

The Town of Oakville

DEVELOPMENT ENGINEERING PROCESS REVIEW

FINAL REPORT

JANUARY 9, 2023



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Executive Summary

PROJECT OBJECTIVES

The Town of Oakville (the "Town") initially engaged KPMG to complete a Development Engineering Process and Permits Review to review the current processes and identify opportunities for improvement. The Town sought the completion of this review to align with the Ontario's Audit and Accountability Funding deadlines.

The initial objectives of this study were to:

- Undertake a review of the Development Engineering permits (DENG) and Development Engineering Site Plan (DESP) processes to determine and confirm how the reviews are being completed; what elements are being reviewed by what teams/staff; and what by-laws, guidelines, standards are being applied.
- Identify gaps, overlaps or inconsistencies in the different review processes. .
- Review the rules as set out in the Site Alteration, Site Plan, Municipal Tree, and Private Tree by-laws to identify gaps, overlaps, duplications, or inconsistencies.
- Identify opportunities to separate the technical review of the application from the permit approval process
- Provide recommendations to address the gaps, overlaps, duplications, or inconsistencies in the by-laws and in the DENG and DESP processes.
- Align recommendations to the Town's climate action and diversity and inclusion strategic initiatives.
- Perform a jurisdictional scan to identify the differences between Oakville and comparator municipalities bylaws / development engineering review processes.

PROJECT DRIVERS

- An increase to development application volume and complexity has provided an opportunity to review the efficiency and effectiveness of development engineering processes. As such, the Town is looking to review the development engineering site plan (DESP) and development engineering permit (DENG) processes to clarify procedural guidelines and roles and responsibilities of key stakeholders and ensure processes are carried out consistently.
- Structural and staffing changes to the Town's Development Engineering function have provided an opportunity to review the Town's knowledge transfer and training processes to ensure training is delivered consistently within the department.

SCOPE ADJUSTMENT DUE TO CHANGES IN PROVINCIAL LEGISLATION

During the completion of this project, the Ontario Government introduced legislation (i.e., Bill 23) that would require Ontario municipalities to implement new administrative processes and amend municipal by-laws to ensure their compliance. This new legislation also eliminated the Town's option to continue reviewing DESP applications.

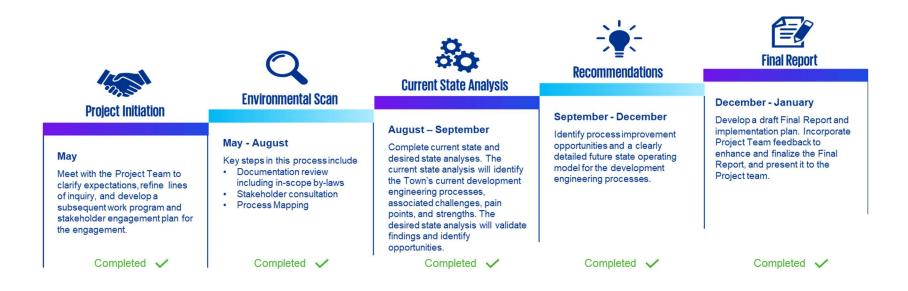
Following the introduction of this legislation, the Town and KPMG collaborated to evaluate the work in progress and adjust the original scope to include the following objectives to the study:

- Assess the impact of Provincial legislation.
- Perform a jurisdictional scan to identify how comparator municipalities are responding to legislative changes.

Due to KPMG completing most of the work prior to the Royal Assent of Bill 23, some of the recommendations outlined in this report will require further review or may no longer be relevant. There are also some opportunities that might have been addressed since the opportunity was identified. However, the content of this report reflects the best information available as of the report date.

PROJECT WORKPLAN

The project commenced on May 24th, 2022 and was completed when the Final Report was presented to the Project Team on January 9th, 2023. The below diagram outlines the phases of the project.



IMPACT OF CHANGING PROVINCIAL LEGISLATION

On October 25, 2022, the Honourable Steve Clark, Minister of Municipal Affairs and Housing (the Minister) introduced Bill 23 to the legislature with sweeping changes to 10 Acts (including the Planning Act, Municipal Act, Development Charges (DCs) Act, Ontario Heritage Act, Conservation Authorities Act, and the Ontario Land Tribunal (OLT) Act). The legislative amendments contained in Bill 23 received Royal Assent on November 28th, and amount to the most drastic changes to the land use planning process that Ontario has seen in decades. Overall, the changes in Bill 23 will require the Town to make significant revisions to its land use planning process and will have substantial impacts on associated planning and financial outcomes.

Specific to this project, there are two main components of the legislation that will have an impact on the Town of Oakville's development engineering processes.

The first component is residential development of up to 10 units will be exempt from site plan control, except for land lease communities. The Town currently utilizes Site Plan approval to address issues of tree protection, landscaping, servicing, and drainage/grading and these are addressed with financial securities and agreements to ensure compliance. The removal of site plan control for developments of up to 10 residential units will shift more of the review effort to the building permit stage. It is not clear in the legislation on whether the Town's standards (e.g., storm water management, road requirements and design etc.) can be applied where a new development may be exempt. This results in the Town's inability to continue performing DESP reviews.

The second component of Bill 23 will eliminate the Town's ability to review architectural and landscape details. This reduces the Town's ability to shape the public realm and could undermine the quality of lands in Oakville. It will remove the Town's ability to:

- Ensure durable materials and sustainable features are used
- Ensure compatibility with surrounding properties
- · Ensure linkages to surrounding infrastructure such as pedestrian access to transit
- Incorporate sustainable design features such as low impact design, stormwater management, planting, and appropriate green features
- Obtain sidewalks, street trees and appropriate urban infrastructure required to create and sustain walkable, transit-oriented communities

Overall, the proposed legislative changes render the current DESP process obsolete and no longer applicable. As such the changes require new administrative processes and the passing of municipal by-laws to address matters related to drainage, grading and servicing including mechanisms to consider the impact of infill development within established neighbourhoods, and to secure applicants' obligations to construct certain municipal works within the rights-of-way to support those types of developments.

