



BUILDING CONSTRUCTION PROCESS REVIEW TASK FORCE AGENDA

Wednesday, September 22, 2021

11:00 a.m.

Brantford City Hall, 58 Dalhousie Street

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Pages

1. ROLL CALL

2. ELECTIONS

2.1. Election of the Chair

2.2. Election of the Vice-Chair

3. DECLARATIONS OF CONFLICT OF INTEREST

4. DELEGATIONS

5. ITEMS FOR CONSIDERATION

5.1. Development Application Process Review [Financial Impact: none], 2021-617

3

Presentation

Todd MacDonald, Performance Concepts and Rory Baksh, Dillon Consulting

Recommendation

THAT the report Development Application Process Review BE

RECEIVED.

- 5.2. Delegation of Authority – Streamlining Planning Processes [Financial Impact – No Direct Financial Impact], 2021-49** 108

Presentation

Nicole Wilmot, Chief Planner and KC Pongracz, Senior Planner

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.

6. CONSENT ITEMS

6.1. MINUTES

- 6.1.1. Building Construction Process Review Task Force - September 11, 2020** 140

7. NOTICES OF MOTION

8. ADJOURNMENT



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Date September 22, 2021 **Report No.** 2021-617

To Chair and Members
Building Construction Process Review Task Force

From Brian Hutchings
Chief Administrative Officer

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic Development Application Process Review [Financial Impact: none]

3.0 Recommendation

THAT the report Development Application Process Review BE RECEIVED.

4.0 Executive Summary

Performance Concepts Inc. has been retained by the City to conduct a Phase 2 analysis of our Development Application Process (DAP) in order to support the implementation of the KPMG Phase One recommendations. A report has been drafted and the consultant is prepared to receive feedback from the Building Construction Process Review Task Force.

5.0 Purpose and Overview

Report 2021-617 provides the Building Construction Process Review Task Force with an opportunity to review and provide feedback on the consultant's Phase 2 draft report on the DAP Review, conducted by external consultants,

Performance Concepts Inc. The consultant's draft report is appended in Appendix A.

6.0 Background

In October 2019, Council approved a resolution directing staff, under the oversight of the Building Construction Task Force, to engage the services of a Consultant, for the following:

1. To undertake a review of all phases of the City's development review processes with the goal to make recommendations that result in a more consistent, understandable and effective approach to development review (including small, medium and large organizations/operators and local associations);
2. To undertake said review in collaboration with City Staff;
3. To work in conjunction with and report to the Building Construction Process Review Task Force and CAO; a. Include comments from the public stakeholders meetings held in 2018 (BHBA, BRREA, Chamber of Commerce, Economic Development Advisory Committee); b. Include best practices from other cities in South Western Ontario; Page 168 of 287 Report No. 2021-421 Page 3 June 08, 2021 c. Review of internal working relationships between Planning, Engineering, Building and Economic Development and the customer; d. Review the securities deposit process to provide partial refunds at the completion of key milestones;
4. To complete and submit the final report of said review to City Council by June 30, 2020.

In February 2020, the City retained KPMG Canada to lead the Phase One review of the City's Development Building Review Process. A final report consisting of 40 recommendations was approved by Council in October, 2020.

In April 2021, the City retained Performance Concepts Inc. to lead a deep dive process analysis that will prepare the City for a fully digitized Development Application Process (DAP) and support the implementation of the recommendations from Phase One.

In August, 2021, the mandate of the Building Construction Process Review Task Force was extended to establish and recommend a comprehensive timeline for

implementation and to receive quarterly progress updates with respect to the development and implementation of Phase One project recommendations.

7.0 Corporate Policy Context

Outcome #5: Growth is successfully accommodated in expansion lands.

8.0 Input From Other Sources

Internal Staff: Development Application Process Steering Committee

9.0 Analysis

The development industry is rapidly changing due to various key factors. Covid-19 has changed real estate patterns as remote working has reduced the desire of downtown living and has increased the demand for a community that provides more affordable housing (compared to the GTHA). The acquisition of the Brant Boundary Lands will result in significant growth in Brantford for the foreseeable future. With a significant increase in development growth forecasted, it is critical that the City's Development Application Process (DAP) is operating efficiently and effectively to ensure applications are processed within target timelines.

Covid-19 has amplified the need to change our service delivery model to accommodate the ever changing needs of customers, specifically by digitizing the development approvals process. It is vital that all DAP staff are using technology to process and manage applications and track performance to set customer expectations. A front end customer self-service portal is an important component delivering a service that is efficient; however, a portal implementation will not be successful if back-end processes are not aligned.

In addition to a detailed process and technology review, Performance Concepts Inc. has conducted a DAP fee review to ensure the City employs a "growth pays for growth" approach.

Performance Concepts Inc, partnered with Dillon Consulting, has been working closely with staff to conduct a deep dive process analysis since April, 2021. The process review has been focused on the site plan, subdivision, and Committee of Adjustment process lens. Performance Concepts Inc. has met with staff from various departments, including: Planning, Building, Development Engineering, Fire, Finance, Information Technology, Economic Development, Environmental Services, Clerks, and Legal. Additionally, meetings with the General Manager of Public Works, General Manager of People, Legislated Services & Planning, and

the City's Chief Administrative Officer took place. City staff met with the Six Nations CAP team on August 3 to provide an overview of the work completed to date and to gain a better understanding of how we can work with our Indigenous partners going forward.

A total of 35 recommendations are included in the draft version of this report. It is anticipated that additional recommendations will be added upon completion of the AMANDA site plan proof of concept. It is also anticipated that recommendations will be altered based on feedback from Council and staff.

10.0 Financial Implications

There are no financial implications associated with approving this report. Recommendations will be vetted and any recommendations requiring a budget impact will flow through the annual budget process.

11.0 Conclusion

The process review is now entering the feedback phase. Opportunities to provide feedback will occur with the Building Construction Process Review Task Force and with staff throughout the month of September. This is a critical step to getting "buy in" for recommendations and to ensure a successful implementation. Recommendations have been drafted based on feedback from staff and are detailed in the draft report. Staff are eager to solicit feedback from the Building Construction Process Review Task Force through September Task Force meetings in order to prepare a final report for Council in October.



Brian Hutchings, Chief Administrative Officer

Prepared By:

Steve Babcock – Manager, Corporate Initiatives

Attachments (if applicable)

Consultant's Draft Report for Stress Testing

Copy to:

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September 22, 2021

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In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☐ yes ☒ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☒ no

Is the necessary by-law or agreement being sent concurrently to Council? ☐ yes ☒ no



CITY OF BRANTFORD

Development Approvals Process (DAP) Review & Technology Modernization

October 2021

Submitted by:

Performance Concepts Consulting

Submitted to:

City of Brantford

In Association with:

Dillon Consulting Limited



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DRAFT FOR STRESS TESTING

1.0 Preamble

The Development Approvals Process (DAP) is a core City of Brantford 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 Brantford is committed to streamlining its current DAP processing model and modernizing the associated 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 Brantford. 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 Brantford retained Performance Concepts/Dillon to conduct this Review in Q2 2021. The Brantford 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 Brantford website as per the requirements of the Provincial program.

The Brantford 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 Brantford DAP review has confirmed that the municipality can transform the applicant’ 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 Brantford 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

To Be Completed – after Stress Testing

DRAFT FOR STRESS TESTING

3.0 Introduction

3.1 Introduction – Brantford’s DAP Challenge

The Development Approvals Process (DAP) is a forward-facing core service delivered by the City of Brantford. The Development Approvals Process is a *regulatory* service anchored in the Planning Act, the Municipal Act, and the Building Code Act. Brantford’s 2021 DAP Review is focused on the Planning/Engineering component of the overall 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 is granted distinct approval authority for certain 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/business levels/built form realities - are daunting from a logistics/execution perspective.
- **Single-tier DAP** where all application approvals are granted by a single municipality. This model is the default in Ontario jurisdictions without an upper tier County or Regional government - like Brantford. 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 Brantford has an opportunity to capitalize on this built-in single-tier *efficiency dividend* as it confronts the imminent challenges of significant greenfield growth generated by the Brant boundary lands.

An improved/transformed DAP model in Brantford will require process streamlining, organization re-design, IT platform improvements, 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 Brantford 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 Brantford DAP Review on time and within the upset budget envelope. City staff teams have been cooperative, accountable, and focused on performance improvement opportunities across the Review period. Project management leadership from the Office of the CAO 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 include 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 Brantford 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 may generate 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
- Forecast Deficits for the upcoming 2 years total \$47.9 BILLION
- Province is looking at the Municipal Modernization Program to source significant \$ savings.
- Is the City of Brantford ready to embrace significant change in Development Approval Process to buffer upcoming fiscal turbulence and boost the 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.

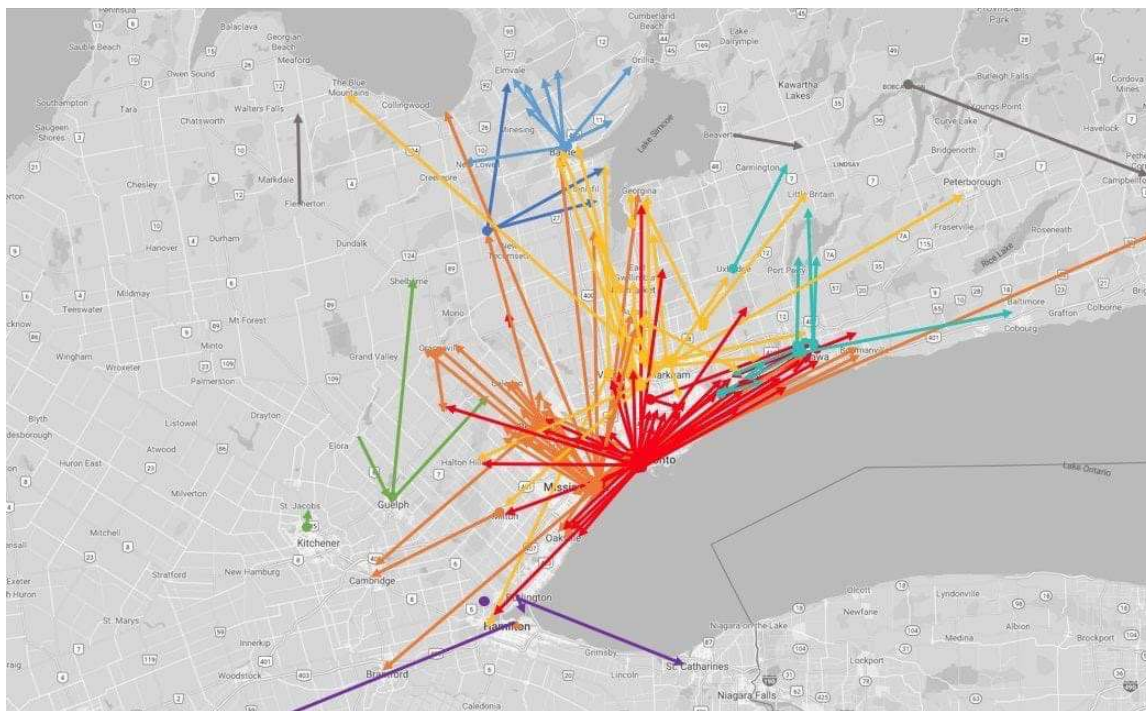


Figure 1 – Single day Real Estate Transactions out of Toronto visualized

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

3.5

Transforming Brantford's Development Approvals Model: The Imminent Challenge Posed by the Brant Boundary Lands

Across the past two decades Brantford has been a moderate growth municipality. Subdivision generated residential growth has been steady year-over-year but has never approached the levels experienced in greenfield municipal "growth factories" like Brampton or Milton. Site Plan driven greenfield and infill growth has been steady - averaging 30-40 files annually.

This moderate/steady growth pattern within the existing/traditional urban boundary is going to continue. But transformational change in the Brantford DAP model is looming. The Brant boundary lands are a gamechanger. Brantford is about to become a major greenfield municipal "growth factory" following in the footsteps travelled by Milton and Brampton and Vaughan. Next door, Brant County is already going through a similar greenfield growth spike around Paris and beyond.

The following excerpts from the City's recently completed Area-Specific Development Charges Background Study (prepared by Hemson) are noteworthy.

The first chart below documents the need for an additional \$335M in infrastructure spending by Brantford to service the Brant boundary lands. Most, but not all, of these capital costs will be DC funded.

TABLE 2A

CITY OF BRANTFORD
SUMMARY OF DEVELOPMENT-RELATED CAPITAL PROGRAM
NORTHERN BOUNDARY EXPANSION LANDS 2021 - 2051
(in \$000)

Service	Development-Related Capital Program (2021 - 2051)				
	Gross Cost	Grants / Subsidies / Contributions	Replacement & Benefit to Existing	Post-2051 Benefit	Net Development Related Costs
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
1.0 ROADS AND RELATED	\$31,594.1	\$0.0	\$0.0	\$0.0	\$31,594.1
2.0 WATER SERVICE	\$125,570.1	\$524.0	\$27,698.5	\$5,373.0	\$91,974.5
3.0 WASTE WATER	\$123,371.5	\$0.0	\$24,386.9	\$15,737.2	\$83,247.4
4.0 STORM WATER	\$54,416.0	\$0.0	\$32,372.6	\$0.0	\$22,043.4
TOTAL	\$334,951.6	\$524.0	\$84,458.0	\$21,110.2	\$228,859.4

This second excerpt (see chart below) documents the challenge of Brantford processing an estimated 7,688 new residential units of housing for 23,055 new residents.

Most importantly, the data in this chart reveals a front-end spike in the annual number of housing units forecast for construction - with 300+ annual new residential units becoming the norm for much of the coming decade. This represents a 75% to 100% increase over the City's recent 2019 and 2020 annual building permit volumes for singles/semis/townhouses. Planning/Engineering upstream development application approvals in 2022 and 2023 will/must precede the construction of this residential housing growth spike in 2024 and beyond.

APPENDIX A
TABLE 1

CITY OF BRANTFORD
NORTHERN BOUNDARY EXPANSION LANDS
FORECAST OF TOTAL HOUSING BY TYPE

Mid-Year	Singles & Semis	Rows	Apartments	Total New HH
2021	0	0	0	0
2022	30	15	3	48
2023	124	63	10	197
2024	186	95	16	297
2025	217	111	20	348
2026	249	128	22	399
2027	218	112	19	349
2028	187	96	17	300
2029	153	83	14	250
2030	153	83	14	250
2031	153	83	14	250
2032	153	83	14	250
2033	153	83	14	250
2034	153	83	14	250
2035	153	83	14	250
2036	153	83	14	250
2037	153	83	14	250
2038	153	83	14	250
2039	153	83	14	250
2040	153	83	14	250
2041	153	83	14	250
2042	153	83	14	250
2043	153	83	14	250
2044	153	83	14	250
2045	153	83	14	250
2046	153	83	14	250
2047	153	83	14	250
2048	153	83	14	250
2049	153	83	14	250
2050	153	83	14	250
2051	153	83	14	250
2021 - 2051	4,723	2,530	435	7,688

APPENDIX A
TABLE 2

CITY OF BRANTFORD
NORTHERN BOUNDARY EXPANSION LANDS
FORECAST POPULATION GROWTH IN NEW HOUSEHOLDS BY UNIT TYPE*

Mid-Year	Singles & Semis	Rows	Apartments	Total Population in New HH
2021	0	0	0	0
2022	103	36	5	144
2023	425	152	16	593
2024	638	230	26	894
2025	744	269	33	1,046
2026	854	310	36	1,200
2027	748	271	31	1,050
2028	641	232	28	901
2029	525	201	23	749
2030	525	201	23	749
2031	525	201	23	749
2032	525	201	23	749
2033	525	201	23	749
2034	525	201	23	749
2035	525	201	23	749
2036	525	201	23	749
2037	525	201	23	749
2038	525	201	23	749
2039	525	201	23	749
2040	525	201	23	749
2041	525	201	23	749
2042	525	201	23	749
2043	525	201	23	749
2044	525	201	23	749
2045	525	201	23	749
2046	525	201	23	749
2047	525	201	23	749
2048	525	201	23	749
2049	525	201	23	749
2050	525	201	23	749
2051	525	201	23	749
2021 - 2051	16,228	6,123	704	23,055

The final excerpt from the City's Area-Specific DC Background Study reveals that significant non-residential growth will also occur on the Brant boundary lands. Some of this non-res growth will be spin-off commercial growth that inevitably follows subdivision residential development. Some of the non-res growth will be on the City's new designated employment lands.

Northern Boundary Expansion Lands Development Forecast	Growth 2021-2051
Residential	
Dwelling Units	7,688
Population in New Dwellings	23,055
Non-Residential	
Employment in New Space	14,739
Non-Residential Building Space (sq.m.)	1,284,690

The bottom line is a very likely surge in Subdivision and Site Plan generated DAP application volumes immediately following the completion of the boundary land block plans.

Brantford is engaged in a race to modernize and transform its DAP model to absorb and process a doubling of Planning/Engineering Review application volumes. This race is already underway since multiple Brant boundary land block plan approvals are imminent in 2022. There is no time to lose in building out DAP surge capacity and file processing efficiencies.

4.0 Overview of Project Methodology

4.1 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 Brantford's DAP Review

Doing the Right Things



Listen to the Voice of the DAP Customer
Optimize Council/Staff Roles to Promote DAP Performance
Rationalize "Who Does What" Across DAP Delivery Model
Focus on Measurable/Documented Service Levels/Targets

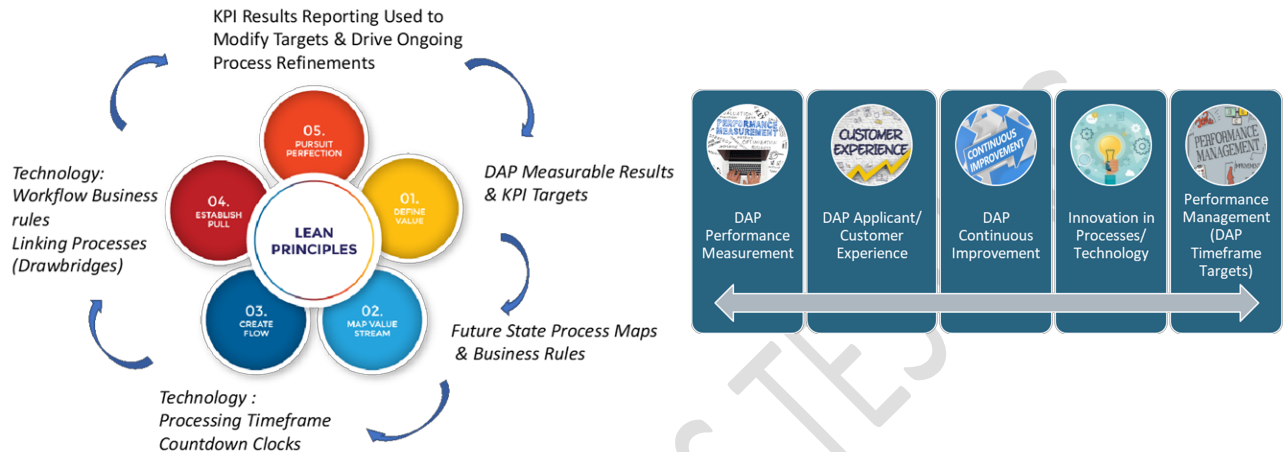
Doing Things Right



Optimize "Growth Pays for Growth" Cost Recovery Toolkit
LEAN Thinking Informs "As Should Be" Solutions
Streamline/Properly Resource "As Should Be" DAP Processes – Quality Standardization & Improved Timelines
Technology to Leverage "As Should Be"
Process Improvements + Results Based Focus

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 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 make change - not consulting teams. A well-crafted DAP review is politically astute without being overtly “political”. Successful change/modernization agendas must secure implementation support from elected Councils that live 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

Connecting the City’s 2021 DAP Review to Previous DAP Work

The current DAP review is a hybrid. It builds on previous higher-level work executed by KPMG in 2020 by supplying a “deeper dive” into the technical complexities of City DAP processes and technology tools.

