

TOWN OF VIEW ROYAL

Development Services

45 View Royal Avenue, Victoria, BC V9B 1A6
Tel. (250) 479-6800 Fax: (250) 727-9551
<http://www.viewroyal.ca>

Board of Variance Application

Page 1 of 4

A complete application form and all the materials listed on Page 4, must be provided to the Planning Department by 12:00pm, Wednesday, twenty-one (21) days before the hearing at which the application is proposed to be heard (Schedule can be found on our website at www.viewroyal.ca).

Description of Property

Civic Address _____ PID _____

Legal Lot(s) _____ Block _____ Section _____ District _____ Plan _____

Present Use of Property _____

Proposed Use of Property _____

Contacts

Applicant

Name		Company	
Address		City	
Email		Postal Code	
Phone	Cell	Fax	

Owner

If the applicant is NOT the owner complete "Owner's Authorization Form"

Name		Company	
Address		City	
Email		Postal Code	
Phone	Cell	Fax	

Office Use Only

Date	App/File No.
Received By	Folio No.
Receipt No.	Fees \$

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Authorization of Owner to make an Application (if not applicable leave blank)

Date: _____

Site Address: _____

I/We _____

are the registered owner(s) of _____

I/We authorize _____
(please print name(s))

to apply for a Board of Variance Application on my/our behalf.

Name (please print) Signature of Owner Date

Name (please print) Signature of Owner Date

Name (please print) Signature of Owner Date

Name (please print) Signature of Owner Date

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement. The personal information is collected under the authority of the *Local Government Act* and pursuant to *Section 26 of the Freedom of Information and Protection of Privacy Act*. If you have any questions about this collection, contact the Director of Planning, 45 View Royal Avenue, Victoria, BC, V9B 1A6. Ph. 250-479-6800.

Important Information

- The properties' address must be clearly identified and the property fully accessible to the Board members
- Decisions of the Board are final and if not acted upon will expire two (2) years from the approval date
- While not a legal requirement, it is advisable to discuss the proposed plans with your immediate neighbours prior to making application to the Board.

Other Information

You may apply to the Board for a minor variance if you feel compliance with any of the following topics/bylaws will cause undue hardship:

- A zoning regulation within the Land Use Bylaw respecting the siting, dimensions, or size of a structure
- A tree protection regulation within the Tree Protection Bylaw
- The prohibition against structural additions or alterations to buildings containing a non-conforming use

You may also apply to the Board to set aside the determination of the Building Inspector that the amount of damage to a non-conforming structure exceeds seventy-five percent (75%) of its value above foundations.

The Board may grant a minor variance provided in the Board's opinion the variance does not:

- Result in inappropriate development of the site
- Substantially affect the use and enjoyment of adjacent properties
- Vary permitted uses or densities under the Land Use Bylaw
- Defeat the intent of the bylaw
- Adversely affect the natural environment

What is a minor variance?

- This is determined by the Board and is not defined in BC legislation.

What is undue hardship?

- Undue hardship is determined by the Board, but is normally related to aspects of the particular site as opposed to general hardships in the area or hardships generated by the owner.

Application Requirements

A complete application to the Board of Variance contains:

- A complete application form
- Letter addressed to the Board of Variance explaining details of the proposal, the requested variance(s), hardship conditions, rationale and justification
- Copy of current Certificate of Title (no older than 30 days) and copies of any title restrictions e.g. restrictive covenants, easements, rights of way
- Dimensioned Site Plan showing existing structures, property lines, building outlines, setbacks as well as the proposed works
- Elevations at a minimum scale of 1:100 (discuss with staff to see if necessary)
- Three (3) complete sets of all plans submitted
- One complete set of plans reduced to 8.5 x 11 inch or 11 x 17 inch format
- Application Fees (*Please contact Development Services to determine the total fees for your application*). The appropriate fees must be submitted at the time of application
- Other information that will support your application:
 - Site Photos
 - Letters in support from neighbours

Rationale for Your Proposal

A complete application includes a letter to the Board of Variance explaining the variance(s) being requested and why it is a hardship to comply with the Land Use Bylaw or Tree Protection Bylaws. This is required to assist the Board of Variance and the community in the review of your proposal. The following questions are provided to guide you in the preparation of your letter (some or all may be applicable):

- Does your proposal complement or improve conditions in the surrounding area? What effect would this proposal have on the immediate neighbours? Consider activity levels, removal of natural landscape and trees, privacy, views etc? What mitigation measures are being provided?