



BOARD OF VARIANCE APPLICATION

Application Number
BOV
(OFFICE USE ONLY)

Climate Action, Planning and Development Services - Planning Department
Tel 604-935-8170
Email: planning@whistler.ca

Subject Property Street Address: _____

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

Name of Registered Owner(s): _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

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

Name of Additional Registered Owner(s): _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

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

Name of Applicant/Agent: _____

Mailing Address: _____

City: _____ Province: _____ Postal Code: _____

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

Board of Variance Application For (check all that apply):

- a Zoning and Parking Bylaw 303, 2015 regulation respecting:
 - (i) the siting, size or dimensions of a building or other structure, or
 - (ii) the siting of a manufactured home in a manufactured home park.
- a subdivision servicing requirement under section 506(1)(c) [provision of water, sewer and other systems] of the *Local Government Act* in an area zoned for agricultural or industrial use.
- the prohibition of a structural alteration or addition under section 531(1) [restrictions on alteration or addition while non-conforming use continued] of the *Local Government Act*.
- a tree protection bylaw under section 8(3)(c) [fundamental powers - trees] of the *Community Charter*.
- exemption to relive hardship from early termination of land use contract under section 543 of the *Local Government Act*.
- extent of damage to non-conforming use property under section 544 of the *Local Government Act*.

Application Fee: \$4,000.00	Title Search: \$35.00 (per P.I.D.) <input type="checkbox"/> Y <input type="checkbox"/> N
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SUBMITTAL REQUIREMENTS – DOCUMENT CHECKLIST

Incomplete applications will not be accepted.

The items on the list are the minimum requirement for your application. Depending on the nature of your project, **you may be requested to submit additional information/documents** with, or following submission of, your application. Check all boxes and include this document with your application.

For ALL applications:

Electronic PDF copies of all submissions; including application, drawings, and reports. Electronic files may be emailed to planning@whistler.ca or to request a link to our secure file-transfer system (Titan).

Documents must be saved in PDF format with all layers flattened and no document restrictions. **File names must follow the RMOW strict document naming standard:** e.g. Document name_date, for example Architecture_2023-01-30

Every report and document submitted in support of an application must contain an express grant of permission to the Resort Municipality of Whistler to use, reproduce and publish the information contained in the report or document for non-commercial purposes.

REQ	N/A	FORMS, REPORTS, DRAWINGS and NOTIFICATIONS
		1. Complete and signed Application Form, Document Checklist and application fee of \$4,000.00
		2. Title Search (issued not more than 30 days from the date application is received) OR a \$35.00 Title Search Fee in lieu (per PID).
		3. Strata authorization on form attached for all proposals affecting common property on a strata plan.
		4. Letter describing undue hardship must include: <ul style="list-style-type: none"> <input type="checkbox"/> Specific details describing how compliance with the bylaw or regulation would cause the owner undue hardship; <input type="checkbox"/> Specific details of minor variance(s) or exemption(s) requested; <input type="checkbox"/> All registered owners names and signatures; and <input type="checkbox"/> Address the letter to: Board of Variance, Resort Municipality of Whistler, 4325 Blackcomb Way Whistler BC V8E 0X5
		5. Site Survey Prepared by a B.C.L.S. or a certified member of the Applied Science Technologists and Technicians of BC who is registered in site improvement surveys (RSIS). Include, as may be applicable to the application: subject parcel area; parcel dimensions; streams; adjacent roads; contour information; existing buildings, structures, retaining walls; statutory right of ways; easements; tree preservation areas (as may be applicable).
		6. Drawings PDF of scalable and fully dimensioned plans, elevation, sections, as necessary to illustrate the requested variance(s) or exemptions(s) and verify that all other components of the existing and proposed development comply with the Resort Municipality of Whistler "Zoning and Parking Bylaw 303, 2015". Clearly identify and label each variance or exemption request on the site plan. Scale 1:200 (minimum) or imperial equivalent. If imperial equivalent any dimensions must be labelled in both imperial and metric. All drawings must include a bar scale and a north arrow. Documents must be saved in PDF format with all layers flattened and no document restrictions.
		7. Any further information that the applicant deems necessary to permit the Board of Variance to have a full understanding of the proposal and consider the application.
		8. Notification sign posted on the property within 7 days of submitting application. Submit digital photo of posted sign (see attached instructions and template).

