



SUBJECT: Resubmission of Building Permits

TO: Pipeline to Permit Committee

FROM: Building

Report Number: BB-05-24

Wards Affected: All

Date to Committee: November 7, 2024

Date to Council: November 19, 2024

Recommendation:

Receive for information building department report BB-05-24 regarding the resubmission of building permits, in response to staff direction SD-14-24.

PURPOSE:

Vision to Focus Alignment:

- Designing and delivering complete communities
- Providing the best services and experiences
- Protecting and improving the natural environment and taking action on climate change
- Driving organizational performance

Executive Summary:

In response to staff direction [SD-14-24](#), “Direct the Commissioner of Development and Growth Management to provide a report on how resubmissions for building permit applications of businesses are managed and report back to Pipeline to Permit Committee on November 5th, 2024. This report should include data on how quickly these are addressed, information on why they are being sent back in the first place and share if any commonalities exist on request for resubmission (i.e. similar minor or major changes details), and options for changes to process in order to enhance timeliness and customer service.”

This overview addresses building permit resubmissions within Burlington's development process. Once planning approvals are secured, the building permit is the final step before construction can begin. The City processes over 1,500 permits annually, each undergoing multiple technical reviews to ensure compliance with the Ontario Building Code (OBC).

Resubmissions, often necessary to correct non-compliance or missing information, can cause frustrations as well as some delays and increase project costs. These resubmissions are categorized into administrative, moderately compliant, and significantly non-compliant, each affecting timelines differently. Current challenges include fragmented resubmissions, which lead to inefficiencies and miscommunication among project stakeholders.

The Building Department is focused on improving the permit process through pre-consultations, more frequent status updates, and better collaboration with designers to minimize the need for resubmissions. Key objectives include enhancing applicant experiences, improving data management, and developing strategies to reduce common errors. Future opportunities include exploring digital tools to streamline the review process and foster more efficient, transparent permit approvals.

Following recent Pipeline to Permit (P2P) Committee discussions, a preliminary report is being provided on November 5, 2024, as a response to an accelerated timeline. While this initial report offers insights, a comprehensive report will be presented at the December P2P meeting to maintain data integrity and provide fully detailed analysis to support informed decision-making.

Background and Discussion:

Developments move through the planning process in different ways, such as subdivisions, SPA (site plan approval) and/or zoning approvals. The size and complexity of the project will determine which planning process is necessary, for instance developments up to 10 units are exempt from site plan approval through Bill 23, and low-density residential additions only require a zoning review/certificate.

Once the planning approvals are in place, the building permit process is the last milestone in the overall development approval process before a developer can commence construction.

The Building Department issues over 1,500 building permits in any given year. During the building permit review process, applications typically undergo 3 to 4 technical

reviews to resolve technical omissions and ensure conformance to the OBC and other applicable laws. Construction can begin once a building permit is issued, with inspections taking place throughout the construction process to ensure compliance with the issued building permit. This year, the building inspections team has conducted over 25,000 building inspections.

The building permit review team is comprised of 3 teams:

- Permit Intake, Administration, and Accessory Structures: A front-line team comprised of Plans Examiners provide direct customer service to building permit applicants. This team facilitates building permit intake, fee calculations, processing of small-scale/low-risk projects, and building permit administration.
- Low-Density Construction: The Senior Plans Examiners are responsible for processing and reviewing low-density residential projects such as single-family/multi-dwellings and townhomes, and the mechanical/life safety review of commercial/industrial and multi-residential buildings.
- High-Rise Residential, Industrial, Commercial and Institutional Projects: The team of Building Engineers are responsible for providing OBC consultation and technical review of the overall architectural, structural, and fire protection designs.

Designing buildings is a complex process, and the OBC is highly technical, incorporating numerous other design standards, regulations, and codes, such as fire safety, accessibility, and energy efficiency requirements. These overlapping factors contribute to the time needed to review and process submissions and resubmissions.

In response to staff direction SD-14-24, which directs the Commissioner of Development and Growth Management to provide a report on the management of resubmissions for building permit applications from businesses, an initial timeline was established with a December completion date. This timeline was designed to allow for a detailed review of processes, data collection, cleansing, and thorough analysis, ensuring that the report would present a clear and accurate picture of current practices and trends.

