



*"To deliver effective and efficient, local government services that benefit our citizens, our businesses, our environment and our future"*

# THE CORPORATION OF THE CITY OF VERNON

## A G E N D A

COMMITTEE OF THE WHOLE

CITY HALL COUNCIL CHAMBER

TUESDAY, MAY 25, 2021

AT 8:40 AM

### 1. CALL TO ORDER

#### AGENDA

- A. THAT the Agenda for the May 25, 2021, Committee of the Whole meeting be adopted as presented.

### 2. ADOPTION OF MINUTES

#### MINUTES

- A. THAT the minutes of the Committee of the Whole meeting of Council held May 10, 2021, be adopted. (P. 3)

### 3. BUSINESS ARISING FROM THE MINUTES

### 4. GENERAL MATTERS

#### PRESENTATION – DEVELOPMENT REVIEW PROCESS (8:45 AM) (P. 8)

- A. Gary Penway, of Gary Penway Consulting, will present the findings of the development review process to Council via Zoom.

#### FINAL REPORT: DEVELOPMENT APPROVAL PROCESS REVIEW (6410-01) (P. 48)

- B. THAT Council receive the report titled *City of Vernon Development Approval Process Review* dated May 11, 2021 and prepared by Gary Penway Consulting; as attached to the memorandum titled "Final Report: Development Approval Process Review" dated May 13, 2021, respectfully submitted by the Director, Community Infrastructure and Development;

AND FURTHER, that Council direct Administration to review the recommendations of the report and prepare an implementation plan for Council's consideration by June 28, 2021.

### 5. UNFINISHED BUSINESS

#### PROPOSED DEVELOPMENT REVIEW WORKING GROUP (6410-01) (P. 49)

- A. THAT Council direct Administration to create a Development Review Working Group to provide an ongoing forum to discuss the development approval process as outlined in the report titled "Proposed Development Review Working Group" dated May 11,

2021, respectfully submitted by the Director, Community Infrastructure and Development;

AND FURTHER, that Council direct Administration to develop the terms of reference for the Development Review Working Group and report back by June 28, 2021.

**ON LINE SEMINARS –  
FOCUS ON  
GOVERNANCE VIDEO  
(45 minutes)  
(0530-01) (P. 52)**

**B.** “Good Governance By George” – Part Four: *What is Meant by “Good Governance”*.

- 6. NEW BUSINESS**
- 7. LEGISLATIVE MATTERS**
- 8. COUNCIL INFORMATION UPDATES**
- 9. G.V.A.C. / R.D.N.O REGULAR MEETINGS**
- 10. INFORMATION ITEMS**
- 11. CLOSE OF MEETING**

THE CORPORATION OF THE CITY OF VERNON

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING  
HELD MAY 10, 2021**

---

PRESENT: Mayor V. Cumming

Councillors: S. Anderson, K. Gares, B. Quiring,  
A. Mund, K. Fehr, (D. Nahal – absent)

Staff: W. Pearce, Chief Administrative Officer  
P. Bridal, DCAO, Director, Corporate Services  
K. Austin, Manager, Legislative Services  
J. Nicol, Deputy Corporate Officer  
C. Isles, Executive Assistant, Corporate Services  
D. Law, Director, Financial Services  
A. Stuart, Manager, Financial Planning & Reporting  
C. Poirier, Manager, Communications & Grants  
K. Flick, Director, Community Infrastructure and Development  
J. Rice, Director, Operation Services  
R. Manjak, Director, Human Resources  
K. Poole, Manager, Economic Development & Tourism  
B. Bandy, Manager, Real Estate  
D. Lind, Fire Chief, Vernon Fire Rescue Services  
E. Croy, Transportation Planner  
A. Watson, Manager, Transportation  
S. Melenko, Information Technician I

**CALL TO ORDER** Mayor Victor Cumming called the meeting to order at 8:41 am.

**AGENDA ADOPTION** Moved by Councillor Fehr, seconded by Councillor Gares:

THAT the Agenda for the May 10, 2021 Committee of the Whole meeting be adopted.

**CARRIED**

**ADOPTION OF THE MINUTES** Moved by Councillor Fehr, seconded by Councillor Mund:

THAT the minutes of the Committee of the Whole meeting of Council held April 26, 2021, be adopted.

**CARRIED**

**BUSINESS ARISING FROM THE MINUTES**

**GENERAL MATTERS**

*Mayor Cumming left the meeting at 8:44 am and returned at 8:45 am.*

**PRESENTATION –  
AUDITORS  
CONSOLIDATED**

Murray Smith, CA, Audit Partner, and Craig Woods, CA, Audit Manager, of KPMG presented the Consolidated Financial Statements' for the year ended December 31, 2020.

**FINANCIAL  
STATEMENTS FOR THE  
YEAR ENDED  
DECEMBER 31, 2020  
(VIA ZOOM)**

**Key points included:**

- 2020 was a strong year despite COVID
- Review of restatement for Kal Tire North transfer
- Capital re-investment program reviewed
- Net financial assets reviewed including increase of \$2.7M
- Audit findings statement - seven adjustments reviewed – two new findings noted:
  1. Re-classification for land out for resale, and
  2. RCMP retirement settlement – provincial and federal agreement from May 2020 finalized - \$732,000 to be funded from reserves
- Suggestion to include a long term amortization schedule in the financial statements. Admin. noted this may not be relevant and a long term asset management plan may be more helpful
- Financial statements are consistent with previous years.

**2020 FINANCIAL  
STATEMENTS (1830-02)**

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council receives and approves the 2020 Audited Financial Statements as presented by representatives of KPMG, LLP, at the May 10, 2021 Committee of the Whole meeting.

**CARRIED**

**UNFINISHED BUSINESS**

Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT with respect to the Lake Access Sites, Council directs Administration as follows:

- a) Lake Access Site #26 (8835 Okanagan Landing Road) be repaired for launching, summer of 2021 and that any upgrades and design be planned for 2022;
- b) Lake Access Site #1 (9030 Tronson Road) be fully developed in 2021, but there be no garbage cans but bike racks are needed;
- c) Lake Access Site #20 (7300 Tronson Road) be developed at the same time as the “Pumphouse Park” at 7284 and 7210 Tronson Road, and that the two be linked and have a single path leading down to the retaining wall at the lakes edge;

- d) 9689 Eastside Road, the portion beyond Hurlburt Park, that the north-side shoulder repair and expansion of Eastside Road be conducted in 2022, directly west of the power building for approximately 125 metres, to enable parking and hand-launch of self-propelled water craft.

**WITHDRAWN**

Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT Council directs Administration to develop Lake Access Site #26 (8835 Okanagan Landing Road);

AND FURTHER, that the community boat launch be repaired for 2021 with design upgrades to be completed in 2022.

Moved by Councillor Gares, seconded by Councillor Mund:

THAT Council directs Administration to defer discussion of Lake Access #26 (8835 Okanagan Landing Road) until information concerning the City of Vernon's liability at Lake Access #26 is received from the Municipal Insurance Association.

**CARRIED**

Moved by Mayor Cumming, seconded by Councillor Mund:

THAT Council directs Administration to develop Lake Access Site #22 (7300 Tronson Road) and tie this with the development of Pumphouse Park at the latest of 2023, and include a connection to Pumphouse Park via a single path;

AND FURTHER, that development of Lake Access not include placement of a trash can and bike rack.

**WITHDRAWN**

Moved by Councillor Mund , seconded by Councillor Fehr:

THAT Council directs Administration to develop Lake Access Site #20 (7300 Tronson Road) in 2023.

**CARRIED**

Moved by Mayor Cumming, seconded by Councillor Quiring:

THAT Council direct Administration to develop Lake Access Site #30 (9499 Eastside Road) in 2023 to enable the owner of 9497 Eastside Road time to make necessary adjustments to public property encroachments.

**WITHDRAWN**

*Councillor Fehr left the meeting at 9:41 am and returned at 9:44 am.*

Moved by Councillor Anderson, seconded by Councillor Mund:

THAT Council directs Administration to defer discussion of the remaining 2021 Priority Lake Access Sites until the liability information has been received from the Municipal Insurance Association.

**CARRIED**

**DIVERSITY TRAINING  
(0530-11-2021)**

Moved by Councillor Quiring, seconded by Councillor Gares:

THAT Council directs Administration to defer Diversity Training until September 25, 2021.

**DEFEATED, with Mayor Cumming, Councillors Mund and Fehr opposed**

Moved by Councillor Fehr, seconded by Councillor Anderson:

THAT Council directs Administration to defer Diversity Training until such time that a Member of Council requests that it placed back on the agenda.

**CARRIED**

**ON LINE SEMINARS –  
FOCUS ON  
GOVERNANCE VIDEO  
(45 minutes)  
(0530-01)**

Council viewed a 45 minute videos entitled “Good Governance By George – Part Three: *Governance Failures*”

**NEW BUSINESS**

**LEGISLATIVE MATTERS**

**COUNCIL INFORMATION UPDATES**

**G.V.A.C./R.D.N.O. REGULAR MEETINGS**

**INFORMATION ITEMS**

**CLOSE OF MEETING**

**CLOSE**

Mayor Victor Cumming closed the meeting at 10:43 am.

**CERTIFIED CORRECT:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

City of Vernon

# DEVELOPMENT APPROVAL PROCESS REVIEW

MAY 12, 2021



**GARY PENWAY CONSULTING**  
Creative Solutions – Practical Implementation





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## **1. Introduction**

The City of Vernon is undertaking a review of its development approval process with the intention of achieving process improvements, including:

- Improved turnaround time for development applications;
- Increased accuracy and consistency of application processing to ensure quality and customer service; and
- Enhanced customer satisfaction by streamlining applications.

Gary Penway Consulting has been retained to assist with this effort by conducting a Development Approval Process Review (the “Study”). This Study will contribute to ongoing efforts to improve development processing in Vernon. A Terms of Reference for the Study was approved by City Council in 2020 and is included as Appendix D. As per the Terms of Reference, the focus of the Study is primarily on three forms of approval:

- Single Family Dwellings (SFD’s) Building Permits
- Development Permits (DP’s)
- Development Variance Permits (DVP’s)

In addition, the objective of the Study is includes providing recommendations for process charts, application forms and staffing.

**About the Authors:** Gary Penway has over 35 years of municipal planning and development experience. He is the former Director of the Community Development Department for the City of North Vancouver where he oversaw Planning, Building, Economic Development/Licensing and Bylaw Enforcement. Prior to this, he was the Deputy Director, City Planner, development planner, Policy/Heritage Planner, Waterfront Development Project Manager and began his career as Planning Technician. In 2017, he formed Gary Penway Consulting and has led or participated in a variety of studies, including the Province of B.C. Development Approval Process Review (DAPR). He has also completed work for the cities of New Westminister, Port Moody, North Vancouver and Belcarra. Gary previously taught a course on Planning Process & Law in the Urban & Regional Planning Program at Langara College. He has also been a speaker for UDI (Pacific) “The Art of Municipal Approvals” courses.

Another contributor to this study has been John de Ruiter, former Chief Building Official for the City of North Vancouver. Prior to that John was a construction Project Manager for a large construction company in Metro Vancouver.

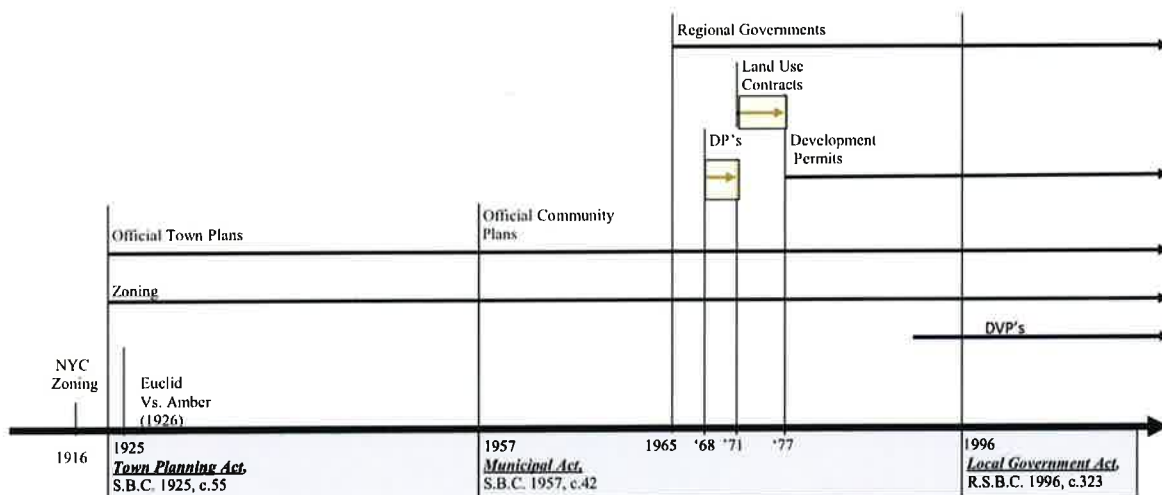
Katherine White and Eric White have assisted with research and report preparation.



## 2. Overview of the Development Approval Processes in BC: The Big Picture

Municipal authority to regulate development is derived through Provincial legislation which dates back to the early 1900's. Zoning was first used in 1911 in New York City as a planning and regulatory tool. At the time, zoning was considered an imposition on property rights, particularly in the U.S. where property rights are enshrined. However, zoning withstood legal challenges as a legitimate role for government to ensure the orderly growth of communities. In B.C., enabling legislation for zoning was introduced in 1925. This came with a requirement to have an independent, quasi-judicial Board of Variance that could provide relief from "hardships" to property owners for minor variances in an expeditious and non-political manner. Development planning tools have since evolved over time. The chart below shows this progression.