SUMMARY OF JURISDICTIONAL SCAN

The Town selected five (5) municipalities within Ontario for comparative analysis and research. To complete the scan, KPMG conducted interviews with key stakeholders from each comparator municipality. The objective of the interview was to gain an understanding of the development engineering processes within each municipality. Specifically, the following development engineering elements were analyzed:

Theme	Discussion
Residential Tear-down and Rebuild Permitting Process The legislation, applications and permits utilized to facilitate the residential tear- down and rebuild and infill development process.	Comparator municipalities utilize site plan control, site alteration, and or the building permit process to govern the residential tear-down and rebuild and infill development. Some municipalities have designated site plan control areas which may be affected as per the changing legislation. Two comparator municipalities leverage grading permits or certificates as a pre-requisite to the building permit process.
Open Permits and Unclaimed Securities The process to close open applications and permits and release securities to the applicant.	Four of the five comparator municipalities collect securities for residential tear-down and infill development applications. One of the comparator municipalities will draw on securities to address deficiencies left behind by applicants.
Review and Circulation Processes The process to circulate and review development applications including pre- screening process, key reviewing parties (e.g., tree review), and communication methods (e.g., portal, email).	Four of five comparator municipalities circulate applications via a digital workflow. To facilitate the review of tree elements within an application, all comparator municipalities circulate applications to stakeholders within either forestry services or the parks department.
Permit Renewal Process The process to renew development applications and permits including the expiry timelines and responsible parties.	Comparator municipalities implement a one-to-two-year expiry for all residential tear-down and rebuilding and infill development permits. The process is managed by either the building department, or development engineering. One comparator municipality was not actively monitoring permit expiry.
Development Engineering Technology Technology deployed to support the development engineering application and permit processes including digital workflows, payment options, and applicant portals.	Comparator municipalities are utilizing AMANDA, ePLANs, or EnerGov to support development engineering processes. Two comparator municipalities provide self-service application status tracking via the development portal.
Stormwater Management Processes used to manage stormwater within the municipality.	Comparator municipalities are utilizing site plan control or the grading permit process to review and manage stormwater elements of residential tear-down and rebuild and infill development applications.

SUMMARY OF FINDINGS

KPMG had completed four of the five phases of the project when Bill 23 received Royal Assent which significantly affected the scope of work and several opportunities. It should be noted that this report still contains many recommendations that can be implemented by the Town to improve the tear down / rebuild / single unit infill processes.

Overall, the Town is well positioned to adjust the current residential tear down / rebuild / infill processes in response to new Provincial legislation. The implementation of the recommendations in this report will assist in creating capacity and improve the efficiency and effectiveness of development engineering processes. In addition, the recommendations address the Town's desired outcomes and build on best practices implemented by comparator municipalities. As the Town implements the recommendations in this report, the following key considerations should be highlighted:



Monitor Provincial legislation

The recommendations in this report should assist the Town in responding to Bill 23. However, Provincial requirements may change, and the Town should be prepared to pivot when the regulations are introduced. In addition, this report contains details on comparator municipality response to Provincial legislation that should be used as guidance.



Who will lead the transition?

The implementation of the recommendations in this report should be led by the Director, Transportation and Engineering with support from Managers of Developments Service and Permits, Inspections & Road Corridor (PIRC).



Is the transformation appropriately resourced?

The implementation of recommendations in this report should create capacity for Development Engineering staff. However, if legislative requirements change, resulting in an impact to staff resources, the Town may consider adding additional staff to support the workload within Development Engineering.



What are the change management considerations?

Effective change management aligns leaders and staff around change that is clearly defined, justified and well-communicated. As such, current processes will have to be updated to reflect recommendations in this report and changes to Provincial legislation. To ensure internal and external stakeholders are ready for changes the Town should ensure that the changes are clear and known by all key stakeholders.



Areas for Future Review

There were areas that are outside this scope that may require future review. These considerations include workforce planning to implement legislative changes, governance over the review of trees, technology to support legislative changes.

Opportunities

During consultations with Town staff, a number of pain points were identified as barriers to efficient and effective development engineering processes. It should be noted that the pain points identified represent development engineering processes and conditions prior to the introduction legislative changes. These pain points were summarized further using the five (5) layers of the Target Operating Model to identify specific opportunities for improvement. In addition, each pain point was assessed against specific objectives/outcomes as outlined below:

Identify a consistent "rule set" to govern development engineering applications

Enhance the customer experience

Balance the workload between DET's

Manage stormwater within the Town

Manage public and private trees

Alleviate the risk of changing Provincial legislation

Ability to enter into Agreements

Ability to manage easements

In total, 24 opportunities for improvement were identified within Oakville's development engineering process.

TOM Dimension	Themes
Governance & Strategy (5)	There are inconsistent "rule sets" governing the review of residential tear down / rebuild / infill applications. As a result, this has created confusion for both internal and external stakeholders as requirements and guidelines change based on application type (i.e., submission requirements, review elements, etc.). In addition, the Town's development engineering processes lack a formal governance structure and KPIs to promote accountability throughout the end-to-end process.
Services & Processes (3)	Development Engineering processes and technical review requirements are not well documented with a low degree of standardization. This has resulted in process bottlenecks and delays to review timelines.
People & Organization (3)	The current organizational structure has resulted in duplication of effort for the review of development engineering applications. Currently, there are fragmented teams located within different functions that are responsible for similar review elements of development engineering applications. This has resulted in capacity constraints for some teams due to the volume of applications.
Technology & Data (6)	The Town's development engineering processes require a consistent approach to data management to promote increased efficiency within workflows (e.g., standardized naming conventions). In addition, current technology (e.g., DEPA portal, AMANDA) can be further enhanced to enable features to reduce manual workarounds outside of the systems.
Payments & Securities (7)	The Town's processes to collect payments and securities is inconsistent and can result in confusion for both internal and external stakeholders (e.g., tree securities). In addition, the Town requires a tool to better manage unclaimed securities.

Over the next year, the implementation of the recommendations to address each observation will help to achieve the Town's desired outcomes and effectively respond to Provincial legislation.

Recommendations



GOVERNANCE & STRATEGY

Theme	Recommendations
Rules and by- laws	1.1 Respond to legislative requirement to appropriately govern the residential tear down / rebuild / infill processes and achieve desired outcomes
	1.2 Consider enforcement of section 6(e) of the Site Alteration By-law to be able to enter into Agreements
Oversight and accountability	1.3 Establish a clear departmental governance structure with accountability for overseeing the end-to-end development engineering application and permit review
Performance measures	1.4 Enhance the data being used for performance measurement reporting in order to improve management and evaluation of Development Engineering
	1.5 Establish internal review timelines for residential tear down / rebuild / infill applications and permits to provide greater transparency for applicants

*The information in this section reflects pain points and challenges within development engineering prior to the first announcement of Bill 23 on October 25, 2022.

