



Development Approvals Review Process | Summary Recommendations Presentation

Municipality of Leamington

December 13th 2022

Project Overview & Report Objectives

This project is timely for the Municipality of Leamington – While the DARP Review was intended to support implementation of improvement opportunities identified in the 2020 Service Delivery Review, ongoing initiatives within the Administration in 2020-22 to optimize processes, support investments in new technology to enhance workflow, and build staff capacity, **Ontario’s land use planning landscape has rapidly evolved since this project** began and, in fact, throughout the course of this assignment.

Phase 1: Kick-Off	Phase 2: Current State Analysis	Phase 3: Initiatives and Recommendations
<ul style="list-style-type: none"> ✓ Align on project objectives, timelines, and project management protocols with Leamington’s project team <p style="text-align: right;">May 2022</p>	<ul style="list-style-type: none"> ✓ Build a detailed understanding of the current state of land use planning in Leamington today and identify initial list of improvement opportunities ✓ Present Current State Report to Council in September 2022 <p style="text-align: right;">Summer 2022</p>	<ul style="list-style-type: none"> ✓ Develop, refine, and detail improvement initiatives and implementation considerations ✓ Present Final Report to Council in December 2022 <p style="text-align: right;">Fall - Winter 2022</p>



Detailing the four initiatives that could provide the most benefit to Leamington through research, comparator analysis and stakeholder engagement



Developing specific recommendations for each initiative, including actions that the Municipality could undertake in the immediate term (<6 months) as well as in the long-term



Conducting a cost-benefit analysis of potential benefits of the recommendations against potential costs and risks (both internal and external to the organization)



Identifying key implementation considerations for advancing these recommendations in the short- and long-term and within a changing provincial land use planning context

Transformation in Ontario's Land Use Planning Landscape

In 2022, the Government of Ontario has introduced legislation that, if all bills are passed, will fundamentally alter Ontario's land use planning system and municipal governance frameworks.

Bill 109, *More Homes for Everyone Act, 2022*

(March)

- ✓ Mandatory delegation of site plan control to staff
- ✓ Refunds for ZBA and SPA fees where no decision made during the statutory timeframe
- ✓ Community Infrastructure and Housing Accelerator (CIHA) tool
- ✓ New Ministerial powers for certain OPAs and new OPS

Bill 23, *More Homes Built Faster Act, 2022*

(October)

- ✓ As-of-right zoning
- ✓ Streamlined approvals – e.g., no site plan control required for projects < 11 units
- ✓ Changes to municipal fees and charges (DCs, CBCs, parkland)
- ✓ Reduced role for Conservation Authorities
- ✓ Changes to upper-tier planning role
- ✓ OLT to restrict third-party appeals

Key Impacts For Learnington

- Loss in fee revenue if the Municipality is unable to meet the new statutory timeframes for ZBA and SPA decisions, coming into effect on January 1, 2023 (or potentially later – July 1, 2023)
- Potential requirement for additional staff capacity to meet the new approval timelines
- Reduction of development related charges and fees will impact the Municipality's ability to fund growth-related infrastructure – funding would either need to come from the property tax base or service reductions unless the province offers a new funding source
- Limits on Conservation Authority comments on development applications to natural hazards
- The province is also proposing to integrate the Provincial Policy Statement (PPS) and Growth Plan (*A Place to Grow*) into a single policy instrument intended to help municipalities accelerate and increase housing supply through a more streamlined, province-wide land use planning policy framework

Reminder: Key Outcomes from the Current State Report



Key Findings from the Current State Report identified that following 10+ years of unprecedented growth, Leamington is now grappling with the impacts of growth on the community as well as internally with its capacity to organize and deliver core services. Given substantial investments over the last several years in staff and technology, the Municipality is at a prime point to review its internal processes, procedures, and resource allocations and refocus on customer service, communications protocols, relationship-building, and process improvement.



The Report concluded that looking forward, Leamington must ensure its planning and development services are optimized and structured appropriately to meet the service demands of a mid-sized industrial municipality, manage that growth effectively, and realize municipal growth objectives.



