



Development Variance and Board of Variance Permit Guide



This guide informs on the definitions, processes and requirements surrounding applying for Development Variance Permits (DVP) and Board of Variance (BOV) applications.

Applicants should also refer to:

- District of Barriere Development Variance Bylaw and BOV Procedures
- Relevant Maps & Site Plans
- Fee Schedules, Application Forms and Checklists

These can be obtained at the District's Office or online at barriere.ca

Box 219 - 4936 Barriere Town Road, Barriere, V0E 1E0

Phone: 250-672-9751 Email: inquiry@barriere.ca

Office Hours: Monday to Friday 9:00am - 4:00pm

What is the difference between DVP & BOV?

	Development Variance Permit	Board of Variance Permit
Decision made by	Council or Chief Administrative Officer	Independent board
Purpose	To allow a minor exemption relating to the Districts bylaws.	To relieve hardship caused due to unusual size/shape of land or other special circumstances.
Can Change Land Use or Density?	No	No
Typical Reasons for Permit Requests	Design choices, site constraints or unique project needs.	Physical site hardship or unique lot conditions.
Public Process	Council Meeting (with notice)	Hearing before Board of Variance.
Appeal Route	Can be reconsidered by Council.	Decision is final.

Board of variance focus:

The board of variance focuses primarily on hardship relating to matters such as siting, dimensions and size of buildings. A board of variance order cannot conflict with Land Title Act covenants or deal with matters in land use permits, land use contracts, floodplain bylaw specifications or phased development agreements.

See official provincial website for more information
<https://www2.gov.bc.ca/gov/content/governments/local-governments/planning-land-use/land-use-regulation/zoning-bylaws/board-of-variance>

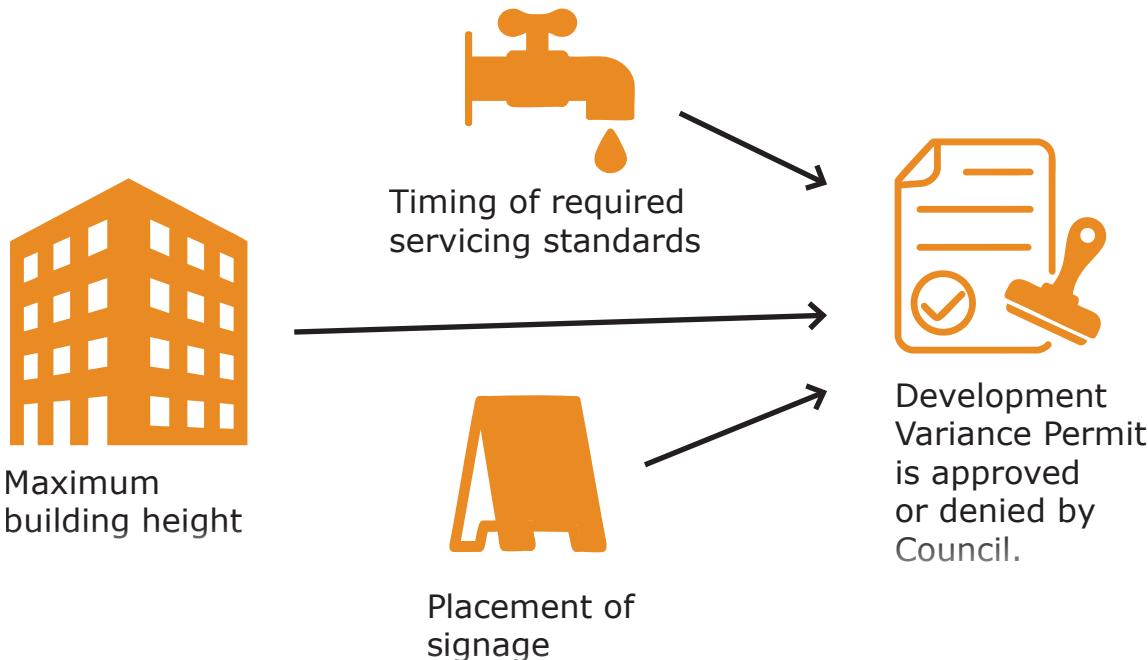
When is a Development Variance Permit (DVP) Required?