Figure 1: Planning Legislation Summary Timeline

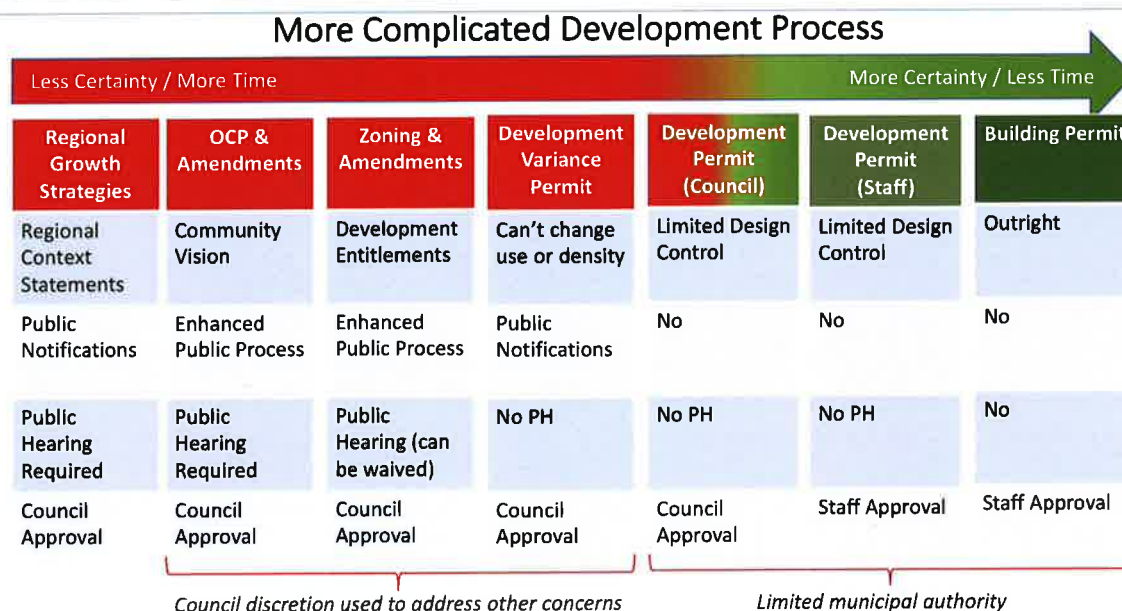


More modern regulations came into effect in the 1960's with regional planning, Development Permits and Land Use Contracts. Development regulations have always been somewhat contentious since there are competing public and private interests in land. This has led to a variety of changes that both increased and reduced municipal powers over time. For example, in response to concerns over the extent of power exercised through new Development Permit controls introduced in 1968, the Province took away the authority for Development Permits in 1971 and replaced them with Land Use Contracts. When concerns were expressed about Land Use Contracts, they were eliminated and replaced with less powerful Development Permits. Similarly, the authority for regional planning was removed in the 1980's, then returned in a different form. Development Variance Permits were introduced in the 1990's.

Tension between property owners/developers, neighbours and municipalities over development controls has therefore been ongoing since they were first introduced.

Today, development is regulated through a variety of tools including, but not limited to, Regional Growth Strategies, Official Community Plans (OCP's), Zoning, Development Variance Permits (DVP's), Development Permits (DP's) and Building Permits (BP's). Originally, most lands were pre-zoned for development with outright building permits. Following the 1970's, it has become more common for development to require some form of Council approval (rezoning, DVP, DP). The current tools are shown below with an indication of the degree of certainty and time required.

**Figure 2: Current Development Tools**



Generally, any project that requires approval by a municipal Council has a high degree of uncertainty since Council is never obligated to approve an OCP amendment, Zoning amendment or DVP. There is an obligation to approve Development Permits if they comply with DP Guidelines, so there is not the same degree of Council discretion with Development Permits. From an applicant's perspective, regulations that offer more certainty and less time are preferable.

In 2018, a variety of concerns over municipal development approvals had been brought to the attention of the Province. These concerns included the sense that lengthy, costly and uncertain municipal approval processes were restricting the supply of much needed housing. In response, the Province initiated a province-wide review of the municipal development process. The BC Development Approvals Process Review (DAPR)<sup>1</sup> included input from all types of participants (developers, municipalities, architects, non-profit agencies, etc.) in four regions (Interior, North, Vancouver Island, Lower Mainland). The author of this report was a member of the consultant team for DAPR study.

<sup>1</sup> The complete BC Development Approvals Process Review final report:  
[https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/dapr\\_2019\\_report.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/dapr_2019_report.pdf)



One of the outcomes of the DAPR study was the creation of seven principles that were agreed upon by participants:

### **GUIDING PRINCIPLES FOR DEVELOPMENT APPROVALS PROCESS**

#### **1. ACHIEVES OUTCOMES IN THE PUBLIC INTEREST**

The approvals process is set up to support development that is strategically aligned with adopted community plans, supports community values, is strategically aligned with the public interest and results in high-quality built environments.

#### **2. CERTAINTY**

The requirements, timeframes and costs of development approvals are clearly outlined and communicated in advance, or as early as possible in the application process. The expectations remain consistent throughout the process.

#### **3. TRANSPARENT ACCESS TO INFORMATION**

Decisions during the approval process are documented and communicated in a clear and timely manner. Application status is accessible to proponents and to all staff involved in the approval process. The public is informed.

#### **4. COLLABORATIVE**

Local governments and applicants work collaboratively to achieve desired outcomes. Where public involvement is appropriate, the process seeks public input early in the process and in an informed manner.

#### **5. FLEXIBLE**

The process achieves consistency while providing flexibility that enables developments in line with these guiding principles. Flexibility also allows for and even rewards innovation.

#### **6. TIMELY**

The development approval process occurs on timeframes that are appropriate to the level of complexity of the application. All parties, including local governments, proponents, provincial agencies, professionals, and others involved in the application process, provide needed input in a timely manner.

#### **7. BALANCED**

The development approval process strives to achieve a fair balance of costs and benefits to the public and the proponent.

Source: BC Development Approval Process Review, 2019

In addition, the DAPR study identified opportunities for improvement to approval processes. Improvements were identified for applicants/professionals, municipalities, the Province, and other agencies. Achieving improvements to the municipal development approval process is a multi-faceted challenge. Implementing improvements is not as easy as simple as expecting staff to work harder, faster or smarter.

There are some fundamental reasons why development approvals can be challenging, such as:

- **Differing Opinions on the Role of Government:** Some people do not believe that local government should have the authority to regulate properties to the extent that they do. On the other hand, some people would prefer much more regulation. These differing perspectives are sometimes at the heart of conflict in the development approval process.



- **Lack of Agreement on the Vision:** Despite an OCP requiring a solid majority of Council votes, there is no requirement for unanimous support. Similarly, members of the community, including Council members, may not agree with the vision outlined in the OCP. Therefore, development may be opposed on an ongoing basis even if it is consistent with the OCP.
- **Council Involvement in Approvals:** As the chart above (which summarizes development tools) shows, processes that require Council approval have the greatest uncertainty and take the most time. Some municipalities have established regulations that necessitate Council approval to impose Council approvals. This makes development much riskier for applicants, costlier and slower.
- **Attitudes Towards Change:** OCP's are a long range vision that set a direction for change. That change, such as housing and employment, is often realized through development. However, change is difficult for many people and sometimes unwanted. These conflicting attitudes can lead to friction in the process.
- **An Increasingly Complex World:** Development today must address as myriad of issues not considered just a few decades ago. Issues such as soil contamination, fish habitat, recycling, flooding, climate change, green buildings, rainscreen, adaptability, seismic standards, fire protection, affordable housing, and adaptability are just some of these considerations. In addition, previously established standards have a tendency to increase. These have all been added to achieve worthwhile goals, but not necessarily in an efficient or practical manner. The burden of addressing these various new concerns complicates the process for the City and applicants.
- **Conflicting municipal policies:** OCP's have many goals and objectives covering a wide range of concerns. It is possible for goals and objectives within an OCP to conflict with one another. When these conflicts arise, they often need to be reconciled on a project by project basis, making the process much more challenging and uncertain.
- **Public vs Private Perspectives:** Municipal and applicant objectives can be quite different. The City will usually take a long-term view and consider broad community impacts over the long term. Applicants typically have a more short-term perspective with project viability/profitability being a primary driver. Applications are therefore viewed quite differently. Doing a "good job" can then mean completely different things.
- **Municipal Financing:** Developers are regularly required to install public infrastructure in conjunction with their development. Examples include curbs, gutters, street lights, sidewalks, street trees, utility upgrades, etc. Development can deliver significant infrastructure improvements in this way, at the developer/builder's expense. However, projects have a limited ability to absorb such costs. Balancing public demands with the project's ability to pay is necessary.

These challenges often mean that conflict is inherent to the development approval process.

Given this context, it is not realistic to expect that everyone will ever be totally satisfied with any municipal development approval process. Therefore, our goal should be to achieve the best process possible while addressing the challenges that exist at the time. In this context, we can begin to take stock of the City of Vernon Development Approval Process.





### **3. Methodology**

In order to gain an understanding of the current status of the Vernon development approval processes, this Study has included:

- review of Vernon regulations and policies;
- consultation with municipal staff from all departments involved in the approval process;
- consultation with outside agencies directly involved in Vernon development approvals, including the Regional District of North Okanagan Utilities Division;
- consultation with a variety of applicants involved in local development;
- survey of other municipalities in terms of their number of applications, approval timelines, and staffing;
- review of other municipalities in terms of forms, guidelines, regulations and practices.

These have all served as inputs to the study. Combined with the author's experience, an assessment of the Vernon development approval process has been made and recommendations for improvements are presented in this report.

Throughout the process, some issues have been raised that relate to but are outside of the specific Terms of Reference for this Study. These typically address other forms of approval such as rezoning and subdivision. Since it is common for development to include multiple levels of approval (i.e., rezoning, subdivision and Development Permit), it is important to not lose sight of those concerns. Where appropriate, such insights have been incorporated into this report for further consideration.



#### 4. Vernon's Long Term Growth and Development

Vernon's population has been growing at an average rate of 1.08% over the past 20 years. This is slightly above the Provincial growth rate during that same time. As the dominant community in the Regional District of North Okanagan, Vernon has grown at a faster rate than the RDNO region as a whole. The region is forecasted to continue to grow at a similar rate through 2040. This will likely result in Vernon's population continuing to grow at about its current rate.

TABLE 1: Historical Population Estimates, 1996 to 2016 Source: Statistics Canada

YEAR	CITY OF VERNON	RDNO	BC
1996	32,995	74,191	3,874,317
2001	34,593	75,221	4,076,881
2006	36,892	78,807	4,241,691
2011	38,914	82,391	4,499,139
2016	40,116	84,354	4,618,055
1996-2016 Growth	+21.6%	+13.7%	+20.0%

TABLE 3: Total Population Projections, 2015 to 2040 Source: BC Stats

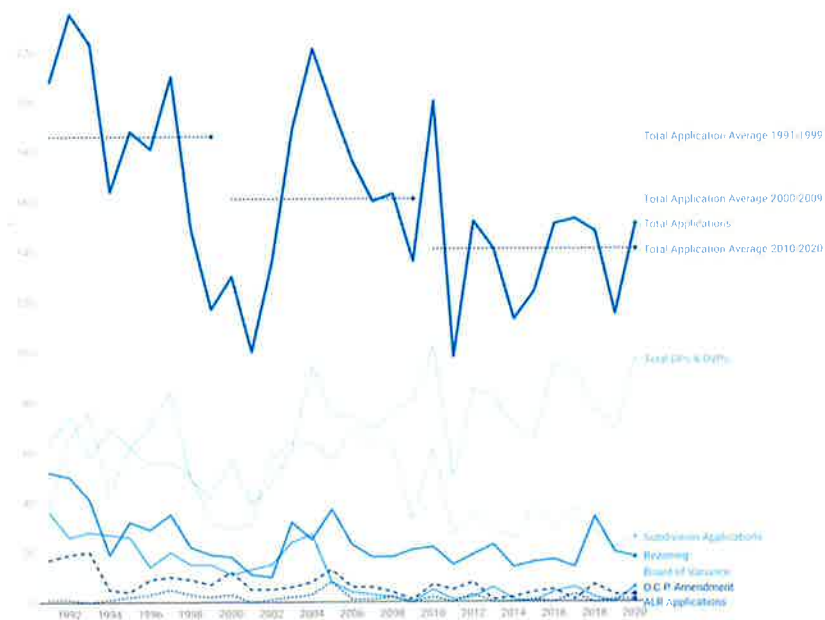
YEAR	RDNO	BC
2015	87,060	4,692,953
2020	88,557	4,984,489
2025	92,444	5,279,860
2030	96,228	5,570,623
2035	99,620	5,840,585
2040	102,589	6,086,887
2015-2040 Growth	17.2%	22.9%

Source: 2020 Vernon Community Profile

In comparison, the Regional District of Central Okanagan has been growing at a much faster average rate of 2.22% between 1981 and 2018. These differences are noteworthy in this study since comparisons are often made between Kelowna and Vernon.

It is useful to take a long term view at development applications to understand changes. Development activity fluctuates greatly over time depending upon market conditions, changes to land use regulations, lands becoming available for development and other factors. Figure 3 shows all types of applications in Vernon from 1991 to 2020.

Figure 3: Total Applications (All Types) and Applications by Type in Vernon (1991-2020)







Total applications (all types) averaged 186 per year in the 1990's, 161 in the 2000's and 141 in the 2010's. What is not revealed in this figure is the increase in complexity of development approvals over time, as discussed in Part 2 of this report.

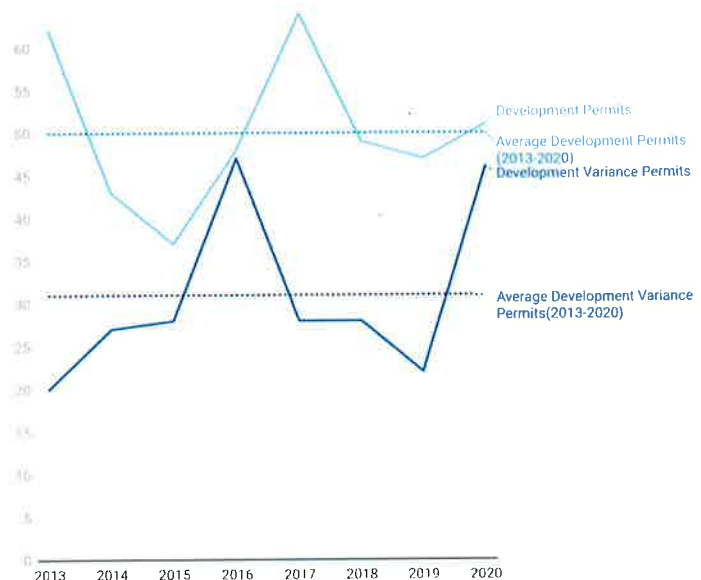
Figure 4 shows DVP and DP applications separately for the years 2013-2020. Vernon has averaged 31 DVP's and 50 DP's since 2013. In 2020, the number of DVP's was well above average at 46 with the number of DP's approximately average at 51.

