



Municipal Licensing and Standards - Performance Standards

Date: February 24, 2020

To: General Government and Licensing Committee

From: Deputy City Manager, Infrastructure and Development Services

Wards: All

SUMMARY

This report responds to a request from the General Government and Licensing Committee to report on identifiable and measureable performance standards for Municipal Licensing and Standards (MLS) and the redeployment of Investigation Services' staff to the North York Civic Centre (NYCC).

MLS previously reported on enforcement service standards, after direction from the General Government and Licensing Committee, in September and November 2019. Service standards refer to the target response times that MLS sets for the various work programs performed by the division. All divisions, including MLS, also set target response times for complaint assessment and internal investigation. For example, with property standards, MLS aims to initially respond to 70% of property standards service requests within 5 business days. Although the current service standards are useful metrics, MLS recognizes that they are insufficient for the public, as performance standards should be linked to the desired outcome (e.g. residents are better off). As such, MLS will be implementing a results-based management and accountability framework.

MLS continues to optimize space in an effort to mitigate its real estate footprint and facility costs. In the last decade, MLS has reduced its real estate footprint by half (from 16 to 8 business locations). This has the added benefit of co-locating by-law enforcement staff, enabling increased collaboration, and shared resources such as fleet vehicles. This approach also aligns with the City's efforts to optimize office space.

In continued optimization efforts, on August 28, 2019, 26 Investigation Services (IS) staff located at NYCC were relocated to one of three MLS district offices (Central, West or East). The relocation recognized MLS' distribution of service requests, consolidated the IS operation into a three-district model (to align with MLS' other business units), and ensured all IS staff are co-located with staff from By-law Enforcement. While MLS is committed to modernization, it is also committed to taking steps to meet or exceed all performance targets. While staff travel times have increased in a limited area of North

York (such as those close to NYCC), in a preliminary analysis of service delivery, optimizing business locations has not had demonstrably negative effects to service delivery.

This report was prepared in consultation with the Corporate Real Estate Management Division and Fleet Services.

RECOMMENDATIONS

The Deputy City Manager, Infrastructure and Development Services recommends that:

1. The General Government and Licensing Committee receive this report for information.

FINANCIAL IMPACT

The Deputy City Manager, Infrastructure and Development Services confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

On November 18, 2019, the General Government and Licensing Committee considered [GL9.20 - Municipal Licensing and Standards - Additional Information on Enforcement Strategies and Service Standards](#) and requested the Deputy City Manager, Infrastructure and Development Services to report back in the first quarter of 2020 on identifiable and measurable performance standards for Municipal Licensing and Standards Division; and the redeployment of Investigation Services staff to the North York Civic Centre.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL9.20>

On September 4, 2019, the General Government and Licensing Committee referred [GL7.16: Municipal Licensing and Standards - Enforcement Strategies and Service Standards](#) to the Executive Director, Municipal Licensing and Standards with a request to report to the November 18, 2019 meeting on performance standards for By-law Enforcement and Investigation Services, the impact of operational changes on property standards enforcement, and staffing levels, training, response times, and service standards for Toronto Animal Services.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL7.16>

On April 1, 2019, the General Government and Licensing Committee considered [GL3.1 - Divisional Overview - Municipal Licensing and Standards](#) and requested the Executive Director, Municipal Licensing and Standards to report back on proposed strategies and service standards for enforcement in areas where a significant number of complaints are received.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL3.1>

COMMENTS

Municipal Licensing and Standards (MLS) provides by-law administration and enforcement services, including strategies to address graffiti, noise, business inspections, parks regulations, and animal services issues. Services also include business licensing and permitting, property standards, zoning, waste, animal care including control, shelter and adoption services, and a range of policy and planning activities. The division is responsible for the enforcement of more than 30 by-laws and statutes including *City of Toronto Act*, *Planning Act*, *Building Code Act*, *Dog Owner's Liability Act* and the *Cannabis Control Act*.

The business units that perform enforcement activity within MLS include Investigation Services, By-law Enforcement, and Toronto Animal Services (TAS). More information about these business units can be found in the [September 4, 2019 staff report](#).