A Development Variance Permit is a permit issued by Council that permits the variation of the land use bylaw as requested. A DVP allows Council to consider limited exemptions to development standards. This does not include changes to land use, density, floodplain or heritage bylaws which are regulated under the Local Government Act.

Variance requests may include:

- **Zoning Bylaw** – building setbacks, maximum building height, minimum lot width, or other measurable regulations related to the site. Permitted land uses and density cannot be varied.
- **Subdivision and Development Servicing Bylaw** – timing or provision of required servicing standards.
- **Sign Bylaw** – maximum allowable area, height, or placement of signs.

Examples of variance requests:



When is a Board of Variance Permit Required?

A Board of Variance Permit may be applied for when a property owner, or applicant, wishes to seek relief from certain bylaw requirements due to practical difficulties or hardship. The BOV provides limited flexibility and is intended to address minor, site-specific issues.

A BOV variance may be considered for:

Zoning Bylaw – siting, size, and dimensions of buildings and structures, or the location of permitted uses, off-street parking and loading space requirements;

Sign Bylaw – size, location, or number of signs and their elements.

Examples of past Board of Variance variance requests:

BOV-23-01 (Mahal, 370 Lilley Rd, 2023):

The property owner requested to reduce the required **side setback** from 6m to 4.5m to allow construction of an seven-unit residential building. The Board considered the request as a minor variance due to site layout constraints and approved the variance after review.

BOV-25-01 (Ludwig, 643 Haigh Rd, 2025):

The applicant sought approval to increase the **maximum height** of an accessory building from 5m to 5.57m to fit a car hoist for personal vehicle maintenance. The Board reviewed the request as a site-specific hardship variance based on the building's function and lot conditions and approved the variance.

Example:

An applicant is converting a building to a new commercial use for the purpose of opening a new restaurant. They want to add an additional story to the building and also request to reduce the parking minimum because of the lot size.

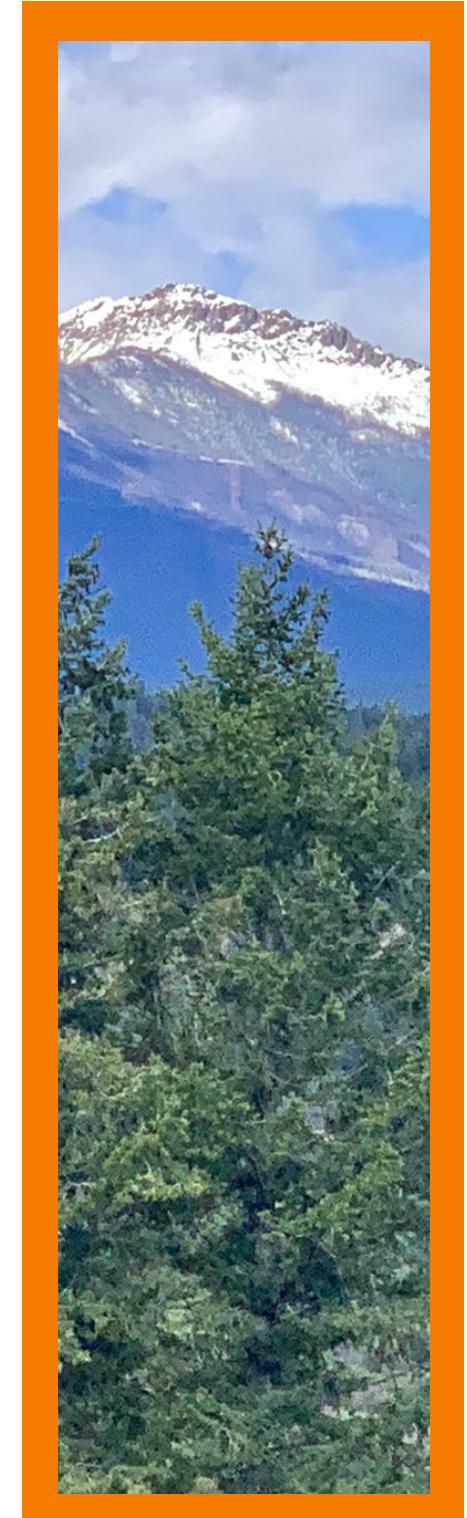
The Path to a Successful Application

Time frames

The time required to review and obtain a decision on a Development Variance Permit or Board of Variance application depends on a number of factors, including:

