

Your efforts to provide a complete application with all necessary information will help expedite the processing of your application.

### **Step 3 — Application Review**

Once a complete application is received, planning staff will evaluate your application against zoning regulations and policies contained in the Land Use Bylaw, Official Community Plan and Islands Trust Policy Statement. The application review may involve other municipal staff and outside agencies such as Ministry of Water, Land and Air Protection.

Staff will conduct a site visit, prepare a staff report including background information and a staff evaluation and recommendation and a draft development variance permit.

Staff will also prepare a statutory notice that describes the proposed variance, the reason for the proposed variance, the location of the property and the place and time where copies of the draft permit can be examined by the public.

### **Step 4 — Consideration by Committee of the Whole**

The Committee of the Whole will review the staff report, consider the requested variance and determine if the public notification should proceed. The Committee will either recommend that the permit be issued by Council, table the application pending receipt of additional information, or recommend that the permit be denied.

### **Step 5 — Public Notification**

The notice and draft permit will be mailed and hand-delivered to all property owners and residents located within close proximity of the subject property (100 metres) for review and comment. This step will be carried out at least 10 days prior to consideration of the draft development variance permit by Council.

### **Step 6 — Consideration by Council**

Council will consider the recommendation of the Committee of the Whole and any input received from the public. Council will either approve the application and issue the permit, table the application pending receipt of additional information, or deny the permit.

Council must have regard to the object and policy statement of the Islands Trust in issuing a permit.

Approval of a development variance permit may be conditional on the applicant meeting conditions established by Council. Once these are met, staff would forward the permit to Council for approval and issuance.

### **Step 7 — Development Variance Permit Issuance**

If a permit is issued, Municipal staff will file a notice with the Land Title Office to have that development variance permit registered on the title of the property. A copy of the development variance permit will be sent the owner and a copy will be maintained on file at Municipal Hall.

During any required final building or site inspection, the development variance permit will be compared with the actual development to ensure that all conditions of the permit have been met and that the development conforms to the conditions of the permit.

A development variance permit will state that if the planned development does not substantially commence within two years of the development variance permit issuance date, the permit will lapse. After this you will be required to submit a new application if you wish to proceed with the development. You may also need to apply to amend your original permit if your plans change.

#### **For Further Information...**

This information is intended to provide guidance only and should not be interpreted as a right to a development approval if the steps indicated are followed. Please consult Bowen Island Municipality Bylaws for the definitive requirements and procedures. For any further information, please contact the Planning Department, Bowen Island Municipality at 604-947-4255.

# **Applying for a Development Variance Permit**

## **Bowen Island Municipality**

981 Artisan Lane  
Bowen Island BC V0N 1G0

Ph: 604-947-4255

Fax: 604-947-0193

E-mail: [bim@bimbc.ca](mailto:bim@bimbc.ca)

## What is a Development Variance Permit?

As the Land Use Bylaw is a bylaw of 'general application' and does not address specific individual characteristics of each property on Bowen Island, Council has the authority under the Local Government Act to issue variances to local zoning bylaws. A development variance permit may vary certain provisions contained in the Land Use Bylaw, such as a building height and setbacks, but it cannot vary permitted land use or density.

Conditions of a development variance permit are binding on all existing and future owners of the property.

Where a development variance permit is required, a building permit cannot be issued until the variance permit is first obtained.

## When Do You Need to Apply For a Development Variance Permit?

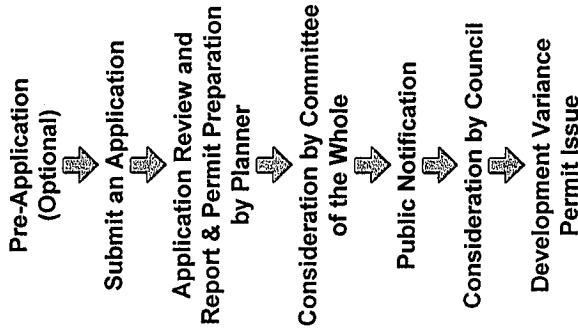
You need to apply for a development variance permit when:

- you are unable to comply with a bylaw provision(s) contained in the Land Use Bylaw due to historic, topographic or other reasons, or
- the bylaw provision(s) required to be varied can not be varied through a development permit where the subject property is within a development permit area. Note that a development permit may only vary bylaw provisions in accordance with the established guidelines in the Land Use Bylaw, or
- the siting of an existing building or structure does not meet current regulations and you propose to alter that building or structure within the required setback area.

For minor variances to relieve hardship, certain bylaw provisions may be varied by way of an appeal to the Board of Variance under Section 901 of the Local Government Act. A separate brochure describes the Board of Variance.

## The Development Variance Permit Application Process

The major stages in the development variance permit application process are:



## Step 1 — Pre-Application (Optional)

Prior to submitting your application for a variance you may wish to contact or meet with planning staff to review bylaws, policies and regulations concerning your required variance. In making your application you will need to consider the following:

- **Land Use Bylaw and other applicable bylaws.** Each property in Bowen Island Municipality is subject to specific zoning regulations. Zoning regulations restrict such things as site coverage and building setbacks, and set minimum parking space requirements. It may also be useful to review the applicable Official Community Plan policies for the area and the Islands Trust Policy Statement.
- **Other Regulations.** It may be necessary to contact additional municipal staff to ensure such matters as adequate services to the site, access to a highway or building code requirements are addressed.

- **Specific Requirements.** In some instances, you may be advised to secure the services of a qualified consultant to address specific concerns with your application. Such consultants may include engineers, biologists, architects or planners, depending on the location of your property and the nature of your proposal.

## Step 2 — Submit an Application

Once you have reviewed all applicable regulations and determined your bylaw variance requirements, you must complete a development variance permit application form and submit it to Municipal Hall, with the applicable fee. Planning staff will be available to assist you; however you will be expected to provide the following information with your application. More detailed information is provided on the Application Checklist.

