



TOWN OF MIDLAND

Future State Report

Process Review of Development Services

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Executive Summary

Dillon Consulting Limited, in partnership with Performance Concepts Consulting Inc., was retained by the Town of Midland (the Town) to conduct a review of the Town’s development approvals processes. The primary intent of the project, known as the Process Review of Development Services, is to modernize the Town’s development approvals service delivery standards and processes and respond to recent changes to the provincial development approvals regulatory framework.

Addressing the Challenges of the Past to Enable Midland’s Future Growth

The development approvals process (DAP) is a core municipal service delivered by the Town with the involvement of a wide range of personnel from management to front-line staff, a breadth of technical expertise from planning to engineering, and a wide range of stakeholders.

Up until recently, the Town historically employed a somewhat informal, “mom and pop” approach to development approvals – an approach that suited the realities of the lower volume and type of low density, small scale development that the Town typically dealt with in the past.

The past few years have brought significant changes to the realities of development in Midland, including new pressures for rapid growth – pressures which have translated to greater volumes of applications to deal with, more complicated issues to be addressed and increasingly varied interests needing to be balanced.

The Town’s ability to make the necessary transition to a more sophisticated development approvals system was stymied by the substantial loss of staff resources circa 2020. This led to suboptimal decision making and slowdowns in the processing of development applications – issues which continue to have knock-on effects through to today.

Resolving Historical Problems and Being Responsive to New Demands

The Town’s administration was able in 2021 to recruit staff to fill the vacant professional planning positions in the Planning, Building and By-law Department. Since then, the Town’s development approvals team has had to work to address historical deficiencies and issues while also keeping up with increasing demands for development in Midland.

As is often the case, Midland’s transition from what used to be an informal approach to a more sophisticated, formalized DAP system has sometimes led to friction with those that have been accustomed to the ways of the past. Staff have had to work with their external stakeholders to manage these challenges while still pressing forward with the necessary transition.

As part of these transition efforts, the senior management of the Town's development approvals team identified the need to seek external support to help identify opportunities for improvement in its development approvals system and develop viable recommendations for doing so.

It is critical that this context, both historical and more recent, is understood when considering how the Town can work to improve and optimize its development approvals processes.

Findings and Recommendations

The Project Team conducted extensive stakeholder engagement efforts with the key business units and external stakeholders involved in development approvals process (DAP) service delivery to understand the current state of service delivery. The Project Team combined their understanding of the historical context of the Town's DAP challenges and more recent efforts to improve its processes with observations gleaned from the stakeholder engagement activities to develop a list of 22 recommendations, grouped according to related types of issues. The issues and associated recommendations are summarized as follows:

Business Processes

The Project Team noted the following key observations regarding business processes, in brief:

- Pre-consultation processes have historically been applied in an inconsistent manner, leading to issues later in the development approvals process;
- The absence of standardized Terms of Reference (ToRs) for frequently-required technical studies has resulted in additional effort expended before an application is formally received;
- The process for deeming an application complete has historically been applied inconsistently and involves limited checks for the adequacy of the content submitted (due to resourcing constraints), leading to greater risk that poor-quality applications may be accepted as complete.

The recommendations relating to business process issues are as follows (refer to Section 5 of this report for full details):

- **P1:** Continue efforts to establish a best practice pre-consultation model
- **P2:** Continue efforts to improve post-preconsultation communication with applicants
- **P3:** Prepare and maintain Terms of Reference for frequently required studies
- **P4:** Establish a two-step "deemed complete" process for Planning Act applications
- **P5:** Establish timeframe standards for all technical review cycles
- **P6:** Implement a formalized application intake process for detailed engineering review
- **P7:** Document process transitions between Site Plan Approval and Building Permit processes
- **P8:** Make broader use of existing DAP software platform (CloudPermit)

Staffing/Resources

The Project Team noted the following key observations regarding staffing/resources, in brief:

- Workload relating to matters before the Ontario Land Tribunal is burdensome and has reduced the Town's already-limited capacity to process development applications in a timely fashion;
- Competing demands for limited staff resources makes executing important long-term projects (e.g., updating Terms of Reference) challenging due to the need to address more urgent, day to day application processing workload; and
- Due to limited forecasting data, management currently has limited ability to evaluate whether existing and planned staffing capacity levels are or will be appropriately matched to application volumes (the on-going fees review will assist with this).

The recommendations relating to staffing/resources are as follows (refer to Section 5 of this report for full details):

- **S1/S2/S3:** Conduct a development approvals staffing workload review
- **S4:** Implement other improvements and monitor
- **S5:** Make use of roster of pre-approved consultants/vendors for third-party reviews
- **S6:** Clarify roles and responsibilities across development approvals processes

Use of Technology

The Project Team noted the following key observations regarding the use of technology in the delivery of DAP services, in brief:

- The Town's implementation of the CloudPermit DAP software does not include planning or engineering approvals functionality, leading to multiple issues:
 - Applicants cannot make use of an online portal to submit planning or engineering applications digitally; and
 - Staff have no ability to employ automated processes to track processing timeframes, prioritize files for review, or centrally collaborate on and store work generated through the approvals process.
- Despite the Town having implemented CloudPermit for Building Permits, staff continue to accept applications outside of the online portal (i.e., through email or hard copy format), leading to unnecessary expenditure of staff effort on data entry; and
- The Town may need to work with the vendor to improve CloudPermit's reporting functionality beyond the "out of the box" default capabilities.

The recommendations relating to the use of technology are as follows (refer to Section 5 of this report for full details):

- **T1/T2/T3:** Acquire and configure CloudPermit’s planning modules to maximize DAP performance and measure results
- **T4:** Configure the CloudPermit online intake portal to filter out incomplete applications or flag incomplete planning applications based on the pre-determined list of mandatory submission elements
- **T5:** Expand use of the Bluebeam software and markup functionality to all departments involved in review of design elements
- **T6:** Prioritize results-based performance reporting to drive accountability and improvement
- **T7:** Provide a publicly-accessible CloudPermit terminal at Town offices

Performance Management

The Project Team noted the following key observations regarding the use of performance management practices in the delivery of DAP services, in brief:

- The Town does not make use of defined key performance indicators (KPIs) or processing timeframe targets for delivery of DAP services, leading to multiple issues:
 - Management is left with very little oversight of what is working well and what is not working well with regard to the way that processes are executed, which limits their ability to identify possible opportunities for improvement; and
 - Staff have limited ability to hold applicants accountable for measureable delays or bottlenecks in the overall processing lifecycle.
- Applicants cannot check the progress and status of planning and engineering application files through an online portal, so the absence of customer self-service means that staff have divert time away from other productive duties to respond to status requests.

The recommendations relating to the performance measurement are as follows (refer to Section 5 of this report for full details):

- **PM1:** Execute a development approvals process performance measurement implementation project
- **PM2:** Establish KPIs in line with regulated timeframes and service standards
- **PM3:** Make use of CloudPermit platform to enable applicants to check file status on demand
- **PM4:** Make broader use of CloudPermit reporting functionality
- **PM5:** Open a channel of dialogue with the development industry and implement conflict resolution techniques

Potential Financial Benefits

Implementation of some of the strategic and tactical recommendations put forward in this report will inform appropriate costing of DAP service delivery and resourcing requirements and help to secure process re-engineering benefits and stable processing timeframes. The financial benefits associated with these types of improvements will accrue to DAP stakeholders. Timeframe certainty will allow development industry applicants to manage the cash flow and supply chain complexities of their business more effectively. While it is outside the scope of this review to quantify the financial benefits to applicants, they should nonetheless be recognized as significant.

Implementation, Monitoring and Evaluation

The Project Team identified realistic timeframes for implementation of the various recommendations according to the following categories:

- **Do now**, for activities that can and should be undertaken immediately;
- **Do soon**, for activities which should be undertaken within approximately 1 to 2 years; and
- **Do later**, for activities which should be fully executed within approximately 2 to 5 years.

A detailed implementation roadmap is given in **Section 6.1** of this report.

As it proceeds through implementation, the Town should prepare end-of-year internal progress reporting on an annual basis. The progress reports should function as a brief summary of what has been achieved in the preceding year, the activities that are actively underway, and the roadmap for remaining implementation activities yet to be undertaken.

1.0 Introduction



1.1 Background

Midland is a small but growing municipality located to the south of Georgian Bay with a population of 17,817. Owing to its proximity to Georgian Bay harbour and nearby naturalized areas, Midland benefits from an abundance of outdoor recreational amenities; understandably, these kinds of amenities are increasingly driving demand for housing in the area. Midland has experienced recent growth, seeing its population increase by 5.7% between 2016 and 2021. As Midland continues to grow, its ability to adapt its development approvals framework to respond to recent regulatory changes will be critical to its continued prosperity.

1.1.1 Addressing the Challenges of the Past to Enable Midland’s Future Growth

The development approvals process (DAP) is a core municipal service delivered by the Town of Midland (the Town) with the involvement of a wide range of personnel from management to front-line staff, a breadth of technical expertise from planning to engineering, and a wide range of stakeholders.

The Town historically employed a somewhat informal, “mom and pop” approach to development approvals—an approach which is common among small municipalities with modest growth. This approach was indicative of the lower volume and type of low density, small scale development that the Town typically dealt with in the past. However, this approach is not feasible for the future.

The past few years have brought significant changes to the realities of development in Midland, as the Greater Golden Horseshoe region has witnessed new pressures for rapid growth – pressures which have translated to greater volumes of applications to deal with, more complicated issues to be addressed and increasingly varied interests needing to be balanced. The Town needed to grow, but in order to do so in an appropriate manner, it needed to grow its internal resources to be able to properly and efficiently manage that growth and development. As is the case in many municipalities that have experienced the same pressures, the Town needed to transition towards a more sophisticated, formalized approach to managing development.

1.1.1.1 Rebuilding from a Loss of Staff

The Town’s ability to make the necessary transition to a more sophisticated development approvals system was stymied by the substantial loss of staff resources circa 2020, at which point the Town had no senior management to oversee the Town’s development in the role of Director or Manager of Planning, and minimal available line staff resources that could be tasked with processing development applications. Understandably, the lack of staff resources led to suboptimal decision making and slowdowns in the processing of development applications – issues which continue to have knock-on effects through to today in the form of stale files and associated appeals to the Ontario Land Tribunal.

In order to address these critical gaps, the Town’s administration moved decisively in 2021 to properly resource the Town’s development approvals functions by bringing onboard a newly-created Executive Director of Planning, Building and By-law, filling the vacant Manager of Planning role through an external hire, filling vacant management roles in Building and Engineering through internal promotions, and hiring senior planning staff.

1.1.1.2 Resolving Historical Problems and Being Responsive to New Demands

Since that recent period of renewal, the Town’s development approvals team has had to work to address historical deficiencies and issues (legacy files, out-dated policy, etc.) while also keeping up with increasing demands for development in Midland. As is often the case, the transition from what used to be an informal approach to a more sophisticated, formalized DAP system can often lead to friction with those that have been accustomed to the ways of the past. Midland is no exception to this common challenge, and staff have also had to work with their external stakeholders to manage these challenges while still pressing forward with the necessary transition.

As part of these efforts, the senior management of the Town’s development approvals team identified the need to seek external support to help identify opportunities for improvement in its development approvals system and develop viable recommendations for doing so.

It is critical that this context, both historical and more recent, is understood when considering how the Town can work to improve and optimize its development approvals processes.

1.1.2

Midland's Transition to an Efficient, Effective Development Approvals System

The manner in which the Town delivers DAP services will need to change and adapt in response to existing and future development-related pressures. These pressures include:

- The need to continue efforts to address knock-on issues resulting from historical challenges, such as ongoing appeals to the Ontario Land Tribunal, while still delivering day to day DAP services;
- The rapid and continuous growth of the Simcoe geography within the Greater Golden Horseshoe Area, which brings with it an intensified demand for development approvals;
- The pressure for development to get approved on a timely basis so that it can help cost-recover major servicing infrastructure and facilitate the increased supply of housing;
- The changing nature of the partnership between the Town and the County of Simcoe in a two-tier system; and
- The need for the Town to quickly adapt to the new realities of recent changes to the provincial development approvals regulatory framework (e.g., Bill 109; Bill 23).

Amidst the backdrop of some of these pressures already being felt and others not far off on the horizon, senior management at the Town identified the need to modernize and streamline its DAP service delivery model in response to these and other development-related pressures.

1.2

Aim of the Process Review of Development Services

Dillon Consulting Limited, in partnership with Performance Concepts Consulting Inc., was retained by the Town to conduct a review of the Town's development approvals processes. The primary intent of the project, known as the Process Review of Development Services (PRODS)¹, is to modernize the Town's development approvals service delivery standards and processes and respond to recent changes to the provincial development approvals regulatory framework.

The purpose of this Process Review of Development Services is to:

- Document and summarize key findings and observations regarding the current state of the Town's DAP service delivery;
- Document the recommended process changes intended to enable the Town to reach its desired future state of DAP service delivery, including the estimated financial benefits associated with those recommendations; and
- Lay the framework for a realistic plan for implementation, including monitoring and evaluation activities.

¹ There is also a fees review being conducted for the Process Review of Development Services by Watson & Associates Economists Limited, which is being reported separately.

1.3

Approach to the Process Review of Development Services

In order to deliver the Process Review of Development Services, the project team employed a proven methodology validated over numerous past projects, the major elements of which are depicted in **Figure 1-1**. This approach included:

- Initial collection of key service delivery performance data;
- Engaging with key stakeholders to understand the current state of service delivery and identify issues and opportunities for improvement (e.g., processing bottlenecks, resourcing issues, etc.);
 - More specifically, engaging on the implications of Bill 109 and the apparent concerns and/or opportunities it may present;
- Application of analysis and insight to shape initial recommendations;
- Reporting key findings and initial recommendations to senior management mid-way through the project;
- Engaging with key stakeholders to validate the proposed future state process improvements; and,
- Delivering final reporting to senior management and Council which included an implementation plan for achieving the desired future state goal of providing exceptional customer service.



Figure 1-1: A proven approach to development approvals process reviews

The specific tasks included in the work plan for the Process Review of Development Services are depicted in **Figure 1-2**.

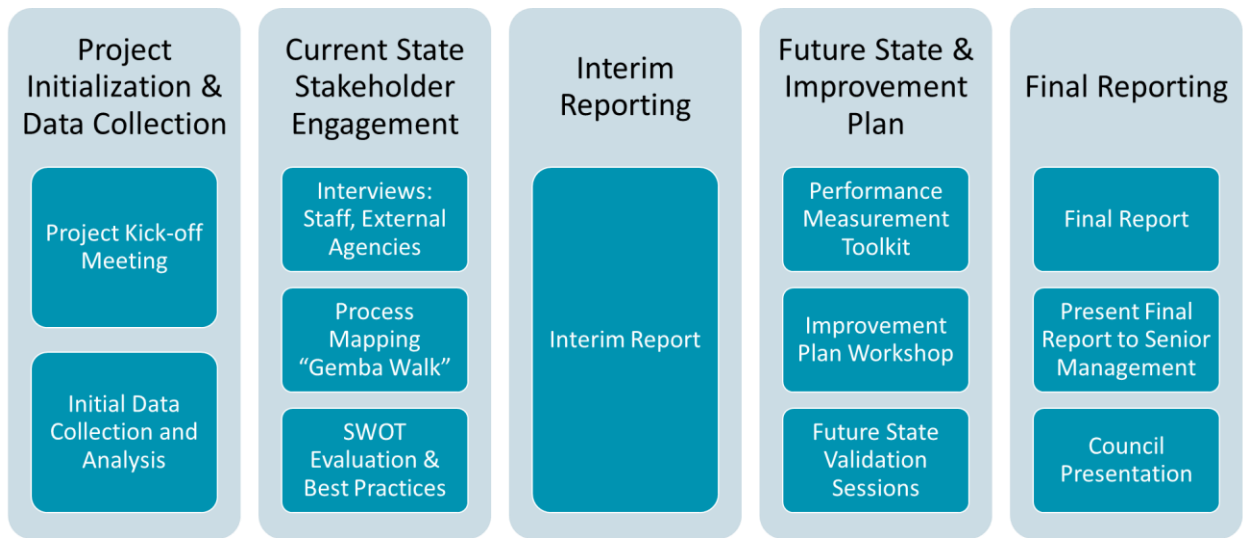


Figure 1-2: Work breakdown structure for the Process Review of Development Services project

1.4

Structure of Report

The findings, observations and recommendations presented in this report represent an encapsulation of data provided by the Town, extensive feedback collected from internal and external stakeholders, and the analysis provided by the Project Team over the course of the project.

This report is structured as follows:

- **Section 2.0** offers an overview of current state business processes relating to the delivery of DAP services;
- **Section 3.0** summarizes relevant data collected from the Town relating to the current state of DAP service delivery;
- **Section 4.0** summarizes the key themes and process-related issues and opportunities for improvement identified during the current state stakeholder engagement efforts, including a review of best practices;
- **Section 5.0** summarizes the recommended future state process improvements, and includes a high level estimate of potential financial benefits associated with implementation of the recommendations; and
- **Section 6.0** offers a phased plan to implement, monitor and evaluate the future state recommendations.

The following information has been included in the appendices:

- **Appendix A** includes a series of detailed case studies illustrative of relevant best practices in the delivery of DAP services; and
- **Appendix B** includes a series of high-level process maps which offer an illustration of what future state process configurations could look like.

2.0

Overview of Current State Processes

2.1

Development Approvals Service Delivery

The Town is a lower-tier constituent of the upper-tier County of Simcoe, which has historically acted as the approval authority for certain development approvals processes. Due to recent changes in the provincial regulatory framework, the Town will become the approval authority for all municipal development approvals processes under the provincial *Planning Act*.² The Town is also the approval authority for Building Permit applications made under the provincial *Building Code Act, 1992*.

Aside from applications to the Committee of Adjustment and Building Permits, the development approvals process employed by the Town for processing applications made under the *Planning Act* is consistent with the process typically seen across Ontario and generally proceeds as follows:

1. **Pre-consultation:** The application process begins at the Pre-Consultation Phase, at which point applicants can meet with the Town to discuss the nature of the proposed development and confirm applicable submission requirements.
2. **Application Intake to Deemed Complete:** Following pre-consultation, the intake phase begins with the initial submission of a formal development application. Technical staff will review the submitted materials so as to determine whether the application can be deemed complete (and therefore ready for review).
3. **Technical Review Cycles:** Once an application has been deemed complete, the file is circulated to various internal subject matter experts as well as external agencies (e.g., the provincial Ministry of Transportation) for technical review and comment. Following the initial round of technical review, the Town may elect to render a decision for approval or refusal of the application. The Town will provide comments and feedback to the proponent which imply the need for revisions to the proposal, triggering the need for a re-submission and further review. It is not uncommon for applications to undergo multiple rounds of technical review before the Town provides a formal approval decision.
4. **Public Consultation as Required/Decision:** Depending on the approvals process in question, this phase may also involve statutory public input. Once the Town is satisfied with the proposal, staff will approve the application (or provide recommendations to Town Council for its approval) once the technical review process has been completed.
5. **Post-approval:** Following approval of an application, it is common for proponents to be required to enter into a development agreement with the Town which outlines the nature of what was

² The *Planning Act* was amended by way of the *More Homes Built Faster Act, 2022* (also known as Bill 23) in November 2022. The latter act included amendments to the former which remove the statutory planning responsibilities previously held by the County of Simcoe, however the date at which those particular provisions will take effect remains to be proclaimed as of the publication of this report.

approved; in many cases, development agreements may be registered on the title to the land to which the proposal applies, binding the landowner to the agreement. Such agreements may also include conditions which the proponent must fulfill in order to satisfy the terms of the agreement. In cases which involve post-approval conditions, the final step in the development approvals process can often extend beyond the point at which development activities (e.g., construction) have reached completion as the proponent demonstrates fulfillment of the terms to the Town. In this sense, for both the proponent and the Town, the work associated with an application does not necessarily end when it is approved.

3.0 Current State Data Analysis

3.1 Town of Midland Data

Specific data was requested in order to supplement and contextualize the feedback collected during stakeholder engagement sessions. The Project Team requested the following data from the Town in relation to DAP service delivery:

- Application Volumes for 2020, 2021 and 2022 by type of application or approvals process;
- Application timeframes for 2021 – time required to process development applications by application type;
- Consultant profiles for 2021 – a listing of the third-party consultants retained by the Town in support of DAP service delivery; and
- Staffing requirements for 2021 – number of staff needed to process development application files.

The following section offers a high-level summary of data collected pertaining to the current state of delivery of DAP services at the Town.

3.1.1 Application Volumes

The Town has experienced variable development approval application volumes since 2020. Unsurprisingly, Building Permit applications make up the bulk of the Town’s development approvals by volume, followed by Committee of Adjustment applications. The volume of development approval applications received from 2020 to 2022 are given by type of application in **Table 3-1**.

Table 3-1: Application volumes by type of approval process, 2020-2022³

Approval process	Applications received in 2020	Applications received in 2021	Applications received in 2022
Official Plan Amendment	0	0	0
Zoning By-law Amendment	8	6	2
Plan of Subdivision (Draft Plan Approval)	2	0	0
Plan of Subdivision (Post-Draft Plan Approval detailed engineering submissions)	2	0	N/A
Plan of Condominium	0	1	0

³ Information reflects Planning Act application volumes as at October 1, 2022 and Building Permit volumes as of December 31, 2022. Entries with “N/A” indicate data that was not provided by the Town.

Approval process	Applications received in 2020	Applications received in 2021	Applications received in 2022
Site Plan Control (Residential)	1	6	1
Site Plan Control (Non-residential)	3	4	1
Committee of Adjustment (Minor Variance)	13	30	11
Committee of Adjustment (Severances)	4	4	1
Building Permit (Detached residential)	153	292	102
Building Permit (Multi-residential)	66	18	29
Building Permit (ICI)	79	113	86
Building Permit (foundation only)	0	0	1

3.1.2 Typical Processing Timelines and Staff Effort

Outside of the applicable legislated timeframes for the timing of hearings and decisions applicable to Committee of Adjustment and Building Permit processes, the Town does not have internal service level standards or timeframe targets for processing of planning or engineering development applications. Similarly, the Town does not report any formal service standards or targets to applicants.

The Town has limited ability to track service delivery performance with regard to average number of circulation cycles or average business days per review cycle for planning and engineering approvals processes. Staff make use of a centralized spreadsheet to track the lifecycle progress of specific applications that fall under the following approvals processes:

- Pre-consultation;
- Committee of Adjustment;
- Plan of Subdivision;
- Site Plan Control;
- Zoning By-law Amendment; and,
- Official Plan Amendment.

On the matter of staff effort, the project team understands that the Town is currently working with Watson and Associates to prepare time/effort estimates for each application type and associated task, however this information was not finalized at the time of publication of this report.

3.1.3

Staffing Complement

Core development approvals services at the Town are delivered by staff situated in four divisions across three departments. The count of full time equivalent positions involved in the delivery of development approvals services is given in **Table 3-2**.

It should be emphasized that the staff identified in the table are spread across three departments. This means that development review is not everyone's "day job" and so those staff not fully dedicated to DAP have competing interests with their other (core) work responsibilities. The competing interests for municipal staff involved in providing DAP services as a part-time responsibility is a challenge experienced across Ontario. The challenges associated with balancing those competing interests adds to the complexity of sustainably resourcing the staff needed to maintain an efficient DAP system. The separate fees review being conducted by the Town will quantify staff capacity and will provide insight on the actual available capacity of staff to deliver the DAP function.

Table 3-2: Staff positions involved in DAP service delivery⁴

Department	Division	Job Title	Number of Staff	Part-Time or Full-Time Involvement in DAP?	Actual Staff DAP Processing Capacity	
Administration	Fire Services	Fire Prevention Officer	1.0	Part-time	See Fees Review*	
Environment and Infrastructure	Engineering	Executive Director	1.0	Part-time	See Fees Review*	
		Manager of Engineering	1.0	Part-time	See Fees Review*	
		Senior Project Manager (Development Engineering)	1.0	Part-time	See Fees Review*	
		Senior Project Manager (Environmental)	1.0	Part-time	See Fees Review*	
		GIS/IT Tech	1.0	Part-time	See Fees Review*	
		Executive Assistant	1.0	Part-time	See Fees Review*	
Planning, Building and By-law	Building Services	Manager of Building Services / Chief Building Official	1.0	Part-time	See Fees Review*	
		Deputy CBO / Building Inspector	1.0	Part-time	See Fees Review*	
		Building Inspector ⁵	2.0	Part-time	See Fees Review*	
		Administrative Assistant	1.0	Part-time	See Fees Review*	
	Planning Services	Executive Director	1.0	Part-time	See Fees Review*	
		Manager of Planning	1.0	Part-time	See Fees Review*	
		Senior Planner	1.0	Part-time	See Fees Review*	
		Executive Assistant	1.0	Part-time	See Fees Review*	
	Total – all staff			16.00	Part-time	Total Capacity TBD; see Fees Review*

***Note:** More detailed information regarding staff capacity will be available as part of the fees review project being undertaken by the Town.

⁴ Information reflects staff counts as of September 19, 2022. Note that the count of FTE positions given in the table does not reflect the share of employee time that is allocated to DAP tasks. Given that data regarding the share of employee time spent on DAP tasks was not available to the project team, the FTE values given in the table should not be interpreted to mean that the Town has 16 staff working full-time on DAP tasks.

⁵ Staff counts for this position included one full-time employee and two temporary employees.

4.0 Current State Observations

4.1 Current State Stakeholder Engagement Efforts

The Project Team conducted extensive stakeholder engagement efforts with the key business units and external stakeholders involved in DAP service delivery to understand the current state of service delivery. As part of these efforts, the following stakeholder engagement sessions were held:

- Engagement Session #1 with Midland staff from the Planning and Engineering departments - October 3, 2022;
- Engagement Session #2 with Midland staff from the Engineering and Building departments - October 4, 2022;
- Engagement Session #3 with Midland senior management - October 7, 2022;
- Engagement Session #4 with County of Simcoe staff - October 14, 2022;
- Engagement Session #5 with members of the local development community – December 6, 2022; and
- A SWOT working session with Midland senior management - November 2, 2022.