A **long-list of 12 DARP improvement opportunities** for further exploration were identified.

In consultation with the senior management team, high-impact opportunities were distilled and organized into the **4 Priority Initiatives** detailed in this Report.



Community Development Strategy



Applicant Education & Resources



Department Organization



Pre-Consultation & Site Plan Control

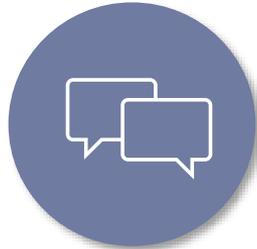
Phase 3 Methodology and Approach

The approach to building this Recommendations Report involved desktop research and a best practice review, analysis of the changing provincial policy landscape in Ontario as well as in-depth consultation with staff, building on the engagement completed in Phase 2 of this project.



Research & Best Practice Review

Conducted a jurisdictional scan, building on the comparator analysis in the Current State, reviewed municipal best practices, and identified potential impacts and implications of recent provincial legislation



Interviews

Conducted 1:1 virtual interviews with members of the Municipality's Senior Management Team (SMT) as well interviews with management staff in planning, development and IT



Workshops

Facilitated 3 x 60-90 minute workshops with frontline staff, site plan approval support staff and management from planning, development, building and engineering.



Subject Matter Expertise

Consultation with StrategyCorp's Senior Advisor Panel, including two former Planning Commissioners with decades of experience and expertise in land use planning and policy development

Summary of Key Initiatives



Community Development Strategy

1. **Development of a clear vision and strategy** to manage growth in the community and build alignment within the corporation



Applicant Education & Resources

2. **Updating key resources and materials** to enhance transparency and availability of information



Department Organization

3. **Modernization of the Municipality's organizational structure** to ensure appropriate staff capacity, support problem-solving, and improve customer service



Pre-Consultation & Site Plan Control

4. **Streamlining key processes and workflows** to improve service delivery

Initiative Overview: Community Development Strategy



Key Findings

- Due to significant increases in service demands on municipal staff in response to recent growth, **many of Leamington’s planning by-laws and policies** - including its Official Plan (OP) and Development Manual - **are significantly outdated**, leading to inconsistency, misunderstanding, and misapplication of policy for developers and staff
- Staff understand what Council’s goals for service delivery are, but not the actual development objectives for the community (i.e., housing, greenhouse development, intensification, etc.) meaning Council’s **priorities for community development are not being consistently translated into policy changes** and/or development outcomes or informing how staff approach and understand their day-to-day work

Key Recommendations

- I. Establish a long-term Growth Vision that outlines clear development goals for Leamington based on community, staff and Council consultation and forecasted growth needs
- II. Undergo a systematic review and modernization of existing planning policies and by-laws – starting with the OP and Development Manual

Cost-Benefit Overview

- Providing clear direction to staff and the community on expectations for development in the community will result in long term service delivery improvements, application processing efficiency, and better risk management
- The Municipality will likely want to include a budget allocation in the 2023/2024 budgets for professional services to develop a Growth Vision and re-develop existing policies and by-laws
- Costs of conducting all policy and by-law updates together will be higher in the short-term but will reduce total cost by consolidating processes like public consultation and will reduce the cost and effort of updating these policies in the future

Implementation Considerations

- Due to limited staff capacity for policy development, Leamington should consider retaining a consultant to support these recommendations
- SMT-level champions will be needed to ensure effective management of external consultants and the active engagement of staff
- Leamington’s Growth Vision, OP, and supporting policies and by-laws should be reviewed and renewed on a 5–10-year cycle. Delaying these updates can result in increased resource requirements to re-develop them later and cause undue process challenges

Initiative Overview: Applicant Education & Resources



Key Findings

- Responding to email or phone inquiries takes up significant staff time. While responsive customer service continues to be a priority, constantly responding to general inquiries leaves less time for service delivery and policy development
- Leamington's applicant education and resources are currently not aligned with municipal best practices
- At present, information provided to applicants is not structured in an easily digestible manner. As a result, applicants may be overwhelmed by the amount of information and may not read what is provided
- Currently, staff are not certain where responsibility for content generation lies, resulting in lack of ownership over quality copy development