One development approval method that fails to get much attention is the Board of Variance (BoV). As discussed previously, the BoV is a required alternative to Council approvals under the Local Government Act. With the introduction of the Development Variance Permit tool in the 1990's, many municipalities began to direct applicants away from the BoV to the Council approved DVP process. However, the purpose and authority of the BoV remained in place.

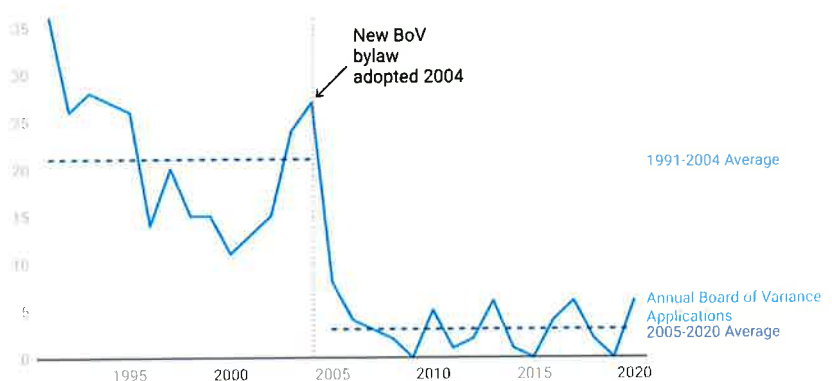
As shown in Figure 5, prior to 2004, the BoV considered an average of 21 applications per year. In 2004, the Vernon Board of Variance bylaw was changed, and a new policy was endorsed. The new bylaw placed the Board of variance under the responsibility of the Manager of Planning and included a requirement for BoV applications to be circulated to staff groups and that a staff

report to the BoV be prepared with staff comments and a recommendation. Essentially, this replicates a DVP process. The accompanying Policy Guidelines Governing BoV and Development Variance Permit Applications also attempts to constrain the BoV in terms of what constitutes "hardship" and "minor". The result of these changes has been to direct minor variances to the more involved and time consuming Council DVP process. Such a policy may not be in accordance with the authority granted the Board of Variance under the Local Government Act.

**Figure 4: Vernon Total Annual Development Permits (Major and Minor) and Development Variance Permits Processed**



**Figure 5: Vernon Total Annual Board of Variance Applications Processed**





Not surprisingly, after 2004 the average number of BoV applications dropped significantly from 21 per year to 4 per year. Projects that would have been BoV applications have since either been abandoned by the owners or have become DVP applications. The effect is an underutilization of the BoV with more work for staff/Council and a longer more expensive process for applicants.

## 5. Municipal Comparisons

It is very tempting to make comparisons between municipalities to get a better understanding of how different processes are performing. However, accurate comparisons are fraught with limitations. This is because regulations and the use of regulations can differ significantly between municipalities. This can be due to differences in the natural environment (riparian areas, hazardous lands, environmentally sensitive areas, etc.), built environment (heritage areas, existing infrastructure, etc.), political attitude towards development approvals (Council vs staff approval, etc.) and use of optional regulations (Energy Step Code, etc.). In addition, the complexity of applications varies widely. As a result, comparisons must be made with a degree of caution. However, when used appropriately, comparisons can give a general indication of significant differences.

This Study compared data from six municipalities that have provided data. Their participation is greatly appreciated. The responding municipalities are listed below (Figure 6) with their population, growth rate, population density and total Building Permit values. This captures the main Okanagan communities, as well as a few others elsewhere in the province. Data was captured for 2019 as well as 2020. As it turns out, development activity has been very strong in 2020 despite the COVID-19 pandemic. Of the included communities, Kelowna is by far the largest and fastest growing of the Okanagan communities contacted.

Figure 6: Comparison Municipalities				
Municipality	2020 Population*	5 year Growth 2015-2020*	Population Density/ sq km 2020*	Average Total BP Value 2019/2020**
Vernon	44,171	5.1%	418	\$115 million
Kelowna	146,127	8.6%	601	\$690 million
West Kelowna	36,496	5.7%	295	\$130 million
Salmon Arm	19,296	1.4%	124	\$56 million
Penticton	36,597	2.7%	869	\$141 million
Mission	42,855	6.6%	188	\$94 million
Campbell River	36,167	4.5 %	251	\$123 million
Sources: * BC Stats **Municipal Survey				

Comparisons have been made for Single Family Dwelling building permits, Major DP's, Minor DP's and DVP's, which are summarized in this section.



### 5.1 Single Family Dwelling Comparisons

SFD's are the most likely approvals to be directly comparable, but even these have significant differences between municipalities. For example, some communities often have laneway homes processed in conjunction with SFD's. In addition, some applications may be in a Development Permit Area requiring additional processing. These factors will all affect process times. Nonetheless, comparisons between municipalities can still be of value. Figure 7 shows the number of single family dwellings approved in 2019 and 2020 for Vernon and six other municipalities. It shows that on average, the sample municipalities processed 105-106 SFD's per year. At 96 and 75 SFD's, Vernon approved more SFD's than Penticton, Salmon Arm or West Kelowna. Kelowna approved far more SFD's than any of the others.

**Figure 7: Single Family Dwelling Building Permits (New Construction) Issued by Municipality**

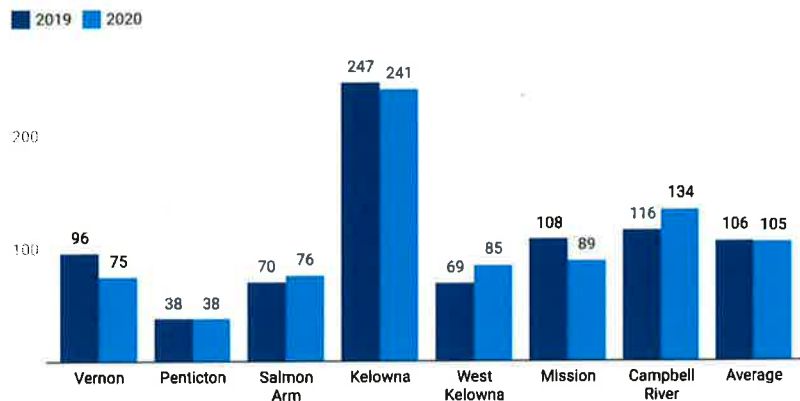
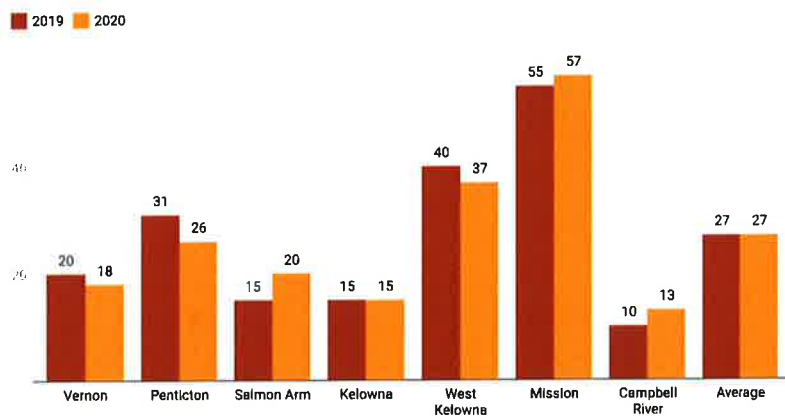


Figure 7 shows the number of single family dwellings approved in 2019 and 2020 for Vernon and six other municipalities. It shows that on average, the sample municipalities processed 105-106 SFD's per year. At 96 and 75 SFD's, Vernon approved more SFD's than Penticton, Salmon Arm or West Kelowna. Kelowna approved far more SFD's than any of the others.

In terms of processing times, Figure 8 shows that the average time for the sample municipalities in 2019 and 2020 was 27 days. Vernon's average time over the two sample years was 19 days per application, which is faster than Mission and Penticton and slower than Kelowna, Campbell River and Salmon Arm. For reference, municipalities in the Lower Mainland typically have much longer SFD processing times than the Okanagan. For example, estimated process times in Surrey are a minimum of 80 days. The City of Vancouver is taking 60-80 days to produce an initial deficiency list with additional processing to follow. Coquitlam is one of the most efficient Metro Vancouver municipalities at 25-45 days.

**Figure 8: Single Family Development Building Permits (New Construction) Average Processing Time (in Business Days) by Municipality**



Coquitlam is one of the most efficient Metro Vancouver municipalities at 25-45 days.

SFD processing times in Vernon appear to be quite respectable by Okanagan standards and all of the Okanagan is very efficient compared to Metro Vancouver times.



## 5.2 Major and Minor Development Permit Comparison

Figure 9 shows that Vernon is well above average in the number of Major DP's processed. This indicates that Major DP's are used more extensively in Vernon when compared with the other jurisdictions.

Figure 9: Major Development Permits Processed by Municipality

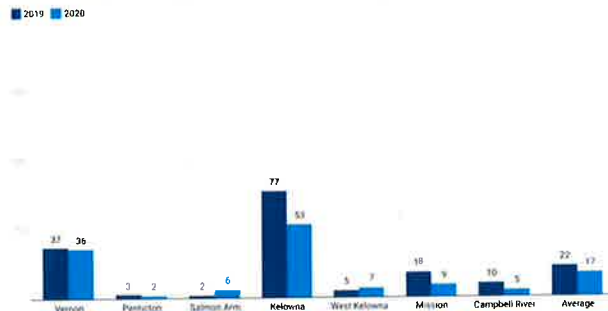


Figure 10: Minor Development Permits Processed by Municipality

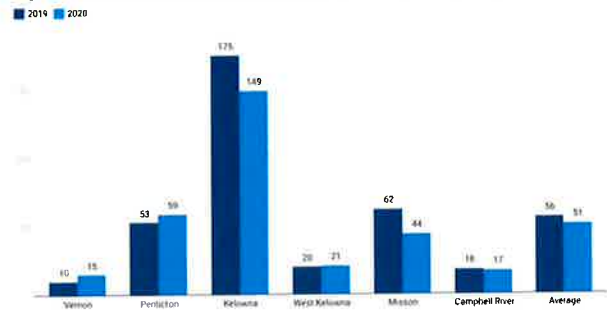


Figure 10 shows that Vernon is below average in the number of Minor Development Permits processed (Salmon Arm does not process any Minor DP's and their Council approves all DP's). While most municipalities process far more Minor than Major DP's, Vernon is the only municipality to process more Major than Minor DP's. Vernon's below average use of Minor DP's is an indication that fewer projects qualify for Minor DP processing. This could either be due to different approval conditions in Vernon that necessitate the rigour of a more involved Major DP process, or it could be due to the criteria to qualify for a Minor DP in Vernon is more restrictive. Since processing times for Major DP's can be much longer than Minor DP's, this difference can be significant for applicants.

Processing times for Major and Minor DP's are shown in Tables 11 and 12. Mission has by far the longest processing times. Vernon's DP processing times (Major and Minor DP's) are faster than or comparable with other Okanagan municipalities. Vernon Council has delegated staff authority to issue most DP's. This is a significant time saver and helps create certainty for applicants.

Figure 11: Average Major Development Permit Processing Time (in Business Days) by Municipality

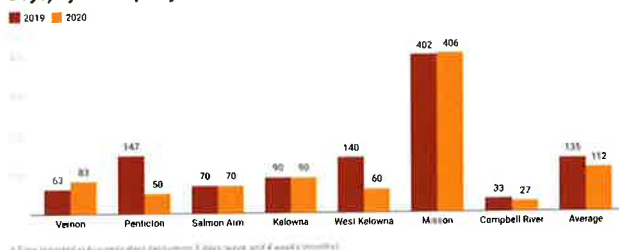
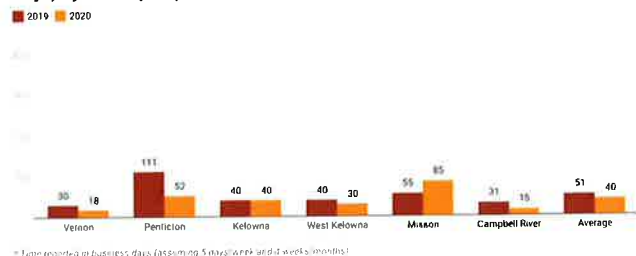


Figure 12: Average Minor Development Permit Processing Time (in Business Days) by Municipality

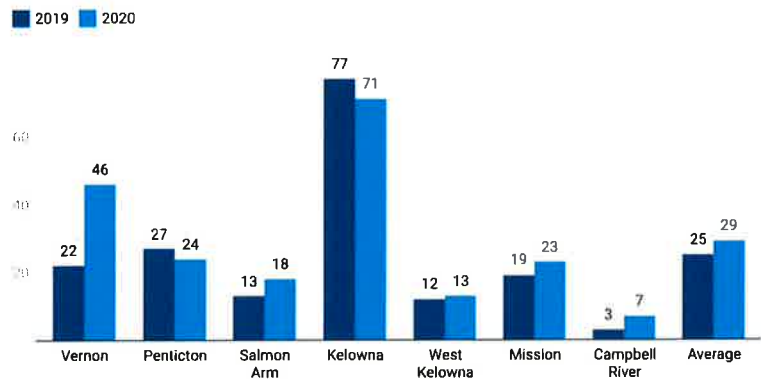




### 5.3 Development Variance Permit Comparison

Development Variance Permits can amend the Zoning and other bylaws and require Council approval. They require notification to nearby residents prior to issuance and a notice must be placed on title. As such, DVP's are much more involved to process. Some DVP's can vary height, setbacks, parking and fundamentally change the scale of development (but not use or density). On the other hand, DVP's might be used to vary only one minor aspect of a bylaw that is virtually imperceptible. The time required to process these differing applications will therefore vary significantly. As a result, it is difficult to compare DVP processing times. Again, taken with a degree of caution, aggregate comparisons can provide useful insights.

