would be considered appropriate. If the condominium requirements are considered minor, and a condominium agreement is determined to not be required, then Exemption can be considered.

An example list of exemption conditions can be seen below. These conditions are based upon the City's standard list of Draft Plan of Condominium conditions that are currently used, with any special conditions inserted where required:

- Prior to final approval of the Plan, the Owner shall submit at their expense, for approval, an Engineering Report prepared by a consulting engineer, confirming that the internal paved areas, parking areas and underground servicing have been constructed to a standard that will ensure future purchasers of a

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reasonable and adequate maintenance-free period for those common elements, said report to be to the satisfaction of the General Manager, Public Works. Should the said works not be completed by the time that final plan registration occurs; the City will retain the Letter of Credit to guarantee satisfactory completion of the said works.

- Prior to final approval of the Plan, the Owner shall satisfy all requirements, financial and otherwise, of the City of Brantford, including those related to the following matters:
  - Municipal and site servicing, including water modeling;
  - Lot grading;
  - Drainage;
  - Sidewalks
  - Control of dust during construction;
  - The responsibility to complete the required servicing works (i.e. water, sanitary, stormwater) within the Public right-of-way and will need to reconstruct roads and sidewalks as necessary.
  - To confirm sanitary, water and stormwater sewer capacity
  - Provide all easements, and convey all lands, as may be required for utility or drainage purposes to the appropriate authority.

The process for exemptions will involve the following:

- Completion of a Condominium Application and submission of fee and supporting materials
- Circulation for technical comment
- Final approval of Plan of Condominium

Planning Staff recommends that a new fee be implemented for the Exemption from Condominium process in the amount of \$1,450.00, which is the same fee that is currently charged for revision to conditions of draft plan approval for condominiums.

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## **8.7 Delegation of Authority for Applications to Alter Properties Designated Under the *Ontario Heritage Act***

When a property is designated under the *Ontario Heritage Act* alterations to the property require municipal approval under Section 33 (for individually designated properties) or Section 42 (for properties within a Heritage Conservation District) of the Act to ensure that changes are sympathetic to the cultural heritage value of the property. Once notice of receipt of a heritage alteration application is issued by the City, a decision must be made within 90 days; if no decision is made then the alteration is deemed to be approved.

In order to make the application process more customer-friendly and efficient in its use of Council time and resources during meetings, Council passed By-law 148-2016 and delegated its authority to approve heritage alterations (with or without conditions) to the General Manager of People, Legislated Services and Planning, and classified various types of alterations into “Major Alterations” and “Minor Alterations”. Major Alterations typically involve new construction or other permanent changes that would alter the appearance of a designated property and require the Brantford Heritage Committee to be consulted. Minor Alterations typically reflect maintenance work or replacement with the similar/same material.

With the reorganization of the Community Development Commission and Corporate Services Commission into the new People, Legislated Services, and Planning Commission, the approval authority has transitioned to the General Manager of People, Legislated Services and Planning. The combining of commissions has broadened the responsibilities and demands on time of the General Manager of People, Legislated Services and Planning and as such, Staff recommends that Council’s authority to approve alterations both with and without conditions under Sections 33 and 42 of the *Ontario Heritage Act* be delegated to the Chief Planner/Director of Planning. The transfer of delegated authority will retain the efficient processing times currently being provided to applicants and will also allow the General Manager of People, Legislated Services and Planning to devote more time to tasks other than the execution of routine documents.

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## 8.8 Review of Other Municipalities

Planning Staff conducted a survey of municipalities of a similar size or in close proximity to the City of Brantford, to determine if they utilize the proposed exemptions and delegation of authority, and if so what fees are associated with the processes (**Appendix C**). Of the five municipalities surveyed, three out of the five have criteria to differentiate major/minor amendments to Draft Approved Plans of Subdivision, and four out of the five permit exemptions from Draft Plan of Condominium approval. The applicable fees for the different types of applications vary amongst each municipality surveyed.

