



DEVELOPMENT VARIANCE PERMIT APPLICATION/ APPROVAL PROCESS

In this brochure:

- What is a Development Variance Permit and why is it needed;
- An overview of the Development Variance Permit Application / Approval process; and
- Where to obtain additional information.

This brochure is a general guide to the Development Variance Permit (**DVP**) process in the City of Langley. It is provided for your convenience only, is not intended to replace Bylaws or other legal documents and should not be construed by anyone as a right to a development approval if the steps indicated are followed.

What is a Development Variance Permit?

A DVP is a type of development approval given by Council to vary the provisions of the Zoning Bylaw, Subdivision Control Bylaw, Sign Bylaw and other Land Use and Development Bylaws.

When is it Necessary to Apply for a Development Variance Permit?

You need to apply for a DVP when the characteristics of a specific project conflict with the standards prescribed by a City Bylaw. These standards could include:

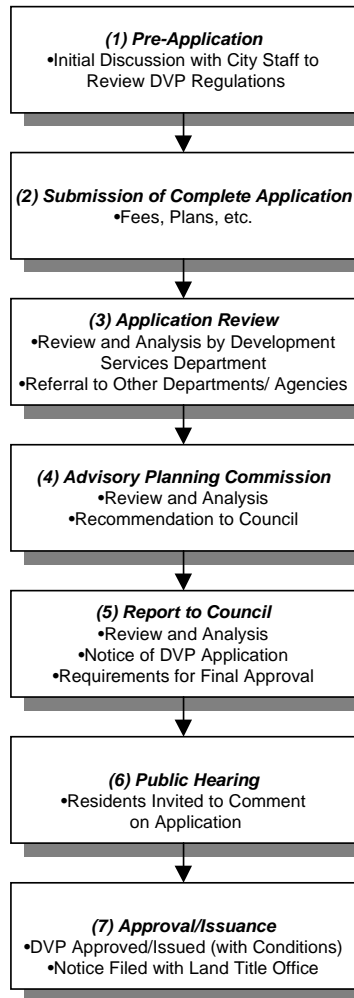
- Minimum standards of building form (setbacks, height of buildings, etc.);
- Parking regulations; and
- Sign regulations (area, siting, etc.).

A DVP may not be used to vary land use or density provisions of the Zoning Bylaw. For example, a DVP cannot permit a land use not otherwise permitted in a zone, or increase the maximum number of dwelling units permitted on a parcel of land.

Most often, DVP applications are related to and submitted in conjunction with other development applications such as Subdivisions. Variances may also be granted through the Development Permit process.

Council will grant a DVP only when the requested variance appears to be reasonable and maintains the intent of the Bylaw in question.

The Development Variance Permit Application / Approval Process



1. Pre-Application

The more information you are able to gather before submitting an application, the more smoothly the process is likely to run. Accordingly, you are strongly encouraged to discuss your proposal with city staff to identify any plans, policies and regulations that may apply:

- *Zoning Bylaw / Subdivision Bylaw / Sign Bylaw, etc.*

Check the various City Bylaws that may apply to your proposal.

2. Submission of Complete Application

When you are ready to proceed, complete a DVP application form (available in the Development Services Department). All DVP applications must be accompanied by:

- The name(s) and address(es) of the property owner(s). If the applicant is applying on behalf of the property owner(s), a letter of authorization must be signed by the property owner(s) and submitted with the DVP application;

- The civic address and legal description of the subject property;
- State of Title Certificate; and
- An outline of the proposal / variance requested.

3. Application Review

A member of the Development Services Department will co-ordinate the review of your application. It may be circulated to other municipal departments (e.g. Engineering) and relevant outside agencies. During this process, you may be asked for clarification, additional information or plan revisions.

4. Advisory Planning Commission

Your proposal may first be considered by the Advisory Planning Commission (APC), a ten-member group appointed by Council to provide advice on development applications and planning issues. APC meetings are usually held on the second Wednesday of every month at City Hall. You or your agent will be expected to attend the meeting to make a brief presentation and answer questions.

A recommendation from the APC will be submitted to Council along with your proposal. Council is not obligated to follow the recommendation of the Commission, but will consider it carefully.

5. Report to Council

The Development Services Department will prepare a report, including an analysis of the application, a recommendation and an outline of any requirements which need to be satisfied.

This report is considered by Council during a Regular Council meeting. These meetings are usually held every second Monday and are open to the public. At this meeting, Council will decide whether to deny the DVP, approve Notice of the DVP application or raise additional conditions or requirements to be met by the applicant.

6. Public Hearing

As required by the *Local Government Act*, City Council will give notice of the DVP application at least 10 days before adoption of the resolution. The owners of all properties located within 100 metres of the subject property are formally notified by letter of the Public Hearing. However, any person who deems their interests may be affected by the development proposal has the opportunity to express their concerns to Council. You or your representative should attend the Public Hearing and be prepared to respond to any questions.

7. Approval / Issuance

Following the Public Hearing, usually at the same Regular Council meeting held later in the evening, Council will consider approving the DVP (grant authority to the City Clerk to issue the permit by means of a Council resolution). In some cases, approval may be granted subject to the resolution of outstanding issues.

Once the DVP has been issued by the City Clerk (all DVP's require the signature of the Mayor, Clerk and property owner), you will be sent a copy of the approved permit. The City will also file a Notice of the DVP with the Land Titles Office. DVP's are valid for

a period of two (2) years from the date of issuance.

Costs Involved in Obtaining Approval for a Development Variance Permit

The DVP applicant is responsible to pay for the following costs (where applicable):

- Application fee;
- Consultant fees (engineers / architects / solicitors / planners, etc. are sometimes hired for large projects); and
- Any other fees imposed as a condition of approval of the permit.

Timetable for the Development Variance Permit Application / Approval Process

The length of the DVP approval process is dependent upon the complexity of the proposed variance and the preparedness of the applicant. The average duration is 1 - 2 months, however, this may vary widely.

Departments / Agencies Involved in the Development Variance Permit Application / Approval Process

There are several City departments and external agencies that may be involved with a given DP application:

- Development Services Department;
- Engineering Department;
- Administration/Clerk's Department; and
- Related external agencies.

For further information

This brochure is intended to serve only as a general guide to the DVP process. Please consult the *Local Government Act*, the City of Langley Zoning Bylaw and other Bylaws for definitive requirements and procedures. For more specific information please contact us at:

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