



SUBJECT: EVALUATING VARIANCES	SECTION: Planning and Land Use
	NUMBER: 3.9
	PAGE 1 OF 1
ADOPTED: March 18, 1997	RESOLUTION NO.: 97.098
REVISED:	

PREAMBLE

Council is authorized under Section 882 of the Municipal Act to issue a Development Variance Permit to vary the provisions of the bylaws adopted under Division 4, 4.1, 7 or 734(1)i. Council can also approve variances as part of a Development Permit. To provide a framework for such variance requests, the following policy has been adopted by Council.

POLICY

Council will consider variance of standards specified in the Zoning Bylaw or Subdivision & Development Bylaw, where it can be demonstrated by the applicant that:

- (1) The request is not within the jurisdiction of the Board of Variance;
- (2) The same request has not been previously denied by the Board of Variance;
- (3) The variance will not result in significant negative impacts on neighbouring properties;
- (4) There is a demonstrated need for the variance in order to permit reasonable use of the property;
- (5) The overall intent of the original bylaw requirement or standard is not compromised;
- (6) The variance does not appear to establish a precedent for other properties, but responds to a site specific situation or difficulty;
- (7) As per the Municipal Act provisions, does not result in a change in land use or an increase in permitted density;
- (8) The variance results in suitable development that is an asset and compatible in the context of surrounding uses;
- (9) In the case of variance of specific development standards for off-site servicing, that any additional costs that may be incurred by the municipality or future land owners are considered.