- Completeness of the application and quality of submitted plans.
- Type and number of variances requested.
- Complexity of the development project.
- Whether a rezoning and/or subdivision application is also required.
- Time needed to revise plans to address issues identified by staff.
- Requirements for external referrals (e.g., Agricultural Land Commission or Provincial Ministries).
- Scheduling of Council meetings for DVPs or Board of Variance meetings.

Give yourself time!
Applicants are encouraged to allow sufficient lead time, as processing may take several weeks to several months depending on these factors.



Things to review before Submitting:



Official Community Plan (OCP): Review the land use designation for your property and confirm whether your proposal aligns with Official Community Plan policies.



Zoning Bylaw and Maps: Confirm the zoning designation and development regulations for your property. If the zoning does not permit your proposal, a rezoning application may be required in addition to a variance.



Bylaws Related to Signage: Any new signs or alterations must comply with the current Bylaws. A separate sign permit may be required.



Watercourses, Agricultural Land Reserves (ALR) & Development Permit Areas (DPA): Review how the amendment meets all requirements for watercourse protections, agricultural land reserves and development permit areas.



Gather your Resources & Consult Staff: Where possible, meet with planning staff prior to submission to review your proposal, identify potential issues, and clarify required documentation or professional reports. Bring any maps, concept plans, technical information, environmental reports, etc. This will help staff understand your proposed amendment and guide your application plan.

Talk with your Neighbours!

Consulting with your neighbours who may be affected by the DVP/BOV application will result in better outcomes. Gathering neighbour's input better enables an applicant to address any concerns and/or modify their application. This will help reduce costs and expedite applications.

General Tips for Applicants:



Provide all information required in the application form and checklist. Be thorough and accurate. Ensure your site plan includes all required dimensions, property lines, easements, and rights-of-way.



Include rationale and impact assessment for each requested variance.



Plan for any infrastructure needs or requirements. Including road servicing, sidewalks, sewer, water, electrical, etc.



Anticipate report requirements. Assessments such as geotechnical, environmental, or drainage studies may be required. Factor these into your project time-line and budget.



Consider neighbourhood context. Think about how your variance request may affect adjacent properties, and provide rationale for how impacts are addressed.



Stay responsive. Promptly responding to requests for clarification or additional information from staff will keep the process moving.