The 2021 DAP review has been designed and executed by the City and the Performance Concepts/Dillon team as a hybrid project - essentially completing the process improvement work that began in 2020 and layering in the portal/AMANDA technology modernization necessary to leverage performance improvement.

Brantford's DAP Project: Hybrid of Service Delivery Review + Technology Implementation

KPMG REVIEW (2020)

- 40+ recommendations
- Did not provide DAP deep-dive



*Actionable Recommendations
as per Staff Priority Setting +
Low Hanging Fruit*



PC/Dillon Review & Implementation (2021)

- DAP deep-dive required by City to create "As Should Be" model
- DAP technology solution

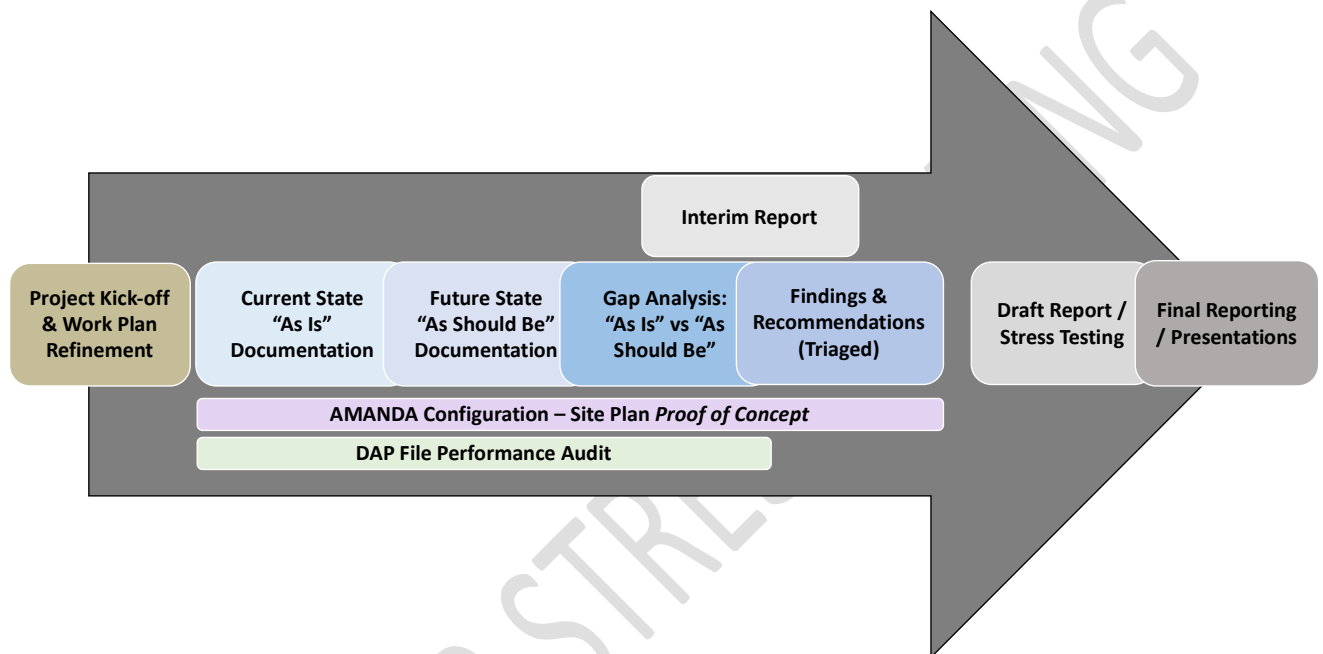


Process AND Technology Improvements

- Improvements implemented during the Review
- Roadmap for improvements beyond the Review

4.3 2021 DAP Review: Methodology Overview

The 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 methodology.



4.3.1 Project Kick-off & Work Plan Refinement

The 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. 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.

4.3.2 Current State “As Is” Documentation

A series of interactive facilitated working sessions were held 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 development approvals channels.

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

4.3.3 DAP File Performance Audit

Following the “As Is” working sessions Performance Concepts/Dillon initiated a file performance audit. A cross-section of high performing/poorly performing files were selected for review. These files extended across a range of Planning application categories: Sub-division, Site Plan, Minor Variances etc. The completed file audit generated a performance improvement memorandum that has informed the “As Should Be” recommendations set out in this Report.

4.3.4 DAP “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 Brantford. These case studies highlight DAP transformation challenges to be addressed and they can be viewed as potential shortcuts to secure significant performance improvement.

4.3.5 Future State “As Should Be” Documentation

A series of “As Should Be” interactive/facilitated working sessions were held with the City’s core DAP staff teams from across the organization. These working sessions mirrored the earlier “As Is” sessions; evaluating core processes as they apply to Subdivision, Site Plan and Committee of Adjustment development approvals channels. The “As Should Be” working sessions also addressed the critically important post-Draft Plan detailed engineering review that culminates in a subdivision agreement and lot registration. The Detailed Engineering Review will figure prominently in the imminent development approvals of the Brant boundary lands. Beyond process improvement, the “AS Should Be” investigation also addressed revenue stream/cost recovery modernization and necessary staffing/resourcing investments.

4.3.6 AMANDA Configuration - Site Plan Proof of Concept

The City is committed to a two-stream approach for modernizing the AMANDA workflow tool. The first stream is a “proof of concept” configuration of the new “As Should Be” Site Plan process recommended by Performance Concepts/Dillon in the City’s new AMANDA Planning module. Our team’s AMANDA technical expert – Northern Design Lab – executed the Site Plan proof of concept configuration. The second modernization stream is a go-forward Implementation Road Map for configuring additional “As Should Be” core DAP processes (beyond Site Plan) within the City’s new AMANDA Planning module.

4.4 Findings/Recommendations + Go-forward Implementation Roadmap

A portfolio of Findings/Recommendations has been developed to streamline/transform Brantford’s current DAP model. This DAP performance improvement/transformation package includes LEAN inspired re-engineered processes, a restructured staffing and org-design model, a modernized DAP portal/workflow tool platform, and a set of go-forward Key Performance Indicators (KPIs) and application processing timeframe targets. Potential performance improvement ideas have been subjected to rigorous evidence-based evaluation by the Performance Concepts/Dillon team prior to being upgraded to “As Should Be” recommendations.

The “As Should Be” Recommendations developed by Performance Concepts/Dillon have been positioned within a *Do Now/Do Soon/Do Later* Implementation Roadmap. The Implementation Roadmap reflects the unavoidable imperative for rapid implementation of significant change. The Implementation Roadmap will chart out timely/significant progress over a very compressed timeframe - hopefully without overwhelming the finite capacity of Brantford to execute the necessary change. The imminent challenge of the Brant boundary lands on the DAP model leave no room for delay.

4.5

Final Report – Documenting DAP Transformation/Performance Improvements

Draft Recommendations and a rapid deployment Implementation Roadmap were stress tested with Brantford's project Steering Team. While the Performance Concepts/Dillon team's Final Report has been informed by this stress testing with City staff, the Findings/Recommendations and Implementation Roadmap represent our team's impartial 3rd party perspective - 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 table below sets out the pattern of historic development approval applications in Brantford. The 2020 and 2021 (almost mid-year) are instructive. The 2020 subdivision applications will generate additional Detailed Engineering Review phases in 2022 – at precisely the time the Brant boundary land block plans are finalized, and applications begin flowing. The 2021 Pre-consult totals (at mid-year) are eye-popping. If this pace continues and they generate applications, then the City is facing a spike in applications independently of whatever happens with the Brant boundary lands. Site Plan activity continues to meet or perhaps exceed the totals for busy historic years.

DAP Volumes Trends & Forecast Observations

- 2020 Subdivisions (6) will generate additional Post-Draft Plan Detailed Eng. Reviews
- 2021 Pre-consult totals to date are eye-popping...if pace continues & they all generate applications...a flood is coming
- SP volumes on track for a busy year in 2021...mirroring 2018/2019
- Time horizon for more expected Sub-divisions set out in DC Background Study for Brant Boundary Lands

Development Applications (2007-2021)															
	2007	2008	2009	2010	2011* (major increase in fees May 1/11)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 (as of May 10th)
Official Plan Amendments	7	13	4	2	9	7	7	7	4	2	7	6	2	8	0
Zoning Bylaw Amendments	21	27	24	18	19	17	19	13	19	10	16	17	13	25	7
Plan of Subdivision	4	5	2	3	3	6	1	2	2	3	6	4	3	6	0
Plan of Condominium	11	5	1	3	1	1	3	0	2	1	3	3	3	1	2
Site Plans	54	32	35	28	21	34	36	23	24	34	33	46	47	34	18
Minor Variances	37	36	19	33	27	21	41	34	36	50	37	37	38	24	24
Consent to Sever	51	35	44	30	26	36	33	26	25	42	34	22	39	20	15
Relief from Part Lot Control	0	4	3	0	2	5	6	4	4	2	2	1	6	3	3
Pre-Consults											82	66	84	54	46
Total	185	157	132	117	108	127	146	109	116	144	138	136	235	175	115

5.2 Current DAP Fee Structures & Cost Recovery Model

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

5.2.1 Planning Fees & Cost Recovery Accounting/Budgeting

Section 69 of the Planning Act requires a municipality to develop cost recovery fees on a rigorous application-by-application basis. Planning fees can be appealed to the OLT/LPAT and they must each fee must be designed according to rigorous cost recovery standards; no cross-subsidization is permitted across fees. For 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 annual budget should firmly staple off-setting DAP revenues to 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 be offset by DAP fee revenues.

Brantford's current budgeting and cost accounting approach to Planning DAP does not appear to meet best practice standards around "growth pays for growth" enterprise management or *net expenditure* reporting consistent with Section 69 fees design requirements. Instead, Planning DAP revenues are accounted for "below the line" solely for purposes of calculating the City's net tax levy requirement. This approach to DAP revenue accounting discourages the City from viewing DAP as an enterprise business requiring minimal/transparent property tax funding support. Council in turn may be reluctant to staff the DAP model robustly if the City's revenue accounting model does not make it clear that there are no significant net tax impacts associated with DAP staffing investment.

There is no compelling rationale for treating Planning DAP differently than Engineering DAP or Building DAP when it comes to cost recovery "enterprise" status. The same "growth pays for growth" rationale applies.

5.2.2 Engineering Review Fees & Cost Recovery Accounting/Budgeting

The City's Engineering Review fees are legally defined as Municipal Act fees. Municipal Act fees do not need to meet the exacting standards of cost recovery justification contained in Section 69 of the Planning Act. Engineering Review revenue streams do not need to balance annually against associated DAP processing costs. Engineering Review fees are not appealable to the OLT/LPAT.

Currently the City applies an "enterprise" full cost recovery policy to Development Engineering - the same financial policy approach it has adopted for Building Code Act services.

5.2.3 Peer Review of DAP Fees (Design and Pricing)

A technically sound peer review of DAP fees can provide important insights around Brantford's preparedness to fund the necessary DAP staffing model that will be required when the City's traditional application volumes spike upwards due to the Brant boundary lands coming on-stream after block planning is completed.

Performance Concepts has executed the peer review analysis appearing below. Eight "like" City comparators were selected for analysis - four single-tier municipalities and four municipalities situated within 2-tier Regional systems. DAP fees in the 2-tier comparators have been aggregated to include the Region's fees as well as the 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

Single-Tier Peers							Two-Tier Peers					
		Brantford	Peterborough	Hamilton	Kingston	Guelph	Average	St Catharines	Milton	Cambridge	Kitchener	Average
Subdivision		\$47,090	\$6,450	\$81,769	\$24,160	\$38,437	\$37,704	\$12,553	\$81,581	\$24,800	\$10,965	\$32,475
Units	100							\$16,835	\$10,608	\$9,025	\$9,025	
Hectares	10							\$29,388	\$92,189	\$30,025	\$19,990	\$42,898
Subdivision		\$52,465	\$6,675	\$103,369	\$38,005	\$38,437	\$46,622	\$12,553	\$92,381	\$39,800	\$11,915	\$39,162
Units	200							\$22,635	\$10,608	\$10,275	\$10,275	
Hectares	15							\$35,188	\$102,989	\$31,275	\$22,190	\$47,911
Sub-div Eng. Review		\$50,000	n/a	\$60,000	n/a hourly rate	\$60,000	\$60,000	n/a	\$63,500	\$50,000	n/a	\$56,750
Construction Value	\$1,000,000.00											
Res Site Plan		\$12,770	\$3,000	\$56,707	\$11,033	\$10,848	\$20,397	\$7,435	\$10,185	\$13,460	\$9,641	\$10,180
Units	50							\$1,315	\$1,162	\$805	\$805	
Hectares	2							\$8,750	\$11,347	\$14,265	\$10,446	\$11,202
Commercial Site Plan		\$12,770	\$2,700	\$40,437	\$8,105	\$10,668	\$15,477	\$7,435	\$10,167	\$13,460	\$8,861	\$9,981
Square Meters	2,000.00							\$1,315	\$1,162	\$805	\$805	
								\$8,750	\$11,329	\$14,265	\$9,666	\$11,003
Major Re-zoning		\$14,490	\$6,000	\$24,109	\$7,591	\$17,031	\$13,683	\$10,000	\$37,856	\$13,000	\$11,618	\$18,119
Units	100							\$1,315	\$1,028	\$1,150	\$1,150	
								\$11,315	\$38,884	\$14,150	\$12,768	\$19,279
Standard Condo		\$38,310	\$6,090 (2 ha)	\$21,750	\$11,160	\$10,264	\$12,316	\$6,974	\$13,020	\$6,600	\$7,640	\$8,558
Units	50							\$3,930	\$3,065	\$6,150	\$6,150	
Hectares	2							\$10,904	\$16,085	\$12,750	\$13,790	\$13,382

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

- Brantford's Draft Plan of Subdivision revenue stream is robust. The City is well positioned to generate a cost-recovery revenue stream that minimizes the risk of unintended property tax subsidization of imminent development on the Brant boundary lands.
- Brantford's % of Construction Value fee for Engineering DAP cost recovery can be adjusted from 5% to 6% to reflect peer norms. The resulting improved revenue stream will generate an estimated \$20M in additional revenues (over 10 year) to fund staffing investments required to deal with the Brant boundary lands. These staffing investments should have no property tax impact.
- Brantford's current fee design/pricing for 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 base fee (\$) plus a per unit/per hectare escalator (\$). This fee design results in larger/complex projects paying a higher fee relative to smaller/straightforward projects. Brantford currently does not attach a per unit/per hectare escalator to its Site Plan base fee.
- Brantford's Re-zoning fee hovers around the single-tier peers' average, but is significantly lower than the Milton fee that capitalizes on a best practice design of base fee (\$) + per unit escalator (\$). The Milton fee design aligns a higher fee price with larger more complex projects featuring high numbers of residential units.
- Brantford's Condo fee is robust and high relative to the peers. The variance in fee pricing is driven by aggressive cost recovery by Development Engineering's via its companion fee to Planning's fee. This approach is prudent given the reality in Brantford of significant engineering work being incorporated into the Condo review process in order to safeguard the interests of the new divided ownership (in cases where Site Plan reviews may not have been completed yet for the project).

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

5.3

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 Brantford. 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 City business units involved in Planning DAP do not populate the current AMANDA 7 permits module, nor have they been trained to do so (e.g. Development Engineering). To the extent City Planners use AMANDA at all, the full functionality of the tool is not being utilized. Application processing milestones are not being tracked or reported. While the City has tried to set processing timeframe targets, it is not able to compare actual 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 DAP workflow "central nervous system" predates the current Planning management team and many of the frontline staff. There is a strong consensus across the current DAP staff team that "As Should Be" streamlined 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.

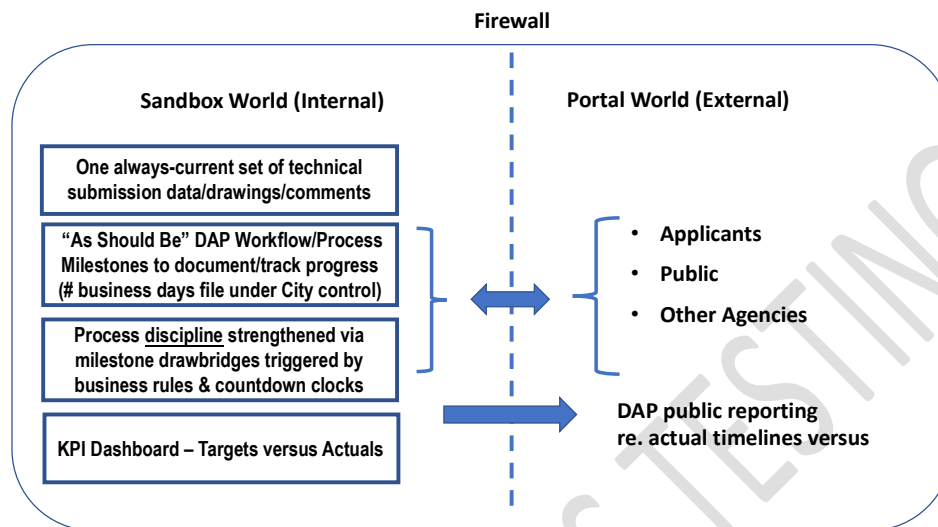
The figure below illustrates the DAP workflow functionality that can be delivered by AMANDA working in combination with an online DAP portal. The AMANDA sandbox will ensure DAP submission packages/documents/drawings are always updated across Technical Review Cycles. Process milestones can be tracked/time 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 workflow tool) as a best practice solution, our team can confirm that AMANDA can be configured to act as an effective Planning/Engineering DAP workflow tool.

AMANDA Solution Must Leverage *Execution + Accountability*



5.4

Council Governance and Limited Delegation of Approvals

Currently Council makes DAP decisions using two distinct Committee of the Whole governance channels for Development Services (planning matters) and Public Works (development engineering matters). These COW channels are based on org structure. They create artificial DAP governance silos where some aspects of the same subdivision are dealt with in the Development COW and others in the Public Works COW. Both COW channels are increasingly busy with DAP matters. The Development COW is grappling with the effort intensive/open-ended public consultation associated with Planning statutory public meetings.