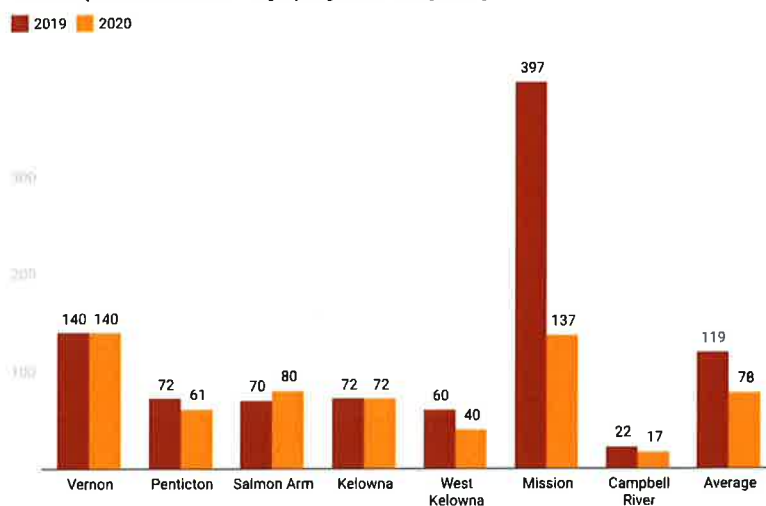
**Figure 13: Development Variance Permits Approved by Municipality**



Vernon processed 46 DVP applications in 2020, up from 22 in 2019. As noted previously, since 2013, Vernon has averaged 31 DVP's per year. The 46 applications processed in 2020 is far above the average of municipalities surveyed. The number of DVP's processed in Vernon seems high relative to other cities. While Kelowna processes 6 times as much development in terms of BP value, Vernon had approximately two-thirds as many DVP's as Kelowna in 2020.

The average time to process a DVP application in Vernon in 2019 and 2020 was 140 days. This is the slowest in the Okanagan and above the average.

**Figure 14: Average Development Variance Permit Processing Time (in Business Days) by Municipality**



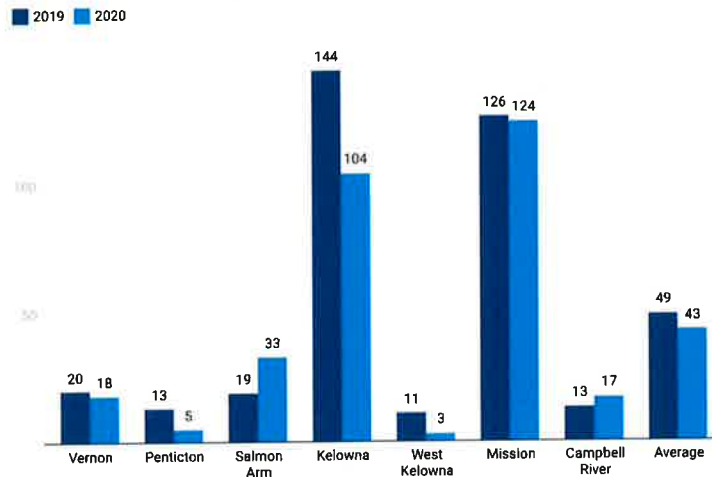
\* Time reported in business days (assuming 5 days/week and 4 weeks/months)



Although a full review of Vernon's rezoning process has not been conducted as part of this Study, rezoning data was gathered from other municipalities for further input. This is helpful since rezoning applications are processed by the same staff and is a significant part of staff's workload.

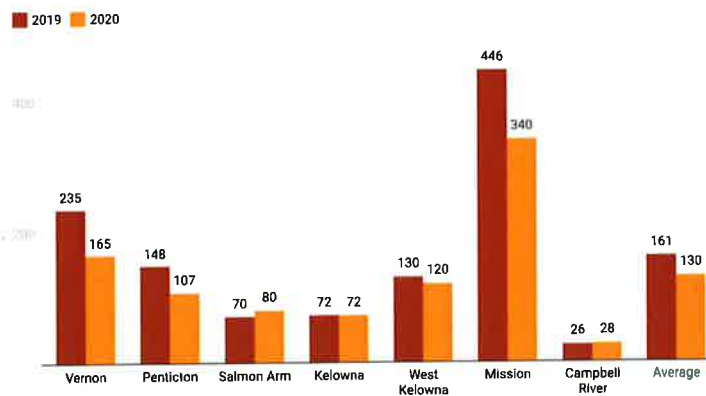
Figure 15 shows that Vernon had an average of 19 rezoning applications in 2019/2020. Kelowna and Mission had by far the most rezoning applications.

**Figure 15: Rezoning Applications Approved by Municipality**



In terms of processing times, Mission has by far the slowest times. Vernon had the slowest rezoning processing times amongst all the others in 2019/2020.

**Figure 16: Average Rezoning Application Processing Time (in Business Days) by Municipality**



\* Time reported in business days (assuming 5 days/week and 4 weeks/months)





## 5.4 Staffing Comparison

Comparing staffing between municipalities is difficult to do. The scale and complexity of projects may vary significantly. The level of compliance expected in municipalities also differs. Positions may have responsibilities in addition to development processing. For these and other reasons, staffing comparisons should be used with caution and explored in more detail if specific conclusions are to be drawn.

A variety of staff groups are directly involved in the development process. This primarily includes:

- Building/Inspection Staff
- Current Planning Staff
- Engineering Development Staff
- Environmental
- Transportation
- Fire
- Regional District North Okanagan Utilities Division

Building/Inspection staff lead the building permit process, with input from others. Current Planning staff lead Development Permit, DVP, and rezoning processes, with input from others. Current Planning staff also contribute to building permit processes and oversee the Board of Variance application process. In Vernon, this Manager also serves as the Approving Officer and is responsible for subdivision approvals. Engineering Development staff oversee connections to civic infrastructure and the construction of municipal infrastructure that occurs by developers. The other staff groups are responsible for processes within their topic area.

The City of Vernon has its water supply provided by the Utilities Division of the RDNO. This means that this service is provided outside of the municipal administration. It is common for this type of separation to cause a disconnect in the approval process. Even City staff working outside of City Hall, such as the Fire Department will tend to be less connected.

A comparison has been done of staffing levels in the same sample municipalities. Since the majority of staff in these processes are in Building/Inspections, Current Planning and Engineering this comparison has focussed on those groups. Since the work of each group is quite distinct from others, a total aggregate comparison is not very revealing. Instead, comparisons have been made for these three groups individually.



There are 7 positions in the Building/Inspections group in Vernon. Figure 17 compares the number of staff in Building/Inspections to the average total value of construction 2019 and 2020. It also compares staffing to the average number of applications in 2019/2020.

<b>Figure 17: BUILDING STAFF: BY AVERAGE 2019/2020 TOTAL BP APPLICATIONS AND VALUES</b>					
	<b>Building Permits (All Types)</b>	<b>Total BP Value (All Types)</b>	<b>Building FTE's</b>	<b>Average BP Value/ Building FTE</b>	<b>Average BP's/ Building FTE</b>
Vernon	371	\$115 million	7	\$16 million/FTE	53 Permits/FTE
Penticton	772	\$141 million	8	\$18 million/FTE	97 Permits/FTE
Salmon Arm	350	\$56 million	3	\$19 million/FTE	116 Permits/FTE
Kelowna	2274	\$690 million	28	\$25 million/FTE	81 Permits/FTE
West Kelowna	604	\$130 million	11	\$12 million/FTE	55 Permits/FTE
Mission	275	\$94 million	7	\$13 million/FTE	39 Permits/FTE
Campbell River	352	\$123 million	4	\$31 million/FTE	88 Permits/FTE
Average	714	\$193 million	9.5	\$19 million/FTE	75 Permits/FTE

There are 4 positions in the Engineering Development group in Vernon. Figure 18 compares the number of staff in this group to the average total value of construction 2019 and 2020. It also compares staffing to the average number of applications in 2019/2020. Vernon's Engineering group has been experiencing staff changes and vacancies recently.

<b>Figure 18: ENGINEERING DEVELOPMENT STAFF: BY AVERAGE 2019/2020 TOTAL BP APPLICATIONS AND VALUES</b>					
	<b>Building Permits (All Types)</b>	<b>Total BP Value (All Types)</b>	<b>Engineering FTE's</b>	<b>Average BP Value/ Engineering FTE</b>	<b>Average BP's/ Engineering FTE</b>
Vernon	371	\$115 million	4	\$29 million/FTE	93 Permits/FTE
Penticton	772	\$141 million	2.75	\$51 million/FTE	281 Permits/FTE
Salmon Arm	350	\$56 million	2	\$28 million/FTE	175 Permits/FTE
Kelowna	2274	\$690 million	6	\$115 million/FTE	379 Permits/FTE
West Kelowna	604	\$130 million	5	\$26 million/FTE	121 Permits/FTE
Mission	275	\$94 million	4	\$24 million/FTE	69 Permits/FTE
Campbell River	352	\$123 million	5	\$25 million/FTE	70 Permits/FTE
Average	714	\$193 million	4	\$43 million/FTE	169 Permits/FTE





There are 4 staff directly involved in Current Planning. Figure 19 shows a comparison of current Development Planning staff by the average annual number of applications for 2019/2020. These applications include rezoning, DVP and DP applications. Rezoning applications have been included in this table since they represent a significant amount of work undertaken by Current Planning staff. This Table shows that Planning staff are handling slightly more than the average number of applications. This function has also been experiencing vacant positions recently.

Figure 19: CURRENT PLANNING STAFF: BY AVERAGE 2019 / 2020 REZONING / DVP / DP APPLICATIONS			
	Average Combined Applications (2019 / 2020)	Total Current Planning FTE's	Average Combined Applications/Current Planning FTE
Vernon	102	4	26
Penticton	93	4	23
Salmon Arm	47	4	12
Kelowna	425	22	19
West Kelowna	46	6.5	7
Mission	213	6	36
Campbell River	45	8	6
Average	138	8	18

As noted previously, it is very difficult to directly compare staffing for a variety of reasons. For example, Kelowna's Engineering group handles a high volume of work per employee, but this is achieved with fewer staff site inspections. Municipalities must individually determine what standard they want to set for such works. In addition, the Provincial DAPR Study indicates that the average processing of applications may not be good enough. So, additional, or revised staffing may be required to improve processing. The purpose of this effort is not to work to a municipal average, but to achieve a more efficient development approval process.



## **6. Input from Applicants**

Twelve applicants were contacted as part of this process. These applicants had considerable experience working in Vernon, as well as other municipalities. As a result, they were able to offer comparisons with other jurisdictions. This was not a formal survey, but rather an opportunity for selected applicants to provide insights to help inform the consultant team. Input was provided on a confidential basis and participants are therefore not identified in this report. While the focus of this study is on SFD's, DP's and DVP's, discussion with applicants ventured into other types of approvals such as rezonings and subdivision. This is to be expected since developments often require rezoning and/or subdivision approval in addition to a DVP, DP or SFD building permit. As a result, input from applicants may be applicable to larger or more complicated projects more than just SFD's, DP's and DVP's.

Applicant input to this study has been very valuable to gain a better understanding of how the City of Vernon is perceived and to identify areas for improvement. This input has influenced the conclusions and recommendations presented in this report, including a recommendation to establish a formal and regular opportunity for the development industry and City to meet. While detailed input is not contained in the report, the following is a high level summary of discussions:

- Most applicants did not perceive Vernon as being as receptive and “developer friendly” when compared with other municipalities in the Okanagan. In comparison, pre-application information was not considered to be as accessible in Vernon. Kelowna’s “One Window Service” was described as quite helpful.
- Concerns were expressed that staff were not consistent at getting back to applicants in a timely manner.
- Straight forward files were said to get processed reasonably efficiently, but more complicated projects tended to get stalled. The fact that Vernon’s processing times for DVP’s (a more complicated approval with Council approval) is above average which seems to reflect this concern.
- Concerns were expressed that applicants had to escalate matters to the Director’s level to get action on some files.
- The Regional District of North Okanagan was not felt to be well connected to the development approval process. Applicants did not feel like “customers”.
- The BP process in Vernon was generally perceived as flowing quite efficiently.
- Some applications which could have been processed concurrently were not (i.e., DVP and DP).
- It was felt that the City was not always collaborative or flexible with some “by the book” attitudes prevailing.
- Staff input involves a staff committee (Development Review Group) review which takes time and can result in bulky responses including standard comments that may not all be relevant to a specific project or at that stage. Requirements were said to sometimes be added late in the process.
- Required off-site works can be excessive, making some smaller sites less viable.
- There was also considerable appreciation for the efforts of staff members.



## **7. Conclusions**

Development in British Columbia is challenging for developers and municipalities throughout the province. That is why the Provincial Government undertook a review of the development approval process and has followed this up with a new \$500,000 grant program for municipalities to make improvements. Other Provincial initiatives are anticipated to support improvements to development approvals. Vernon is by no means alone in seeing a need to improve its processes. It is commendable that the City has undertaken this effort.

Vernon has experienced a number of changes in the recent past which have affected how applications are processed. This includes the retirement of long serving staff members and other staff departures. Such changes create challenges for the organization, but also opportunities. Vacancies have resulted in staff shortages which can be difficult. While short term vacancies can usually be accommodated with understanding from applicants, if these extend over the long term, it becomes problematic for both staff and applicants. There is high demand for professionals in municipal development roles making recruitment difficult. It takes time to bring new staff on and for them to “get up and running”. New people bring new knowledge and approaches which can result in adjustments to both the individual and the organization. Vernon has been experiencing these kinds of adjustments.