1.1 RESPOND TO LEGISLATIVE REQUIREMENTS TO APPROPRIATLEY GOVERN THE RESIDENTIAL TEAR DOWN / REBUILD / INFILL PROCESSES AND ACHIEVE DESIRED OUTCOMES

The Town of Oakville's Development Services and PIRC functions are responsible for the development engineering permitting and approval processes. A development engineering permit may be required when planning site alteration, pool installation, performing a road cut, excavation of land, constructing/widening a driveway, or placing construction material on the road.

The review of residential tear down / rebuild / infill applications and permits was governed by two different bylaws, Site Plan Control, and Site Alteration. Historically, the Site Alteration By-law was used to control greenfield development whereas Site Plan Control was used to control specific elements of construction sites (e.g., grading and drainage). Typically, Site Plan control was a more detailed review and could take longer to obtain approval. In addition, under Site Plan control, applicants had to wait for approval prior to the initiation of construction activities. However, under Site Alteration, applicants could apply for their building permit and begin construction while the permit was under review.

Historically, the Town controlled all residential tear down and rebuilds on lots zoned RL "X"-0 using Site Plan control. As such, applications for projects on RL "X"-0 lots required a different process than all other residential tear-down and rebuild projects that used the Site Alteration process. This resulted in both internal and external confusion as the same project type (residential tear down / rebuild / infill) was governed by two different Town bylaws. Specifically, staff identified the following pain points resulting from the inconsistent "rule" sets:

Pain Point	Description
Inconsistent application submission requirements	For a Site Plan controlled applications to be accepted, applicants were required to submit a stormwater management report. However, for a Site Alteration controlled permit, applicants were not required to submit a stormwater management report. This inconsistency resulted in applicant frustration as the process can be delayed due to insufficient or incomplete applications.
Inconsistent application prerequisites	For a Site Plan controlled application, the applicant had to obtain full approval prior to proceeding to the building permit stage. However, under Site Alteration, applicants could initiate the building permit process while the application was under review. As a result, applicants using Site Alteration could initiate construction activities in a timely manner.
Inconsistent review of trees	For a Site Plan, trees were reviewed as per the Private Tree By-law. However, under Site Alteration, trees were reviewed as per the Municipal Tree By-law. In addition, each by-law is governed by different legislation as the Private Tree By-law is governed by the Planning Act, while the Municipal Tree By-law is governed by the Municipal Act. The different reviews were also managed by two departments (Transportation & Engineering and Forestry).

The residential tear down / rebuild / infill processes have been impacted by changing provincial legislation. Bill 23, More Homes Built Faster Act, was introduced by the Government of Ontario on October 25, 2022 and passed on November 28, 2022. The overall objective of the Bill is to speed up the planning process by removing or reducing elements of land-use planning policies. This Bill makes the current DESP processes no longer applicable. It also impacts the current processes as follows:

Impact	Description
Site Plan exemption for developments of 10 units or less	This exemption will require the Town of Oakville to amend their by-law and will increase the number of non-Planning Act (Site Alteration controlled) applications. As a result, review effort will be transitioned to the building permit stage.
	In addition, under the Planning Act, a municipality can require the applicant to satisfy the following elements:
	• Landscaping of land (e.g., walls, fences, trees)
	• Easements conveyed to the municipality for construction, maintenance of watercourse, ditches, land drainage, etc.
	• Grading and alterations for the disposal of storm, surface, and wastewater
	Under Bill 23, the Town will no longer be able to require these accommodations for developments less than 10 units.
Changes in scope of review (external design), appearance are no longer allowed.	The Town will no longer be able to regulate exterior architectural details and landscape design. This change relates to all development, not just residential.

As a result of the legislative changes, the Town has the option to transition all development engineering permits to the Site Alteration By-law. As stated above, this will transition more of the review effort to the building permit stage of the application. This change will not give the Town the same level of control over stormwater management, lot grading, and tree protection. A comparison of the transition from Site Plan to Site Alteration is outlined in Appendix D. It should be noted that the requirements of Bill 23 may be subject to change as municipalities across Ontario continue to understand the impact of the legislation.

1.2 CONSIDER ENFORCEMENT OF SECTION 6(E) OF THE SITE ALTERATION BY-LAW TO BE ABLE TO ENTER INTO AGREEMENTS

The ability to register development agreements on title was a major consideration for governing residential tear down / rebuild / infill applications. A development agreement is a legal contract between the applicant and the Town to adhere to specific conditions as part of construction. Registering this agreement on title ensures that elements of the agreement are continuously upheld post construction. As such, the Town elected to utilize Site Plan control to govern specific applications as Site Alteration did not contain a mechanism to allow the Town to register agreements on title. However, during review of the Site Alteration By-law (section 6e), it was noted that the Director has the authority to have the applicant enter into an agreement which can be registered on title. As such, this can cause confusion for internal and external stakeholders in choosing the appropriate application.

The Town should enforce section 6(e) of the Site Alteration By-law to enable the Town to transition the residential tear down / rebuild / infill application processes to the Site Alteration By-law. This will ensure the Town maintains a provision to enable agreements.

In addition, the Town should provide clear guidance regarding agreements to ensure applicants are aware of instances in which an agreement may be required and the associated fees. This guidance should be provided during application intake to ensure there are no surprises for the applicant (should an agreement be required prior to approval). This should lead to an enhanced applicant experience due to increased transparency of Development Engineering approval process.

1.3 ESTABLISH A CLEAR DEPARTMENTAL GOVERNANCE STRUCTURE WITH ACCOUNTABILITY FOR OVERSEEING THE END-TO-END DEVELOPMENT ENGINEERING APPLICATION AND PERMIT **REVIEW**.

During the current state assessment, it was noted that there is minimal governance over the end-to-end residential tear down / rebuild / infill application process. Stakeholders also noted that governance can be viewed as a red tape item rather than a mechanism to monitor and enable processes. This has resulted in inaccurate data and inefficient processes. The Town also lacks clear document governance including document management, storage, and naming conventions. Currently, development engineering documents can vary depending on the responsible stakeholder resulting in inconsistencies throughout the process. Lastly, there is no clear owner of development engineering data.