The following subsections of this report summarize the observations made by the Project Team throughout the course of the current state stakeholder engagement efforts, categorized into key themes.

4.2 What's Working Well

The following sections summarize the key observations noted during the stakeholder engagement sessions with respect to what is working well in the current state. Observations were grouped according to the following categories:

- Business processes;
- Staffing and resources;
- Use of technology; and
- Performance management.

A high-level overview of these observations is given in **Figure 4-1**.

Business Processes

- Swiftly adapting / rationalizing DAP model in response to regulatory changes (Bill 109; Bill 23)
- Solid technical understanding of Town-wide servicing capacity for 20-year window
 - 5 updated civil infrastructure Master Plans

Staffing/Resources

- High degree of adaptability and commitment to continuous improvement across Town staff

Technology

- CloudPermit is a modern DAP workflow solution for Building Permit processes that can be expanded to planning and engineering approvals processes
- Multiple departments using Bluebeam for collaborative design reviews

Performance Management

- CloudPermit can provide a future workflow “countdown clock” solution for tracking and reporting on key performance indicators

Figure 4-1: High-level summary of what is working well

With regard to business processes, the Town has been adapting in a swift manner as required to rationalize DAP model efficiencies in response to recent regulatory changes (e.g., Bill 109 and Bill 23). Additionally, the Town is equipped with a solid technical understanding of Town-wide servicing capacity for a 20-year window. This is illustrated through recently updated civil infrastructure Master Plans.

As far as staffing and resourcing is concerned, it is readily apparent that Town staff exhibit a high degree of adaptability and commitment to continuous improvement throughout the various departments and roles involved in the processing of development approvals.

In considering the use of technology, the project team noted that the Town has made meaningful investments in technology relating to the delivery of DAP services. The Town operates a modern DAP workflow software solution, CloudPermit, for processing of Building Permits. Multiple divisions also make use of the Bluebeam software package for collaborative design reviews.

Lastly, following on from the previous commentary regarding the use of technology, the fact that the Town already has a modern DAP workflow platform (CloudPermit) means that the foundation for proper performance measurement practices has already been laid.

4.3 Opportunities for Improvement

The following sections summarize the key observations noted during the stakeholder engagement sessions with respect to opportunities for improvement or issued to be addressed in a future state.

4.3.1 Business Processes

Opportunities for improvement relating to business processes are summarized in **Figure 4-2** and discussed in greater detail below.

In terms of DAP under previous administrations, the Town **historically** applied pre-consultation processes in an inconsistent manner, and did not have a clearly-defined “release from pre-consultation” process step embedded within their current DAP framework. Formal documentation of submission requirements following pre-consultation was also **historically** applied in an inconsistent manner. In more recent years under current administration, attempts have been made to formalize pre-consultation process and provide follow-up communication in a more standardized fashion.

With regard to the intake stage, the Town does not have standardized Terms of Reference (ToRs) for frequently-required technical studies; this has meant that staff need to work with applicants to define study terms on an ad-hoc basis, resulting in additional effort expended before an application is formally received.

When applications are formally received, the Town's *historical* approach to deeming an application complete was based only on checking whether the submitted items match the items given in the submission requirements checklist (if such a list has been formally documented). This "piece count" approach did not involve any checks for the adequacy of the content submitted, leading to greater risk that the Town may accept poor-quality applications as complete. Furthermore, it was noted that this checklist-based approach was applied inconsistently, such that staff would sometimes elect to proceed with intake and review of an application without all required submission materials having been submitted. While this approach may suit specific edge cases, lack of process consistency at the intake stage can create or magnify issues further downstream in the approvals processing lifecycle. In more recent years under the current administration, attempts have been made to assess adequacy of the materials, although the Town is not effectively resourced to deliver this activity consistently as part of the intake process.

Several opportunities for improvement were identified in relation to the technical review phase. The Town does not maintain a current list of pre-approved third-party vendors/consultants that can be called upon to provide peer review services in instances where specialized expertise is needed. Furthermore, lack of clarity in terms of which business unit is responsible for coordinating the procurement of these kinds of services further slows down this aspect of the process. Accordingly, there is a need for greater clarity on the process for retaining third-party consultants and the associated roles and responsibilities applicable to each business unit.

With specific regard to the post Draft Plan approval stage, the Town does not employ a formal intake process or submission completeness checklist for detailed engineering design review. This can lead to poor-quality submissions by proponents filtering into the system and causing inefficiencies for the Town.

Once applications move beyond planning and engineering approvals to the Building Permit stage, a perceived lack of formal procedural clarity was noted by the project team with regard to how staff decide when Building Services should begin processing Building Permit applications for files that are also subject to other, prior approval processes. It was noted that staff in Building will check with their colleagues in Planning or Engineering on an informal basis if they are aware of concurrent approvals processes, however a formalized process that is routinely followed by all parties did not seem to be in place. While the Town's current approach may work well enough for now, it should be recognized that this type of informal approach can lead to the premature expenditure of effort on review of Building Permit files, resulting in greater risk of needing to review files more than once. This risk is likely to increase with the scale of the system, such that in the absence of a formalized process, effort may begin to be lost to premature review as application volumes increase.

It was also noted that staff have had difficulty locating approved submission materials from prior years due to historical challenges with centralized record-keeping of the previous administration.

Pre-consultation issues

- Historical absence of a formal “Release from Pre-Con” process step
- Historically inconsistent use of formal documentation to enumerate complete submission requirements after pre-con (e.g., submission requirements were sometimes communicated using phone calls or in the body of an e-mail message instead of consistent use of forms for pre-consultation processes)
- Recent efforts have been made to address this issue

Intake issues

- Absence of standardized ToRs
 - Applicant consultants required to produce ToRs and Town can be slow to sign-off
- Historical approach to “Deemed Complete” decision based only on submission piece count checklist
 - Limited and inconsistent review of content adequacy by the Town within 30-day window for the deeming decision due to resourcing constraints
- Town historically inconsistent on requiring piece count completeness before moving applications to 1st Technical Review Cycle
 - Porous approach causes process execution problems downstream
- No formal Engineering Design Review application process or completeness checklist results in sub-standard 1st submissions (post-Draft Plan stage)

Review issues

- No roster of pre-approved peer review consultants: causes delays in execution of peer reviews
- Composite Utility Plan delays are common due to Town having to wait on utilities/proponents to furnish necessary details

Approval and post-approval issues

- No Engineering Certificate of Completion prior to Building permit issuance (coordination problem)
- Difficulty confirming approved drawings/studies (after the fact) due to historical challenges with record-keeping in the past

Figure 4-2: Summary of opportunities for improvement relating to business processes

4.3.1.1

Opportunities for Improvement among External Stakeholders

While there are multiple areas for improvement in terms of the Town’s DAP processes, the external stakeholders that make use of the DAP system also matter when accounting for opportunities for improvement. This is especially true of applicants, as their willingness and ability to follow the processes and procedures laid out by the Town has a direct impact on the degree to which the Town’s DAP system can be successful.

Staff noted that a small number of applicants have historically caused a disproportionate degree of challenges for the Town as a result of poor quality submissions or failure to submit required information in a timely manner. Issues such as these constitute unnecessary waste in the DAP system and a distraction for staff, as the Town must expend additional effort to work with applicants to “clean up” poor quality applications through multiple rounds of technical review – effort which would be better spent on the timely and efficient processing of properly submitted applications.

While the Town can improve its processes to mitigate the risks associated with these issues to some degree, it must be recognized that certain issues such as these fall outside the control of the Town, as it is ultimately up to the applicant to provide the required inputs needed to properly and efficiently process a development application. To that end, the Town’s ability to improve the DAP system should be considered within the context of what the Town can control vs. factors controlled by others, and similar attention should also be paid to the responsibility that external stakeholders have in shaping successful outcomes in Midland’s development environment.

4.3.2

Staffing / Resources

Opportunities for improvement relating to staffing and resources are summarized in **Figure 4-3** and discussed in greater detail below.

Several issues relating to staffing resources were identified as opportunities for improvement. The existing workload relating to matters before the Ontario Land Tribunal constitutes an additional burden which has resulted in DAP team’s already-limited capacity to process applications in timely fashion. Furthermore, it was noted that competing demands for limited staff resources makes executing important long-term projects (e.g., updating Terms of Reference) challenging due to the need to address more urgent, day to day application processing workload. Lastly, owing to Midland’s relative size as a small municipality, staff often need to work across multiple technical sub-disciplines (sometimes without complete/in-depth technical expertise in some sub-disciplines).

Issues noted elsewhere with regard to lack of clarity regarding “who does what” and lack of standard processing timeframes impede delivery of comments and approvals in a timely manner.

With regard to forward-facing planning, the Town currently has limited data regarding forecasted development application volumes in comparison to expected staffing resources. As a result, management currently has limited ability to evaluate whether existing and planned staffing capacity levels are or will be appropriately matched to application volumes (the on-going fees review will assist with this).

Staffing/Processing Capacity issues

- Absence of DAP applications forecast makes it difficult to evaluate required staffing capacity
- Lack of “Who Does What” clarity given range of workload issues and responsibilities across small DAP team
- On-going and unavoidable OLT workload burden erodes DAP team’s already-limited capacity to process applications in timely fashion
- The Town’s current constrained DAP staffing model makes executing important long-term projects challenging due to constant need to be “putting out fires” generated by urgent application processing workload
- The Town’s current constrained DAP staffing model requires staff to work across multiple sub-disciplines (without complete/in-depth technical expertise in some sub-disciplines)

Figure 4-3: Summary of opportunities for improvement relating to staffing/resources

4.3.3 Use of Technology

Opportunities for improvement relating to the use of technology are summarized in **Figure 4-4** and discussed in greater detail below.

Multiple opportunities for improvement relate to the need for the Town to implement a properly-configured DAP software platform for planning and engineering approvals processes. As it stands now, the Town’s implementation of CloudPermit does not include planning or engineering approvals functionality. As a result, applicants cannot make use of an online portal to submit planning or engineering applications digitally, and staff have no ability to employ automated processes to track processing timeframes, prioritize files for review, or centrally collaborate on and store work generated through the approvals process.

Opportunities for improvement also relate to the current implementation of CloudPermit. Firstly, despite CloudPermit offering a modern online application portal for Building Permits, staff have been willing to continue accepting submissions outside of that portal (i.e., through email or in hard copy format). This leads to unnecessary expenditure of staff effort on data entry. Secondly, it was noted that

the Town may need to work with the vendor to improve CloudPermit’s reporting functionality beyond the “out of the box” default capabilities.

Technology issues

- Multiple issues stem from lack of properly configured Planning DAP workflow tool:
 - Lack of online application portal means Town cannot automatically screen out or flag incomplete applications
 - Town cannot track timeframe processing performance of the DAP team and/or applicant consultants
 - Town cannot easily determine whether Bill 108 “No Decision” or Bill 109 fee claw-back timeframes have been met
 - Staff are not easily able to triage which files should be worked on first if file aging reports are not available
- Town willingness to accept paper submissions (or e-mail workarounds) despite having CloudPermit up-and-running for Building DAP is a problematic precedent for Planning DAP
- Reporting deficiencies expressed by CloudPermit users in other municipalities: will require careful due diligence moving forward to ensure multiple “DAP clock” reports are available out of the CloudPermit box

Figure 4-4: Summary of opportunities for improvement relating to the use of technology

4.3.4 Performance Management

Opportunities for improvement relating to performance management are summarized in **Figure 4-5** and discussed in greater detail below.

Substantial improvements can be made with regard to performance measurement. Of primary importance is the fact that the Town does not make use of defined key performance indicators or processing timeframe targets for delivery of DAP services. This leaves management with very little oversight of what is working well and what is not working well with regard to the way that processes are executed. This lack of performance tracking also means that the Town has limited ability to hold applicants accountable for measureable delays or bottlenecks in the overall processing lifecycle.

In addition, due to the lack of an online approvals platform, applicants cannot check the progress and status of application files on their own – so the absence of customer self-service means that staff have divert time away from other productive duties to respond to status requests.

Performance Management issues

- No key performance indicators (KPIs) or processing timeframe targets or reports
- Limited ability to report on overall DAP performance and progress to Council
- No public-facing DAP performance reporting (e.g., applicants cannot track the status of files through an online portal)
- No ability to hold slow/low quality applicant consultants to account for measurable delays or bottlenecks
- On-going and substantial volume of past appeals to the Ontario Land Tribunal erodes the Town's ability to fully optimize performance and foster stronger relationships

Figure 4-5: Summary of opportunities for improvement relating to performance management

4.4

Engagement with the Local Development Community

An important aspect of the PRODS project was engagement with the development community. An interactive session was held on December 6, 2022 between the consulting team and members of the local development community. Representatives included developer/builders and professional consulting firms that serve their clients on projects in Midland. During this engagement session, an overview of what worked well and the various areas that had been identified as requiring improvements for efficiency were presented and discussed amongst attendees.

The following themes emerged from the discussion:

- **Lack of Clarity at Preconsultation and Challenges Moving to Intake:** The industry expressed a concern about pre-consultation with issues including the Town requesting additional pre-consultation steps when it was not viewed by them as value-added for the development approval process, and the rationale for materials being requested at the pre-consultation stage which seemed premature in their opinion. The industry indicated a willingness for the Town to conduct pre-consultation but that the experience from their perspective was circuitous rather than being an effective on-ramp to the formal intake step of a development application.
- **Continually Expanding Timelines for Comments and Approvals:** The industry expressed concern about an apparent expanding timeline for comment and approval. The industry's perception is that there are timeliness challenges in the receipt of first and subsequent round of comments on development applications. The industry also expressed concern that subsequent comments expand (rather than narrow) the range of issues to be resolved, thereby causing further rework, and contributing to additional time (delay) before an approval can be obtained.

In the perception of some of the stakeholders the project team consulted in the development community, these themes reflect an experience of Midland’s development process being both slow and inconsistent. It is important to consider these perceptions within the broader context of staffing challenges the Town has historically faced, and the “growing pains” associated with its more recent transition towards a more sophisticated policy and process framework. At the same time, it is also important to consider these perceptions in relation to the important role that the local development community has to play in supporting an effective and efficient DAP system.

The consulting team has given due consideration to the variety of perspectives shared by those representing the development industry during the consultation efforts alongside the team’s broader understanding of where Midland has come from and where it intends to go. Taken together, these key inputs contributed to the shaping of the future state recommendations.

4.5 Review of Best Practices

In order to contextualize the opportunities for improvement, the project team drew on its extensive repertoire of process review work from across Ontario to identify relevant best practice lessons that Midland could draw from. Three case studies were prepared as part of the PRODS project:

- A case study focused on cost recovery and fee design, which examined how the City of Peterborough implemented a “growth pays for growth” cost recovery model for development approvals services;
- A case study focused on process streamlining, which examined how the City of Brantford re-engineered its business processes to improve and stabilize development approvals service delivery timeframes; and
- A case study focus on technology modernization, which examined how the County of Lennox and Addington deployed a development approvals software platform alongside meaningful key performance indicators to implement a results-based development approvals service delivery model.

The detailed case studies are included in **Appendix A**.

4.6 Midland’s Transition from Current State to Future State

The Town’s current approach to delivering development approvals services can be summarized as a set of tools and processes that worked well enough to get Midland to where it is today, some of which are not well suited to positioning Midland for the future. While the project team identified many opportunities for improvement, the Town already has many of the “right ingredients” needed to position itself for the future of development in Midland and has already begun some of the important work of building a more efficient and effective DAP system.

At the same time, the Town cannot afford to be complacent and will need to employ new tools and tweak existing processes in order to achieve a streamlined development approvals model that can respond to a changing regulatory environment. A viable path forward, including specific recommendations and a plan for how to get to the desired future state, is described in **Sections 5.0** and **6.0** of this report.

5.0

Future State Recommendations

5.1

On the Path to Optimizing Development Approvals Service Delivery

The Current State review has revealed a wide range of performance improvement opportunities. By leveraging these opportunities the Town will be well positioned to secure a modernized and timely DAP delivery model. It should be noted that these performance improvement opportunities are required to achieve a modernized DAP delivery model regardless of the Town's simultaneous and separate adaptations to respond to recent legislative changes (i.e., Bill 109).

Perspective on the Future

- Midland has reached a plateau common to municipalities at this stage of evolution
- The issues are familiar to the consulting team
- The path forward requires a concerted approach but is definitely achievable

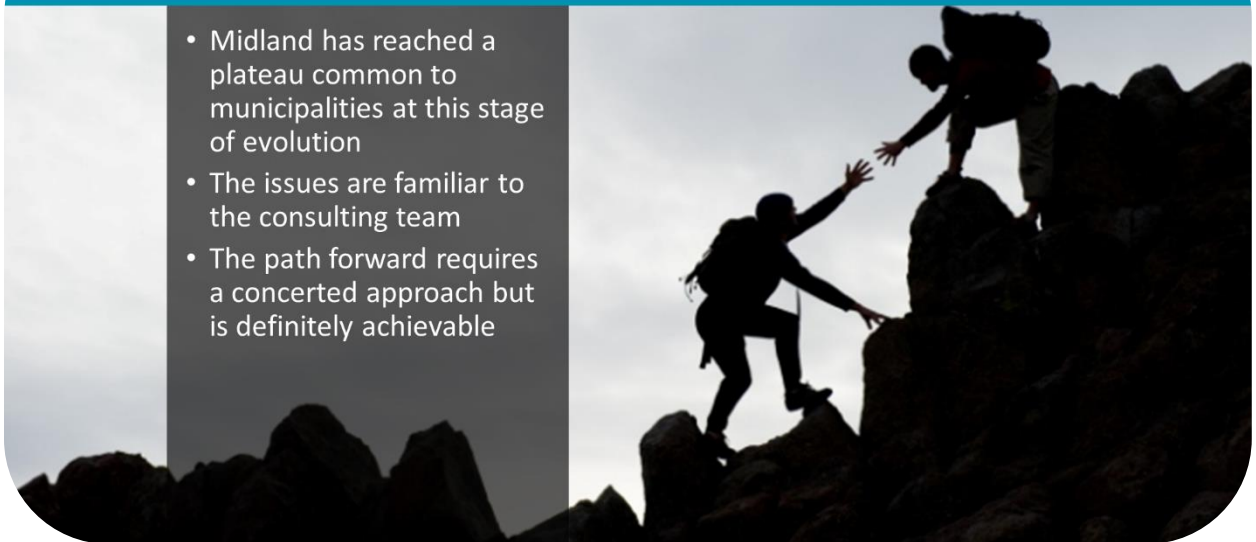


Figure 5-1: Midland's path forward

The Project Team has developed a series of recommendations, refined after diligent input from Town staff, which will enable the Town to achieve that objective within the next several years. The thinking behind the recommendations revolves around the general philosophies summarized in **Figure 5-2**.

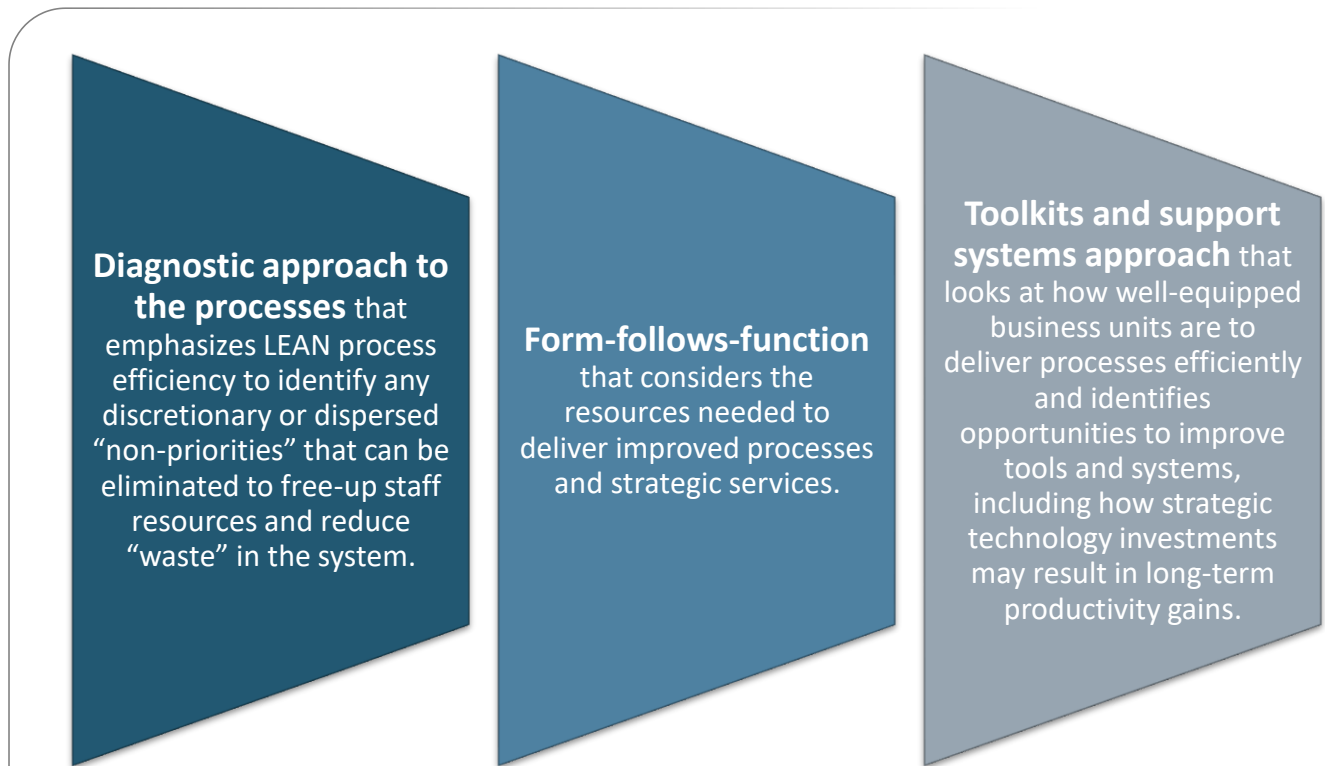


Figure 5-2: Guiding philosophies of process optimization

The following subsections summarize the recommended changes to processes or policies, the stakeholder engagement activities undertaken by the Project Team to refine the recommendations, and the potential benefits to the Town through implementation of the recommendations.

5.2 Future State Stakeholder Engagement Efforts

The Project Team conducted extensive stakeholder engagement efforts with the key business units and external stakeholders involved in DAP service delivery to “stress test” and validate preliminary future state process improvements and amendments to policy and regulatory frameworks. As part of these efforts, the following stakeholder engagement sessions were held:

- Future State Engagement Session #1 with Midland staff in the Planning and Engineering departments – November 30, 2022;
- Future State Engagement Session #2 with Midland staff in the Building department – November 30, 2022;
- Future State Engagement Session #3 with members of the local development community – December 6, 2022;
- Future State Engagement Session #4 with members of Midland Council – December 13, 2022;
- Future State Engagement Session #5 with members of Midland Council – December 13, 2022;

- Future State Engagement Session #6 with members of Midland Council – December 15, 2022; and
- An implementation planning workshop with Midland senior management on December 5, 2022.

The following subsections list the recommendations developed by the Project Team following their refinement during the future state stakeholder engagement activities.

5.3 Recommended Improvements

Using the feedback and observations gained from previous phases of the project, the Project Team identified multiple recommendations relating to improvements that the Town can make to development approvals processes. In keeping with the approach used in categorizing observations noted regarding the current state, each recommendation is paired with an associated issue that it seeks to address, with each pairing grouped according to the categories used in **Section 4.0** of this report.

A high level overview of the recommendations is depicted in **Figure 5-3**. Details regarding each recommendation are given in the following tables:

- **Table 5-1** lists process improvements relating to business processes;
- **Table 5-2** lists process improvements relating to staffing and resources;
- **Table 5-3** lists process improvements relating to the use of technology; and
- **Table 5-4** lists process improvements relating to performance management.

A summary of the potential cost savings associated with the recommendations is given in **Section 5.5** of this report.

High-level process maps which offer an illustration of what future state process configurations could look like are included in **Appendix B**.