To its credit Council is already making effective/efficient use of delegated authority to senior staff for a variety of Planning approvals – most notably Site Plan Control. By trading control for results Council has lopped months of the processing timeframes for Site Plans. Public input on pertinent land use matters associated with projects moving through Site Plan are dealt with in the Re-zoning "combo pack" applications. The Re-zoning statutory public meeting can occasionally supply useful public input on Site Plan matters pertaining to controversial development proposals.

Staff are of the view that expanded Council approval delegation across a range of DAP approvals is necessary to meet imminent workload/processing time challenges. To that end a City staff report has been prepared to justify expanded delegation of approvals. The Performance Concepts/Dillon team as reviewed the City staff report, and produced an interim findings memorandum supporting the expanded delegation recommendations made by City Planning staff. The interim findings memo is appended to this Report as an attachment.

AS IS...DAP Delegated Approvals

City Believe Delegated Approvals Efficiencies Are Still Available

Delegated Approvals



AS IS Process Highlights

- ✓ City has already adopted aggressive Site Plan delegation
 - ✓ Eroded by Re-zoning public consultation veering into Site detail?
- ✓ Other delegation opportunities exist around agreement execution/condition clearances/H removal etc.
- ✓ Upcoming staff report to expand delegation efficiencies is crucial...it's the \$ cheapest approach for improved DAP timelines
 - ✓ Interim P. Concepts Finding on the benefits of the proposed delegation expansion opportunities can be imbedded in the City staff report...thereby demonstrating coordinated approach to improvement between staff and the P. Concepts team
- ✓ Overarching Question: Is Council prepared to trade control for results?

5.5

Current Organization Design & Staffing Resources

The City currently executes DAP using a distributed organization design model. Development Planning, Policy Planning, Building and IT are clustered together in the People, Legislated Services & Planning department. Development Engineering is imbedded in Public Works, along with the Water Capital/Operations team that consistently comments on all significant development applications. Development Engineering has now in-sourced previous Public Works positions that deal with traffic, parks and landscaping matters. Aside from water infrastructure matters that are clearly connected to Safe Drinking Water regulatory standards, the Development Engineering business unit is quickly evolving towards a one-stop-shop accountability model for DAP infrastructure and servicing matters.

The City's frontline DAP staff team members are unanimous across all disciplines/roles in concluding they are under-resourced and/or sub-optimally deployed to meet the workload for the existing volume of applications within the current urban boundary + the imminent volumes to be generated by Brant boundary lands.

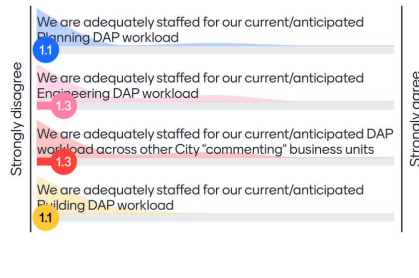
Specific staffing bottleneck risks have been identified. In the current staffing/deployment model the City relies on single staff positions for a number of mission-critical DAP processes/activities (e.g. mapping to support applications). Professional Planning staff are engaged in lower value-added activities that are best executed by non-Planner logistics specialists (e.g. Committee of Adjustment administration). Finally, as is almost always the case in DAP reviews executed by Performance Concepts/Dillon, Development Engineering functions/workload represent a high-risk resourcing pain

point. Each Subdivision Draft Plan approval by the City typically generates more than one backend phase of Detailed Engineering Review culminating in a subdivision agreement and a cluster of registered lots. This "volumes multiplier" at the back-end of the Subdivision process requires a robust staffing commitment of technically proficient engineering professionals. These skilled staff are in high demand across Golden Horseshoe municipalities and the development industry. Planners simply cannot do this work – it takes accredited Engineers and Eng. Techs to keep DAP moving in the core Site Plan and Subdivision approvals channels.

AS IS...DAP Staffing Resources

City Staff Strongly Believe DAP is Under-Resourced

Adequacy of Staffing/Resources



AS IS Process Highlights

- ✓ City relies on single positions for critical DAP functions
- ✓ Staff roles not yet fully optimized (C of A) for high value-added DAP billable hours
- ✓ Dev Eng. Staffing not yet scaled for the Detailed Eng. Review "volumes multiplier"
- ✓ Unclear what the City's actual "billable hour processing capacity" is for front-end Planning/Eng. DAP...due to shared non-DAP + DAP workload among Planners/Dev Eng. staff/other business units

5.6 Pre-consultation Model

Well executed Pre-consultation is a determinant of an efficient, standardized DAP conveyor belt. Brantford's pre-consultation model contains the characteristics/elements of an effective "best practice" approach. Submission requirements are clear and sufficiently granular. Pre-consult meetings with the applicant are pre-scheduled for each month's Development Review Committee sessions - with backed-up submission deadlines that create space and time for staff to prepare. There is a "pre pre-consult" staff only working session to generate consensus on the technical requirements of the proposed project. Following the pre-consult meeting the technical submission checklist is produced and delivered to the applicant according to a 10 business days service level standard.

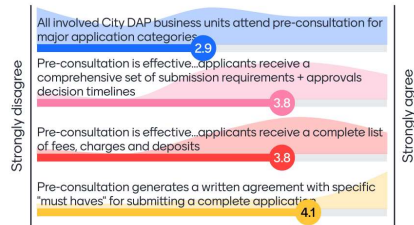
The only problematic feature of the pre-consult process is the effort intensive, manual nature of consolidating post-meeting data/comments in the Pre-consult template by the Planner. If the AMANDA workflow tool were properly utilized, this work would be streamlined by staff each entering

commentary directly into a fillable PDF template already imbedded in AMANDA.

AS IS...Pre-Consultation

City Staff Believe Pre-Consult is Working

DAP Execution...Pre-consultation



AS IS Process Highlights

- ✓ Clear Pre-Consult application & submission requirements
- ✓ Pre-scheduled dates for Pre-Consult meetings create predictability
- ✓ City internal prep/review session prior to the scheduled Pre-Consult meeting (on a critical path timeline)
- ✓ Inefficient 2-step assembly of staff comments into Pre-consult template (eats up Planner time/capacity)
- ✓ Post-meeting Notes/complete application checklist always generated (a focused/practical deliverable)
- ✓ Reasonably timely provision of notes/submission checklist items to applicant (10 business day service level)

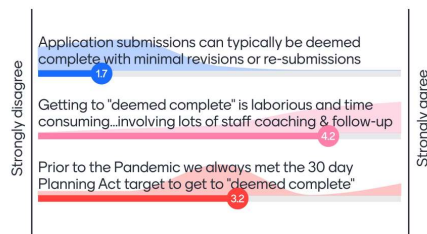
5.7 Application Submission to Deemed Complete

The submission of a Planning DAP application turns on a 30-day countdown clock in the Planning Act to deem the application complete.

AS IS...Application Submission to Deemed Complete

City Staff Believe Getting to Deemed Complete is Problematic

DAP Execution...Deemed Complete



AS IS Process Highlights

- ✓ City currently relies on a Site Plan/C of A application submission "pieces count" rather than a "shallow dive" QA evaluation of content prior to the "Deemed Complete" decision
- ✓ Subdivision Draft Plan & Re-zoning where a "shallow dive" QA content evaluation is built into the critical path before arriving at a "Deemed Complete" decision...need to formalize/normalize this milestone & imbed in AMANDA
- ✓ Currently no formalized Pre-consult or "Deemed Complete" process milestone for the post-Draft Plan Detailed Engineering Reviews

5.0 Documenting the City's "AS IS" Development Approvals Model 26

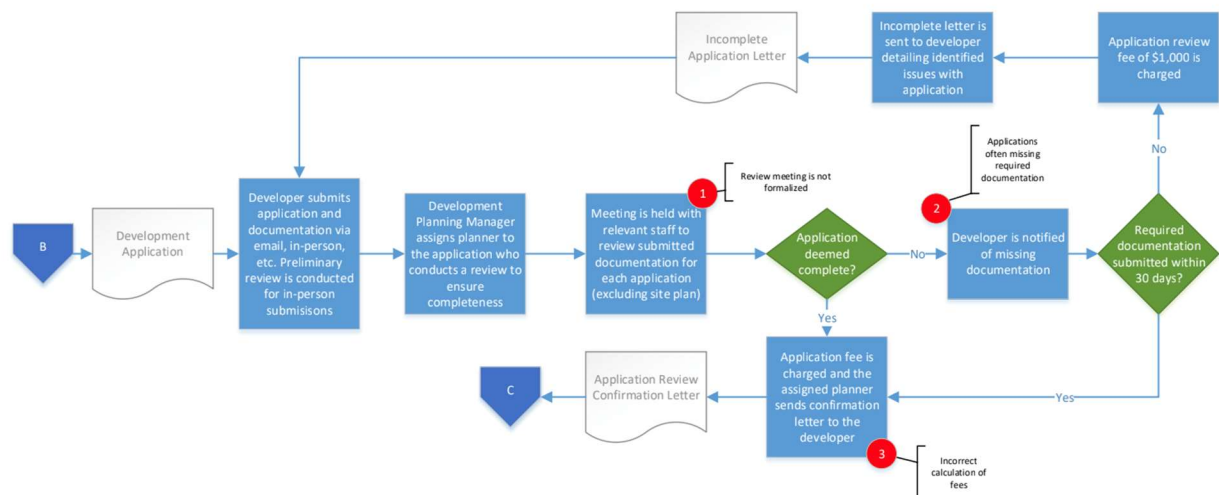
There are a number of approaches employed by municipalities to ascertain application completeness. The most straightforward approach is a piece count. Upon observation, do the submission pieces appear to mirror the items on the technical checklist that was assembled at the conclusion of the pre-consult? Are there obvious gaps/missing pieces? If yes, then the submission is conspicuously incomplete and the Planning Act countdown clock turns off.

The Performance Concepts/Dillon team notes with approval that Brantford also employs a second completeness check that involves a "shallow dive" review of submission content adequacy (see figure below). A staff meeting is held to review submitted documentation using an adequacy lens. Simply submitting a document with the right piece title and some sort of content is not enough to secure a "deemed complete" designation. The City staff team gives a thumbs up/thumbs down on the question "Is this submission good enough for the deeper dive associated with the 1st Technical Review Cycle that will transpire with the OLT appeal clock turned on".

The ROI generated by the shallow dive completeness step is significant. It constitutes a municipal best practice. An improved submission quality standard for deeming an application complete reduced the length and number of subsequent Technical Review Cycles. This in turn reduces the overall timeframes for a municipal development approval decision. Upfront pain generates downstream gain.

A noteworthy point - because the Planning Act does not require a "deemed complete" 30-day decision for Site Plans, the City does not currently use the 2-step piece count + shallow dive approach it employs for Sub-divisions, Condos and Re-zonings.

Application Intake Process



5.8 Technical Review Cycles

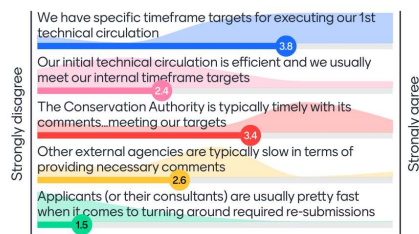
The City has aspirational timeframe targets for executing Technical Review Cycles. However, these targets are disconnected from actual timeframe completion because the AMANDA workflow tool is not properly configured/utilized to generate timeframe reporting. In other words, actual measured processing performance is not tied to targeted/desired timeframe performance standards. This is a significant shortcoming that pre-dates the current DAP management team(s) on both the Planning and the Development Engineering sides of Brantford DAP.

The current 4-week circulation timeframe target is applied across all of the core application categories (Site Plan, Subdivision, Re-zoning) without recognition of complexity differences, or the deeper due diligence review required for infrastructure intensive files like Subdivisions. Site Plan technical review is complicated by the absence of the "shallow dive" quality control step prior to the 1st circulation. Although not supported by processing time metrics/data, staff report that there is frequent slippage of actual timeframes versus the aspirational 4-week/20 business days standard (see the 2.4 negative score for the second City staff survey question in the figure below)

AS IS...1st Technical Circulation

City Staff Believe 1st Technical Circulation is Problematic

DAP Execution...1st Technical Circulation



AS IS Process Highlights

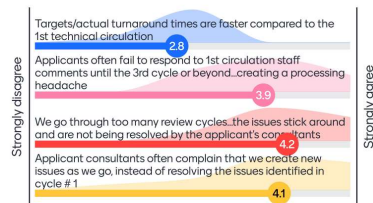
- ✓ City timeframe targets disconnected from actual timeframe completion...data/measurement gap
- ✓ Applicant response problems...work leakage across multiple circulation cycles
- ✓ City response problems...work leakage across multiple circulation cycles
- ✓ Absence of "shallow dive" QA content review before Deemed Complete is linked to 1st Circulation problems
- ✓ Real-world timeframe measurement would probably confirm slippage versus timeframe target
- ✓ 1st Circulation timeframe target of 4 weeks feels very compressed versus Ontario growth municipality peers...would a longer timeframe reduce comment leakage to subsequent cycles?

Beyond the 1st Technical Review Cycle there are significant process execution challenges in the subsequent Technical Review Cycles. Firstly, the target timeframes are not differentiated between the 1st cycle and subsequent cycles. The timeframe target for a 1st Review Cycle should be longer, reflecting the complexity/totality of all the technical submission items requiring comment/review. Secondly, submission items/comments are not tracked numerically nor are they addressed by applicants using a comment resolution matrix. Finally, different Planners employ different approaches to i) consolidating comments in a single package for response by applicants versus ii) feeding comments back to applicants in dribs and drabs as they are received. Standardization is lacking and consolidation is manual/effort intensive since it is done outside AMANDA by Planners using an old school cut and paste approach.

AS IS...Additional Technical Circulations

City Staff Believe Technical Circulation Ping Pong Not Working

DAP Execution...Additional Technical Circulations



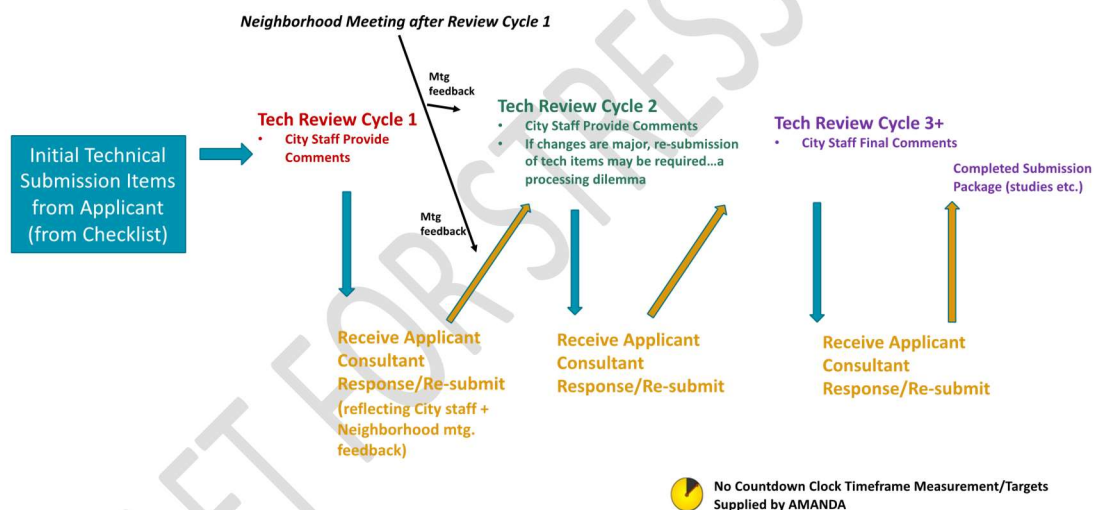
AS IS Process Highlights

- ✓ City timeframe targets not differentiated compared to 1st Circulation
- ✓ Applicant response problems driven by absence of comments matrix...perhaps code comments numerically & track them?
- ✓ City response problems due to resourcing choke points
 - ✓ 1 Planning Tech does all DAP mapping
 - ✓ Automation deficiencies in Planners managing numerous comments in/out
 - ✓ Differing approaches to sharing comments...dribs and drabs versus consolidated-but-slow

5.9 Draft Plan of Subdivision Processing Channel

The overall process for Subdivision approvals is set out in the figure below. As already discussed, the City is administering a well-executed process to deem an application complete. The 1st Technical Review Cycle deals with all the submitted technical checklist items so its countdown clock timeframe is longer at an estimated duration of 35 days (exceeding the 4 week target). Between Review Cycles 1 and 2 the applicant typically holds the Neighbourhood Meeting. If public feedback at the Neighbourhood Meeting is negative around the proposal, that feedback will inform the applicants second Review Cycle submission as well as the City's response to that same submission. If the 2nd Cycle applicant proposal is significantly different (to try and address negative public feedback) the City faces a processing dilemma. Does the City force the applicant back to the Pre-consult drawing board or proceed into a new project without established parameters? The "As Should Be" section of this report will address this specific dilemma which assumes inflated importance across the Brant boundary lands.

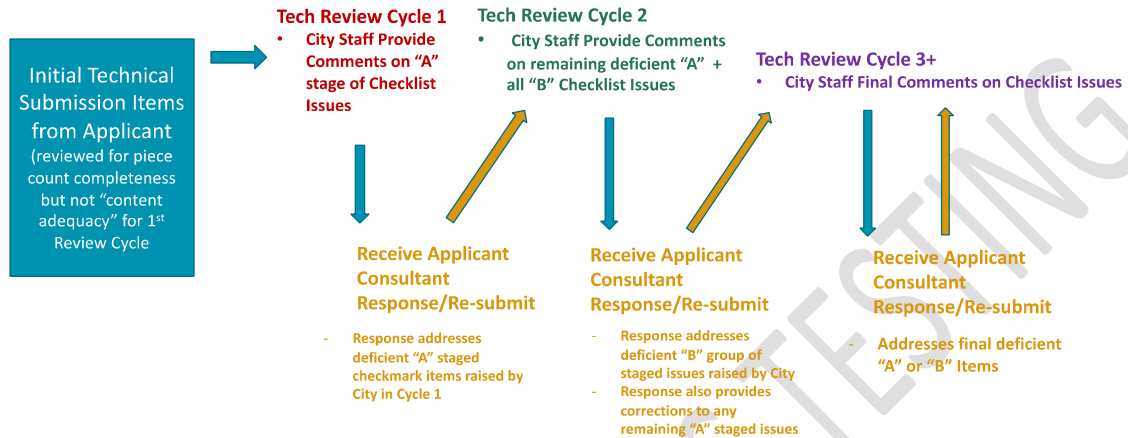
Technical Review Cycles: Subdivision Draft Plan



5.10 Post-Draft Plan Detailed Engineering Review

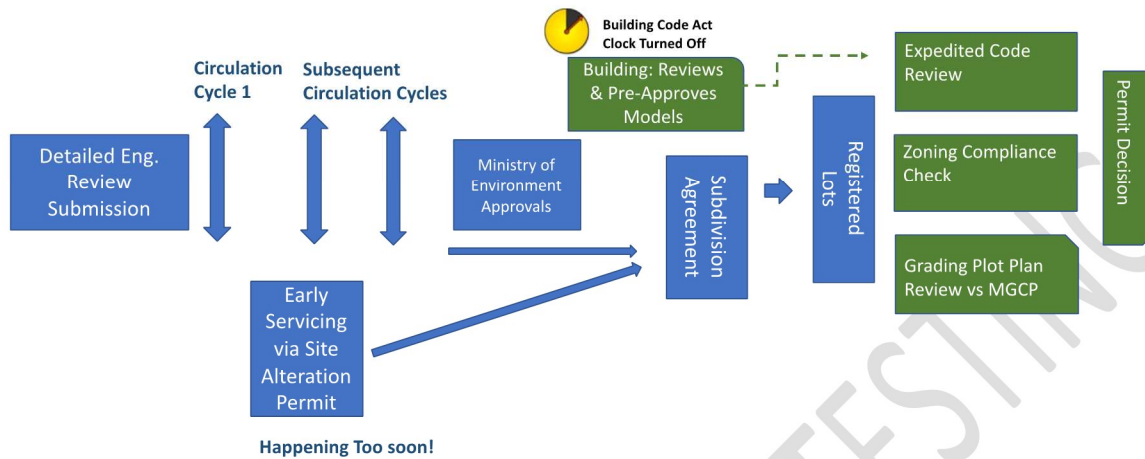
Brantford currently does not administer the Post-Draft Plan Detailed Engineering Review like a Planning Act application – for instance a Site Plan or a Re-Zoning. There is no Pre-consult process to document a technical checklist of mandatory submission requirements. There is no “shallow dive” to evaluate the quality/adequacy of a technical submission package prior to the 1st Technical Review Cycle. Submission items for review are unofficially triaged into “A” and “B” groupings and then staged over the first two cycles (see figure below). No measurement friendly countdown clock timeframes are tracked in AMANDA reports because Development Engineering staff do not currently track any of their workflow in AMANDA.

