

DEVELOPMENT VARIANCE PERMIT APPLICATION

Application Number

DVP _____

Work Order _____

Received by _____

(OFFICE USE ONLY)

Resort Experience, Planning Department
 Tel 604-935-8170 (direct) Fax 604-935-8188
 Email: planning@whistler.ca

Subject Property Street Address: _____

Legal Description P.I.D. _____ Lot _____ D.L. _____
 Plan _____ Block _____ Zoning _____

Name of Registered Owner: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Cell: _____ Email: _____ Fax: _____

Name of Applicant/Agent: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Cell: _____ Email: _____ Fax: _____

SUBMITTAL REQUIREMENTS

- Application Fee of \$450.00
- Title Search (issued not more than 30 days from the date application is received) OR \$21 Title Search Fee in lieu (per P.I.D.)
- Written description of the proposal, and the specific site characteristics or other unique circumstances for requiring a variance
- Strata authorization on form attached (as may be required)
- One hard copy plus a PDF of scalable and fully dimensioned plans, elevations, sections, as necessary to illustrate the requested variance(s). Clearly identify and label each variance request on the site plan. Scale of 1:200 (minimum) or imperial equivalent. If imperial equivalent any dimensions must be labelled in both imperial and metric.
- Site Profile if any of the activities listed in [Schedule 2 of the Contaminated Site Regulation](https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site_profile.pdf) has previously occurred or are presently occurring on the lands and your application involves soil excavation. Alternatively, a letter signed by the registered owner(s) confirming the Schedule 2 activities have never occurred on the lands. Obtain Site Profile form here: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/forms/site_profile.pdf
- Any further information necessary for the processing of this application

Application Fee: \$450.00

Title Search: \$21.00 (per P.I.D.) Y N

AUTHORIZATIONS

I _____ authorize _____
(PRINT NAME of registered owner) (PRINT NAME of agent/person authorized to sign the application)
 to act as agent and sign the application form to the Resort Municipality of Whistler on my/our behalf for the property known as

 (Civic address of property)

 Signature(s) of registered owner(s) Date

 Signature(s) of Signing Officer(s) of Corporation Corporate Seal(s), if applicable Date

PROPERTY OWNER’S AGREEMENT

As of the date of this application, I am the registered owner of the lands described in the application. I have examined the contents of the application, certify that the information submitted with it is correct insofar as I have knowledge of these facts, and concur with the submission of the application. I acknowledge that the lands described in the application may be subject to applicable laws, regulations, and guidelines including, but not limited to, the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and the *Local Government Act*. I agree to comply with all provisions of the Resort Municipality of Whistler Zoning and Parking Bylaw No. 303, 2015 and any other applicable legislation, if this application is approved. I understand that approval does not constitute a building permit and that drawings submitted for a building permit must match the approved Development Permit drawings.

 Signature of property owner Date

PAYMENT OF FEES

Enclosed is the fee for this application. I agree to pay any further costs (e.g., processing fees for professional and clerical staff time, legal and/or consultant fees, advertising expenses and miscellaneous disbursements at cost), which may be determined as this application is reviewed. Prior to the issuance of a development permit for the above noted property, the Resort Municipality of Whistler requires a commitment that all further expenses incurred by the Resort Municipality of Whistler will be paid within 30 days of billing.

BILLING DETAILS Name: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Phone: _____ Cell: _____ Email: _____

Your signature below will stand as your commitment to pay all applicable invoices.

 Signature of owner or applicant Date

DECLARATION

I _____, (PRINT NAME) solemnly declare that the statements made by me upon this application are to the best of my belief and knowledge a true and complete representation of the purpose and intent of this application.

 Signature of applicant or agent Date

Personal information is being collected under the authority of the *Local Government Act* for the purpose of processing this application. This information is protected under the privacy provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this information, contact the Director of Planning at 604-935-8170, Resort Municipality of Whistler, 4325 Blackcomb Way, Whistler, BC V0N 1B4.

Evaluation Criteria for Development Variance Permits October 1, 2013

Development variance permits are typically considered where specific site characteristics or other unique circumstances do not permit strict compliance with an existing regulation.

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

The following are examples of criteria that are used to determine whether a requested variance minimizes any potential negative impacts on neighbours or the streetscape:

The variance request:

- Complements a particular streetscape or neighbourhood
- Works with the topography on a site, reducing the need for major site preparation or earthwork
- Maintains or enhances desirable site feature, such as natural vegetation, trees and rock outcrops
- Results in superior siting with respect to light access resulting in decreased building energy requirements
- Results in superior siting with respect to privacy
- Enhances views from neighbouring buildings and sites.

