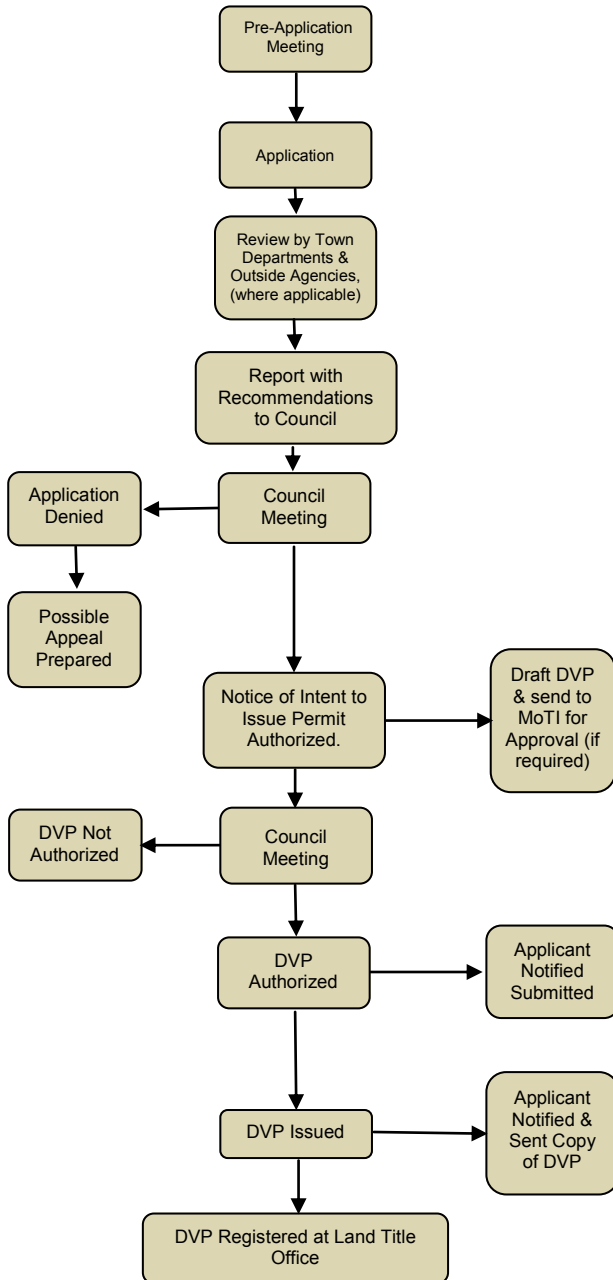


## Development Variance Permit Process



# DEVELOPMENT VARIANCE PERMITS

## A Guide to Development Variance Permits in Creston.

*This pamphlet is intended for general guidance. Sources may include the Local Government Act, the Community Charter, the Land Titles Act, the Town of Creston Official Community Plan, Zoning Bylaw, and other municipal bylaws.*

Revised September 17, 2014

Town of Creston  
 PO Box 1339  
 Creston, BC V0B 1G0  
 Phone: 250-428-2214  
 Fax: 250-428-9164  
 Email: [info@creston.ca](mailto:info@creston.ca)  
 Website: [www.creston.ca](http://www.creston.ca)

This guide is prepared for formation purposes only and the Town of Creston disclaims any liability arising from reliance on information contained in this guide. This guide is not a procedures manual pursuant to Section 954 of the *Local Government Act*.

Development Variance Permits (DVPs) may be used to vary the provisions of the Zoning or Subdivision Bylaws, the Works & Services Bylaw, or other bylaws as specified in the *Local Government Act*. Such a variation may be allowed with respect to siting, design, servicing or environmental features, but cannot vary the use or density of land or a flood plain specification.

- ◆ All applications are made to the Development Services Department, Town of Creston, 238 - 10th Avenue North, on the prescribed forms. Applications are processed by Development Services, with the involvement of other departments, Provincial ministries and outside agencies, as necessary.
- ◆ If Town Council is considering issuing a DVP, it first must notify the adjacent property owners and tenants in occupation of its intentions. A formal Public Hearing is not held, but submissions to Council are invited.
- ◆ DVPs are granted by a resolution of Council. The approval of the Ministry of Transportation & Infrastructure may also be required in certain instances.

- ◆ DVPs are noted on the title of the subject property and are binding on all persons who acquire an interest in the land.

The following guide is intended to generally illustrate the procedure involved in a DVP application.

### PROCEDURE FOR DEVELOPMENT VARIANCE PERMITS

- ◆ It is recommended that the applicant make preliminary enquiries to Development Services regarding the general feasibility of the proposal prior to submitting an application for a DVP.
- ◆ The applicant, being the owner of land or having the written permission of the owner/s, completes the form "Development Variance Permit Application" and submits it to Development Services. The application must include the required fees, Land Title Certificate, plot plan, project plans, and any other information required to support the proposed variance.
- ◆ The application is processed and reviewed by Development Services, and circulated for technical review to other town departments and outside agencies, as necessary.
- ◆ Development Services prepares a report for Council providing background information on the application. The applicant may be required to submit additional information for technical review and presentation to Council.
- ◆ Council considers the report and either denies the application or authorizes Development Services to give notice of its intention to issue a DVP.

- ◆ If authorized by Council, Development Services notifies the adjacent property owners and tenants in occupation of the application for a DVP. A draft copy of the DVP is made available.

- ◆ On the day Council intends to authorize issuance of the DVP, any person wishing to register an opinion on the DVP may do so by appearing as a delegation or making a written submission to Council. The DVP is either authorized or denied.

- ◆ If authorized by Council, the DVP is finalized. The applicant is notified. Any securities required are submitted. The DVP is then issued by Development Services on behalf of the Town.

- ◆ Development Services notifies the Land Title Office that the DVP should be registered against the title of the property.

- ◆ The proposed development may then proceed.

### APPLICATION FEE

Development Variance Permit.....\$500.00

Sign DVP.....\$100.00