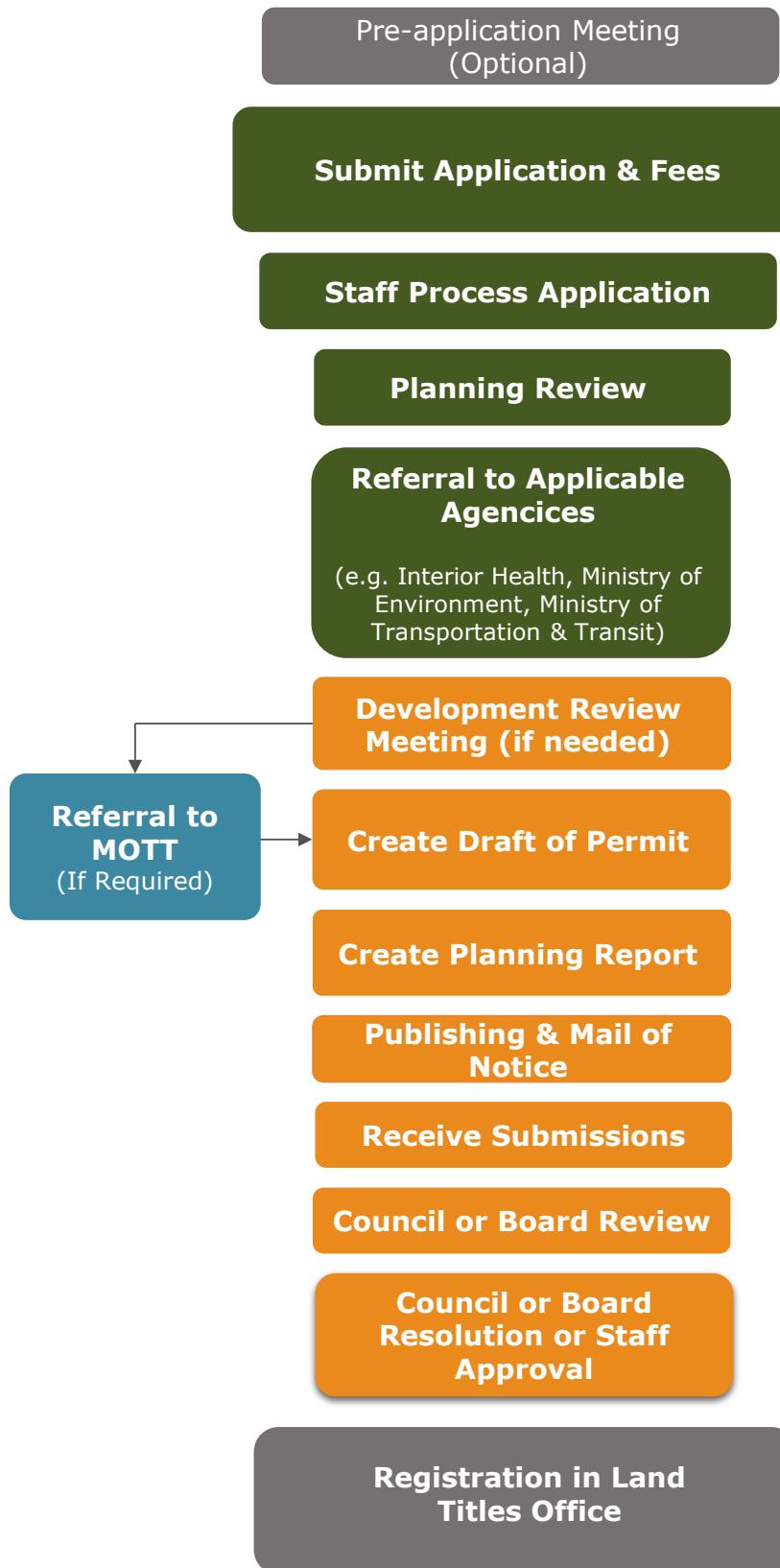


Plan for meetings. DVPs may require Council consideration (unless staff is the approving authority) at scheduled meetings, while BOV applications require a hearing before the Board. Build this into your project schedule.



Budget for costs. Application fees, professional reports, and any third-party review costs that will be your responsibility.

Development Variance and Board of Variance Permit Application Process





Development Variance and Board of Variance Application Process:

Step 1

Optional Pre-Application Meeting: Applicant meets with staff to review proposal, identify issues, and confirm if variance is appropriate through DVP or BOV.

Step 2

Application Submission, Reviews & Fees: Applicant submits complete package to the District office. Incomplete applications will not be processed.

Step 3

Acknowledgement Letter, Technical Requirements & Tracking Information: The applicant will be notified that the application was received. They will be assigned a file number, file manager and contact information for inquiries. They will also be informed of any technical reports that might be needed.

Step 4

Planning Review: Planning staff review consistency with OCP, Zoning Bylaw, and other policies.

Step 5

Prepare for Referral: District staff will prepare the application package for any relevant District Departments such as Planning/Development, Engineering, Public Works, and Parks. It may also include Ministry of Transportation, Ministry of Environment, Federal Department of Fisheries and Oceans among others. This will depend on the location and significance of the proposed amendment.

