

CITY OF VANCOUVER BRITISH COLUMBIA



DEVELOPMENT PERMIT BOARD and ADVISORY PANEL BY-LAW NO. 5869

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to June 28, 2011)

BY-LAW NO. 5869

A By-law to repeal By-law No. 9435
and to substitute in its place a
new by-law respecting the Development
Permit Board and its Advisory Panel

(Consolidated for convenience only,
to include By-law No. 10302
effective June 28, 2011)

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

1. This by-law may be cited as the "Development Permit Board and Advisory Panel By-law".
2. In this By-law:

"Director of Development Services" means the individual appointed to be the Director of Development Services, or another city official designated to carry out the powers and duties of the Director of Development Services contained in this By-law."
3. (a) A Board to be known as the "Development Permit Board" (hereinafter referred to as the "Board") is hereby established and appointed.

(b) A Panel to be known as the "Development Permit Board Advisory Panel" (hereinafter referred to as the "Advisory Panel") is hereby established.
4. It is hereby declared that this by-law is passed with the intention that each section shall be independent of the other so that, should any section be declared invalid, then such section shall be severable.
5. The Board shall consist of the Director of Development Services, who shall be a non-voting member except as Section 12 otherwise provides, and a Deputy City Manager, the General Manager of Engineering Services, and the Director of Planning all of whom shall be voting members.
6. (a) The duty and function of the Board is to receive and approve, approve subject to conditions, or refuse such development permit applications as may by by-law be prescribed to be brought before the Board.

(b) In the consideration of all applications brought before it, the Board shall hear any representations of the applicant as well as any other person interested in the

application, and before rendering its decision shall consult with and receive any submissions of the Advisory Panel.

- (c) The Chair of the Board, who shall have responsibility to ensure the inclusive, comprehensive, orderly and timely process of conducting the business of the Board, shall be the Director of Development Services.
7. The Advisory Panel shall consist of nine members to be appointed by the City Council. Of the nine members, two shall be representatives of the development industry, one shall be the Chair of the Urban Design Panel, one shall be a representative of the design profession, one shall be the Chair of the Vancouver Heritage Commission, and four shall be representatives of the general public. All appointees are to be eligible for reappointment. No person who is a member of the City Council or an employee of the City shall be appointed to the Advisory Panel.
- 7A. Council is to appoint to the Panel:
- (a) the nine individuals referred to in section 7 for a term of two years more or less, which term is to expire immediately before the first Monday after December 1, 2008;
 - (b) after the expiry of the appointments under subsection (a), five individuals referred to in section 7 whom Council is to appoint for alternating terms not to exceed two years and one year more or less; and
 - (c) after the expiry of the appointments under subsection (a), four individuals referred to in section 7 whom Council is to appoint for alternating terms not to exceed one year and two years more or less.
- 7B. Each first two year term referred to in section 7A, except for subsection (a), is to expire on the second annual anniversary of the date that falls immediately before the first Monday after December 1, 2008, and, thereafter, each two year term is to expire on the second annual anniversary of such date.
- 7C. Each first one year term referred to in section 7A is to expire on the first annual anniversary of the date that falls immediately before the first Monday after December 1, 2007, and, thereafter, each one year term is to expire on the first annual anniversary of such date.
- 7D. Despite sections 7A, 7B, or 7C, if Council does not appoint new members on the first Monday after December 1 in any year, Council deems each term referred to in section 7A extended to the day preceding the date of appointment of a successor.
8. The function of the Advisory Panel is to act in an advisory capacity to the Board with respect to development permit applications which are brought before the board, and all

members of the Panel shall be entitled to attend and participate in all meetings of the Board.

8A. Each of the following Advisory Panel members shall have the following alternate who may act on behalf, and in place, of that member at any Advisory Panel meeting:

- (a) a member of the Vancouver Heritage Commission, selected from time to time by the Chair of the Vancouver Heritage Commission, as alternate to the Chair of the Vancouver Heritage Commission; and
- (b) a member of the Urban Design Panel, selected from time to time by the Chair of the Urban Design Panel, as alternate to the Chair of the Urban Design Panel;

but no other member of the Advisory Panel may select an alternate to act on behalf, and in place, of that member at any Advisory Panel meeting.

9. At any Board Meeting:

- (a) the General Manager of Community Services, or any city official acting in that position, or any other General Manager, may act in place of the Deputy City Manager;
- (b) an Assistant City Engineer, a Director in Engineering Services or any city official acting in those positions, may act in place of the General Manager of Engineering Services; and
- (c) an Assistant Director of Planning or any other city official acting in that position, may act in place of the Director of Planning."

10. If the Director of Development Services is unable to attend a Board meeting, he or she may appoint a Board member or any alternate of any Board member to act as Chair at that meeting on behalf, and in place, of the Director of Development Services.

11. A Board member or alternate who acts as Chair at a meeting may not vote, except as Section 12 otherwise provides, at that meeting.

12. If:

- (a) a Board member:
 - (i) is unable to attend a Board meeting,
 - (ii) leaves a Board meeting, or

- (iii) does not attend an adjourned Board meeting, because of illness or by consent of the Chair, and that Board member's alternate does not attend such meeting; or
- (b) the Director of Development Services, under Section 10, appoints a Board member to act as Chair at a meeting, and that Board member's alternate does not attend such meeting;

and if the votes of the Board members present at such meeting are equal for and against a question, the Chair shall have the right to exercise the casting vote.

- 13. The Board shall determine its own procedure, provided that all decisions of the Board shall be rendered in public unless the Board for good and sufficient cause otherwise directs, and the Board shall give reasons for its decisions. The Board may set the time, date and place of its meetings, provided that the Chair shall be at liberty to call a meeting whenever he deems it necessary.
- 14. The Board shall keep written minutes of all business transacted at the meetings.
- 15. By-law No. 4876 is repealed.
- 16. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 5th day of February, 1985.

(signed) "Michael Harcourt"
Mayor

(signed) "R. Henry"
City Clerk