# **DAP FAQ**

# Development Approval Procedure By-law (DAP) Frequently Asked Questions (FAQ)



By-law: <u>Development Approval Procedure By-law (No. 14357)</u>

Approved/Enacted: June 3, 2025 (Council Report)

Effective: June 9, 2025

#### What is the DAP By-law?

- In April 2024, The Province of British Columbia approved Bill 18 (Vancouver Charter Amendment Act No 2, 2024) which aims to support the timely delivery of housing in Vancouver. This legislation amends the Vancouver Charter to better align with the Local Government Act, which governs all other BC municipalities.
- The Vancouver Charter requires Council to adopt new development approval procedures. The DAP By-law establishes the procedures for applying to amend an Official Development Plan (ODP) and the Zoning and Development By-law (rezoning). The aim of DAP is to provide clarity and predictability for processing applications.

# What types of applications does DAP cover?

- The DAP By-law is only for applications for rezoning and applications to amend an area-specific ODP. Procedures for Development Permits (DPs) remain under the existing Zoning & Development By-law (Section 4).
- A future update to the DAP may include DP procedures, but that is yet to be determined.

#### Will DAP change rezoning procedures?

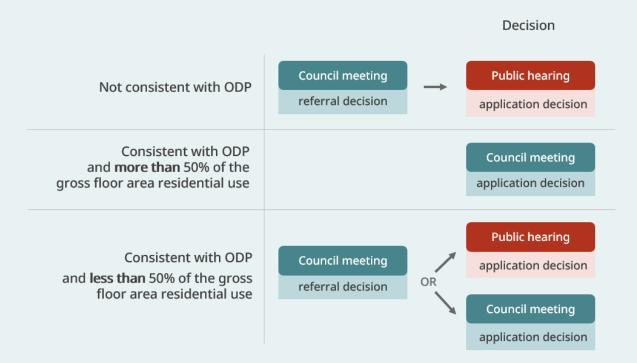
- The DAP By-law mostly supports existing rezoning practices and authorities. It is intended to provide structure and guidance without being over-prescriptive. The By-law also sets the foundation for future amendments to align procedures with the city-wide interim ODP in 2026.
- Contents include definitions, staff and applicant responsibilities, the processes for enquiries, applications and ODP amendments, public notice/engagement, and Council's authority.
- Key highlights include:
  - Rezoning enquiries are required for proposals that are inconsistent with policy or an ODP.
  - o Rezoning enquiries and applications may be cancelled after 6 months if they are deemed inactive or incomplete.
  - o Applicant may be able to apply to modify conditions of approval, after public hearing, if limited in scope.

# What does it mean that Council is "prohibited" from holding a public hearing?

- Bill 18 aims to speed up approvals and provide confidence to the public and applicants in the
  implementation of the ODP. One way to do that is to remove the requirement for public hearings
  for residential proposals that are consistent with the ODP. To learn more about why Bill 18
  removed the requirement for public hearings, see <a href="Provincial housing legislation Bill 18 updates">Provincial housing legislation Bill 18 updates</a>
  for ODP compliance.
- The Vancouver charter now **prohibits** Council from holding public hearings for applications that are consistent with an ODP and include significant residential development (greater than 50% of the gross floor area is residential). Council will consider these applications at Council meetings without referral.

#### What does it mean that Council is "not required" to hold a public hearing?

- For certain kinds of rezonings, Council has the **option** to either refer the application to a public hearing **or** to a Council meeting for decision. These rezoning applications must be:
  - o consistent with an ODP, and
  - o have less than 50% of the gross floor area as residential (for example, are majority industrial, office, or institutional uses)
- Council voting procedures will be updated to accommodate this new decision pathway.
- Below are the pathways to Council decision:



# What applications will still require a public hearing?

- Public hearings will be required for:
  - o Applications that are not consistent with an ODP.
  - o Applications where no ODP applies. This is in effect until the approval of the interim citywide ODP in 2026.
- The process for these applications resembles the current rezoning process, with Council voting to refer the applications to a public hearing.