Establish a clear departmental governance structure with accountability for overseeing the end-to-end development engineering application and permit review by identifying stakeholder(s) or committees to hold the overall responsibility and accountability. Stakeholders should include at a minimum the Director, Transportation and Engineering, Managers and Supervisors. Overall, a formalized governance structure will enable the department to:

- 1. Create accountability for the completeness of development engineering files
- 2. Ensure compliance to current by-laws, guidelines, and standards during the review
- 3. Streamline and coordinate oversight and decision-making
- 4. Clearly articulate how decisions are made

1.4 ENHANCE THE DATA BEING USED FOR PERFORMANCE MEASUREMENT REPORTING IN ORDER TO IMPROVE MANAGEMENT AND EVALUATION OF DEVELOPMENT ENGINEERING

The use and regular review of performance measures are critical to the success of any organization or complex process. The Town is monitoring some performance measures however performance measurement is unreliable due to inconsistent Development Engineering data (e.g., time to issue Development Engineering permit). This and other challenges to performance management are outlined below:

Challenge	Impact
Non-integrated, manual systems	No end-to-end view of performance. Significant effort required to extract and analyze performance data.
Lack of time tracking	Inability to accurately measure time spent (versus total elapsed time) on individual applications across all stakeholders.
Tracking and measuring key performance indicators (KPIs) and service standards	KPI's are not being used for decision making

To overcome these challenges and the new legislative changes, we recommend a refreshed approach to development engineering performance measurement based on leading practice and realistic processing timelines. The following outlines the current list of KPIs and a few recommended KPI's as part of development engineering processes:

KPI	Purpose
Number of applications received	This KPI should be maintained as part of the refreshed approach to performance measurement.
Processing timelines	This KPI should be updated so that a consistent measurement is used to track processing timelines (e.g., average processing days used for all applications).
Total fees paid and fees outstanding	This KPI should be maintained as part of the refreshed approach to performance measurement.
Total hours by staff member	This KPI should be updated to reflect actual hours spent on review for each application.

Total outstanding securities	This metric should be maintained as part of the refreshed approach to performance measurement.
Permit renewals	This metric should be maintained as part of the refreshed approach to performance measurement.

*Please note this is an illustrative list of KPIs and not meant to be exhaustive.

The Town should build upon the performance measurement framework to improve the management and evaluation of the development engineering processes. The framework should be grounded in leading practice and analysis of past performance. It should include:

- The identification of end-to-end and department-specific key performance indicators KPIs, including efficiency and effectiveness measures
- **KPI** collection procedures •
- KPI reporting procedures, including the identification of appropriate KPIs for each major stakeholder group and how they will be shared (e.g., a high-level monthly dashboard with strategic KPIs for seniorlevel staff and a weekly report with operational measures for managers). KPIs should be reported in a clear and concise manner and presented in a non-cluttered view (i.e., use attractive colours, choose the right visual, add text as required, etc.); and,
- A process for reviewing the effectiveness of KPIs.

In addition, all KPIs should be socialized to development engineering staff and be embedded within performance management to ensure accountability throughout development engineering processes.

1.5 ESTABLISH INTERNAL REVIEW TIMELINES FOR DENG APPLICATIONS AND PERMITS TO PROVIDE GREATER TRANSPARENCY FOR APPLICANTS.ESTABLISH INTERNAL REVIEW TIMELINES FOR RESIDENTIAL TEAR DOWN / REBUILD / INFILL APPLICATIONS AND PERMITS TO PROVIDE GREATER TRANSPARENCY FOR APPLICANTS.

Once residential tear down / rebuild / infill applications are submitted, there is no standard review time for applicants to expect to receive comments on their application. Often, applications can take varying amounts of time due to volume of applications and capacity of the technical review team. Given capacity constraints, the Town is struggling to consistently return comments back to the applicant in a timely manner or provide an estimated completion time to applicants. As a result, this can impact the applicant's confidence and trust in the Town.

To address this issue, the Town should establish internal review timelines for the residential tear down / rebuild / infill applications to provide greater transparency for applicants. In addition, this will ensure applicants receive comments in a timely manner. Establishing clear and realistic review timelines for first and subsequent application submissions will improve applicant relationships and accountability with commenting staff. Additionally, such a procedure may contribute to the ongoing monitoring of the development engineering processes and potential improvement opportunities. In addition, the Town should consider a circulation limit on applications to further reduce application timelines and establish accountability and incentivize interdepartmental collaboration.



SERVICES & PROCESSES

Theme	Recommendations
Development Engineering Workflows	2.1 Define and document review related roles (e.g., DET) and responsibilities to reduce process inefficiencies.
Technical Review	 2.2 Establish, document, update and communicate standardized Development Engineering processes and technical standards that clearly define key activities, guidelines, and tools used to complete the review process. 2.3 Increase the transparency of the circulation and technical review of development engineering applications.

*The information in this section reflects pain points and challenges within development engineering prior to the first announcement of Bill 23 on October 25, 2022.

2.1 DEFINE AND DOCUMENT REVIEW RELATED ROLES (E.G., DET) AND RESPONSIBILITIES TO REDUCE PROCESS INEFFICIENCIES.

The Town formed the Transportation & Engineering department in 2021, which brought together Development Services, PIRC, Transportation Planning, Traffic, and Design & Construction. To facilitate the review of residential tear down / rebuild / infill applications and permits, Development Engineering Technologists (DET's) are positioned within the Development Services function and PIRC function. However, during the current state assessment, it was noted that the roles & responsibilities of staff (i.e., DETs) can be unclear to internal and external stakeholders (e.g., applications reviewed by different staff members in different functions with the same title) resulting in ineffective and/or inefficient processes. It was also noted that the internal commenting parties associated with the review of residential tear down / rebuild / infill applications and permits has not been reviewed since the inception of the processes.

With the changes in provincial legislation, the Town should enhance the efficiency and effectiveness of the processes DENG process by defining and documenting review related roles (e.g., DET) and responsibilities to reduce process inefficiencies. Clearly defining each stakeholder's role and mandate in development engineering process will enhance transparency and predictability as well as empower staff to fulfill their responsibilities. The roles and responsibilities of each stakeholder (review staff, commenting departments, customer service, and applicants/the public) should be clearly delineated and made available to the public on the Town's website. The Town should define and document a responsibility assignment matrix or RACI (responsible, accountable, consulted, informed) for the residential tear down / rebuild / single lot infill applications. At a minimum, the RACI should document:

- The mandate of each commenting department (i.e., the subject matter for which the commenting partner is responsible)
- · Application-related approval authorities and accountabilities
- The roles and responsibilities of applicants; and,

• The roles and responsibilities of administrative and support functions.

