



CITY OF COURTENAY

Planning Services

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BOARD OF VARIANCE APPLICATION GUIDELINES

For detailed requirements and process
See *Board of Variance Bylaw No. 1697, 1994*

The Board of Variance deals with appeals for minor variances, where compliance with the "Zoning Regulation Bylaw" would cause undue hardship. The Board also deals with matters regarding additions and structural alterations to non-conforming buildings. The Board cannot deal with matters related to land use, density limits, parking variances or landscape variances.

The Board is made up of three members appointed by City Council; elected City officials and City staff are not permitted to sit on the Board of Variance.

WHEN A BOARD OF VARIANCE ORDER IS REQUIRED:

A Board of Variance Order may be considered for a minor variance when a person alleges that compliance with a zoning requirement respecting the siting, dimension or size of a building or structure, or a subdivision servicing requirement in an area zoned for agricultural or industrial uses would cause undue hardship.

APPLICATION PROCESS:

Board of Variance Orders are considered by the Board of Variance members. For most applications, the process is as follows:

1. The applicant is encouraged to arrange for a pre-application meeting with the Planning Department to discuss their application
2. After receiving a complete application, the Board of Variance members are notified of the details of the application and a hearing date is set and notice (*within 40 days of receipt of notice to appeal*)
3. Staff will mail or otherwise notify adjacent property owners and occupants of the subject property of the proposed variance (*2 weeks*)
4. The board considers the application and may issue, table or refuse the order.

All decisions of the Board of Variance are final.

SITE & BUILDING INFORMATION

Current OCP Designation:	Current Zoning:
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SITE INFORMATION

	Required:	Proposed:		Required:	Proposed:
Site Coverage:	_____	_____	Landscaped Area:	_____	_____
Parking Spaces:	_____	_____	Useable Open Space:	_____	_____
Loading Spaces:	_____	_____	Fence Height:	_____	_____

VARIANCE INFORMATION

Bylaw & Section	Requirement	Proposed	Difference

APPLICANT/AGENT AUTHORIZATION

Complete ONE of the following:

1. If the owners is applying personally:

- a. I am the owner of the real property, legally described as: _____ and that I am registered as such in the Land Registry Office in Victoria, BC; and that
- b. I hereby agree to indemnify and save harmless the City of Courtenay and its employees against all claims, liabilities, judgements, costs and expenses of whatsoever which may in any way occur against the said City and its employees in consequence and of incidental to, the consideration of the application

Signature of Registered Owner

Date

***If multiple owners are listed or the property(ies) are owned by a company, the signatures of all owners or required company signatories must be included.**

Please Initial here that all required signatures are shown on this form. _____

2. If an agent is applying on behalf of the owner:

- a. I am the authorized agent of _____ who is the registered owner of the real property, legally described as: _____

- b. I hereby agree to indemnify and keep harmless the City of Courtenay and its employees against all claims, liabilities, judgements, costs and expenses of whatsoever which may in any way occur against the said City and its employees in consequence and of incidental to, the consideration of the application;

It is understood that until the City of Courtenay is advised in writing that I am no longer acting on behalf of the undersigned registered owner, the City of Courtenay shall deal exclusively with me with respect to all matters pertaining to the proposed application;

I hereby declare that the foregoing information is true and proper and I make this declaration knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature of Agent

Date

Signature of Registered Owner

Date

This checklist outlines the mandatory requirements for a complete submission. Please ensure you have included all required documentation and drawings. Please note that further submission materials may be required during application processing.

REQUIRED SUBMISSIONS

- ☐ Completed Application signed by the registered owners, or written authority for an agent to act on behalf of the owner and written Strata Council approval (if applicable)
- ☐ Certificate of Title * dated no more than 5 business days prior to the date of the application * **Copy of Certificate of Title shall also include copies of any easements and covenants (this information is available from the Land Title Office).**
- ☐ Application Fee
- ☐ BC Land Surveyors sketch plan in **metric**
- ☐ Written summary, including description of proposed development and reasons/rationale for the proposal.
- ☐ Electronic submissions of all drawings to be provided with all applications (must be in PDF format)

ARCHITECTURAL SUBMISSIONS

- ☐ Three copies of professionally drawn Architectural Submissions (one set to be color and one reduced 11 x 17 color copy) and must include the following:
 - ☐ Location Map
 - ☐ Site plan, including any existing buildings on the property in relation to legal property boundaries
 - ☐ Elevations, sections, floor plans (and roof plans where requested)
 - ☐ North arrow and drawing scales
 - ☐ Dimensions, in **metric** or metric conversions, for all elevations and site plans
 - ☐ Geodetic elevation
 - ☐ Comprehensive building site layout
 - ☐ Exterior building materials and colours
 - ☐ Zoning bylaw compliance
 - ☐ Parking lot layout in accordance with City standards, including bicycle parking
 - ☐ Waste and recycling storage and pickup areas, for commercial, institutional, industrial and multi-residential
 - ☐ Vehicle/pedestrian circulation and turning radius for delivery and emergency vehicles including waste and recycling pick up services
 - ☐ Road widening
 - ☐ Fire hydrant locations
 - ☐ Open space
 - ☐ All watercourses and riparian areas, trees to be retained and any other sensitive environmental features including required setback areas
 - ☐ For applications within a Tree Management and Protection area, location of all existing trees greater than 20cm DBH shall also be included