

## Section 4

### Development Permits

#### 4.1 Development Permit Applications

- 4.1.1 Every applicant for a development permit or an amendment thereto shall submit to the Director of Planning an application therefor in writing on forms furnished for such purpose, and the Director of Planning may require the correctness of the information supplied in said application to be verified by statutory declaration.
- 4.1.2 Every such application shall state the legal description and location of the site, and the purpose of the proposed development together with such further or additional information as the Director of Planning may require.
- 4.1.3 Every such application shall be accompanied by such number of plans or drawings as may be required by the Director of Planning, but in no case less than three, sufficient to identify the site and to describe fully the proposed development. All plans or drawings other than for one set shall become the property of the City. The Director of Planning may, however, accept the submission of an application without plans or drawings if in his opinion the development is of a minor nature. The Director of Planning may require additional information to identify development within the immediate surroundings and may, if he deems it necessary, require the applicant to furnish a plan of survey of the site verified by a British Columbia Land Surveyor.
- 4.1.4 All plans or drawings submitted shall be drawn in metric measurements<sup>[1]</sup> on substantial paper, mylar or other material satisfactory to the Director of Planning, to a scale of not less than 1:100 metric or such less scale as the Director of Planning may approve, and shall be fully dimensioned, accurately figured, explicit and complete. The Director of Planning may, where circumstances warrant, accept plans and drawings in their equivalent imperial measurements.
- 4.1.5 The Director of Planning may, in his discretion, accept with any development permit application submitted in preliminary form, plans or drawings not in compliance with sections 4.1.3 and 4.1.4, provided that such plans or drawings are sufficient to identify the site and satisfactorily indicate preliminary development information.
- 4.1.6 No development permit shall be issued without the prior submission of plans or drawings in compliance with the requirements of sections 4.1.3, 4.1.4 and 4.1.5.
- 4.1.7 No development permit shall be issued without the prior submission of plans or drawings showing the proposed development or change of use to be in compliance with the provisions of any by-law regulating the provision of parking and loading within the City of Vancouver.

#### 4.2 Development Permit Application Time Limits

- 4.2.1 Unless otherwise approved, refused or subject to limitations in time as may be imposed by the Director of Planning or the Development Permit Board, any development permit application shall be void 12 months from the date of application.
- 4.2.2 The Director of Planning may allow an extension or extensions of the time period specified in section 4.2.1 for additional periods, if the same is warranted by the circumstances. In no case shall any extension or extensions exceed in total 12 months.

<sup>[1]</sup> NOTE: Council instructed Director of Planning to continue to accept plans submitted in either metric or imperial measurement (92-09-03).

- 4.2.3 If within thirty days or such longer period as may be agreed by the applicant from the date on which the applicant has furnished all the information and material required by the Director of Planning in accordance with the last preceding section, no development permit has been issued to such applicant, then the issue of the development permit shall be deemed to have been refused, so as to enable such applicant to exercise his right to appeal, provided always that if the Council pursuant to the terms of Section 570 of the Vancouver Charter has withheld or has authorized its proper officer to withhold the issuance of a development or building permit relative to the property in question, then the issue of a development or building permit shall not be deemed to have been refused during such period that issuance of such development or building permit so continues to be withheld.

### **4.3 Development Permit Issuance**

- 4.3.1 When such application for a development permit and also the terms of the proposed development conform to the provisions of this By-law, the Director of Planning or his nominee shall issue a development permit and return one set of the approved plans to the applicant. Of the remaining sets of plans or drawings the City may retain such number as required for record purposes.
- 4.3.2 The approval of plans or drawings and the issuing of a development permit and any inspection in connection therewith made by the Director of Planning or his accredited representatives shall not in any way relieve the applicant from full responsibility for the carrying out of the development in accordance with the provisions of this By-law.
- 4.3.3 The approval of any application and plans or drawings, or issuing of a development permit, shall not prevent the Director of Planning from thereafter requiring the correction of errors or from prohibiting a development from being carried out when the same is in violation of this or any other By-law.
- 4.3.4 Save and except as provided in this By-law, it shall be unlawful for any person to erase, alter or modify any development permit including the application therefor or any plans or drawings accompanying the same.
- 4.3.5 The issue of a development permit shall not absolve the applicant from complying with all City By-laws.
- 4.3.6 In the event of a discrepancy between any written description and the plans or drawings the written description shall prevail.
- 4.3.7 The Director of Planning shall upon application being made therefor issue a development permit in accordance with any decision of the Board of Variance.

### **4.4 Development Permit Amendment**

- 4.4.1 If at any time it is desired to alter in any manner, or to deviate from, the particulars of the application or plans or drawings previously submitted for which a development permit has already been issued, a new application shall be made. However, if an amendment is of a minor nature whereby a new application is deemed to be unnecessary, the Director of Planning may waive this requirement and endorse any necessary amendment to the application, plans or drawings and development permit accordingly.

#### **4.5 Development Permit Time Limits**

- 4.5.1 Any development permit issued shall be void 12 months after the date of issue of same unless:
- (a) the development authorized thereunder shall meanwhile have been commenced; or
  - (b) a building permit has been issued and is unexpired.
- 4.5.2 Any development permit issued shall be void 24 months after the date of issuing unless the development authorized thereunder shall meanwhile have been completed in compliance with all conditions attached thereto.
- 4.5.3 The Director of Planning may allow an extension or extensions of the periods specified in sections 4.5.1 and 4.5.2 above for additional periods if the same is warranted by the circumstances.
- 4.5.4 The Director of Planning may renew on one occasion only, and for a period not exceeding 12 months, a development permit which has become void, provided that at the time of such renewal the permit has not been void for a period of more than 12 months.
- 4.5.5 The Director of Planning may in the case of a public utility grant a development permit valid to such date as he may set but in no case for a period longer than 120 months after the date of issue of said permit.
- 4.5.6 Where a building has been destroyed or demolished, any development permit authorizing its use or form of development shall be deemed to be void and expired.
- 4.5.7 Where a building has been destroyed by fire, any conditional approval use of the building existing at the time of its destruction or demolition shall be issued a development permit authorizing its continuance in the repaired or reconstructed building if:
- (a) the use is configured in the same way as it lawfully existed immediately prior to the fire; and
  - (b) a development permit authorizing the repair and reconstruction of the building is issued within 90 days of the building's destruction or demolition.
- 4.5.8 The Director of Planning may renew, on more than one occasion, a development permit issued with specified time limitations where the conditions of approval have not changed.

#### **4.6 Building Permit Validity**

- 4.6.1 Notwithstanding the provisions of any other By-law, no building permit issued for any operation with respect to which a development permit is required under this By-law shall be valid unless and until a development permit has been issued.