## 8.9 Council Notification of Applications & Agreements

It is understood that in certain instances, Council may want to review proposals, and accordingly the following process can be implemented to refer the applications to Council for consideration. Council will continue to be notified of all applications through the technical circulation of all *Planning Act* applications. This would provide time for Council to review each application and determine if there is interest in referring delegated applications to Council.

Based on the above considerations, Planning Staff recommends that “Schedule D” of the Delegation of Authority By-law 169-2021 be amended to include a process for the exemption of condominiums, that the delegated authority to approve heritage alterations (with or without conditions) be expanded to also include the Chief Planner/Director of Planning, and that authority to forward a by-law for the removal of Holding provisions and Relief from Part Lot Control be delegated to the General Manager of People, Legislated Services and Planning or the Chief Planner/Director of Planning (or designate)(see **Appendix D**).

Granting delegated authority to Staff through the Delegation of Authority Policy will not exempt the by-laws from requiring approval by City Council. Relief from Part Lot Control and the removal of Holding will continue to require by-laws to be presented directly to City Council. Section 15.11.3 of Chapter 15 of the City of Brantford Municipal Code states, “no by-law shall be presented to Council for adoption unless the subject matter thereof has first been considered by Council or a Committee thereof.” Notwithstanding the above, a By-law may be presented directly to Council without first

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having been considered by Council or a Committee if a Corporate Policy adopted by By-law, permits this action”.

Inclusion of Relief from Part Lot Control and Removal of “Holding (H)” in Corporate Policy-010 – Delegation of Authority will ensure the provisions of the procedural by-law are met and permit this streamlined approach to approvals.

## 9.0 Financial Implications

With the proposed changes noted throughout this report, Planning Staff anticipate a minor potential decrease in revenue from certain condominium applications that are proposed to be exempt. In 2020, six applications were received, of which four were associated with other *Planning Act* applications. The fees received for those combined applications would have been reduced if the condominium applications were deemed exempt. However, as noted throughout this report, the Planning Department is experiencing an overall increase in development applications. For example, at the time of drafting this report, the Planning Department has processed 185 planning applications; over and above the 175 applications processed in all of 2020. As such, staff anticipates that any minor loss in revenue resulting from the proposed changes outlined in this report, will be offset by the overall increase in application revenues as a result of the increase in application volumes.

Additionally, the amount of Staff time that will be made available will streamline procedures and allow for more applications to be processed in an efficient manner. Reports to Council on average take approximately 20 hours of Planning Staff time to complete (in addition to the time spent by all other department reviewers). A Public Meeting requires additional Staff time and preparation, as well a Committee of the Whole meeting time. Many of the processes recommended for delegation to Staff are primarily an administrative function, and by eliminating these portions of the planning process, less Staff time will be required to process these types of applications.

Planning Staff is also recommending that a new fee be implemented for the Exemption from Condominium process in the amount of \$1,450.00 (See Appendix E), which is the same fee that is currently charged for revision to conditions of draft plan approval for condominium. This new fee will also offset any loss of revenue associated with the loss of condominium fees, and will offset the loss by the increase in new applications coming forward and freeing up additional staff time to review, process and advance more complex planning applications as a result.

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## 10.0 Conclusion

This Report provides a summary of proposed processes that could be delegated to Planning Staff, as a method to streamline procedures and administration, and alleviate some of the volume of applications on Council agendas. It is recognized that there may be instances where Council wants to review proposals, and in those instances, a process has been recommended to refer the applications to Council for consideration.

It is recommended that Staff be delegated the approval authority for the removal of a “Holding” provision, the authority to approve applications for Relief from Part Lot Control, the authority to determine which amendments to Draft Plans of Subdivision are considered major or minor, the authority to extend the lapsing date for Draft Plan of Subdivision and Condominium approvals, and the authority to exempt Draft Plan of Condominium Applications. It is also recommended that the authority to approve applications to alter a designated property under the *Ontario Heritage Act* be delegated to the Chief Planner/Director of Planning.