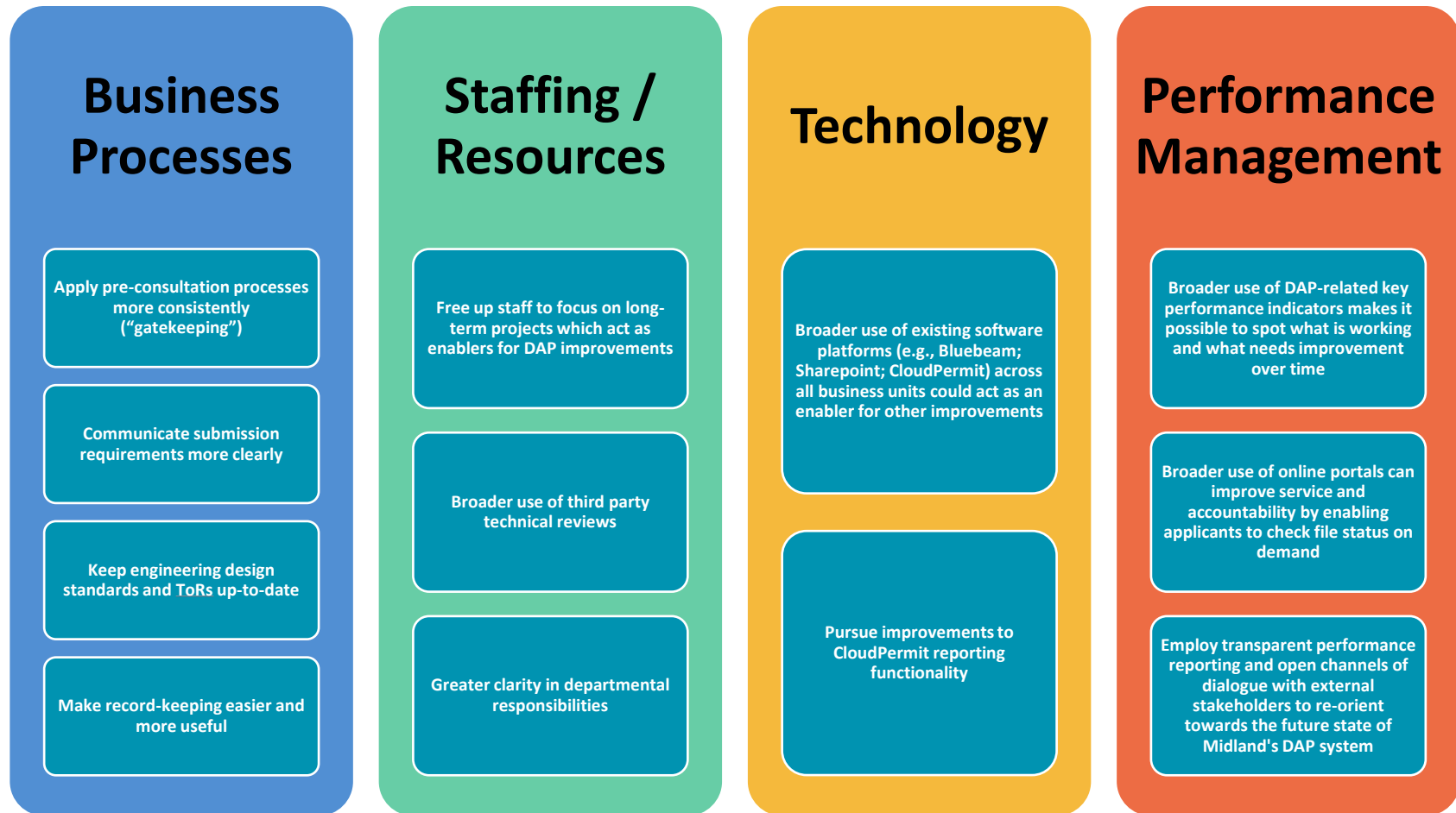


Figure 5-3: High-level summary of recommendations

Table 5-1: Process improvements relating to business processes

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
P1	Pre-consultation processes have historically been inconsistently applied, or to varying degrees of formality	Continue efforts to establish a best practice pre-consultation model	<ul style="list-style-type: none"> Continue pushing forward with efforts to establish best practices for pre-consultation (e.g., clearly defined procedures and submission requirements) Establish regular time slots for pre-consultation meetings including deadlines for receipt of materials before meeting dates Manage pre-consultation booking requests through a distinct channel (e.g., a unique e-mail address such as DAPprecon@midland.ca) Organize staff review time in advance of pre-consultation with a list of information and issues to communicate to the applicant Provide formal documentation of pre-con outcomes within a defined service standard (i.e., documentation e-mailed to the applicant within a certain number of days) 	<ul style="list-style-type: none"> ✓ Improvements to customer service and reduced frustration with the process since the pre-consultation process is clearer and can be better-understood ✓ Expediency in subsequent deeming complete and overall improvement to processing timelines post-intake since all application materials will be made clear
P2	The Town has historically lacked a consistent approach to providing standardized pre-consultation documentation which would serve to enumerate the submission requirements for a complete application	Continue efforts to improve post-preconsultation communication with applicants	<ul style="list-style-type: none"> Continue pushing forward with efforts to consistently provide formal documentation of pre-consultation outcomes, including a checklist of submission requirements Once best practice processes have been fully operationalized, invest in and/or configure the DAP software platform (CloudPermit) to encode the submission requirements after pre-consultation Configure the DAP software platform to cross-link the pre-consultation number to the file number assigned to an application upon intake Configure the DAP software platform to assist with flagging incomplete applications (i.e., required plans or studies missing and/or the number of these items is insufficient) <p>Note: Also see T4 regarding configuration of the online portal for intake of applications.</p>	<ul style="list-style-type: none"> ✓ Expediency in deeming complete and overall improvement to processing timelines post-intake since all application materials will be made clear ✓ Improvements to customer service and reduced frustration with the process since the pre-consultation process is clearer and can be better-understood

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
P3	The Town does not maintain standardized Terms of Reference for frequently required studies, resulting in the need for staff to work with applicants to set terms on a case-by-case basis	Prepare and maintain Terms of Reference for frequently required studies	<ul style="list-style-type: none"> • Develop Terms of Reference for the most common studies – planning rationale/justification, traffic impact, functional servicing report, stormwater management report, environmental impact statement, and noise assessment – as a priority • Complete the update of the municipal engineering design standards documentation as a priority⁶ • Present the Terms of Reference documents and the engineering design standards documentation for Council validation so they have the status of Council endorsement • Post the Terms of Reference and design standards on the Town’s website for easy access • Prepare other Terms of Reference through follow-on phases of implementing this recommendation <p>Note: Also see P4 below regarding content adequacy.</p>	<ul style="list-style-type: none"> ✓ Improvements to customer service and reduced frustration with the process since the Town’s requirements are now clear ✓ Improvement to the overall timeline for the developer since time spent on defining ad-hoc study requirements on a case by case basis is reduced or potentially eliminated ✓ More effective use of staff time since effort wasted on handling ad-hoc study requirements can be reduced to a minimum or entirely eliminated
P4	Planning applications often require multiple rounds of technical review due to poor quality of submissions at the intake stage	Establish a two-step “deemed complete” process for Planning Act applications	<ul style="list-style-type: none"> • Establish minimum requirements for content adequacy and indicate these requirements • Provide orientation to front-line staff (e.g., planning clerk or engineering tech) on how to assess content adequacy for various plans and/or technical studies • In addition to the usual piece-count of submission items, continue efforts to implement the business process of a “shallow dive” content adequacy review to ensure the subsequent Technical Review Cycle (after deeming complete) can be executed effectively against acceptable quality submission items, with a related business process “deem incomplete” if submissions are inadequate 	<ul style="list-style-type: none"> ✓ Improvements to overall processing times as application quality will likely improve ✓ Improvements to technical review processing times as staff do not need to spend as much time commenting on the inadequacy of materials and can focus their first round of technical review on a substantive review of materials

⁶ Contracting this out is suggested on the premise that Midland has likely limited capacity in the short-term for staff to take on additional projects given the current workload at the municipality

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
P5	The Town has not defined any formal internal or external service standards or timeframe targets for technical review cycles	Establish timeframe standards for all technical review cycles	<ul style="list-style-type: none"> • Identify an initial milestone (number of days) for review and comments from those staff circulated on an application • Identify a subsequent milestone (number of days) for comment consolidation and transmittal to the applicant • Consider longer timeframes for first round and shorter timeframes for subsequent cycles • Until the DAP software platform is upgraded/configured to support planning application workflows, have staff utilize other tools to achieve time tracking (e.g., Microsoft Excel 365 co-authored spreadsheets) • When formally communicating comments to applicants, indicate the service standard and the actual performance (e.g., “The Town of Midland’s standard for comments in 20 days. These comments are issued on Day 18.”) 	<ul style="list-style-type: none"> ✓ Improvements to customer service as application process is clearer and better-understood by applicants ✓ Improvement to the overall timeline for the developer ✓ Improvements to processing times as staff are able to focus on files according to pre-defined priority rules ✓ Improvements to management oversight of DAP service delivery performance
P6	The Town does not employ a formalized application intake process for detailed engineering review, leading to poor quality submissions	Implement a formalized application intake process for detailed engineering review	<ul style="list-style-type: none"> • Conduct a business process mapping session with staff to design a formalized application intake process for detailed engineering review as part of the Plan of Subdivision process (i.e., post Draft Plan approval) • Update the Town’s standard conditions of approval to require applicants to use the new intake process for detailed engineering review • Update the Town’s website with the new process information (and an application form if one is necessary) • Conduct outreach to the development industry to communicate the new process • Phase-in implementation on new approvals 	<ul style="list-style-type: none"> ✓ Improvements to overall processing times as application quality will likely improve ✓ Improvements to customer service as application process is clearer and better-understood by applicants

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
P7	The process lacks procedural clarity on when the Building Department should begin reviewing Building Permit applications for files that involve a related Site Plan Approval application	Document process transitions between Site Plan Approval and Building Permit processes	<ul style="list-style-type: none"> Update the Town’s standard conditions for site plan to require that applicants obtain a clearance letter from the Town before applying for building permit⁷ Develop a clearance letter template to use for these new requests Following clearance of conditions by the applicant, issue clearance letters to the applicant with a requirement for the clearance letter to be included with their building permit application <p>Note: When the Town has upgraded the software, the above can be configured into the DAP workflow tool which can automate the clearance, allowing the Building Division to see that clearance within the platform, thereby negating the need for issuing a clearance letter.</p>	<ul style="list-style-type: none"> ✓ Improvements to customer service as application process is clearer and better-understood by applicants ✓ Increase in productivity as effort expended on premature BP review (and related re-work) is avoided
P8	Staff have historically had difficulty in finding approved drawings or studies due to challenges with record-keeping	Make broader use of existing DAP software platform (CloudPermit)	<ul style="list-style-type: none"> Provide training to staff on uploading documents into CloudPermit to address any knowledge gaps with using the software for document storage Create one intake channel for e-mail submissions (e.g., DAPsubmission@midland.ca) – until the online intake portal is fully operational Implement a business process for monitoring the inbound channel, ensure files are warehoused in CloudPermit, and review staff are notified of a new submission – until the online intake portal is fully operational 	<ul style="list-style-type: none"> ✓ Increase in productivity as effort and time required to find materials, and the probability of time wasted on incorrect materials, is reduced ✓ Improvements to customer service as staff will have ready access to up to date submission materials, obviating the need to ask for materials to be re-sent by the applicant

⁷ The Town may wish to specify that the clearance is required for an above-grade building permit

Table 5-2: Process improvements relating to staffing/resources

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
S1	Management currently has limited ability to make strategic decisions about future resourcing needs in relation to DAP workload due to lack of long-term forecasting of demand for DAP services	Conduct a development approvals staffing workload review	<ul style="list-style-type: none"> Develop a realistic forecast of application volumes (include tranches of any phased subdivision approvals that generate engineering staff workload) for the next 3 to 5 years After the fees review has quantified activity-based effort on various file categories, analyze the total future processing effort needed based on the forecasted volumes Develop a staff phasing-in strategy and provide a report to Council for approval to phase-in staff hires on the premise that all staff time is fully cost-recovered through application fees⁸ <p>Note: Also refer to S5 which uses outsourcing to assist the Town with workload should there be difficulty hiring on new staff in the current highly competitive job market.</p>	<ul style="list-style-type: none"> Improvements to customer service as resources are better aligned to workload, to keep all files moving through the process Improvements to staff morale as workload pressures are rebalanced
S2	Small staffing complement requires technical staff to work across multiple sub-disciplines, sometimes outside of their area of expertise			
S3	Staff have limited ability to put effort towards longer-term strategic projects (e.g., updating Terms of Reference or design standards) due to constant need to address more urgent day to day workload (“putting out fires”)			
S4	Ongoing workload relating to applications before the Ontario Land Tribunal further reduces staff capacity to process applications in a timely manner	Implement other improvements and monitor	<ul style="list-style-type: none"> Implement other improvements and monitor <p>Note: The Town may consider outsourcing to a professional planner, engineer, etc., to alleviate the burden of an appeal and allow staff time to stay focused on development approvals workload. See S5 below for the outsourcing recommendation.</p>	<ul style="list-style-type: none"> Increase in overall productivity as effort and time required to handle OLT files is reduced Improvements to processing times as staff are able to spend less time on OLT matters and more time focusing on processing applications

⁸ It should be noted that Hamilton has taken this approach

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
S5	Town does not have a roster of pre-approved consultants/vendors that can be called upon to support development application review for peak periods or in cases requiring specialized technical expertise.	Make use of roster of pre-approved consultants/vendors for third-party reviews	<ul style="list-style-type: none"> • Develop and issue an Request for Standing Offer (RFSO) to procure consultant services across all DAP technical disciplines⁹ • Monitor workload volumes and call-up the consultant services to support throughput (i.e., to address periods of high application volumes) • Monitor pre-consultation and technical issues of the development needing consultant expertise, then provide a ‘heads-up’ to the consultant based on the applicant’s expected submission date (to facilitate prompt response), and then provide authorization for the consultant to proceed once the application is deemed complete <p>Note: Also see S6 below.</p>	<ul style="list-style-type: none"> ✓ Increase in productivity as technical and professional staff are freed up to spend more time on their core functions ✓ Increase in productivity as effort and time required to procure third-party review services will be reduced
S6	Lack of clarity regarding the roles and responsibilities of Planning vs. Engineering departments (e.g., who should be responsible for procuring third-party vendors).	Clarify roles and responsibilities across development approvals processes	<ul style="list-style-type: none"> • Create a formal list of technical review functions/duties required across all DAP channels • Identify which functions/duties are in-sourced by staff (across the various departments serving DAP) and which need to be out-sourced <p>Note: Also see S5 above.</p>	<ul style="list-style-type: none"> ✓ Expectations of management will be appropriately aligned with Town processes

⁹ The RFSO should be flexible so that specialized consultants can propose for their unique area of expertise, and multidisciplinary firms can propose for multiple technical services.

Table 5-3: Process improvements relating to use of technology

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
T1	The Town does not make use of a development approvals workflow platform for planning or engineering approvals processes	<p>Acquire and configure CloudPermit’s planning modules to maximize DAP performance and measure results</p>	<ul style="list-style-type: none"> • Define “must have” functionality requirements for CloudPermit in relation to development approvals processes: <ul style="list-style-type: none"> ○ Identify a CloudPermit champion on Town staff that will lead the technology transformation ○ Develop a CloudPermit strategic implementation plan (SIP) that identifies the triaged staging-in of additional CloudPermit modules, including training and software support ○ Present the CloudPermit SIP to Council and conduct outreach to the development industry ○ Incorporate funding requests for CloudPermit based on the SIP into the annual budgeting cycle ○ Update application fees as appropriate to achieve cost recovery • Engage a third-party subject matter expert to work with the Town to ensure a robust CloudPermit configuration based on future state processes: <ul style="list-style-type: none"> ○ Research and liaise with other municipalities using CloudPermit to identify those municipalities that have fully integrated planning and building functions, and identify potential third-party experts that can serve the Town ○ Validate qualifications of an expert and establish a revolving retainer for CloudPermit support, specifically app development and integration <p>Note: Also see Recommendation T6 below.</p>	<ul style="list-style-type: none"> ✓ Improvement to customer service as timeliness since the software helps manage workflow and prioritization of review ✓ Increase in productivity as technical and professional staff are freed up to spend more time on their core functions ✓ Improved oversight by management on DAP and opportunities for continuous improvement
T2	Town cannot easily track application review processing/timeframes performance of the planning and engineering DAP team or that of applicants due to lack of development approvals workflow software platform			
T3	Staff are not easily able to prioritize which planning and engineering application files should be worked on first due to lack of development approvals workflow software platform (i.e., staff must spend time prioritizing files on an ongoing basis instead of being aided by automated business processes)			

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
T4	Staff have no ability to use automated means to filter out or flag incomplete applications as planning and engineering approvals processes are not currently implemented in the Town’s development approvals platform (CloudPermit)	Configure the CloudPermit online intake portal to filter out incomplete applications or flag incomplete planning applications based on the pre-determined list of mandatory submission elements	<ul style="list-style-type: none"> • Configure the CloudPermit database and intake portal to crosslink a pre-consultation file number with the file number of an application uploaded through the online portal • Configure the portal to prompt the applicant specifically for the required plans and studies identified through pre-consultation • Configure the online portal with a validation script that ensures the required plans and studies are uploaded (otherwise the applicant gets an error message)¹⁰ • Ensure the online portal issues a receipt to the applicant confirming that the intake has occurred while also clearly indicating that the application is not deemed complete until reviewed by staff • Once this first stage implementation has been deployed successfully, extend this functionality to the intake of engineering submissions during the post-draft plan of subdivision process 	<ul style="list-style-type: none"> ✓ Improvements to customer service as application process is clearer and better-understood by applicants ✓ Increase in productivity as technical and professional staff are freed up to spend more time on their core functions rather than handling the intake step ✓ Improvements to overall processing times as application quality will likely increase ✓ Improvements to both overall and technical review processing times as staff do not need to spend as much time commenting on the inadequacy of materials and can focus their first round of technical review on a substantive review of materials
T5	Planning staff do not make use of collaborative design review software platform (Bluebeam) used by other business units (e.g., Engineering)	Expand use of the Bluebeam software and markup functionality to all departments involved in review of design elements	<ul style="list-style-type: none"> • Identify and procure the required number of licenses to equip end-users with the Bluebeam software • Deliver training to end-users and arrange for helpdesk support with the software for new users as needed 	<ul style="list-style-type: none"> ✓ Improvements to processing times as interdepartmental collaborative review functions can be carried out simultaneously and/or with less need for internal follow-up between departments

¹⁰ In this instance, it is important for the online portal to allow the applicant to save their work mid-way and then come back with additional information to complete the upload; if an applicant has to totally restart the application process due to an error, this is counter to the principle of the online portal being customer-service oriented.

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
T6	Existing implementation of CloudPermit makes reporting difficult or otherwise limits the ability of staff to produce meaningful reports for management	Prioritize results-based performance reporting to drive accountability and improvement	<ul style="list-style-type: none"> Identify the specific "dashboard" interface needed to enable effective management oversight of DAP, and configure the dashboard Establish a weekly cadence of management review of past results and upcoming workflows Identify the quarterly, biannual, and/or annual reporting requirements and configure the reporting templates (reports to be auto-generated by CloudPermit) Engage Council on the reporting of the DAP results <p>Note: Also See T1, T2, and T3 above, and PM4 below.</p>	<ul style="list-style-type: none"> ✓ Improvements to management oversight of DAP service delivery performance ✓ Improvement in Council’s understanding of DAP performance and on-going continuous improvement opportunities
T7	Building staff still process an unnecessary volume of BP applications in hard copy format due to users being unable or unwilling to use CloudPermit platform, resulting in additional burden on staff to do additional data entry	Provide a publicly-accessible CloudPermit terminal at Town offices	<ul style="list-style-type: none"> Procure and configure a computer "kiosk" with the CloudPermit app Update the Town's website to communicate the availability of the new kiosk Outreach to the building industry about the availability of the new "kiosk" to promote usage of it Ensure frontline staff are able to assist kiosk users as needed Once CloudPermit is fully online with an intake portal, monitor usage of the kiosk and phase it out when usage of it becomes infrequent 	<ul style="list-style-type: none"> ✓ Improvements to customer service as staff can assist in real-time if needed ✓ Improvements to productivity as demand for staff assistance and/or hard copy submissions is reduced

Table 5-4: Process improvements relating to performance management

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
PM1	Town does not currently have key performance indicators defined for development approvals processes	Execute a development approvals process performance measurement implementation project	<ul style="list-style-type: none"> Apply the approach from Section 5.4 of this report to develop a suite of potential KPIs, refine the list based on the Town’s administrative/managerial capacity to measure the KPIs, and select the most appropriate KPIs to monitor performance Also triage KPIs between those that can be applied for performance measurement now, versus those that can be applied for performance measurement with a more robust CloudPermit implementation and integrate those KPIs in CloudPermit’s reporting <p>Note: Also see PM2 below.</p>	<ul style="list-style-type: none"> Improvements to managerial oversight as patterns and trends in DAP service delivery performance can be identified, and issued addressed as needed
PM2	Management has limited ability to track performance of DAP service delivery in relation to regulatory requirements for processing of applications within specific timelines	Establish KPIs in line with regulated timeframes and service standards	<ul style="list-style-type: none"> Establish KPIs in line with Building Permit deeming complete and approvals timelines Establish KPIs in line with Planning Act pre-consultation, deeming complete, technical review cycles, approvals, and Bill 109 fee refund timelines Establish KPIs based on internal and external service standards (timeliness of processing) 	<ul style="list-style-type: none"> Improvements to managerial oversight as patterns and trends in DAP service delivery performance can be identified, and issued addressed as needed
PM3	Applicants cannot check the progress or status of file review processes for planning or engineering approvals through the current implementation of the CloudPermit platform	Make use of CloudPermit platform to enable applicants to check file status on demand	<ul style="list-style-type: none"> Invest in the CloudPermit online portal module for planning applications If the CloudPermit module for online intake does not allow for “out of the box” applicant tracking of file status, engage the third-party expert (see T1, T2, T3) to develop the app/interface for this functionality <p>Note: Also see T1, T2, and T3 above.</p>	<ul style="list-style-type: none"> Improvements to customer service as application process is clearer and better-understood by applicants Improvements to productivity as demand for staff assistance is reduced (i.e., reduced demand for staff to respond to status update inquiries)

Item	Issue	Recommendation	Changes or Process Improvements	Benefits
PM4	Council has limited oversight of performance in the delivery of DAP services, and Town has limited ability to communicate performance to key stakeholders	Make broader use of CloudPermit reporting functionality	<ul style="list-style-type: none"> • Make use of CloudPermit platform to enable provision of regular performance reporting from senior management to Council • Use reporting (processing timeframe results versus targets) to engage with Council and the local development industry on continuous improvement activities <p>Note: Also see T6, PM1, and PM2 above.</p>	<ul style="list-style-type: none"> ✓ Improvements to managerial oversight as patterns and trends in DAP service delivery performance can be identified, and issued addressed as needed ✓ Improvements to customer service as typical, real-world processing timeframes can be reported publicly ✓ Expectations of Council will be appropriately aligned with Town processes and resources
PM5	Positive relationships are conducive to a well-functioning DAP environment and Town must have regard to Section 2(n) of the Planning Act which is “the resolution of planning conflicts involving public and private interests”.	Open a channel of dialogue with the development industry and implement conflict resolution techniques	<ul style="list-style-type: none"> • Hold bi-annual or annual summits with developers that are active in the community to update them on current/forthcoming DAP improvements and engage with them on other continuous improvement initiatives • Develop a customer service standard indicating the Town’s desire to collaborate with applicants and resolve issues¹¹, and communicate this on the website, to the development industry, and on placards at Town Hall • Develop a conflict resolution protocol that inserts interim measures of escalation to allow successive levels of more senior staff or decision-makers to resolve conflict¹², which encourages an applicant to work with the Town rather than seek recourse to the Ontario Land Tribunal 	<ul style="list-style-type: none"> ✓ Improved relationship between the Town and the development community ✓ Stronger partnership between the Town and the development community, in particular on continuous improvement ✓ Significant reduced likelihood of OLT appeals, having significant spin-off benefits to DAP workflow and cost recovery ✓ Improvement in Council’s understanding of DAP performance and the relationship between the Town and the development community

¹¹ It should be noted that Section 2(n) of the Planning Act shall have regard to “the resolution of... conflicts involving public and private interests”.

¹² This could involve, for example, a protocol that allows front-line staff discretion on certain matters, then escalation from a ‘junior’ frontline staff to a ‘senior’ frontline staff, then to a manager, then to a director, and finally to Council.

5.3.1 External Stakeholders Key to Successful DAP System in Midland

The preceding recommendations focus on process and process-related elements that the Town can control and improve. While having the right processes in place is critical to the success of any system, the varied stakeholders that will make use of the system also matter when planning for success. The success or failure of any DAP system is inherently shared between the municipality and its external stakeholders – the proponents, consultants and third party stakeholders who operate within the system.

In short, a great DAP system relies on having the right processes in place and stakeholders willing to participate in the system as designed. This is especially true of proponents, as they drive demand for the provision of DAP services, and their willingness and ability to follow the processes and procedures laid out by the Town will dictate the degree to which the Town’s DAP system will be successful. When considering the recommendations presented in this report, it is important to remember the key role that the local development community will have to play in supporting an efficient, effective and customer service-oriented DAP system in Midland.

5.3.2 Additional Planning Needed for Improvements to Use of Technology

Multiple recommendations revolve around the need to fully implement DAP processes in the Town’s CloudPermit development approvals management platform. While the recommendations may be brief in nature, their brevity should not be interpreted to imply that their implementation will be simple or easy to execute successfully.

Over the course of the future state stakeholder engagement activities, Town staff voiced the view that improvements need to be made to the existing implementation of the CloudPermit platform before additional approvals processes are fully integrated into the system.

Accordingly, the recommendations pertaining to implementation of development approvals processes in the CloudPermit platform should be considered and planned for in a way that recognizes the substantial work that needs to be undertaken to improve the CloudPermit platform in general. The varying degrees of effort and time that will likely be required to implement recommendations relating to CloudPermit have been accounted for in the phasing of recommendations delineated in the implementation roadmap included in **Section 6.1** of this report.

5.4 Performance Measurement

As Midland implements *Future State* process streamlining and commits to ambitious Provincially-mandated housing approvals/construction targets, the design and deployment of accountability-driven performance measurement tools becomes mission critical.

5.4.1 Driven by LEAN Thinking

The design of Midland's development review process (DAP) performance measurement toolkit should be driven by LEAN thinking¹³. As Midland development industry stakeholders confirmed, a high-performing development approvals model must centre on consistency and predictability, as shown in **Figure 5-4**.

The DAP assembly line must achieve consistent/appropriate processing velocity. In order to do so Midland must execute appropriate quality control of applicant submission packages to avoid inefficiencies/wasted effort during Technical Review Cycles. Once Midland confirms standardized processing timeframes (velocity) for Technical Review Cycles, each outside agency DAP partner can and should resource itself appropriately to meet those timeframe targets.

Development Approvals Processes as an Industrial Assembly Line

- Velocity of the DAP assembly line (timeliness of technical inputs feeding Midland Application Decision outputs)
- Assembly line quality control (addressing completeness/ quality of DAP submissions for review)
- Consistency of the Midland DAP assembly line (velocity + quality control) as it processes a high volume of Application Decision outputs



Figure 5-4: Development approvals processes as an industrial assembly line

¹³ LEAN thinking originated in manufacturing (Toyota) and has been adapted to many other sectors. LEAN thinking optimizes processes, maximizes customer value, and while minimizes non-value-added work. Simply, LEAN means creating more value for customers with fewer wasted supplies/personnel/time/cost. For more information, see www.lean.org.