Step 6

Send for Referral: The prepared package will be sent to appropriate referral partners for review and comments.

Step 7

Development Review Meeting (if needed): The File Manager may arrange a meeting for the development team and referral groups to discuss and provide comments collectively.

Step 8

Create Draft of Permit: Planning staff prepare a draft permit outlining requested variances and applicable conditions.

Step 9

Referral to MOTT: If the Development Permit is for commercial or industrial use over 4500 m² within 800m of a controlled access highway it must be sent to the Ministry of Transportation and Transit for review.

Step 10

Planning Report Created: Staff compile analysis, recommendations, and draft permit for Council/Board consideration.

Step 11

Publishing & Mail of Notice: A notification will be sent to all property owners and occupants within 40m of the subject property at least 10 days prior to final approval consideration.

Step 12

Receive Submissions: Public given opportunity to provide written comments or attend meeting/hearing if required.

Step 13 ➤

Council or Board Review: A meeting is held where the public can make representations to the Council/Board unless approved by staff.

Step 14 ➤

Council or Board Resolution: Public given opportunity to provide written comments or attend meeting/hearing if required unless staff decision.

Step 15 ➤

Registration at Land Titles Office: If required, for example, permit registered with Lands Titles Office.



Pre-application meeting



Planning Report Created



Council or Board Resolution



Useful Resources & Contacts

Development Variance Application Form

Building Permit Application Guide

Official Community Plan

Zoning Bylaw

Ministry of Transportation and Transit (MOTT)

Email: tran.webmaster@gov.bc.ca Phone:
250-387-3198
Fax: 250 356-7706

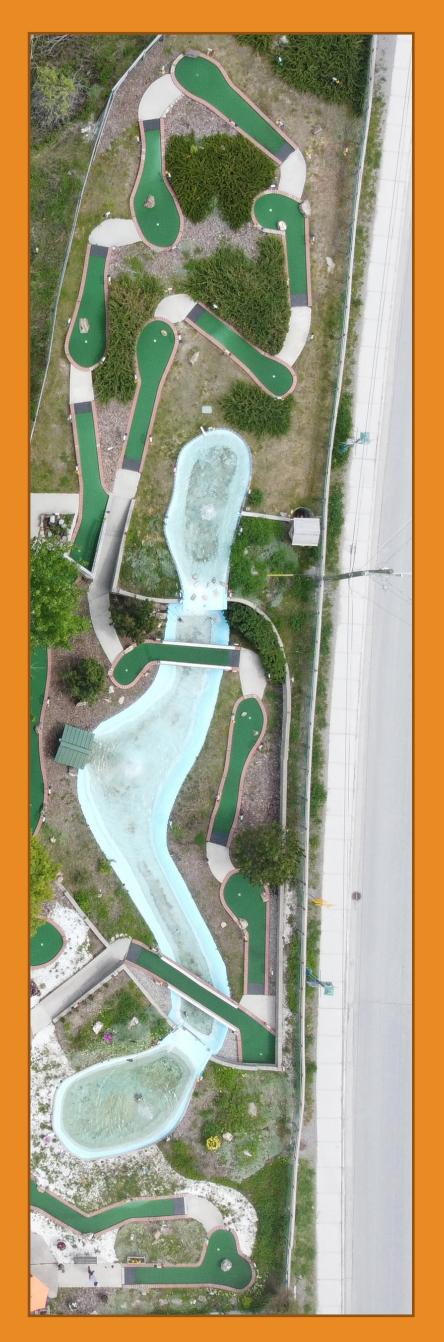
Engineering Standards & Guidelines

Agricultural Land Commission (ALC)

Email: alcburnaby@victoria1.gov.bc.ca
Phone: 604-660-7000
Fax: 604-660-7033

ALC Permitted Uses

ALC Maps



This document has been prepared to provide information only. It has no legal authority. If any contradiction exists between this document and relevant District Bylaws, Codes, or Policies, the text of the Bylaws, Codes or Policies shall be the legal authority.