Technical Review Cycles: Post Draft Plan Detailed Eng. Review



Each Detailed Engineering Review phase culminates in the production of a Subdivision legal agreement and registration of a portion of Draft Plan created lots (see figure below). The City's Site Alteration permit is currently used to trigger earth movement by the applicant. The Site Alteration Permit also triggers underground early servicing work, albeit in a less rigorous legal arrangement than the Early Servicing Agreements common to Golden Horseshoe greenfield growth municipalities. Brantford is experiencing underground servicing coordination challenges where the Site Alteration permit is being secured before the Detailed Engineering Review 3rd Cycle has been initiated. In addition, Ministry of Environment delegated approvals have not yet been initiated or secured. The "As Should Be" section of this Report will address the need for improved coordination and sequencing of these matters.

Detailed Engineering Review: Coordination Challenges



5.11 Site Plan Processing Channel

Brantford executes a well-designed/properly documented Site Plan Control model supported by a detailed reference manual (see figure below extracted from the City Site Plan manual). The cross-disciplinary Development Review Committee facilitates staff execution of the Pre-consultation and Technical Review Cycle components of the Site Plan model. Timeframe targets inform each major step in the overall 9-step Site Plan process, although the absence of timeframe tracking in AMANDA creates uncertainty around actual processing timeframes versus targets. Application submissions are screened for completeness using a “piece count” approach combined with an occasional “as time permits” content adequacy review (depending on the file Planner’s workload burden and available capacity).

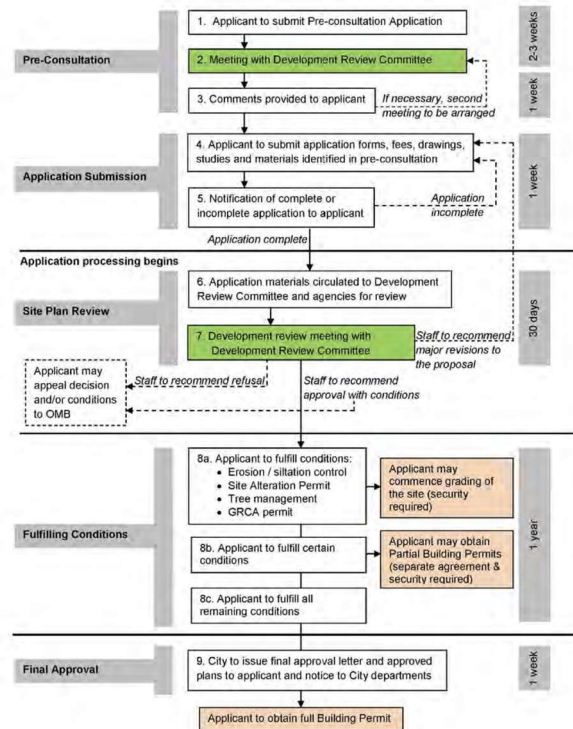
A Conditional Approval is granted early in the process, with conditions for Final Approval attached as required. Approval authority delegated by Council saves approximately two months per file that would otherwise be required to prepare an approval report to COW. The file Planner’s time saved via delegated approvals is redeployed to keep other DAP files moving across the City’s busy DAP conveyor belt. Re-zoning “combo pack” files (linked to the Site Plan) allow for a thorough vetting of land use issues and public consultation via a statutory public meeting – allowing Site Plans to be expeditiously processed according to technical criteria. Re-zonings are ideally sequenced in advance of Site Plans, since land use/zoning conformity will be required for Site Plan conditions to be cleared.

Site Plan Final Approval requires standard conditions imbedded in an executed Agreement to be fulfilled within a year of the Conditional approval granted by the City (Step 8a-8c). Final Site Plan approval (Step 9) can trigger the issuance of a full Building Permit that generated by its own overlapping application/review process initiated in the latter stages of the Site Plan process. Conditional below-grade Building permits may be issued before Site Plan completion at the discretion of the CBO.

2.0 APPLICATION PROCESS

2.1 Site Plan Application Process

The site plan application process is illustrated in the flowchart below:



5.12 Re-zoning & Condo "Combo Packs" of Applications

The Re-zoning Pre-consult-to-Application Intake-to-Deemed Complete process is the same as Subdivision Draft Plan. Brantford's shallow dive QA content review prior to the Deemed Complete decision improves the quality/workability of the 1st Technical Review Cycle. Upfront effort on quality control yields downstream effort savings and fewer required ping-pong back-and-forth interactions with applicants during the Technical Review stage of processing.

There are staging/sequencing challenges with Re-Zoning and Condo 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.

Brantford's Condominium approvals process deals with "Site Plan-ish" technical engineering matters during overlapping timeframes with an active Site Plan application. A condominium corporation's divided ownership has interests that may need to be protected around servicing/landscape related Agreement conditions - matters that are linked to the Engineer's Report. Timing may dictate safeguards around these matters may need to be put in place before Site Plan review has addressed these same issues. In short, a back-and-forth toggle between the Condo and Site Plan applications in a "combo pack" process can present logistics and interrelated timing challenges.

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

5.13 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. The C of A model features the following characteristics:

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

Staff report excellent alignment between Committee decisions and City Planners' report recommendations, with estimated convergence/agreement across 9/10 files.

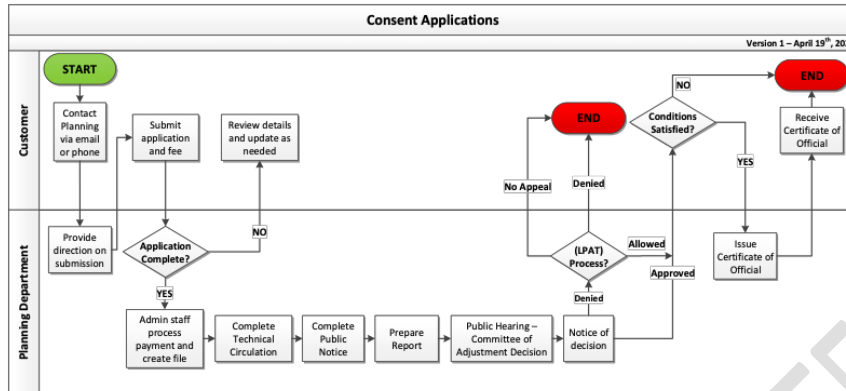
In some cases where applicants attempt to use the Minor Variance process as a workaround to avoid more complex/expensive Re-zoning applications, the Committee and City staff have exercised vigilance to protect integrity of the Re-zoning process.

Overlapping of the monthly C of A report deadline with competing deadlines for other DAP files can cause workload spikes/choke points for Planning and Development Engineering staff. Open-ended C of A agendas (without caps on the number of files per meeting) can exacerbate these workload spikes/chokepoints. The absence of a C of A meeting in June each year can escalate application volumes in the May/July cycles, creating additional process execution risk/stresses across the narrow 19-day window for executing an entire Committee cycle.

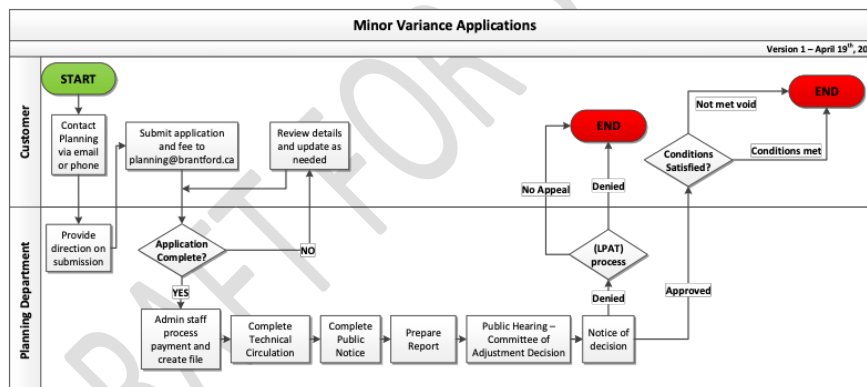
Currently two City Planners with finite billable hours to process DAP files are providing admin/logistical support to the Committee – a role typically filled by Admin or Planning Tech personnel in most municipalities. There is a measurable opportunity cost (lost Planner billable hours for other DAP files) consumed by these administrative/logistics functions. The opportunity cost equates to .5 of an FTE.

The C of A processes is not integrated into AMANDA. AMANDA workflow efficiencies represent a significant improvement opportunity moving forward.

C of A – Consent Process Map



C of A – Minor Variance Process Map



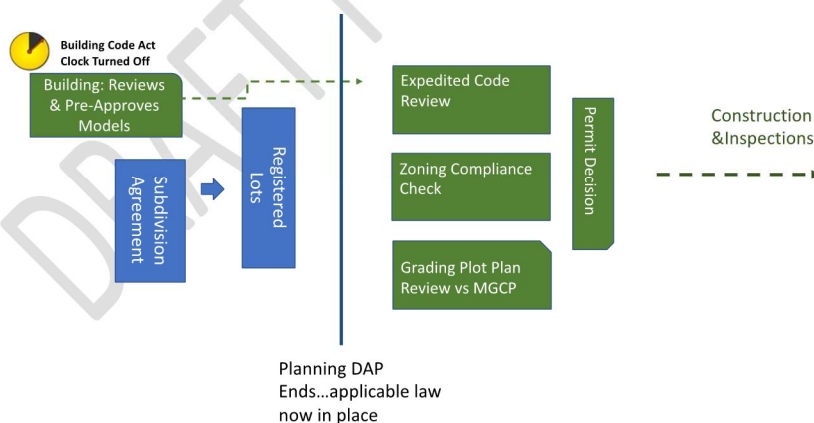
5.14

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.

Brantford executes an efficient "industry standard" baton handoff within the Subdivision generated approvals channel. During the late stages of the Detailed Engineering Review, Building Services execute an advanced pre-approval of various house models that will be put forward in complete Building Permit applications following lot registration. Pre-approval significantly reduces Building Services' review workload when complete applications are put forward. The advance review requires applicants to acknowledge the Building Code Act's 10-day countdown clock for a permit decision has been turned off. The countdown clock turnoff is important to the City since processing a large number of simultaneous applications with the clock on would be problematic. This overlapping baton handoff is an effective workaround to turn off the 10-day countdown clock deadline imbedded in the Building Code Act. If this workaround was not adopted, Building Services would need significant staffing increases to comply with "clock on" timeframes. The pre-approved models workaround is an industry standard municipal sector practice.

Once a complete Building Permit application can be considered after lot registration, an expedited Building Services review takes place. This review is focussed on a quick zoning compliance check, the plot plan grading review for each lot conducted by Development Engineering, and an expedited Code compliance review that confirms the already existing Code review that was executed prior to lot registration.

Subdivision Baton Handoff to Building

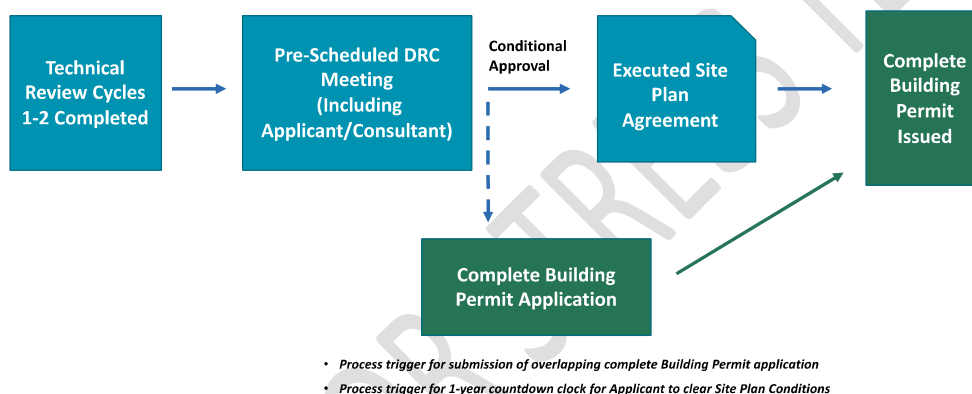
Brantford executes an efficient "industry standard" baton handoff within the Site Plan generated approvals channel (see figure below). Planning and Building staff coordinate the baton handoff based on case-by-case progress of the Site Plan. Since the DAP team is not using AMANDA to track process

milestones, the baton handoff is not triggered by a specific point of progress. But in most cases the baton handoff follows the delegated Conditional Approval of the Site Plan by Planning staff.

The complete Building Permit application submitted prior to execution of the Site Plan agreement turns of the Building Code Act countdown clock. During the preparation of the Site Plan development agreement the plans examination of the Building Permit application is executed. Following execution of the development agreement the complete Building Permit can be issued on a just-in-time basis.

The combination of delegated Site Plan approval to staff plus an overlapping baton handoff for a Building permit application secures a significant overall reduction in the pathway to a Building permit and subsequent construction.

Site Plan Baton Handoff to Building



- Process trigger for submission of overlapping complete Building Permit application
- Process trigger for 1-year countdown clock for Applicant to clear Site Plan Conditions

5.15 Measuring DAP Performance & Setting Targets

AMANDA milestone tracking/timestamping is the key to developing and implementing Key Performance Indicators (KPIs). The City already sets “soft” timeframe targets for core application categories, without tracking actual timeframes in AMANDA to verify actual processing performance times against desired performance times. The same situation exists in Development Engineering, soft targets with no tracking of timeframe actuals.

City staff across Planning and Development Engineering are committed to developing KPIs in a coordinated rollout of the AMANDA workflow tool for Planning/Engineering DAP. Timeframe targets will reflect new “As Should Be” application review processes and will be informed by countdown clock tracking of actuals after the fully configured AMANDA 7 Planning Module rollout in 2022.

The “As Should Be” section of this report will propose a best practices performance measurement/results management model for DAP.

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 are especially prone to under staffing. Municipal staffing models do not reflect the fact that Draft Plan of Subdivision application volumes 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 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 (\$) + 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 90% 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, governance costs and frontline DAP delivery costs wherever they are located in a municipal organization structure. The DAP cost base must be understood to extend well beyond a generic Planning department.

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. Bill 108 has compressed the “no municipal decision” timeframes trigger for an OLT/LPAT appeal (see table below).

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 Brantford. These process re-engineering “quick wins” can help stabilize/reduce overall DAP execution timeframes as Brantford faces the imminent challenge of rapidly escalating application volumes and workload.

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 2nd 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 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 “checkmark” 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 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 process trigger has been check marked - Final Site Plan approval that culminates in the agreement execution. Once that second trigger has been check marked the workflow tool will permit 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.

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 1st Technical Review Cycle can proceed according to its own timeframe clock/target.

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 Performance Concepts (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.

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 1st 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, 1st Review Cycle timelines need to be longer than subsequent Review Cycle timelines.

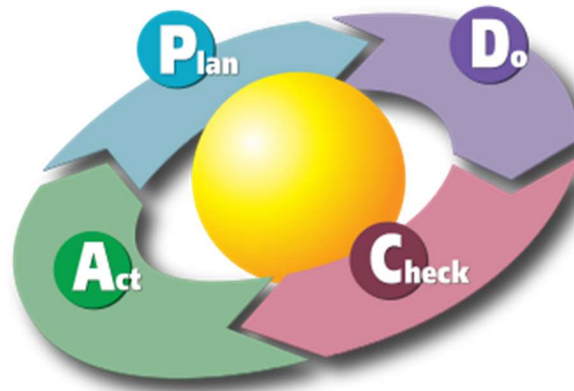
Differential processing time targets should also address the issue of complexity. Reviewing a 400 unit/20 Hectare Subdivision Draft Plan is inherently more complex than reviewing a 100 Unit/10 Hectare Draft Plan. DAP fee design acknowledges this complexity gap by applying a per unit escalator (\$) on top of a base fee (\$). Processing timeframes for Review Cycles can/should reflect these complexity realities. For instance, a 1st Review Cycle timeline of 35 business days might be sufficient for a Detailed Engineering Review phase of 100 units. But a 200 units Detailed Engineering Review phase of 250 units may well require a 60-day Review Cycle.

The combination of a longer 1st 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 Brantford municipal staff, External agencies like the GRCA and applicants. Technical submissions supplied by applicants “ping pong” back and forth until the City and 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 1st Technical circulation versus Development Agreement production).



The 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 20th 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

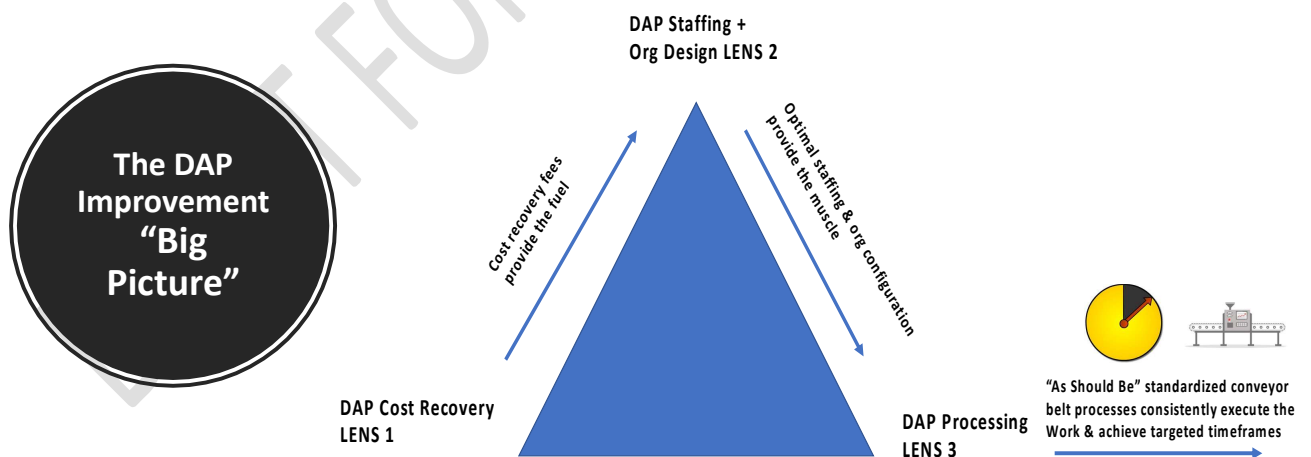
Transforming DAP into a high-performance service delivery model requires sustained improvement/modernization across three performance lenses (see figure below).