Midland is making a future state commitment to integrated tracking/executing of its future DAP workload via a front-end public portal and a back-end CloudPermit workflow tool. Midland’s development tracker solution will need to deploy countdown clock functionality. Countdown clocks will need to measure controllable file processing days and produce timely reports for Midland (see **Figure 5-5**). These countdown clock performance reports will compare actual file processing timelines to target timelines that have been endorsed by Town management and Council. Additional countdown clock functionality will also track and report file processing days that a given application/submission package was in the control of the applicant or their consultant. Midland’s countdown clock functionality should be able to configure and report on differentiated first Technical Review Cycle timeframes versus subsequent Review Cycle timeframes.

Specialized processing timeframe reports can and should address compliance with the Province’s regulatory timeframes, which are based on calendar days and make no differentiation based on controllable file processing days. For example, a Bill 108 “no municipal decision” countdown clock will help Midland avoid OLT challenges by triaging applications to meet deadline targets. Midland can also measure Site Plan Approval and ZBA processing timeframes against Bill 109 fee claw-back deadlines.

Finally, Midland can apply countdown clock timeframe tracking/target setting for new expanded technical review processes embedded in its new Pre-consultation By-law – a Review Cycle(s) that will occur after traditional Pre-consultation but prior to the submission of an official *Planning Act* application.

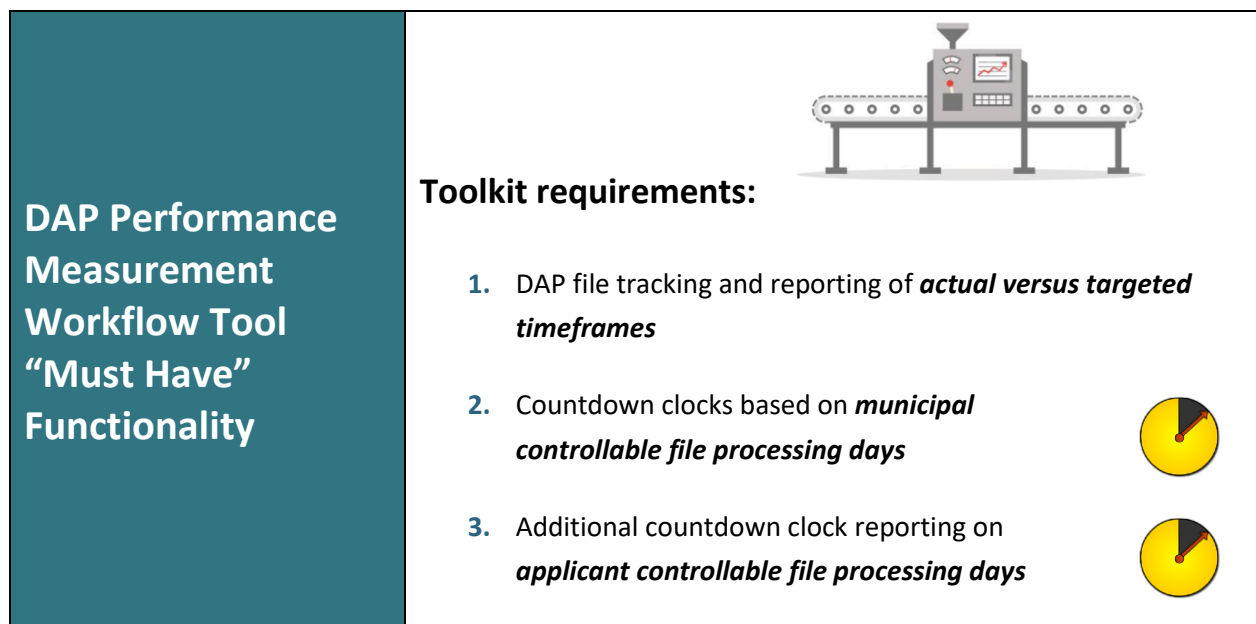


Figure 5-5: DAP performance measurement workflow tool functionality

5.4.2 Quantifying Standardized Units of DAP Output

The key to successful DAP performance tracking and resourcing is to quantify and count standardized units of output (DAP products), as summarized in **Figure 5-6**. Midland's DAP processing outputs are fairly straightforward.

Midland executes Technical Review Cycles as a standard unit of DAP Output across various application categories. The number of required Review Cycles per DAP application varies. The Technical Review Cycle Inputs generated by a wide array of Town business units inform Technical Review Cycle Outputs produced by Midland as the sole approval authority across all DAP approvals channels.

Midland is accountable for properly resourcing itself (Town staff and/or contractor hours of processing capacity) to process the required number of Technical Review Cycles at the agreed-upon assembly line velocity/timeframes embedded in its DAP KPI targets. These targets should be approved by Senior Management and Council.

Core DAP Processing Outputs

<ol style="list-style-type: none"> 1. <i>Pre-Consultations executed & documented in a Pre-Con Understanding</i> 2. <i>Technical Review Cycles executed prior to official application submissions (hypothetical for now)</i> 3. <i>Technical Review Cycles executed after an application has been received & Deemed Complete/Incomplete (current approach)</i> 	<p>These <i>core DAP processing outputs</i> are countable and measurable:</p> <ul style="list-style-type: none"> ● # of Pre-Consultation Understandings generated annually ● # of Technical Review Cycles generated annually (before applications) ● # of Technical Review Cycles generated annually (after applications)
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Figure 5-6: Core DAP processing outputs

5.4.3 Design of Key Performance Indicators Focussed on Technical Review Cycles

In the realm of DAP, there are four activity-based channels of outputs (prior to application approval) that are conducive to key performance indicator (KPI) tracking and target-setting:

1. Traditional Pre-consultations (Pre-Bill 109).
2. Pre-Submission Technical Review Cycles (Bill 109 adaptation).
3. Application submissions Deemed Complete/Incomplete.
4. Traditional Technical Review Cycles following the Deemed decision.

When considering the detailed design of DAP KPIs, Midland should adopt two key design concepts:

- *Average processing times* should be adopted to reflect processing velocity related to the DAP (LEAN) conveyor belt; and
- The *frequency at which processing timeframe targets are met* (a batting average) should be tracked to evaluate DAP processing consistency/dependability.

Beyond processing timeframes per Review Cycle, Midland should also track the absolute number of Technical Review Cycle “back and forth volleys” with the applicant that are required per application. The number of Technical Review Cycles is the main driver of workload for DAP in Midland – not the number of applications because the number of Review Cycles/application varies widely across and within various Planning application categories.

These key design concepts are summarized in **Figure 5-7**.

KPI Design Concepts	
<p style="text-align: center;">Technical Review-Timeframes</p> <p>Percentile "batting average" approach (e.g., 8 out of 10 Site Plan Technical Review Cycles executed in 20 controllable file days or less)</p> <p style="text-align: center;">Average (actual) timeframes versus Average (target) timeframes</p>	<p style="text-align: center;">Technical Review Cycle-Counts</p> <p>Percentile approach (6 out of 10 Site Plans executed in less than 3 Review Cycles)</p> <p style="text-align: center;">Average actual number of Review Cycles versus average target number of Review Cycles</p>

Figure 5-7: Key performance indicator design concepts

5.4.3.1

Recommended Key Performance Indicators for Technical Review Cycles

Figure 5-8 sets out the KPIs that Midland should adopt for tracking and reporting results associated with its execution of Technical Review Cycles. KPIs include processing time averages per Review Cycle, the average number of Review Cycles per application, and the percentile of Review Cycles achieving a timeframe target set out by Midland.

The Performance Measurement “Best Practice” Case contained in this Final Report sets out a proven/practical “how to do it” implementation roadmap that informs our KPI recommendations.

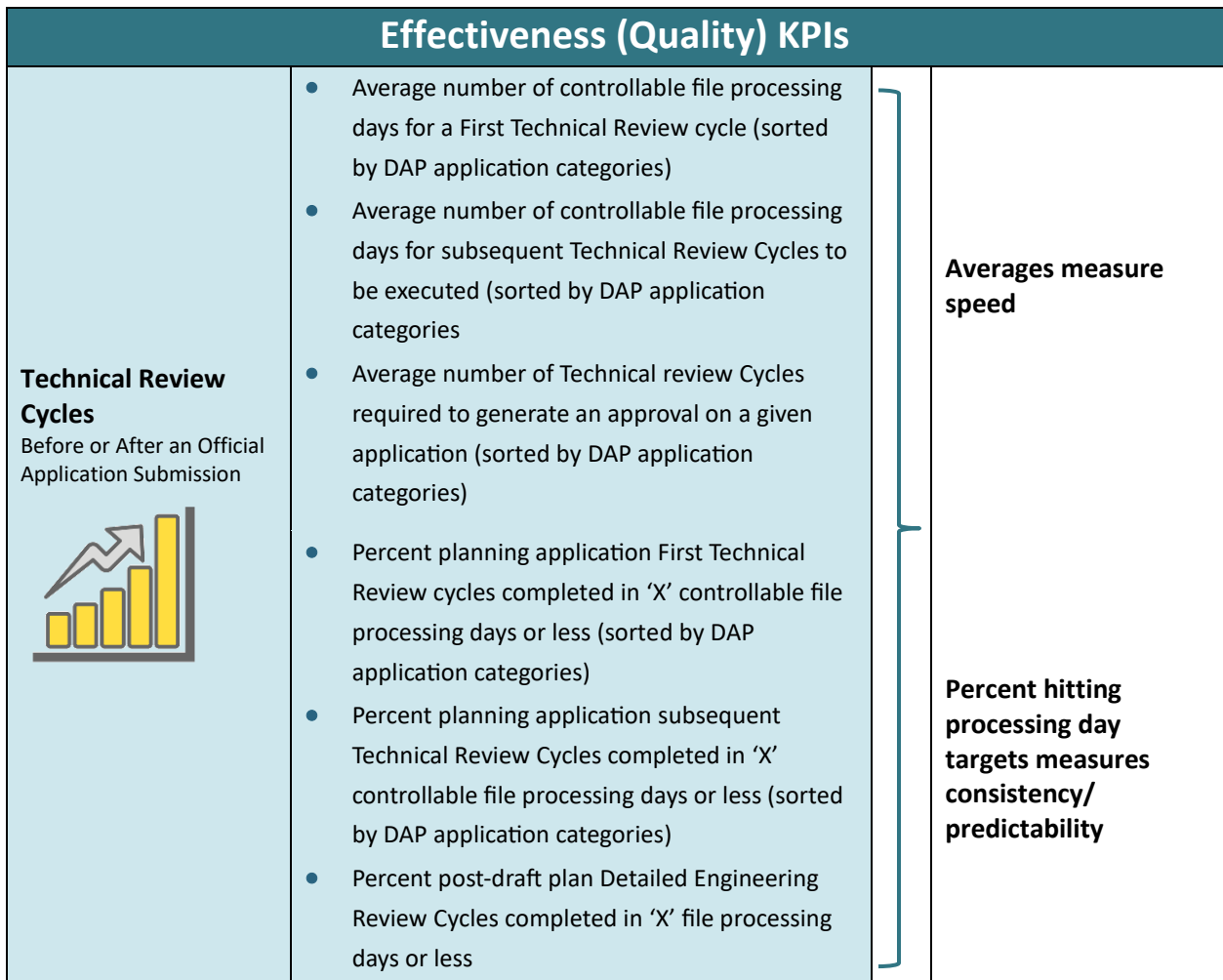


Figure 5-8: Effectiveness (quality) key performance indicators

5.5 Measuring the Financial Benefits

A comprehensive, fully implemented review of Midland's PRODS should generate the following benefits:

1. Well-managed "growth pays for growth" cost recovery of staff processing effort across all DAP application categories and supporting activities/permits. Development fees modernization removes any unintended or counter-productive property tax subsidization of DAP.
2. Improved consistency of execution and predictable DAP processing timeframes. Actual timeframes (number of controllable file processing days) are evaluated against performance targets for core DAP application categories.
3. Efficiency gains resulting from improved allocation of staffing resources, process re-engineering and technology platform productivity enhancements. Finite staff resources are redeployed so the right people are doing the right things. The trajectory of staffing cost increases is flattened over time.

It is noted that Midland is in the midst of a “growth pays for growth” fees modernization via the ongoing fees review that commenced at the same time as this service review.

Implementation of some of the strategic and tactical recommendations put forward in this report will secure process re-engineering benefits and stable processing timeframes. The financial benefits associated with these types of improvements will accrue to DAP stakeholders. Timeframe certainty will allow development industry applicants to manage the cash flow and supply chain complexities of their business more effectively. While it is outside the scope of this review to quantify the financial benefits to applicants, they should nonetheless be recognized as significant.

Table 5-5 provides a qualitative characterization of how cost savings are expected to be generated across the suite of recommendations.

Table 5-5: Qualitative characterization of expected cost savings

Item	Recommendation	Qualitative Characterization of Expected Cost Saving
P1	Continue efforts to establish a best practice pre-consultation model	Saves time later on in the process
P2	Continue efforts to improve post-preconsultation communication with applicants	Saves time later on in the process
P3	Prepare and maintain Terms of Reference for frequently required studies	Saves time later on in the process
P4	Establish a two-step “deemed complete” process for Planning Act applications	Saves time later on in the process
P5	Establish timeframe standards for all technical review cycles	Streamlines workflow
P6	Implement a formalized application intake process for detailed engineering review	Saves time later on in the process
P7	Document process transitions between Site Plan Approval and Building Permit processes	Streamlines workflow and saves time
P8	Make broader use of existing DAP software platform (CloudPermit)	Saves time later on in the process
S1/S2/S3	Conduct a development approvals staffing workload review	Right-size staffing levels to workload
S4	Implement other improvements and monitor	Streamlines workflow
S5	Make use of roster of pre-approved consultants/vendors for third-party reviews	Streamlines workflow
S6	Clarify roles and responsibilities across development approvals processes	Streamlines workflow
T1/T2/T3	Acquire and configure CloudPermit’s planning modules to maximize DAP performance and measure results	Streamlines workflow

Item	Recommendation	Qualitative Characterization of Expected Cost Saving
T4	Configure the CloudPermit online intake portal to filter out incomplete applications or flag incomplete planning applications based on the pre-determined list of mandatory submission elements	Saves time later on in the process
T5	Expand use of the Bluebeam software and markup functionality to all departments involved in review of design elements	Streamlines workflow
T6	Prioritize results-based performance reporting to drive accountability and improvement	Streamlines workflow
T7	Provide a publicly-accessible CloudPermit terminal at Town offices	Streamlines workflow
PM1	Execute a development approvals process performance measurement implementation project	Streamlines workflow
PM2	Establish KPIs in line with regulated timeframes and service standards	Streamlines workflow
PM3	Make use of CloudPermit platform to enable applicants to check file status on demand	Streamlines workflow
PM4	Make broader use of CloudPermit reporting functionality	Streamlines workflow
PM5	Open a channel of dialogue with the development industry and implement conflict resolution techniques	Streamlines workflow and saves time (by avoiding OLT appeals)

As noted above, Midland is in the midst of a fees review. This means that the quantification of staff time for various DAP processing activities remains underway and is not available to inform a dollar value estimate of cost savings (i.e., if the fees review quantified how much time staff spend on a site plan pre-consultation, then a dollar value of cost savings could be estimated based on the resultant reduced level of effort from a recommended business process improvement). Furthermore, workload volumes for official plan amendments, re-zonings, plans of subdivision, and site plan have been variable (see **Table 3-1**) with 16, 17, and 4 of these applications in 2020, 2021, and 2022, respectively, making it difficult to estimate savings based on forecasting future file volumes from historical activity.

Even so, Midland's ability to streamline processes, create certainty at each process step, and reduce conflict can help avoid the costly re-occurrence of appeals to the Ontario Land Tribunal. Furthermore, the carrying cost of infrastructure investments that Midland has made can be reduced through expediting development, so there is cost-savings for infrastructure gained through DAP process improvement. Bearing in mind that many other recommendations have the benefit of streamlining workflow and saving time in the process at subsequent steps, the anticipated time savings are expected to have a compounding effect on the bottom line.

As already noted, significant financial benefits will accrue to applicants as a result of these recommended improvements. Midland may wish to engage in a dialogue with development industry stakeholders to gain insight into the quantifiable cash flow/supply chain benefits (in terms of dollars) that applicants could secure from a critically important improvement in overall DAP timeframe stability.

Lastly, it is also important to note that any additional resources needed to improve service delivery are considered cost-neutral to Midland – this is because the development review function operates on a cost-recovery basis, and so a commensurate increase in development fees will offset the costs of new technology, additional staff, etc.

6.0 Implementation, Monitoring and Evaluation



6.1 Implementation Roadmap

The Town needs to champion implementation through leadership, assigning resources, and setting achievable timeframes for implementing the recommendations. It is expected that the Planning Services division will lead implementation in close coordination with the Building Services and Engineering divisions, respectively. If significant resources are needed, implementation will follow after approval of funding.

The implementation roadmap given in **Table 6-1** identifies realistic timeframes for implementation of the various recommendations according to the following categories:

- **Do now**, which refers to activities that can and should be undertaken immediately;
- **Do soon**, which refers to activities that may have longer lead times due to associated pre-work or other dependencies, but which should still be undertaken sooner than later (i.e., within approximately 1 to 2 years);
- **Do later**, which refers to activities that will require lengthier implementation periods or which should follow others due to pre-work or other dependencies; such activities should be fully executed within approximately 2 to 5 years.

The proposed implementation timeframes have been based on the relative priority and assumed level of effort needed to successfully implement each recommendation.

Table 6-1: Implementation roadmap¹⁴

Item	Recommendation	2023 Q1-Q2	2023 Q3-Q4	2024 Q1-Q2	2024 Q3-Q4	2025 Q1-Q2	2025 Q3-Q4	2026 Q1-Q2	2026 Q3-Q4	2027 Q1-Q2	2027 Q3-Q4
P1	Continue efforts to establish a best practice pre-consultation model										
P2	Continue efforts to improve post-preconsultation communication with applicants										
P3	Prepare and maintain Terms of Reference for frequently required studies										
P4	Establish a two-step “deemed complete” process for Planning Act applications										
P5	Establish timeframe standards for all technical review cycles										
P6	Implement a formalized application intake process for detailed engineering review										
P7	Document process transitions between Site Plan Approval and Building Permit processes										
P8	Make broader use of existing DAP software platform (CloudPermit)										
S1/S2/S3	Conduct a development approvals staffing workload review										
S4	Implement other improvements and monitor										
S5	Make use of roster of pre-approved consultants/vendors for third-party reviews										
S6	Clarify roles and responsibilities across development approvals processes										
T1/T2/T3	Acquire and configure CloudPermit’s planning modules to maximize DAP performance and measure results										
T4	Configure the CloudPermit online intake portal to filter out or flag incomplete applications										
T5	Expand use of the Bluebeam software and markup functionality to all departments involved in review of design elements										
T6	Prioritize results-based performance reporting to drive accountability and improvement										
T7	Provide a publicly-accessible CloudPermit terminal at Town offices										
PM1	Execute a development approvals process performance measurement implementation project										
PM2	Establish KPIs in line with regulated timeframes and service standards										
PM3	Make use of CloudPermit platform to enable applicants to check file status on demand										
PM4	Make broader use of CloudPermit reporting functionality										
PM5	Open a channel of dialogue with the development industry and implement conflict resolution techniques										

¹⁴ Refer to **Section 5.3** of this report for detailed descriptions of each recommendation.

6.2 Ongoing Monitoring and Evaluation

The successful implementation of any plan necessitates meaningful monitoring and evaluation along the way so as to ensure that things get done, or to modify the plan if needed. As it proceeds through implementation, the Town should prepare end-of-year internal progress reporting on an annual basis. The progress reports should function as a brief summary of what has been achieved in the preceding year, the activities that are actively underway, and the roadmap for remaining implementation activities yet to be undertaken.

Appendix A

Best Practice Case Studies

1.0

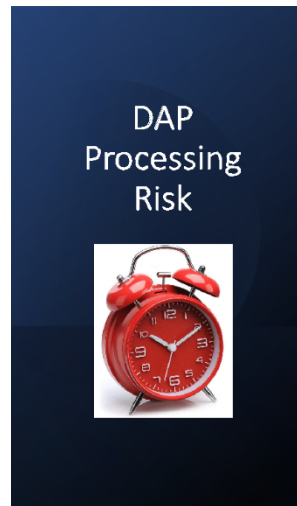
Case Study 1: Adopting a “Growth Pays for Growth” DAP Cost Recovery Model

Modernized full-cost Planning/Engineering Development Approvals Process (DAP) revenue streams are required to fund the necessary DAP staffing and IT workflow tool investments intended to secure reasonable/predictable processing timeframes. DAP “growth pays for growth” revenue streams can reduce/eliminate property tax subsidization by existing taxpayers to fund new development.

1.1

Issues

Until 2023, the focus for improving “Growth Pays for Growth” cost recovery was modernizing the design of a municipality’s Section 69 Planning Act fees using an activity-based costing approach (**Figure 1**, right). Bill 109 has altered that singular approach to municipal cost recovery for Site Plans and Rezoning. New highly compressed



application processing deadlines in Bill 109 are acting as a major disruptor for efficient and orderly DAP process execution. Site Plan and Rezoning fee refunds will almost certainly be required if status-quo timelines for decisions/approvals remain in place.

The Province has compressed municipal “no decision” timeframe triggers for applicants to appeal to the OLT (Bill 108). Bill 109 has added to the municipal timeframes compression by creating fee refund/claw back penalties pertaining to Site Plan, Rezoning, and OPA files that fail to reach ambitious new processing deadlines. Bill 109 fee claw backs represent a serious risk of revenue leakage for all municipalities - including those that have already implemented full-cost “Growth Pays for Growth” DAP fees. Site Plan and Rezoning fee refunds (2023 and beyond) triggered by Bill 109 will create property tax burden increases in order to fund DAP staff.

Finally, infrastructure design issues and built form innovations requiring resolution through DAP are growing more complex over time. DAP staffing capacity shortfalls within a municipality can cause systemic/cascading processing timeframe failures, which in turn can prompt developers to pursue “planning by OLT” as opposed to working collaboratively with municipalities.

- “Deemed Complete” starts the Bill 108/Bill 109 calendar days clock
- Calendar days clock ignores reality of the DAP conveyor belt
 - What about the Technical Circulation ping-pong between applicants and municipalities?
 - Bill 109 opportunity for applicants to “game the system” & claw back Planning Act fees by running out the calendar day clock
- Municipal real-world DAP processing clock is all about “controllable file days”
 - Real-world DAP clock turns on/off with applicant’s consultants via the ping pong game

It is a political fact of life that elected Councils are wary of tax supported staffing increases for DAP. Councils are typically more willing to consider DAP fee supported staffing investments that result in minor/zero net tax supported budget impacts. DAP staffing models across Ontario often suffer from chronic under-resourcing. Development Engineering teams (including designated subject matter experts) are especially prone to understaffing. Development Engineering staffing models do not reflect the fact that the Draft Plan of Subdivision application volumes typically generates multiple Detailed Engineering Review phases per Draft Plan. The result is a *volume multiplier* workload challenge when executing multiple Engineering DAP phases - with each phase requiring approval of infrastructure design packages, production of Early Servicing Agreements, production of a Subdivision Agreement, and a standalone Registration process.

1.2 Best Practice – Opportunities for Consideration

Figure 1 illustrates the “Growth Pays for Growth” benefits of a full cost fee review. The figure reflects the actual cost recovery impacts of an Ontario municipality. A property tax subsidy exceeding \$1.3 million is eliminated by implementing full cost fees. The additional revenue provides a municipal council with the fuel required to secure new processing muscle in the form of additional staff or consulting processing hours.

APPLICATION TYPE	Forecast Average Volumes	Status quo Fee	Status quo Revenue	Proposed Fee	Proposed Fee Revenue
Site Plan - Non-residential - Standard	15	\$ 3,000	\$ 45,000	\$ 14,452	\$ 216,778.16
Site Plan - Non-residential - Complex	6	\$ 3,000	\$ 18,000	\$ 27,187	\$ 163,124.57
Site Plan - Residential - Standard	10	\$ 2,700	\$ 27,000	\$ 14,452	\$ 144,518.77
Site Plan - Residential - Complex	14	\$ 2,700	\$ 37,800	\$ 27,187	\$ 380,624.00
Site Plan - Right of Way Improvements		\$ -	\$ -	\$ 22,272	\$ -
Draft Plan of Subdivision	2	\$ 6,675	\$ 13,350	\$ 32,812	\$ 65,623.19
Draft Plan of Subdivision - Right of Way		\$ -	\$ -	\$ 8,997	\$ -
Development Engineering Review (Phases)	4	5.5%	\$ 440,000	6.0%	\$ 480,000.00
Zoning By-Law Amendment - Standard	15	\$ 6,000	\$ 90,000	\$ 15,995	\$ 239,920.08
Zoning By-law Amendment - Complex	5	\$ 6,000	\$ 30,000	\$ 33,599	\$ 167,995.72
Official Plan Amendment	4	\$ 8,000	\$ 32,000	\$ 33,599	\$ 134,396.58
Committee of Adjustment - Minor Variance	55	\$ 1,000	\$ 55,000	\$ 1,929	\$ 106,108.53
Committee of Adjustment - Consent w Lot	7	\$ 1,000	\$ 7,000	\$ 4,015	\$ 28,105.98
Committee of Adjustment - Consent w/o Lot	10	\$ 1,000	\$ 10,000	\$ 407	\$ 4,071.74
			\$ 805,150		\$ 2,131,267

* Development Engineering Review assumes \$2,000,000 construction value per Application

Figure 1: Excerpt from recent Full Cost Fee Review for an Ontario Municipality

Overall DAP cost recovery targets in the 75% to 100% range are advisable. The DAP cost-of-service “base” for these recovery targets should include IT system costs, indirect support costs like HR/Finance/Legal, a portion of Governance costs, and frontline DAP delivery costs wherever they are located within a municipal organization structure. The DAP cost base must be understood to extend well

beyond a generic municipal Planning department. Full cost DAP fee reviews/studies are an important source of technical legitimacy for securing a “growth pays for growth” municipal budgeting model.

