MUNICIPALITY OF NORTH Cowichan
PLANNING DEPARTMENT

A GUIDE TO DEVELOPMENT VARIANCE PERMITS

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 bylaw requirements.

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 requested.

Applying for a Development Variance Permit

Step 1: Pre-Application Meeting

As every property and development proposal is unique, and application requirements can vary, we encourage Applicants to contact Planning Staff to discuss their project at an early stage. Planning Staff will then be able to advise if a Pre-Application Meeting is required prior to application submission.

The meeting will help to determine what supporting documents, reports, etc. will be needed. Planning staff 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 complete application, including the application fee. Application forms are available from the Planning Department or through the municipality's website **www.northcowichan.ca**. Please submit your complete application by one of the following methods:

Digital Application Submission

- Please email us at **planning@northcowichan.ca** to arrange an Access Link to direct drop your application documents in our file-sharing site. A hardcopy submission is not required if submitting an application online.

Although the Digital Application Submission is preferred, hard copies of application documents can also be submitted by:

Hard Copy Application Submission

- Mailing or dropping off at the Municipal Hall. Envelopes can be deposited in the Drop Box located at the Main Entrance of the Municipal Hall. If providing PDF documents please submit via a virus free memory storage device only.

Application Fee Payments

- Application fee payments can be made by Debit or Cheque payable to the Municipality of North Cowichan. If you have selected to submit your application online, please mail or drop off your application fee payment as we are

currently not set up to accept online payments or by Credit Card. If you have selected to submit your application by hardcopy, please include the payment with your complete application.

Step 3: Application Review

Once the Planning Department receives your complete application, an initial review of your application will be done. Following this initial review, Planning Staff will then refer your application to other departments and external agencies. This is to ensure we do a comprehensive review of your application. During the referral process, these departments and agencies will review your application and provide Planning Staff with feedback. They will also recommend if additional information is necessary to move forward with your proposal. If further information, clarification and/or revised plans are required, a Detailed Summary Review letter will be prepared outlining these additional application requirements. If no further information is required, Planning Staff will prepare a report and your application can then proceed to the next step.

Step 4: Public Notification

All applications for Development Variance Permits require public notification. The owners and occupants of all properties located within 60 metres (200 feet) of the subject property are notified directly of the application. Anybody who believes that their interests will be affected by the proposed development are given an opportunity to submit written comments and concerns to Council.

Step 5: Permit Decision

Following the public notification, review of the application and Staff Report, and any written comments received from the public, Council will a make a decision to approve or deny the application.

Permit Issuance

If Council approves your application, your Development Variance Permit will then be prepared, signed and issued. The Planning Department will file a Notice of Permit with the Land Title and Survey Authority of BC for registration on Title. 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.

Period of Validity

Once approved, a Development Variance Permit is valid for two years. Substantial construction must commence within two years of the date of issue for the Development Variance Permit to be in effect until the project is complete. If substantial construction has not commenced within the two years from the date of issue, the Development Variance Permit lapses. If your Permit lapses, you must submit a new Development Permit application, and repeat the process.

Application Process Time

The application processing time for a Development Variance Permit is three to five months. This timeline can vary depending on the completeness and complexity of the application.

Tips ...

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

The Official Community Plan (OCP) contains policies and guidelines that may affect your application. You may review OCP and Zoning Bylaw maps and guidelines through the municipality's website **www.northcowichan.ca** or visit the Planning Department.

Works and Services

All developments must include utilities (e.g. sewer and water) at the developer's expense. Check with the Planning 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 Zoning Bylaw to determine the zoning regulations that apply to your application. The use and density of a site cannot be varied by a Development Variance Permit, but may be altered through a Zoning Amendment application.

Contact Us:

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