The 1st “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 2nd 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-stop-shop integrated Planning/Development Engineering models can be effective. So can integrated Development Engineering/Public Works models.

The 3rd 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 Brantford requires to meet the challenge posed by imminent DAP application volumes.



7.1 DAP Cost Recovery Lens - Securing the Fuel

The Performance Concepts team’s “As Is” analysis of peer municipal fees design/pricing has informed the “As Should Be” change/improvement investigation. The Performance Concepts team investigation of Brantford’s current DAP revenue accounting practices have also played a role in the “As Should Be” performance improvement investigation.

7.1.1 Modernized Fee Structures

Site Plan Fee Design

Brantford DAP fee structures reflect industry standards design with the exception of Site Plan.

The City’s current Site Plan fee design is based on a fixed/flat base charge, with no supporting per unit/hectare/GFA escalator. This old school design does not reflect growth municipality best practices across the Golden Horseshoe. The City’s current fee design reflects average file processing effort across too wide a pool of Site Plans. Lower effort/small Site Plans are cross-subsidizing higher effort/complex Site Plans in the current fee design. The addition of a per unit/hectare/GFA escalator will reduce the current level of cross-subsidization across Site Plans.

The City’s current sub-par Site Plan fee (versus peers) reflects the design shortcoming of no per unit/GFA escalator.

The base Site Plan fee should apply to the first 25 units of a multi-residential Site Plan. Then an open-ended per unit escalator (\$) should be applied. The dollar value of the escalator should be derived from a detailed activity-based costing analysis of current/future Site Plan costs. This costing analysis/fee modernization should be completed by the end of 2021. A similar approach should be used to update the City’s Non-res Site Plan, using GFA instead of units to create the escalator.

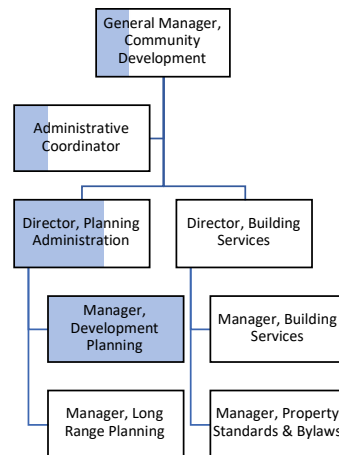
% Construction Value Fee Rate Adjustment

There is ample evidence in the peer municipal comparisons of this Engineering Review fee for Brantford to adjust its current 5% rate to 6% moving forward. The Brant boundary lands will generate an estimated \$20M in Engineering Review fees over the next 10 years at the 6% rate. The resulting average revenues of \$2M per year will fund unavoidable/required upgrades in City staffing and external consulting hours. The City’s Engineering Review reserve fund will smooth out any year-over year revenue fluctuations. Reserve fund contributions/draw will ensure annual full-cost recovery for the required staff/consultant processing effort.

7.1.2

Aggressive “Growth Pays for Growth” Cost Recovery Targets

Planning DAP should be governed by the same “enterprise” full-cost recovery financial policy framework as Development Engineering and Building. The cost recovery spending “base” is set out in the figure below.



Portions of the General Manager and Planning Director that are consumed by DAP should be recovered, as should the entirety of the Development Planning business unit. Based on growth municipality fee design “best practices”, Long Range Planning costs that protect the interests of the existing community are typically not recovered by Planning fees that already recover 100% of Development Planner staffing costs.

BRANTFORD PLANNING FEE COST RECOVERY MODEL

Eligible DAP Staffing Cost Base:

100% of Development Planning Staff Team

66% of Director, Planning Administration

25% of General Manager and Admin Support

+

External Department Indirect Support Functions (25% surcharge)

The resulting DAP “growth pays for growth” cost recovery target should be *at least 85%* and should incorporate a 25% internal charge from City indirect support functions like Finance/HR/Facilities/IT plus Council governance. City staff should finalize a multi-year Planning DAP cost recovery target prior to Council adopting the 2022 operating budget.

7.2 DAP Staffing/Org Design Lens - Securing the Muscle

Once Brantford’s DAP fees revenue stream has been modernized to supply the fuel, the City can make critical investments to upgrade its resourcing/staffing muscle. That muscle will be deployed to execute streamlined DAP processes. Without the muscle the 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.

Non-Res Site Plans	400 Ha / 50 Ha/Parcel = 8 Parcels x 30 Lots / Parcel = 240 Site Plans			
Residential Draft Plan of Subdivision	500 Ha/ 20 Ha/Subdivison = 25			
Post Draft Plan Detailed Eng Rev Phases	Assuming 2 Phases per Draft Plan Approval = 25 x 2 = 50			

The Performance Concepts/Dillon team has worked with City staff to develop an evolving DAP applications volumes forecast for the Brant boundary lands (see above). The 500 Hectares of residential development lands will generate an estimated 50 Post-Draft Plan Detailed Engineering Review Phases (10 hectares each based on previous experience in Brantford). Draft Plans of Sub-division will typically consist of two such Phases, so there will be an estimated 25 Draft Plans generated across the Brant boundary lands. The 400 hectares of non-residential land will be divided into eight 50 Hectare Parcels, and each Parcel will consist of 30 Lots that will require Site Plan approval. In total an estimated 240 Site Plans of varying complexity will need to be processed. The exact timing of these applications is uncertain, but the City’s Area-Specific DC Background Study prepared by Hemson Consulting concludes development demand/construction will be front-end loaded across 2023-2027.

7.2.1 Development Engineering Resourcing/Staff Investments

In the figure below, estimates have been developed for City staff processing hours consumed by a typical Technical Review Cycle for Site Plans, Draft Plans of Subdivision and Post-Draft Plan Detailed Engineering Review. The number of Technical Review Cycles per application have been compiled into Average/Easy/Hard categories. Total processing hours have then been calculated by multiplying the typical hours per Cycle (for Site Plans/Draft Plans/Detailed Engineering Review) by the differing # of cycles in their respective Base/Easy/Hard categories.

7.0 Towards “As Should Be” DAP Transformation 47

	# Technical Review Cycles			Staff Processing Hours per Technical Cycle	Total Processing Hours (per Application)			Number of Applications/Files
	Average	Easy	Complex		Average	Easy	Complex	
Site Plan Cycles	3.0	2.0	4.0	50	150	100	200	240
Draft Plan Cycles	3.0	2.0	4.0	800	2,400	1,600	3,200	25
Detailed Engineering Review Cycles	3.5	3.0	4.0	500	1,750	1,500	2,000	50

In the figure below, Site Plans, Draft Plans and Detailed Engineering Reviews are each organized into 3 Scenarios. Each Scenario features a different mix of Average/Easy/Complex files. Total Processing Hours per Scenario are calculated for Site Plans, Draft Plans and Engineering Reviews.

		Distribution of Files			Estimated Processing Effort (Hours)			Total Hours per Application Type
		Average	Easy	Complex	Average	Easy	Complex	
Site Plan Cycles	Scenario 1	120	60	60	18,000	6,000	12,000	36,000
	Scenario 2	144	72	24	21,600	7,200	4,800	33,600
	Scenario 3	144	24	72	21,600	2,400	14,400	38,400
Draft Plan Cycles	Scenario 1	13	6	6	31,200	9,600	19,200	60,000
	Scenario 2	15	8	3	36,000	12,800	9,600	58,400
	Scenario 3	15	3	8	36,000	4,800	25,600	66,400
Detailed Engineering Review Cycles	Scenario 1	25	13	13	43,750	19,500	26,000	89,250
	Scenario 2	30	15	5	52,500	22,500	10,000	85,000
	Scenario 3	30	5	15	52,500	7,500	30,000	90,000

In the final figure below, The Site Plan, Draft Plan and Engineering Review required processing hour totals can be added together within each of the 3 Scenarios. That total required processing effort for each Scenario can be expressed as an annual average of required processing effort. The annual average required processing effort can be standardized into staff FTEs that each generate 1,800 hours of annual processing effort. The final insight is as follows: Development Engineering workload generated by the Brant Boundary lands will require approximately 10 FTEs of new processing effort beyond the current staffing allocation that is consumed by existing workload in traditional City urban envelope.

	<i>Average</i>	<i>Easy</i>	<i>Complex</i>	Total Required Processing Hours	Annual Required Processing Hours	Annual Required FTE Equivalent
Scenario 1	50%	25%	25%	185,250	18,525	10
Scenario 2	60%	30%	10%	177,000	17,700	10
Scenario 3	60%	10%	30%	194,800	19,480	11

7.2.2 Development Planning Resourcing/Staff Investments

Development Planning staff act as the logistics coordinators/file quarterbacks of DAP. Their efforts are critical when it comes to consolidating work done by other City staff and external agencies. They are a process conduit to the applicant, and they often coordinate critical problem-solving negotiations on files. AMANDA modernization will create significant productivity/efficiency dividends for existing and new Development Planners moving forward. The required new FTE resourcing adjustment for Development Planning (a process driven role) is not as significant as Development Engineering, where the workload is technical/substantive and expands in lockstep with application volumes

The Brant boundary lands will generate 240 new Site Plans and 25 new Subdivision Draft Plans. A new Senior Planner and a new Senior Environmental Planner are required to achieve acceptable processing timeframes moving forward into a period of spiking volumes. An existing Junior Planner position should be upgraded to a Senior Planner, thereby creating a properly configured Development Planning team consisting of 3 Senior Planners, 2 Intermediate Planners, and 2 Junior Planners. An existing administrative staff position can be re-purposed to assume logistical oversight of the Committee of Adjustment, freeing up approximately 1,000 billable hours for new files from the two Planners currently administering the Committee.

7.2.3 Potential Staffing Choke Points to Eliminate

A number of City DAP functions are delivered by individual staff members, without designated backup coverage or redundancy. On a go-forward basis the City will need to evaluate the DAP conveyor belt risk posed by these single-staff choke points. The cost efficiencies of single-staff resourcing need to be balanced against the broader/more important issue of DAP resilience if a key staffer is unable/unavailable to perform or leaves City employment. Single-staffer choke points should be documented and targeted for elimination/mitigation as part of a DAP resourcing/staffing plan to be presented at the kick-off working session for the 2022 City budget.

A prime example is map preparation for City development files. One Planning staff member is currently responsible for all map production across all files. Choke points/delays in timely map production for development files have been reported during times of peak busyness across DAP, even before the flood of Brant boundary land files begin to move down the DAP conveyor belt.

7.2.4 Go-forward Organization Design for Executing DAP

Organizational Re-design Findings & Recommendations to be included in final report following stress testing

DRAFT FOR STRESS TESTING

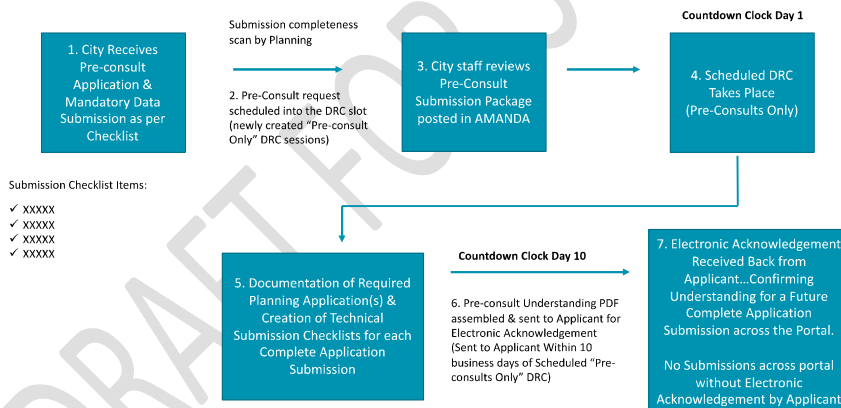
7.3 Strengthening the “As Should Be” DAP Conveyor Belt

Once the DAP fuel and the staffing/processing hours muscle have been modernized and upgraded to reflect the imminent Brant boundary lands game changer, there is an 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

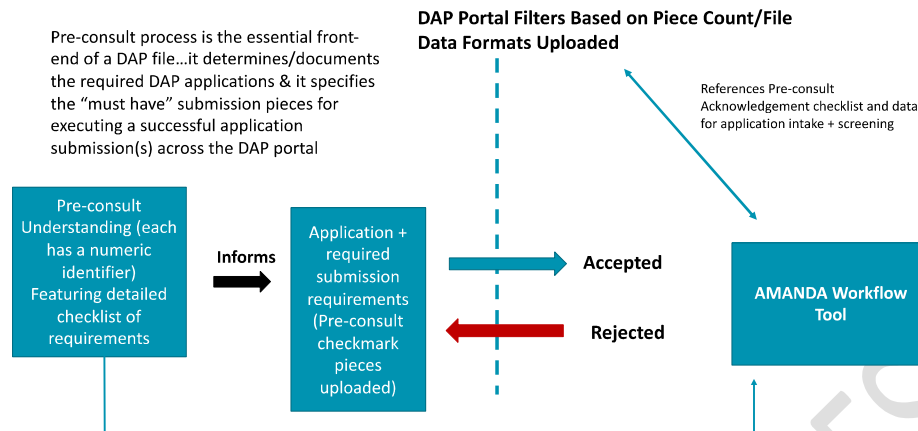
The City’s pre-consultation model needs to be properly integrated with a new DAP portal and a fully deployed AMANDA workflow tool. The “As Should Be” process mapping (see figure set out below) preserves the City’s 10-day service standard for producing a submission requirements package for applicants. It creates a channel of scheduled “Pre-consult Only” Development Review Committee meetings across the calendar year. These “Pre-consult Only” meetings will ensure that the necessary bandwidth is in place for a higher volume of Pre-consults as the Brant boundary lands block plans are completed and the flow of applications begin. 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 Understanding in order to apply over the portal with applications for specific DAP approvals.

“As Should Be” Pre-consult Stage – Securing an Applicant Acknowledgement



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

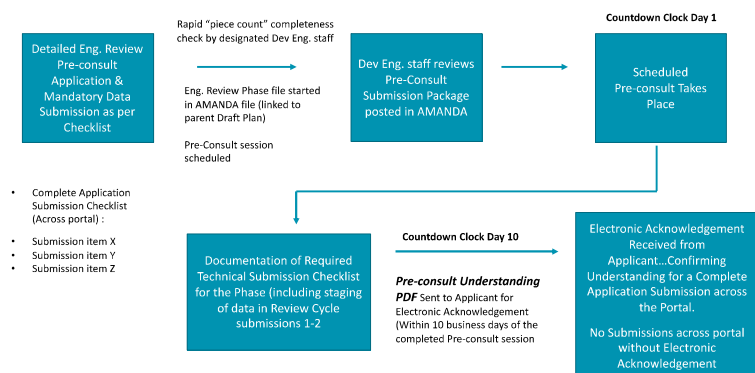


An intriguing process improvement opportunity at the Pre-consult stage involves the Draft Plan of Subdivision *Neighbourhood Meeting* executed by the Applicant. Moving the *Neighbourhood Meeting* much earlier in the DAP process could significantly improve the Draft Plan process for some Subdivisions. 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 in this Report 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 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

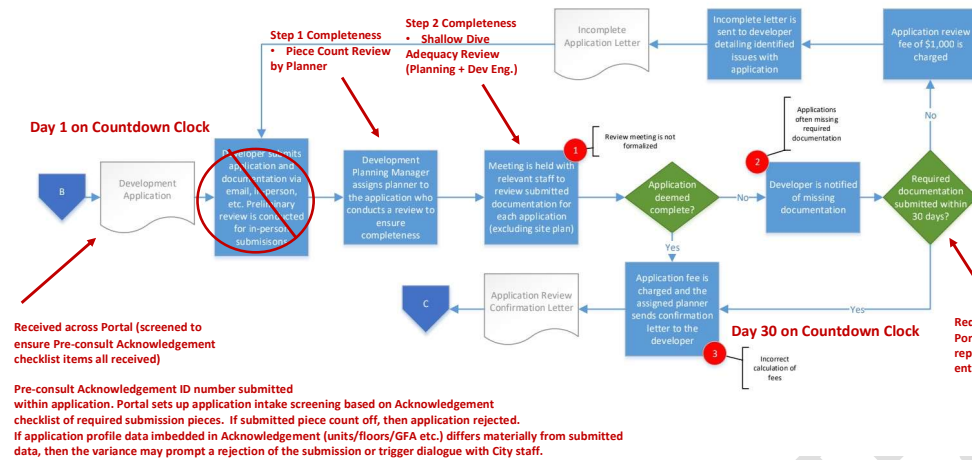


7.3.2

Application Submitted to Deemed Complete/Adequate - Improved Quality Assurance

The “As Should Be” application submission process for most Planning DAP applications is set out below in the marked-up version of the City’s current process map. The marked-up “As Should Be” process reflects the necessary deployment of a new DAP portal + 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 imbedded in the numerically identified Pre-Consult Understanding stored in AMANDA. The City will then implement a 2-step completeness review much like its “As Is” model. 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. City DAP 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. 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 Technical Review Cycle “deeper dive” review. Inadequate/incomplete applications will require corrective re-submission of a submission 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.