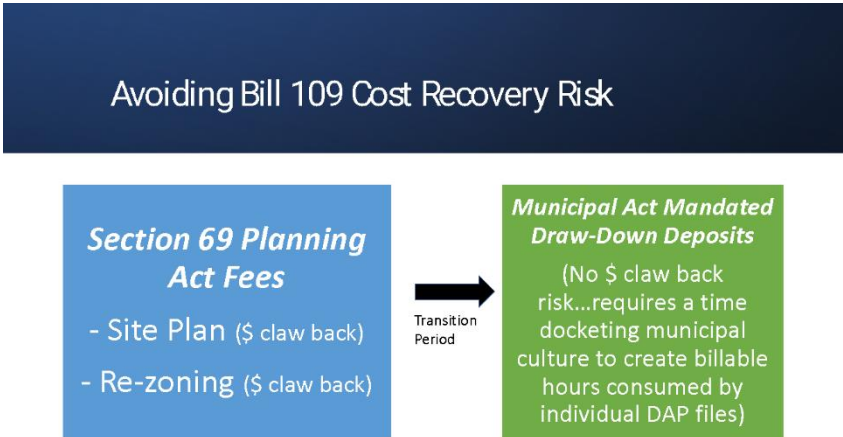
Once the DAP fuel is in place, via well designed fees and aggressive cost recovery targets, the pathway to adequate resourcing/staffing becomes readily achievable. The impact of full cost DAP fees on the cost of new housing has been documented across numerous DAP fee reviews encompassing a wide swath of Ontario growth municipalities (see figure below). Planning/Engineering DAP fee impacts simply do not impact the locational decisions of residential developers, nor do they create any significant pricing impacts. Multiple fee reviews have determined that full cost DAP Planning Fees represent less than 2% of input costs for new housing.

A growing number of municipalities are adopting/considering restructured DAP processing models that “front-end” the review of technical submissions by an applicant’s consultant(s) during an expanded *Pre-consultation* period and/or the 30-day *Application Submission to Deemed Complete* stage. This kind of processing “workaround” avoids triggering the *Deemed Complete clock* that counts down the calendar days to a mandatory sliding scale of Site Plan or Rezoning/OPA fee refunds. These DAP processing “workarounds” may avoid fee refunds for a period of time (pending the results of almost certain OLT appeals), but they do not demonstrably improve DAP performance.

1.3 Potential Solutions

Fortunately, revenue-side solutions to Bill 109 revenue-side problems are available. The two figures below introduce a potential two-part revenue-side solution.

Part 1 of the solution involves a transition out of Section 69 Planning Act fees for Site Plans and Rezonings. These fees are replaced by Invoices to applicants that draw down on advance Deposits collected from applicants at the point of their Site Plan or Rezoning application submission. This Deposit Draw-down mechanism is NOT a Section 69 fee. It is simply an Invoicing mechanism based on billable hours actually expended by the municipality for application review services provided to applicants. The actual dollar amounts invoiced against the Draw-down deposit will vary for each application based on required staff effort and the billing rates of the involved municipal staff.



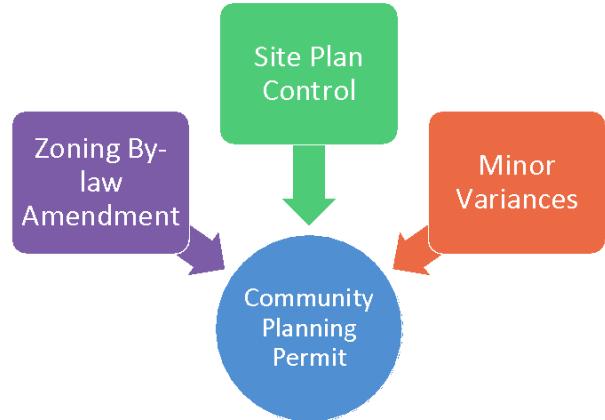
Deposit-driven cost recovery also promotes efficient DAP execution. Accountability to applicants for streamlined and efficient municipal DAP processes will be enhanced - scrutiny around efficient/rational deployment of staff hours will be part and parcel of the system. Bill 109 fee refund risk is eliminated since there are no Bill 109 eligible fees for revenue refunds/claw backs. Deposits can be staged across the multi-year DAP approvals process for greenfield subdivision-based development - thereby respecting an applicant’s evolving cashflow realities as they progress from Draft Plan submission to Draft Plan approval to Post-Draft Plan legal lot creation.

Part 2 of a revenue-side Bill 109 solution envisions the use of Community Planning Permits (CPP) in selected areas of a municipality where complex land use challenges can be resolved by replacing standalone Rezoning, Site Plans and Minor Variances with a single integrated permitting solution. No Section 69 Planning fees for Site Plan or Rezoning are collected, so there is zero risk of bill 109 fee refunds/claw backs. Permits are granted quickly after application submission; typically, with effort-intensive condition clearance work by staff and applicants to follow. A new CPP full-cost fee can be levied to ensure appropriate DAP cost recovery performance. Intensive preparation effort (similar to a new Zoning by-law) is required.

Fees Claw-back Workaround? Community Planning Permit Systems

No Section 69 Planning Fees to Claw Back

- Requires City-wide Official Plan Amendment
- Requires City-wide Permit by-law
- 45-day approval timeframe
- Detailed implementation conditions can be attached in the 45-day approval window
- Only applicants can appeal decision/no-decision to OLT



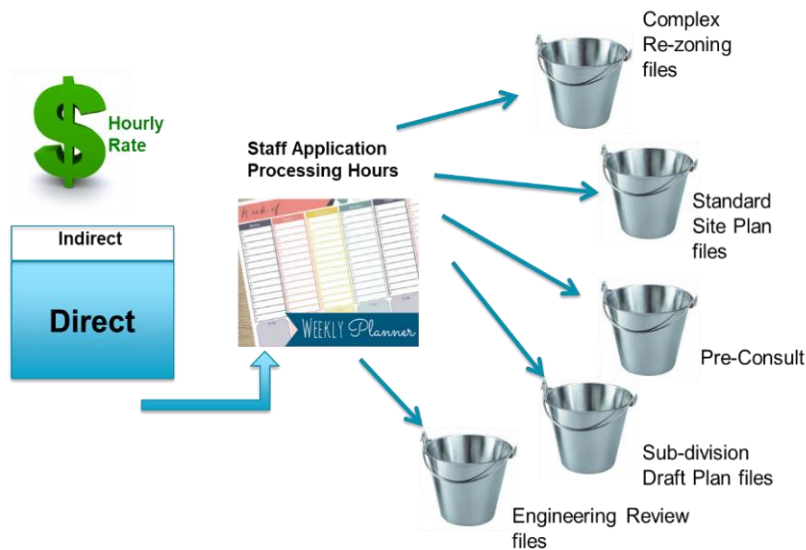
1.4 How to Get There

Innovation in the design of DAP fees (or alternative mechanisms) is critically important for growth municipalities. Transitioning away from flat/fixed base fees for Subdivisions and Site Plans is necessary. The alternative of a base fee (\$) plus a per-unit/lot/hectare escalator (\$) is an emerging best practice. Fees with an escalator better capture the added complexity of some applications versus others within a given DAP fee category. Per unit escalators can be capped to recognize that the increasing complexity of

larger files plateaus - a key insight that recognizes affordability and the anticipated effort expended for complex files need to be balanced when finalizing fee design.

A full-cost DAP fees review to ensure Planning Act Section 69 design compliance is also a positive step (activity-based costing fees justification). The figure below summarizes the approach to calculating full-cost DAP fees. Estimated annual staff processing hours are developed for core DAP application “buckets”. Staffing costs (direct + indirect) are allocated in the same proportions as the estimated staff processing effort.

Fees Derived from Full-Cost “Billable” Hours Mirroring Tracked Staff Effort Across File Buckets



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.

1.5 Growth Pays for Growth: A Recent Case Study

City of Peterborough: Adopting Growth Pays for Growth Policies

The City of Peterborough undertook a comprehensive Development Approval Process modernization review and discovered that they, like many municipalities across Ontario, were under-resourced to deliver application processing/approvals in a timely manner. The City adopted a package of *As Should Be* DAP process improvements and clarified *Who Does What* responsibilities for their Subject Matter Expert staff teams.

However, a peer comparator review focused on Planning and Development Engineering fees demonstrated a clear cost-recovery/revenue stream disconnect between Peterborough and its large City peers. Peterborough was depending on significant amounts of its budgeted DAP processing effort being subsidized by existing property taxpayers. The modernization direction adopted by Peterborough was to design/adopt a sustainable **Growth Pays for Growth** DAP fee structure.

The City followed up its 2021 Development Approval Process Modernization review with a 2022 Full-cost Fees Review, using activity based costing and historical application volumes to highlight staff utilization rates and resourcing pinch points. To ensure that the new DAP fees would reflect modernized DAP process improvements, *As Should Be* process maps were used to estimate staff processing effort that underpinned new fees for all Planning application categories.

The 2022 DAP fees review generated sustainable planning fees that would produce \$1M + in additional DAP revenues necessary to reduce historic property tax subsidies and secure the staff resources needed to complete timely application processing.

With full-cost, activity-based DAP fees in hand, Peterborough is able to make an informed decision regarding the level of costs/benefit accrued to existing and new development. The City can then, as a matter of public policy, set fair and prudent DAP cost recovery targets. Peterborough is using its portfolio of new modernized DAP fees (and forecast revenue streams) to secure the necessary DAP staffing muscle to meet Provincially mandated application approval timelines and housing unit approvals.

2.0

Case Study 2: Business Process Re-engineering to Improve/Stabilize Application Timeframes

2.1

Issue

The Province has relentlessly increased pressure on municipalities to accelerate DAP processing velocity across their conveyor belt of applications. Bill 108 has compressed the “no municipal decision” timeframes trigger for an OLT appeal to difficult-to-achieve levels (see table to the right). Performance Concepts/Dillon

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 municipal decision” trigger for OLT/LPAT is 30 calendar Days

note that the “no municipal decision” timeframe standard is expressed in simple calendar days, not business days or municipal “controllable file processing days”.

The figure below documents the problems associated with legislated time frame targets based on calendar days. Calendar day timeframe targets dilute the accountability of the municipal DAP team as well as the applicant’s consultants. Adopting *controllable files processing days* as the primary unit of time measurement for DAP improves accountability and can inform meaningful target setting around the velocity of DAP approvals across the processing conveyor-belt.

Bill 109 has introduced a second layer of DAP timeframe compression (see the figure below). The stakes have been raised by Bill 109 timeframe compression and the prospect of mandatory fee refunds. Failure to meet decision/approval timeframe targets for Site Plan and Rezoning applications will trigger significant erosion of municipal DAP fee revenues and require off-setting property tax increases in order to pay for required staffing capacity. Local taxpayers will end up subsidizing development applicants unless re-engineered DAP processing improvements and shorter decision/approval timeframes can be achieved.



Section 34 of the *Planning Act* is revised to include new rules that require municipalities to refund application fees if a decision on a site plan application, zoning by-law amendment (ZBA), or combined ZBA and official plan amendment (OPA), is not reached within the legislated timeframes, as outlined below:

Application Type	0% Refund	50 % Refund	75% Refund	100% Refund
ZBA	Decisions made within 90 days	Decisions made within 91 to 149 days	Decisions made within 150 to 179 days	Decisions made 180 days or more
OPA/ZBA	Decisions made within 120 days	Decisions made within 121 to 179 days	Decisions made within 180 to 239 days	Decisions made 240 days or more
Site Plan	Approvals made within 60 days	Approvals made within 61 to 89 days	Approvals made within 90 to 119 days	Approvals made 120 days or more

2.2 Best Practice - Process Re-engineering “Quick Wins” to Improve DAP Timeframes

Across numerous DAP review assignments, Performance Concepts/Dillon has documented process re-engineering “quick wins”. These process re-engineering “quick wins” can help stabilize/reduce overall DAP execution time frames as the municipality faces imminent challenges of rapidly escalating application volumes/workload plus mandated compressed timeframes

Quick Win: Expand/Strengthen Front-end of DAP 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 subsequent *Technical Review Cycles* that are the core driver of DAP conveyor belt velocity/duration.

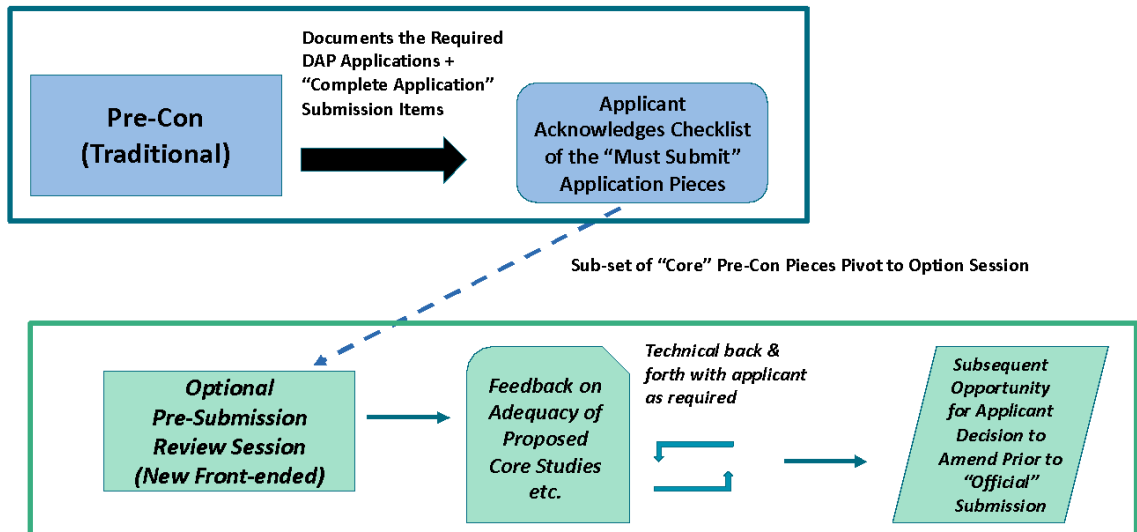
- At the end of the Pre-consult process, require the applicant to enter into a mutually agreed upon written “Understanding” that documents the required DAP approvals and the supporting checklist of required technical submission items for each application. The applicant/applicant consultant should be required to electronically acknowledge the Pre-Consult Understanding document, and an official 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. There should be no ambiguity or miscommunication about the component pieces of a complete application submission.

A DAP portal for application intake can be programmed to reject any application submission upload attempt that does not include the complete inventory of submission checklist requirements as set out in the Pre-consult Understanding document. A well-designed portal can/should filter incomplete applications according to the Understanding checklist for each pre-consult (checklists embedded in the DAP workflow tool and referenced by the portal when setting up application intake forms/screens). Pre-consult Understandings should be alpha-numerically coded, and the application submission “child” should always reference its Pre-con “parent”.

- The traditional Pre-con process can be expanded to include a second stage, an *Optional Pre-Submission Content Review Meeting*. At this meeting the applicant can bring forward complete submission items (identified at the conclusion of the traditional Pre-consultation process) for a content adequacy review prior to filing an official submission. The municipality can provide technical feedback and identify any shortcomings/concerns that should be addressed in order to avoid a “Deemed Incomplete” decision by municipal staff once official application submission studies/submission items are received and reviewed.

Transformed/Expanded Pre-Consultation



- 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” completeness scan. This scan reconciles the pieces submitted against the pieces confirmed/promised in an applicant-acknowledged Pre-consult Understanding document. 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 instantly obvious/conspicuous gaps.

The second step is a focused “rapid dive” review where a small Development Planning/Development Engineering staff team executes a content adequacy assessment of key submitted elements. This “rapid dive” adequacy review does not replace the upcoming Technical Review Cycle “deep dive” review. The key is to ascertain that the submitted materials are “good enough” to proceed with a Technical Review Cycle on a timeframe countdown clock with a targeted completion deadline. If the “rapid dive” review finds showstopper content gaps/inadequacies, then the application is Deemed Incomplete and the 30 day “Deeming” clock stops. Remedial action is required of the applicant via a re-submission of the entire application package or parts thereof. If the rapid dive review finds the submitted materials adequate, the application can then be Deemed Complete, and an official 1st Technical Review Cycle can proceed according to its own time frame clock/target.

The goal is a single Technical Review Cycle to conditionally approve a high-quality submission that has already passed through the quality control gauntlet of a Pre-submission Content Review + a Deemed Complete “deep dive” content review. Application packages with significant content quality problems will be regularly *Deemed Incomplete*. The technical/policy criteria for determining “content completeness” will be embedded in municipal Official Plans.

Quick Win: Maximize Delegated Approvals Authority from Council to Staff

Progressive Councils that delegate DAP approvals to staff are *trading control for results*. For instance, 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. Bill 109 recognized the merits of delegated Site Plan approvals by making them mandatory effective mid-2022. It is worth remembering that Site Plan approvals do NOT require public consultation, making Site Plan approvals more delegation friendly. Public consultation objectives can often be secured via related rezoning applications.

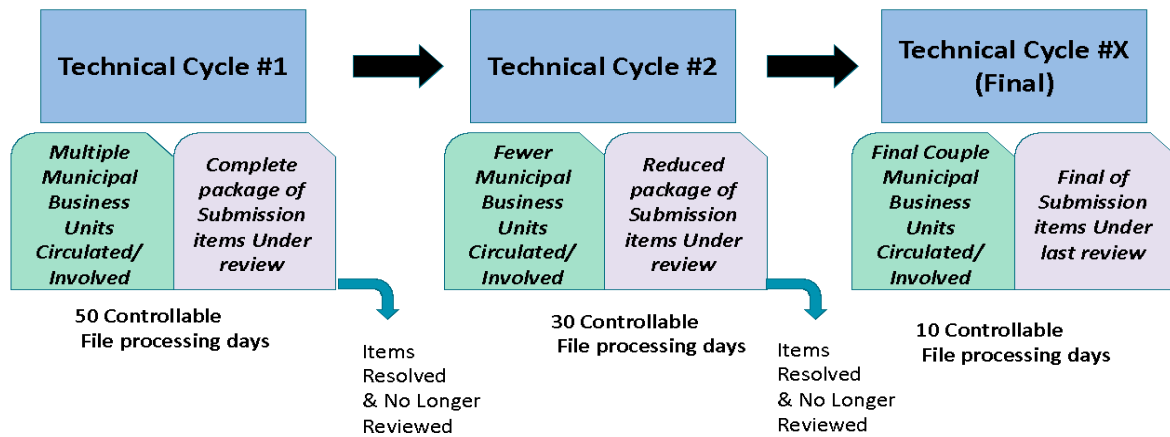
A range of other Planning/Engineering approvals are suitable for delegation - Condominiums, H Removal, development agreement execution, amended Draft Plan application approvals, Draft Plan extension etc. Bill 113 has created legal pathways for further delegation by Council beyond Site Plan (i.e., H Removal/Minor Rezoning/Temporary Use By-law)

Quick Win: Adopt Differential Processing Time Targets for Technical Review Cycles

Technical Review Cycles are the core work element in the municipal Planning/Engineering DAP service delivery channel. The technical ping-pong that takes place 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/consistent municipal review are essential. Time Frames are measured in *file processing days under municipal control*. The municipality cannot control the timeframes of the applicant's consultants on that side of the technical ping pong game.

The 1st Technical Review Cycle is a different animal than subsequent Technical 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.

Technical Review Cycle Timeframes Compress as Issues Resolved



Differential processing time targets should also address the issue of complexity. Reviewing a 500-unit/20 Hectare Subdivision Draft Plan is inherently/typically more complex than reviewing a 50 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 Technical Review Cycles can/should reflect these complex 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 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.

Quick Win: Carefully Calibrate Overlapping Planning and Building Permit Processes

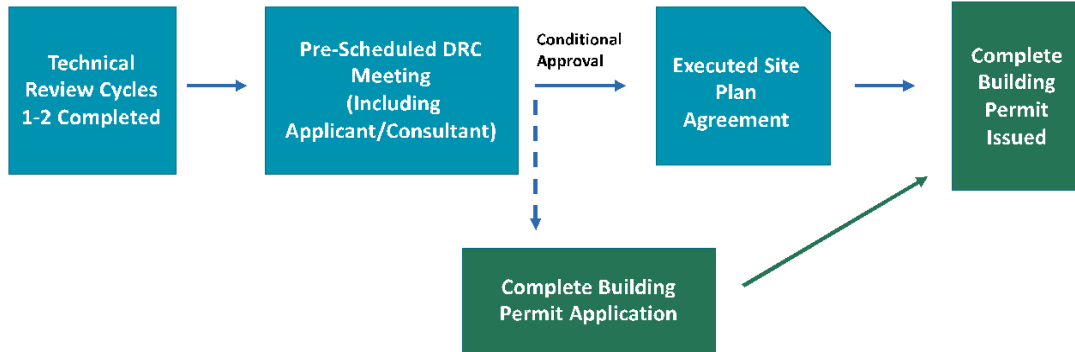
Many Ontario municipalities still employ a *sequential* processing model where Building Permit applications are not encouraged prior to Site Plan agreement execution or Subdivision lot registration. The sequential model typically triggers aggressive Building Code Act timeframes for a Building Permit 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 time frame may take longer than the Bill 124 standard, but the overall DAP timeframe for the applicant is shorter.

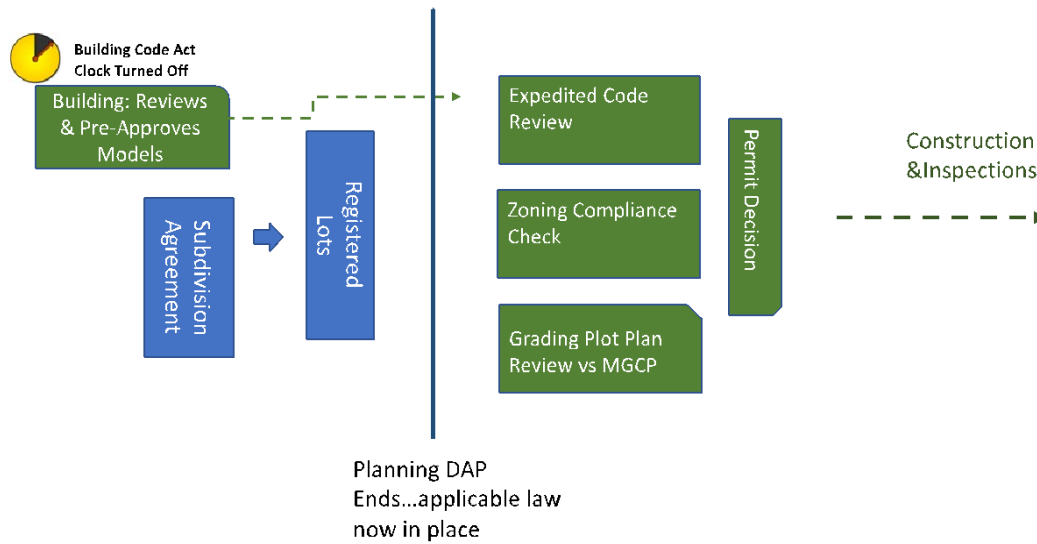
Site Plan Baton Handoff to Building



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

The overlapping DAP processing model can also apply for subdivision generated housing (see figure on the next page). Building permit applications and/or model home Code review pre-approvals can be initiated prior to lots being legally created. Once lots have been legally created, pre-approved models can be positioned on lots, and the necessary Zoning and grading reviews can be quickly executed “on the Building Code clock” if necessary. These overlapping tools enable a municipality to deal with large swaths of Building permit applications in compressed timeframes following the Registration of lots at the end of a Detailed Engineering Approvals Phase of a Draft Plan approved subdivision application.

Subdivision Baton Handoff to Building



2.3 How to Get There

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

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

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

2.4 Business Process Re-engineering to Improve/Stabilize Application Timeframes: A Case Study

City of Brantford: Focusing on Timeframes to Drive Results

In recent years Brantford has acquired development lands from the County of Brant and found itself in the position of being a new greenfield development community - along with an already-existing in-fill development workload that had been progressively taking more and more processing time and staff resources. The City was already an early adopter of a two-step review of Site Plan applications prior to deeming them complete: first they would do the traditional “piece count” to ensure everything requested was submitted; and second, they would undertake a “shallow dive” into the submission pieces to ensure they were adequate to commence a technical circulation. Until both of these criteria were satisfied, the application would not be considered “deemed complete” and no regulated or internal timeframe clock would be started.

The City found that by re-engineering the process deemed complete for Site Plan, they were not expending precious staff capacity reviewing applications of low quality during the First Technical Review Cycle. Following a DAP modernization review, the City has recently expanded this two-step application completeness review to Re-zonings and Draft Plan of Subdivision applications.

The City has modernized its DAP review processes by setting differential time frame targets for each Technical Review cycle, recognizing that the level of effort and complexity for subsequent review cycles beyond an initial Cycle should be reduced as issues are clarified and addressed by the applicant.

Finally, the City is using a rigorous forecast model of workload based on upcoming applications (e.g., detailed engineering reviews and site plans) to inform the required staffing/consultant resources needed to execute their re-engineered DAP processes within the determined timeframes. This workload forecast model would not be possible without the Business Process Re-engineering executed during the City’s Development Approval Process modernization review and implementation of Application processing time frame targets.