To help ensure the effectiveness of the responsibility assignment matrix, the Town should:

- Reflect the RACI in job descriptions as they are updated;
- Include the RACI in development review-related training, including staff onboarding;
- Review and promote the RACI with applicants.

In addition, the Town should establish formalized criteria for circulation. The criteria should outline the roles and responsibilities of various internal commenting parties to ensure consistency in each review. In addition, the framework should outline the stage in which each commenting party initiates their review (e.g., zoning review for pool permits initiated post second submission, and roads review for road cut permits). collaborate

2.2 ESTABLISH, DOCUMENT, UPDATE AND COMMUNICATE STANDARDIZED DEVELOPMENT ENGINEERING PROCESSES AND TECHNICAL STANDARDS THAT CLEARLY DEFINE KEY ACTIVITIES, GUIDELINES, AND TOOLS USED TO COMPLETE THE REVIEW PROCESS

Our process mapping sessions noted that development engineering workflow are customized and designed to meet the specific objectives of individual stakeholders. This has resulted in multiple manual work steps and work arounds outside of technology solutions. In addition, the processes are not well documented and have a low degree of standardization. This has resulted in multiple lengthy processes that are not consistent or repeatable. The lack of formalized process documents has also affected onboarding as staff receive inconsistent on the job training. In addition, it was noted that the technical standards (e.g., setbacks) used to review residential tear down / rebuild / infill applications can vary and have not been updated since their introduction.

To increase the standardization of development engineering processes, the Town should establish, document, update and communicate standardized development engineering processes and technical standards that clearly define key activities, guidelines, and tools used to complete the review process. The Town's Development Engineering Procedures and Guidelines Manual should be the overarching document that contains and defines these processes and standards. As such, this document should be updated to reflect current procedures, practices (e.g., circulation, review, etc.), and technical guidance (e.g., setbacks). This will ensure the residential tear down / rebuild / infill application review process has consistent and repeatable steps and eliminate manual inefficient processes.

In addition, all documents (e.g., Development Engineering Procedures and Guidelines Manual) should be made publicly available via the Town's website. Sharing this information will increase the transparency of the process and may assist with the applicant understanding of the process and result in improved application quality.

As a result of changing legislation, the Town should also create criteria/levels of submission for development engineering applications and permits. Levels of submission can assist the Town in identifying applications that require a full application versus a simple scoped application.

It should be noted that a stormwater management report is not a submission requirement under section 4 of the Site Alteration By-law. As such, the Town may be required to update the By-law to reflect this requirement should a full submission option be implemented.

2.3 INCREASE THE TRANSPARENCY OF THE CIRCULATION AND TECHNICAL REVIEW OF DEVELOPMENT ENGINEERING APPLICATIONS.

The implementation of the DEPA portal has enabled more applicant self-service features, such as status reporting. Currently, applicants are able to view the high-level status (i.e., review, approval) of each open application linked to their user account. However, the status page does not provide detailed information including reviewing department and contact information. This can result in applicant frustration and lead to additional inquiries to Town staff. In turn, this increases the administrative workload for reviewing staff and reduces capacity for technical review.

The Town should increase the transparency of the circulation and technical review of development engineering applications. The development portal (or website) should clearly outline the groups responsible for the review of each application, components of each review (review checklist), and the timelines for each submission.

The benefits of this recommendation include:

- Increased transparency into application review process
- Decrease to the administrative workload of review staff resulting from reduced status inquiries
- Increased customer satisfaction resulting from additional features within the self-service portal.



PEOPLE & ORGANIZATION

Theme	Recommendations
Development Engineering Workflows	3.1 Review the governance model for DET's and tree reviewers3.2 In the long-term, consider consolidating all residential tear-down and rebuild and infill development under one function within Development Engineering
Resource Planning	3.3 Consider adding additional DET's to support the technical review process.

*The information in this section reflects pain points and challenges within development engineering prior to the first announcement of Bill 23 on October 25, 2022.

3.1 REVIEW THE GOVERNANCE MODEL FOR DET'S AND TREE REVIEWERS

Stakeholders indicated that there is duplication of effort during the review of residential tear down / rebuild / infill applications. For example, Development Engineering Technologists (DETs) are located in two departments and both responsible for the review of grading and servicing plans. However, DET's within Development Services were previously responsible for Site Plan controlled applications, while DET's within PIRC were previously responsible for Site Alteration controlled permits. In addition, driveway and road cut permits are performed by the DETs within PIRC; however, stakeholders indicated that these tasks / permits can also be performed by all DETs (with additional training).

In addition, it was noted that tree review under Site Plan control was conducted by the one Development Engineering Tree Protection Inspector; however, tree review under Site Alteration control was conducted by one of many Town Foresters. The Development Engineering Tree Protection Inspector is located within Development Service; however, the Town Forester is located within Forestry Services. These two reviews follow different legislation but have a similar set of criteria. In addition, the Development Engineering Tree Protection Inspector does not perform the same level of inspections as the Town Forester Inspectors due to time and resource constraints. As a result, the Town is following different rules to perform the review of trees within a development application leading to inconsistencies in tree protection and confusion for the applicant. It was also noted that the Development Engineering Tree Protection Inspector was the only tree reviewer for all Site Plan controlled applications. Initially, the capacity of this position was approximately 170 applications per year, however the role currently reviews approximately 250 applications per year.

As part of the jurisdictional scan, it was noted that within comparator municipalities, review of grading and servicing plans (as part of development engineering permits) is maintained within one function (e.g., development engineering).

As such, the Town should further analyze and assess the governance model for DET's and tree reviewers such that the model is aligned with the updated processes and legislative changes.

3.2 IN THE LONG-TERM, CONSIDER CONSOLIDATING ALL RESIDENTIAL TEAR-DOWN AND REBUILD AND INFILL DEVELOPMENT UNDER ONE FUNCTION WITHIN DEVELOPMENT ENGINEERING

The Town of Oakville has seen an increase to residential tear down / rebuild / infill development application volume and complexity over the past ten years. Should volume and complexity continue to increase, the Town may require a unique function to manage all activities associated with residential infill development.