These changes will streamline the Planning process, reduce the number of reports being prepared by Planning Staff and forwarded to Council, and will free up Committee of the Whole and Council agendas for other matters to be heard.

It is therefore recommended that the Building Construction Process Review Task Force receive this Report and that the comments of the Task Force be incorporated into the Staff Report being forwarded to the Committee of the Whole – Community Development.



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Nicole Wilmot, MCIP, RPP  
Chief Planner and Director of Planning  
People, Legislated Services and Planning

Prepared By:

Joe Muto, MCIP, RPP – Manager of Development Planning  
Karen (K.C.) Pongracz, MCIP, RPP - Senior Planner

Attachments



## Appendix A – Performance Concepts Consulting Inc. Memorandum



### Memorandum

**To:** Nicole Wilmot  
Chief Planner & Director of Planning  
City of Brantford

**From:** Todd MacDonald  
President - Performance Concepts Consulting

**Re:** City Staff Report 2021-49 (Delegated Planning Approvals)

The purpose of this memo is to provide timely input from the Performance Concepts/Dillon team in support of City Staff Report 2021-49. This memo weighs in on the specific recommendations in City Staff Report 2021-49. Perhaps more importantly from our perspective as the City's change management advisor, we have addressed the broader strategic context/business case for expanding delegated approvals from Council to City staff.

#### **1. Strategic Context for Expanding Delegated Approvals to Staff**

The Brant boundary lands are a gamechanger for development approvals at the City of Brantford. Brantford is poised to become a major Golden Horseshoe greenfield development site. The City's new area-specific Development Charge Background Study is instructive on this reality:

- 8,918 new residential units that will need to be reviewed/approved across the City's Planning/Engineering development approvals process (DAP) "conveyor belt" before proceeding for Building permits/inspections and final occupancy.
- 1,289,640 sq.m. of non-residential building space will need to be processed across the City's Planning/Engineering development approvals process (DAP) "conveyor belt" before proceeding for Building permits/inspections and final occupancy.
- Approximately \$335M of new road, water, wastewater and storm infrastructure associated to service the Brant boundary lands will be reviewed/approved and assumed by the city.

Projections included in the area-specific Development Charge Background Study confirm that the peak period of development activity will be at the front-end of the 2021-2051 period. An estimated new 300-400 annual residential units will be constructed as early as 2024-2027. The required Planning/Engineering applications will need to be processed in 2022-2023 to meet the fast-approaching period of peak demand.

Performance Concepts/Dillon believe transformation of Brantford's DAP model is mission critical. The stakes for the City and for boundary land developers are high. If the City is unable to process the imminent tsunami of boundary land development applications in a timely fashion, large/sophisticated GTA developers may well opt for a "planning by LPAT/OLT" strategy. They have certainly done so elsewhere. Finite City staff resources could be tied-up in effort intensive OLT hearings; eroding the City's capacity to deal with the ongoing DAP conveyor belt full of time-sensitive boundary land applications. Cascading numbers of "no

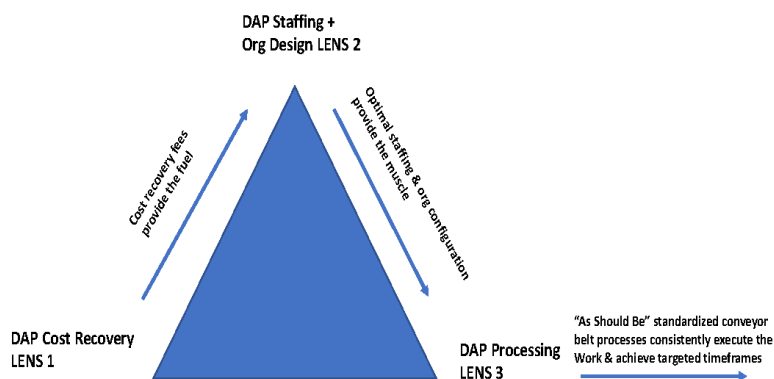
**BRANTFORD DELEGATION OF DAP APPROVALS TO STAFF - INTERIM FINDING**

municipal decision” files could be exposed to a processing crash/pile-up without available City staff resources to move them forward. From a risk management perspective, that outcome should be unacceptable to the City. Brantford Council and staff should plan Brantford’s growth - not OLT bureaucrats and developer lawyers.

