

About Development Variance Permits

When a development project cannot meet the Municipality's regulations, a variance may be necessary. Variances are generally considered when site characteristics or other unique circumstances do not permit full compliance with certain requirements set out in specific bylaws.

You may apply to vary zoning, subdivision or sign bylaws, but you cannot apply to vary land use or density. For example, when a proposed building does not meet the setback, site coverage, height or other standards under zoning bylaws, a variance may be considered.

Period of Validity

A Development Variance Permit lapses when construction has not substantially commenced within two years of its date of issue. If your permit lapses, you must submit a new development variance permit application, and repeat the process.

Applying for a Development Variance Permit

Step 1: Pre-Application Meeting

Before submitting your proposal, a pre-application meeting and site visit of the subject property should be arranged with a Planner. The meeting will help to determine what supporting documents, reports, etc. will be needed. The Planner will provide you with a checklist of items that will be necessary to make a complete application and provide you with the correct fee amount that accompanies your proposal.

Step 2: Submitting an Application

Submit your plan, and application along with the application fee. Application forms are available from the Development Services Department or through the municipality's website www.northcowichan.ca.

Your application and supporting documentation may be returned if your application is incomplete and/or if fees are unpaid - refer to the checklist provided to you by the Planner.

Additional information may be requested, following an application review.

Step 3: Application Review

Once Development Services receives your complete application, a file is started and it is circulated to other departments and agencies for review. During this process, these departments/agencies will review the application and provide the Planner with feedback as to what is required in order to move forward with the development. This information is compiled into a Detailed Team Review letter which may require clarification, further information, or plan revisions. If further information is required, you will need to provide it within 30 days to keep your file active. If no further information is required, your application can proceed to a decision.

A Guide to Development Variance Permits

Step 4: Community Planning Advisory Committee

The report from Step 3 will go to the next Community Planning Advisory Committee (CPAC). You will have a chance to present your proposal and answer any questions at that meeting. After reviewing your proposal, the CPAC will decide whether to recommend to Council that the application be approved, tabled pending further information, or denied. A Planner will review the Committee's recommendation with you.

Step 5: Public Meeting and Council Decision

All applications for Development Variance Permits must undergo a public meeting held before Council. The owners and occupants of all properties located within 60 metres (200 feet) of the property are notified directly of this meeting.

At that meeting, Council will ask you to explain your project, and invite you to comment. At the Council meeting following the public meeting, the recommendation of the CPAC and the information presented at the public meeting receive consideration. Council's decisions are usually announced at the meeting.

Permit Issuance

Your permit will then be prepared, signed and issued. Development Services will file the permit with Land Title Office. The title of the property will then carry a notice stating that a Development Variance Permit applies to your property. The permit will refer to all the plans associated with your project. Plans are filed in the Municipal Office and referred to when you apply for your Building Permit.

How Long It Takes

An application that is correct and complete can be processed in 12 weeks (84 days) depending on Staff, Committee and Council schedules.

Remember ...

Plan your development proposal thoroughly and carefully. In preparing your proposal, you should be aware of the Municipality's plans, policies and regulations that may affect your property, including:

Official Community Plan

North Cowichan's Official Community Plan (OCP) divides the municipality into designated land use areas. Check the OCP for your property's designation. If the activity you propose is not permitted by the OCP, then you must apply for an OCP Amendment and receive approval before your zoning amendment application can be considered.

Development Permit Area Guidelines

Community Plan contains specific design guidelines that affect your application. You may review development area maps and guidelines through the municipality's website www.northcowichan.ca or



A Guide to Development Variance Permits

visit the Development Services Department.

Works and Services

All developments must include utilities (e.g. sewer and water) at the developer's expense. Check with the Development Services and Engineering Departments on the availability of the required services, and whether additional servicing is necessary.

Zoning Bylaw

Zoning regulations apply to every property in the municipality. In each zone, specific uses and activities are permitted. Check the bylaw to determine the zoning regulations that apply to your application.

Contact Us:

By Email: planning@northcowichan.ca

By Phone: 250-746-3119

By Fax: 250-746-3154

By Mail: 7030 Trans-Canada Highway, PO Box 278, Duncan BC, V9L 3X4

In Person: Development Services Department – 7030 Trans-Canada Highway, Duncan, BC