As part of the jurisdictional scan, it was noted that this approach has been implemented by some of the Town's comparator municipalities.

In the long-term, consider consolidating all residential tear-down and rebuild and infill development under one function within Development Engineering. This function would be responsible for all the core components of residential infill development including intake, review, and approval of permits.

3.3 CONSIDER ADDING ADDITIONAL DET'S TO SUPPORT THE TECHNICAL REVIEW PROCESS.

During the current state assessment, it was noted that the Town of Oakville has experienced a high volume of development engineering applications and inquiries, which has impacted staff capacity. As a result, there has been delays in the residential tear down / rebuild / infill processes. In addition, stakeholders noted that there have been multiple vacancies and many new staff over the past couple of years.

Should the integration of DET's and tree review staff and the implementation of process improvement opportunities noted in this report (e.g., governance, services and processes, people, technology, and payments & securities) not result in additional staff capacity, then the Town should consider adding additional DET's to support the technical review process. In addition, should legislative changes result in further capacity constraints, the Town should consider adding additional staff resources.



TECHNOLOGY & DATA

Theme	Recommendations
Data Management	4.1 Ensure consistency with development engineering files and data (e.g., file structure, naming conventions, inspection notes) to enable a single source of truth
	4.2 Ensure that all commenting parties have access to relevant development engineering data within AMANDA (e.g., Parks, Zoning).
Development Portal	4.3 Update the DEPA portal to automatically notify applicants of status changes to their residential tear down / rebuild / infill applications.
	4.4 Update the DEPA portal to automatically calculate and post agreement payments to the applicant account.
AMANDA Workflows	4.5 Create an automated flag in AMANDA to highlight properties that require comments from external agencies (e.g., Conservation Halton).
Website (External Communication)	4.6 Enhance development engineering information and communication.

*The information in this section reflects pain points and challenges within development engineering prior to the first announcement of Bill 23 on October 25, 2022.

4.1 ENSURE CONSISTENCY WITH DEVELOPMENT ENGINEERING FILES AND DATA (E.G., FILE STRUCTURE, NAMING CONVENTIONS, INSPECTION NOTES) TO ENABLE A SINGLE SOURCE OF TRUTH

Currently, documents and data are collected by various stakeholders throughout development engineering processes and stored in a number of different storage folders, systems (e.g., AMANDA) and local drives. As a result, development engineering documents can be difficult to locate as the department does not have a single source of truth for all documents. In addition, stakeholders noted that when a document or file is located, it may not contain all the required information, or is using inconsistent file naming conventions.

To ensure consistency with development engineering files and data (e.g., file structure, naming conventions, inspection notes) the Town should review current file structures and storage systems and determine the optimal solution to be the single source of truth for all development engineering data. This would ensure that all data collected throughout the process is centralized in one place resulting in easy to locate, accurate and reliable information. In addition, the Town should socialize a document naming convention to staff to ensure it is consistently applied to all documents contained within residential tear down / rebuild / infill applications. The naming convention should also be shared externally with applicants.

4.2 ENSURE THAT ALL COMMENTING PARTIES HAVE ACCESS TO RELEVANT DEVELOPMENT ENGINEERING DATA WITHIN AMANDA (E.G., PARKS, ZONING).

Currently, residential tear down / rebuild / infill applications are received via the DEPA portal and triaged to the relevant reviewing parties based on application type. However, there are manual workarounds outside of the technology solution (i.e., AMANDA) to circulate applications to reviewing parties that are outside of the standard workflow. For example, applications with pool permits are emailed to Zoning for final sign-off as Zoning does not utilize task lists within AMANDA.

As such, the Town should ensure that all commenting parties have access to relevant development engineering data within AMANDA (e.g., Parks, Zoning). This will reduce the number of manual workarounds outside of the system resulting in increased process efficiency. In addition, this will help reviewing parties monitor the application pipeline to manage workload and ensure applications are reviewed and approved in a timely manner.

4.3 UPDATE THE DEPA PORTAL TO AUTOMATICALLY NOTIFY APPLICANTS OF STATUS CHANGES TO THEIR RESIDENTIAL TEAR DOWN / REBUILD / INFILL APPLICATIONS.

During the current state assessment, it was noted that the Town has recently transitioned to the DEPA for digital intake of development engineering applications. The portal allows applicants to submit residential tear down / rebuild / infill applications online, which are then triaged to the Town's reviewing parties. However, stakeholders noted that applicants do not receive notifications regarding their application status and therefore routinely email Town staff to request a status update on their application. As such, Town staff have a back-log of administrative requests that can impact capacity for technical review. It should be noted that this feature is available within DEPA, however may not be operating effectively at go-live.

The DEPA portal is able to accommodate status updates for applicants. The Town should ensure the status updates are being updated accordingly and reflected on the applicant's end.

4.4 UPDATE THE DEPA PORTAL TO AUTOMATICALLY CALCULATE AND POST AGREEMENT PAYMENTS TO THE APPLICANT ACCOUNT.

The Town's DEPA portal allows applicants to digitally submit residential tear down / rebuild / infill applications and payments online. As part of the approval process, an agreement between the Town and the applicant may be required. A development agreement is a legal contract between the applicant and the Town to adhere to specific conditions as part of construction. Stakeholders noted that the DEPA portal does not automatically enter the agreement fee on an applicant account when an agreement is required. As a result, when the fee is required, the fee amount must be manually posted by administration to the correct applicant account. Stakeholders indicated that approximately 90% of all Site Plan controlled applications required a development agreement.

As such, the Town should update the DEPA portal to automatically calculate and post agreement payments to the applicant account. This will reduce the manual work steps associated with posting agreement fees at the approval stage. In addition, there is an opportunity to include the agreement fees during the application intake process. This will provide applicants with greater clarity into the total cost of the application as all fees will be provided upfront rather than additional fees for the agreement added at the approval stage.

4.5 CREATE AN AUTOMATED FLAG IN AMANDA TO HIGHLIGHT PROPERTIES THAT REQUIRE COMMENTS FROM EXTERNAL AGENCIES (E.G., CONSERVATION HALTON).