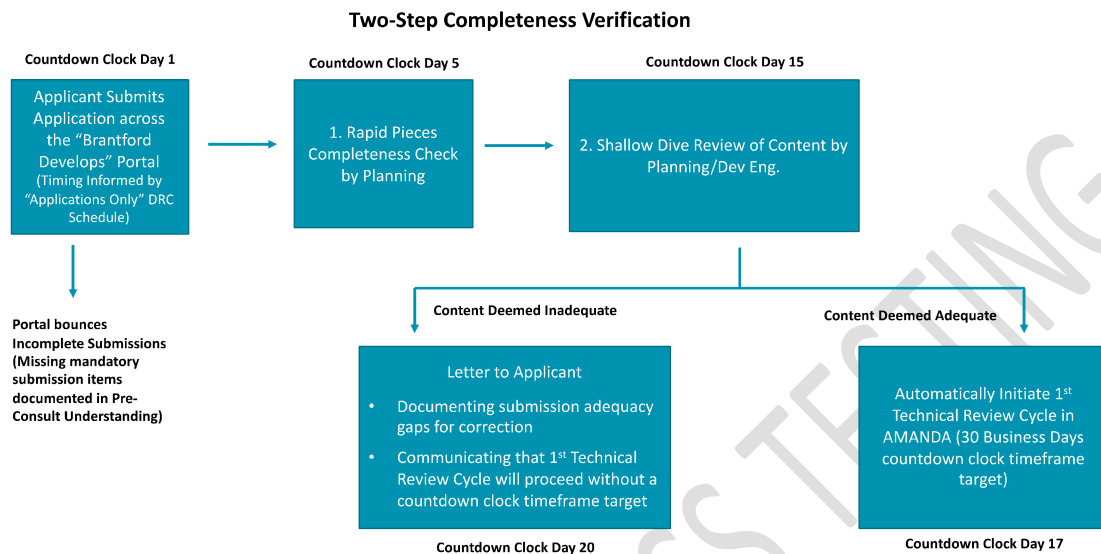
Application Intake Process



Site Plan Application Intake

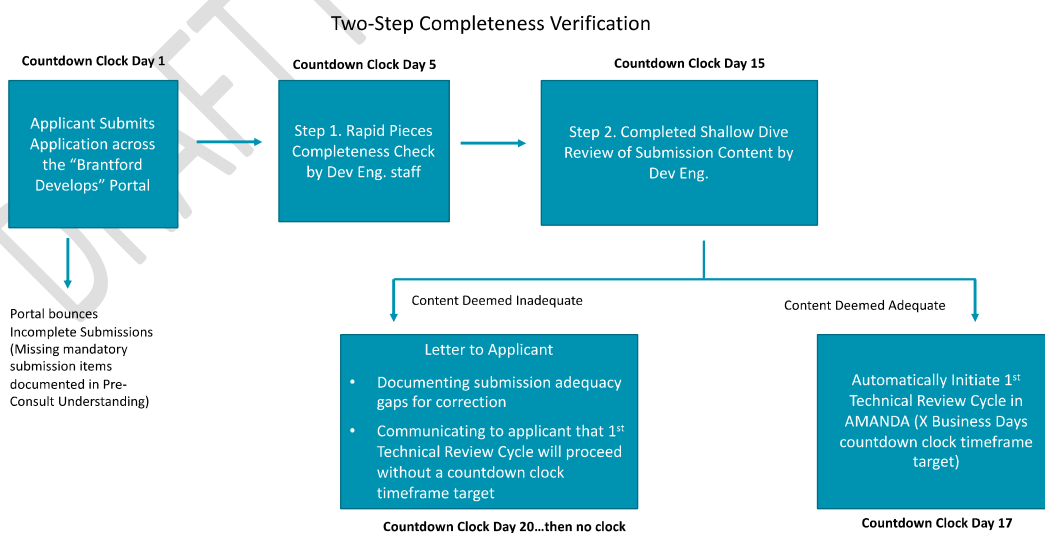
Site Plans are not subject to a municipal “deemed complete” process drawbridge, as are other Planning Act files like Re-Zonings or Sub-divisions. A more nuanced application intake process is therefore required. The “As Should Be” Site Plan application intake process is set out in the process mapped figure 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 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 review - to be completed as/when staff resources are available. This approach services to incentivize complete/adequate Site Plan submissions despite the absence of a “deemed complete” legal drawbridge to refuse incomplete Site Plan files.

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



Following the execution of the new “As Should Be” Pre-consult for Detailed Engineering Review submissions, a 2-Step completeness verification identical to the Site Plan process will be executed. Inadequate submissions will proceed once corrected, but the 1st Review Cycles processing time standard will not be in place. Alternatively, complete/adequate submissions will proceed to the 1st Technical Review Cycle approximately 17 business days after acceptance across the DAP Portal.

“As Should Be” Detailed Engineering Review– Application Submission & Completeness Verification Stage



7.3.3 Technical Review - 1st Cycle and Subsequent Cycles

Technical Review Cycles to approve land use and infrastructure design are a core component DAP that consumes significant processing effort/time.

Site Plan Technical Review Cycles

Brantford’s “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.

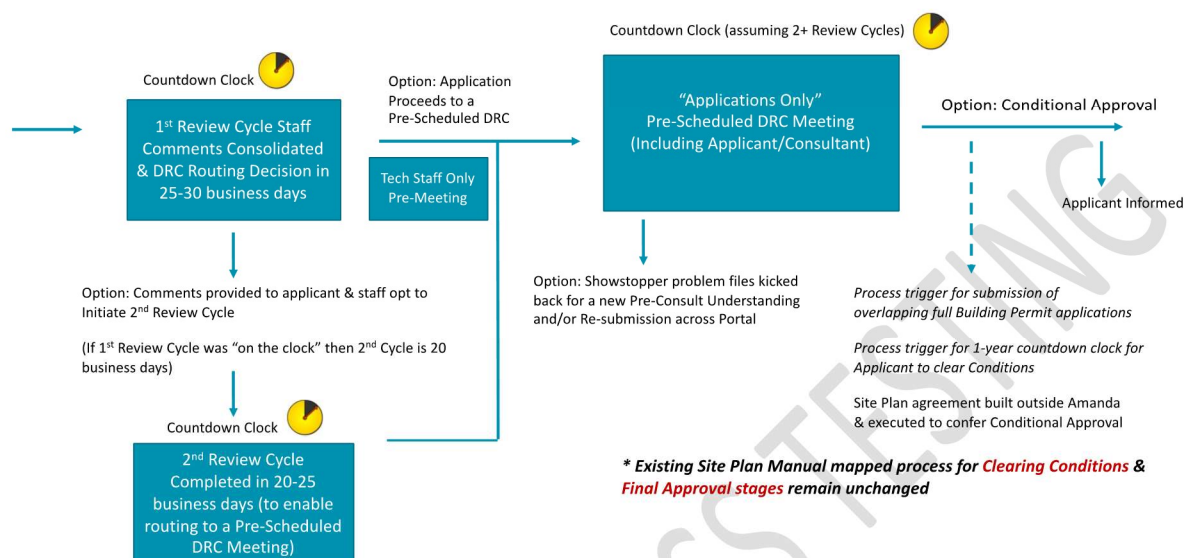
Notably the 1st Technical Review Cycle can/should be longer than subsequent Review Cycles. A 1st Review Cycle timeframe target of 30 controllable business days for Standard Site Plans is appropriate for a diligent deep-der dive across all submission items. If the Site Plan is unusually complex due to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

Subsequent Review Cycles can be calibrated for 20-business day or 25-business day timeframe targets 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/refuse decision. A new “Applications Only” Development Review Committee meetings between City staff and applicants will then deliver/confirm the details around a Conditional Approval/refusal 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 Conditional Approval conditions.

“As Should Be” Site Plan Process – Technical Review Cycles/Conditional Approval Stage



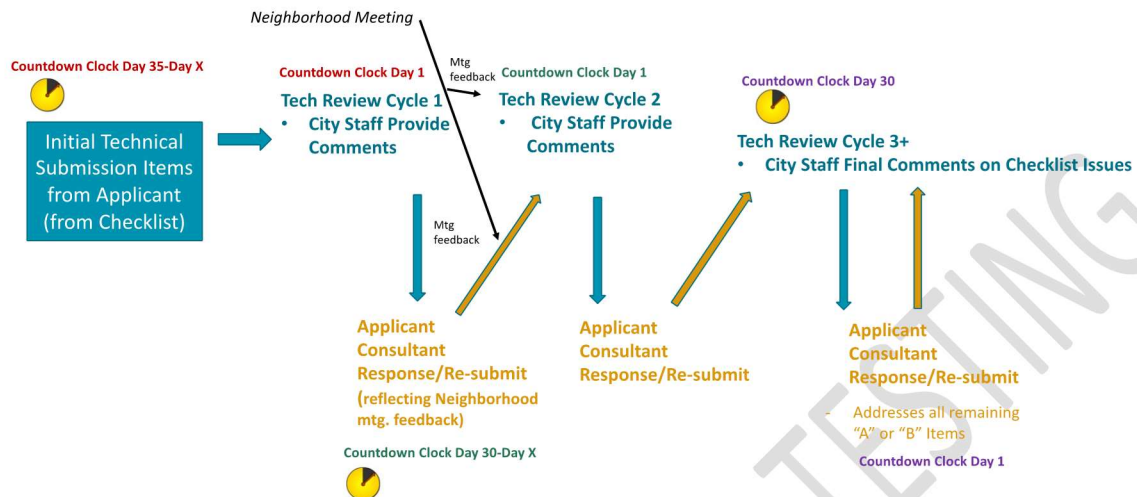
Subdivision Draft Plan Technical Review Cycles

Brantford’s “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 1st S Technical Review should be executed against a countdown clock target of 35 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 premium can be added to the timeframe target for the 1st Review Cycle. Subsequent Review Cycles may require timeframe targets similar to the 1st 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 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

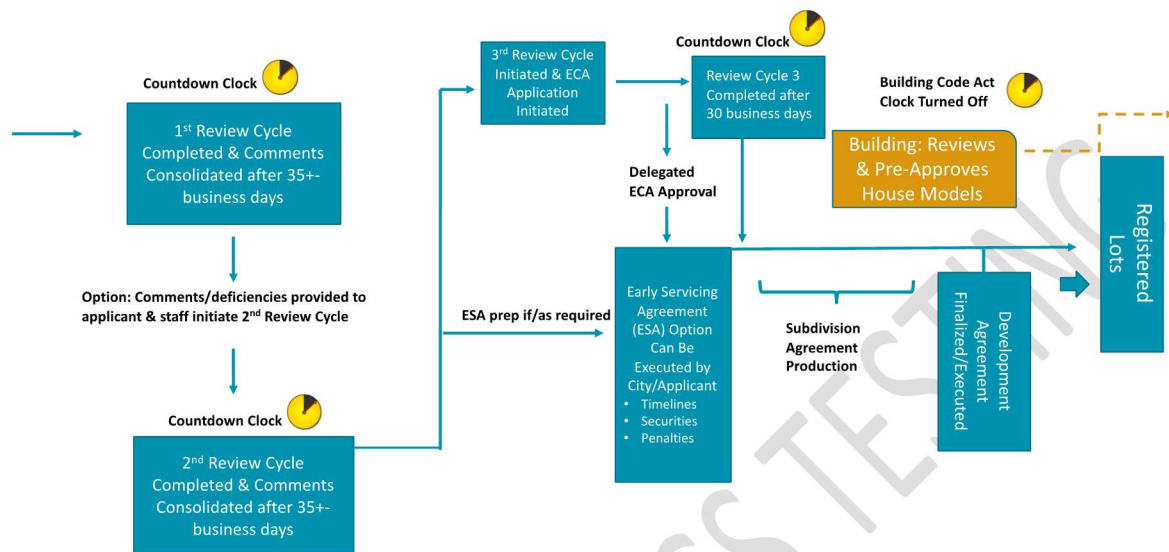


Detailed Engineering Review (Phases)

Brantford’s “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 City staff to action when timeframe target deadlines are looming. An aspirational 3 Technical Cycles model appears in the figure below. Each Technical Review Cycle is 30-35 business days long, unless the units/lot count is unusually high, and a complexity timeframe extension is merited.

The completion of the 3rd/pen-ultimate 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. This more rigorous/formal Early Servicing Agreement replaces the somewhat ad-hoc early servicing currently undertaken via the Site Alteration permit. The “As Should Be” result is a more coordinated process where approved infrastructure design at the end of the Technical Review Cycles has informed both the Ministry of the Environment approvals and the servicing solutions actually put in place after signing the Early Servicing Agreement.

“As Should Be” Detailed Engineering Review – Technical Review Cycles Coordinated with Early Servicing & Development Agreement



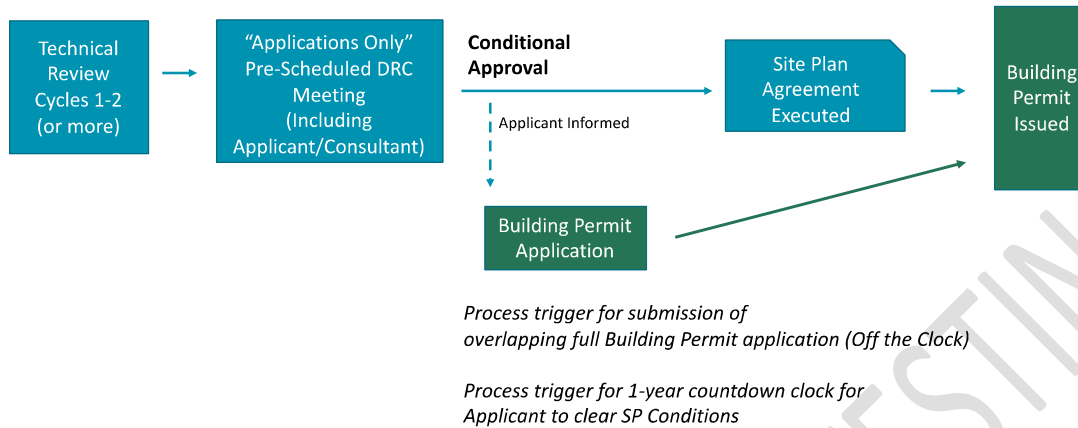
7.3.4

Planning/Engineering DAP Approvals & the Transition to Building DAP

Brantford’s Site Plan overlapping transition into to Building DAP mirrors the “best practice” approach set out in the 6.2 Case Study included in this Report. 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 an “Applications Only” DRC 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 and is managed/overseen using the “drawbridge” functionality in AMANDA that requires specific Site Plan triggers to be confirmed 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.

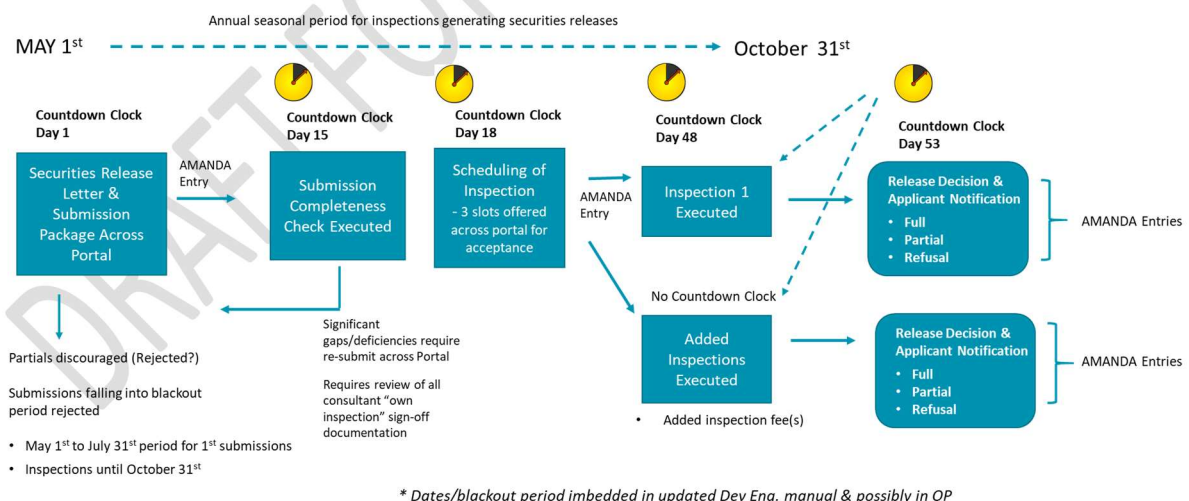
Site Plan Baton Handoff to Building



7.3.5 Post-Construction Inspections & 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” Detailed Eng. Review Process – Post-Construction Condition Clearance + Securities Release Stage



Applicants submit a condition clearance/securities release package over the DAP Portal. A City staff completeness check is conducted, and the results of the check eventually generate a scheduled

inspection offering within 18 business days. The scheduled inspection 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 inspection. The entire process should be executed in 53 business days.

The nature of the post-construction inspection process requires that it be executed after a winter has transpired - therefore falling within the suggested May 1st to October 31st period. The remainder of the year is a blackout period where inspections/securities release is not viable. The timing of applications is therefore critical. A cut-off date of July 31st for applications is necessary to ensure inspections can be scheduled, inspections executed, and securities decisions rendered before the November 1st blackout period commences.

7.3.6 Expanded Council Delegation to Staff

Staff are well aware that the current Governance framework requires restructuring in the shadow of the imminent Brant boundary land spike in application volumes. Expanding 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 in the face of a game changing volumes spike.

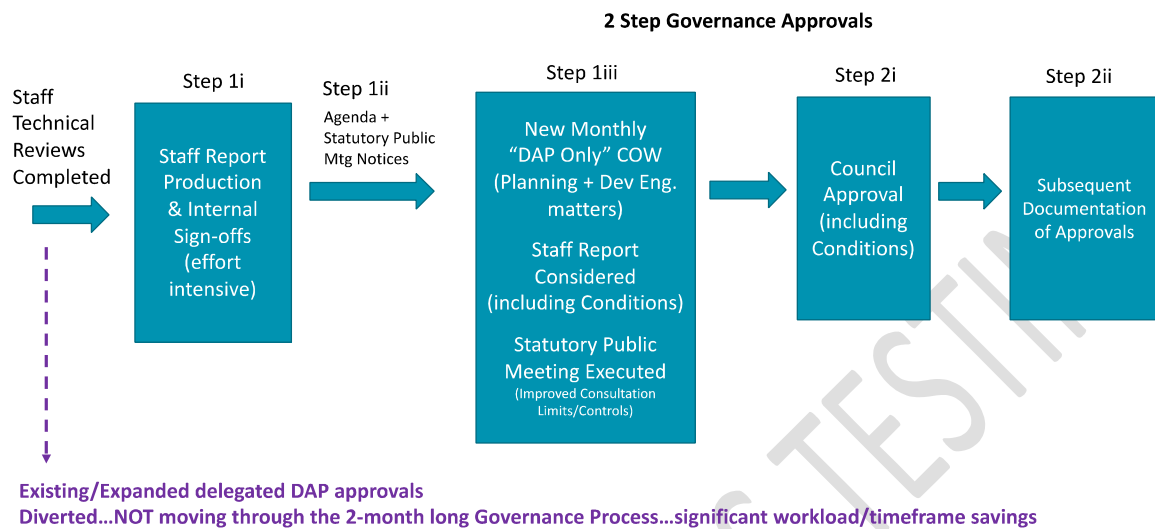
Staff have produced a comprehensive Council report on delegated approvals expansion opportunities. That report has been independently reviewed by Performance Concepts/Dillon. Our team supports all the recommended delegation expansion options in the staff report. Our team’s Interim Findings memo was supplied to staff during the finalization of their Council report. The Interim Findings memo is appended to this Report.

7.3.7 Governance – Creating Decision Making Bandwidth

The City’s current approach to DAP Governance is unduly fragmented. Some DAP matters proceed through one COW channel. Other DAP matters proceed through another COW channel. The disparate pathways are defined solely by organization structure. This fragmentation will be counter-productive in the imminent high application volumes environment Brantford is about to experience. Integrated Governance review of Planning and Engineering DAP matters is required.

