

On 17 May 2023, the Community Development Forum posted the following question on the [SCRD Let's Talk Development Approvals Process Review \(PEP1\) page](#). The SCRDR response of 18 May 2023 follows below.

CDF question:

The Halfmoon Bay Community Development Forum (CDF) has some questions related to the Development Approvals Process Review (PEP1).

First, a general point. Communities where development is happening are also an important external stakeholder to this process, with specific issues and concerns that may differ from those working on the development side. We note that KPMG did not consult any involved community groups and hope this will be corrected during the remainder of the exercise.

Our question is whether the following three issues will be covered in PEP1, including recommendations to the SCRDR on how to address them. We will share your responses with the CDF volunteer group.

Issue 1: Can the SCRDR put in place a mechanism to ensure that expert studies provided by developers can be professionally vetted by external experts when needed? This may be required for developers' studies that concern locations that are high-risk or are highly contentious with the local community, and/or are in technical areas where the SCRDR does not have sufficient in-house expertise to assess them. One option is for the SCRDR to have a budget to cover independent expert peer reviews as needed.

The CDF has raised this issue with the SCRDR a few times over the past year:

- [our email of 14 November 2022](#) which states that "The SCRDR does not appear to have 'minimum' standards for technical reports, lacks some of the technical expertise needed to vet these, and lacks transparent mechanisms to accommodate a community request for an independent peer review. Given increased risks related to climate change and the growing number of large development proposals, there is a need for more rigorous and vetted expert assessments to accompany these proposals." The email recommends that the SCRDR "Develop(s) minimum standards for the content and quality of expert studies provided by developers, and an expert process for vetting them. Determine(s) the trigger and funding mechanisms for peer review."

- the [email of 3 October 2022](#) by Truman Road residents, which expressed serious concerns about the impacts of a developer's OCP amendment and rezoning application to upzone a 17 acre lot for higher density housing. Residents have flagged that the original set of technical reports provided to the SCRDR by the developer have "gaps and weaknesses, to the detriment of the neighborhood". This is followed by a request that the SCRDR "commission independent expert opinions on the hydrogeological and environmental impacts (including risks and mitigation) on the wider neighborhood of higher-density housing".

Issue 2: Can the SCRDR strengthen enforcement tools to make them as effective as provincial legislation will allow? This would cover areas where bylaw infringements may occur before and during the development application process approved (of which there are many examples). See

[CDF email of 14 November 2022](#). Some penalties are not severe enough to deter developers and property owners (e.g. tree cutting, damage to protected areas). A suggestion is to compare relevant SCRD penalties against provincial legislation to ensure they are currently set at the maximum allowed. Where the SCRD's experience has been that the penalties are an insufficient deterrent, the SCRD should request an amendment to provincial legislation to raise the ceiling.

Related to this, the lack of a feedback loop to residents on the status of bylaw complaints has caused frustration and confusion in the community about progress and outcomes. This can be addressed by introducing an on-line tracking tool for bylaw infraction complaints, like those in some other jurisdictions (ex. Vancouver).

Issue 3: Can the SCRD provide user-friendly online access to active zoning or development applications to help residents understand what the developer is requesting, the status of the application, and what has been approved? See [CDF email of 14 November 2022](#). The new SCRD website does not (yet) have this. Rather than bombarding the SCRD with calls, visits and emails, residents would benefit from online access to active zoning or development applications to understand what is being requested or has been approved (ex. Regional District of Okanagan-Similkameen, and Nanaimo Regional District both have this on-line).

Thanks, and we look forward to hearing back from you.

SCRD response:

Thank you for your questions. The answers below are based on the issue numbering in your submission:

1. Professional reliance and validation are being considered in this project, and recommendations will be provided in the final report.
2. Penalty for bylaw infraction is not considered to be directly related to the development review process. It could be considered in a review of SCRD's bylaw enforcement strategy and regulations. Communicating bylaw enforcement status to the public has implication on privacy and confidentiality. Whether or not this could be implemented would require careful consideration by the SCRD.
3. Methods to communicate development application status to the public are being considered in this project, and recommendations will be provided in the final report.