RETHINKING AND REPAIRING THE DEVELOPMENT APPROVALS PROCESS

Pam Shaw PhD, RPP, FCIP; Sonal Deshmukh MCP;
Graham Sakaki MCP, Alicia McLean; Emma Adams;
Pooja Choudhary; Nisha Gnanasingarajan;
Luke Sales MCIP, RPP; Mark Holland RPP, FCIP;
Teunesha Evertse MCIP, RPP; and Mailyn Lai MCP.

City and community building involves a dance between the public and private sector, and their interests and realities. In addition to its rigorous academic requirements, Vancouver Island University's (VIU) Master of Community Planning (MCP) program has embraced this public-private sector reality and embedded real estate development knowledge as a cornerstone of the MCP program.

This approach has allowed the program to form many collaborative partnerships with municipal governments, First Nation governments, private sector companies, and not-for-profit organizations over the past half-decade. Many of these projects are undertaken with VIU's research partner, the Mount Arrowsmith Biosphere Region Research Institute (MABRRI).

Photos provided by VIU.

This article profiles one such project, titled: *An Adaptable Development Approvals Process Toolkit (ADAPT).*

The Adaptable Development Approvals Process Toolkit (ADAPT) includes:

1. Foundation philosophical principles
2. Detailed recommendations on the local government internal application review process
3. Recommendations and draft template letters for external referrals
4. A detailed application process guide with diagrammatic maps
5. Draft content for a local government website
6. Information and a draft terms of reference for the majority of consulting studies required for most development projects
7. Community engagement recommendations for primary application types
8. Draft application forms

In 2019, the Province undertook the *Development Approvals Process Review (DAPR)* initiative – a study of development approvals processes in BC municipalities. The Provincial government then provided UBCM with funding to disperse to BC municipalities for projects that would increase the effectiveness and efficiency of the development approvals process.

UBCM awarded a grant to VIU/MABRRI, the Town of Qualicum Beach, and Westplan Consulting Group to create a best-practices toolkit for approvals for small communities across BC. Many students were involved, including several doing their master's theses on related issues.

The impetus for this project was a realization that the planning profession has no best practices or norms for application management across the province, and that small communities have few to no resources to allocate to considering changes to their processes. This toolkit is intended to be easily customized to any community.

Methodology

Since there is no database of best practices for development approvals for a BC municipality associated with PIBC or any other organization, the research began by identifying basic *Local Government Act* requirements and

reviewing a wide range of relevant literature. Typical practices from 11 BC municipalities (<10,000 pop) were then analyzed, including OCP amendments, rezoning guidelines/requirements, development permits, variances, subdivisions, covenants/phased housing agreements, terms of references for technical studies, correspondence logs, public hearing records, and similar others to identify challenges, opportunities, current best practices, and areas for improvement. In addition, following approval from the VIU Research Ethics Board, the team engaged municipal staff, private sector consultants, developers, technical consultants, and First Nations referral staff

through online surveys and interviews.

The data gathered from the desktop research, surveys and interviews was then coded and analyzed. Multiple virtual events were then organized for our project partners to review and discuss the results.

The core team then undertook significant work to rethink and propose refined development approvals practices and generate supporting documents. Once our project partners review and help refine the toolkit, it will be made publicly available on the MABRRI website in late 2023.

Core Challenges

During this work, the team identified core challenges that needed to be addressed, including:

- **Politicization** – development approvals have become a highly political issue in many municipalities. A culture of distrust and antagonism has also taken root in some places between municipal staff and the development community. Community criticisms of development processes, applicants, and staff are often used to oppose or advance development.
- **Capacity** – the volume of development applications has increased significantly in the last few years. Handling this influx of applications requires improved development processes and flexible and scalable processes that can respond to fluctuating demand over time. A more consistent process between municipalities would also reduce delays in staff onboarding.
- **Inconsistency** – applicants working in multiple municipalities encounter entirely different application forms, guidelines, processes, and timelines in each, resulting in significant confusion.
- **Applications** – development applications need to be complete and include all the information that planners and decision-makers need to make good decisions.
- **Expectations** – decision-makers often have unrealistic expectations of staff and applicants, in terms of application processing times, scope of work, or the ability of a project to provide amenities.
- **Community capacity** – most citizens and stakeholders do not understand the development process, or why certain developments are approved or denied.

As with all things in life, it is easier to complain than to come up with better alternatives that meet both public and private interests – and this project was no different. The work

to agree upon or create best practices in the development approvals process involved significant thinking and debate within the team.

The team generally agreed upon a foundation of several core principles:

- **Respect and mutual accountability** – both public and private participants need to acknowledge their roles and responsibilities and show mutual respect and accountability to each other.
- **Changing regulations is the purpose of the process** – the purpose of high-level approvals (amendments to RGS, OCP, zoning, variances) is to change the existing regulations and plans and, as such, existing plans and policies should not be seen as paramount. Existing plans and policies play a more prominent role in evaluating subdivision and development permit applications.
- **Collaboration** – both parties need to adopt a culture of collaboration to achieve an effective and highly efficient process to get an application to Council. The private sector builds our cities, and the public sector needs to work with them.
- **Generosity and fairness** – both parties need to be generous and fair to each other with respect to the characteristics of the project and existing plans and policies.
- **Defensible policies and plans** – the public sector needs to undertake the necessary due diligence when creating policies and plans to ensure they are fully implementable in the current market context.
- **Community engagement** – the community needs to be informed but not overly empowered or entitled in their comments on the process that builds the future.

The team then revisited the general steps of the development approvals process as practiced in many communities and have developed recommended practices that endeavour to balance freedom and control, clarity and expediency, early discussions and final approvals, all the while, trying to not over-bureaucratize the process.

Salient points in the recommended approvals process include:

- **Online resources** – bolstering online resources to provide better customer service for inquiries and questions.
- **Mutual workplan** – establishing formal communication milestones and a shared workplan from early inquiry through to project approval.

- **Application** – clear expectations and communication on what is considered a 'complete application.'
- **COW check-in** – early decision-making inputs by presenting applications to the Committee of the Whole very early in the process for a political check-in.
- **Delegation** – an emphasis on delegation of decisions to staff whenever possible.
- **Review** – streamlining external referrals and internal department communication and negotiation, and tracking information exchanged and decisions made in detail at every step.
- **Public hearings** – waiving public hearings for zoning bylaw amendments that are compliant with an Official Community Plan.

Since the development approvals process is central to the work of many planners in BC, we need to engage in a robust and ongoing discussion on all of its aspects and continue to develop and refine best practices, standards, and tools for all our communities and the profession. We hope that the ADAPT process is a first step in this direction.

The toolkit will be available later this year on the project website, https://mabrri.viu.ca/adapt, for all BC communities, developers, and consultants to use as a resource.

Authors

Vancouver Island University Master of Community Planning Program:
Pam Shaw PhD, RPP, FCIP, Director;
Sonal Deshmukh MCP, Faculty

Vancouver Island University Mount Arrowsmith Biosphere Region Research Institute:
Graham Sakaki MCP
Regional Research Institute Manager

Students: Alicia McLean;
Emma Adams; Pooja Choudhary;
Nisha Gnanasingarajan.

Town of Qualicum Beach
Luke Sales MCIP, RPP
Director of Planning and Community Development

Westplan Consulting Group is a planning and development management company on Vancouver Island.

Mark Holland RPP, FCIP, Principal;
Teunesha Evertse MCIP, RPP, Principal;
Mailyn Lai MCP, Planning Assistant