There are many good things about Vernon’s development approval processes. There are also challenges and improvements which can be made. In looking at the performance comparison with other jurisdictions, the following conclusion can be drawn:

**SFD’s:** Vernon’s Building Permit process for SFD’s is quite efficient. Within a few days, SFD building permit times are equal to others in the region, which is far ahead of Metro Vancouver and some other parts of the province. Nonetheless, there are areas for improvement as outlined in the recommendations.

**DP’s:** Vernon processes Development Permits quite efficiently. The delegation of DP issuance to staff is a very positive practice. Processing times for Major Development Permits are similar to other Okanagan municipalities. The processing times for Minor Development Permit applications are faster than the sample average. It is interesting that Vernon processes a higher volume of DP’s with the majority of these being Major versus Minor DP’s. The reverse is true in other jurisdictions. Since Major DP’s place more work on staff and requires more time for applicants, it would be beneficial to find ways to process more DP applications as Minor rather than Major DP applications.

**DVP’s:** Vernon processes a high volume of DVP’s and these take an above average amount of time. Since DVP’s are typically more complex than SFD building permits or Development Permits, this above average processing time is consistent with the applicants’ perspective that more complex applications were getting stalled. Efforts should be made to find ways to eliminate the need for the high number of DVP’s while improving process times.



The seven guiding principles that were produced in the Province's recent Development Approval Process Review can be used to consider how the Vernon development process is performing. Based upon this process, including input from applicants, the following summary observations can be made:

#### **GUIDING PRINCIPLES FOR DEVELOPMENT APPROVALS PROCESS**

##### **1. ACHIEVES OUTCOMES IN THE PUBLIC INTEREST**

*Assessing public outcomes is beyond the scope of this study.*

##### **2. CERTAINTY**

*Applicants expressed a desire for more certainty, particularly early in the process, and for that guidance to remain consistent through the process.*

##### **3. TRANSPARENT ACCESS TO INFORMATION**

*Applicants felt that they require better access to information and timely responses prior to and during the application process.*

##### **4. COLLABORATIVE**

*Applicants felt that the City could be more collaborative in terms of guiding applications and finding the most efficient path to approval.*

##### **5. FLEXIBLE**

*Applicants felt that the City could be more flexible in considering alternative standards that might not be "by the book".*

##### **6. TIMELY**

*Applicants felt that building permit and more straight forward applications are processed quite efficiently, but that complex applications have a tendency to get stalled.*

##### **7. BALANCED**

*Concern was expressed that required off-site works were excessive for smaller projects.*

The City of Vernon clearly aspires to be welcoming to the development community. Yet, as applicant input indicates, this is not perceived by applicants. Most applicants felt that other Okanagan municipalities are doing a better job of this.

There are many factors that influence how a community is perceived by the development community. These include the OCP itself, development controls, development related costs, access to information, staff responsiveness, etc. Collectively, these add up to create a "culture" within the organization. Enhancing that culture is a multi-faceted effort that involves Council, managers, staff, municipal regulations, municipal systems, resources and relationships with applicants. It is important to note that applicants had many good things to say about Vernon's staff. While staff are responsible for processing applications and are in direct contact with applicants, they must work within the regulations, policies, systems and resources provided. Staff often lack the authority to address structural process problems or are too busy processing applications to change the process. Improving the development process will involve a wide range of actions and should not be overly focussed on staff. The recommendations contained in the next section are quite broad in their scope.



## **8. Recommendations**

Fine-tuning and enhancing the development approval process is an ongoing effort. Constant attention needs to be focussed on how it is performing to keep it functioning at a high level. Recommendations for improvement to the Vernon development approval processes at this time are described in this section.

### **8.1 Liaison with the Development Community**

Communication is crucial to understanding one another in any aspect of life. Given the complexity and importance of development, municipalities need to have a thorough understanding of the development sector. Similarly, developers need to understand municipal concerns and actions. Establishing a formal and ongoing opportunity for dialogue is important. Such dialogue can allow for better understanding and adjustments to municipal regulations and processes. It is best for this occur in a forum other than a specific application, when it is typically too late.

#### ***Recommendations:***

***That a Development Liaison Working Group comprised of industry representatives, municipal staff representatives and a RDNO regional staff representative be created to establish an ongoing dialogue between the City and the development industry.***

### **8.2 Enhanced Pre-Application Process**

It is a common problem for incomplete applications to bog down any approval process. Owners or their consultants are keen to submit their application as early as possible to “get the ball rolling”. However, incomplete applications cannot be processed efficiently and sometimes not at all. Incomplete submissions result in staff reviewing inadequate documents that consume time and, after some delay, inevitably lead to requests for more information. This problem applies to all types of applications and frustrates applicants as well as staff.

The solution for this is to ensure that applications are complete. This can be done by increasing the information and support available to applicants prior to applying. This gives the applicant the direction needed to make a complete application. It is common for staff to feel that they do not have enough time to provide this type of pre-application support. However, in part, they are busy dealing with the delays and interruptions caused by incomplete applications. More support at the pre-application stage is crucial to improving the approval process.

In addition to this enhanced support, it is necessary that incomplete applications do not get into the system. A high level of ‘gatekeeping’ is necessary to avoid the problem of incomplete applications being processed. Providing this higher level of gatekeeping requires more initial staff time, including staff with the necessary training to achieve it. This may require more or redirected resources.

Kelowna has been praised as having good pre-application support. They have achieved this through a concerted effort including a “One Window” front counter service. The one stop



approach to front counter service represents a major commitment and investment. Although such a model could be considered, given Vernon's size and volume of activity, it may not be warranted. Similar levels of service can be delivered in other ways.

To assist with both the pre-application and application processes, a new Development Application Form has been created in consultation with staff. This single form will be used for most planning applications (OCP, Rezoning, DVP, DP, etc.) and includes submission requirements. It has been customized to assist both applicants and staff in ensuring that complete applications are submitted. It is presented in draft form as Appendix C.

***Recommendations:***

***That the pre-application stage of all forms of development approval be given a higher priority to ensure that applicants have the information they require to submit a complete application. The reallocation of resources or new resources may be required to achieve this.***

***That pre-application meetings be held to provide guidance to applicants with input from all relevant departments. Submission requirements should be specified and documented at this stage with staff offering flexibility to suit the nature of the application.***

***That a higher level of "gatekeeping" be introduced and emphasized to ensure that applications received are complete. This needs to be complimented by increased support for applicants at the pre-application stage.***

***That the new Development Application Form (Appendix C) be finalized and implemented for Planning applications with clear submission requirements.***

***That electronic plan submissions be made possible.***

### **8.3 Internal Processing Enhancements**

Once received, attention turns to the efficient processing of applications. This requires a coordinated effort from internal and external staff including, but limited to:

- Community Infrastructure & Development
  - Building & Licensing Department
  - Current Planning Department
  - Economic Development & Tourism Department
  - Engineering Development Services Department
  - Long Range Planning & Sustainability Department
  - Transportation Department
- Fire Department
- Regional District of North Okanagan

It is a significant challenge to get such a large and diverse number of staff representing a wide range of municipal interests to participate optimally in the development approval process. The





“culture” of being supportive of development needs to exist within each of these groups. In any municipality, this can be difficult to achieve. The fact that six of these functions are within the Community Infrastructure & Development makes this easier to manage but is still a challenge. It is crucial that all groups participating in development referrals have a clear idea of expectations and process.

A common model for coordinating input from all groups is a Development Review Group (DRG). This is a committee with representation from all relevant work groups. Input is coordinated and released to applicants in writing. While DRG’s use a rational and comprehensive approach to reviewing applications, the result can be a fairly time consuming process. In many municipalities, this approach of “process by committee” has replaced the previous role of an individual leading a project. This has made it more difficult for individual staff to provide early direction to applicants in the absence of a DRG review. The use of a DRG reflects the more complicated nature of development approvals but can be troubling for applicants.

There is a saying that people count the things that are important to them. Most municipalities do not regularly monitor the processing times of applications. These are often only assessed periodically, for example every 10 years. More regular monitoring keeps a focus on the importance of timeliness. Electronic permit systems make monitoring much easier. This is not to say that fast processing is always good processing, but it should be a consideration.

***Recommendations:***

***That all work groups involved in the development approval process use the City’s electronic permit system;***

***That the permit system be enhanced to provide:***

- ***automatic / online access to the status of applications for applicants***
- ***annual reporting of project approval times;***

***That development applications have clear project leads with the ability to guide staff input, including input from the Development Review Group.***

***That the RDNO utilities group be better integrated into the development approval process, including building permit and planning applications.***

***That the Fire Department be better integrated into the development approval process, including building permit and planning applications.***

***That tentative schedules, including major milestones, be provided to applicants for most planning applications. While such schedules cannot be guaranteed and cannot be taken as a firm commitment, they are very useful for applicants and staff. Several schedules can be provided to demonstrate alternative timing, depending upon shifting circumstances.***

***Ensure that new regulations that impact development are vetted to ensure that their impact on development is reasonable and can be implemented in an efficient manner.***

***That application timelines be monitored and reported annually.***



## 8.4 Development Variance Permit Recommendations

Vernon has a higher number of DVP applications than would be expected based upon our comparison with sample cities. DVP's have become a burden for staff and the processing times are above average. Part of the purpose of this study was to examine what could be done about this situation. Several suggestions are proposed:

***Make Better Use of the Board of Variance:*** As noted, Boards of Variance have been a mandated option for property owners since 1925. Vernon's use of the BoV has declined significantly since 2004 when a bylaw change and new policy had the effect of deflecting applications from the Board to a DVP. Under the Local Government Act, owners have the right to apply to the BoV and it is up to the Board, not the City to determine what constitutes a "hardship" and "minor" variance. BoV submissions are usually less involved than a DVP application. It is recommended that the Board of Variance Bylaw be revised, and the accompanying policy rescinded or amended.

***Amend Problematic Clauses in the Zoning Bylaw:*** Variances are necessary when applicants cannot comply with the Zoning or other bylaws. Regular variances may be an indication that the Zoning regulations themselves are not adequate and need revision. If certain clauses are routinely varied, then perhaps they could be amended to eliminate the need for site specific variances.

One example of this is the height restriction for laneway homes which appears to require a variance. Parking for non-profit housing has also been suggested as a possible regular variance. These and others should be considered.

***Better Use of "Euclidian" Style Zoning:*** The earliest Zoning Bylaws tested in the US courts in 1926 utilized a form a Zoning that allowed for a highest use, plus the lesser uses beneath it. Though also used elsewhere, this became known as "Euclidian" zoning since the case was heard in the City of Euclid, Ohio. Euclidian zoning has been commonly used in B.C. For example, in the City of North Vancouver development in the RM-1 Medium Density Apartment Zone allows for the following uses:

- (1) One-Unit Residential Use
- (2) Two-Unit Residential Use
- (3) Townhouse Residential Use
- (4) Apartment Residential Use
- (5) Child Care Use subject to subsection 507(5)
- (6) Residential Care Facility Use

Development of any one of the above uses occur in accordance with the size, shape and siting requirements specified for that use.

While the Vernon Zones in the Zoning Bylaw allow for such ranges of uses, it does not offer different regulations for the size, shape and siting for those uses. This results in





applicants requiring a DVP to construct a lesser use. Providing appropriate development standards for each permitted use could avoid the need for DVP's.

***Concurrent Processing of DVP and DP Applications:*** In many instances, an application will require multiple approvals for the same project. A common example is a DVP and a Development Permit. It is usually, but not always, most efficient to process both at the same time. The most efficient approach to processing applications should be resolved collaboratively with the applicant. Concurrent processing is currently happening in Vernon but is being reinforced in this Study.

***Recommendations:***

***That the Board of Variance Bylaw #4875 be amended and the July 12, 204 Board of Variance Policy be rescinded to allow the BoV to handle more "minor" variances based upon "hardship" using its discretion, as per the Local Government Act and that the requirement for staff referrals and a written staff report be deleted.***

***That clauses in the Zoning Bylaw that require regular amendment be revised to avoid the need for DVP's.***

***That Zones in the Zoning Bylaw be revised to include development standards all permitted building forms to avoid the need for DVP's.***

***That the most efficient manner of processing applications be determined in consultation with applicants, including the concurrent processing of applications whenever possible.***

## 8.5 Development Permits

Vernon uses a Development Permit process, as outlined in Section 26.0 of the Official Community Plan. That section identifies eight Development Permit purposes, as follows:

1. All multiple family residential in Residential Small Lot Single and Two Family, Hillside Residential and Residential Low, Medium and High Density designated areas where a project will exceed three (3) dwelling units.
2. All areas designated as Mixed Use – High Density Commercial and Residential, Neighbourhood Centre, Mixed Use – Medium Density Commercial and Residential, Community Commercial, Tourist Commercial, Public and Institutional, Parks and Open Space and any other designations that allow commercial or institutional use.
3. All areas designated as Light Industrial/Service Commercial, Airport Industrial and any other designations that allow industrial use.
4. Any ALR development meeting the agritourism criteria of the Agricultural Land Commission.
5. All Riparian Assessment Areas.
6. All areas designated on Map 15, EMA Strategy, as having medium or high conservation values.
7. All areas where 10% or more of a property has slopes 12% or greater.
8. All areas designated on Map 11, Fire Interface Areas, as within Interface Areas 2 and 3.

These purposes fall into 6 categories, which are commonly used by municipalities. Most municipalities label these categories so that the type of DP and corresponding submission



requirements can be clearly identified. This is helpful for both applicants and staff. To gain greater clarity it is recommended that the OCP be revised to clearly categorize the above OCP purposes and to reflect these categories in the Application Form and submission requirements (see Forms and Process section).

One simple way to achieve such a change to section 26 of the OCP would be as follows:

**Form & Character:**

- 1. Multi-family Form & Character:** All multiple family residential in Residential Small Lot Single and Two Family, Hillside Residential and Residential Low, Medium and High Density designated areas where a project will exceed three (3) dwelling units.
- 2. Commercial/Industrial/Mixed Use Form & Character:** All areas designated as Mixed Use – High Density Commercial and Residential, Neighbourhood Centre, Mixed Use – Medium Density Commercial and Residential, Community Commercial, Tourist Commercial, Public and Institutional, Parks and Open Space and any other designations that allow commercial or institutional use.
- 3. Industrial/Service Commercial/Airport Form & Character:** All areas designated as Light Industrial/Service Commercial, Airport Industrial and any other designations that allow industrial use.
- 4. Agricultural Land Reserve:** Any ALR development meeting the agritourism criteria of the Agricultural Land Commission.
- 5. Riparian:** All Riparian Assessment Areas.
- 6. Environmental:** All areas designated on Map 15, EMA Strategy, as having medium or high conservation values
- 7. Steep Slope/Hillside:** All areas where 10% or more of a property has slopes 12% or greater.
- 8. Fire Interface:** All areas designated on Map 11, Fire Interface Areas, as within Interface Areas 2 and 3.