**2. Delegated Approvals - A Critical Tool in the Transformed DAP Toolkit**

To deal with the challenges posed by the Brant boundary lands, transformation of the City’s development approvals process (DAP) is required. The figure below sets out three important performance lenses that will shape the necessary transformation.

- The City will need to ensure “Growth Pays for Growth” modernized DAP fee structures and revenue streams are in place - providing the fuel for transformation without incurring negative property tax impacts.
- Staffing upgrades that mirror other Golden Horseshoe greenfield municipalities will be required - providing the necessary processing capacity muscle.
- New streamlined “As Should Be” processes supported by portal/workflow technologies can then be implemented in an effective manner. AMANDA must become the central nervous system for a transformed DAP model. A modernized AMANDA platform will reduce (but not eliminate) the significant staffing expansion required to deal with the boundary lands.



Delegated staff approvals are a critically important tool in the new “As Should Be” streamlined DAP processing model for Brantford. Limiting the number of applications moving through the COW governance model for DAP will be crucial to avoid Council approval pain points that could disrupt the processing of the Brant boundary lands. Council must get out of the business of dealing with low risk/low value-added files in order to protect its limited bandwidth to deal with higher risk/higher value-added files. Council leadership in this regard is all about trading control for results. City staff can and will be able to measure reduced file processing through-put times associated with current and expanded delegated approvals.

**BRANTFORD DELEGATION OF DAP APPROVALS TO STAFF - INTERIM FINDING**

**3. Performance Concepts/Dillon Interim Finding**

From a risk management perspective, the expanded delegation recommendations set out in City Staff Report 2021-49 are a pre-requisite for avoiding a profoundly negative “planning by LPAT/OLT” scenario for the Brant boundary lands. Expanded delegation of low-risk file review/approvals to staff reduces the risk of high stakes boundary land file delays and exposure via “no municipal decision” processing through-put failures. Council will be providing important leadership by trading control for results.

Performance Concepts/Dillon supports each of the specific delegation expansion recommendations contained in Staff Report 2021-49. The technical rationale for each recommended delegation expansion in the Report is consistent with our team’s identification of best practices in place across Golden Horseshoe greenfield municipalities. On the specifics of deciding between “Major” versus “Minor” Subdivision amendments, our team supports a capped “zone of tolerance” in the total number of units in establishing a major change. This zone of tolerance could be an absolute number of units or as a percentage change.

In our Final Report to be delivered in September 2021, Performance Concepts/Dillon will also be recommending additional opportunities for delegation of Development Engineering review/approvals currently overseen by Public Works.

*Todd*

Todd MacDonald  
President, Performance Concepts Consulting Inc.  
[www.performanceconcepts.ca](http://www.performanceconcepts.ca)

## Appendix B – Proposed Amendments to Planning Department Procedural Manual



### PROCEDURE MANUAL: PLANNING DEPARTMENT COMMUNITY SERVICES

- Amended per September 29, 2014 Council Resolution (Building Construction Process Review Task Force Interim Report dated September 22, 2014)
- Amended per May 24, 2016 Council Resolution (Report CD2016-086)

### SUBJECT: CURRENT PLANNING ADMINISTRATION – DEVELOPMENT APPLICATIONS

#### PURPOSE:

This document sets out policies that specifically relate to the administration of development applications that are processed through the Current Planning Section of the Planning Department. Specifically the policies relate to the following:

- A. Closure of inactive files;
- B. Application fee refunds; and
- C. Criteria to distinguish between major and minor applications for amendments to the Official Plan, Zoning bylaw and Site Plan approval.