On November 18, 2019, the General Government and Licensing Committee requested the Deputy City Manager, Infrastructure and Development Services to report back on the following items:

1. Identifiable and measurable performance standards for responding to complaints received by the Municipal Licensing and Standards Division; and
2. The redeployment of Investigation Services staff to the North York Civic Centre in order to reduce staff travel times.

Responses to each of these requests are provided below.

1. MLS Performance Standards

Background:

MLS currently measures its performance using service standards and performance targets. As noted in previous staff reports and annual budgets, MLS is in the process of reviewing service standards and modernizing service delivery models in efforts to improve service delivery. This includes:

- Modernizing by-laws;
- Business transformation (including, transforming legacy data management systems and improving the mobility of by-law enforcement officers through greater access to technology in the field);
- Moving towards the prioritization of service requests (based on where the greatest contribution on quality of life conditions can be made so that residents are better off);
- Expanding the use of compliance tools such as mediation and public education.

Completion Timelines

MLS Investigation Services is responsible for the enforcement of over 20 by-laws and a high volume of service requests (approximately 60,000 in 2019). In response to Committee's request, MLS has reviewed its completion timelines for its top service request categories enforced by MLS' Investigation Services (IS) team: property standards, littering and dumping, long grass and weeds, zoning and signs.

The investigation and compliance processes for IS' top service requests, including expected timelines, are outlined in Figures 1 to 6 below.

Figures 1-6: Minimum Investigation Process and Timeline for Investigation Services' Top Service Requests

Figure 1
Service Request: Property Standards (Emergency)

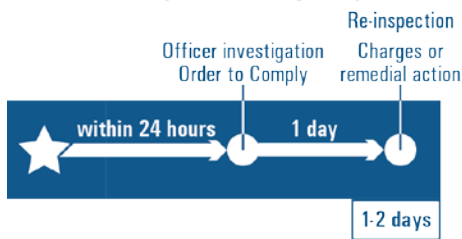


Figure 2
Service Request: Property Standards (Non-emergency)

