

**Landscape Ontario/City of Burlington Working Group Meetings
Summary of Issues and Actions as of October 10, 2023**

Issue/Item	Relates to which process?	Comments/Concerns	City Response	Recommended Changes to City DAP/Actions	Target Dates/Timelines
1. Development Application Process	Planning (Zoning) Forestry Grading and Drainage	<p>LO: Pre-screening time causes extended delays, and this time is not included in prescribed timelines (pre-screening can take months).</p> <p>LO: Deficiencies identified during pre-screening are extreme (i.e., told to move tree protection by 2").</p> <p>LO: Pre-screening timelines – when does the clock start, what are the targeted timelines, proper communication with homeowners and COB needed (i.e., original date of submission for pre-screening must be communicated, not official application submission date).</p>	<p>New Pre- building permit (PBP) process was implemented in May 2023. Pre-screening occurs within a week after submission to ensure application completeness and applicant is advised.</p> <p>New online <i>My Files</i> visibility tool has been created and available on-line as of May 2023 to allow applicants (and property owners) to follow application progress.</p> <p>Pre building permit process webpage link: https://www.burlington.ca/en/planning-and-development/pre-building-approval-application.aspx?_mid_=10921 <i>Information session to explain.</i></p> <p>Pools are major part of LO services and are currently not part of the PBP process as they do not require a building permit. Opportunity to explore expansion for integrated landscape projects including pools.</p> <p>Pool webpage: <i>link:</i>https://www.burlington.ca/en/building-and-renovating/pool-permits.aspx</p>	<p>Process has been improved through SDAF project. Separate process streams for three major applicant types and approvals</p> <ul style="list-style-type: none"> • Zoning • Grading and drainage and • Forestry <p>Pre-screening of application occurs within 5 days. Start time begins when application is deemed complete, and payment is received. Updated webpage. Expectations of applicant for timing.</p> <p>Two different processes for construction of pools vs structures. City staff to investigate opportunity for expanded use of <i>MyFiles</i> for pools and fully integrated landscape projects (i.e., including structures requiring building permit).</p> <p>By-Law Compliance Dept to review and implement pool approval process improvements.</p> <p>Landscape Contractors request to be able to schedule inspections online through <i>MyFiles</i> portal.</p> <p>Needs to be confirmed with BDS, whether <i>MyFiles</i> has this capacity. If not, we can work out another method. For now, we are using email and phone calls.</p>	<p>Application Process Improvements completed May 2023 with priority upgrades and enhancements to be implemented in 2024 and future years.</p>
2. Forestry Related Forms and Arborist Reports	All	<p>LO: Private tree inventory & compensation form → duplicate form, takes a lot of time.</p> <p>LO: Arborist is not privy to project planning/reports and therefore requires extra time to communicate changes. Landscape Architect plans show all trees, including those that will not be impacted by construction... Why must non-impacted trees be protected?</p>	<p>New PBP process has consolidated form. There is an on-line checklist to follow and only one form that covers Planning/Development Eng/Forestry sections. Pools now utilize a consolidated form as well. This was implemented in Dec 2021 with a checklist and guide document.</p> <p>Arborist needs to be part of the entire landscape design and construction planning process, with plans drawn to scale. Plans are to demonstrate how regulated trees will be protected through the duration of the project, while also identifying</p>	<p>Opportunity for ongoing education and outreach with Landscape Ontario members through an information session on the new process.</p> <p>City Forestry staff will follow-up directly with ED of Landscape Ontario to provide more information and schedule session.</p>	<p>Complete by Q4 2023</p>

