

January 12, 2022

Planning and Housing Committee
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Sent electronically.

RE: PH30.1 Mandatory Pre-Application Consultation: Recommended Amendments to the Official Plan and to the Municipal Code - Final Report

The Residential Construction Council of Ontario (RESCON) is writing to provide feedback regarding mandatory pre-application consultations which will be brought forward to the Planning and Housing Committee on January 12th.

RESCON represents over 200 builders of high-rise, mid-rise and low-rise residential buildings in the province. Our goal is to work in cooperation with government and related stakeholders to offer realistic solutions to a variety of challenges facing the residential building industry, which in turn have wider societal impacts. The focus of RESCON's work is health and safety; training and apprenticeship; labour relations; industry research and innovation; regulatory reform; and technical standards.

While RESCON members are generally supportive of pre-application consultations, and many have participated in voluntary pre-application consultations to date, concerns exist pertaining to the report, namely city staff capacity, the lack of commitment to established timeframes, and adhering to consistent and predictable requirements for applicants.

RESCON widely supports the recommendations made in the City's End-to-End Review of the Development Review Process and applauds the City for launching and solidifying the C2K office to deliver on these recommendations. While one of the specific recommendations of the End-to-End Review was the formalization of a pre-application consultation, however, transitioning from a voluntary to mandatory requirement without other considerable process improvements will not achieve the intent of enhanced customer service, reducing inconsistencies in the application process and ultimately reducing statutory review timelines.

Given that Toronto's development review process is complex and interdivisional in nature, involving up to 25 City divisions and entities, and over 30 potential external commenting partners, moving to mandatory pre-application consultations will become more resource intensive for City staff while necessitating increased collaboration between largely siloed City departments. In addition to anticipated increases in staff workloads, records indicate an increasing trend in the number of development applications year over year further stressing existing staff resources.

We understand the City intends to build upon the existing voluntary practise while introducing new operational improvements, however, we are concerned these proposed improvements may not go far enough to ensure the success of pre-application consultation. The plan of transitioning the City's existing pre-application consultation process from a "hub and spoke" model to a team-based structure seems beneficial, but this team-based structure will not only require increased resourcing from City Planning Division, but also all of the other relevant City divisions involved in the development review process. We feel the City is underestimating the resources and time

commitments required to roll out the transition to mandatory pre-application consultations under the team-based structure, and fear staffing resources will impose limitations on the ability to effectively engage in pre-application consultations while being mindful to not take away from the same resource pool also working on reviewing development applications.

The current intended customer service standard for pre-application consultations targets 15 business days from the date of meeting request to scheduled meeting date, however, applicants are experiencing waiting timeframes of double or more than this intended timeline. This metric speaks to resource constraints across all relevant city departments and lack of accountability for interdivisional collaboration. Since departments such as City Planning division operate on cost-recovery mechanisms, there should be no excuses for not having access to necessary staff resources to meet intended customer service standards. Given the chronic state of understaffing in the City Planning division, we support the lengthy effective date of November 1, 2022, to hopefully allow adequate staff resources to be put in place for this transition, otherwise we fear mandatory pre-application consultations will become a new bottleneck ahead of formal development applications.

It is our view that if the team-based structure is properly implemented and operating as outlined in the final staff report on mandatory pre-application consultations, resolving critical issues earlier in the application review process should reduce the overall time to decision by providing consistent and predictable information about application requirements. The transition to mandatory pre-application consultations would become a prerequisite prior to submission of a development application. Once implemented, a development application will not be permitted for submission unless the pre-requisite pre-application consultation takes place. Learning from experience in other GTHA municipal jurisdictions, industry is concerned that mandatory pre-application consultations can be used to triage development applications or add undue burden onto applicants prior to a formal development application. It is for this reason that we ask the C2K department to immediately begin monitoring and reporting on key performance indicators such as the time required between meeting request dates and date of pre-application consultations as well as time required between pre-application consultations and submission of development applications. Tracking these key performance indicators will allow the C2K Office and City Planning to see the effectiveness of the proposed team-based structure leading up to the November 1, 2022, implementation date. It would be our hope that the existing customer service standard of 15 business days to schedule a pre-application consultation can be met prior to this implementation date. RESCON also supports the staff report commitment to develop a pre-application consultation procedures guide and wish to reinforce that this should be made available well before the implementation date.

RESCON has been working continuously and collaboratively with the C2K office since its inception. We have the shared goal of streamlining the development approvals process and improving the overall experience for both city staff and applicants. We are looking forward to continuing to work with them on the Mandatory Pre-Application Consultation ahead of the implementation date to continuously improve the process.

It is our view that if mandatory pre-application consultations are implemented as outlined in the staff report, identifying critical issues before an application is submitted to improve the quality of applications and reduce the time to decision, will better foster joint accountability and collaboration between the City and applicant. However, this will largely be dependent on the numerous City departments devoting the necessary resources to facilitate pre-application consultations in a timely manner. The City must understand that further delays in development application process will only exacerbate the housing affordability and supply crisis.

Sincerely,

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Director of Building Science & Innovation
RESCON

Richard Lyall
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