

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, March 25, 2022 Meeting

FROM: Sameer Dhalla, Director, Development and Engineering Services

RE: **SERVICE DELIVERY REPORT FOR SECTION 28 PERMIT APPLICATIONS, 2021**

KEY ISSUE

The purpose of this report is to present Toronto and Region Conservation Authority's (TRCA) Section 28 permit application review service delivery for 2021 pursuant to the Conservation Ontario Client Service and Streamlining Initiative.

RECOMMENDATION

IT IS RECOMMENDED THAT the Service Delivery Report for Section 28 Permit Applications, 2021 be received.

BACKGROUND

On March 29, 2019, the Board of Directors adopted [RES.#A38/19](#) which states in part:

THAT the Board of Directors endorse the three key areas identified by the Conservation Ontario working group for all Conservation Authorities to: 1) improve client service and accountability; 2) increase speed of approvals; and 3) reduce the notion of “red tape” and regulatory burden, in addition to the ongoing streamlining measures being undertaken by TRCA...;

AND THAT staff be directed to work with Conservation Ontario, municipalities and stakeholders, including but not limited to the Building Industry and Land Development Association (BILD), to identify additional improvements and report back to the Board of Directors on the outcome of this work.

Guidance related to service delivery standards for Section 28 permit applications was historically specified in the Ministry of Natural Resources and Forestry (MNRF) Policies and Procedures for Conservation Authority Plan Review and Permitting Activities (2010). This guidance addresses administrative matters including determining complete applications and directs that Conservation Authorities render a decision within 132 days for a “major” application or 72 days for a “minor” application.

As part of a renewed commitment to efficient regulatory services, Conservation Ontario (CO) Council endorsed new Client Service Standards for Conservation Authority Plan and Permit Review in June 2019. This guidance established a more ambitious set of service standards that Conservation Authorities should meet as best practice. Under this framework, Conservation Authorities should render a decision on complete applications within 63 days for “major” applications, 42 days for “minor” applications and within 14 days for a new category of “routine” applications. Applications issued by TRCA in 2021 under this second framework are reported in the table below under “CO Guideline Timeline.”

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RATIONALE

Under Strategy 9, Measure Performance, of the TRCA's Strategic Plan, the Development Planning and Permits and Infrastructure Planning and Permits business units have committed to the objective of delivering at least 80% of all permit issuances within the Conservation Ontario Guideline timeframes. The following table presents the service delivery results for all Section 28 permits issued in 2021 within TRCA's jurisdiction.

Number of Permits Issued Within Policy and Procedure timeline			Number of Permits Issued Outside of Policy and Procedure Timeline			Reason for Variance from Policy and Procedure (Optional)		
Major	Minor		Major	Minor ¹		Major	Minor	
413	857		21	20		Complexity	Multiple Submissions	
Number of Permits Issued Within CO Guideline timeline			Number of Permits Issued Outside of CO Guideline timeline			Reasons for Variance from Guidelines (Optional)		
Major	Minor	Routine	Major	Minor	Routine ²	Major	Minor	Routine
376	497	285	58	71	24	Complexity	Multiple Submissions	Staff Turnover

Assumptions include the following:

- "Routine" permits are those identified as "Minor Ancillary Residential" on TRCA's fee schedule. These projects meet the definition of "Routine" in the CO Guideline.
- All remaining infrastructure permits, and development planning permits were identified as "Major" or "Minor" depending on the complexity of the application per the definitions in the CO Guideline.
- Policy and Procedure timelines are 132 and 72 days for "Major" and "Minor" permits, respectively.
- CO Guideline timelines are 63, 42 and 14 calendar days for "Major", "Minor" and "Routine" permits, respectively. 7 days are added for each additional submission for "Routine" applications.
- Only permits issued in 2021 were included. Some of the permits were deemed complete in 2020 or previous years.

Of the 1,311 permits issued in 2021, 1,276 or 97% of the permits met the former Policy and Procedure Guideline and 1,158 or 88% of the permits met the enhanced CO Guideline, which exceeds the 80% objective and the 84% achieved in 2020. This was achieved despite an increase in the number of permits issued from 1,101 in 2020 to the 1,311 issued in 2021. Those that did not meet the Guideline include complex infrastructure and development permits requiring multiple submissions. In some cases, the reviews may have been impacted by staff turnover in 2021.

¹ "Minor" includes "Routine" applications for purposes of Policy & Procedure Timeline as there is no "Routine" category in that Guideline.

² CO Guideline Timeline for "routine" considered to be 14 calendar days total, plus 7 days per additional submission, per memo from Conservation Ontario, June 29, 2020.

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This is the second year of TRCA's annual reporting to the Board of Directors on Section 28 permit application service delivery. Staff anticipate reporting annually. However, further to RES.#A38/19 noted above, staff have been meeting quarterly with the Building Industry and Land Development Association (BILD) to provide updates and receive feedback on service delivery. Feedback from BILD members has been positive and appreciative of TRCA's commitment to excellence in service delivery. Improvements to the application circulation process and permit issuance service delivery are anticipated through future implementation of the Planning Application, Review and Enforcement System enterprise software in late 2022.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:
Strategy 9 – Measure performance

FINANCIAL DETAILS

Section 28 permitting services are funded through permit application fees, account code 110-05.

DETAILS OF WORK TO BE DONE

Staff will report back annually on the service delivery for Section 28 Permit applications annually.

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