#### RESPONSIBILITY:

The Planning Department will manage the administrative procedures as they relate to development applications processed through Current Planning.

#### PROCEDURE:

- A. **Closure of Inactive Files:** to be implemented in the case of applications which have been inactive for a period of time in excess of six (6) months. Staff will send a registered letter to the applicant/owner and agent (where applicable) seeking direction.

##### Site Plan Applications:

- if no response is received, the file will be closed and a refund provided to the applicant, if applicable;
- if the proponent responds and indicates a desire to keep the file open and proceed with their development proposal, a further 6 months will be granted to allow for the completion of the file;
- if the application is still incomplete, at the conclusion of the year, the file will be closed if there is no significant progress; and no refund will be available.

Applications to Amend the Official Plan / Zoning Bylaw, Plans of Subdivision / Condominium, Minor Variance / Consent to Sever:

- if no response is received following 6 months of inactivity, a second letter will be issued, informing the proponent of all outstanding issues, changes in policies etc., and they will be given 6 months to provide the necessary documents/ reports etc., to move the application forward;
- if a response is received and the proponent indicates a desire to keep their file open, a similar letter will be issued, and a similar time period of 6 months will be given to resolve all outstanding issues;

Either way, the application will be brought forward to Council for a decision within approximately 1 year of the issuance of the first letter regarding the status of the application.

- B. Application Fee Refunds:** Fee Refunds are only to be provided to the individual/corporation who provided the application fee upon submission of the original application. Requests for a full refund following the conclusion of a file (presentation of the related report at the required public meeting or in the case of a site plan application, upon receipt of site plan approval) will require the direction of Council.

Application Fee Refund Policy:

<b>Applications to Amend the Official Plan / Zoning Bylaw or for Plan of Subdivision / Condominium / Minor Variance / Consent</b>	<b>Refund of Application Fee (%)</b>
Withdrawn prior to technical circulation	100%
Withdrawn following technical circulation but before Ward Meeting is held (where applicable)	75%
Withdrawn after Ward Meeting (where applicable) but before issuance of Public Meeting Notice	50%
Withdrawn after Public Meeting Notice has been issued (report has been prepared)	No refund
<b>Applications for Site Plan Approval</b>	
Withdrawn prior to technical circulation	100%
Withdrawn following first technical circulation	50%
Withdrawn after second technical circulation	No refund

**C. Criteria – Minor / Major Applications:** A minor application fee will be required in the circumstances outlined below. In all other cases, a major fee is warranted.

**Minor Applications to Amend the Official Plan and / or Zoning Bylaw:**

- a) To facilitate developments containing a minimum of 25% affordable housing units subject to satisfying the requirements of the City to ensure the affordable units meet the City's criteria for affordable housing upon development;
- b) No supporting reports are required for review (eg. traffic impact, environmental impact, noise, stormwater management reports etc.);
- c) No change in development is proposed (eg. to recognize an existing use);
- d) The change in land use / zone is minimal (eg. from an R1A Zone to R1B Zone or to an R1C Zone) where the intended use is permitted in all zones but that the zone requirements are different ;
- e) The change in land use involves the creation of 4 or less dwelling units\*;
- f) The removal of a 'Holding' provision.
- g) Apply a reduced fee (50% of the minor fee) for rezonings where the application involves adding one additional use to the existing zone with minimal implications, &/or removing permitted uses.\*
- h) Apply a reduced fee (50% of the minor fee) to be applied in the case of applications involving the removal of a "Holding (H)" Prefix, where the removal of the 'H' does not require the review of any studies, involves limited technical review by the Departments and Agencies and has minimal implications with regard to the use of the land.\*\*