Key Recommendations

- I. Ensure online materials are up-to-date and reflect current processes
- II. Establish a working group in the short term to address immediate updates to website content
- III. Develop structures and systems for regular review and updates to web content including dedicating responsibility for updates

Cost-Benefit Overview

- Outcomes of these recommendations include:
 - ✓ Significant time saved if applicants can access necessary information online
 - ✓ Improved service delivery through resources which effectively guide applicants and encourage quality submissions
- No immediate budgetary implications but recommendation will require re-direction of staff resources to update materials in the short term and on an ongoing basis.

Implementation Considerations

- Resources should align with OPs, policies, guidelines and by-laws
- All web content should be AODA compliant
- Recommendations focus on the content and structure of applicant resources rather than on digital tools/software (i.e., no new technology needs to be purchased)
- Resources should be regularly updated to be consistent with new digital processes and new legislation
- While departments such as communications and IT can support efforts to maintain the webpage, responsibility for content generation should ultimately rest with DARP staff

Initiative Overview: Departmental Organization



Key Findings

- Splitting the planning department in 2020 was intended to relieve pressures on staff by re-allocating site plan applications to the new development services department
- Inadvertent challenges of the split have included unclear roles and responsibilities and communication gaps resulting in barriers and delays in the DARP, and exacerbated existing capacity challenges related to policy development, as “silos” between planning and development have resulted in a lack of ownership or co-operation to review and update policies
- The separation of planning and development services, with separate managers, is also not common practice in other municipalities

Key Recommendations

- I. Recombine planning and development services under a single manager, to facilitate improved decision making, communication, and service delivery (*short-term*)
- II. Redefine front-line staff roles to become the primary points of contact for individual applications (Application Officers) (*short-term*)
- III. Explore establishing a dedicated or additional senior manager responsible for planning, development, and building services as part of a corporation-wide organization review (*long-term*)

Cost-Benefit Overview

- The short-term adjustments will have minimal cost implications as they focus on reorganizing existing roles and responsibilities among staff
- These recommendations will improve service experience for applicants and create process efficiencies within the DARP by better aligning resources to limit duplication, streamline decision-making, and open up policy making capacity for staff
- A dedicated SMT role would help balance workloads across the organization and elevate development priorities to the senior management level. If advanced, this would come with associated costs for a third-party organizational review and potential new SMT salary

Implementation Considerations

- These recommendations are “people agnostic” and while existing staffing levels and skills are considered, recommendations on individual staffing decisions are not included here and remain at the discretion of senior leadership
- Across the municipal and planning sector in Ontario, certified planning staff are increasingly challenging to recruit and retain, and Leamington may need to adjust staff resourcing requirements to maintain the appropriate level of skills and expertise

Initiative Overview: Pre-Consultation & Site Plan Control



Key Findings

- Formal pre-consultation has added much needed structure to the DARP, but its practical application for site plan only has led to **multiple and inconsistent intake channels** for applicants
- Key pain points within the DARP include: the level of **design detailed required** for pre-consultation, **timelines** for planning comments and draft agreement, and **inconsistent application of policy** across the organization
- Ongoing **legislative changes** from the province expose Leamington to additional risk of non-compliance and loss of revenue, particularly around site plan decision timelines

Key Recommendations

- I. Standardize the pre-consultation process for all OPA, ZBA, SPA, and/or Plan of Subdivision or Condominium, as stipulating in its bylaws
- II. Update site plan control bylaw to delineate specific application streams based on the scale and scope of applications
- III. Leverage *Notice of Conditional Approvals* and re-circulation fees to improve site plan decision timelines in accordance with Bill 109
- IV. Re-focus the Development Support Committee on early intervention and problem-solving