#### Without public hearings for some applications, how will people participate?

- While public hearings are important for community input, they happen late in the process and can limit public participation and accessibility due to public hearings occurring over the course of one evening (for most rezoning applications).
- The best time to participate is at the planning stages, such as during the development of the Official Development Plan and when area planning programs are underway (see the <u>Villages Planning Program</u>, for example).
  - o The draft ODP will be shared for public review and feedback in Fall 2025.
  - Check <u>Shape Your City</u> to see active planning projects, policies and initiatives.
- We will continue our standard practices of public consultation during the rezoning application process. We use the following methods depending on the scale and complexity of the proposal:
  - Shape Your City Platform: This online platform is our primary tool for ongoing public engagement for rezoning applications. Each application has a dedicated page and comment form.
  - <u>Site sign:</u> Signage is installed on the property which includes an image and description of the proposal, the date of the Q&A period/Open House and a QR code to the Shape Your City webpage.
  - Post cards: Post cards are sent to the surrounding neighbourhood soon after the application is received and again prior to the Council meeting.
  - <u>Virtual Q&A period/Open Houses:</u> Most applications hold virtual Q&A periods, and some have in-person open houses as needed. Questions can be asked directly to city staff and these events are widely publicized to encourage participation.
  - All public feedback and consultation statistics collected by rezoning staff during the rezoning application process is summarized within the rezoning reports.
- Finally, once a Council date is confirmed, <u>public comments</u> will continue to be received for all rezoning reports. These comments are collected by City Clerks and distributed directly to Council prior to the meeting. This practice continues to be a requirement in the Vancouver Charter.

# Are there changes to public notification or consultation?

- **Public notice** as required by the Vancouver Charter has not changed. When a rezoning application is consistent with the ODP and is more than 50% residential, it will be scheduled for a Council meeting for decision, and the city is required to send out a "Notice of public hearing not held". This notice consists of a newspaper ad that is shared the same way as a "public hearing notification" ad is shared. See <a href="Public Notice By-law">Public Notice By-law</a> (No. 13761).
- **Public consultation** is not defined in the Charter but are standard practices adopted by the city to ensure the public is aware of rezoning proposals in their neighbourhood and can submit feedback through various means (see above). The DAP By-law only seeks to document the current methods.

# How do I tell if my proposal is within an Official Development Plan (ODP) area?

- Official Development Plans are grouped into area-specific, and citywide/subject-related plans. Not all areas of Vancouver are currently included in an ODP.
- Rezoning proposals within an existing area-specific ODP will be evaluated for consistency against
  the ODP. If found not consistent, the application must be revised or withdrawn or the applicant
  can apply to amend the ODP to align, and a public hearing will be required. Approximately 6% of
  Vancouver's land is within existing area-specific ODPs. Check the maps attached to the ODP to
  verify whether your proposal is in or out.
- Rezoning proposals within the citywide/subject-related ODPs (such as the Rental Housing Stock ODP) will also be evaluated for consistency, however, these ODPs will **not** be amended as a part of the application. Therefore, these ODPs will not be a determining factor for requiring a public hearing.
- To learn more about the upcoming citywide interim ODP, visit <u>vancouver.ca/odp</u>.

#### How is consistency with policy and an official development plan (ODP) determined?

- To determine whether a proposal is consistent with the ODP, the main tool will be the Generalized Land Use (GLU) Map and associated land use designations, which will show what can be built where under current zoning and rezoning policies.
- Early feedback on a rezoning proposal is important for providing clarity and certainty for the
  process that follows. The DAP By-law requires proposals that significantly depart from Counciladopted policy (and ODPs) to make a rezoning enquiry prior to an application. Through the
  enquiry review process, consistency against policy and the ODP will be assessed, and staff will
  respond with comments and recommendations specific to the proposal.
- Further guidance will be contained in the draft ODP when it is shared in Fall 2025.

# For More information:

**Contact Rezoning Info:** rezoning@vancouver.ca for question about rezoning.

**Contact Vancouver ODP:** <a href="mailto:odp@vancouver.ca">odp@vancouver.ca</a> for question about the citywide interim ODP and also visit <a href="mailto:vancouver.ca/odp">vancouver.ca/odp</a>.

Read more about the Provincial Housing Legislation: Bill 18 updates for ODP compliance