- A recent Certificate of Title indicating the owner(s) name. If the applicant is an agent of the owner, then the owner(s) must sign the authorization on the application form. Any covenants or easements registered on title which may affect the proposed development must be provided;
- A description of the proposed variance and reasons why the variance may be justified. Physical features, built features, historic siting or building design may restrict the ability to fully comply with certain bylaw requirements. Compatibility with adjacent properties, parks or public roads should also be considered;
- Two sets of suitably scaled plans *no larger than 11" x 17"*. Your plans should clearly indicate the proposed variance and the bylaw provision that is required to be varied. The plans should include information regarding setbacks of all existing and proposed buildings, buildings heights etc. as detailed on the Application Checklist.
- You may wish to review your proposal with your neighbours, and if you are a member of a strata corporation, with the strata council.
- Please see the appropriate fees bylaw or contact the Planning Department for information on fees. Most development variance permit application fees are **\$650.00**, but can vary depending on the complexity of the application.
- Staff will not begin processing your application until all fees and information required in the application form have been provided.

# DEVELOPMENT VARIANCE PERMIT APPLICATION

**OFFICE USE ONLY**  
Application Fee: \_\_\_\_\_  
Receipt No: \_\_\_\_\_  
File No.: \_\_\_\_\_

Bowen Island Municipality  
981 Artisan Lane  
Bowen Island BC V0N 1G0  
Tel. 604-947-4255  
Fax. 604-947-0193  
Email: bim@bimbc.ca

**PROPERTY OWNER (PLEASE PRINT)**  
(Please list all owners as indicated on Certificate of Title)

Property Owner(s) \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
Postal Code \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_ Other \_\_\_\_\_

**APPLICANT (IF DIFFERENT FROM OWNER)**

Applicant(s) \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
Postal Code \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_ Other \_\_\_\_\_

**DESCRIPTION OF PROPERTY (AS INDICATED ON CERTIFICATE OF TITLE)**

Lot/Parcel \_\_\_\_\_ Plan \_\_\_\_\_ Block \_\_\_\_\_ District Lot/Section \_\_\_\_\_  
Range \_\_\_\_\_ Other Description \_\_\_\_\_  
Street Address or General Location \_\_\_\_\_  
Jurisdiction and Folio Number \_\_\_\_\_ (From Property Assessment/Tax Notice)  
Parcel Identifier (PID) \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ (From Certificate of Title)

(1) Applicant Submission Checklist. (Please see attached application checklist and be sure to include all required information with your application, and ensure your site plan is accurate and complete)

(2) Describe the current uses of the land and buildings on the property.

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(3) Describe the proposed uses of the land and buildings, and show on your site plans the location of any proposed buildings or structures. If required, submit an elevation plan showing side views of the proposal.

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(4) Describe the proposed variances to the bylaw requirements that are needed for the proposed development of the property. On your site plan, show the existing bylaw requirement and your proposed variance with accurate dimensions.

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(5) Describe the reasons for the proposed variance and why the current bylaw requirements cannot be met in the proposed development.

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(6) Describe how the property and the surrounding lands will be affected by the proposed variance, and show any of the affected features on your site plan:

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**CERTIFICATION**

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

**AUTHORIZATION**

REQUIRED IF THE APPLICANT IS NOT THE REGISTERED OWNER (PLEASE LIST ALL OWNERS INDICATED ON CERTIFICATE OF TITLE. STRATA TITLED DEVELOPMENTS REQUIRE A WRITTEN ENDORSEMENT FROM STRATA COUNCILS)  
I HEREBY CONSENT TO THE APPLICATION CONTAINED HEREIN

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
DATE

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form is available to the public upon request under freedom of information legislation. Please contact the Chief Administrative Officer, Bowen Island Municipality, 981 Artisan Lane, Bowen Island, B.C. V0N 1G0, if you have any questions regarding the collection of personal information on this form.

Contaminated Sites Regulation

**Please note** that pursuant to Section 7 of the Contaminated Sites Regulation, B.C.Reg. 375/96, a **site profile is not required for a development variance permit if the activity which the permit allows does not involve any disturbance or excavation of soil.** If you have any questions, please contact this office.

## APPLICATION CHECKLIST DEVELOPMENT VARIANCE PERMIT (DVP)

Please ensure that all of the information below is included in your application. Should you have any questions regarding submission requirements, please contact the Planning Department. **Staff will not begin processing your application until all required information has been provided.**

### Land Title

- recent **certificate of title** (within 90 days of receipt of application) for the subject property
- all **covenants, building schemes or easements** registered on title

### Application Form

- completed application form
- written authorization of **all** owners on certificate of title

### Site Plan (2 copies) showing: *(No larger than 11" x 17")*

- all uses**, existing and proposed, on the property, including buildings and structures
- existing bylaw requirements** and proposed variance with accurate dimensions
- dimensions and floor areas** of existing and proposed buildings
- height** of existing and proposed buildings, additions, structures
- setbacks** for existing and proposed buildings to property lines, natural boundary of sea, lakes, wetlands and watercourses
- setback** of existing and proposed septic field to natural boundary of the sea, lakes and watercourses (where applicable)
- parking areas** including numbered parking stalls, aisle widths, stall dimensions (where applicable)
- location** of wells, drainage areas, ponds and topographic features
- locations and dimensions** of all legal easements, covenant areas and utility corridors
- north arrow, street names**

### Elevation Plan (2 copies)

- elevation plan** of proposed buildings and structures requiring variance

### Information from Strata Council/Neighbours

- copy of resolution** from strata council when proposal reviewed (if applicable)
- copy of letters** received from neighbours about proposed variance