During the circulation process, relevant reviewing parties are added to application circulation as required. Typically, this process is managed by the responsible DET. However, stakeholders noted that the current

AMANDA workflow does not highlight properties that require review by external parties (e.g., Conservation Halton). As a result, the reviewer must review the property information and determine if the external party should be included on the circulation. This manual step can be time consuming and impact timelines if the application is circulated incorrectly.

As such, the Town should create an automated flag in AMANDA to highlight properties that require comments from external agencies (e.g., Conservation Halton). This will ensure that applications are circulated to relevant reviewing parties as required and reduce the administrative time spent during the circulation process. In addition, this can increase the timeliness of response from external agencies as they will always be included on application circulation (rather than downstream in the process).

4.6 ENHANCE DEVELOPMENT ENGINEERING INFORMATION AND COMMUNICATION.

The Town's development engineering web page highlights components of the development engineering application process including permit procedures, guidelines and brochures, by-laws, and final inspection and the release of securities. However, during external consultations, stakeholders noted that the Town's website could be updated to include more information to help applicants understand the documentation requirements for residential tear down / rebuild / infills.

As such, the Town should enhance infill development and low-density residential tear down / rebuild / infill information and communication provided on the Town's web page. This can be achieved through:

- 1. Increasing the transparency of information available on the website
- 2. Clearly outlining the requirements or "rules" for infill development applications
- 3. Defining a process for escalation

Providing additional information will enhance the customer experience as additional self-service information is available to support the application process. In addition, this may decrease the administrative workload for review staff as applicant support inquiries may be reduced. To view examples of permit procedures, guidelines, by-laws, and other development engineering information and communication from comparator municipalities, see the Comparator Municipality Materials table in Appendix E.

In addition, the Government of Ontario introduced Bill 23 in an effort to streamline development in the province. As such, municipalities have prepared responses to the legislation in the form of reports to Council that outline how the legislation will affect current processes. These reports have been made publicly available on municipal websites to support applicants through process changes. Once the implications of Bill 109 and Bill 23 on current development engineering processes are understood by the Town, the website should be updated to include a new section detailing process changes resulting from the new legislation. This will ensure applicants understand new requirements and reduce any negative impact on customer experience.

Lastly, the DEPA portal would have to be updated to reflect the changes required by Provincial legislation (for e.g., no more option to submit DESP applications).



PAYMENT & SECURITIES

Theme	Recommendations				
Securities	5.1 Consider implementing a developer, contractor, and consultant ranking system.				
	5.2 Review the process for collecting securities for tree review to ensure consistency across residential tear down / rebuild / infill applications.				
	5.3 Review and update by-law for unclaimed securities.				
Permit Renewal	5.4 Formalize / update the permit renewal process.				
Application Fees	5.5 Provide applicants with expected service level standards based on current application volume.				
Final Inspection & Close Out	5.6 Update the AMANDA workflow to automatically notify the Town Forester when a final inspection has been booked.				
	5.7 Configure the AMANDA workflow to automatically trigger file close out and issuance of securities for residential tear down / rebuild / infill applications.				

*The information in this section reflects pain points and challenges within development engineering prior to the first announcement of Bill 23 on October 25, 2022.

5.1 CONSIDER IMPLEMENTING A DEVELOPER, CONTRACTOR, AND CONSULTANT RANKING SYSTEM

As part of the final approval process and application close out, the applicant is required to book a final inspection with the Town. If deficiencies are identified during the inspection, the developer/applicant is required to address deficiencies and re-book the inspection. Once all deficiencies are addressed, the Town will approve the permit and close out the application. At this time, the developer will collect any remaining securities that are held by the Town. However, given the state of the real-estate market in the GTA, the Town is experiencing issues with applicants failing to rectify noted deficiencies prior to moving on from a property or development. This is a result of insufficient mechanisms to deter applicants from walking away from securities when there are noted deficiencies. Typically, the total value of securities is immaterial to applicants that are looking to resell the property (e.g., \$10K securities versus multi-million-dollar homes). Ultimately, new homeowners will discover open permits and will be unable to open new permits with the Town until previous deficiencies are addressed. This can result in customer frustration and additional process steps for the new homeowner.

To deter applicants from walking away from home permits, the Town can consider implementing a developer, contractor, and consultant ranking system. The ranking system would be based on the trust the Town has for the developer / contractor / consultant and directly impact the performance security the developer is responsible for paying. This will reward the more trusted applicants and deter applicants from walking away from permit deficiencies and securities. To ensure consistency in evaluations, the Town should consider implementing objective criteria and communicate all criteria to the applicants included in the ranking system. It should be noted that any by-law changes should receive input from the Town's legal department prior to implementation. We understand the Town's goal is to improve application quality (which ultimate should reduce review timelines - a

benefit to staff and to the applicants) but it does not want the costs of increased securities to be passed along to the homeowner. The City of Calgary has implemented this model and the Town of Oakville can also explore this opportunity.

5.2 REVIEW THE PROCESS FOR COLLECTING SECURITIES FOR TREE REVIEW TO ENSURE CONSISTENCY ACROSS RESIDENTIAL TEAR DOWN / REBUILD / INFILL PROCESSES

Previously, within Site Plan controlled applications, tree securities were collected as part of the application securities. However, within Site Alteration controlled applications, tree securities were collected separately by Forestry. The two separate processes created confusion for applicants as the security was for the same purpose, however the process to pay varied by application type. In addition, applicants who were new to the Site Alteration processes may not have been aware that the security was not collected as part of the application securities. This resulted in customer frustration as there was a perception that the applicant was paying more for the Site Alteration controlled application.

5.3 REVIEW AND UPDATE BY-LAW FOR UNCLAIMED SECURITIES

As stated previously, the Town is experiencing issues with applicants failing to rectify noted deficiencies prior to moving on from a property or development. As a result, the applicant is forfeiting securities related to the application. During the current state assessment, it was noted that the Site Alteration By-law does allow the Town to draw on unclaimed securities to rectify outstanding deficiencies on private property, however this mechanism is not consistently enforced/utilized.

As such, the Town should review and update by-law to enable greater flexibility with unclaimed securities. The updated by-law should enable the Town to provide clarification on the process for new homeowners to get reimbursements for rectifying deficiencies using the unclaimed securities.

This update should allow the Town to effectively close outstanding permits and provide incentive to new homeowners that address noted deficiencies. It should be noted that the Town should consult with Legal prior to updating by-law language regarding the use of securities.

