

Development Variance Permit Application Guide

What is a Development Variance Permit?

A Development Variance Permit (DVP) is an approval from Council to vary the bylaw regulation(s) of zoning, subdivision servicing, or signage for non-conforming development approvals. If approved by Council, a Development Variance Permit is registered on title.

A Development Variance Permit cannot vary land use or density.

Do I need a Development Variance Permit?

Development in Smithers is regulated by several bylaws. If your project does not conform to a bylaw regulation, a DVP is required. Examples of commonly requested variances include:

- Relaxation of setback requirements
- Reduction of parking requirements
- Increase in the height of building

What do I need to consider before applying?

The Development Services Department can help verify if your proposed variance is a legal option as well as check the zoning of the property to ensure the proposed use and density are permitted.

What must I include with my application?

The following information is required to begin the application process:

- ☐ Development Variance Permit Application & fee
- ☐ Letter of authorization from the registered property owner if the applicant is other than the property owner.
- ☐ Site profile as per the *Contaminated Sites Regulation*.
- ☐ Site plan illustrating existing and proposed buildings, setbacks, parking, loading, access and landscaping.
- ☐ Reasons, comments or plans in support of the application (supplemental letter of intent/rationale is strongly encouraged).

What is the approval process?

- 1 Application** – Begin the approval process by submitting a complete application, supporting documents and fee.
- 2 Review** – Once submitted, Town staff review the application and may refer it to other agencies for comment. At this time additional information may be requested.
- 3 Advisory Planning Commission** – A staff report is prepared for the consideration of the Advisory Planning Commission (APC). The Committee makes a recommendation to Council based on the merits of the application. The applicant is invited to attend this meeting and present their application.
- 4 Public Notice** – Mail outs are sent to adjacent property owners within a 60-meter radius advising them of the proposed variance and

opportunity to submit written comments to Council.

5 Council – Council receives the application, staff report, APC recommendation and any written comments. Council may approve the permit, approve the permit with conditions, or deny the permit application.

6 Permit Issued – Once approved, signed and conditions are met the permit is sent to the Land Title Office for registration on title.

How much does it cost?

A DVP application fee can be found in Schedule 'H' of the Fees and Charges Bylaw. Additional costs may include a refundable security deposit to guarantee the conditions of the permit. Security will be returned once the permit conditions have been met.

How long will it take?

A Development Variance Permit can usually be issued within a 6-8 week period, provided that complete and accurate information is submitted.

How long is a Development Variance Permit valid for?

A Development Variance Permit is tied to the project for which it applies. Therefore, even if you sell the property, the DVP continues to be in effect. However, if a Building Permit for the development requiring the DVP has not been applied for within two years of the date of issue of the DVP, the DVP will lapse.

For Further Information Contact:

Town of Smithers Development Services Department

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PO Box 879
Smithers, BC V0J 2N0

Office Hours

Monday to Friday (except Holidays)
8:30 am to 4:30 pm

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This brochure is meant for informational purposes only. Please consult the Local Government Act and its regulations, the Town of Smithers Development Procedures Bylaw, Official Community Plan, Zoning Bylaw and other bylaws for definitive requirements and procedures. Copies of all Town bylaws are available online at www.smithers.ca.

