

# FALL 2021

# CP UPDATE SEMINAR

VBBL Updates  
Mayor's Task Force Initiative:  
BP before DP

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VIA ZOOM



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INSTITUTE OF  
BRITISH COLUMBIA



ENGINEERS &  
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BRITISH COLUMBIA

# Background

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Zoning & Development Bylaw No. 3575 Updated:

On September 22, 2021, Bylaw No. 13123 was enacted:  
Whereby 4.7.2., despite 4.7.1., permits the DoP to  
recommend the issuance of a building permit to the Chief  
Building Inspector provided....

# Bylaw Amendment 13123

## BY-LAW NO. 13123

### A By-law to Amend Zoning and Development By-law No. 3575 Regarding Building Permits

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.
2. Council strikes out section 4.7 and substitutes the following:

#### **“4.7 Building Permit Validity**

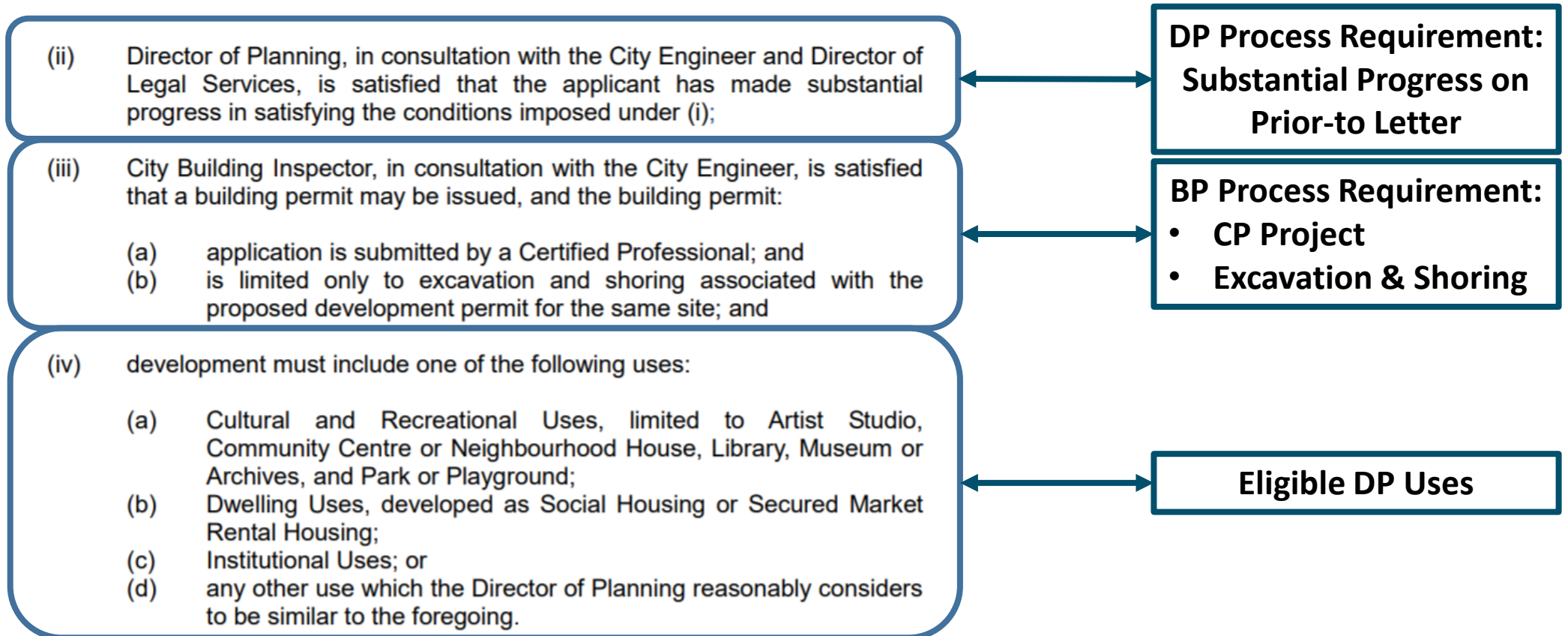
**4.7.1** Unless issued in accordance with sections 4.7.2 and 4.7.3, no building permit issued for any operation with respect to which a development permit is required under this By-law shall be valid unless and until a development permit has been issued.

