

DEVELOPMENT VARIANCE PERMIT

A Guide to the Municipal Approvals Process in Chilliwack
October 2010

Introduction

The City of Chilliwack has prepared this brochure to assist you in understanding the Development Variance Permit application process.

The brochure describes:

- ◆ Development Variance Permit;
- ◆ Development Variance Permit Application process; and
- ◆ Where to obtain additional information.

Upon review of the following information, anyone intending to submit a Development Variance Permit application is urged to contact the Planning & Strategic Initiatives Department for assistance.

What is a Development Variance Permit?

A Development Variance Permit is a permit issued by Council to vary requirements of:

- ◆ Zoning Bylaw;
- ◆ Subdivision Bylaw;
- ◆ Mobile Home Parks Bylaw;
- ◆ Other Land Use and Development Bylaws; or
- ◆ Sign Bylaw.

When is a Development Variance Permit Necessary?

A Development Variance Permit is necessary to vary standards imposed in a bylaw that conflict with characteristics of a specific project. Varied standards could relate to:

- ◆ minimum standards of building form – height or size of building;
- ◆ parking regulations – number of parking spaces;
- ◆ subdivision regulations – minimum lot dimensions if variation does not affect lot area or density, etc
- ◆ sign regulations – size or location of sign, etc.

The requested variance must not:

- ◆ constitute a substantial variation in applicable bylaws;
- ◆ vary the allowed density; or
- ◆ permit a non-conforming use.

Development Variance Permit Process

1. Pre-application Stage

Prior to submitting a written application, the Applicant should discuss the characteristics of the proposed Variance with staff in the Planning & Strategic Initiatives Department.

2. Applicant Submission

A completed application for a Development Variance Permit is submitted by the Applicant to the Planning & Strategic Initiatives Department and includes the following:

- ◆ a Variance application form identifying the name and status of the Applicant;
- ◆ purpose of application;
- ◆ subject property or properties – civic addresses;
- ◆ proof of ownership as evidenced by a Tax Assessment Notice or State of Title Certificate;
- ◆ letter of authorization from the owner if Applicant is operating as agent for owner;
- ◆ letter outlining proposed development;
- ◆ site plan detailing the development; and
- ◆ non-refundable Development Variance Permit application fee.

3. Application Review and Reporting

Planning & Strategic Initiatives Department staff reviews the Development Variance Permit application. Department Staff then prepares a report and submits it to Council.

Council then considers the application and approves or denies the Variance request at a regular Council meeting after a Public Information Meeting has been held concerning the application.

Owners of the property within 30 metres of the specified property are:

- ◆ notified of the proposal by direct mail; and
- ◆ informed of the date of a Public Information Meeting, at which Council will consider the Variance Permit request.

4. Final Approval

The applicant will receive a letter indicating Council's decision.

If the Variance is approved, development in accordance with the Variance may proceed subject to other necessary permits and approvals.

How Much Time Does The Process Take?

The amount of time to process a Development Variance Permit application is largely dependent upon notification to surrounding property owners. In addition, the time frame is affected by how long it takes the applicant to meet requirements as established by the Council and the Planning & Strategic Initiatives Department. On average a Variance Permit application takes 1.5 to 2 months to process once an application has been submitted.

How Can I Find Out More?

For information related to your specific application and the time it will take to process your proposal for Development Variance, contact:

City of Chilliwack
Planning & Strategic Initiatives Department
8550 Young Road
Chilliwack BC V2P 8A4

Phone: 604-793-2906

Fax: 604-793-2285

This is one of a series of public information brochures covering the Municipal Approvals process in the City of Chilliwack.

Other brochures available from the City include:

- ◆ Building Permits & Inspections
- ◆ Business Licencing
- ◆ Subdivision
- ◆ Rezoning

This brochure has been prepared to provide guidance only. It is neither a bylaw nor legal a document. Please consult the *Local Government Act* and its Regulations, and the City of Chilliwack applicable codes for definite requirements and procedures.

General Development Variance Permit Process