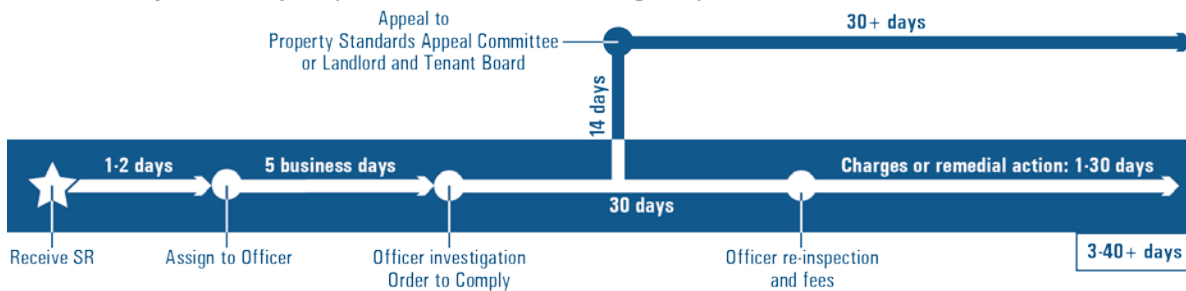


Figure 3
Service Request: Littering and Dumping



Figure 4
Service Request: Grass and Weeds

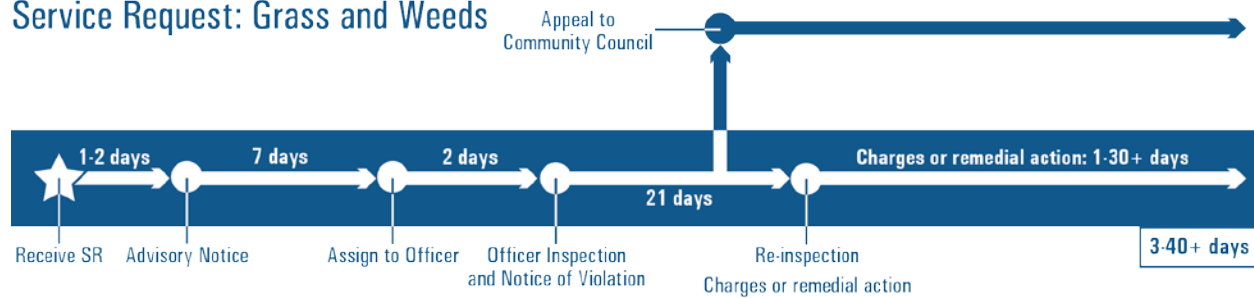


Figure 5
Service Request: Zoning By-law

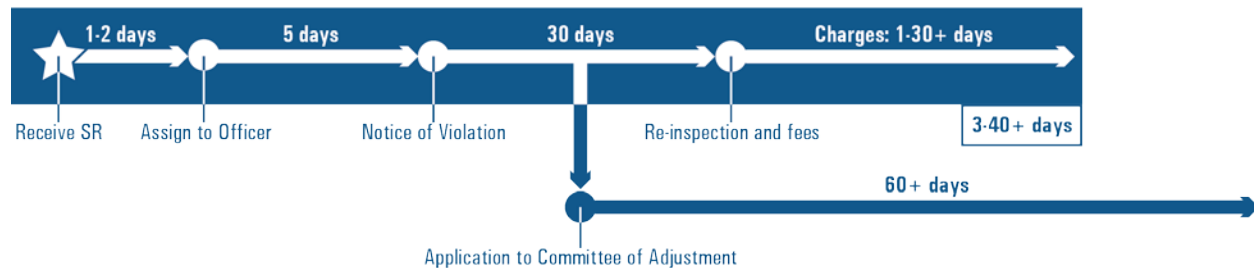
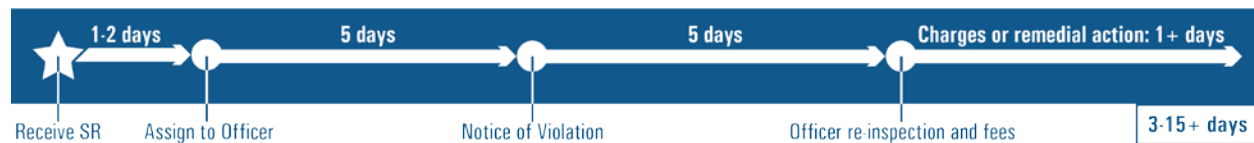


Figure 6
Service Request: Signs



In Figures 1 to 6, the expected number of days to completion varies considerably, largely due to external variables that may prolong or shorten completion. Circumstances or intervening variables that prolong completion timelines may include:

- Appeals and other legal proceedings such as statutory appeal rights that must run their course; and
- Seasonal and other factors that may impact complaints, including higher volumes that affect the ability of contractors to carry out remedial action.

The timelines for service requests are also impacted by the enforcement approach taken by MLS. MLS has various tools depending on the circumstances, including remedial action (for example, the City cutting grass that is violating the By-law) and laying of charges. In some instances, enforcement may involve court processes such as statutory appeal rights or obtaining warrants for investigations. These variables are key considerations as MLS reviews its service standards and implements results-based performance measures. However, regardless of this complexity, MLS recognizes that residents would like to know the expected completion timeline of their service request.

MLS reviewed the average number of days to completion for each of the five service request categories in 2018 and 2019. The results of this analysis is outlined in Table 1.

Table 1: Minimum Expected Days to Completion Compared to 2018 & 2019 Average Days to Completion

By-Law	Min. Expected Number of Days to Completion	2018 Average Number of Calendar Days to Completion	2019 Average Number of Calendar Days to Completion	Percentage Difference Between 2018 and 2019
Chapter 629 – Property Standards	Emergency: 1-2 days	13	8	38% improvement
	Non-emergency: 3-40+ days	70	40	43% improvement
Chapter 548 – Littering and Dumping	3-40+ days	55	46	16% improvement
Chapter 489 – Grass and Weeds	3-40+ days	47	44	6% improvement
Zoning By-law	3-40 days	108	53	51% improvement
Chapter 693 - Signs	3-15+ days	40	30	25% improvement

Note: The 2018 and 2019 average days to completion includes instances that are beyond the control of MLS, such as appeal processes and legal proceedings.

As Table 1 illustrates, the average number of days to completion in 2018 and 2019 is higher than MLS' minimum expected number of days to completion; however, there has been a significant improvement in 2019 (for example, on average, there was a 34% improvement in the number of days to completion). MLS continues to review its existing processes to determine where internal changes can be made to accelerate completion timelines. Changes include business transformation, consistently implementing standard operating procedures for investigations, and continuing the development and implementation of service request prioritization.

