



# A Guide through the Process: Development Variance Permits

## What is a Development Variance Permit?

A Development Variance Permit allows property owners to vary regulations that are not related to use, density of use, or floodplains. Property owners may vary the following bylaws:

- Zoning Bylaw No. 7850, 2007
- Subdivision and Development Servicing Bylaw No. 8618, 2014
- Sign Bylaw No. 7202, 2001

Any property owner or agent appointed by the property owner may apply for a Development Variance Permit. All Development Variance Permits will require notification to be sent to neighbouring property owners and approval by Council or by the Authorized Person through delegated authority.

## When do I need a Development Variance Permit?

A Development Variance Permit is required when a development does not comply with the regulations in any of the Bylaws above. A Development Variance Permit is subject to terms and conditions specified on the permit and may only apply to certain developments. Depending on the magnitude of the variance, either a minor variance or major variance will be required.

## What is a minor variance?

Minor Development Variance Permits may be issued by Administration in accordance with the Local Government Act and Bylaw No. 9423, 2023. These variances will not go to Council for decision, and may be approved internally, which may decrease wait times associated with scheduling for next available Council meetings.

## What defines a minor variance?

Information and rationales provided by the applicant will be used to assess whether the variance is major or minor. Items considered in this assessment may include the following:

- Consistency with the goals, objectives and policies identified within the Official Community Plan and other relevant policy documents (e.g. consistency with form and character);
- Consistency with the intent and purpose of the Zoning Bylaw and Sign Bylaw;
- Appropriateness of the development;
- Effects on the surrounding neighbourhood (i.e., use and enjoyment of adjacent lands); and/or
- Effects or constraints of the natural environment.

Based on the demonstrated rationale provided by the applicant as outlined above, the Delegated Authority shall review, consider and may approve minor Development Variance Permit applications using the following guiding criteria, when applicable:

- All adjacent parcel owners are supportive of this application;
- The request shall be consistent with the Official Community Plan and other relevant policy documents;
- The proposed variance is consistent with the general intent of the Zoning Bylaw. On a site-specific basis, the criteria below may be used to determine scale and similarity to bylaw standards:
  - Site coverage – up to 25% variance;
  - Floor area of buildings and structures – up to 25% variance;
  - Setbacks of buildings and structures – up to 30% variance;
  - Height of buildings and structures – up to 1 m increase.
  - Parking and loading spaces – up to 30% variance, and professional reporting, such as a traffic impact assessment, that would support the proposed reduction; and/or
  - Screening and landscaping – up to 10% variance.

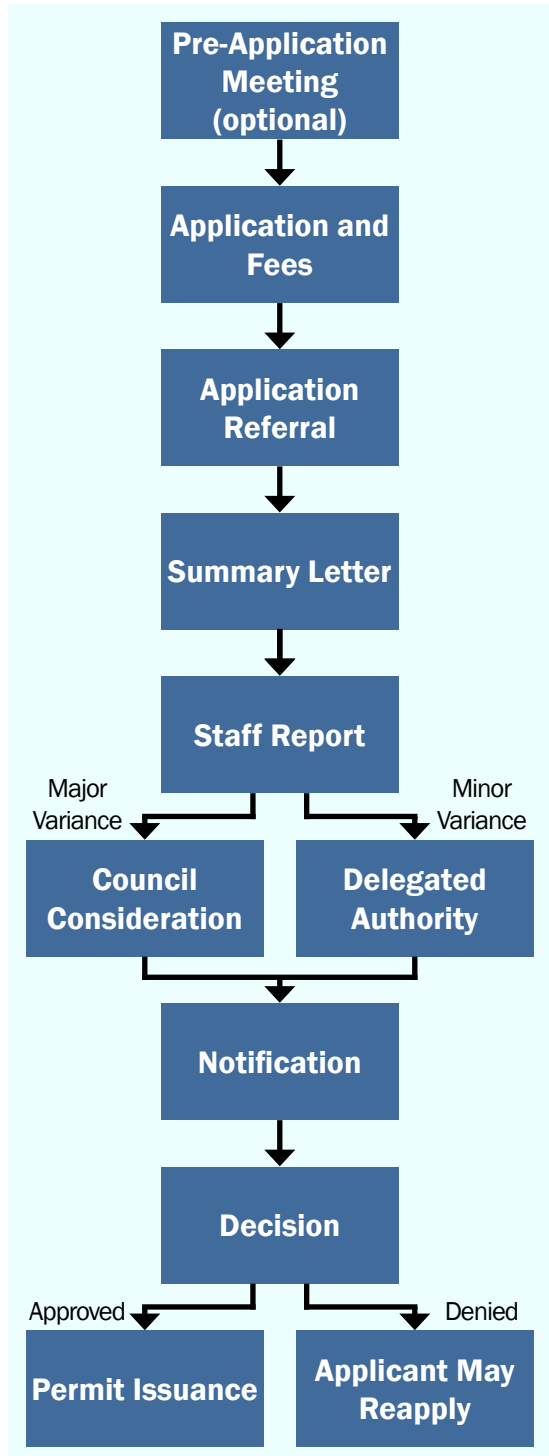
## How long is the application process?