**4.7.2** Despite section 4.7.1, the Director of Planning may recommend the issuance of a building permit to the City Building Inspector, provided that the:

- (i) Director of Planning has issued a “prior-to permit issuance” letter for the development;

**DP Process Requirement:  
PRIOR TO LETTER  
ISSUED**

# Bylaw Amendment 13123



# Bylaw Amendment 13123

**4.7.3** If the Director of Planning recommends that a building permit be issued pursuant to section 4.7.2, the City Building Inspector may issue a building permit, and in addition to any authority granted to the City Building Inspector under the Building By-law, may impose conditions on the building permit that require the owner to:

- (i) provide the City with a certified Letter of Credit for an amount equal to the estimated cost of backfilling the excavation and shoring works to the satisfaction of the City Engineer; and
- (ii) register a covenant on the title of the site, pursuant to section 219 of the Land Title Act, that is satisfactory to the Director of Legal Services.”.

**Additional Requirements  
for BP Issuance**

3. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

4. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 22<sup>nd</sup> day of September, 2021

# Key Takeaways

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Proposed amendment intended as an **exception clause** to balance the risks associated with excavation & shoring activities.

Conditions include:

1. **Meeting eligible use** (see previous slide under clause iv)
2. **Submission by a Certified Professional** (ability to stage permit, additional professional liability insurance and accountability)
3. **Meeting all critical Development Permit conditions** (e.g. rainwater, groundwater, parking access, form of development, hydrogeology study where applicable)
4. **Meeting all building conditions/review group required to obtain a permit for excavation & shoring** (fees, non-City agencies, etc.)
5. **No existing rental residential units on-site prior to excavation** (ie: demolition restriction)
6. **A letter of credit** to cover the costs of returning the site to pre-excavation condition

# City Coordination

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1. Applicant/CP is invited to contact the **Project Facilitator (PF) at DP stage** to discuss this opportunity (PF is the main point of contact)
2. PF to review the checklist of conditions to ensure requirements for eligibility are met:  
Particularly, the PF need to check with the DP review groups if there are remaining “critical” DP requirements that are not met and that prevent issuance of BP Stage 1 (e.g. rainwater/groundwater management, parking access, form of development, etc.). This normally means a prior-to response is submitted to make this determination.
3. If it is deem feasible, PF will advise applicable Building Review Branch staff to coordinate applicable departmental and external clearances to facilitate BP prior to DP issuance. BRB will provide feedback to the CP of applicable review groups and any additional BP requirements for issuance (eg: letter of credit, covenants, etc.) in order to issue the excavation and shoring stage authorization.

# DP Confirmation Letter

- Letter to be manually modified to reflect BP in confirmation in DP as submitted.



DEVELOPMENT, BUILDINGS, & LICENSING- Building Review Branch

## Certified Professional Program - Development Permit Confirmation Letter

Name of CP: \_\_\_\_\_

Project Address: \_\_\_\_\_

Building Permit# \_\_\_\_\_

Development Permit # \_\_\_\_\_

Stage: \_\_\_\_\_

I, \_\_\_\_\_, hereby confirm that the drawings submitted for this stage of construction under the above noted Building Permit substantially comply with Development Permit drawings as issued. I also confirm that I understand this project may be audited by City staff for compliance with the Development Permit.

Signed by: \_\_\_\_\_

CRP/Architect of Record

Date: \_\_\_\_\_

Firm: \_\_\_\_\_

Professional Seal: \_\_\_\_\_

Change from "ISSUED"  
to "SUBMITTED"



# Website Information

## Streamline building permits

To help improve permit processing times, new developments who require excavation and shoring may be eligible to receive their building permit in advance of their development permit.

Eligible projects include those providing:

- Social housing or secured market rental housing
- Cultural and recreational uses such as an artist studio, community centre or neighbourhood house, library, museum or archive, and park or playground;
- Institutional uses

You must submit a building permit application under the [Certified Professional Program](#). Contact your Development Permit Project Facilitator for more information and applicable conditions.

① You may be required to submit a letter of credit to cover the cost associated with backfilling the excavated sties.

Link on City Website here:  
<https://review.vancouver.ca/home-property-development/building-permit.aspx>

QUESTIONS?

THANK YOU