

Development Variance Permit Application Guide

Definition:

What is a Development Variance Permit?

A Development Variance Permit is a Council approved variation of the requirements of a Zoning, Subdivision & Development Control, or Sign Bylaw regulation regarding the siting, size or dimensions of a building, structural additions, or alterations to a non-conforming use.

A Development Variance Permit (DVP) cannot vary permitted land use or land density – this is the same throughout the province of BC as per the Local Government Act. A Land Use rezoning is required to allow changes in use and density.

The Development Variance Permit is site-specific. Once approved, a DVP becomes binding on the developer and the existing and future owners of the property.

Overview:

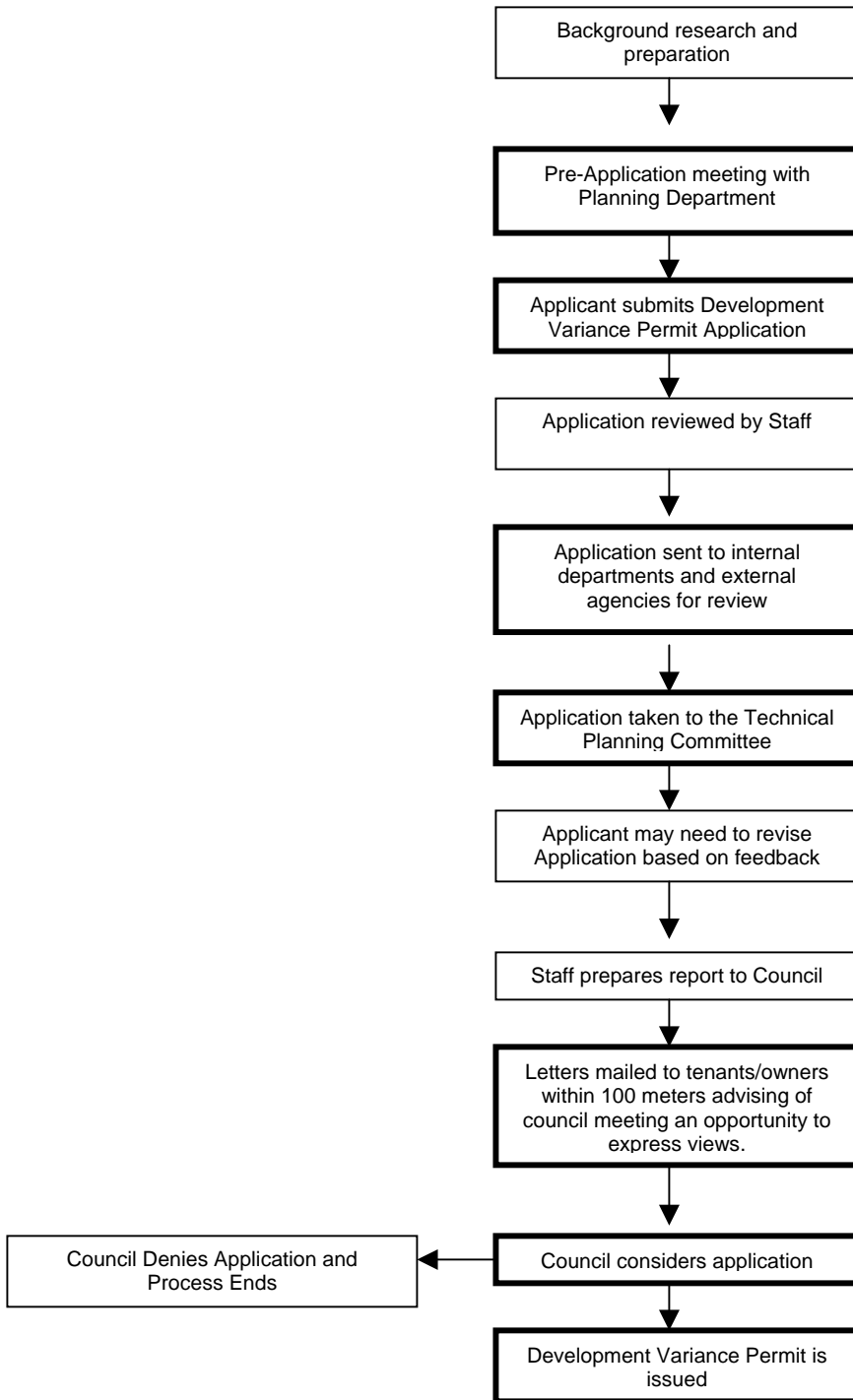
When Is a Development Variance Permit Required?

