# Commercial Tenant Resource Guides

## No. 4: Redevelopment

- Redevelopment and Zoning Explained
- Overview of Development Approval Process



## 4. Redevelopment: Timeline and Process

#### Development and Redevelopment - what do these terms mean?

**'Development'** is the most general term. Development is "any change in the use of any land or building or the carrying out of any construction, engineering, or other operation in, on, over, or under land or land covered by water"<sup>1</sup>. In other words, it refers to any time a new structure or alteration is built – such as a house, a mixed-use building or a high-rise – or when the activities carried out within the structure are changed.

"Development" can apply to the construction, renovation and/or change of use of a building or part of a building; it is regulated by the Zoning and Development Bylaw.

**'Redevelopment'** generally means demolishing an existing building and then rebuilding something new.

If your landlord applies to the City to redevelop the property you lease, you will likely have to relocate your business at some time in the future. This resource guide shows you the steps and timing of the redevelopment process, so you can better plan your next move.

## What are Development Permits and Building Permits?

Most activities in building and renovating will require either a Development Permit or Building Permit, issued by the City. The Development Permit process regulates built form and land use. The building permit process regulates construction, life safety and livability, among other considerations.

For example, your landlord will need a Development Permit to redevelop the building. A commercial tenant may need a Development Permit to renovate, perform certain repairs, or perform an activity that was not previously approved for the space.

Even if no construction is proposed, a Development Permit may still be required to change a use in an existing building (e.g. from retail to office). A Development Permit is issued after a development proposal is reviewed by the City to ensure it meets the zoning regulations for the site. Building Permits are required for construction projects on private property.

In the case of large-scale projects, and/or where zoning relaxations or particular types of land uses are proposed, a separate Development Permit is required before a building permit application can be submitted in some situations.



#### Zoning and Rezoning - what do these terms mean?

The use and development of land in Vancouver is regulated by the Zoning and Development By-law.

**'Zoning'** is a set of rules that outline how a property can be used and developed according to citywide goals and priorities ("land use regulations"). Zoning regulates the use of a site (e.g. retail, residential, office) and the characteristics of buildings on a site (e.g. height, floor area and other physical aspects).The allowable use and development of a property depends on the zone in which it is located.

**'Rezoning'** is a process to change how a property can be used or developed through a change to the Zoning and Development Bylaw. The process starts with a rezoning application, and includes opportunities for public input in a public hearing at Council. City Council is the body that makes decisions on rezoning applications.

See the <u>Glossary</u> for a more detailed definition of these terms.

<sup>1</sup>S.559 <u>Vancouver Charter</u>, SBC 1953, c. 55, Part XXVII

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#### No. 4 Redevelopment

## **The Development Approvals Process**

Is the project allowed under existing zoning? NO *Rezoning Required* Enquiry YES Application Required **Staff Review** Permit **Council Decision** Development **Bylaw Enactment** Development Permit Required **Pre-application** Application **City Review & Decision Meeting Conditions** Permit Issued **DEMOLITION & BUILDING** PERMITS

#### **REZONING -** *typical process* Approximately 8-12 months from application to decision\*

Potential applicants can submit an early rezoning proposal ("enquiry") to allow City staff to provide detailed advice. This is voluntary and can add 3-4 months to the process. City staff may also request a pre-application **open house**.

Application is submitted for detailed staff review. City staff notifies public and uploads project information on <u>"Shape Your City" website</u> for **Public Input** at open houses and online. A project notification board is installed at the property.

City staff review application and present the final application to Council. Council refers applications to **public hearing** or back to staff.

**Opportunity for public input** to Council during public hearing. Council votes to approve or refer application back to staff. Application revisions can take up an additional 8-12 months.

A developer can submit a development permit application once the rezoning application is approved by Council; however, the development permit will not be issued until the rezoning bylaw has been enacted. The timing of bylaw enactment may vary, depending on when rezoning conditions have been met by the developer.

For more information about the rezoning process visit the <u>Rezoning webpage</u>. Submit your questions about rezoning applications to the Rezoning Centre at <u>rezoning@vancouver.ca</u>

#### **DEVELOPMENT PERMIT** Approximately 8-12 months to issuance.\*\*

Pre-application communications with City to prepare for application.

The developer submits application for staff review. Staff notify the public and upload information on <u>"Shape Your City" website</u>. Project notification board is installed at property. **Opportunity for public input.** 

City staff review application and make decision (8-12 weeks). including setting conditions that must be satisfied before permit can be issued.

Developer works to meet conditions and resubmits application. Applicant often has to meet conditions before a permit is then issued. (Time can vary widely, in most cases applicant resolves outstanding conditions in approx. 6-12 months).

Following consideration of public input and technical review to ensure conditions are met, a development permit may be issued.

For more information about Development Permits visit the <u>Development Permit webpage</u>. Submit your questions using the online <u>development permits form</u>.

\*Timelines are only estimates for typical projects and may take longer. \*\*Depends on time spend by developer meeting conditions and can vary widely.

## CITY OF COMMERCIAL TENANT



#### A Typical Redevelopment Experience

In order to redevelop the building you currently rent, your landlord will need to go through a development approval process, which may include a <u>Development Permit</u>, a demolition permit, a construction permit, and/or other permits. In some cases, they may need to pursue a <u>rezoning</u> process first. Each of these processes takes a certain amount of time and contains key steps. It is important for you to understand the overall timing of these processes and the potential impacts on your relocation needs.