Cost-Benefit Overview

- Potential outcomes of these recommendations include:
 - ✓ Improved service delivery, by improving consistency in fee management and ensuring proactive and integrated pre-consultation
 - ✓ Reduced risk of loss of revenue for the Municipality through fee refunds required under Bill 109
- Direct costs of implementing process improvements are minimal but will necessitate a fee review requiring professional services

Implementation Considerations

- Practical immediate implementation of these process improvements will require re-combination of planning and development services under one manager and reconfiguration of existing Cloudpermit applications
- In the short- to medium-term, optimization of process efficiency, risk management, service delivery, and cost recovery outcomes of these process changes will require direction on development outcomes from Council, clear communication of expectations to applicants, and a fees review for planning and development services

Implementation Timeline Overview

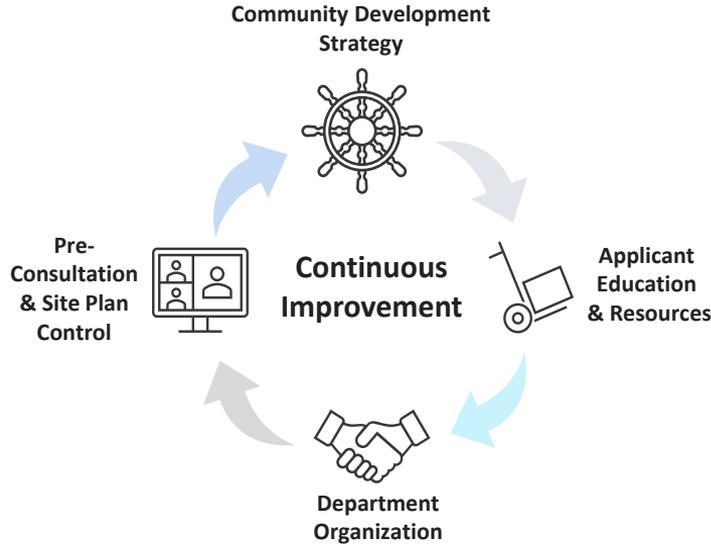
The table below summarizes a proposed implementation plan for the recommendations outlined in this report. This ‘mock up’ plan demonstrates:

- 1) **Initiatives already underway and/or planned** that will support overall improvement of the DARP (e.g., the strategic plan update)
- 2) **Short-term activities** that the Municipality can advance over the next year
- 3) **Longer-term activities** that require more investment and resources that could be undertaken later in this term of Council
- 4) **Interdependency of specific activities** that will require specific sequencing or alignment with pending legislative requirements

Initiative	Key Activities and Milestones	2023				2024				2025		
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Community Development Strategy & Tools	Update Strategic Plan	█										
	Develop Growth Vision		█									
	Update Official Plan, Supporting By-laws & Policies						█					
Applicant Education & Resources	Establish Working Group to Modernize Online Materials	█										
	Ongoing Maintenance of Online Materials			█								
Department Organization	Re-Combine Planning & Development Services	█										
	Full Organization Review					█						
Pre-Consultation & Site Plan Control	Establish New DARP Application Workflows	█										
	Complete Cloud permit Implementation		█									
	Planning Fees Review			█								

Leamington's Future DARP: Aligning Strategy, Resources, Tools & Processes

Leamington has a **track record of successful adaptation to significant changes** in the community and land-use planning environment.



Each initiative in this report has **tangible outcomes** that support a streamlined, transparent, and enhanced DARP.

At the same time, there are **key interconnections and interdependencies** among the four initiatives proposed in this report, and it is their impact, when taken together, that will bring about a fundamental transformation of the DARP.

With a strong foundation across these initiatives, Leamington will be well positioned to leverage a **cycle of continuous improvement** that builds on previous success, learns quickly from mistakes, and adapts to internal and external changes.

The recommendations outlined in this report provide a **roadmap of how the Municipality can initiate this cycle** to deliver maximum improvement to the DARP through the integration of strategy, structure, tools and processes – and provide the quality services and outcomes community members and stakeholders have come to expect.



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