A Development Variance Permit is required for a specific parcel or property that has unique geographical, historical, or other similar challenges. Examples include: building on existing undersized lots, renovations to existing buildings within watercourse setbacks, locating accessory buildings on irregular lots, and sometimes simply just strange historical factors that make basic improvements to a building non-conforming in a standard zone.

Development Variance Permits are also considered when there is a good trade off for the community, for example: parking requirements may be reduced in exchange for a good community amenity, such as construction of a leading edge green building.

Development Variance Permits are not always successful! Council reviews the DVP once on a pass-fail basis. Council will not approve a Variance if they do not feel the proposed changes to the site are in the best interests of the community. ***Check in on your proposal with your Planning Department!***

Development Variance Process



Development Variance Permit Application Process

1. Background Research & Preparation

The application process begins with background research and a thorough understanding of the development proposal. The following information makes up the basic components of the pre application meeting:

Information Available at the Planning Department:

- Zoning of the property and applicable Zoning regulations (permitted land uses, density, siting requirements etc.)
- Development Permit Area for siting, massing, form and character as outlined in the Official Community Plan (OCP)
- Other applicable development bylaws, Zoning, Subdivision & Development Control, Official Community Plan (OCP), and sign bylaw
- Natural Hazards designation/classification

Note: this information is also available online at www.squamish.ca

Information available from the Community Development Department:

- Subdivision & Development Control Bylaw
- Environmental Regulations

2. Pre-Application Meeting

When background research and preparation for the pre-application meeting is complete, the next steps are:

- Applicant requests a pre-application meeting from The Planning Department.
- The Planning Department assigns a Planner to each application. The Planner will be the applicant's contact during the application process.
- The purpose of the pre-application meeting is to ensure the Planner and other appropriate District staff, fully understand the applicant's development proposal and provide guidance on the application requirements specific to the proposal.

3. Applicant's Requirements

During the pre-application meeting, mandatory, optional, and application specific requirements will be identified:

- Signs (Required)

In order to inform area residents and property owners of the proposed development, applicants will be required to place a development sign on the subject property, clearly describing the proposed development. The Planning Department will provide applicants with detailed sign requirements. The sign is required to be in place at least ten (10) days prior to Council's consideration of the Development Variance Permit application. The costs incurred are borne by the applicant.



4. Application Submission

To ensure the most time effective and streamlined application process is provided, only complete applications will be accepted. Contact the Planning Department for an application form and any questions related to completion of application requirements. There is an application fee, payable on submission of a complete application.

The Development Permit Application Submission Checklist outlines application submission requirements. This checklist is located at the end of the Development Permit Application Form. All information detailed on the checklist must be provided unless otherwise noted during the Pre Application meeting.

Assessing Requirements

The next steps for the Planner and the applicant are:

- The Planner circulates the application to appropriate District Departments (e.g. Parks) and external agencies (e.g. Ministry of Transportation, Department of Fisheries & Oceans) for review. The review considers the requested variance in relation to the Zoning Bylaw, Subdivision & Development Control Bylaw, the Official Community Plan, and District policy requirements and regulations.
- The Planner prepares a report for the Technical Planning Committee (TPC) for consideration. TPC membership is comprised of representatives from the Community Development, Administration, Fire Departments, and the RCMP, as required.
- Depending upon the complexity of the proposal, applicants are invited to speak to the TPC about their application.
- The outcome of TPC is the determination of the application's requirements.

6. Development Variance Permit Application Approval

Prior to the application being brought forward to Council, letters to owners/tenants in occupation within 100 metres (328 feet) of the subject property, are mailed and hand-delivered. These letters notify all owners/tenants of the upcoming Council Meeting, in which owners/tenants are encouraged to attend to express their views on the variance.