**Minor Applications for Site Plan Approval:**

- a) To facilitate a development directly related to the functions or activities of a registered nonprofit agency;
- b) To facilitate developments containing a minimum of 25% affordable housing units subject to satisfying the requirements of the City to ensure the affordable units are affordable upon development;
- c) No supporting reports are required for review (eg. traffic impact, environmental impact, noise, stormwater management reports etc.);
- d) No change in use is proposed and no alteration to grades required;
- e) The change in land use involves the creation of 4 or less dwelling units in which case landscaping is not considered as part of the site plan review process\*;
- f) Consultation with external departments / agencies is limited to less than three; and
- g) Minor additions to existing buildings equivalent to 20% of the existing structure, to a maximum of 500 m<sup>2</sup> (5382 ft<sup>2</sup>);
- h) A minor redline revision to an approved site plan or a site plan application warranting review by only two departments would be subject to a 50% reduction in the minor fee.

Minor Amendments to Draft Approved Plans of Subdivision:

- a) Proposal does not require additional technical studies or revisions to existing technical studies;
- b) Changes to lot or block lines which do not significantly affect the number of units or road patterns;
- c) Changes to proposed right-of-way width;
- d) The proposed change does not impact any Provincial policies; and,
- e) Proposals do not result in a conflict with Official Plan policies and Zoning By-law regulations.

NOTES

\*September 29, 2014 Council Resolution (Building Construction Process Review Task Force Interim Report dated September 22, 2014).

\*\*May 24, 2016 Council Resolution (Report CD2016-086).

## Appendix C – Comparator Municipal Practices

	London	Markham	Burlington	Hamilton	Barrie
Major/ Minor Amendment to Draft Plan of Subdivision Fee	\$1,000.00	minor - does not require report to Council \$5,469 major - requires report to Council \$17,303	minor - does not require report to Council \$4,820 major - requires report to Council \$9,630	minor - does not require report to Council \$1,185 major - requires report to Council \$37,055	\$5,968.60
Extension of Draft Plan of Subdivision Approval	\$1,000.00	\$8,833.00	\$1,695.00	\$875.00	\$4,099.97
Removal of Holding "H"	\$1,000.00	\$8,833.00	\$3,370.00	\$3,890.00	\$2,258.83
Relief from Part-lot Control	\$200.00	\$8,833.00	\$2,695.00	\$2,540.00	\$1,280.56
Extension of Draft Plan of Condominium Approval	\$100.00	\$8,833.00	\$1,695.00	\$505.00	\$3,907.62
Condominium Approval Delegated to Staff	Yes	Yes	Yes	Yes	Yes
Draft Plan of Condominium Exemption Permitted	No fee noted Rarely used	No	\$3,360.00 Used Often	\$1,275.00 Used	\$3,149.18 Used



## Appendix D – Proposed Amendments to Delegation of Authority Schedule B

Excerpt of Schedule 'D' – Documents – People, Legislated Services and Planning			
No.	Type of Document	Staff Position Authorized to Execute Document	Terms, Conditions, Pre-requisites or Other Conditions Which Must Be Satisfied Prior to Execution
1	All documents set out in this Schedule	Chief Administrative Officer	As per the requirements set out in each section of this Schedule.
20	Heritage easement agreements	General Manager or Director	<p>Approval of Heritage Committee and designation of applicable parcel pursuant to the <i>Ontario Heritage Act</i>.</p> <p>Written recommendation of the Manager of Long Range Planning.</p> <p>Form of agreement to be approved by City Solicitor.</p>
21	Minor Heritage Alteration Permit, as defined in Schedule A to By-law 148-2016	General Manager or Director	<p>Written recommendation of the Manager of Long Range Planning.</p> <p>Compliance with Designation By-law, applicable Heritage Conservation District Plan or Study Guidelines, and the <i>Ontario Heritage Act</i>.</p>
22	Major Heritage Alteration Permit, as defined in Schedule A to By-law 148-2016	General Manager or Director	<p>Approval of the Brantford Heritage Committee or, where the Brantford Heritage Committee does not approve of the Application, approval of Brantford City Council.</p> <p>Written recommendation of the Manager of Long Range Planning.</p>
23	Agreements regarding planning and development incentive programs	General Manager or Director	<p>Resolution from Council supporting the application.</p> <p>Written recommendation of the Manager of Long Range Planning.</p>

