

Development Variance Permit Application Guide



This handout provides information on the requirements and processes for obtaining a Development Variance Permit.

When is a Development Variance Permit Required?

A Development Variance Permit is required when a property owner, or an applicant acting on behalf of the property owner, wishes to have particular requirements of the Zoning Bylaw, Subdivision and Development Servicing Bylaw, or Sign Bylaw changed. The type of variances typically requested:

- **Zoning Bylaw** - Building setbacks, building height, and lot width (permitted uses, and density regulated under the Zoning Bylaw, cannot be varied per Local Government Act requirements.)
- **Subdivision and Development Servicing Bylaw** - timing of servicing requirements.
- **Sign Bylaw** - allowable area for a sign.

Prior to Application

Development Variance Permit applications should be well planned before submittal and the following should be considered prior to submitting an application:

1. **Official Community Plan (OCP) – Land Use Designations:** Check the OCP land use maps for the designation of your property and the types of land uses allowed within that corresponding zone. The OCP also contains policies related to specific types of development.
2. **Zoning Maps and Zoning Bylaw:** Check the City's Zoning Maps and Zoning Bylaw to find the zoning designation and zoning requirements for your property. It is possible that the existing zoning may not allow your proposed project. If this is the case, a rezoning application may also be required.
3. **Development Servicing:** All development must provide water, sanitary sewer, storm sewer systems, and other services at the developer's costs. The servicing of roads, lanes and sidewalks adjacent to the land being developed is required for all development except single-unit dwellings and must meet the requirements of the Subdivision and Development Servicing Bylaw.
4. **Sign Bylaw:** Anyone intending to place a sign on the exterior of any building or structure or on any property in the City must make an application and obtain approval for a Sign Permit prior to installation. This requirement applies to both permanent and time-limited signs. Applications are reviewed for compliance with the City's Sign Bylaw.

Contact the Planning and Development to discuss the proposed development as Development Planning staff are available to provide advice on submission requirements and review procedures prior to application submittal.

Development Variance Permit Review Process

1. **File Manager Assigned:** The application will be assigned a File Manager in the Development Planning section.
2. **Acknowledgement Letter:** The File Manager will send a letter to the applicant acknowledging receipt of the application and provide contact information.
3. **Referrals:** The File Manager refers the application to appropriate City departments, including but not limited to, Development Servicing, Transportation Planning, Parks Recreation and Culture Services, Building Permits, Environmental Services, Engineering and Public Works, Fire Protection Services and RCMP. The File Manager may in some circumstances refer the application to an external agency including the Provincial Ministry of Transportation.
4. **Review:** The application will be reviewed for compliance with the Official Community Plan, Zoning Bylaw, Subdivision and Development Servicing Bylaw, any pertinent guidelines, City policies and regulations as required.
5. **Requirements Letter:** Once the File Manager receives referral comments, they are forwarded to the applicant in a requirements letter. The requirements letter identifies the changes and/or revisions necessary to the submitted application plans prior to proceeding with consideration for authorization of the Development Variance Permit. The letter provides an estimate of the Development Cost Charges and School Site Acquisition Charges that would be required with Building Permit issuance, and provides target dates for the remaining steps in the Development Variance Permit review process.
6. **Resubmission:** Upon receipt of revisions from the applicant, the application will be referred back to the referral group for confirmation that the revisions address the issues identified in the requirements letter.
7. **Public Notification:** Once the Development Variance Permit application review is complete and ready for Council's consideration, the File Manager will initiate the required public notification process. The City Clerk's office will send out letters notifying residents and business operators within 50 metres of the subject site of the Development Variance Permit application at least fourteen (14) days prior to the Council meeting date in which it will be considered. The public will have an opportunity to respond to the application either in writing or at the Council meeting when the application is scheduled for consideration.

8. **Development Variance Permit Preparation:** Once the plans meet the requirements as outlined, the File Manager prepares the Development Variance Permit document and forwards a Development Variance Permit Package containing copies of the Development Variance Permit to be signed by the property owner, and a sample Letter of Credit (for security) prior to authorization.
9. **Development Variance Permit Authorization:** If Council authorization is required the File Manager prepares a Council report with staff's recommendations. Upon authorization the File Manager will forward the fully executed Development Variance Permit, signed by the City.

Development Variance Permit Application Procedure

The process for a Development Variance Permit is similar to a Development Permit except:

- Public notification to surrounding property owners and tenants is required at least fourteen (14) days prior to Council's consideration; and,
- City Council is the entity that considers the Development Variance Permit as it cannot be delegated to another decision-making body or individual under the Local Government Act.

Complete a Development Variance Permit Application Form and submit the information outlined on the Development Variance Permit Application Checklist. All information requested should be provided at time of submittal to improve the level of detail City Staff will be able to provide in responding.

Concurrent Applications

For rezoning and subdivision applications processed concurrently, the same Development Variance Permit process applies. However, a Development Variance Permit cannot be authorized until the rezoning has been given final approval.

Timing

The time required to review, and obtain a decision on a Development Variance Permit application depends on a number of factors including:

- completeness of the application,
- variances requested,
- complexity of development project,
- if a rezoning and/or subdivision application is also required,
- time required to revise plans to address the identified issues in the “requirements letter,” and
- timing of Council meetings.

Security

A security, based on a percentage of the estimated construction value, may be required prior to Development Variance Permit authorization to ensure the development is completed in accordance with the terms and conditions of the Permit. When site development is completed, the applicant must call the File Manager to request an inspection prior to obtaining a refund on the security.

Development Cost Charges

Anyone who obtains approval for a Subdivision or Building Permit must pay Development Cost Charges (DCCs) to the City which are paid either at the time of approval of the subdivision or at time of Building Permit issuance. As part of the Development Variance Permit review, the File Manager will provide the applicant with an estimate of the City’s DCCs, in addition to the Greater Vancouver Sewage and Drainage District DCCs and School Site Acquisition Charges that will be required prior to Building Permit issuance.

Building Permit

Following the approval of a Development Variance Permit, a Building Permit application must be in accordance with the Development Variance Permit plans. Any request for a change to the approved design of the building or landscaping must be brought to the attention of the Development Planning File Manager by the applicant and may require submission of an application to amend the Development Variance Permit.

Legal Costs

Restrictive covenants, statutory rights-of-way or other legal agreements and documents may be required. It is the applicant’s responsibility to have these documents prepared for the City’s review.



Tips on Development Variance Permit Applications

All Development Variance Permit applications must:

- Provide all information requested in the application form and application checklist.
- Include the rationale for and impact assessment of each requested variance.



Talk with your Neighbours

Consultation with your neighbours who may be affected by the proposed development variance permit application is strongly encouraged. Obtaining neighbours input better enables an applicant to address any concerns and/or modify their application before significant time and investment are made in the review process.

Questions?

- **Development Permit Applications**
Development Planning
P: 604-927-3430
- **Site Servicing, Street Works or Utility Construction**
Development Servicing
P: 604-927-3466
- **Transportation**
Transportation Planning
P: 604-927-3414
- **Signage**
Development Planning
P: 604-927-3430

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