The Planner writes a report on the application to Council. Council then considers the application, and a decision is made by resolution to enter, or not to enter into a Development Variance Permit Agreement with the applicant. At this Council meeting, members of the public are permitted to state their views and concerns on the proposed development. The applicant is advised of the decision and if accepted, the Development Variance Permit is issued outlining applicable terms and conditions.

General Information

Cost

Application costs include, but are not limited to:

- Application Fee
- Your consultant's fees, if necessary
- Development Sign costs
- Security for specified works and landscaping, if any
- Non-Municipal Costs: These include professional fees required for your development application, such as BC Land Survey fees, Architectural fees, legal fees, engineering fees, etc.

Note: When a Development Permit and/or Development Variance Permit application is applied for in conjunction with a Zoning Amendment application, only the rezoning fee will be applied in addition to the specified advertising fee with respect to each application.

Timing

Specific time limits for the processing of a Development Variance application are difficult to provide. The time required varies depending on the type, size and complexity of the requirements, the number of applications in progress, and the ability of the applicant to provide information when required. Generally speaking, applicants may save time by initially discussing the proposal with the Planning Department staff, employing consultants (planners, architects, engineers, landscape architects and surveyors, etc.) familiar with the Development Variance Permit process (where appropriate), and providing in a timely manner, all the information required by the Municipality throughout the process. Experience indicates that the more information an applicant can initially provide in support of the application, the faster it can be processed. Similarly, processing time, confusion and uncertainty may be minimized if the applicant assigns one person with the specific responsibility of coordinating the variance process.

Things to Consider or Include When Submitting an Application:

- Be well prepared for Pre-Application meetings by ensuring all background research is completed.
- Submission of a complete, detailed application allows for a superior and timelier review process.
- *Don't change your application on the fly!* If in working through your application, you realize changes to the proposal are required, talk to your File Planner, and make sure you submit all new relevant material.
- Depending on the complexity of the Development Variance Permit application, applicants may or may not require the services of an Engineer, Planner, Architect, Landscape Architect, or Lawyer.
- Amenity Contribution: When the community-through-Council grants a development permit that increases the density and value of your property, they want to ensure benefit to the whole community. This is often done through an amenity contribution. Talk to your file Planner for further details.

- Universally Accessible Units: District of Squamish Council supports this design consideration. Consider designing this into your proposal at the early stages.
- Green Building design- The District of Squamish has signed the Climate Action Charter: Squamish participates in the Community Action on Energy and Emissions (CAEE) Program. Green building design is endorsed and depending on what is proposed, green initiatives may allow for other development variances. Please check with your file Planner and visit the District of Squamish Green Building Toolkit online: www.squamish.ca
- Flood Construction Level: this impacts most parts of Squamish, start your engineering work and surveys as soon as possible.

Natural Hazards in Squamish

The spectacular Squamish environment was created by volcanic activity, glaciers and the convergence of five rivers. While this has created many beautiful areas, some parcels of land face one or more serious geological constraints and may not be suitable for development or higher density. Check with the Planning Department for local and provincial policy legislation.

Additional Information may be Required:

- Contour Plan
- Geotechnical Analysis
- Environmental Analysis
- Traffic Impact Analysis
- Survey Plan to identify the location of existing buildings/structures or watercourses, top of banks or other physical features

For Further Information Contact:

District of Squamish Planning Department
37955 - 2nd Avenue
PO Box 310
Squamish, B.C. V8B 0A3

Office Hours:
Monday to Thursday
8:30 a.m. to 5:00 p.m.
Fridays 830 a.m. to 4:30 p.m.

Telephone: (604) 815-5002 Fax: (604) 892-1083 Website: www.squamish.ca

This brochure is meant for guidance only and should not be construed by anyone as a right to development approval if the steps indicated are followed. Please consult the Local Government Act and its regulations, the District of Squamish Subdivision, and Development Control Bylaw, and Zoning Bylaw and other bylaws for definitive requirements and procedures.

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