3.0 Case Study 3: Using Key Performance Indicators to Implement a Results Based DAP Model

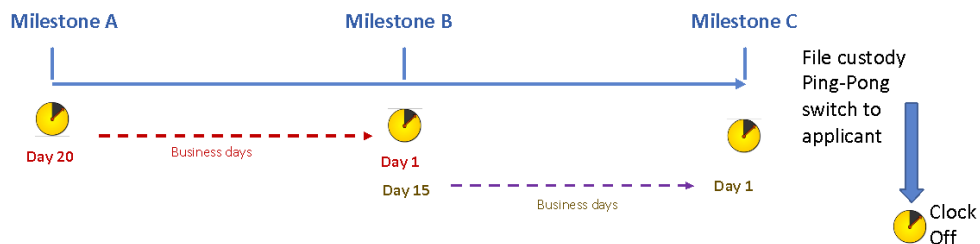
From a process execution perspective, DAP is best understood as a *Technical Review* “ping pong” game undertaken by municipal staff, external agencies, and applicant consultants. Required studies, peer reviews, and infrastructure design packages supplied by the applicant’s consultant(s) “ping” and “pong” back and forth until the municipality/external agencies are satisfied that submission materials are adequate for decision-making purposes. At any given point in time, the Planning DAP application submission package is under the management/control of the municipality or the applicant’s consultant(s).

3.1 Issue

Prior to Bill 109 this DAP “ping pong” game always took place after a Planning Act application was *Deemed Complete* - during the subsequent *Technical Review Cycles* stage of DAP. Municipal re-configurations of DAP to avoid Bill 109 fee claw backs for Site Plan and Rezoning/OPA files may now require the technical “ping pong” game to be executed up-front during a new 2-stage Pre-consultation model, or after an application submission but prior to the *Deemed Complete* decision. Regardless of its positioning across the DAP service channel, timely/predictable execution of the DAP technical “ping pong” game is a shared objective of all DAP participants and stakeholders. Target timeframes and actual timeframes tracking of the “ping” and the “pong” are essential. Countdown clock functionality must be configured in a DAP workflow tool to enable accurate/meaningful timeframe tracking - segregating municipally controlled file processing days from applicant-controlled file processing days as shown in the figure below.

Countdown Clocks Functionality

- Workflow tool sets Countdown time based on a targeted timeframe to move from DAP processing milestone A to milestone B or C
- Workflow tool time stamps actual time to move from DAP processing milestone A to milestone B or C
- Clocks turn On/Off based on file custody ping-pong with applicants



3.2

Best Practice Opportunities

Part 1 - Process mapping plays a key role in the rollout of any DAP workflow tool solution to implement countdown clocks and the KPIs they can populate with meaningful data. The following process map is instructive regarding the technical review “ping pong” game that will occur (potentially at various points/milestones) in the post-Bill 109 municipal DAP service delivery channel. Each progressive step through the process map has countdown clock notations in the form of controllable municipal file processing days. Countdown clock days will track actuals and also act as targets that can trigger an e-mail notification to staff within the DAP workflow tool. Notifications will support staff in picking the right files to work on for any given day based on target completion times (red/yellow/green light priorities).

The *technical review* example process map set out in **Figure 2** could be embedded/customized within an expanded Pre-consultation model, the Application submission period prior to *Deemed Complete*, or the traditional *1st Technical Review Cycle* initiated immediately following the *Deemed Complete* decision.

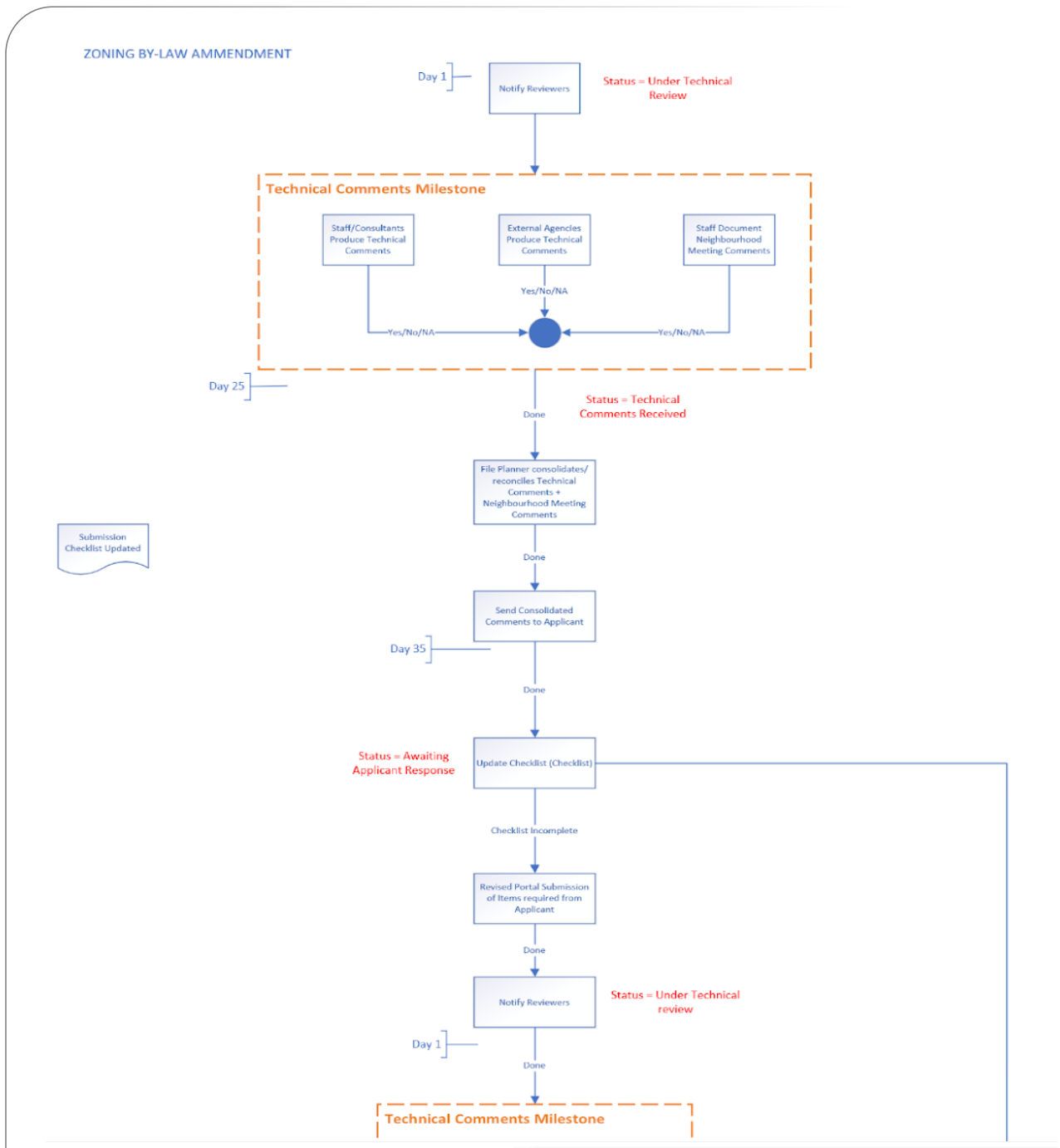
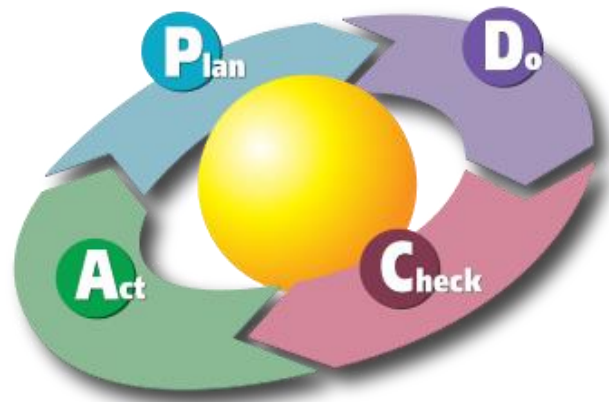


Figure 2: Example of Technical Review Cycle 1 Process Map for Typical Zoning By-law Amendment

Part 2 - Key Performance Indicators (KPIs) are a must-have component for a DAP model to function according to Results Based Management principles (see figure below). 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.

Part 3 - A modernized municipal 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 aligned with DAP service delivery need to document the countable units of work (number of applications as well as the number of pre-consults and technical review cycles associated with those applications). KPIs must also address the timeliness of the DAP conveyor belt (velocity of decision making).



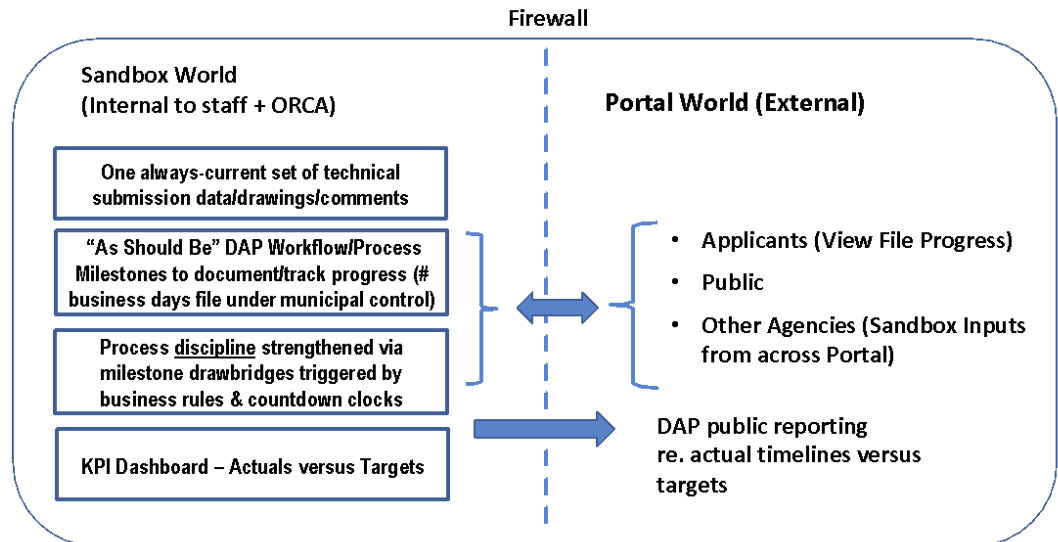
The DAP Results Management Cycle

In order to track velocity, DAP KPIs must be designed to track/measure *controllable processing days* that a submission package/application spends on the municipal side of the “ping pong” game. Conversely, it is the applicant consultants’ 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 milestones. *Actual controllable processing days* can be compared to *targeted controllable processing days*. Targets can differ across various DAP application categories (i.e., Site Plan Control versus Rezoning). Targets can also differ across DAP application processing milestones within a single application (i.e., Deemed Complete versus 1st Technical circulation versus Development Agreement production).

Key Performance Indicators 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, CityWorks, Cloud Permit, CityView etc. Since accurate processing

timeframes should reflect the combined effort/timeliness of all municipal staff with “hands on the file”, the DAP workflow tool will have to track countdown clock timeframes for all of these staff and/or their involved business units. The figure below documents the architecture of a high performing DAP workflow tool solution. Countdown clock timeframes are tracked inside the workflow tool sandbox, however applicants and other stakeholders can view timeframe progress from outside the sandbox.

A Workflow Tool Solution Must Pass the DAP Functionality Test



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. KPI data/targets will inform the municipal staff team’s ongoing decisions about which DAP files to work on at any given point in time. KPIs can also address the processing challenges related to Bill 108 “No Decision” timeframes, Bill 109 fee claw back timeframes, or internal customer service timeframes established by municipal staff or Council. Setting DAP performance targets is an iterative process. Prior to tracking *actual controllable processing day* timeframes in the initial rollout of 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 DAP processing timeframes can be evaluated against annual planned DAP timeframes. If actuals fail to meet targets, process or staffing/resourcing 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 and a transformation of organizational culture for DAP.

3.3 How to Get There

Designing a High-Performance DAP KPI Framework




DAP needs to be recognized/ designed as a horizontally configured “system” that requires the participation of multiple “vertical” municipal business units. As with all systems, DAP Inputs are organized into Outputs that in turn generate Outcomes. Measuring Outputs and Outcomes are the key to a well-designed DAP KPI framework.

Towards Results Based Planning/Delivery of DAP



The figure below identifies three core DAP outputs that are common to Subdivision, Site Plan, Rezoning and other DAP application categories. Pre-consults, Application Submissions, and Technical Review Cycles are all countable units of output a DAP workflow tool can track and report performance around.

Core DAP Processing Outputs


-  *Pre-consults navigated forward to application submissions*
-  *Application submissions navigated forward to complete applications*
-  *Complete applications that move through **technical review cycles** enroute to a municipal approval decision*

All 3 of these outputs are countable and measurable!


- # Pre-consults
- # Submitted applications
- # Technical review cycles

For each of these DAP Output categories KPIs focused on consistency/timeliness can be designed and populated using DAP workflow tool countdown clock datasets. KPIs are expressed as averages of controllable file processing days (actuals). They are also expressed as percentages of files meeting a timeframe target/standard also composed of controllable file processing days. The controllable file days unit of measurement is consistently applied to Pre-consultations, Complete Applications, and Technical Review Cycles. The following three figures below describe the process of calculating KPIs.


“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>* For KPIs “complete” is defined as deemed “content suitable” for a 1st Technical Review Cycle</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>

Implementing a high-performance suite of DAP KPIs can be expedited by adhering to the roadmap set out in the figure below. The roadmap is iterative and the value of the KPI toolset will improve over time as data is compiled annually and targets can be hardened/made more precise over a number of Plan/Do/Check/Act annual cycles.

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

1. Secure necessary Workflow Modules...avoid temptation to “cheap out” by using Building permit modules for Planning DAP
2. Configure Modules to deploy “MUST HAVE” DAP functionality (e.g., Countdown Clocks)
3. ALL DAP business units/staff commit to necessary “feeding schedule” of the Workflow Tool
4. Adopt initial “soft” KPI targets, uninformed by timeframe actuals not yet measured in the Workflow Tool
 - a. Limited meaningful reporting (internal)
5. Year 1 KPI actuals from Workflow Tool subsequently used to firm up go-forward KPI targets
 - a. Meaningful reporting (internal + external)
6. Align KPIs & performance targets with future budget cycle decision making

3.4

Using Workflow Tool Supported Key Performance Indicators (KPIs) to Implement a Results Based DAP Model: A Case

County Lennox and Addington: Common KPIs + New Technology = Results

Working cooperatively with all four local municipalities, the County of Lennox and Addington undertook a Development Approvals Process review. A key recommendation from that review was that the Development Approvals Process should look and feel the same regardless of which municipality the application was made. The four municipalities agreed to adopt common Key Performance Indicators (KPIs) based on a standardized set of *As Should Be* process maps and countdown clock supported timeframe targets.

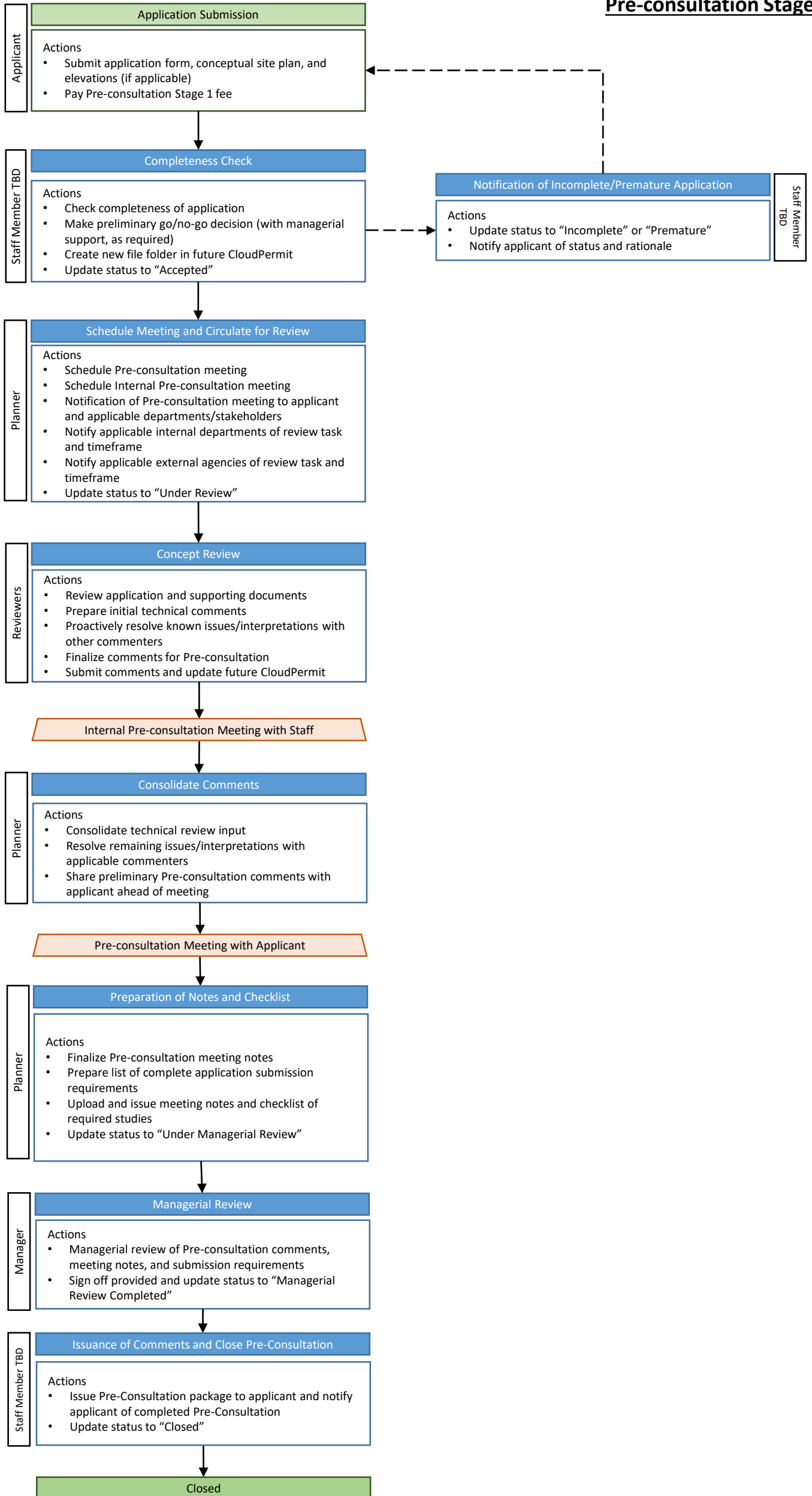
To support the measurement and monitoring of these timeframes, the County agreed to fund and host a single workflow tool and portal that could be used by all four municipalities. Using common KPIs and adopting the same process maps will allow the application process to appear seamless to a developer deciding to build in the County of Lennox and Addington.

This single DAP workflow tool hosted by the County and populated by all four local municipalities has been selected and implementation is currently underway. The workflow tool will have countdown clock functionality that will reflect the “ping-pong” of file control between municipalities and applicant to document and measure “controllable” business days. This functionality includes multiple clocks that will operate simultaneously to address Bill 108, Bill 109, Building Code Act requirements as well as self-imposed municipal targets, which will require calendar day tracking as well as controllable business day tracking.