IS service requests are identified as the next area of prioritization. Further prioritization of service requests is intended to facilitate a more effective deployment of staff. Staff are developing a priority response matrix that uses strategic priorities to determine the urgency and potential impact in addressing complaints. For example, property standards concerns relating to inadequate heat in the winter, vital service disruptions in apartment buildings, or hateful graffiti would continue to receive high priority treatment and response, as is currently the case, while an unpermitted sign or garage sale that is not posing a health and safety risk would be deemed less urgent. Different response strategies and/or investigation methods would be assigned to each priority level, as opposed to the current approach of treating all complaints equally.

2. Redeployment of Investigation Services Staff to the North York Civic Centre (NYCC)

Background

On August 28, 2019, the MLS office in NYCC was closed and all staff were relocated to other district offices. At the time of closure, the NYCC office contained 26 Investigation Services (IS) staff positions, including 20 by-law enforcement officers. The previous staff report noted that the relocation of staff allowed MLS to more effectively share resources internally, including fleet vehicles and office space, as well as promoted efficiencies, teamwork and consistency. Prior to the relocation of staff, MLS undertook an assessment of the potential impacts to service delivery and took steps to mitigate these impacts such as modifying shift schedules to improve coverage and backfilling officer vacancies wherever possible.

Additional Considerations

MLS does not recommend redeploying staff to NYCC as it does not advance efforts to modernize operations, such as efficiently sharing resources. The relocation of IS staff from NYCC reflected the City's efforts to modernize by considering the distribution of service requests among district offices, the strategic alignment between MLS' service lines, and the optimization of City assets such as fleets and office space.

A. Distribution of Service Requests

As part of the review of relocating IS staff from NYCC, MLS explored the volume of service requests received in its top request category, property standards. Property standards service requests represented approximately 30% of MLS' annual service requests for the IS team in 2019. The IS business unit is responsible for ensuring that property standards are maintained across the city. MLS undertook a historical review to inform the relocation and noted that the Central and West district offices received the highest proportion of property standards service requests, representing 40% and 23% of the annual total. The East and North district offices received the lowest proportion of property standards services requests, with 20% and 18% of the annual total. This is noted in Table 2 below:

Table 2: Property Standards Service Requests by District and Year (2016 - 2019)

District	2016 - Number of Property Standards Service Requests	2017 - Number of Property Standards Service Requests	2018 - Number of Property Standards Service Requests	2019 - Number of Property Standards Service Requests	4-Year Total	Percentage of 4-Year Total
Central (Toronto & East York)	5,908	5,901	6,516	7,300	25,625	40%
West (Etobicoke)	3,342	3,605	3,539	4361	14,847	23%
East (Scarborough)	2,815	3,118	3,076	3,419	12,428	19%
North (North York)	2,575	2,708	2,763	3,200	11,246	18%
Total	14,640	15,332	15,894	18,280	64,146	100%

As MLS continues to modernize enforcement processes and optimize its office space, a key consideration is the distribution of service requests. As noted in Table 1, there is a significant disparity between Central and other district offices (and most notably, a 22% difference in the volume of service requests between the Central and North York district offices). The relocation of NYCC staff to other district offices is an endeavor to redistribute the volume of work and more effectively deploy resources across the City, with consideration for MLS' real estate footprint and the co-location of by-law enforcement officers.

Since the relocation of NYCC staff, the distribution of service requests has narrowed and there is greater parity between all district offices. This is noted in Table 3.

Table 3: Distribution of Service Requests in a Three-District Model

District	2019 - Annual Number of Property Standards Service Requests	Percentage After the Relocation of NYCC
Central (Toronto & East York)	7,302	40%
West (Etobicoke)	5,774	31%
East (Scarborough)	5,213	29%
Total	18,280	100%

MLS is continuing to monitor any potential changes to service delivery. As evidenced in Table 4 below, there have not been demonstrably negative affects to IS service delivery in North York. MLS' completion timelines continue to be within normal year to year variation, both for North York and in comparison to the overall City. This is also coupled with the hiring and training of 51 new officers in 2019 (37 in the summer and 14 in the fall) and ongoing efforts to fill vacancies and prioritize service requests in IS.