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		<p>LO: Could COB pre-certify arborists to help make process faster (trust professionals).</p>	<p>those to be impacted, either through encroachment or removal. New online guide has been developed to explain Tree bylaw and provide examples of plans and other visuals. Staff have updated checklists for requirements needed for complete applications and have streamlined the permit and approval process based on project scope.</p> <p>For PBP files, under the new process tree barriers now do not need to be erected until the building permit is issued. If pool projects are delayed until spring, staff already have a mechanism in place to allow barriers to be installed closer to build.</p> <p>Declaration form was launched at the end of 2021. Pool inspections for tree protection barriers are completed ASAP, or can be provided through photographic evidence, depending on scope.</p> <p>The city recommends hiring a Qualified Tree Professional as defined in the City's Private Tree Bylaw. Introducing a pre-qualification process will introduce unintended administrative steps that could lengthen the process.</p>		
3. Topographic surveys, grading & drainage	Development Engineering	<p>LO: Topographic surveys should not be required for simple structures/small projects – cost is prohibitive (\$3K for topo surveys). Costs have increased to \$10-12K per survey in some cases.</p>	<p>City will provide updated materials online (Q&A or table) that clarifies when topographic surveys is required/not required.</p> <p>City to address legacy issues with respect to the existing grading and drainage by-law. Bylaw will be amended to ensure surveys are required for applications only where needed.</p>	<p>Bring forward for Council approval amendments to grading and drainage by-law and improve communications with LO members and other customers about requirements.</p> <p>By-law amendments completed to-date:</p> <ul style="list-style-type: none"> • Silt fence not required for: <ul style="list-style-type: none"> • Front porches • Basement walkouts • Second storey additions • Fire/damage repairs 	Complete by Q1 2024
4. Silt Fencing	Development Engineering	<p>LO: Should be used for wetlands/waterways only.</p> <p>LO: Length of time for inspections is extensive. Removal of fencing/protection at project completion – length of time it takes for final inspection impacts contractor being paid by customer. This should not hold up the process, can we use photos?</p>	<p>Engineering does not agree that silt fencing should only be used for wetlands/waterways. Silt fencing is also required for other projects to ensure no impact to neighbouring lands during construction. Not required for:</p> <ul style="list-style-type: none"> • Front porches • Basement walkouts • Second storey additions 	<p>City staff support that opportunity for photo evidence to speed up process. Need to determine criteria for acceptable photo evidence. Improve communications about requirements and provide demonstration photos to ensure acceptable photo submissions.</p>	Complete by Q1 2024

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Appendix C to ECDEV-05-23

			<ul style="list-style-type: none"> • Fire/damage repairs <p>Engineering already accepts photo evidence for smaller projects already. Photo evidence is accepted at the discretion of inspector and depending on project. Photo evidence is more difficult to provide for larger projects, however, video evidence can be added to <i>MyFiles</i> online portal.</p>		
5. Pool Enclosures	Bylaw	LO: Needs standardization of pool fencing requirements (i.e., circle one of 3 types of fencing).	City agrees with the LO comment. Improve communications and information sharing. Expand fencing requirements and include checklist.	Pool By-law is currently being updated and will be brought forward for council approval including review other municipalities' fencing requirements/processes.	Complete in Q2 2024
6. Construction Products	Building	LO: Engineered wood products for exterior use is not receiving approvals during permitting process. LO: Need list of approved products.	Use of Engineered wood products is a building code issue and is only a recommendation by the professional Engineer – they approve structural use, not manufacture of product (all relates to indoor vs. outdoor use). Recommendations must come from Engineer. Building Department currently maintains and makes available a list of manufacturers that comply with our policy. Designers and contractors can contact Building to obtain that information.	Building Dept prepared on as required basis to work with and advise LO of approved use of engineering wood products.	Ongoing as Required
7. Other Items Raised at Meetings		General comments: <ul style="list-style-type: none"> • Enforcement – good contractors are the ones being penalized. • Technology – use WhatsApp rather than email to submit photo evidence. • Homeowners need to be educated by COB on steps, timelines, processes, and benefits of permits. • Trusted contractor program/designation 	City overall agrees and supports these comments made by LO members at the working group meetings. In particular, the importance of timely approval of development permits was acknowledged.	City prepared to work closely with LO to promote public awareness of hiring professionals. City understands the fact that timely approvals is critical to LO members particularly given the limited construction season and is prepared to continue to work to develop targets for application review and approvals. Specifically with the implementation of new <i>MyFiles</i> application will provide performance data on approval cycle times that can be utilized to develop approval targets.	Ongoing as Required Complete by Q2 2024