Depending on the complexity of the application and other legislative requirements, a variance application process can take approximately 2-3 months. The process may be delayed by circumstances such as incomplete applications or other complications.

## How long is the permit valid for?

An approved Development Variance Permit will expire 2 years after its approval date if the subject development has not substantially commenced. A Development Variance Permit is registered on the legal title of the subject property, making it valid even if the property is sold, so long as it is still within the 2 year period.

## What are the steps in the Development Permit process?



### Applicant Steps

#### Pre-Application Meeting (optional)

Meet with a Planner to discuss the proposed development and receive their advice and direction. To best prepare for your pre-application meeting, please come with: an idea of your development timelines, the parcel you would like to develop, your proposal, and any preliminary drawings. Staff will work with you to determine more specific timelines based on your proposal, and provide you with a preliminary idea of what to expect.

#### Application and Fees

Work with a Planner to submit a completed Development Variance Permit application, including required fees as listed in the table on the following page. Rationale for the variance, including any letters of support from surrounding property owners, may be provided with the application or at a later date.

### City Steps

#### Application Referral

The application is referred to relevant internal departments and external agencies for review and comment.

#### Summary of Comments

A Planner will provide the applicant with a summary of the referral comments, any items to address, and Administration's initial support, non-support, or options to meet support.

#### Staff Report

The Staff Report is prepared for Council (major variance) or the Delegated Authority (minor variance). This report is meant to indicate Administration's support or non-support of the variance to aid the deciding body in their decision. Administration support or non-support does not equate Council approval or denial.

#### Notification

Notification of the variance needs to be given to property owners within 30 m of the proposed development. Members of the public will be given opportunity to provide written comment for Council or the Delegated Authority's consideration.

#### Decision

For a major variance, Council considers the application and approves or denies the variance at a public Council meeting. For a minor variance, the Delegated Authority will provide the applicant with their decision.

#### Permit Issuance

If the permit is approved, the permit is issued and registered on the legal title of the property. The permit will be valid for 2 years. If the permit is not approved, the applicant may submit a new application, with or without changes and additional rationale or letters of support.

## How much does it cost?

Variance Application fees vary depending on the type of variance being applied for. Fees are summarized in the table below:

<b>Processing Fee</b> (applies to all applications)	\$150
<b>Zoning Bylaw:</b> 1 variance	\$875 +Notification
<b>Zoning Bylaw:</b> 2+ variances	cost of 1 variance + \$200/add'l variance
<b>Subdivision and Development Servicing Bylaw</b>	\$1,000 +Notification
<b>Sign Bylaw:</b> 1 variance	\$900 +Notification
<b>Sign Bylaw:</b> 2+ variances	cost of 1 variance + \$200/add'l variance
<b>Notification</b>	\$950

Application fees are not refundable except for notification costs, which will be returned to the Applicant or Owner if notification does not occur.

New fee increases come into effect January 1 of every year.

## Further Questions? Looking to Schedule a Pre-Application Meeting?

For any further questions, or to schedule a pre-application meeting, contact a planner in the Development Services Division at: 250.561.7611 or [devserv@princegeorge.ca](mailto:devserv@princegeorge.ca)

**Please note that Administration support of the application cannot be determined at a pre-application meeting.**

This guide has been prepared to provide information only. It is neither a bylaw nor a legal document. If any contradiction between this guide and the relevant Municipal Bylaws or applicable codes is found, such bylaws or codes shall be the legal authority.

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