In general, it takes about 8 to 12 months for a rezoning application to be processed and a further 8 to 12 months to a Development Permit issuance – these times can vary widely.



**Steps 1 to 4** will only happen if a rezoning application is required, but all projects need to go through **Step 5 to Step 7** - the Development Permit application. If in doubt which steps apply to your situation, the public notice board posted on your building gives you information on the process and timing.



**1. Rezoning Enquiry:** Your landlord or the developer may submit an early proposal to the City to prepare for an application and in alignment with City regulations. This is voluntary and can add about 3 to 4 months to the timeline. At this point, tenants are often not yet aware that the building may be redeveloped. However, City staff may ask the developer to host a public open house to show early design ideas and get input from the community.

To help you be aware of future development plans for your current location, we recommend that you communicate on a regular basis with your landlord. The better your relationship with your landlord, the earlier you will learn about their plans for the building. This is particularly important when your lease is nearing the renewal date.



**2. Rezoning Application and Public Notification**: Your landlord submits a formal application to rezone and develop the property. City staff may ask for additional information or corrections, and so the landlord may have to submit a revised application. A notification board will be installed on the property. The sign will clearly indicate that there is a Rezoning Application for the property. City staff will notify surrounding properties, and create a project webpage on the <u>Shape your City website</u>.

 The review of the rezoning application by City staff typically takes up to 8-12 months depending on the complexity of the project.

REZONING		What's happening. Reconing application submitted Application review by City staff		DEVELOPMENT APPLICATION	What's happened
APPLICATION 878-898 West Broadway		Open House: Monday, July 23, 2018, 5-7:00 pm Holiday Inn (Cypress Room) 711 West Broadway	The second secon	1670 East 10th Avenue DP-2020-00489 DETAILS	Vision Server United Servers
DETAILS: To rease this site from C3-A (commercial) to CD-1 (comprehensive Development) Ditrict to parmit the development of two high-rise hold buildings (13 and 11 storey) including a mixed size podlum. The project includies: - commercial use at ander:	PROPOSED DEVELOPMENT	Further application review Public Hearing: Information to come	In a support on the section of the section methods and the section of the section of the section with the section and the section of the sect	Not Construct Corp. Unit agended to the Copy of Parcements Construing the result water were aded address to theread Consols Streem Notes and address and theread Consols Streem Notes and theread Consols St	
<ul> <li>commence task as grave;</li> <li>438 hold units (258 short-term and 180 long-term stay);</li> <li>a proposed floor space ratio (FSR) of 6.38;</li> <li>a building highly of 43 m (U2 ft); and</li> <li>458 underground car parking spaces, 35 bicycle spaces, and on-site loading.</li> </ul>		Decision by Council For more information: vancouver.ca/rezapps		may be permitted, however, it requires the doclation is conditional role.	for scale or collections and an analysis of the second sec
This application is being considered under the Metro Core Jobs and Economy Land Use Plan		or phone 3-1-1	abberrarenter.	APPLICANT: Burb Carmuba Corp.	A Bring

Sample Rezoning and Development Application signs

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**3. Public Hearing and Council Decision**: Once the review of the rezoning application is complete, City staff present the application to City Council. Council decides whether to proceed to a public hearing or refer it back to staff for further revision. At the Public Hearing members of the public can provide input on the application prior to the Council decision. To speak to City Council at a Public Hearing, you must register by phone or email or send a written submission<sup>2</sup>. If the application is not approved but referred back to staff, another 8 to 10 months will be added to the timeline.



continuity plans' before the rezoning application is considered at public hearing.

This review stage can be a good opportunity to talk to your landlord and make 'business

**4. Zoning enactment**: Council enacts the zoning bylaw. Please note that the timing of bylaw enactment may vary, depending on when all rezoning enactment conditions have been met by the developer. A developer can submit a development permit application once the rezoning application is approved in principle by Council; however, the development permit will not be issued until the rezoning bylaw has been enacted.



**5. Application for Development Permit**: The next step for your landlord is to obtain a Development Permit. This requires another, more detailed application. This usually takes another 8 to 10 months until the permit is issued. This can vary as it depends upon the time the developer takes to meet all conditions for a permit issuance.

At this point, landlords may start the process of terminating the leases as some will prefer to leave the space empty to be able to proceed to demolition quickly once all permits are in place. However, these are individual decisions and it is important to talk to your landlord about options. For example, your landlord might consider agreeing to a month-to-month lease until demolition begins.



**6. Building Permit**: Once the Development Permit is approved the developer will need to apply for a building permit. Building permit processing times varying greatly depending on the type of project. A simple building permit can take at least 8 weeks to process. A complex building permit may need 8 months or longer.

To obtain a building permit, the developer has to meet all the conditions before a building permit can be issued. These conditions vary between projects, but often include securing financial commitments for amenities, assisting residential tenant relocation (if applicable), and other legal agreements.

Your lease could be terminated at some time between issuance of a Development



7. Demolition Permit: In order to take down a building in Vancouver, a demolition permit is needed.

Permit and start of demolition of the existing building.

Please be aware that since September 2021, some projects may be able to receive faster permits for demolition and construction before all Development Permit conditions are met. This is particularly important if you are on a month-to-month lease.

<sup>2</sup>More information on public hearings is available at <u>vancouver.ca/publichearing</u>, see also the <u>Glossary</u>. After the public hearing, City Council votes on the application.

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Redevelopment