

Submission Checklist

- ❑ An application form, completed in full
- ❑ A letter clearly and specifically stating the requested variance and explaining why it is a hardship to comply with the Land Use Bylaw
- ❑ BCLS survey certificate clearly identifying the requested variance (if applicable). BCLS would also be required during construction if variance related to height or setbacks
- ❑ Current Certificate of Title (within the last 30 days)
- ❑ Plans and specifications of the proposed development (see list on right)
- ❑ Recommend photographs of the area effected by the proposed variances
- ❑ Required fees

Any Board of Variance approval is valid for two years from the date of the meeting at which approval was granted. If construction has not substantially started, the permission will terminate.

Plan Summary

- ❑ Owner/developer
- ❑ Architect/designer
- ❑ Legal description and civic address
- ❑ Gross floor area/Floor area ratio
- ❑ Height of building and structures
- ❑ Project description
- ❑ Site size and lot coverage
- ❑ Parking calculations

Site Plan and Information

- ❑ Location of all buildings and structures with setbacks to property lines and separation to other buildings
- ❑ Natural and finished grades relative to geodetic datum at the perimeter of the site, buildings and structures

Floor Plans

Plans should include areas devoted to various uses & functions within the building.

Building Elevations

- ❑ Elevations of all sides of the buildings.
- ❑ Natural grade line on all elevations.



Board of Variance

District of Central Saanich
1903 Mt Newton Cross Rd
Saanichton, BC V8M 2A9

tel (250) 544-4217
fax (250) 652-4737
www.centralsaanich.ca

Application

Where a property owner is of the opinion that an **undue hardship** has been caused by:

- ◆ a Land Use Bylaw regulation concerning the siting, size or dimension of a building; or
- ◆ the prohibition against structural additions or alterations to a legal non-conforming use;

an owner may apply to the Board of Variance for a minor variance.

The Board cannot consider variances to land use or density under the Land Use Bylaw.

All correspondence for the Board should be directed to:

Secretary of the
Board of Variance
District of Central Saanich
1903 Mt Newton Cross Rd
Saanichton, B.C. V8M 2A9
tel (250) 544-4217
fax (250) 652-4737

Hardship

Hardship is related to aspects of the particular site rather than general hardships in the area, or hardships generated by the owner.

Minor Variance

Minor variances are determined by the Board and are not defined in legislation in British Columbia, but may include setback or height variances.

Recently, courts have upheld Board decisions where variances have been granted.

This pamphlet is intended for general guidance only. Applicants should consult the Local Government Act, the Land Title Act, the District of Central Saanich OCP Bylaw, the Land Use Bylaw and other municipal bylaws for requirements and procedures.

Revised October 2019

Application Process

A *Submission Checklist* is located on the back page.

Application Deadline

Application deadline is the fifteenth (15th) day of each month. If the 15th happens to fall on a weekend, the deadline would be the preceding Friday. The Board meeting would then be scheduled for the first Thursday of the following month.

Fees

The \$500 application fee and the \$100 refundable sign deposit shall be submitted separately to facilitate the issuance of the refund. Application fees are non-refundable unless the application is withdrawn within three working days of payment of the fees.

Neighbour Notification

Subject property owners and tenants, and adjacent property owners are notified in writing by the Secretary of the Board and may attend the meeting if they wish.

(The obligation to give notice must be considered satisfied if the Board of Variance made a reasonable effort to mail or otherwise deliver the notice.)

Sign Posting

The owner is required to place a sign, supplied by the municipality, on the subject property for no less than seven (7) days prior to the hearing date.



Applicants should expect Board members to visit the site and should ensure the property can be clearly identified from the road.

Board of Variance Members

Where a municipality has adopted a Zoning Bylaw, it must establish a Board of Variance pursuant to Section 899 of the Local Government Act.

In Central Saanich, the Board consists of three voluntary members appointed by Council for a three year term.

The Board meets once a month, usually the first Thursday at 9:00am in the Council Chambers.

Board Meeting and Decision

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

- ◆ result in inappropriate development of the site;
- ◆ adversely affect the natural environment;
- ◆ substantially affect the use and enjoyment of adjacent lands;
- ◆ vary permitted uses or densities under the Land Use Bylaw; or
- ◆ defeat the intent of the Bylaw.

The Board of Variance must not make a decision that:

- ◆ would be in conflict with a restrictive covenant registered on the property; or
- ◆ deal with a matter that is covered in a development or development variance permit; or
- ◆ deal with a flood plain specification.

The decision of the Board will be announced at the meeting, following their discussion.