

A **Development Variance Permit (DVP)** is a type of approval in order to vary most City land use and subdivision bylaw requirements. This means if a proposed development does not conform to the requirements of the City's bylaws a **DVP** may be required.

DVPs are generally applied for when a proposed development does not meet setback, height, or parking requirements. However, it cannot be used to vary the use or density of property. To change the use or density of a property, a **Zoning Amendment** may be required.

For a variance to be granted, approval from Rossland City Council is required. An application may also be referred to other government agencies such as the Ministry of Transportation and Infrastructure for review and input.



How much does a DVP cost?

The fees for this process are outlined in the City's Fees & Charges Bylaw No. 2655:

Development Variance/Board of Variance:

| | |
|---|-------|
| Minor Development Variance (1 variance) | \$500 |
| Major Development Variance (2+ variances) | \$700 |

Preparation of Legal Documents:

| | |
|--------------------|-------------------|
| Title Search | \$15 |
| Document Retrieval | \$30 per document |

DEVELOPMENT VARIANCE PERMIT PROCESS

SCHEDULE A MEETING

To review the application details and supporting documents



SUBMIT FEE & APPLICATION

Submit the Application with the applicable fee(s)



TECHNICAL REVIEW BY STAFF

Staff will review and consider the impacts of the DVP application



PROPERTIES WITHIN 50M ARE GIVEN NOTICE

Notice is given to nearby properties for their feedback at least 2 weeks prior to Council meeting



COUNCIL CONSIDERATION

Council reviews the application. Council may approve, deny, table or refer for more information



NOTIFICATION & REGISTRATION

Applicants will be notified of Council's decision. If approved, DVP is issued and registered on title



APPLICATION CHECKLIST:



- Can you provide proof of property ownership?
- Did you provide a detailed description of the proposed development?
- Have you provided a dimensioned sketch plan and any relevant elevations or cross-sections?
- Have you provided a detailed description of the proposed variation and reasoning?

WHAT CRITERIA ARE CONSIDERED WHEN ASSESSING THE APPLICATION?

A requested variance should be reasonable, maintain the intent of the regulation and should minimize any potential negative impacts on neighbours or the streetscape.

Some examples of ways that a variance can minimize potential negative impacts:

- Resolves a hardship (is there a good reason the development cannot comply with regulations)
- Complements a particular streetscape or neighbourhood
- Reduces the need for major site preparation or earthworks by working with the topography of a site
- Maintains or enhances desirable site feature, such as natural vegetation, trees and rock outcrops
- Results in superior siting with respect to privacy
- Enhances views from neighbouring building sites

Some examples of negative impacts to avoid:

- Inconsistency with neighbourhood character
- Increases the appearance of building bulk from street or surrounding neighbourhood
- Requires extensive site preparation
- Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, views)
- Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing)
- Results in unacceptable impacts on the environment (creeks, trees, slopes)



If your application is denied by Council, you cannot re-apply with the same application for six months following the date of refusal

The approval of a **DVP** is not a building permit. Following the issuance of a **DVP**, a building permit will be required for most construction prior to commencement.

City of Rossland Development Services Contact Information:

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