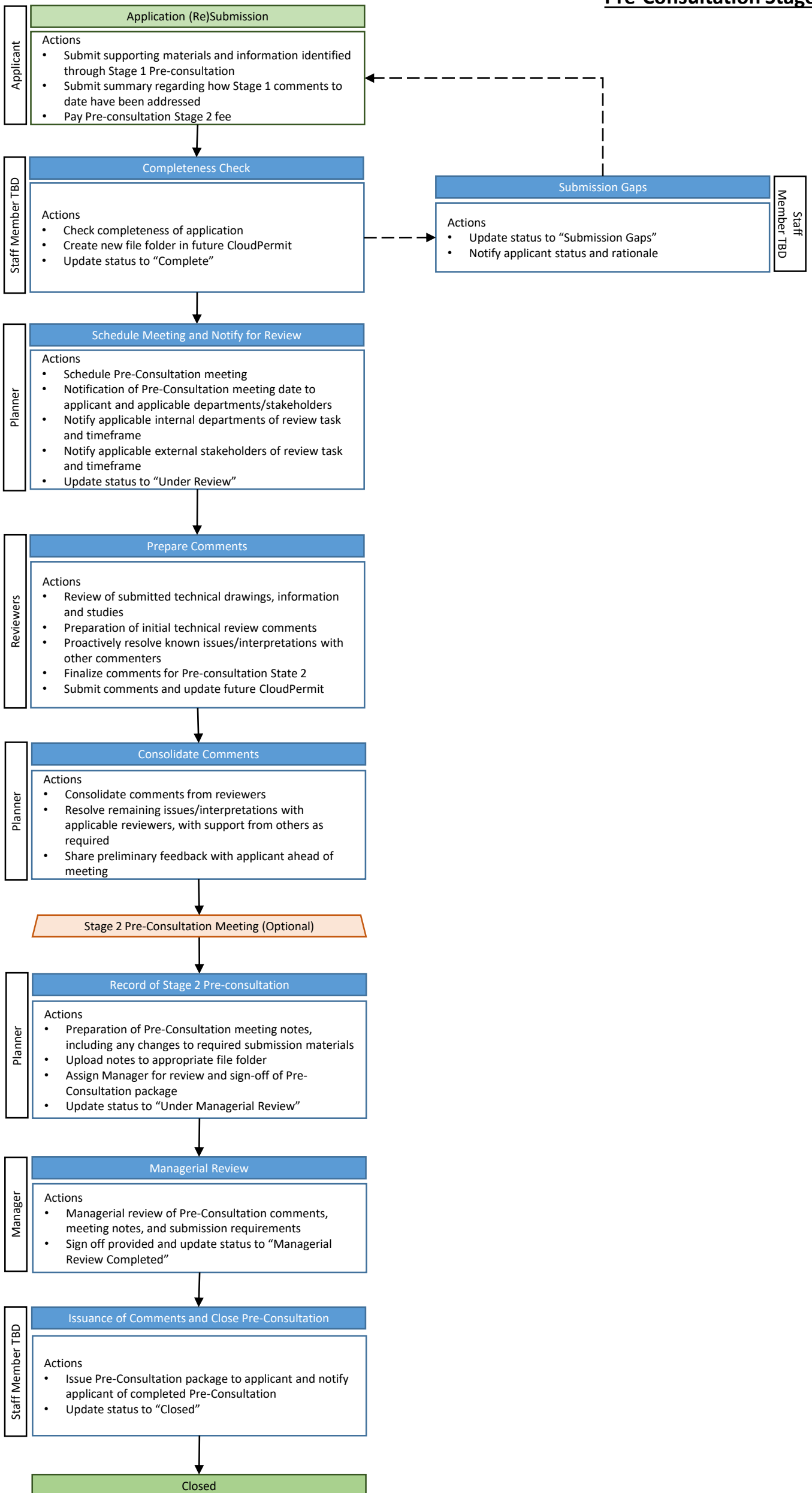
Appendix B

Future State Process Maps

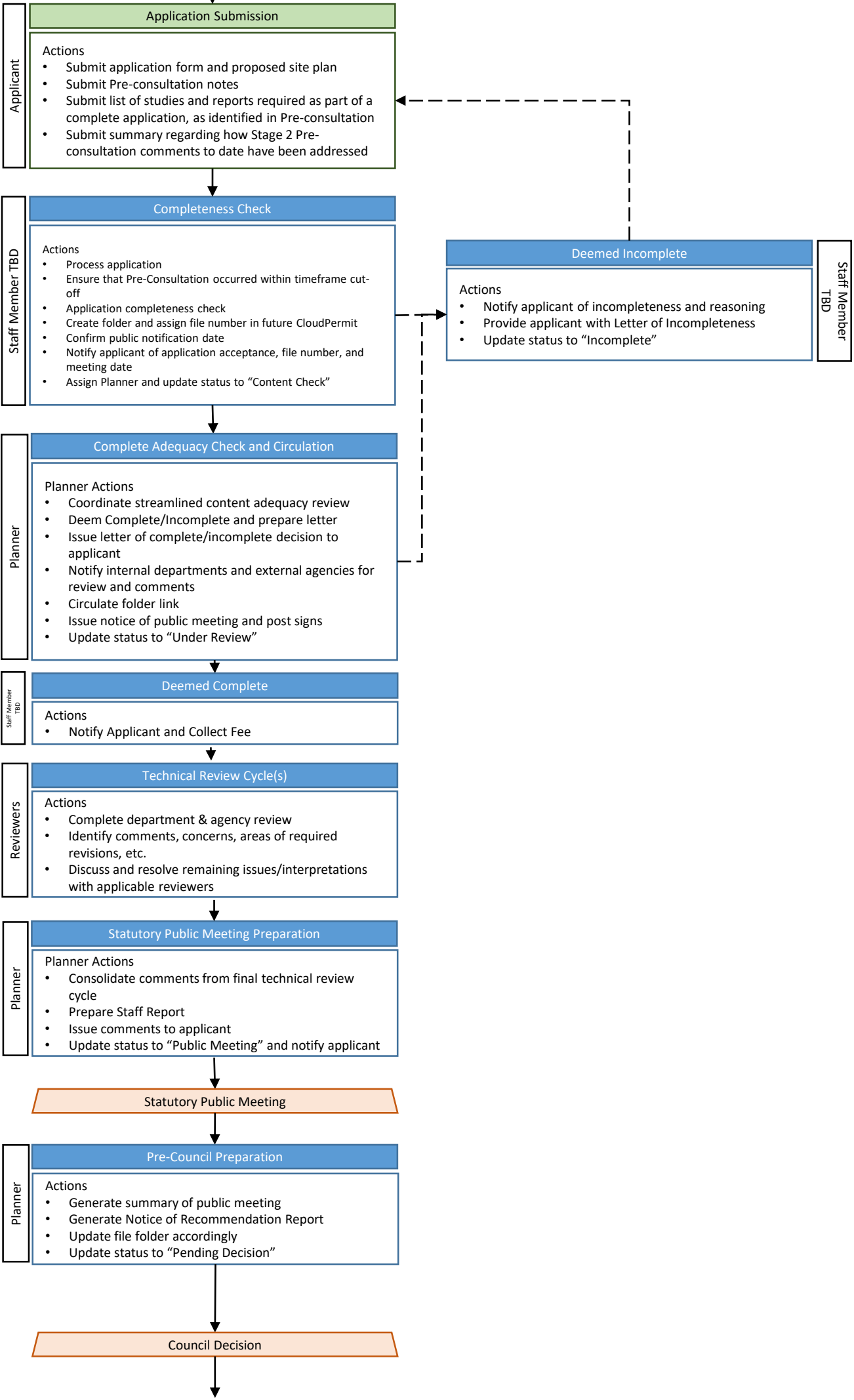
Pre-consultation Stage 1

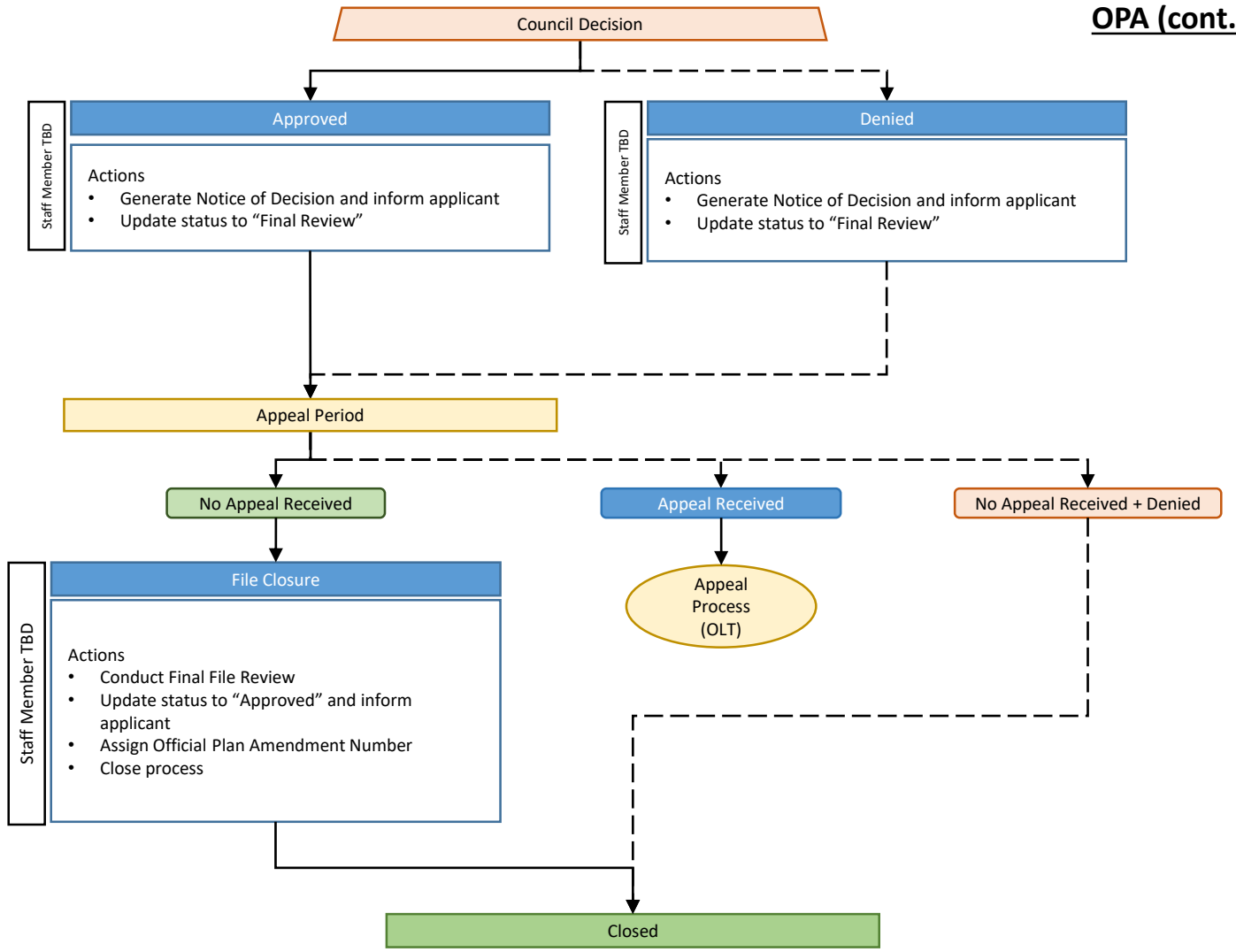


Pre-Consultation Stage 2

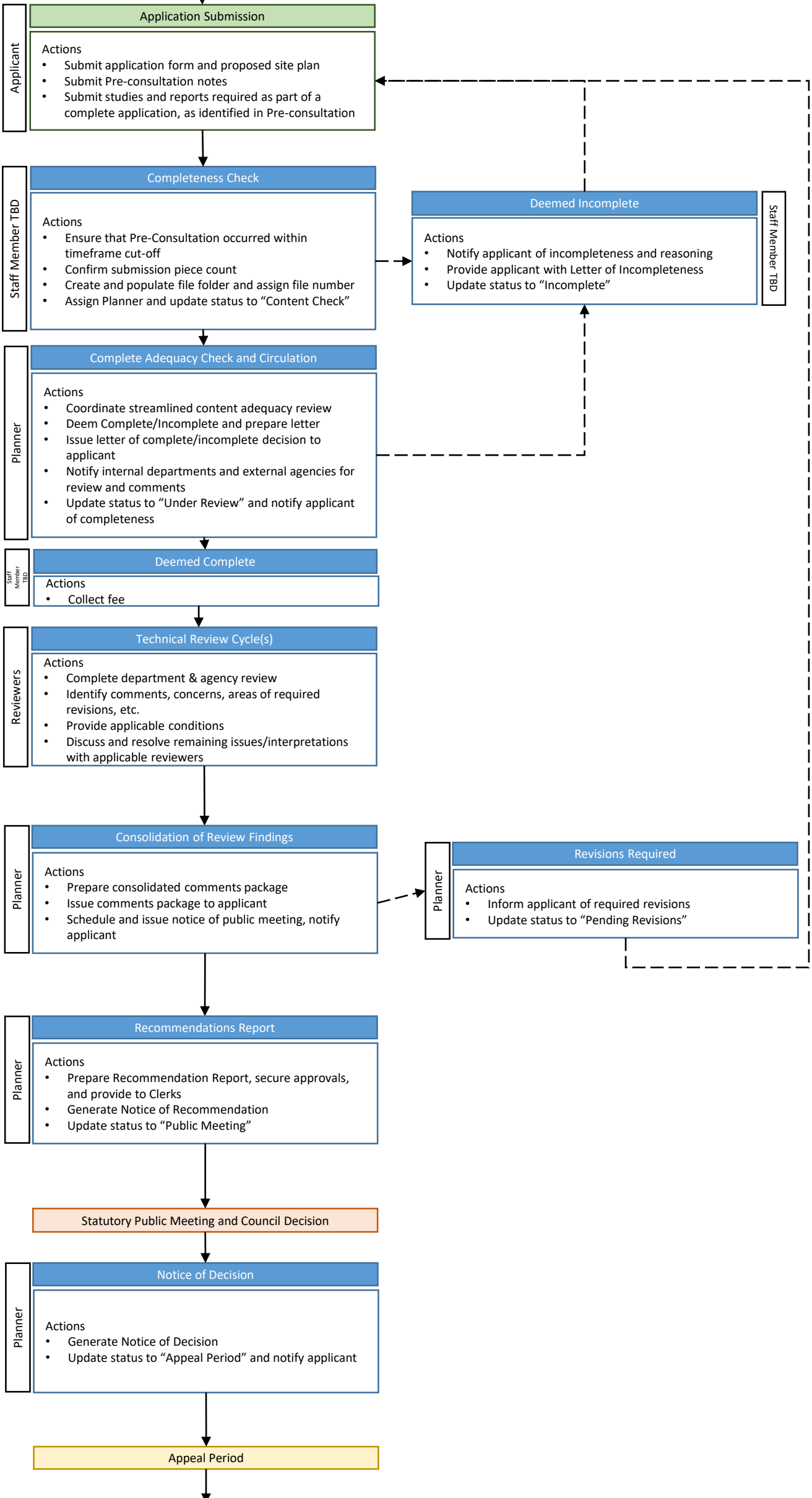


Pre-Consultation Stage 2





Pre-Consultation Stage 2



Appeal Period

No Appeal Received

Appeal Received

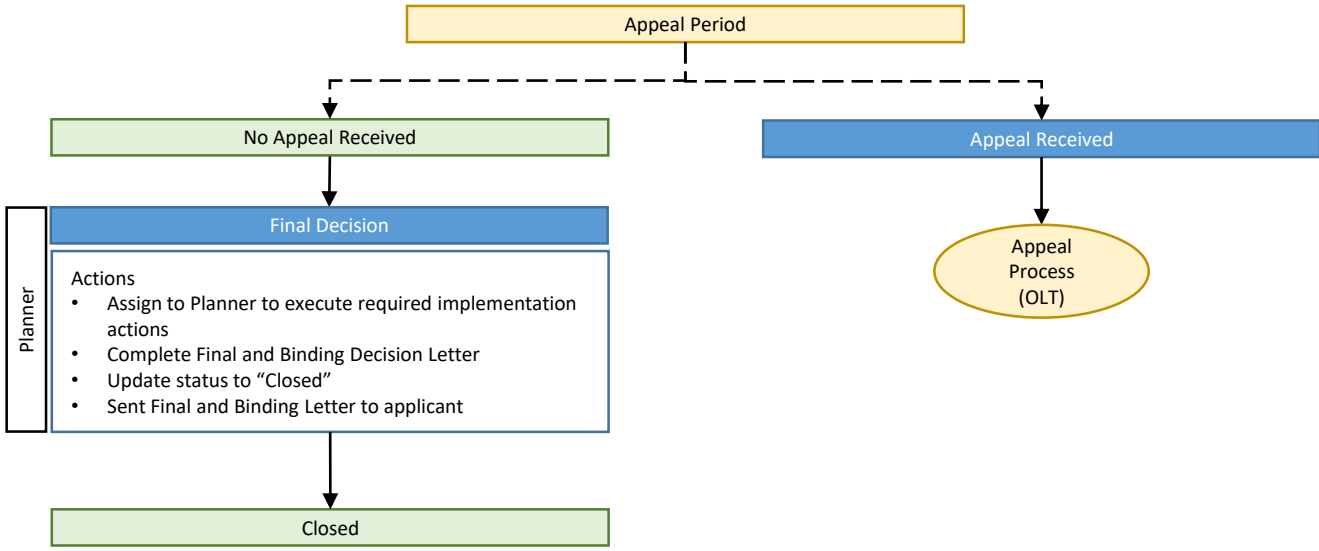
Final Decision

Appeal Process (OLT)

Planner

- Actions
- Assign to Planner to execute required implementation actions
 - Complete Final and Binding Decision Letter
 - Update status to "Closed"
 - Sent Final and Binding Letter to applicant

Closed



Pre-Consultation Stage 2

Applicant

Application Submission

Actions

- Submit application form and proposed site plan
- Submit Pre-consultation notes
- Submit studies and reports required as part of a complete application, as identified in Pre-consultation
- Pay fees

Staff Member TBD

Completeness Check

Actions

- Ensure that Pre-Consultation occurred within timeframe cut-off
- Confirm submission piece count
- Create and populate file folder and assign file number
- Assign Planner and update status to "Content Check"

Staff Member TBD

Deemed Incomplete

Actions

- Notify applicant of incompleteness and reasoning
- Provide applicant with Letter of Incompleteness
- Update status to "Incomplete"

Planner

Complete Adequacy Check and Circulation

Planner Actions

- Coordinate streamlined content adequacy review
- Deem Complete/Incomplete and prepare letter
- Issue letter of complete/incomplete decision to applicant
- Notify internal departments and external agencies for review and comments
- Update status to "Under Review" and notify applicant of completeness

Staff Member TBD

Deemed Complete

Actions

- Collect fee

Reviewers

Technical Review Cycle(s)

Actions

- Complete department & agency review
- Identify comments, concerns, areas of required revisions, etc.
- Provide applicable conditions
- Discuss and resolve remaining issues/interpretations with applicable reviewers

Planner

Consolidation of Comments

Actions

- Consolidate technical review comments
- Generate Notice of Intention to lift the holding
- Generate Recommendation Report
- Update status to "Pending Decision"

Planner

Revisions Required

Actions

- Inform applicant of required revisions
- Update status to "Pending Revisions"

Council

Staff Member TBD

Approved

Actions

- Generate Notice
- Update status to "Approved" and notify applicant

Appeal Process

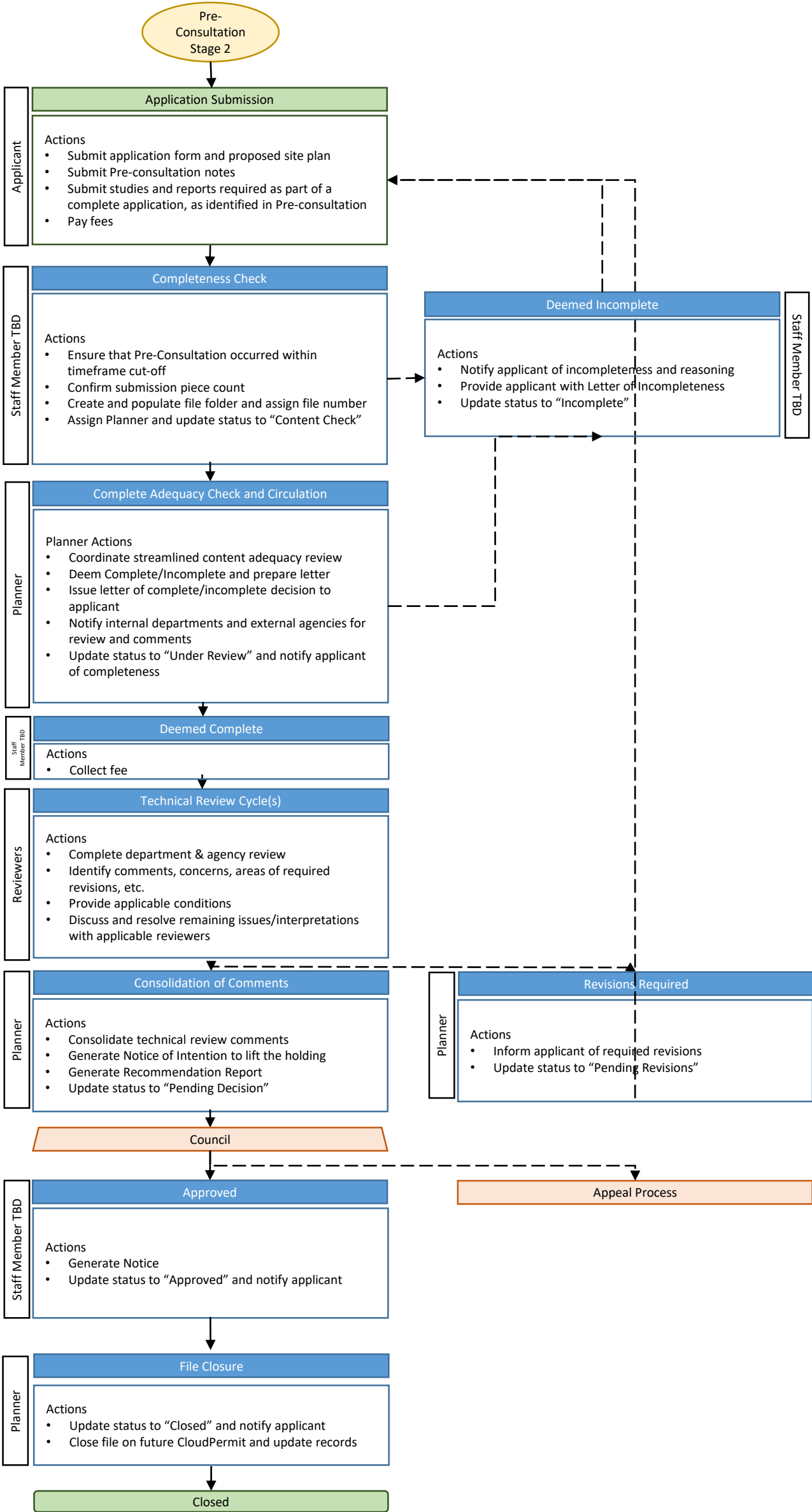
Planner

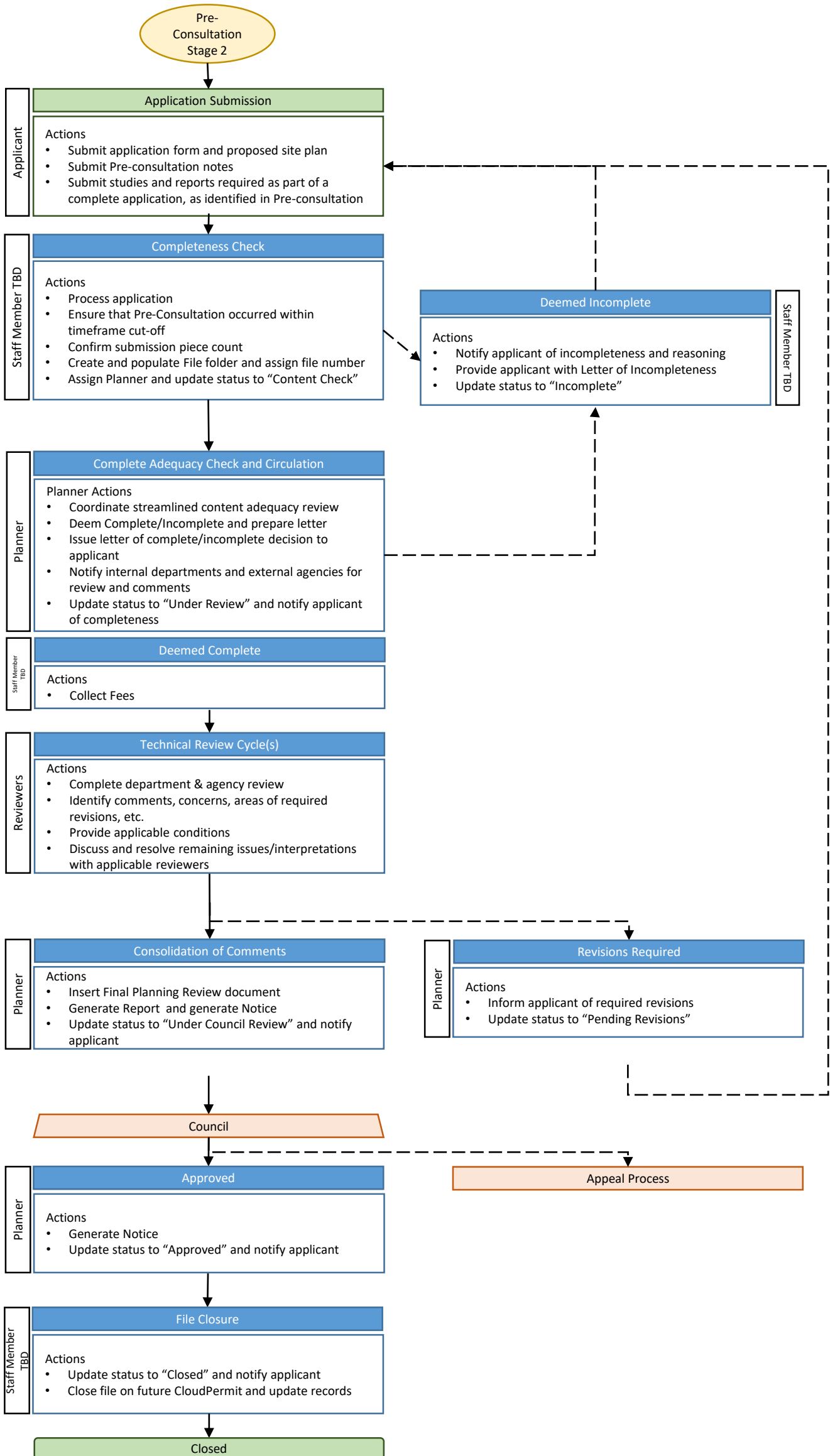
File Closure

Actions

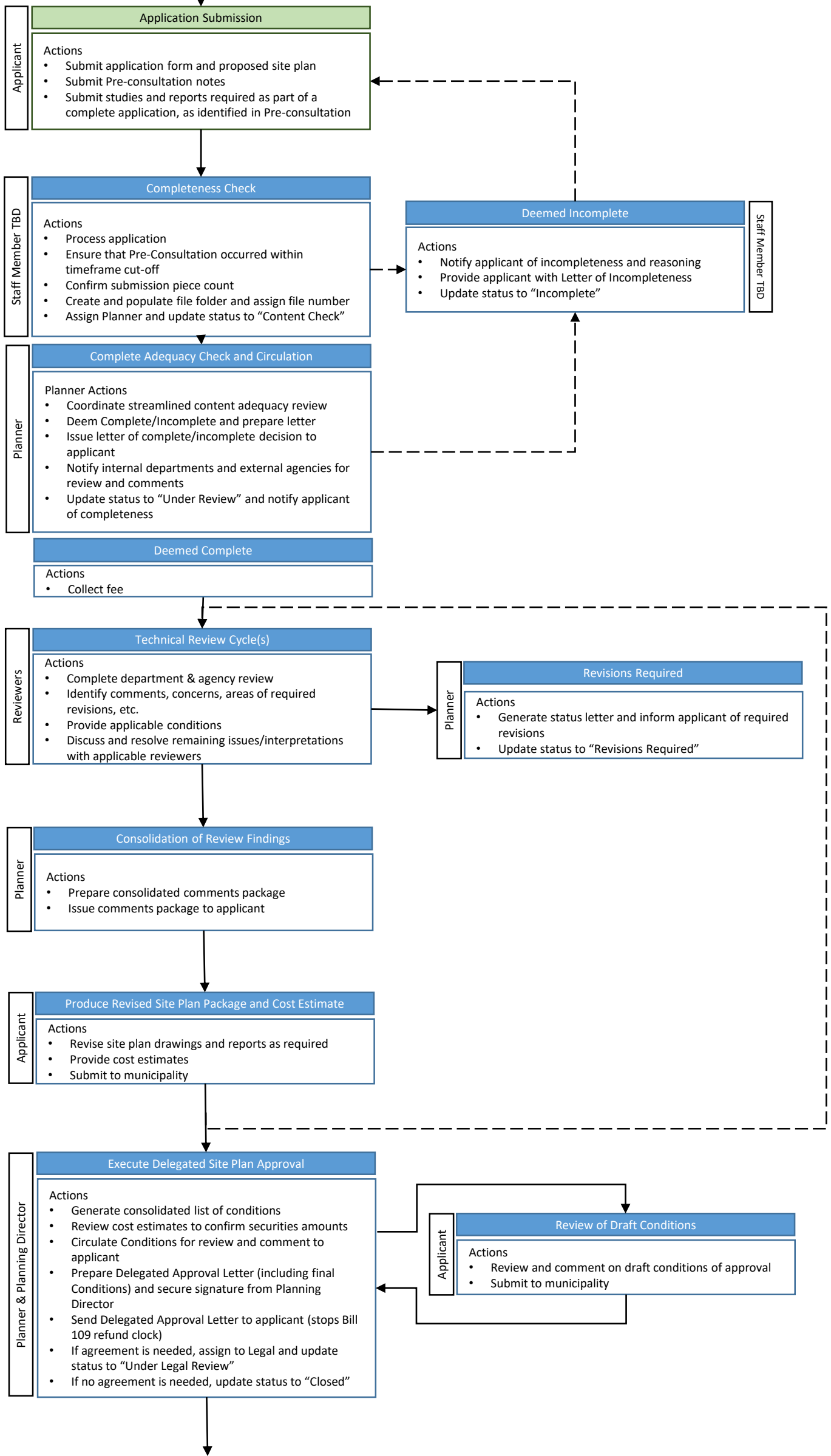
- Update status to "Closed" and notify applicant
- Close file on future CloudPermit and update records