Potential negative impacts on neighbours or the streetscape include a variance request that:

- Is inconsistent with neighbourhood character;
- Increases the appearance of building bulk from the street or surrounding neighbourhood;
- Requires extensive site preparation
- Substantially affects the use and enjoyment of adjacent lands (e.g. reduces light access, privacy, views)
- Requires a frontage variance to permit greater gross floor area, with the exception of a parcel fronting a cul de sac
- Requires a height variance to facilitate gross floor area exclusion
- Results in unacceptable impacts on services (e.g. roads, utilities, snow clearing operations).

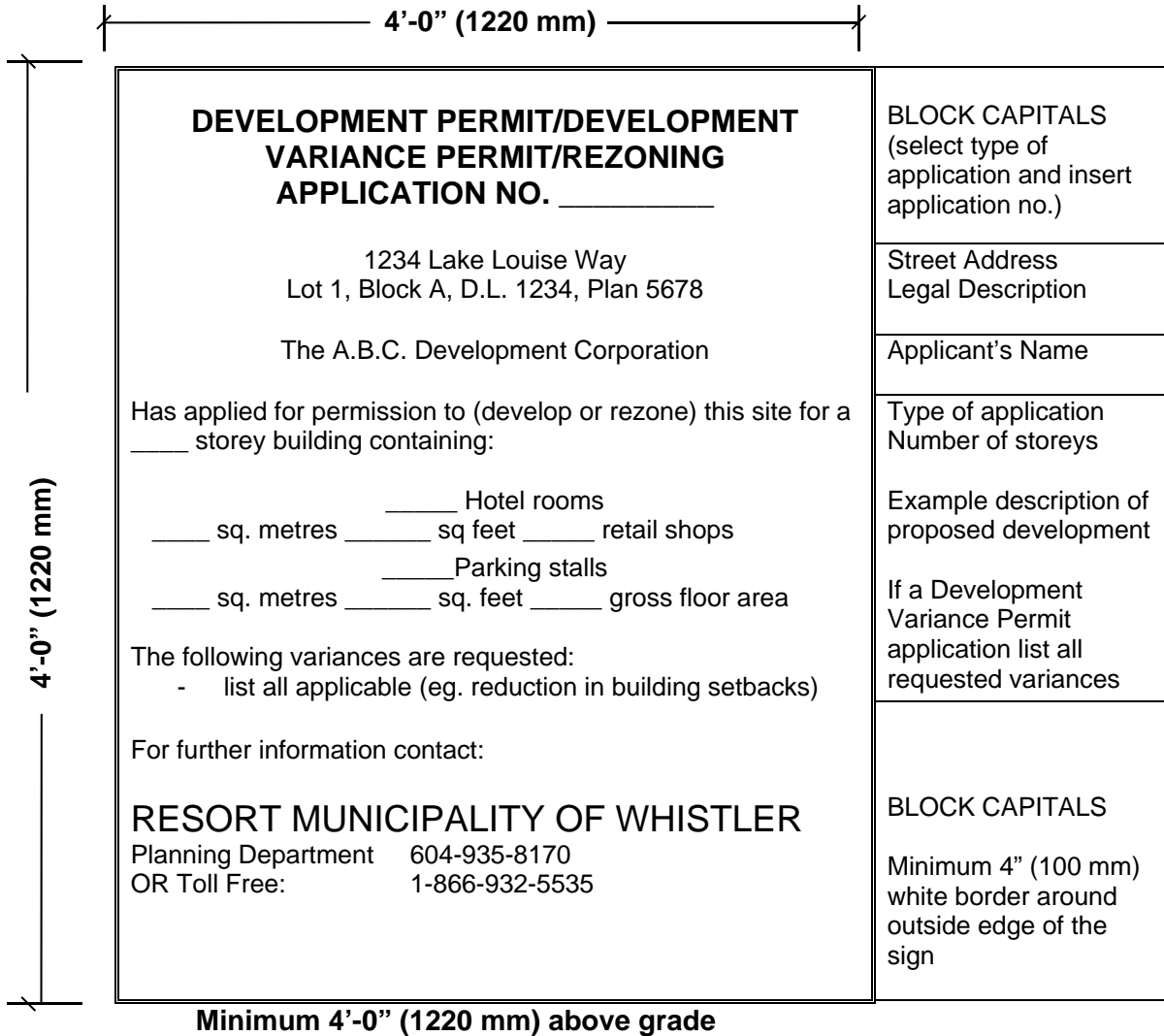
INFORMATION SIGN REQUIREMENTS

Applications are subject to the Resort Municipality of Whistler Land Use Procedures and Fees Bylaw No. 2019, 2012 information sign requirements.