Table 4: North York Service Request Completion Timelines, Comparison of June-December 2018 and 2019

Days to Completion of IS Service Request	June – December 2018	June – December 2019	Difference in Completion Times
0-15	39%	33%	-6%
16-30	18%	18%	No Difference
31-60	18%	18%	No Difference
61-90	9%	9%	No Difference
More than 90	15%	8%	-7%
Ongoing	1%	14%	
Total	100%	100%	

Note: To ensure the analysis appropriately reflected any effects over time, MLS compared the last two quarters of 2018 to the last two quarters of 2019. These quarters typically have the highest volume of service requests for MLS.

B. Strategic Alignment between MLS Service Lines and New Dedicated Enforcement Team

The consolidation of IS from a four-district model to a three-district model aligns IS with MLS' other service lines, Toronto Animal Services and By-law Enforcement. This strategic alignment supports MLS' efforts to co-locate IS and BLE operations. Previously, the North York district office was the only MLS office that was dedicated to IS operations. In all other district offices, IS and BLE are co-located as it promotes a collaborative and consistent approach to compliance and enforcement. For example, it enables greater collaboration on complex service requests, such as hoarding, which requires cross-service line expertise and greater response coordination. It also supports more effective sharing of resources, such as fleet vehicles.

C. Modernization of Fleets and the Optimization of NYCC

In support of City-wide modernization, MLS continues to work with its divisional partners to better utilize City assets such as vehicles and office space. Underutilized vehicles create a cost burden as every vehicle needs to be serviced periodically, regardless of usage, in order to keep them in a safe and reliable condition. In consultation with Fleet Services, it was determined that having fewer, but more structured operational locations promotes better vehicle utilization and ultimately, reduces the size of fleets.

Moving forward, MLS will continue to work with Fleet Services and explore additional ways to better utilize City vehicles, including vehicle-sharing. Fleet Services is exploring the use of FleetShare, a state-of-the-art and industry leading car sharing technology that will provide City staff with convenient and on-demand access to City-owned vehicles for work trips through online or mobile-app booking.

In addition to fleet utilization, MLS is conscious of its use of City real estate assets. In 2019, City Council adopted the Office Optimization Plan as the first application of the City-wide Real Estate Portfolio Strategy. The Plan seeks to rationalize the City's office footprint, reduce overall costs, and modernize work environments for a changing workforce, including promoting desk sharing or mobility options for staff who spend a significant amount of time outside of the office.

Next Steps: Results-Based Performance Standards

The City of Toronto is currently implementing a new performance management and accountability framework called Results-Based Accountability (RBA). RBA prioritizes the importance of performance measures that describe the division's contribution to quality of life results (e.g. "Are residents better off?") versus the volume of requests fulfilled. RBA can help MLS articulate its role in contributing to quality of life conditions, such as a safe and clean City, through its role in maintaining property standards. Other examples are presented in the table below using the RBA framework.

Table 5: Example of RBA Performance Measures for MLS

RBA Question	Measures	Example: Property Standards
How much work did MLS do?	The volume of service delivered to residents.	From 2016 to 2018, MLS responded to an average of 15,289 service requests for property standards per year.
How well did MLS do?	<p>An expression of the quality of service delivered related to service standards or the customer's needs and expectations.</p> <p>Or</p> <p>The resources used in relation to the number of units of service provided or delivered. For example, what is the average number of days to resolve a service request and is the trend over time favourable?</p>	From June to December 2019, MLS completed 33% of its Investigation Services' service requests within 0-15 days.
Are residents and the City better off?	Expressed as the outcome, impact or benefit the City program/action has on the communities they serve in relation to the intended purpose or societal outcomes expected.	This is currently not tracked; however, a future example could be to determine if compliance to a property standard is improving.

MLS will use RBA principles to understand how MLS' work contribute to positive results for residents and to identify opportunities for further improvement. Under leadership from the City Manager's Office, staff are undertaking work to incorporate RBA into the MLS strategic framework and making necessary adjustments to data capture and tracking, including updating legacy information technology systems to better support data capture and tracking.

Due to the scale of work and resources required to introduce outcomes-based performance standards, MLS expects to report on its implementation in future budget processes. In the meantime, MLS will continue to work towards greater transparency in performance and achieving reasonable timeframes for compliance and enforcement.

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