	<p>Additional Information (provide only if requested): Staff may request the applicant submit such further information or materials as staff deem necessary to permit the Board of Variance to consider the application (provide only if requested).</p> <p>Staff may request the applicant provide copies of any title restrictions e.g. restrictive covenants, easements, rights-of-way and previous variance requests (provide only if requested).</p>
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PROPERTY OWNER OR APPLICANT/AGENT CONFIRMATION

I have read and understand the applicable Board of Variance sections of the [Local Government Act](#) and confirm that this application will not do any of that listed in Section 542 (1) (c) (i) through (vi) nor will it do any of that listed in Section 542 (2) (a) through (e).

Full name of owner or applicant/agent (Print)

Signature of owner or applicant/agent

Date

Procedural Notes:

The Board of Variance has broad discretion on applications within their jurisdiction when determining whether the variance that is being sought qualifies as **minor** and whether compliance would cause **undue hardship**.

A decision by the Board of Variance is final as per *Local Government Act* section 542(1)(4).

Applicants are advised that approval, if given by the Board of Variance, is for the plans as submitted. Alterations to plans are not authorized after acceptance by the Board of Variance.

Once an application is approved, the applicant has to start construction within 2 years from the date of approval unless otherwise specified by the Board of Variance.

The Board of Variance meets at 5:30pm the last Monday of each month (except for December). Please check the municipal website <https://www.whistler.ca/municipal-gov/committees/board-variance> for meeting dates and location.

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 V8E 0X5.

AUTHORIZATIONS

I _____ authorize _____
(PRINT NAME of registered owner) (PRINT NAME of agent/person authorized to sign the application)

of _____
(PRINT NAME of Company if applicable)

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 registered owner(s) Date

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

PROPERTY OWNER’S AGREEMENT AND CONSENT

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 Board of Variance drawings.

I consent to any member of the Board of Variance or the Municipality’s Planning Department entering on the land that is the subject of this application, provided the person carries identification showing that they are a member of the Board, or the Department. This consent is limited to entry during daylight hours for the purpose of assessing the merits of this application, and is valid only from the date this application is signed until the date of the Board meeting at which this application will be considered.

Signature(s) of all registered owner(s) Date

Signature(s) of all registered owner(s) Date

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 an application to which the Resort Municipality of Whistler "Board of Variance Bylaw No. 2412, 2023" applies 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

BOARD OF VARIANCE NOTIFICATION SIGN REQUIREMENTS

Applications are subject to the Resort Municipality of Whistler “Board of Variance Bylaw No. 2412, 2023” notification sign requirements.

1. A notification sign is required to be posted for Board of Variance applications.
2. The applicant must prepare and **post a notification sign on the land that is the subject of the application within 7 days of making the application** and notify planning@whistler.ca that the sign has been posted via an email containing a photo of the installed sign.
3. The notification sign must conform generally to the written specifications contained on page 2 of this handout and must also include the following:
 - A map of the site containing a North Arrow, with all the roads adjoining the development site labelled (insert as top image on page 2);
 - A rendering of the proposed variance or exemption (insert as bottom image on page 2);
 - The abovementioned images can be inserted using Adobe Acrobat or another similar pdf viewer/editor. The ideal aspect ratio for the images is 947:591.
4. The notification sign must be 4' (1220 mm) x 6' (1829mm) in size.
5. Notification signs must be placed in a conspicuous location, be clearly legible from adjoining highways, and not be obstructed by vegetation or structures on the land and is required to be placed every 100 metres of highway frontage of the subject parcel, except that no more than 3 signs are required for any one parcel.
6. The applicant must keep the notification sign posted and in good repair until the application has been approved or refused by the Board of Variance or has been withdrawn by the applicant.
7. The applicant must **remove the notification sign within 14 days of the application being approved or refused by Board of Variance or being withdrawn by the applicant**. The municipality may remove the notification sign at the expense of the applicant subject to the municipality first giving notice of the non-compliance of the 14 day removal requirements.



BOARD OF VARIANCE APPLICATION

Application No: eg. BOV00001

Address:

Applicant Name:

Type of Application: eg. Board of Variance

Insert brief description of the proposed variance, or exemption with any measurements shown in metric units.

List all proposed variances or exemptions.

Include the following text: "The details of the proposed development may be revised during the application process."



EXAMPLE

Location



EXAMPLE

Proposed Variance or Exemption

**FOR
MORE
INFO:**



604 935 8170



whistler.ca/ourcity



planning@whistler.ca



Resort Municipality of
WHISTLER