The DP Guidelines in sections 26.1 to 26.22 could then be grouped under the same headings. The draft Application Form presented with this report references these types of applications to create clarity for applicants and staff.

***Recommendations:***

***That the Development Permit categories within the OCP be revised to more clearly categorize the Development Permit purposes and that the application forms be revised to clearly distinguish between the types of Development Permit applications as well as Guidelines and submission requirements.***

The City of Vernon provides several exemptions from the DP process. Since the most efficient DP process is no DP process, these exemptions are very useful. One of the exemptions is based upon the value of work, as follows:

Addition to, alteration of, or external renovation of existing buildings or structures where the value of the work does not exceed \$50,000 and where the use of the site as defined in the Zoning Bylaw is not amended and where the landscaping, parking and access are not altered and where the site is not listed on the Vernon Heritage Register and where the site is not designated a Heritage site. A



Development Permit Minor may be required based on criteria set out in the Development Permit Minor section below.

As noted earlier in the report, Vernon processes many more Major than Minor DP applications. Allowing more minor DP's will help with processing times and costs. The construction value of \$50,000 referenced above was set in 2013. Construction costs have risen dramatically since then meaning that work that would have originally been exempt from the DP process in 2013 now require a DP. This \$50,000 limit should be adjusted. Given the rate of construction inflation and the relatively minor scale of work at lower values, \$200,000 is suggested as a new value.

Vernon also distinguishes between Major and Minor Development Permits. This is very helpful for applicants undertaking work that is either minor or not of high municipal significance. This distinction is stated in the OCP as follows:

The Minor Development Permit process is intended to provide a less expensive and less complex method to encourage upgrading and investment throughout the city. Minor Development Permits will be applicable in the following circumstances:

1. All exterior or façade changes to any building or building(s) located in commercial, industrial or institutional areas;
2. Addition to, alteration of, or external renovation of existing buildings or structures where a Development Permit would be required but the value of the work does not exceed \$50,000 and where the use of the site as defined in the Zoning Bylaw is not amended.
3. Any property in the City Centre Neighbourhood Plan and designated within the Downtown Heritage District, once this Heritage District is established, as per Map 10; and
4. Any residential development in the East Hill Heritage District, once this Heritage District is established, as per Map 10.
5. Development proposed within a Riparian Assessment Area that does not require a building permit.
6. Development proposed within areas of medium and high conservation values as designated by Map 15 - EMA Strategy that does not require a building permit.

Other jurisdictions process a wider range of DP's as Minor. For example, Kelowna includes Fire Interface DPs. Kamloops uses a \$250,000 threshold to distinguish between Major and Minor DP's. These changes should be pursued to allow for fewer major DP applications.

***Recommendations:***

***That the Development Permit exemption criteria (OCP page 143) be increased from \$50,000 to \$200,000.***

***That the Minor Development Permit criteria (OCP page 149) be increased from \$50,000 to \$200,000.***

***That other opportunities be explored to increase the ability for DP applications to be processed as Minor DP applications.***



## **8.6 Single Family Dwelling Building Permits**

The processing time for SFD's is quite respectable. While a few days may be reduced with some effort, no fundamental problems exist. The City is already utilizing a variety of supportive actions that maximize efficiency such as "red lining" plan revisions (rather than requiring full resubmissions for minor changes), Building staff conducting zoning checks, as well as others. More emphasis on the pre-application stage of the application with clear submission requirements should help both applicants and staff avoid challenges and delays caused by incomplete applications. Such a process can also set a welcoming setting. A new public Building Permit Guide has been prepared (Appendix A). A modified and more thorough internal process chart has been prepared in consultation with staff (Appendix B).

### ***Recommendations:***

***Place more emphasis on the pre-application process and gatekeeping to assist with the smooth processing of applications once received.***

***Provide as much information as possible online.***

***Finalize and release the public Building Permit Process Guide (Appendix A).***

***Finalize and use the Internal BP Process Chart (Appendix B).***

## **8.7 Finding a Balance on Infrastructure Costs**

The current Subdivision & Development Control Bylaw # 3843 was adopted in 1993 and requires that projects over \$50,000 spend up to 10% of their construction value on adjacent municipal infrastructure upgrades. This typically includes paving, sidewalks, streetlights, street trees, etc. At today's cost of construction, \$50,000 does not go very far. This means that very modest renovations can have this obligation kick in. This should be revised to reflect today's cost, but in addition, Vernon may want to consider further changes.

A 10% fee is a significant amount to add to a small project. That cost is in addition to other fees, consultant costs and additional construction requirements to get municipal approval. The combined total municipal cost can become extensive. The required off-site works for larger projects will usually be well below the specified 10% limit. The 10% limit therefore becomes more of a factor for smaller projects.

Off-site works on smaller corner sites can be very significant due to the amount of road frontage. For single lot development this can be very impactful on projects.

### ***Recommendations:***

***That the servicing requirements threshold in section 7.01 of the Subdivision & Development Control Bylaw # 3843 be revised to increase the amount from \$50,000 to \$200,000 and that consideration be given to reducing the percent of building construction value limit from 10% to 5%.***

***That reductions to the servicing requirements for smaller corner sites be considered.***



## 8.8 Staff Resources

It is staff who deliver public service. Staffing is therefore crucial to an efficient and effective development process. At the level of this study, it is not possible to make specific recommendation on changes to staffing levels. That will need to be left to managers more directly engaged in the process. Several suggestions can be made at this time.

### ***Recommendations:***

***That consideration be given to adjusting staffing to address concerns raised in this Study. The slower than average processing times for DVP's and Rezoning and concerns expressed by applicants that complex projects are getting stalled would suggest that Planning resources may need enhancing.***

***That staffing be adjusted, as necessary, to enhance the pre-application process and application gatekeeping as outlined in this Study.***

***That staff resource be applied to the introduction of an enhanced permit system including electronic applications and automated status updates and provision of online application materials.***

***That Vernon be competitive with the marketplace in terms of salaries and benefits.***

***That training be provided to managers and staff to cultivate the desired organizational "culture".***

***Establish clear expectations for staff response times to enquiries from the public.***

***Engage in succession planning to support staff retention and maintain continuity in the workplace.***

## 8.9 Review Application Fees

Based upon the comparison table below, Vernon is charging significantly lower fees than Kelowna. Some municipalities also have a range for fees within types of applications. This helps set fees that better relates to the amount of work/time required. For example, Kelowna rezoning fees range from \$950 for simple ones to \$3,580 for more complicated ones.

**Figure 20: Selected Application Fees**

Type	Vernon	Kelowna	Kamloops	Salmon Arm
OCP Amendment (Major)	\$1,500	\$3,580*	\$1,500	\$1,500
OCP Amendment (Minor)	n/a	\$1,925*	n/a	n/a
Rezoning	\$1,400	\$950-\$3580*	\$1,500	\$1,200
DVP	\$1,100	\$1570+	\$800	\$1,000
DP Major	\$1,100	\$975-\$1775	\$1,000	\$1,000
DP Minor	\$125	\$250-\$375	\$500	n/a
TUP	\$1,400	\$1,865	\$750	\$1,200
Board of Variance	\$450	\$1,150	\$200	\$100

\* An additional Public Hearing Advertising Fee of \$520 also applies in Kelowna



Interestingly, Kelowna's fees bylaw sets fees for a 4-year period. This adjusts for inflation without having to revisit the bylaw every year or allowing the fees to get significantly out of date.

Processing development applications involves considerable staff time and cost. It is reasonable for municipalities to expect reasonable cost recovery from applicants. Such fees then make it more practical for cities to staff appropriately for this function. Adjustments to the Vernon Fees and Charges Bylaw # 3909 are therefore being recommended. The Kelowna bylaw would appear to be a good reference for this effort, with the exception that the Board of Variance application fee should be kept low.

**Recommendations:**

***That consideration be given to revising the Vernon Fees and Charges Bylaw # 3909 to:***

- ***better reflect the actual costs of processing applications;***
- ***set fees for the following 4 years.***

***That the practice of charging partial fees for planning applications be replaced with full upfront fees, with a refund policy for applications that do not proceed.***





## Appendices

### Appendix A

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## Building Permit Applicant Guide

### WHY IS A BUILDING PERMIT REQUIRED?

Building Permits act as a means of regulating the construction process through compliance with both provincial and municipal requirements to ensure health, fire, structural and general safety standards are met. Building Permits also confirm that design, environmental, public infrastructure and other public requirements are met. Building Permits records provide useful ongoing information to both property owners and the City.

### WHEN IS A BUILDING PERMIT REQUIRED?

Building Permits are generally required for:

- constructing, repairing or altering any building (over 10 m<sup>2</sup>) or structure;
- any alterations, repairs, additions, or layout changes;
- locating, moving or demolition of any building or structure;
- changing the use of a building;
- building a deck or undertaking other small renovations
- construction, alteration, or installation of a fireplace, chimney, or a solid fuel burning appliance.

Please note: it is illegal to commence work without a permit. Anyone who starts work without a Building Permit is in contravention of the Building Bylaw No. <> and the Building Code Provincial Act. If you are unsure if you need a Building Permit, contact the Building & Inspections Department.

### RULES AND REGULATIONS

Familiarize yourself with the regulations that affect building and development. Commonly rules and Bylaws for Building Permits include:

- British Columbia Building Code
- Zoning Bylaw
- Subdivision, Development & Servicing Bylaw
- Development Cost Charges Bylaw
- Others?

The Energy Step Code is a new requirement which applicants must address. Refer to the handout.

### HOW DO I SUBMIT AN APPLICATION?

Applications and fees can only be made in person. If you have questions about application requirements, please contact the Building & Inspection Department prior to submitting. Submitting a complete application ensures your application can be reviewed properly.

### REQUIRED SUPPORTING DOCUMENTS

Be sure to refer to the Building Permit application package and review the submission requirements. Applications must be complete to be processed efficiently. Incomplete applications are not accepted. Consult with staff prior to applying to confirm the submission requirements specific to your application.

### APPLICATION TIMELINES

Processing times vary depending upon the scale and complexity of projects. Processing time can fluctuate based on application volume, completeness of the application and staff capacity. During slow periods, processing times may be faster and during busy periods, processing times may increase. The City seeks to process single family and duplex Building Permit applications within three to four weeks. Applications for more complicated developments take longer.

The best way to help ensure the Common factors that applications are delayed include incomplete applications, missing information like dimensions and area, and poor quality plans or drawings.

### WHAT DOES A BUILDING PERMIT COST?

Building Permits fees are calculated based on the value of construction. The fee is \$<> per .... At the time of application, <>% of the total Building Permit fee is collected. The remainder of the fee is collected when the Building Fee is issued. Payment of the application fee does not grant permission to begin construction. Building Permit Applications that are unable to proceed will be refunded.

Please note: the Building Permit fee does not cover fees for service or utility hookups, development cost charges, plumbing permit fees, and damage deposit fees.



# DRAFT

## Building Permit Application Process

### Step One: Pre-Application

*Please take the time to prepare a complete application*

- An application must be complete and consistent with applicable regulations/requirements to be processed efficiently. Incomplete or inadequate applications cause delays for all in-stream applicants. The Pre-Application stage is crucial to ensure the prompt processing of your application.
- In many instances, approvals, such as Development Permits, subdivision, etc. are required prior to, or concurrent with a Building Permit application. Confirm the required and sequence of approvals with staff.
- Familiarize yourself with submission requirements as contained in the Application Package. Avoid common plan deficiencies such as lack of dimensions, building grades/survey information, inconsistent plans, etc. Take the time to ensure compliance with the Zoning Bylaw, Building Code / Bylaw, Subdivision & Development Control Bylaw. Include submission requirements related to other approvals such as Development Permits, subdivision, rezoning, etc. Confirm requirements with staff, as necessary.
- A pre-application meeting with staff is encouraged and required for larger or more complex applications.
- Ensure that your application and required supporting documents are complete prior to submission.

### Step Two: Application



**NOTE: Only complete applications will be accepted**



- Applications will be vetted for completeness. Incomplete applications cannot be accepted.
- Building Permit fees are calculated based on the cost of construction with the application fee calculated as <>% of the total Building Permit fee. Please note, application fees are non-refundable.

### Step Three: Municipal Review

- Applications are reviewed for compliance with provincial legislation, and regional/municipal bylaws including, but not limited to the British Columbia Building Code, Zoning Bylaw, and Subdivision, Development and Servicing Bylaw.
- Applications will be circulated for review by relevant internal departments and external agencies. Depending upon the nature of the application, referrals may include, but are not limited to: Current Planning, Long Range Planning & Sustainability, Engineering Development Services, Transportation, Parks, Infrastructure, Fire & Emergency Services, Regional District of North Okanagan (Utilities).
- Depending on the outcome of reviews, further or revised submissions may be required.

### Step Four: Issuance

- When an application meets requirements, applicants are required to pay Development Cost Charges (DCC's), service upgrades, securities for works and services, and the remainder of the building permit fee prior to a Building Permit being granted. A Servicing Agreement may be required.
- Once the Building Permit is issued, applicants are required to post the Building Permit and keep a set of the approved plans on site.
- Building Permits are valid for two years from the date of issuance.

### Step Five: Inspections

- Inspections occur through the building process. When your Building Permit is issued, a list of required inspection stages will be provided.
- After each stage is complete, book your inspections by contacting the Building Department at least <> business days prior to the inspection.