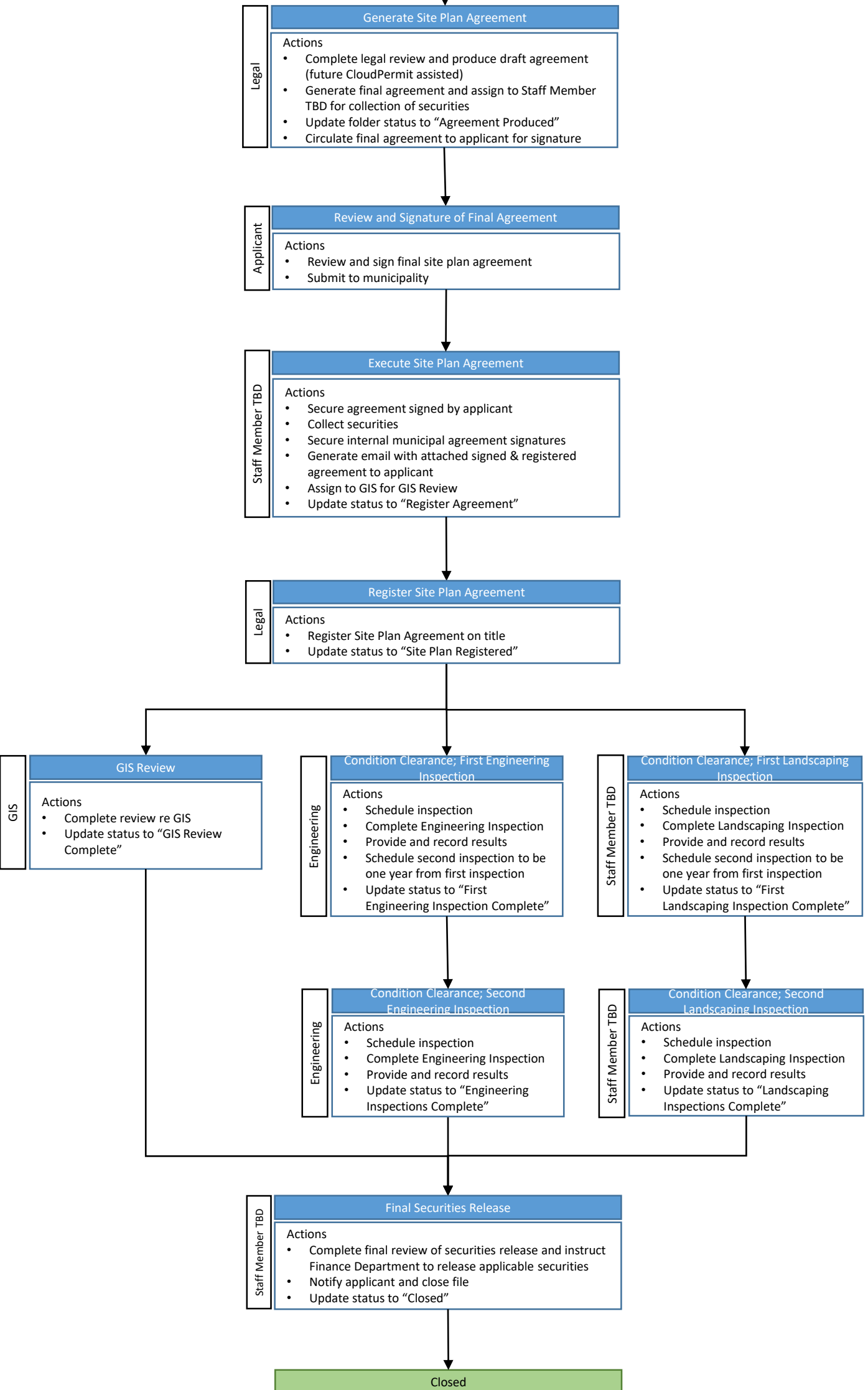
Closed



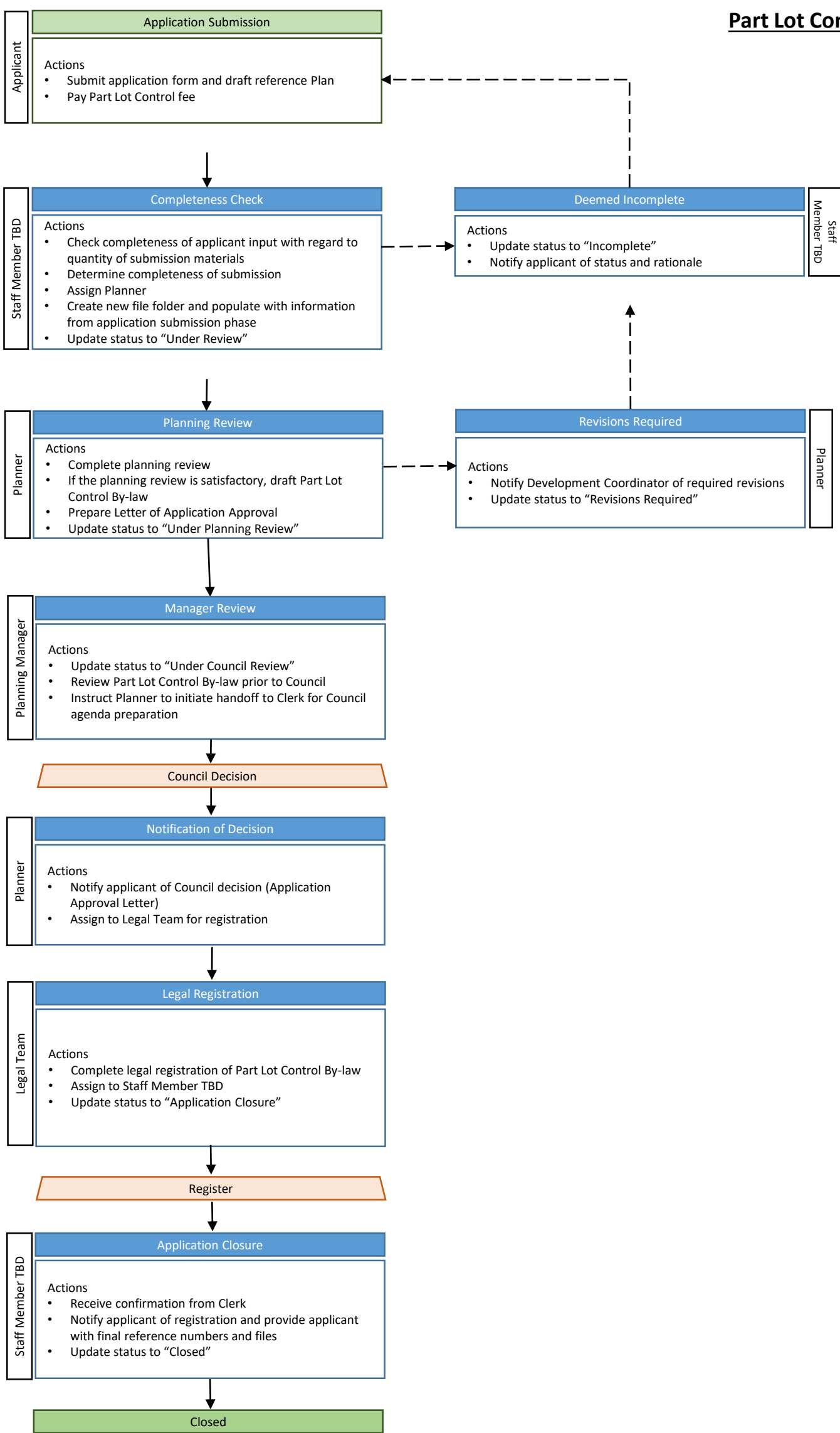


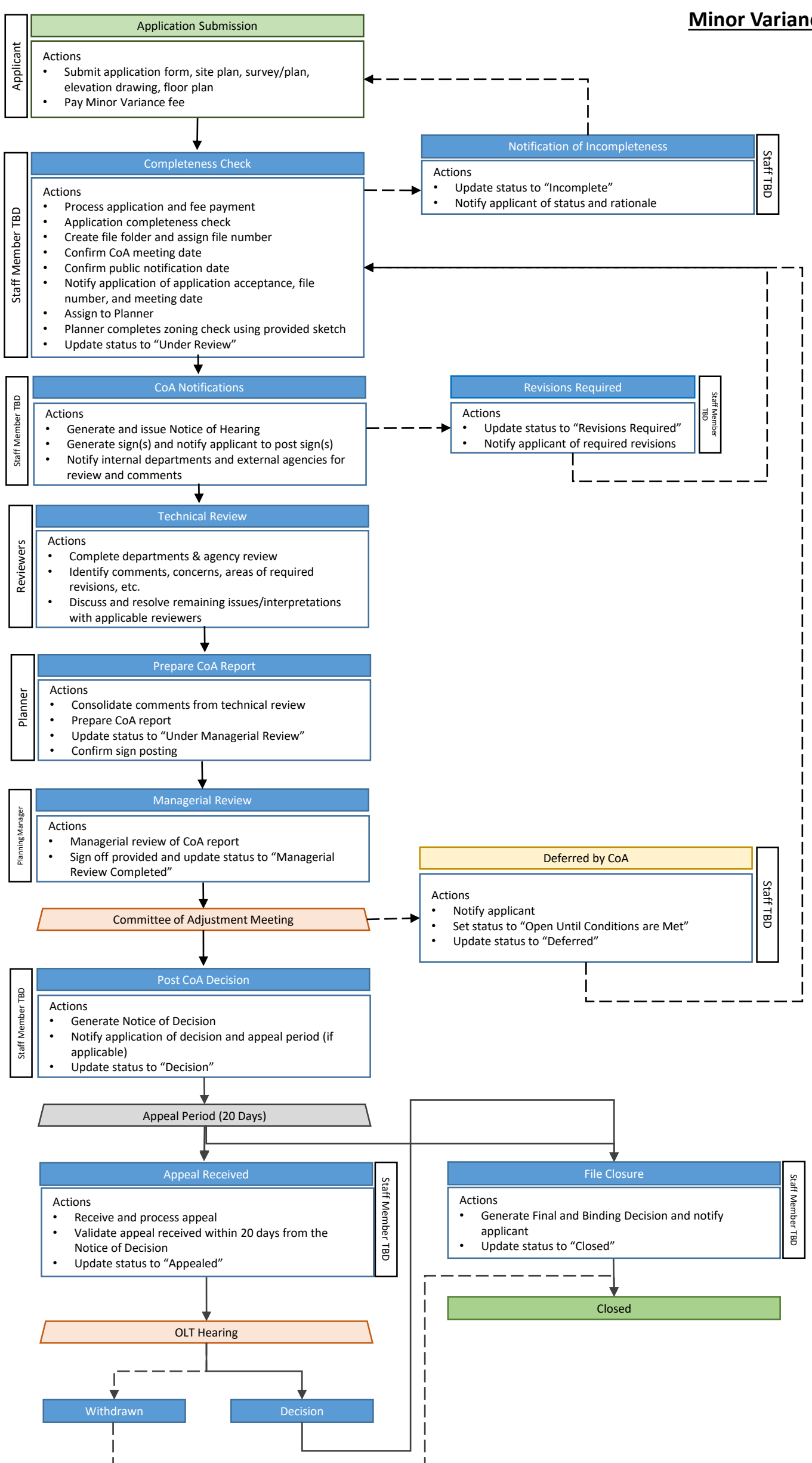
Pre-Consultation Stage 2

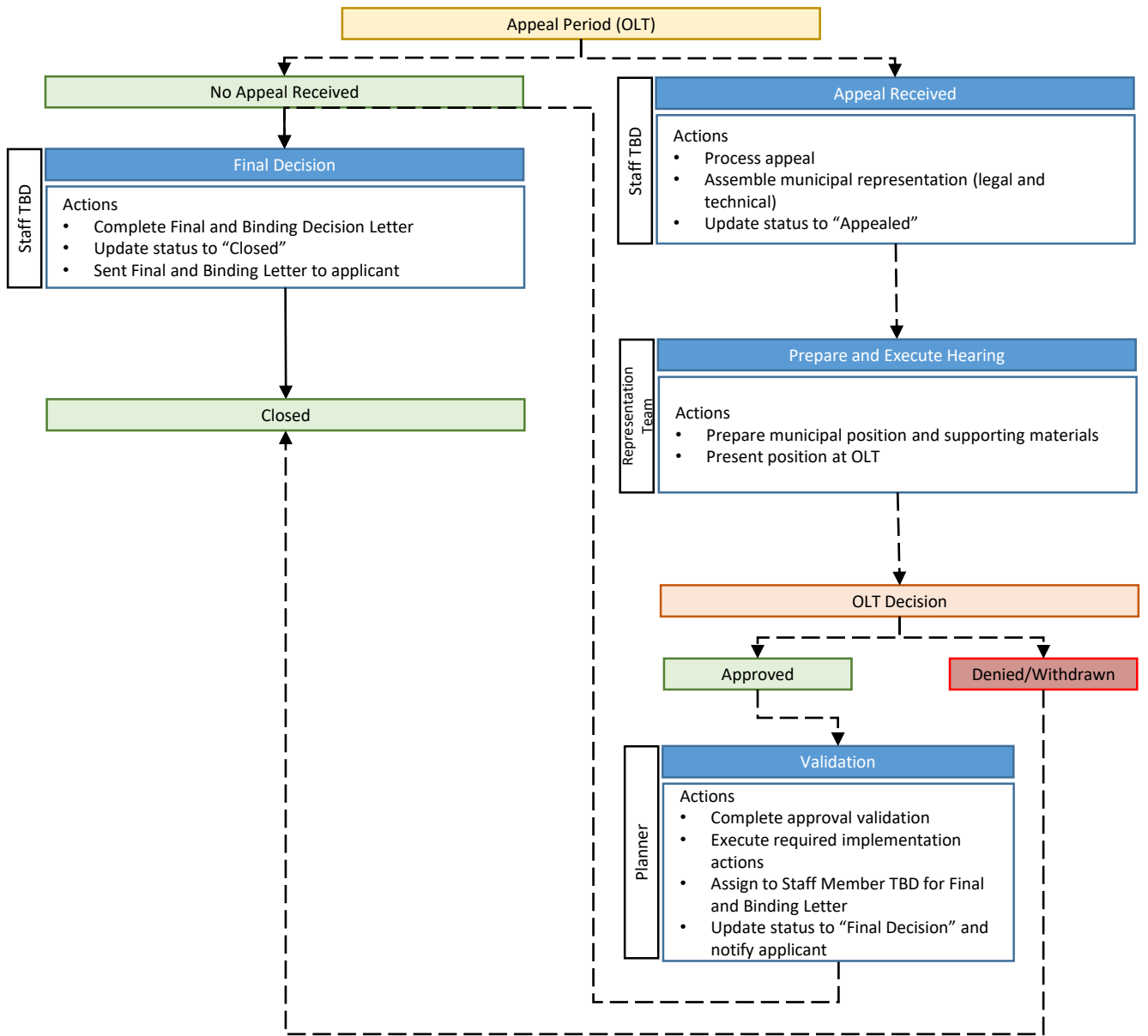


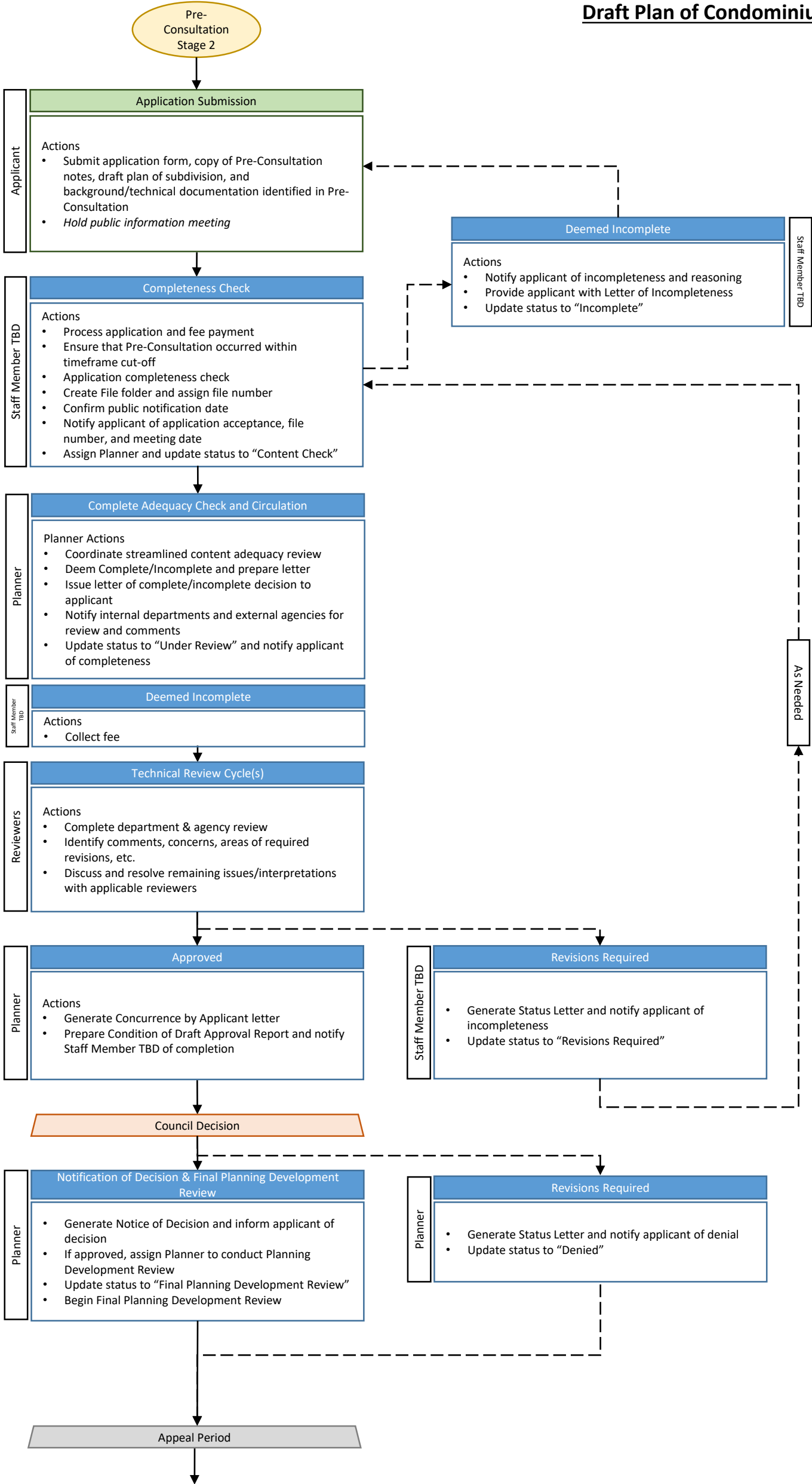


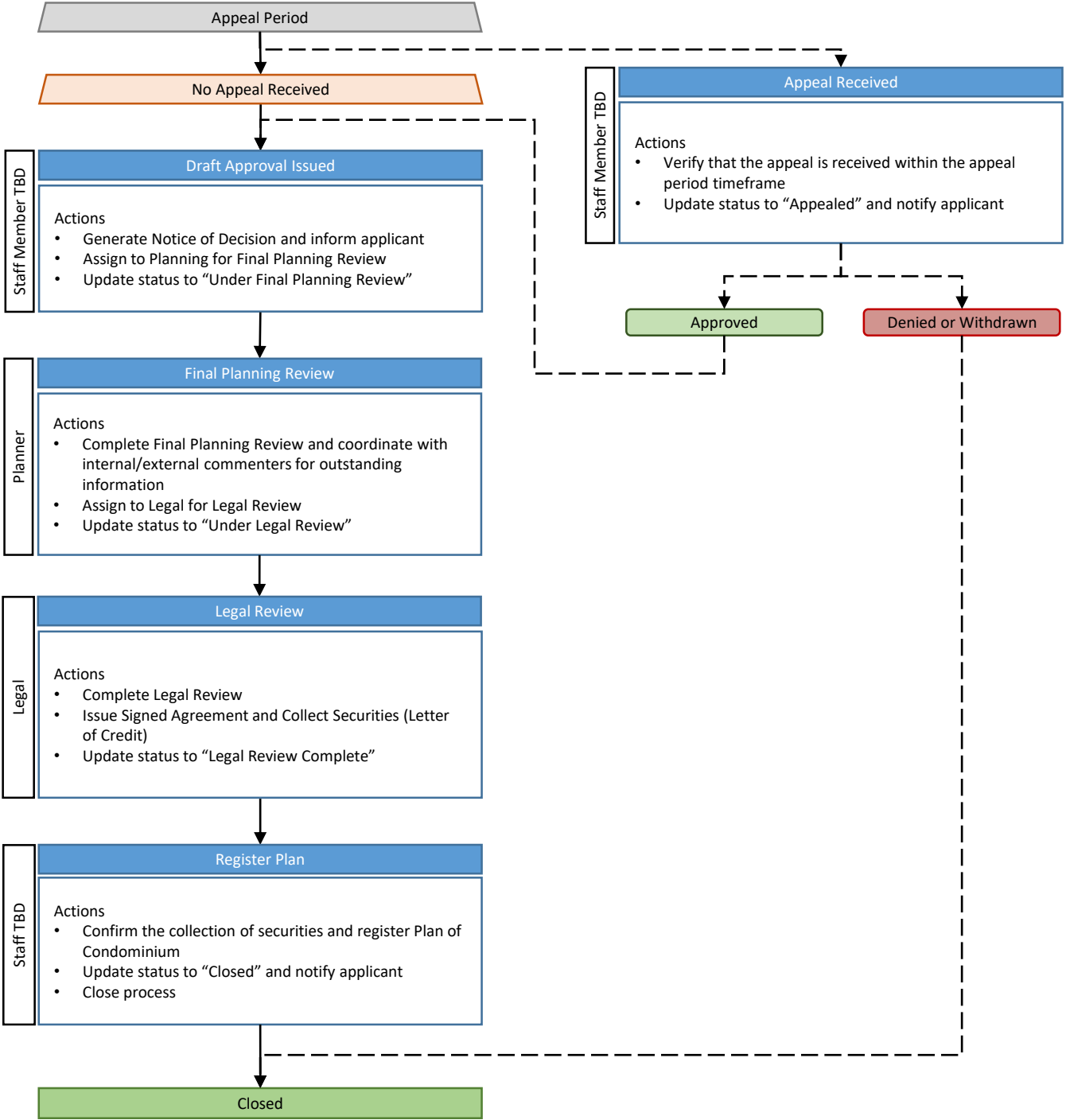
Part Lot Control



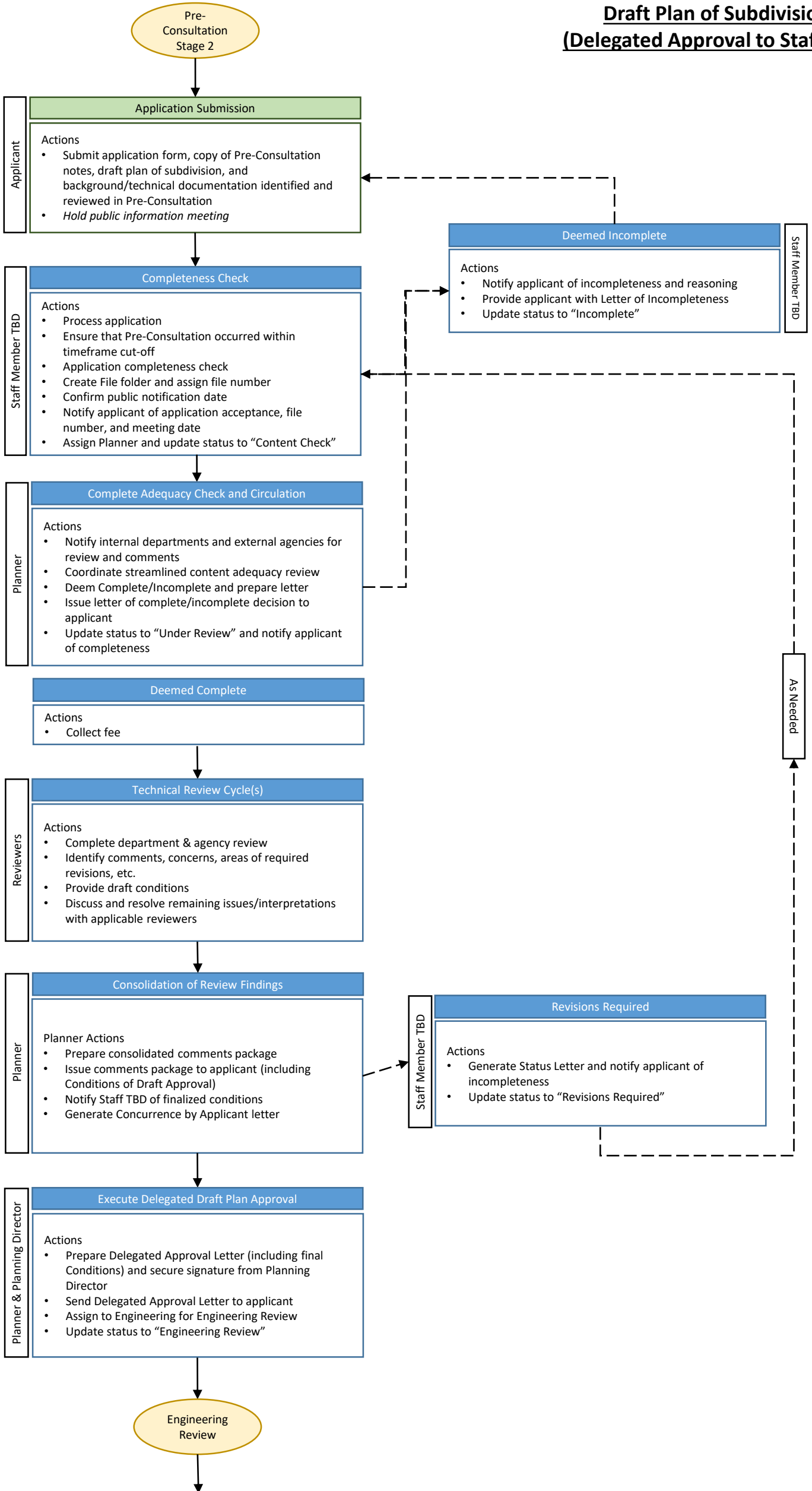








Draft Plan of Subdivision (Delegated Approval to Staff)



Engineering Review Complete

Legal

Register Plan of Subdivision and Development Agreement

Actions

- Complete legal review and produce Development Agreement
- Issue signed agreement and request signature and securities from applicant
- Receive signed agreement and securities from applicant
- Register Plan of Subdivision and notify Staff Member TBD
- Assign to GIS for GIS Numbering
- Assign to Finance for Letter of Credit

Applicant

Review of Draft Conditions

Actions

- Review and comment on draft conditions of approval
- Submit to municipality

Finance

Letter of Credit

Actions

- Prepare Letter of Credit with securities and insurance form
- Update status to "Letter of Credit Complete"
- Assign to Staff Member TBD

GIS

GIS Numbering

Actions

- Complete GIS review and numbering
- Update status to "GIS Numbering Complete"

Staff Member TBD and Finance

Authorization to Commence

Actions

- Confirm the appropriate documents are submitted in future CloudPermit to ensure completeness
- Release Securities (Finance Dept.)
- Assign Public Works to complete inspections
 - Base Work, Street Lighting, Landscaping, Top Works, Storm Pond, Public Works, and Storm Sewer
- Issue Authorization to Commence
- Update status to "Approved" and notify applicant

Building Permit Process leading to Occupancy

Public Works

Inspection Scheduling and Completion

Actions

- Schedule and complete inspections; and upload record of completion into future CloudPermit following each inspection
- Update status to "Inspections Completed" and notify Staff Member TBD
- Assign to Staff Member TBD to Notify Finance re securities release

Staff Member TBD

Closure

Actions

- Confirm receipt of inspection and completion of Plan Registration
- Confirm securities release
- Update status to "Closed" and notify Staff Member TBD

Closed

Draft Plan of Subdivision – Engineering Review

Draft Plan of Subdivision - Planning

