



Development

Application Procedures

July 2018

A Guide to the **Board of Variance** in the CSRD

What is the Board of Variance?

The Board of Variance (BOV) is comprised of three volunteers from the community who are appointed to serve a 3 year term. The job of the BOV is to make decisions regarding specific types of minor variance applications that involve a hardship. A decision of the BOV is final and cannot be appealed. A Building Permit must also be obtained prior to any construction in areas that have building inspection service.

If a significant variance is being requested and/or the reason for requesting a variance does not include a hardship rationale, a Development Variance Permit application may be more suitable. CSRD staff can explain both variance application options before you submit your application.

When do I need to apply to the Board of Variance?

A BOV decision is required when a property owner alleges that compliance with any of the following would cause the person hardship:

- the siting, dimensions or size of a building or structure;
- a structural alteration or addition to a building or structure having a non-conforming use; or,
- a subdivision servicing requirement for water, sewage or drainage in an area zoned for agricultural or industrial use.

The variances requested must be minor and the BOV must be satisfied that compliance with the

bylaw requirements would cause undue hardship to the applicant.

The BOV may approve the variance request if it is of the opinion that the variance does not:

- result in inappropriate development of the site,
- adversely affect the natural environment,
- substantially affect the use and enjoyment of adjacent land,
- vary permitted uses and densities under the applicable bylaw, or
- defeat the intent of the bylaw.

The BOV must not make a decision that would do any of the following:

- conflict with a covenant registered on the title of the property,
- defeat the intent of the zoning bylaw,
- result in inappropriate development of the site,
- have an adverse effect on the natural environment,
- alter conditions of a Development Permit or Land Use Contract,
- conflict with floodplain specifications,
- apply to a designated heritage property.

Procedure for applying to the Board of Variance:

1. Prior to submitting an application the property owner should discuss details of the application with Development Services (DS) staff to determine the OCP designation, zoning, etc. of the subject property and what

sections of which bylaws are proposed to be varied.

2. A BOV application form and application fee is submitted to the CSRSD office.

An application is made by submitting all required plans and documentation, as described in detail on the Development Application Form to the CSRSD office. These requirements may vary, but generally include:

- Current certificate of title of the subject property (dated within 30 days)
- A written letter signed by the property owner, setting out in detail the grounds upon which the appeal is based and the relief sought. If the application is submitted by an agent, written authorization from the owner must accompany the application
- A site plan drawn to scale and detailing the proposed development within the siting distances from the respective property lines

3. Letters are sent to land owners (within 100m of the subject property) and occupants advising of the proposed variance(s) and application and allowing them an opportunity to provide written submissions regarding the application.

4. DS staff provide a summary of factual information about the application to the BOV and the applicant, and may include their recommendation.

5. The BOV hearing is held. The BOV first hears from the applicant, then from notified persons and other members of the public, and finally from the local government's representative, if the local government is taking a position on the application.

6. The Board will make a decision regarding the application:

- If the BOV approves the variance, a letter is sent to the applicant advising them of the decisions and applicable conditions (if any).
- If the BOV denies the variance, a letter is sent to the applicant advising of the decision to deny.

- Construction must be substantially started within 2 years of the decision being made unless a different time period is established by the decision.

Timing

The Board of Variance application process typically takes **approximately two to three months** to complete once a complete application is received. The time frame, however, depends upon the complexity of the application, the current workload of DS staff, the timing of Board of Variance meetings, the relation of the proposal to broader planning issues which may require resolution, and the need for additional information from the applicant during the process.

Information

Please direct any further inquiries to:

Columbia Shuswap Regional District
Development Services Department
PO Box 978, 555 Harbourfront Drive NE
Salmon Arm, BC V1E 4P1

T: 250.832.8194 | F: 250.832.3375
TF: 1.888.248.2773 | E: plan@csrd.bc.ca
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*These are simple guidelines to assist applicants with the process and do not address all potential requirements. Please address questions to the Development Services Department.