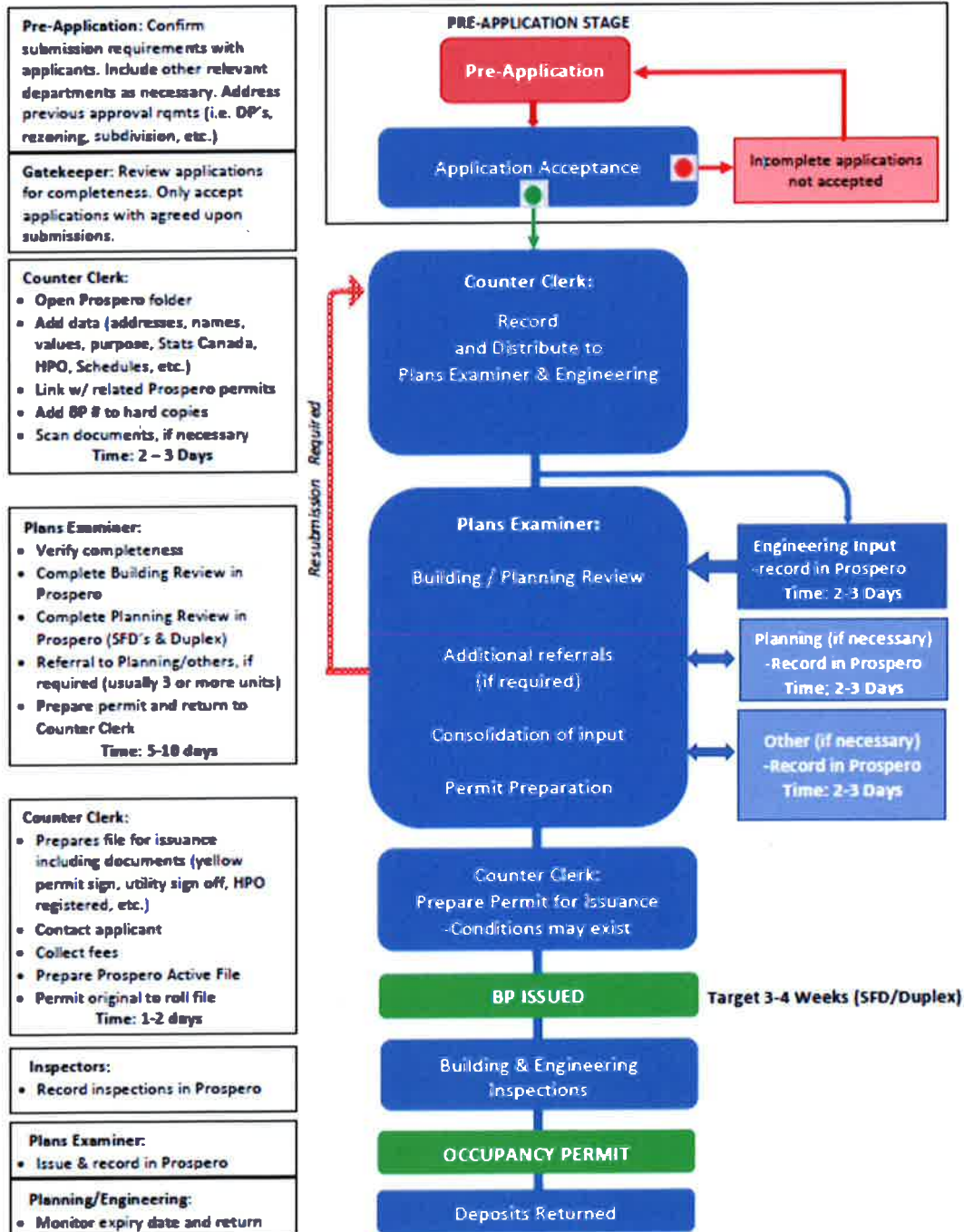
### Step Six: Occupancy & Deposits

- For residential buildings, a final occupancy permit is required. After the building process is complete, a final inspection can be booked. The occupancy permit will be issued upon the Building Inspector's final inspection approval.
- A final Engineering inspection is also required to confirm that off-site works have been completed. Deposits will be returned in accordance with the service agreement.






## RESIDENTIAL (1-4 UNITS) BUILDING PERMIT PROCESS



## Appendix C

 <span style="font-size: 2em; font-weight: bold; color: #0070C0;">DRAFT</span>		<b>DEVELOPMENT APPLICATION PACKAGE</b>		Corporation of the City of Vernon 3001-32 Avenue, Vernon BC V1T 2L8 Phone: 250-550-3634 FAX 240-545-5309 <a href="mailto:buildingcounter@vernon.ca">buildingcounter@vernon.ca</a> <a href="http://www.vernon.ca">www.vernon.ca</a>	
---	--	--	--	---	--

<b>PART ONE: Type of Application</b> (Check all that apply. Fees are as per Fees & Charges Bylaw # 3909)					
<input type="checkbox"/>	Development Permit - Major	(\$1,100)	<input type="checkbox"/>	OCP Amendment*	(\$1700)
<input type="checkbox"/>	Development Permit - Minor	(\$ 125)	<input type="checkbox"/>	Rezoning	(\$1,400)
<input type="checkbox"/>	Development Variance Permit	(\$1,100)	<input type="checkbox"/>	LUC Amendment	(\$1,400)
			<input type="checkbox"/>	Subdivision (see Bylaw 3909)	(\$ )
			<input type="checkbox"/>	Temporary Use Permit	(\$ 1,400)
			<input type="checkbox"/>	Other	(\$ )
* OCP applications are received and processed periodically. Confirm timing with staff.					
<b>COMBINED FEE(S):</b>					

<b>PART TWO: Property Description</b>	
Civic Address:	
Legal Description:	
Description of Existing Land Use:	OCP:                      Zoning:

<b>PART THREE: Applicant Information</b> (Agent Authorization Form required if not the owner)	
Applicant Contact Name:	
Business Name:	
Address:	Postal Code:
Email:	Phone:                      Mobile:

<b>PART FOUR: Property Owner(s)</b> (if different than PART THREE)			
Name	Address & Postal Code	Phone	Email

<b>PART FIVE: Development Proposal</b>	
Summary of Proposal:	

<b>PART SIX: OCP Neighbourhood Designation</b> (See Map # 14 in the OCP)		
<input type="checkbox"/> City Centre (DD1)	<input type="checkbox"/> Neighbourhood (DD2)	<input type="checkbox"/> Hillside (DD3)

<b>PART SEVEN: Development Permit Types</b>			
(As applicable, check all types of Development Permit regulations that apply as per Section 26.0 Context 1-8 of the OCP)			
<input type="checkbox"/> Form & Character (1,2,3)	<input type="checkbox"/> ALR (4)	<input type="checkbox"/> Riparian (5)	<input type="checkbox"/> Environmental (6)
<input type="checkbox"/> Hillside/Steep Slope (7)	<input type="checkbox"/> Fire Interface (8)		
Value of proposed works (Minor Development Permits only): \$			

<b>OFFICE USE ONLY: APPLICATION INTAKE</b>			
File #:	Roll #:	P.I.D.:	Property Status:
<input type="checkbox"/> DP Area Confirmed	Pre-App Meeting <input type="checkbox"/> No <input type="checkbox"/> Yes - Date:		<input type="checkbox"/> Heritage
Application Fee(s):	Payment Date:	Receipt #:	<input type="checkbox"/> Flood Plain
Date of Application:			<input type="checkbox"/> ALR
Related Files:			<input type="checkbox"/> Adj. to Res
Prospero Entry Date:	Staff Initials:		OCP:
			ZONING:

**PART EIGHT: Required Supporting Documentation**

This section identifies submission requirements based upon both the type of application and neighbourhood that the site is located within. Refer to the following Table of Submission Requirements for a description of the relevant materials required. Applicants should verify submission requirements with Planning staff in advance of submitting an application.

Application Type	OCP Neighbourhood (see OCP MAP 14)		
	City Centre	Neighbourhood	Hillside
Development Permit (Major)	TBD	TBD	TBD
Development Permit (Minor)	TBD	TBD	TBD
Development Variance Permit	TBD	TBD	TBD
Rezoning	TBD	TBD	TBD
OCP Amendment	TBD	TBD	TBD
Temporary Use Permit	TBD	TBD	TBD
Land Use Contract Amendment	TBD	TBD	TBD
Subdivision	TBD	TBD	TBD
Other Types of Applications			

**PART NINE: Acknowledgement and Signatures**

Any information provided on this form is collected in accordance with the Freedom of Information and Protection of Privacy Act, for the purpose of administering relevant planning and land use management processes pursuant to Part 14 of the Local Government Act. Applicants are advised that all planning and land use management processes are public, and any materials submitted become part of the public record. All information submitted may be used for reports to Council, available to the public upon request and distributed on the City's website. Should you have any questions or concerns about the collection and/or release of your personal information please call the Current Planning Department at < >.

By signing this application form, the applicant/owner attests that the information provided on this and supplemental application forms for land use permits from the City of Vernon is true and correct to the best of their knowledge. Any material falsehood or any omission of a material fact made by the applicant/owner with respect to this application may result in an issued permit becoming null and void.

I, the applicant/owner, certify that this application is being made with the full knowledge and consent of all owners of the property in question.

_____	_____	_____
Property Owner (Print)	Signature	Date
_____	_____	_____
Applicant or Authorized Representative Name (Print)	Signature	Date





PART TEN: SUBMISSION REQUIREMENTS				
<p>This table corresponds to Part Eight of this Application Package. It identifies typical requirements based upon City neighbourhoods and the type of application. Applicants are strongly encouraged to verify the actual requirements for a specific site in through a pre-application discussion. Please note that only complete applications will be accepted. Please indicate which of the following have been submitted with your application and ensure the submission is complete in order to help ensure a streamlined application process.</p>				
OFFICE USE	SUBMITTED	ITEM	SUPPORTING DOCUMENT	DETAILS
<input type="checkbox"/>	<input type="checkbox"/>	A	Completed Application Form	Development Application Form and Checklist completed pages 1-4.
<input type="checkbox"/>	<input type="checkbox"/>	B	Application Fee	An application fee as specified in Fees and Charges Bylaw # 3909 and summarized in this form.
<input type="checkbox"/>	<input type="checkbox"/>	C	State of Title Certificate	Must be printed within 30 days prior to the application date. Copies of documents may be required. All development must comply with any Right of Ways, Restrictive Covenants and Land Use Contracts on Title.
<input type="checkbox"/>	<input type="checkbox"/>	D	Agent Authorization Form	Written consent of all property owners, with one or more owners appointing an applicant to act as an agent for all purposes associated to the application.
<input type="checkbox"/>	<input type="checkbox"/>	E	Proposal Rationale & Summary	An outline of the proposed development or land use for the site, including: <ul style="list-style-type: none"> <li>An explanation of conformance with current zoning or rationale for proposed deviation</li> <li>If applicable, the number of lots, units and/or gross floor area</li> <li>An explanation of benefits and impacts on the existing neighborhoods and discussion of benefits and impacts</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	F	Site Plan One copy printed on 11"x17" & one electronic copy sent to buildingcounter@vernon.ca	Site Plans show the proposed site development drawn to scale in metric with dimensions. The site plan must contain: <ul style="list-style-type: none"> <li>Civic address, full legal description, north arrow, correct scale and scale</li> <li>Property lines and setbacks with dimensions in metric</li> <li>The name and extent of roads and lanes adjacent to the property</li> <li>Existing or required rights-of-way or easements</li> <li>Watercourses, steep banks or slopes on or adjacent to the property</li> <li>The locations of nearby transit and cycling routes</li> <li>Existing or proposed septic fields</li> <li>Any existing community services including sanitary sewers, water, storm drainage, ditches, fire hydrants, gas lines, hydro and telecommunications poles.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	G	Development Plans & electronic copy sent to <a href="mailto:buildingcounter@vernon.ca">buildingcounter@vernon.ca</a>	Development plans provide detailed information about the proposed development including: <ul style="list-style-type: none"> <li>Summary Statistics</li> <li>Architectural building drawings of exterior elevations, floor plans, and cross sections printed at scale in metric</li> <li>Colours and materials pallet detailing all proposed exterior finished (product samples are not required)</li> <li>File numbers required</li> <li>Locations and widths of any existing or proposed property accesses, driveways, maneuvering aisles and parking layouts</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	H	Landscape Plan 2 printed 11 x 7	Site plans drawn to scale showing dimensions for existing or proposed: <ul style="list-style-type: none"> <li>Screening</li> <li>Planting and trees</li> <li>Landscaping</li> <li>Irrigation system</li> </ul>



				<ul style="list-style-type: none"> <li>Fencing</li> <li>Proposed garbage enclosures</li> <li>Walkways and/or outdoor amenity spaces</li> <li>Exterior lighting plan (building and site)</li> <li>Submissions to be in compliance with the City's Landscaping Standards Bylaw and Landscaping Maintenance Bylaw and include an estimate from a BCSLA, or other person approved by Current Planning staff, with a cost outline including details of all plants, fixtures, materials, site preparation and labour costs.</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	I	Stormwater Management Plan	Servicing and drainage concept plan in accordance with City policies showing proposed service locations (metric, scale 1:5000 on 22x34)
<input type="checkbox"/>	<input type="checkbox"/>	J	Transportation Impact Study	Transportation impact assessment from a qualified Traffic Engineer
<input type="checkbox"/>	<input type="checkbox"/>	K	Form & Character Development Permit (DP Criteria # 1-3)	Architectural, landscape and other submissions listed above adequate to demonstrate compliance with DP Guidelines for Criteria: <ul style="list-style-type: none"> <li><input type="checkbox"/> 1: Multi-Family (over 3 units)</li> <li><input type="checkbox"/> 2: Mixed Use/Commercial/Institutional</li> <li><input type="checkbox"/> 3: Industrial/Service Commercial/Airport</li> </ul>
<input type="checkbox"/>	<input type="checkbox"/>	L	ALR Development Permit (DP Criteria # 4)	Written confirmation of compliance with the Agricultural Land Commission agritourism criteria.
<input type="checkbox"/>	<input type="checkbox"/>	M	Riparian Development Permit (DP Criteria # 5)	A Riparian Areas Regulation Assessment report prepared by a Qualified Environmental Professional (QEP).
<input type="checkbox"/>	<input type="checkbox"/>	N	Environmental Development Permit (DP Criteria # 6)	Report from a Qualified Environmental Professional (QEP) demonstrating compliance with the Environmental Management Areas Strategy. A plan is required that illustrates the Sensitive Ecosystem Inventory polygons as they apply to the proposed development and Environmental Impact Assessment, including a Habitat Assessment.
<input type="checkbox"/>	<input type="checkbox"/>	O	Hillside/Steep Slope Development Permit (DP Criteria # 7)	On lands where 10% or more of the land is 12% in slope or greater, a Engineers report is required showing slopes and compliance with the Hillside Guidelines.
<input type="checkbox"/>	<input type="checkbox"/>	P	Fire Interface Development Permit (DP Criteria # 8)	Demonstration of compliance with the FireSmart BC Guidelines and the Community Wildfire Protection Plan, as amended.
<input type="checkbox"/>	<input type="checkbox"/>	Q	Soil Contamination Questionnaire	Contaminated Sites regulation of BC requires submission of a Site Profile under certain conditions. Completion of Soil Contamination Form will determine this requirement. Contaminated Sites regulation requires any site in the province of BC that has been contaminated during past industrial or commercial uses to provide a Site Profile.
<input type="checkbox"/>	<input type="checkbox"/>	R	Additional: Confirm with Current Planning Staff	Depending on the type and complexity of application, Development Services Staff may require any or all of the following support documentation: <ul style="list-style-type: none"> <li><input type="checkbox"/> Parking Plan showing all of the off-street parking spaces on site, drawn to scale with dimensions</li> <li><input type="checkbox"/> Preliminary Lot Grading Plan showing contours, areas of fill &gt;0.5 metres, and main floor elevations, stamped by a Civil Engineer</li> </ul>

Please ensure all pages are complete.