Following a recent Pipeline to Permit Committee (P2P) discussion, a verbal modification to the timeline advanced the report submission to November 5, 2024. The timeline adjustment from the P2P discussion was acknowledged, and efforts were made to accommodate the request by preparing this report that shares a preliminary analysis, as a measure to respect that guidance. However, given the complexity and scope of the data, delivering a complete, accurate picture requires the full time originally allotted. Staff remain committed to upholding the integrity of the findings to provide the level of detail and reliability that both the data and committee members deserve.

A complete report is expected to be delivered at the December P2P meeting, as initially scheduled in the staff direction. This approach supports a more robust and reliable set of insights to inform decision-making.

The following measures relate to the Committee's motion, under key headings below.

1. **Measuring How Quickly Resubmissions are Reviewed.**

Issue: Initial building permits are reviewed within the legislated timelines as stipulated in the OBC, and the related data is shared with the Ministry annually. There are four time periods based on the size of building/structure:

- 10 business days: detached house, semi-detached house, additions, renovations serving a house, accessory structures serving a house
- 15 business days: town/row houses, buildings less than 3 storeys and 600 sq m
- 20 business days: buildings greater than 3 storeys and 600 sq m in building area
- 30 business days: high rise buildings and post-disaster buildings

Subsequent resubmissions do not have stipulated legislated timelines in the OBC.

Response: The Building Department works to ensure that we provide an equitable service to all building permit applicants which is fostered through a building permit queue process. As applications and resubmissions are submitted, they are entered into the AMANDA database with their relevant documentation for building staff to process accordingly. Best efforts are made to maintain original OBC timelines for resubmissions as the department navigates new submissions and the multitude of resubmissions. Resubmission timelines are impacted by the scale and magnitude of non-compliant issues.

The Building Department is calibrating the AMANDA database, refining workflows, compiling and packaging data and systems, and will come forward with a comprehensive report on process times for resubmissions in December 2024. This aligns with the original timing contained in the Motion Memorandum ([PP-21-24](#)) received by the Committee at its September 12, 2024, meeting. A presentation with some initial findings will be provided by staff to the Committee on November 7, 2024. By looking at process time data, it will assist the Committee and staff in confirming an action plan to address service responsiveness and quality.

2. **Common Issues Encountered through Resubmissions**

Issue: Building permit resubmissions are made in response to address compliance issues identified through the initial review. Resubmissions can lead to issues that

impact construction projects. Firstly, they often cause delays in project timelines, extending the approval process and pushing back construction schedules, which can result in increased costs. Additional expenses associated with resubmissions arise from resubmission fees, as well as additional time and materials associated with consultants and contractors. Furthermore, frequent resubmissions can create frustration and miscommunication among key parties, including owners, architects, builders, and clients, particularly if the feedback is technically challenging. This may necessitate revisions to plans, requiring extra design work and coordination that complicates and prolongs the project.

Moreover, delays in obtaining permits can affect financing arrangements, as lenders typically require permits to be secured before disbursing funds. Resource allocation becomes another concern, as teams may need to redirect efforts to address permit issues instead of focusing on other project aspects. Lastly, these delays can negatively impact community relations, especially if the project is highly visible or controversial, leading to dissatisfaction among residents and stakeholders. Overall, efficient communication and thorough initial submissions are crucial to mitigating these challenges.

Response: The Building Department typically receives three types of resubmissions which are triaged by the reviewer who has carriage of the file. There are different response activities that Building Department staff take in response to each of these types. The overriding goal is to ensure staff are moving files through to approval as quickly as possible. The three types of resubmissions and staff's approach is as follows:

- Administrative: Simple non-OBC related outstanding administrative items to resolve and are often associated with a high-quality initial submission. These resubmissions are processed quickly once received.
- Moderately Compliant Designs: Characterized by several to a few non-compliant OBC design issues that can be resolved relatively easily or with non-costly solutions. Resubmissions that contain minor design revisions require a full technical review as the revised proposal can lead to further or new issues resulting non-compliance with the OBC. These resubmissions are often reviewed earlier than the standard used for the associated legislated timeframe and every effort is made to engage the consultant to ensure there is clarity on the standard to address the issue.
- Significant Non-compliant Designs: Complex or significant non-compliant issues that are numerous in volume, are related to missing key design information, affect critical building systems, require alternative solutions or adjudication, or

require costly or significant redesign. These projects often result in numerous cycles of resubmissions and often take the entirety of the allotted time to review. In some cases, resubmissions come in through multiple technical reports that are not well integrated.