1. An information sign is required to be posted for all rezoning, development permit and development variance permit applications.
2. The applicant must prepare and post an information sign on the land that is the subject of the application within 7 days of making the application and notify the municipal planner that the sign has been posted via an email containing a photo of the installed sign.
3. The information sign must conform generally to the specifications on page 2 of this handout and must state:
 - a. The type of application and application number
 - b. The applicant's name
 - c. The legal description and civic address of the affected property
 - d. A brief description of the proposal including proposed uses, floor areas and building heights in metric units, number of dwelling units, number of parking stalls
 - e. For a Development Variance Permit Application also list all requested variances (eg. reduction in building setbacks)
 - f. The text indicating the phone number of the Resort Municipality contact department for more details
4. Notification signs must be placed in a conspicuous location, be clearly legible from adjoining streets, and not be obstructed by vegetation or structures on the land.
5. The applicant must keep the notification sign posted and in good repair until the application has been approved or refused by the Council or its delegate.
6. Failure to comply with these requirements will delay the processing of the application.

SIGN SPECIFICATIONS FOR DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT / REZONING APPLICATIONS

1. SAMPLE SIGN



2. SPECIFICATIONS

- a) Black Arial lettering on white background;
- b) 3/4"(20 mm) plywood / 4" x 4" posts (138 x 139 mm);
- c) Posts to be driven into ground and braced;
- d) Rigid free-standing frame is acceptable for winter installation;
- e) A smaller size sign may be permitted in primary and secondary commercial areas.



STRATA COMMON PROPERTY REPRESENTATION OF AUTHORITY

PROPERTY CIVIC ADDRESS

STRATA CORPORATION NO.

The undersigned, on behalf of Strata Corporation No. _____ (the “**Strata Corporation**”), in consenting to the application (the “**Application**”) of _____, the owner of Strata Lot No. _____ for a Development Permit or Development Variance Permit (the “**Permit**”) to alter the Common Property of Strata Plan No. _____, being a Strata Manager (holding a valid license) licensed under the *Real Estate Services Act*, represents to the Resort Municipality of Whistler (the “**RMOW**”) that we are authorized to consent to the Application on behalf of the Strata Corporation and that all appropriate resolutions of the Strata Corporation have been duly passed to authorize the proposed changes or alterations to the Common Property.

In the case where the Strata Corporation is not represented by a licensed Strata Manager the undersigned hereby represent to the RMOW that we are members of the Strata Council duly elected in accordance with the *Strata Property Act*, that we are legally authorized to consent to the Application on behalf of the Strata Corporation and that all appropriate resolutions of the Strata Corporation have been duly passed to authorize the proposed changes or alterations to the Common Property.

In making the above representation, the Strata Corporation acknowledges that the RMOW is relying on our representation in accepting the Application and issuing the Permit and the Strata Corporation releases the RMOW from any and all liabilities if the representation is untrue or inaccurate.

PLEASE COMPLETE THE FOLLOWING IF STRATA MANAGEMENT COMPANY IS PROVIDING REPRESENTATION OF AUTHORITY:

STRATA MANAGEMENT COMPANY NAME* (PLEASE PRINT)

STRATA MANAGER NAME* (PLEASE PRINT)

STRATA MANAGER SIGNATURE

SIGNED THIS ____ DAY OF _____ 20__

PLEASE COMPLETE THE TABLE ON PAGE OVER IF STRATA COUNCIL MEMBERS ARE PROVIDING REPRESENTATION OF AUTHORITY.



STRATA COMMON PROPERTY REPRESENTATION OF AUTHORITY

Page 2

PLEASE COMPLETE THE FOLLOWING IF STRATA COUNCIL MEMBERS ARE PROVIDING REPRESENTATION OF AUTHORITY:

COUNCIL MEMBER NAME* (PLEASE PRINT)

STRATA LOT NO: _____

COUNCIL MEMBER SIGNATURE

SIGNED THIS ____ DAY OF _____ 20____

COUNCIL MEMBER NAME* (PLEASE PRINT)

STRATA LOT NO: _____

COUNCIL MEMBER SIGNATURE

SIGNED THIS ____ DAY OF _____ 20____

The Strata Title Act requires that permission from a Strata Corporation be obtained whenever construction affects Common Property. Written approval from the Strata Corporation is required whenever the proposed work involves Common Property or Limited Common Property.

"common property" means

- (a) that part of the land and buildings shown on a strata plan that is not part of a strata lot, and
- (b) pipes, wires, cables, chutes, ducts and other facilities for the passage or provision of water, sewage, drainage, gas, oil, electricity, telephone, radio, television, garbage, heating and cooling systems, or other similar services, if they are located
 - (i) within a floor, wall or ceiling that forms a boundary
 - (A) between a strata lot and another strata lot,
 - (B) between a strata lot and the common property, or
 - (C) between a strata lot or common property and another parcel of land, or
 - (ii) wholly or partially within a strata lot, if they are capable of being and intended to be used in connection with the enjoyment of another strata lot or the common property;

"limited common property" means common property designated for the exclusive use of the owners of one or more strata lots;