## Appendix D

### City of Vernon Development Approval Process Terms of Reference

#### 1.0 Objectives

- 1.1 To comprehensively review the City of Vernon's development approval process and identify improvements in order to:
  - Improve turnaround time for development applications;
  - Increase accuracy and consistency of application processing to ensure quality and customer service; and
  - Enhance customer satisfaction by streamlining the application process.
- 1.2 Review processing times of key development applications with comparator municipalities.

The results of the development approval review will be reflected in future upgrades to the City's Tempest/Prospero/My City programs in order to provide for on-line applications and customer access to on-line permit tracking.

#### 2.0 Required Process Components

- 2.1 Review of existing processes for the following development application types:
  - Development permit
  - Development variance permit
  - Single family detached building permit
- 2.2 Review of processing times for the following development applications with comparator municipalities:
  - Development permit
  - Development variance permit
  - Single family detached building permit
- 2.3 Evaluation of Development Permit requirements of Section 23.0 of Official Community Plan Bylaw #5151 (not including design guidelines embedded in Sections 24.0 to 26.0 of Official Community Plan Bylaw #5151) to evaluate exemptions, triggering value and eligibility for Development Permit Minor.
- 2.4 Review of application intake process to determine the most effective approach to take the application through to the Development Review Group stage.



- 2.5 Interviews with development staff, including those in Current Planning, Economic Development and Tourism, Engineering Development Services, Building and Licensing, Transportation and Long Range Planning and Sustainability.
- 2.6 Interviews with stakeholders from the development community representing a range of development types including single family detached building permits, multifamily development permits and commercial development permits.
- 2.7 Interviews with Council members who have experience in the development industry.
- 2.8 Consideration of alternative service provision at the departmental level and potential staffing/resource implications (i.e. are there better ways/structures to deliver the services?).

### **3.0 Deliverables**

- 3.1 A final report including:
  - a. Current status of key development applications relative to comparator municipalities
  - b. Recommendations for improving City of Vernon development application processes as specified in Section 2.0, above
  - c. Recommendations for staffing levels and resources linked to recommendations for improving processes
- 3.2 Presentation of the findings to City Council
- 3.3 Presentation to development staff regarding the findings
- 3.4 Drafted amendments to development bylaws as necessary, including the Official Community Plan, Zoning Bylaw and the Development Procedures Bylaw
- 3.5 Application checklists/flowcharts (for staff and customers) and FAQs for customers for the three development application types (development permit, development variance permit, single family detached building permit)
- 3.6 Application forms redesigned and migrated on-line where possible for the three development application types (development permit, development variance permit, single family detached building permit)

### **4.0 Appendices**

- 1. City of Vernon Community Infrastructure and Development Organizational Chart
- 2. SOPs for Development Permit Major and Minor, Development Variance Permit and Building Permit
- 3. Section 23.0 Development Areas All Areas (Official Community Plan Bylaw #5151)
- 4. Development Application Procedure #4103





THE CORPORATION OF THE CITY OF VERNON

**INTERNAL M E M O R A N D U M**

**TO:** Will Pearce, CAO **FILE:** 6410-01  
**PC:** Keri-Ann Austin, Manager, Legislative Services **DATE:** May 13, 2021  
**FROM:** Kim Flick, Director, Community Infrastructure and Development  
**SUBJECT: FINAL REPORT: DEVELOPMENT APPROVAL PROCESS REVIEW**

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At its Regular Meeting of August 17, 2020, Council approved the use of up to \$100,000 for a review of the City's development approval processes and related software upgrades and training. At its Regular Meeting of October 6, 2020, Council endorsed the terms of reference for the development process review (Attachment #1).

Administration subsequently contracted with Gary Penway Consulting who undertook the review. The final report is attached to this memo (Attachment #2). Gary Penway will be presenting the report to Council at its Committee of the Whole Meeting of May 25, 2021.

**RECOMMENDATION:**

THAT Council receive the report titled *City of Vernon Development Approval Process Review* dated May 11, 2021 and prepared by Gary Penway Consulting; as attached to the memorandum titled "Final Report: Development Approval Process Review" dated May 13, 2021 respectfully submitted by the Director, Community Infrastructure and Development;

AND FURTHER, that Council direct Administration to review the recommendations of the report and prepare an implementation plan for Council's consideration by June 28, 2021.

Respectfully submitted:

May 19 2021 11:11 AM

X    


Kim Flick, Director  
Community Infrastructure and Development



# THE CORPORATION OF THE CITY OF VERNON REPORT TO COUNCIL

**SUBMITTED BY:** Kim Flick, Director  
Community Infrastructure and  
Development

**COUNCIL MEETING:** REG ☐ COW ☒ I/C ☐  
**COUNCIL MEETING DATE:** May 25, 2021  
**REPORT DATE:** May 11, 2021  
**FILE:** 6410-01

**SUBJECT: PROPOSED DEVELOPMENT REVIEW WORKING GROUP**

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## **PURPOSE:**

To seek Council direction in terms of working with the development and construction industry to ensure the City of Vernon's development approval process is done in an efficient manner.

## **RECOMMENDATION:**

THAT Council direct Administration to create a Development Review Working Group to provide an ongoing forum to discuss the development approval process as outlined in the report titled "Proposed Development Review Working Group" dated May 11, 2021 and respectfully submitted by the Director, Community Infrastructure and Development;

AND FURTHER, that Council direct Administration to develop the terms of reference for the Development Review Working Group and report back by June 28, 2021.

## **ALTERNATIVES & IMPLICATIONS:**

1. THAT Council receive for information the report titled "Proposed Development Review Working Group" dated May 11, 2021 and respectfully submitted by the Director, Community Infrastructure and Development.

*Note: This alternative does not support the creation of an ongoing working group dedicated to the development approval process. The lack of a dedicated group could impair the ability to effectively and efficiently identify and implement improvements to the development approval review process.*

## **ANALYSIS:**

### **A. Committee Recommendations:**

N/A

### **B. Rationale:**

1. Administration is committed to ensuring that the City of Vernon's development approval process is as efficient as possible. The final report of the external review of the City's development approval process will be presented to Council at its Committee of the Whole meeting of May 25, 2021. A number of recommendations will be presented to improve the City's processes, including the formation of an ongoing working group dedicated to reviewing concerns and solving issues related to the development review process. Administration is of the opinion that ongoing dialogue with the development and construction industry is the preferred approach to help ensure the City of Vernon is continuing to strive towards best practices in terms of our development approval process.

2. Over the years, Administration has participated in a variety of committees and forums to ensure our processes are meeting the needs of the development industry and the community as a whole. These include the Urban Development Institute (UDI) Municipal Liaison Committee, the Greater Vernon Chamber of Commerce Real Estate and Development Group ("BIG RED") and the local chapter of the Canadian Home Builders Association. These groups have had varying degrees of success in terms of identifying issues, improving processes and sustaining interest from the development and construction community. As is to be expected, volunteer-based groups see volunteer interest peak and subside over the years, and the time to participate in such groups can be onerous for builders and developers during peak development times.
3. As such, it is recommended that Council direct Administration to create a Development Review Working Group. Administration is not suggesting the creation of a Council Advisory Committee, but instead, a working group that would meet to discuss processes, feedback we've received, bylaw and policy amendments and interpretation, stakeholder concerns and other issues as they may arise. The group would focus on tangible results that would lead to improvements and identify gaps that may be causing delays in approvals. Initially the group would likely be focused on the report recommendations from the external review of the development approval process. It is proposed that the group meet quarterly, with more or less meetings over time as warranted and determined by the group. Administration would report back to Council periodically, at least once per year, on the progress of the working group, and Council members could attend the working group at any time to observe.
4. Proposed members of the working group are as follows:
  - a. Representatives of the Canadian Home Builders Association – Okanagan Chapter
  - b. Representatives of the Greater Vernon Chamber of Commerce
  - c. Representatives of the Urban Development Institute
  - d. Representatives of the Southern Interior Construction Association
  - e. Members at large (individuals in the development industry who may want to participate; Administration may also approach individuals directly to ensure there is a mix and breadth of experience represented)

The four associations all have a different focus. In order to make the working group a meaningful and valuable experience for everyone, Administration recommends working with each association to determine their interest in participating, what their priorities are and drafting the terms of reference. For example, Administration has spoken with the Canadian Home Builders Association (CHBA) about this proposal. CHBA has indicated their willingness to participate, and note that some of their specific interests are residential construction, process improvements and land availability.

5. From a staffing perspective, the working group would consist of the Director of Community Infrastructure and Development, the Manager of Current Planning/Approving Officer, the Chief Building Official, the Manager of Engineering Development Services and the Manager of Economic Development and Tourism. Other staff would be brought in on an "as needed" basis, including RDNO staff.
6. Should Council support the creation of the proposed working group, Administration would liaise with the four associations, develop the terms of reference and report back to Council with the results.

**C. Attachments:**

N/A

**D. Council's Strategic Plan 2019 – 2022 Goals/Deliverables:**

The report involves the following goals and deliverables in Council's Strategic Plan 2019 – 2022:

- Review and streamline residential development approval process

- Review application processes to ensure they are as efficient as possible
- Implement more on-line application types
- Develop public materials to increase awareness of development processes/timelines

**E. Relevant Policy/Bylaws/Resolutions:**

At its Regular Meeting of October 13, 2020, Council endorsed the following resolution:

*THAT Council direct Administration to write a letter to the Canadian Home Builder's Association (CHBA) illustrating the following key points:*

1. *That CHBA write a letter to their members advising them of our ongoing support to build a positive working relationship with CHBA and with the building and development community;*
2. *That we are asking the building and development community to come together to provide solutions on how we can best serve them and the needs of the development community within the City of Vernon;*
3. *And to address areas that require additional improvement to enhance the development and permit process in order to improve on efficiencies, timelines and communications; and*
4. *And that we are interested in forging a working group to address the needs of our local development community.*

**BUDGET/RESOURCE IMPLICATIONS:**

Should Council endorse the recommendation to create a Development Review Working Group, the costs would be related to staff time.

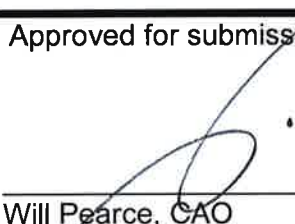
Prepared by:

May 14 2021 10:21 AM

X    
Kim Flick 

Kim Flick, Director  
Community Infrastructure and Development

Approved for submission to Council:

  
Will Pearce, CAO

Date: 17.MAY.2021

**REVIEWED WITH**

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| <input type="checkbox"/> Corporate Services     | <input type="checkbox"/> Operations           | <input checked="" type="checkbox"/> Current Planning               |
| <input type="checkbox"/> Bylaw Compliance       | <input type="checkbox"/> Public Works/Airport | <input type="checkbox"/> Long Range Planning & Sustainability      |
| <input type="checkbox"/> Real Estate            | <input type="checkbox"/> Facilities           | <input type="checkbox"/> Building & Licensing                      |
| <input type="checkbox"/> RCMP                   | <input type="checkbox"/> Utilities            | <input type="checkbox"/> Engineering Development Services          |
| <input type="checkbox"/> Fire & Rescue Services | <input type="checkbox"/> Recreation Services  | <input type="checkbox"/> Infrastructure Management                 |
| <input type="checkbox"/> Human Resources        | <input type="checkbox"/> Parks                | <input type="checkbox"/> Transportation                            |
| <input type="checkbox"/> Financial Services     |   | <input checked="" type="checkbox"/> Economic Development & Tourism |
| <input type="checkbox"/> COMMITTEE:             |   |  |
| <input type="checkbox"/> OTHER:                 |   |  |

### **Session Four: What is Meant by “Good Governance?”**

In Session Four, George highlights from his extensive experience the need for focus on decision-making roles; understanding decision-making processes; utilizing your committee system as a place for reflection; ensuring that Councils/Boards recognize the need for a thoughtful consideration of options.

### **Session Four: Good Governance**

1. Based on George’s description, are we practicing “good governance”? If not, in what area are we struggling the most?
  
2. Does the Mayor ensure that all members of Council are given an opportunity to speak to each issue? How could the Mayor’s role or performance be improved?
  
3. Does Council consistently come to the table with open minds? Is Council capable of being influenced by the arguments of each other?
  
4. Does Council respect the administration? How is that reflected? Does Council ensure that the voice of the administration is heard and respected?