5.4 FORMALIZE / UPDATE THE PERMIT RENEWAL PROCESS

Prior to the implementation of the DEPA portal, applicants with permits set to expire within 90/60/30 days a permit renewal letter with details on the renewal process. The letters were prepared by administrative staff using reports generated from AMANDA. The letter would serve as a reminder to applicants to renew outstanding permits with the Town to avoid financial penalty and/or by-law infractions for completing work without a permit. However, during process mapping workshops, stakeholders indicated that the Town has not issued permit renewal letters since 2018. During this time, the Town has implemented to DEPA portal, however the renewal workflow has not been functioning per design.

As such, the Town should formalize / update the permit renewal process within the DEPA portal. The process should be automated such that any open permit within the renewal window (30-day prior, on expiry, and 30 days afterdays after) is issued an auto-generated renewal letter. In addition, the portal should include an automated notification to alert applicants when a permit is approaching expiry.

5.5 PROVIDE APPLICANTS WITH EXPECTED SERVICE LEVEL STANDARDS BASED ON CURRENT **APPLICATION VOLUME**

During the current state assessment, it was noted that the volume and complexity of residential tear down / rebuild / infill applications has increased consistently over the past five years. As a result, the current review timelines fluctuate based on the workload of DET staff. This has led to applicant frustration as Town staff are unable to provide accurate and consistent timelines for the review of applications. Applicants indicated that applicants would be willing to pay higher application fees if it resulted in condensed review timelines.

To enhance the customer experience, the Town should provide applicants with expected service level standards based on current application volume. This can be achieved using application data maintained within AMANDA and the DEPA portal. The expected level of service should be made available via the DEPA portal to inform applicants of the current service level. In addition, the Town should review raising application fees, offer a fasttracking fee, and/or offer a fee discount (incentive for better quality applications) which can reduce application timelines.

5.6 UPDATE THE AMANDA WORKFLOW TO AUTOMATICALLY NOTIFY THE TOWN FORESTER WHEN A FINAL INSPECTION HAS BEEN BOOKED.

Currently, all final inspections are booked by the applicant via the DEPA portal. Once the inspection is booked, the AMANDA workflow will send the request to the relevant inspection teams. However, it was also noted that the Town Forester is not automatically notified when an applicant requests a final inspection. As such, the Inspector periodically will review the inspection status and/or look for a lot grading certificate in the AMANDA folder. This manual work step can delay final inspection process and the close out of permits.

The Town should update the AMANDA workflow to automatically notify the Town Forester when a final inspection has been booked. In addition, the Town should identify the prerequisite documentation that would trigger an inspection notice within AMANDA (e.g., lot grading certificate). A final inspection and security release process map is included in the Appendix F.

5.7 CONFIGURE THE AMANDA WORKFLOW TO AUTOMATICALLY TRIGGER FILE CLOSE OUT AND ISSUANCE OF SECURITIES FOR DEVELOPMENT ENGINEERING PERMITS

During the current state assessment, it was noted that the close out process varies across residential tear down / rebuild / infill applications. When the Forestry Team completes inspections, inspection results are issued to the Forestry Supervisor who will create a cheque requisition to release securities. The cheque requisition is issued to Finance to complete the process. When the Development Engineering Urban Forester completes inspections, the AMANDA workflow notifies the PIRC Clerk to close the file and automatically notifies Finance to issue securities. The varying processes can result in internal confusion and inefficient manual work steps within the review process.

The Town should configure the AMANDA workflow to automatically trigger file close out and issuance of securities for all applications. This process should mirror the application close out workflow currently in place for the Urban Forester inspections. The replication of this workflow should eliminate the additional manual work steps to close out files.

Implementation Roadmap

IMPLEMENTATION ROADMAP

The graphic below represents the implementation roadmap for each recommendation acknowledging that some recommendations may be prerequisites to other recommendations for successful execution.

		Timelines for Implementation			
#	Recommendation	1-3 Months	4 - 6 Months	7 - 12 Months	+12 Months
	Governance & Strategy				
1	Respond to legislative requirement to appropriately govern the residential tear down / rebuild / infill processes and achieve desired outcomes				\rightarrow
2	Consider enforcement of section 6(e) of the Site Alteration by-law to be able to enter into Agreements				
з	Establish a clear departmental governance structure with accountability for overseeing the end-to-end development engineering application and permit review Enhance the data being used for performance measurement reporting in order to improve				
4	management and evaluation of Development Engineering				
5	Establish internal review timelines for residential tear down / rebuild / infill applications and permits to provide greater transparency for applicants				
	Services & Processes Define and document review related roles (e.g., DET) and responsibilities to reduce process				
6	inefficiencies.				
7	Establish, document, update and communicate standardized Development Engineering processes and technical standards that clearly define key activities, guidelines, and tools used to complete the review				
8	process. Increase the transparency of the circulation and technical review of development engineering				
	applications. People & Organization				
9	Review the governance model for DET's and tree reviewers				
5					
10	In the long-term, consider consolidating all residential tear-down and rebuild and infill development under one function within Development Engineering				
11	Consider adding additional DET's to support the technical review process.				\rightarrow
	Technology & Data				
12	Ensure consistency with development engineering files and data (e.g., file structure, naming conventions inspection notes) to enable a single source of truth Ensure that all commenting parties have access to relevant development engineering data within		\rightarrow		
13 14	AMANDA (e.g., Parks, Zoning). Update the DEPA portal to automatically notify applicants of status changes to their residential tear down / rebuild / infill applications.				
15	Update the DEPA portal to automatically calculate and post agreement payments to the applicant				
16	account. Create an automated flag in AMANDA to highlight properties that require comments from external agencies (e.g., Conservation Halton).				
17	Enhance development engineering information and communication.		→		
	Payments & Securities				
18	Consider implementing a developer, contractor, and consultant ranking system.				
19	Review the process for collecting securities for tree review to ensure consistency across residential tear down rebuild / infill applications.				
20	Review and update By-law for unclaimed securities				
21	Formalize / update the permit renewal process				
22	Provide applicants with expected service level standards based on current application volume.	, ,			
23	Update the AMANDA workflow to automatically notify the Town Forester when a final inspection has been booked.				
24	Configure the AMANDA workflow to automatically trigger file close out and issuance of securities for residential tear down / rebuild / infill applications.				