More information on how staff are working to address some of these concerns is provided in the section below.

3. Opportunities for Enhancing the Approach

Issue: The current process for building permit applications and their related resubmissions typically involves 3 to 4 submissions before a permit is issued.

Response: The Building Department has been working to reduce the number and amount of time spent on resubmissions through the following collaborations:

- Improved status update letters
- Pre-consultations to discuss overall building design/systems
- Technical consultations in relation to status update letters

These actions are aligned to overcome current gaps and enhance the overall building permit journey with the following key objectives:

- **Improve Applicant Experience:** Create a streamlined (planning to building) and transparent application process. Emphasis will be placed on exploring opportunities to reduce the overall approval time from a Planning application submission to building permit issuance, and enhancing the collaboration and communication with designers and applicants prior to a formal building permit submission and throughout building permit plan review stages.
- **Support for Enhanced Quality of Submissions:** Foster complete and compliant submissions to minimize the need for resubmissions. The Building Department will continue to collaborate with the design industry to improve the quality of design submissions. Efforts include identifying trends or recurring OBC non-compliant items, improving awareness of submission requirements, and increasing or enhancing the development of designer aids, such as the publication of Building Department OBC technical standards, directives, and interpretations.

- **Using Data for Enhanced Tracking and File Management:** Work is in progress to collaborate with Burlington Digital Services to establish parameters for assessing data integrity. As part of this City staff are looking at:
 - Using enhanced functionality of AMANDA for comprehensive tracking of original submissions and resubmissions, identifying review cycles and timelines for each permit.
 - Developing data visualizations and public facing dashboards detailing the data analysis of volumes and processing times.
 - Analyzing resubmission trends to identify and be responsive to improvement and training needs for applicants and staff.
 - Using journey mapping to develop a clear pathway from zoning approval to building permit issuance, ensuring that all relevant AMANDA info codes are systematically integrated. This involves creating visual representations of the applicant journey to pinpoint key touchpoints and bottlenecks.

- **Stakeholder Engagement:** Engaging proponents is important to ensure any service changes are aligned with customer expectations. As part of this, staff will be:
 - Fostering collaboration across departments and industry partners to gather insights and promote a unified approach to the building permit process.
 - Establishing regular meetings with proponents to facilitate ongoing communication and address challenges.

- **Resource Assessment:** Staff are conducting a comprehensive assessment of current staffing capabilities to determine resource needs for effective implementation. This will allow us to identify opportunities for reallocating resources from less critical projects.

Strategy/process/risk

The Building Department has been collaborating with low- and high-density designers to get an understanding of gaps in the process and/or technical interpretations so as to assist in the overall permit process. We have been engaging the industry on new internal policies and Chief Building Official (CBO) Directives to clarify technical interpretations to assist the building permit process.

The OBC plays an essential role in ensuring the safety, accessibility, and sustainability of buildings. However, its complex language and frequent updates can make it difficult to navigate, particularly when it comes to specific technical details.

To address this, the City of Burlington's Building Department has implemented "[CBO Technical Directives](#)" and these directives provide technical interpretations of the OBC and Building Code Act requirements. They are created on an as-needed basis, reviewed, and approved by the City's CBO and serve as the City's final interpretation of the OBC requirements outlined in each directive.

In addition to the CBO Directives, the department has also created [Builder Tips](#) as they are designed to help:

- Gain a better understanding of the OBC and other related legislation,
- To help gain awareness of building requirements and practices, and
- To help reduce or avoid costs associated with fixing infractions.

A key finding with resubmissions relates to resubmission integration. Resubmissions are often submitted in fragments instead of as a complete package. This fragmented approach among architects and engineers results in delays, miscommunication, compliance issues, and inefficiencies.

Options Considered

Investing in a fully integrated public portal and digital e-review platform would enhance transparency for applicants and owners. The digital e-review system would promote efficient collaboration by eliminating the need for deficiency letters and highlighting common technical issues in permit submissions. However, this initiative would be a multi-year project with significant costs and would require substantial staffing resources across several key departments.

Financial Matters:

Not applicable

Climate Implications:

Not applicable

Engagement Matters:

Not applicable

Conclusion:

The Building Department continues to explore opportunities to improve the applicant experience, streamline processes, and ensure compliance with the Ontario Building Code through integrated solutions and enhanced data collection/management.

Respectfully submitted,

Curt Benson, MCIP, RPP
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Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.