24	Parking exemption agreements	General Manager or Director	<p>Compliance with applicable requirements of the <i>Planning Act</i>.</p> <p>Written recommendation of the Manager of Development Planning.</p> <p>Form of Agreement to be approved by City Solicitor.</p>
25	Severance agreements	General Manager or Director	<p>Agreement must have been a condition imposed by the Committee of Adjustment or Local Planning Appeal Tribunal (OLT) in respect of a consent.</p> <p>Written recommendation of the Manager of Development Planning.</p> <p>Form of agreement to be approved by City Solicitor.</p>
26	Site plan control agreements	General Manager or Director	<p>Written recommendation of the Manager of Development Planning, confirming requirements of City are addressed and appropriate securities are retained.</p> <p>Form of site plan control agreement to be approved by City Solicitor.</p>
27	Site Plan Control Approvals	General Manager or Director	<p>Written recommendation of the Manager of Development Planning confirming all conditions have been satisfied including registration of the site plan control agreement.</p>
28	Draft plan of subdivision and condominium approvals	General Manager or Director	<p>Passage of Resolution by Council granting draft plan approval.</p>
29	Final plan of subdivision and condominium approvals	General Manager or Director	<p>Compliance with conditions of draft plan approval, including the receipt of clearances from municipal departments and other parties for who such draft plan conditions were applied.</p>
30	Condominium agreements	Mayor and Clerk	<p>Written recommendation of the General Manager or Director, confirming that all conditions have been satisfied and sufficient securities have been retained.</p> <p>Form of agreement to be approved</p>

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			by City Solicitor.
31	Exemptions from Condominium Approval	General Manager or Director	Written recommendation of the Manager of Development Planning, confirming requirements of City are addressed.
32	Removal of Holding	General Manager or Director	Written recommendation of the Manager of Development Planning, confirming requirements of City are addressed.
33	Relief from Part Lot Control	General Manager or Director	Written recommendation of the Manager of Development Planning, confirming requirements of City are addressed.

## Appendix E – Proposed Planning Department Fee Schedule



### Development Application Fee Schedule

Effective January 1, 2021

Application Type	Planning Fee (\$)	Engineering Fee (\$)	Total Fee (\$)
<b>Official Plan Amendment</b>			
Major amendment	14,500	1,500	16,000
Minor amendment	10,500		12,000
<b>Zoning By-law Amendment</b>			
Major amendment	14,490		15,990
Minor amendment	10,500		12,000
Minor amendment – specific types: removal of a Holding Provision (where application is required); adding 1 new use; extension of a temporary use by-law	5,275	1,500	6,775
<b>Combined Official Plan &amp; Zoning By-law Amendment</b>			
Major amendment	21,735	1,500	23,235
Minor amendment	15,800		17,300
<b>Block Plans / Extension of Settlement Area Boundary</b>			
Block Plan Application+ per hectare or part hectare	15,670+ 500/ha or part		variable
Extend Settlement Area Boundary	51,750		51,750
<b>Plan of Subdivision*</b>			
Base application fee + per hectare or part hectare	31,340+ 975/ha or part	5,000+ 100/ha or part	Variable
+ Subdivision Agreement preparation		3,000	3,000
+ Engineering Review of Subdivision once draft approved, prior to signing & registration of subdivision agreement		5% of total cost of construction	variable
+Detailed Subdivision Engineering submission once draft approved, for every complete submission. Collected at time of complete submission		Greater of \$10/m of proposed road or \$500	variable
Redlining (amending) a draft approved plan of subdivision	4,325	3,000	7,325
Revision to conditions of draft plan approval for subdivision	1,450		1,450
*Subdivision in combination with a Zoning By-law application	25% reduction of the combined Planning fees		
<b>Plan of Condominium*</b>			
Base application fee +	27,600 +		
Up to, and including, 10 units		5,355	32,955
Between 11 and 25 units		8,032	35,632
Greater than 25 units		10,710	38,310
Redlining (amending) a draft approved plan of condominium	4,325	3,000	7,325
Revision to conditions of draft plan approval for condominium	1,450		1,450
<b>Exemption from Condominium Approval</b>	<b>1,450</b>		
*Condominium in combination with a Zoning By-law application	25% reduction of the combined Planning fees		
<b>Site Plan Control</b>			
Major site plan	11,730	1,040+	variable
Prior to signing & registration of site plan agreement		1% of total cost of construction (max. 10,000)	
Minor site plan	4,430	1,040	5,470
Minor site plan – infill ( <= 3 units)	2,220	1,040	3,260
Amendment to an approved site plan (minor change / modification)	2,215		2,215
Site plan Review (per circulation beyond 2)	1,150	500	1,650
Site plan agreement (beyond standard agreement)	1,100		1,100