The figure below details an integrated “As Should Be” DAP Governance model. Bandwidth for COW and Council is protected by adopting delegated approvals for DAP where technically feasible. A new monthly DAP COW is created to deal with interconnected Planning and Development Engineering matters that have progressed down the DAP conveyor belt and require a Governance decision. Improved/Limited but still effective Statutory Public Meetings are executed at the new DAP COW. The two-month long processing timeframe for Governance decisions remains unchanged but the ROI for the expenditure of time and effort is improved because the decisions themselves have greater impact and importance.

Council Governance Approvals...Bandwidth & Timeframe Challenge Intensifies with Brant Boundary Lands



8.0 File Audit Performance Insights

In addition to robust stakeholder engagement efforts undertaken with City staff and external stakeholders, the Performance Concepts/Dillon team undertook an examination of how the City's DAP system is implemented in real-time conditions. This real-time review focused on a sample of Planning Act application files and shadowing of internal and external meetings held as part of the development approvals process. This type of "on the ground" audit exercise enabled the Performance Concepts/Dillon team to validate the thematic elements heard during stakeholder engagement efforts, and to identify practical, real-world opportunities for process improvement and change.

The following sections summarize the application files selected for review by the consulting team, the methods used to review and evaluate the files, and the pertinent findings/performance insights drawn from the review exercise. Recommendations relating the file audit performance insights are included in **Section 11.2.3** of this Report.

8.1 Selection of Files for Review

The file audit included a range of Planning Act application types, categorized as follows:

- Three (3) files involving Draft Plan of Subdivision
- Six (6) files involving Site Plan Control; and
- Five (5) files involving Committee of Adjustment applications for Consent and/or Minor Variances.

The file audit included both inactive files (i.e., applications that had reached approval or were otherwise terminated) and active files (i.e., files currently under review by the City).

Files involving applications for Draft Plan of Subdivision included residential developments that took a two-phase approach and those that proceeded in a single phase. Files involving applications for Site Plan Control included a range of applications for residential and industrial uses. Committee of Adjustment files for Consent and Minor Variances included single, standalone applications for Consent as well as files involving combined applications for Minor Variances and Consent.

Files were also selected on the basis of the degree to which they proceeded through the development approvals system with or without issues. A cross-section of high performing and poorly performing files were selected for review. The high performing files reflected applications that followed the traditional, streamlined path through the DAP pipeline with few issues. The poorly performing files were those that experienced unusual delays, numerous resubmissions, and complex technical issues.

8.2 Audit Execution

The file audit was conducted with the assistance of City staff and involved three main tasks:

1. **Attendance at various planning meetings held by the City throughout the application review process.** To understand the journey that various file types traveled through, the consulting team attended the internal pre-pre consultation meeting held with staff (i.e., meetings held prior to a formal pre-consultation meeting), pre-consultation meetings held with applicants, and public Committee of Adjustment meetings. The consulting team's attendance at these meetings was intended to allow the consulting team to observe the format of the meetings, understand timing of files, and note specific technical details to understand the follow-through and resolutions to issues as they evolved and were applied by staff or the applicant. The consulting team also received and reviewed circulation emails and agendas for the Development Review Committee (DRC) meetings.
2. **Preparation of an evaluation framework.** An evaluation framework was developed to evaluate application files according to the following qualitative and quantitative criteria: processing timeframes; the degree to which established processes were adhered to; the degree of continuity of staff on each file; and the degree to which staff made use of existing functionality in AMANDA.
3. **Assessment and review of files.** Files were reviewed according to the evaluation framework with an eye for identifying key themes and patterns, with the results translated into findings and actionable performance insights.

8.3 Findings and Performance Insights

Findings and performance insights pertaining to each application category are detailed in the following sections.

8.3.1 Draft Plan of Subdivision

Three files involving applications for Draft Plan of Subdivision were reviewed by the consulting team.

8.3.1.1 Processing Timelines

The subdivision processing timelines varied in relation to the complexity of the application. The timelines ranged from 1 to 2 years, depending on the number of circulations required, time taken by the applicant to prepare resubmissions and time taken by the applicant and agencies to clear conditions. The phased subdivision file audited demonstrated efficient timelines: between Council Approval of the plan and Notice of Decision, which took less than 5 business days to issue, and between the completion of clearance of conditions and the City's letter to the Land Registry Office, which took approximately 1 month.

Staff did not make use of checklists to verify whether all application submission requirements had been met at the point of deeming an application complete or for receiving application resubmissions in any of the files audited. The resulting lack of clarity and organization appears to extend the timeline for processing subdivision applications overall. For example, on a subdivision application that used a completeness check prepared by the applicant and which included a covering letter, the first circulation was expeditious, and the comments of staff were on necessary technical revisions to advance towards approval. In comparison, on a subdivision application that did not involve a completeness checklist, the first circulation had numerous comments from staff on improving the basic requirements of the submission because it could not be moved forward towards approval. Opportunities exist to shorten the timeline between key milestones of the subdivision process through improved communication between the City and applicants.

8.3.1.2 Adherence to Established Processes

Through an audit of the historic files, it appears staff generally followed the prescribed process map. Each subdivision application was unique in how it proceeded given technical issues with servicing, layout, or traffic considerations. The degree of organization and efficiency in addressing resubmission comments and clearance of conditions appeared to be driven by applicants. This resulted in varying degrees of success for applicants which resulted in longer timelines and/or more submissions and circulations. Greater clarity in the process could be achieved if the City employed standardized documentation for tracking comments and clearance of conditions.

8.3.1.3 Continuity of Staff

Through an audit of the historic files, there was continuity of staff from pre-consultation through to final approval and registry.

8.3.1.4 Use of AMANDA

It appears AMANDA is utilized by Development Engineering for Subdivision application tracking and commenting (a recent change in practice). Multiple City business units report they do not utilize AMANDA when they participate in DAP.

8.3.1.5 Other Key Themes

At the timing of the audit, no Draft Plan of Subdivision applications were brought forward for a pre-pre-consultation meeting or Development Review Committee for observation and analysis of further themes and trends.

8.3.2 Site Plan Control

Six files involving applications for Site Plan Control were reviewed by the consulting team.

8.3.2.1

Processing Timelines

Based on the historic files audited, the timeline from pre-consultation meeting with the applicant to approval for Site Plan applications was approximately 1 year. The file audit included a range of files that had varying degrees of complexity which influenced the processing timelines between key milestones.

In general, applications with a complete first submission, based on quality rather than checklist, experienced a shorter timeline, with fewer and more efficient resubmissions and circulations. A complete first submission resulted in the technical circulation comments being holistic and directive on critical changes that helped advance the file towards its approval. On other files, application timelines were extended based on the number of resubmissions required and effort required to evaluate major proposal changes. Turnaround times for technical comments rendered by the City appeared to grow shorter through each successive submission cycle as the nature of revisions became narrower in scope. The standard 2-week timeframe for provision of technical comments was consistently applied to each circulation cycle. The timeline between receipt of circulation comments by the Planner and dissemination of comments to the applicant ranged from 1 to 5 business days. Timelines for applicant responses varied widely. The timeline between final submission and final approval by delegated staff authority was approximately 1 month.

8.3.2.2

Adherence to Established Processes

The prescribed process map for Site Plan applications was closely followed by staff in most cases. In some instances, application-specific issues or modifications resulted in deviations from the established process. For example, resubmissions sometimes involved design revisions which were so extensive as to warrant a complete re-review of the file, as if it were a first submission. Staff applied judgement based on the technical matter at hand, and communication to the applicant regarding applicable next steps in the process was required.

The general process of holding a pre-pre-consultation meeting, holding a pre-consultation meeting with the applicant, issuing comments, circulation of the application, and conditional approval appeared to be an appropriate / efficient process for the City, subject to the degree of cooperation and organization on the part of the applicant. There were instances where the City had to accommodate multiple pre-consultation meetings because the applicant had let time lapse between the original meeting and preparation of the application and/or had requests for additional technical clarifications.

8.3.2.3

Continuity of Staff

Based on the files shared for auditing, staff continuity across the lifecycle of the file is very consistent. It appears that the same staff who completed the initial application intake and review also produced the final reporting.

8.3.2.4

Use of AMANDA

AMANDA does not appear to be utilized for Site Plan Control applications by any City department. The technical comments for Site Plan Control applications appear to be saved on an internal file drive rather than compiled in AMANDA for easy access by all City departments.

8.3.2.5

Other Key Themes

Through the meetings attended, it was observed that key themes and site-specific comments raised at the internal and applicant pre-consultation meetings directly translated into the comments circulated to applicants. Comment documentation clearly noted instances where additional information was requested from the applicant in the meeting(s). The anticipated complexity of the application was flagged early in the pre-pre consultation meeting presentation made by the Planner on file. This assessment of complexity appeared to help inform expectations of the other City departments and anticipated timeline.

8.3.3

Committee of Adjustment (Minor Variances, Consents, Severances)

Five files involving Committee of Adjustment applications for Consent, Minor Variance and Severance were reviewed by the consulting team.

8.3.3.1

Processing Timelines

The timeline based on the key milestones including initial application, technical circulation, public notice, public hearing, Notice of Decision, and issuance of conditions, as applicable, was approximately 3 months in total for files that were considered high performing. On the high performing files, the applicant had a complete application for technical circulation with minimal to no follow-up required by the Planner processing the application. The Notice of Decision was consistently sent out within 1 to 3 business days following the public hearing.

The timeline for files that were considered poorly performing had varying lengths related to the time between resubmission by the applicant or requests for deferral by the City due to outstanding technical issues left unresolved by the applicant. The nature of the files varied from simple files that dealt with 1 to 2 variances, to complex files involving multiple interrelated instances of variances, severances, and consents. It is noted that the quality of an application has a significant impact on the timing of two key procedural milestones: completion of technical comments, and the time taken for preparing the staff report. Additional correspondence with the applicant relating to site-specific questions and the need for follow-up documentation extended the timeline and caused some deviation from the prescribed process.

Process timelines closely correspond with the degree of application quality and completeness at the first submission and the degree to which each department is able to meet the designated timeframe for

provision of review comments. In some instances, departments followed-up with additional comments following the technical review commenting window of time.

In the pre-pre consultation meetings, a substantial amount of time was spent on files that were not deemed complete. These files were often missing critical information from the applicant and the planner was unable to answer critical questions for staff to fully form an opinion or make a constructive comment. Reaching the early milestone of deeming an application complete took different planning staff different lengths of time relative to the timeframe allotted to do so. Often this was due to the quality of the application and varying interpretations among planning staff regarding what constitutes “completeness”.

8.3.3.2 Adherence to Established Processes

The key milestones in the process map were achieved to advance COA applications. Due to the unique site circumstances and technical differences on each file, staff engaged with the applicant as much or as minimally as needed to move the application from through the process. The applicants’ response time varied. In some instances where additional technical comments were not addressed, a deferral was warranted and agreed upon with the applicant. The process of deferring the application to be heard at later meeting date was mutually agreed upon and needed to ultimately advance the application. The process maps present a high-level route for an application to follow. Staff applied their judgement on key tasks and communications required to move between larger milestones along the route. It is noted there was a varying degree of difficulty to the files audited.

8.3.3.3 Continuity of Staff

Based on the files shared for auditing, staff continuity across the lifecycle of the file is very consistent. It appears that the same staff who completed the initial application intake and review also produced the final approvals.

8.3.3.4 Use of AMANDA

The use of AMANDA for file tracking and updates does not appear to be applied by staff for Committee of Adjustment Applications. The technical comments for Committee of Adjustment applications appear to be saved on an internal file drive rather than compiled in AMANDA for easy access by all departments.

8.3.3.5 Other Key Themes

Through observation of the pre-pre consultation meeting and applicant-attended pre-consultation meeting, there was a consistent carry through of themes discussed. The internal pre-meetings produced a range of technical insights, issues, and key messages from each department. The round-table approach to the conversation is thorough and allows for all departments to raise their comments, get “live” input

and answers to questions. This process was time-consuming and could be refined to focus on contentious comments.

The comments raised at the pre-pre-consultation meeting are compiled by the Planner upon receipt and shared with the applicant in a preliminary fashion prior to the applicant-attended pre-consultation meeting. The preliminary comments were observed to be well-received by most applicants. The themes that were raised at the internal pre-meeting were also discussed in detail, as needed, with the applicant.

Overall, the Development Review meeting forum allows for a thorough and detailed review of all departmental comments on technical matters that can overlap and be interrelated for minor variances, consents and severances. Given the date of the files shared for auditing purposes, a review of consistency in themes from internal discussions to applications and approvals was not possible.

9.0 AMANDA Proof-of-Concept for Site Plan

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

9.1 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. These requirements apply to any DAP workflow tool solution – not just AMANDA.

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.

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

Brantford has enjoyed success in using AMANDA 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 the AMANDA workflow tool as the “central nervous system” of Planning/Engineering DAP has lagged the pioneering efforts in Building departments. While many of the functionality requirements are similar, it is nonetheless important to confirm that AMANDA 7 (Planning Module + Condition Clearance Module) will deliver the required Planning/Engineering DAP functionality. The figure below documents the results of an AMANDA functionality assessment carried out by the North Lakes Design Lab on behalf of the Performance Concepts/Dillon team. The results of North Lakes Design Lab’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.

9.0 AMANDA Proof-of-Concept for Site Plan 71

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	✓

9.3 AMANDA – City’s Portal/Workflow Project

Moving forward, the City intends to integrate a DAP portal with an upgraded AMANDA 7 workflow solution featuring the Planning and Condition Clearance modules. The envisioned DAP portal will allow 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.

9.4 AMANDA – Site Plan “Proof of Concept”

In order to integrate Brantford’s evolving DAP technology platform with “As Should Be” processes, Performance Concepts/North Lakes Design Lab 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.

When completed, the Site Plan Proof of Concept will reside in the AMANDA Planning/Condition Clearance modules.

9.5 Benefits of Improved Workflow Functionality

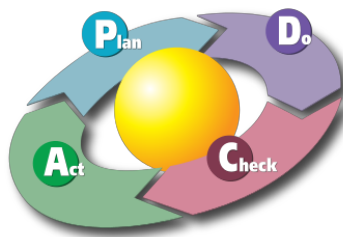
Pending Eva work

DRAFT FOR STRESS TESTING

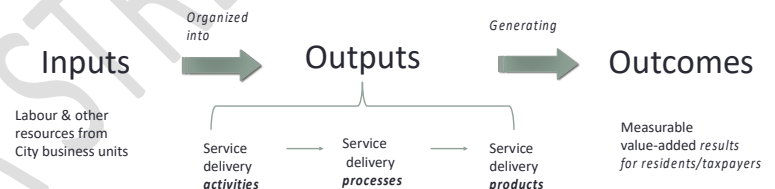
10.0 Towards Results Based Management - Key Performance Indicators (KPIs)

The Development Approvals Process (DAP) is a horizontal service delivery system that involves multiple actors within the City as well as external agencies like the GRCA. 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 Brantford community.

Towards Results Based Planning/Delivery of DAP



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.

10.1 DAP Can Be Standardized with LEAN Thinking/Toolkits

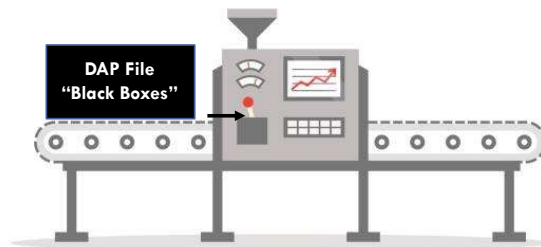
Feedback from the development community across the Golden Horseshoe is remarkably consistent. The DAP conveyor belt should function with consistent and predictable velocity. Consistency, not absolute velocity, is the key to a high performing DAP model in the eyes of the development industry.

From the perspective of the existing Brantford 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*

The following four figures (see below) set out specific Key Performance Indicators (KPIs) for pre-Consults, Applications, Technical 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.


“As Should Be” DAP KPIs

	Effectiveness (Quality) KPIs	
Pre-consult 	<ul style="list-style-type: none"> 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"> Sorted by Planning Act categories + Detailed Engineering Reviews % “As Should Be” Pre-consult Understandings processed in 10 business days or less <ul style="list-style-type: none"> Sorted by Planning Act categories + Detailed Engineering Reviews 	Average measures speed % hitting 10-day target measures consistency/predictability


“As Should Be” DAP KPIs

	Effectiveness (Quality) KPIs	
Complete Applications 	<ul style="list-style-type: none"> Average # business days for an application submission (clearing the Portal) to be considered complete/adequate for 1st Technical Review Cycle % 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"> Sorted by Planning Act categories + Detailed Engineering Reviews <p><small>* For KPIs “complete” is defined as deemed “content suitable” for a 1st Technical Review Cycle</small></p>	Average measures speed % hitting 30-day target measures consistency/predictability

“As Should Be” DAP KPIs

	Effectiveness (Quality) KPIs	
Technical Reviews 	<ul style="list-style-type: none"> • Average # business days for a 1st Technical Review Cycle (sorted by DAP application categories & complexity levels) • Average # business days for subsequent Technical Review Cycles to be executed (sorted by DAP application categories & complexity levels) • Average # Technical Review Cycles required to generate a decision on a given application (sorted by DAP application categories & complexity levels) • % Planning application 1st Technical Review Cycles completed in X business days or less (sorted by DAP application categories & complexity levels) • % Planning application subsequent Technical Review Cycles completed in X business days or less (sorted by DAP application categories & complexity levels) • % Post-Draft Plan Detailed Engineering Review Cycles completed in X business days or less (sorted by complexity levels) 	<p>Average measures speed</p> <p>% hitting business day targets measures consistency/predictability</p>

“As Should Be” DAP KPIs

	Effectiveness (Quality) KPIs	
Inspections/ Security Release Decisions 	<ul style="list-style-type: none"> • Average # business days for an Inspection to be executed after it is scheduled with the applicant • Average # business days to communicate a Security Release Decision to the applicant following a completed inspection • 8/10 Inspections executed in 30 business days or less • 9/10 Security Release Decisions communicated to the applicant within 10 business days of an inspection being executed 	<p>Average measures speed</p> <p>% hitting “batting average” target measures consistency/predictability</p>

Additional public results reporting can include measurement of DAP community benefits.

Annual Reporting of DAP Service Delivery Benefits

- | | | |
|--|---|--|
| <p>1. DAP will deliver \$350M in new City infrastructure associated with the processing development applications on the Brant lands across 2021-2051</p> | ➔ | <p>DAP Benefit KPI = Annual \$ value of transferred infrastructure to City via DAP execution</p> |
| <p>2. DAP will deliver estimated new construction worth > \$7B on the Brant lands across 2021-2051</p> | ➔ | <p>DAP Benefit KPI= Annual \$ value of new construction within City via DAP execution</p> |

10.2 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 Brantford 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.

KPIs and DAP performance targets can be built out iteratively over a number of years. The figure below sets out a practical and achievable roadmap for a measurable/target driven DAP service in Brantford.

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 around Brant lands staffing levels

11.0 Recommendations: Strategic and Tactical plus a Rapid Implementation Roadmap

Recommendations 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 the detailed Brantford DAP File Audit have also contributed to both Strategic and Tactical performance improvement recommendations.

