



# Board of Variance

## Information Package



**Planning Department**  
Regional District of Central Kootenay  
Box 590, 202 Lakeside Drive , Nelson, BC V1L 5R4  
**Phone:** 250.352.1536 | **Toll Free:** 1.800.268.7325 (BC)  
**Email:** [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)  
**rdck.ca**



## What is a Board of Variance (BoV)?

A BoV is a group of 3-5 people who are appointed by a regional board to review BoV applications

## What does a BoV do?

A BoV reviews BoV applications. The BoV exists as a way for you to seek a relaxation from certain land use regulations. A BoV can also review the correctness of certain decisions made by a Building Official

## When can I apply to the BoV?

You can make an application to the BoV if your application cites undue **hardship** is a **minor variance**

Please note, that there is another type of variance that you can apply for if you don't meet this criteria. This is called a Development Variance Permit (DVP) and it allows a broader scope of relaxation options

## Who can apply?

Property owners or their authorized agent

## How much does it cost?

BoV applications are \$500

## How long does it take?

We do our best to ensure applications are dealt with promptly. It typically takes a minimum of two to three months

## Submitting an Application

The application form attached to this brochure provides additional information regarding the necessary documentation to be submitted. In summary, it typically includes the following:

- Application

- Certificate of title
- Any non-financial charges registered on title
- Application Fee
- Site Disclosure Statement
- Site Plan
- Proposal Summary

## How do I apply to the BoV?

### 1. Pre-Application Check in

We encourage you to consult with us before you apply. We can discuss your proposal's feasibility and review application requirements

### 2. Submit Application

Complete and submit the BoV application. Include required documents, plans and fees. Drop off your application in person or email it to [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)

### 3. Review and Referrals

We review the application and ensure all documents are included. Then then we refer it to other groups for their feedback such as:

- Your local area Director
- Relevant RDCK departments
- Other agencies

### 4. Report and Decision

A staff report of your application is presented to the BoV. They make a decision on the application and the decision is binding.

## Helpful Links

[www.rdck.ca/landusebylaws](http://www.rdck.ca/landusebylaws)

[www.rdck.ca/webmap](http://www.rdck.ca/webmap)

[www.rdck.ca/planningproceduresbylaw](http://www.rdck.ca/planningproceduresbylaw)

[www.rdck.ca/developmentapplication](http://www.rdck.ca/developmentapplication)

## Contact Information

**Phone:** (250)352-1536

**Toll Free:** 1-800-268-7325 (BC)

**Email:** [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)

**Website:** [rdck.ca](http://rdck.ca)

**Address:** Planning Department

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive

Nelson, BC, V1L 5R4



## Board of Variance Permit Application

It is recommended that the applicant consult Planning Services staff before submitting an application. A pre-application meeting may be scheduled by providing the Planning Department with a detailed proposal summary and a concept plan of the proposed development.

OWNER(S) INFORMATION	
Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Email:	Email:

*\*If there are additional owners registered on title, please attach their information on a separate sheet*

AGENT INFORMATION (IF APPLICABLE)
Name:
Mailing Address:
Phone:
Email:

NOTICE OF COLLECTION OF PERSONAL INFORMATION
The personal information on this form is being collected in accordance with Section 26 of the <i>Freedom of Information and Protection of Privacy Act (FIPPA)</i> and will be collected, used or disclosed only in a manner consistent with the administration of the management of development of the Regional District of Central Kootenay. If you have any questions about the collection, use or disclosure of this information, please contact the Regional District of Central Kootenay Privacy Officer at 250-352-6665 (toll free 1-800-268-7325), <a href="mailto:foi@rdck.bc.ca">foi@rdck.bc.ca</a> , or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

APPLICATION INFORMATION		
Civic Address:		Electoral Area:
Legal Description:		Parcel Identifier (PID):
Zoning:	Official Community Plan Designation:	
Existing Land Use and Structures:		
Are there any restrictive covenants registered on the subject property:	No	Yes
<ul style="list-style-type: none"> <li>If yes, please ensure copies are submitted with application package</li> </ul>		
Any registered easements or right-of-ways over the subject property:	No	Yes
<ul style="list-style-type: none"> <li>If yes, please ensure copies are submitted with application package</li> </ul>		
Is the property in the Agricultural Land Reserve:	No	Yes
Is there a watercourse on/adjacent to the property:	No	Yes
If yes, Watercourse name:		

AGENT AUTHORIZATION	
As owner(s) of the land described in this application, I/we hereby authorize: _____ to act as agent in regard to this land development application.	
Owner Signature:	Date:
Print Owner Name:	
Owner Signature:	Date:
Print Owner Name:	

*\*If there are additional owners registered on title, please attach their authorization on a separate sheet*

REQUIRED DOCUMENTATION		
	Certificate of Title	A copy of the property(s) Title, issued not more than 30 days prior to the application date. Copies of titles can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If a title is not submitted, the RDCK will obtain a copy for a fee of \$17.
	Copy of Non-Financial Charges on Title (if applicable)	A copy of all non-financial charges (covenants, easements, right-of-ways, etc.) registered on the subject property(s) title. Copies of these documents can be obtained by our Office, the Land Title Office, a notary, lawyer, or search company. If the documents are not submitted, the RDCK will obtain a copy for an additional fee of the cost of the documents.
	Application Fee	An application fee of \$500 as set out in Schedule 'A' of the <i>RDCK Planning Procedures and Fees Bylaw</i> .
	Site Disclosure Statement or Site Disclosure Form	Review <u>Schedule 2</u> of the <i>Environmental Management Act</i> to determine whether a Site Disclosure Statement is required, or if the Site Disclosure Form is sufficient.
	Site Plan	Drawn to scale and shall include the following (if applicable): <ul style="list-style-type: none"> <li>• North arrow and scale</li> <li>• Address, Legal Description and PID</li> <li>• Dimensions and boundaries of property lines, right of way, covenant areas and easements</li> <li>• Location and dimensions of existing and proposed structures and setbacks to parcel lines, right of ways, covenants and easements</li> <li>• Location of existing access roads, driveways, parking spaces, pathways, screening and fencing</li> <li>• Natural and finished grades of site, at buildings and retaining walls</li> <li>• Location of any physical or topographic constraints (ie: watercourses, slopes, hazard areas, etc) on or adjacent to the property</li> <li>• Location of all existing and proposed water lines, wells, septic fields, sanitary sewer and storm drainage on or adjacent to the property</li> </ul>
	Proposal Summary	The summary must include the sections and provisions of the bylaw which the variance is being requested for, the variance required and the rationale for hardship. This should include the effects, positive or negative, to surrounding properties.
	Design Plans	Board of variance permit applications associated with a building that will require compliance with BC Building Code should provide the following (if applicable): <ul style="list-style-type: none"> <li>• Elevation drawings</li> <li>• Building sections</li> <li>• Floor plans</li> </ul>

*\*Additional material or more detailed information may be requested by the Regional District upon review of an application.*

## DECLARATION

I, the undersigned, hereby certify that the information provided with respect to this application is full and complete and is, to the best of my knowledge, a true statement of the facts related to this application.

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Owner or Authorized Agent