Application Type	Planning Fee (\$)	Engineering Fee (\$)	Total Fee (\$)
Site plan inspections for release of securities (per inspection beyond 2)	575		575
Extension of conditional site plan approval	1,150		1,150
<b>Relief from Part Lot Control</b>			
Base application fee + per lot or unit	2,160 + 85/lot or unit		Variable
Extension of Part Lot Control	1,725		1,725
<b>Committee of Adjustment</b>			
Consent (severance) including long term lease and validation of title	3,280		3,680
Minor Variance (Planning Act & Municipal Code (signage / fences))	2,185	400	2,585
Combined Consent and Minor Variance	4,100		4,500
<b>Other Fees</b>			
A. <b>Preconsultation meeting</b> (Not applicable to Committee of Adjustment applications. The fee is deducted from the related development application fee if the related application is submitted within one year of the meeting.)	1,150		1,150
B. <b>Engineering preconsultation fee</b> (Non-refundable. Applies only to applications for Site Plan Control (Major), Plan of Subdivision, and Plan of Condominium Applications.)		1,040	1,040
<b>Complete application review</b> (Returned if application is deemed complete)	1,150		1,150
<b>Peer Review administration fee</b> (for an EIS or other study necessitating external consultants)	2,300		2,300
<b>Recirculation of Public Notice of Application</b>	800		800
<b>Revisions to Committee of Adjustment Applications</b> requiring technical recirculation	400		400
<b>Revisions to other applications requiring technical recirculation</b> (For example: subdivision, condominium, amendments to the Official Plan / Zoning By-law)	1,265		1,265
<b>Cancellation of public meeting at applicant's request</b>	230 for a mail out, and/or 290 per newspaper notice		230 for a mail out, and/or 290 per newspaper notice
<b>Other application related reports</b> (For example: requests to exempt from site plan control, fee refund, correction of By-law within 2 years of adoption, antenna system)	1,725		1,725
<b>Local Planning Appeal Tribunal (LPAT) Administration Fee</b>	575		575
<b>Letter of agreement compliance / removal from title</b>	115		115

Please note:

- Application and related fees are charged in accordance with the fee that is in effect on the date that a complete application has been officially received and accepted by the Planning Department. For an application to be considered complete, the pre-consultation meeting (if required) must have been held and all necessary supporting documentation, including required reports, must be provided at the time of application submission.
- Please contact the Planning Department at 519-759-4150 for questions relating to fees or the completion of the application.
- Cheques are payable to the City of Brantford. An invoice system is under development.
- Under the Planning Act, R.S.O. 1990, c.p. 14 s. 1.0.1 all information and material that is required to be provided to the City of Brantford respecting planning applications shall be made available to the public.