11.1 Context for Rapid Implementation Roadmap - The Boundary Lands Race

The Performance Concepts/Dillon team always develops an Implementation Roadmap that is closely aligned with our Recommendations. In the case of Brantford, we have compressed the timeframes built into the Roadmap to reflect the DAP realities currently facing Brantford. The City is in a race to execute unavoidable modernization/restructuring of its DAP model to deal with the imminent Brant Boundary lands tsunami of applications. The completion of the 9 block plans across the boundary lands will generate an immediate spike in effort-intensive Subdivision, Site Plan and Detailed Engineering Review volumes. The City’s area-specific Development Charge Background study confirms this imminent DAP workload spike. Both Strategic and Tactical Recommendations have been front-end loaded into a Rapid 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.

11.2 Do Now, Do Soon, Do Later

Do Now Recommendations within the Rapid Implementation Roadmap require action/execution within 6 months.

Do Soon Recommendations within the Rapid Implementation Roadmap require action/execution within 12 months.

Do Later Recommendations within the Rapid Implementation Roadmap require action/execution beyond 12 months.

11.2.1

Revenue Stream Modernization Roadmap (See Section 7.1)

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.

#	Strategic Recommendations	DO NOW	DO SOON	DO LATER
S1	Establish “Growth Pays for Growth” Cost Recovery Targets for Planning DAP.	✓		
S2	Implement Enterprise-based Revenue and Cost Accounting/ Budgeting for Development Planning (linking DAP fee revenues to eligible DAP cost centres). Creates Enterprise cost recovery consistency across Development Planning, Development Engineering and Building.	✓		

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T1	Modernize Site Plan Fee Design by adding a per-unit escalator to Multi-Residential Site Plans. Justify new escalator with supporting activity-based costing analysis.	✓		
T2	Modernize Site Plan Fee Design by adding a GFA escalator to Commercial/Industrial Site Plans. Justify new escalator with supporting activity-based costing analysis.	✓		
T3	Adjust the rate for the City’s Development Engineering % Construction Value Fee to 6% - thereby improving “fit” with peer growth municipalities.	✓		

11.2.2

Staffing & Resources Investment Roadmap (See Section 7.2)

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.

#	Strategic Recommendations	DO NOW	DO SOON	DO LATER
S3	Design and Implement a Development Engineering Staffing business case for consideration/approval during the 2022 budget cycle.	✓		
S4	Organization Re-Design to be completed pending stress testing		✓	

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T4	Design and Implement a Development Planning Staffing business case for the 2022 budget cycle.	✓		
T5	Eliminate potential Choke Point associated with single-staffed DAP functions/activities - Mapping production for all DAP files.		✓	

11.2.3

DAP Conveyor Belt Process Streamlining & Technology Roadmap (See Section 7.3 and Section 8.3)

Modernized DAP revenue streams invested in robust staffing investments will position the City to execute streamlined end-to-end DAP processes.

#	Strategic Recommendations	DO NOW	DO SOON	DO LATER
S5	Modernize DAP Governance – Expand Council Delegation to Staff.	✓		
S6	Modernize Governance – Create a single DAP Committee of the Whole to secure/protect adequate Decision-Making Bandwidth to deal with the imminent spike in applications.		✓	
S7	Draft and implement a Pre-Consultation By-law which defines procedural timelines and submission requirements.		✓	

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
Pre-consultation				
T6	<p>While a pre-consultation meeting is the default process requirement, the City should make use of a discretionary pre-consultation “results letter” for straight-forward applications that may not require a meeting.</p> <p>The letter would provide a complete set of comments from all City departments, including identification of required studies and application submission items, as well as contact information specific to each department.</p> <p>All communications between departmental contacts and the applicant must be shared with the file planner for coordination purposes.</p>		✓	
T7	Refocus the DRC pre-consult meeting towards discussion of comments that are likely to be contentious or have an impact on other technical disciplines present, or which have the potential to imply the need for revisions to multiple aspects of the proposal. All other comments should be reviewed by the Planner and submitted ahead of the meeting.		✓	

11.0 Recommendations: Strategic and Tactical plus a Rapid Implementation Roadmap 86

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T8	Issue a single, consolidated set of pre-consultation staff comments, rather than the current approach of issuing both preliminary and final comments to the applicant.		✓	
T9	Create a Formalized Pre-Consultation Understanding w/Applicants (featuring mandatory electronic acknowledgement by applicants to subsequently submit a complete application over the new DAP Portal).		✓	
T10	Create a new “Pre-Consults Only” set of scheduled DRC meetings, to deal with the expected volume spike in development applications associated with the Brant boundary lands.		✓	
T11	Implement a Portal/AMANDA solution to integrate the new Pre-Consultation Understanding with a complete application submission over the Portal. Filter-out incomplete application submissions using the Portal as an impartial quality control tool.		✓	
T12	Implement a formal Pre-Consultation model for the Post-Draft Plan Detailed Engineering Review. Mirror the recommended Planning applications approach/process by creating a Pre-Consult Understanding.	✓		
Application Processing				
T13	Implement a 2-step QA Process for the “Application Submitted to Deemed Complete” component of all DAP files. The City’s existing “shallow-dive” submission adequacy review (Step 2) should also be applied to all Site Plan files moving forward.	✓		
T14	Exclude Site Plan applications deemed “inadequate” from the City’s self-imposed processing timeframe service levels/targets. Inadequate applications to be processed “off the clock” once application quality gaps corrected. Will only receive best-available-effort processing commitment.		✓	

11.0 Recommendations: Strategic and Tactical plus a Rapid Implementation Roadmap 87

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T15	<p>For projects involving multiple applications, City staff should clearly indicate which submission checklist requirements correspond with each distinct application. Specifically, the submission checklist requirements should be segregated by separate application category for combo-packs of Site Plans, Re-zonings, Subdivisions, Condos.</p> <p>This sorting of application submission requirements should be organized in a tabular format. Submission requirements to be listed in rows and application categories appearing in columns. A simple checkmark or other symbol to be used to indicate the applicability of each submission requirement pertaining to each application category.</p>		✓	
T16	<p>All staff comments and conditions should be tracked using unique identifiers (e.g., numbering) and provided to the applicant in the form of a standardized comment response matrix.</p> <p>Likewise, applicants should be required to clearly indicate which comment or condition they are responding to by referencing the unique numeric identifier as part of resubmission documentation. Applicants should respond directly within the same comment response matrix provided by the City.</p>		✓	
T17	Update the presentation template used by staff in DRC meetings to review specific applications. Include introductory slides that summarize key information (i.e., type of application, key dates, and applicant updates/conversations to date).		✓	
Processing Timeframes				
T18	<p>Create differential processing timeframe KPIs and targets for the 1st Technical Review Cycle vs Subsequent Cycles.</p> <p>1st Technical Review Cycle targets to be longer than Subsequent Cycles to address higher volumes/complexities associated with Brant boundary land Applications.</p>	✓		

11.0 Recommendations: Strategic and Tactical plus a Rapid Implementation Roadmap 88

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T19	<p>Establish Target timeframe for Site Plan Technical Review Cycle #1 at 30 controllable business days.</p> <p>Establish Target timeframe for subsequent Site Plan Technical Review Cycles at 20-25 controllable business days based on a complexity designation by staff.</p>	✓		
T20	<p>Establish Target timeframe for Subdivision Technical Review Cycle #1 at 35 controllable business days. Timeframe targets for Complex files can be adjusted based on a designation by staff.</p> <p>Establish Target timeframe for subsequent Subdivision Technical Review Cycles at 30 controllable business days. Timeframe targets for Complex files can be adjusted based on a designation by staff.</p>	✓		
T21	<p>Establish Target timeframe for Detailed Engineering Review Cycle #1 at 30-35 controllable business days. Timeframe targets for Complex files can be adjusted based on a designation by staff.</p> <p>Establish Target timeframe for subsequent Detailed Engineering Review Cycles at 30-35 controllable business days. Timeframe targets for Complex files can be adjusted based on a designation by staff.</p>	✓		
Engineering Review and Post-Construction Inspections				
T22	<p>Improve coordination of Detailed Engineering Review, Ministry of the Environment Approvals, and introduce a new/formal Early Servicing Agreement.</p> <p>Detailed Engineering Review Cycles (design approval) to be completed and Ministry of Environment Approvals to be in place, prior to execution of new Early Servicing Agreement.</p>		✓	

11.0 Recommendations: Strategic and Tactical plus a Rapid Implementation Roadmap 89

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T23	<p>Restructure delivery of Post-Construction Inspections and Security Release based on a May 1st to Oct 31st annual season, thereby creating a necessary blackout period across the remainder of the year.</p> <p>Deliver Inspections within 30 business days of confirmed scheduling with applicants.</p> <p>Deliver the City's Security Release Decision within 5 business days of executed Inspections.</p>		✓	

11.2.4

Roadmap to Build a Results Based Scorecard & Culture of Accountability (Section 10)

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.

#	Strategic Recommendations	DO NOW	DO SOON	DO LATER
S8	Commit to this Report's 6-Step Roadmap to establish KPIs and DAP Performance Targets that are integrated into the annual budget decision-making cycle		✓	✓
S9	Implement an Annual DAP Public Performance Scorecard and incorporate KPI data into an ongoing annual Plan–Do–Check–Act cycle of service delivery execution/continuous improvement		✓	✓

#	Tactical Recommendations	DO NOW	DO SOON	DO LATER
T24	Configure AMANDA to produce required DAP processing timeframe data to populate the portfolio of KPIs put forward in this Report	✓	✓	
T25	Establish timeframe target MOUs for the key Planning DAP Application categories, Post-Draft Plan Detailed Engineering Review phases, and Post-Construction Inspections/Security Release Decisions Timeframe MOUs to be endorsed by all City business units participating in DAP, posted on the City website, and shared with Development Industry/Applicants at Pre-Consult sessions		✓	
T26	Configure new DAP Portal to provide Applicants/Public with a viewing lens to track application processing milestones progress and timeframe target achievement		✓	

11.2.5

AMANDA Technology Solution & Roadmap**PENDING COMPLETION OF SITE PLAN PROOF OF CONCEPT IN AMANDA**

#	Recommendations	DO NOW	DO SOON	DO LATER
1		✓		
2			✓	
3			✓	
4			✓	

12.0 Conclusions & Moving Forward with Change

12.1 3rd Party Assessment

Implementation and execution service delivery transformation is always challenging. It requires focus and perseverance.

Performance Concepts recommends a 3rd party implementation progress assessment in Q1 of 2023. This progress evaluation will compare actual implementation of the Roadmap against the *Do Now* & *Do Soon* recommended timeframes in this Final Report.

Remedial actions will be recommended (if required) to keep/get implementation on-track as Brantford transitions through *Do Now* and *Do Soon* change driven action items.

12.2 DAP Performance Improvement: Measurement Lenses to Consider

The DAP performance challenges facing Brantford 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 Report.

DAP performance improvement is best considered via an alternative lens that is consistent with LEAN thinking principles that focus on managing turnaround/through-put timeframes. A LEAN improvement lens that measures turnaround/through-put times is consistent with 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.

Performance Concepts estimates that successful implementation of the “As Should Be” recommendations advanced in this Report will stabilize turnaround times at/below existing levels (for the planned/predictable annual volume of applications associated with the Area Specific DC Background Study). The community benefit associated with Recommended DAP improvements can be measured using the following metrics:

Annual Reporting of DAP Service Delivery Net New Benefits

- | | | |
|---|---|--|
| 1. DAP will deliver \$350M in new City infrastructure associated with the processing development applications on the Brant lands across 2021-2051 | ➔ | DAP Benefit KPI = Annual \$35M value of transferred infrastructure to City via DAP |
| 2. DAP will deliver estimated new construction worth \$6 to \$7B on the Brant lands across 2021-2051 | ➔ | DAP Benefit KPI= Annual Estimated \$216M value of new construction within City via DAP |

This modernized DAP efficiency dividend (estimate) is informed by the 30+ DAP reviews executed across Canada by Performance Concepts/Dillon since 2006.

Appendix A

Appendix A

DRAFT FOR STRESS TESTING

DRAFT FOR STRESS TESTING



Alternative formats and communication supports available upon request. Please contact accessibility@brantford.ca or 519-759-4150 for assistance.

Date September 22, 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

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]

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.

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

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.

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

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

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 is 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

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;

- 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

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

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.

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

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

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.

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.

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

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.

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.



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

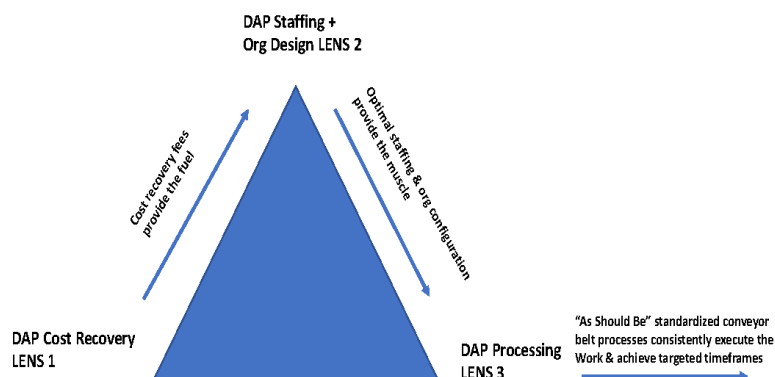
BRANTFORD DELEGATION OF DAP APPROVALS TO STAFF - INTERIM FINDING

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

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:

- Closure of inactive files;
- Application fee refunds; and
- 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:

- 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:

Applications to Amend the Official Plan / Zoning Bylaw or for Plan of Subdivision / Condominium / Minor Variance / Consent	Refund of Application Fee (%)
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
Applications for Site Plan Approval	
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 m² (5382 ft²);
- 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	Approval of Heritage Committee and designation of applicable parcel pursuant to the <i>Ontario Heritage Act</i> . Written recommendation of the Manager of Long Range Planning. Form of agreement to be approved by City Solicitor.
21	Minor Heritage Alteration Permit, as defined in Schedule A to By-law 148-2016	General Manager or Director	Written recommendation of the Manager of Long Range Planning. Compliance with Designation By-law, applicable Heritage Conservation District Plan or Study Guidelines, and the <i>Ontario Heritage Act</i> .
22	Major Heritage Alteration Permit, as defined in Schedule A to By-law 148-2016	General Manager or Director	Approval of the Brantford Heritage Committee or, where the Brantford Heritage Committee does not approve of the Application, approval of Brantford City Council. Written recommendation of the Manager of Long Range Planning.
23	Agreements regarding planning and development incentive programs	General Manager or Director	Resolution from Council supporting the application. Written recommendation of the Manager of Long Range Planning.

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>

			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 (\$)
Official Plan Amendment			
Major amendment	14,500	1,500	16,000
Minor amendment	10,500		12,000
Zoning By-law Amendment			
Major amendment	14,490	1,500	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		6,775
Combined Official Plan & Zoning By-law Amendment			
Major amendment	21,735	1,500	23,235
Minor amendment	15,800		17,300
Block Plans / Extension of Settlement Area Boundary			
Block Plan Application+ per hectare or part hectare	15,670+ 500/ha or part		variable
Extend Settlement Area Boundary	51,750		51,750
Plan of Subdivision*			
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		
Plan of Condominium*			
Base application fee + Up to, and including, 10 units Between 11 and 25 units Greater than 25 units	27,600 +		
		5,355	32,955
		8,032	35,632
	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
Exemption from Condominium Approval	1,450		
*Condominium in combination with a Zoning By-law application	25% reduction of the combined Planning fees		
Site Plan Control			
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
Relief from Part Lot Control			
Base application fee + per lot or unit	2,160 + 85/lot or unit	400	Variable
Extension of Part Lot Control	1,725		1,725
Committee of Adjustment			
Consent (severance) including long term lease and validation of title	3,280	400	3,680
Minor Variance (Planning Act & Municipal Code (signage / fences))	2,185		2,585
Combined Consent and Minor Variance	4,100		4,500
Other Fees			
A. Preconsultation meeting (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. Engineering preconsultation fee (Non-refundable. Applies only to applications for Site Plan Control (Major), Plan of Subdivision, and Plan of Condominium Applications.)		1,040	1,040
Complete application review (Returned if application is deemed complete)	1,150		1,150
Peer Review administration fee (for an EIS or other study necessitating external consultants)	2,300		2,300
Recirculation of Public Notice of Application	800		800
Revisions to Committee of Adjustment Applications requiring technical recirculation	400		400
Revisions to other applications requiring technical recirculation (For example: subdivision, condominium, amendments to the Official Plan / Zoning By-law)	1,265		1,265
Cancellation of public meeting at applicant's request	230 for a mail out, and/or 290 per newspaper notice		230 for a mail out, and/or 290 per newspaper notice
Other application related reports (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
Local Planning Appeal Tribunal (LPAT) Administration Fee	575		575
Letter of agreement compliance / removal from title	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.



BUILDING CONSTRUCTION PROCESS REVIEW TASK FORCE MINUTES

September 11, 2020

2:00 p.m.

Brantford City Hall, 100 Wellington Square

Councillor Utley in the Chair

1. ROLL CALL

Present:

- Councillor Sless
- Councillor McCreary
- Councillor Utley
- Councillor Carpenter
- Mayor Davis

2. DECLARATIONS OF CONFLICT OF INTEREST

There were no conflicts of pecuniary interest made by any of the members.

3. PRESENTATIONS / DELEGATIONS

There were no presentations or delegations for the meeting.

4. ITEMS FOR CONSIDERATION

4.1 City of Brantford Development Review - Observations and Recommendations

Prior to the presentation, Councillor Utley sought a waiving of the rules to allow the presentation to extend beyond 10 minutes under the Procedural By-law and to allow for more than two speaking opportunities. No objections were made.

Bruce Peever and Sana Malik, KPMG appeared before the Committee. A PowerPoint presentation was made and a copy placed in the meeting file. S. Malik reviewed the observations and recommendations for improvement. Recommendations include

education for the public who are in the process of application and the appropriate person to contact as often Councillors and senior staff are contacted rather than the immediate staff deployed to the application. A review of the site plan by-law was also recommended as well as the adoption of a vision statement.

It was also recommended that performance measures be put in place to allow for KPI review and understanding of progress.

Moved by Councillor Carpenter

Seconded by Councillor McCreary

A. THAT the presentation from KPMG BE RECEIVED; and

B. THAT Staff BE DIRECTED to provide the observations and recommendations report to stakeholders, including the Economic Development Advisory Committee for information prior to the Committee of the Whole – Community Development meeting on October 13, 2020.

CARRIED

5. CONSENT ITEMS

Moved by Councillor Carpenter

Seconded by Mayor Davis

5.1 MINUTES

THAT the following minutes BE ADOPTED:

5.1.1 Building Construction Review Task Force - August 5, 2020

CARRIED

6. NOTICES OF MOTION

There were no notices of motion.

7. ADJOURNMENT

The meeting adjourned at 3:00 p.m.

Councillor Utley, Chair

J. Sippel, Supervisor of Legislative Services