

DEVELOPMENT VARIANCE PERMIT/FRONTAGE EXEMPTION APPLICATION

I/We, the undersigned, hereby make application to the Capital Regional District regarding consideration of a development variance permit or lot frontage exemption.

APPLICATION

This application is submitted to: *(complete applicable section)*

Vary Setback:
 Current setbacks: Rear: _____ Front: _____ Side: _____ Flanking: _____
 Proposed setbacks: Rear: _____ Front: _____ Side: _____ Flanking: _____

Vary Building Height:
 Proposed building height: _____
 Current structures on land: _____

Vary/Exempt Lot Frontage:
 Minimum lot frontage: _____ Proposed lot frontage: _____
 Proposed lot frontage if multiple lots: _____

Request Other:
 Proposed variance/exemption: _____

OWNER/APPLICANT INFORMATION

Name of Registered Land Owner(s):
(If more owners, please list on a separate page)

1. _____
 2. _____

Name of Applicant: _____

Applicant Contact Information:
 Mailing Address:
 Street: _____ City: _____
 Province: _____ Postal Code: _____
 Email: _____
 Tel (mobile): _____ Tel (home): _____
 Tel (work): _____

PROPERTY INFORMATION

Legal Description *(If more than two, please list on a separate page)*

PID: _____ Folio: _____
 Lot: _____ Section: _____ Block: _____ Township: _____ Plan: _____
 Land District: _____
 Civic Address: _____
 Current zoning: _____ Current OCP designation: _____
 Parcel size: _____
 Current Land Use: _____
 Proposed Land Use: _____

PURPOSE OF DEVELOPMENT VARIANCE/EXEMPTION APPLICATION

Please provide brief description of variance or exemption and rationale (*use a separate page if necessary*):

CONDITIONS AND DECLARATIONS

Acknowledgement of Costs:

I, the applicant and/or owner, hereby acknowledge that any legal costs that may arise as a result of this application will be borne by the applicant and are payable prior to approval of the proposed variance or exemption.

I have read and agree with the above paragraph. _____ (initial)

Environmental Management Act

I, the applicant and/or owner, represent to the Capital Regional District, knowing that the Capital Regional District relies on this representation and warranty, that the property covered by this application, has never, to the best of my knowledge, having done due and diligent inquiry, been used for any purpose such that a Site Profile is required to be submitted under the British Columbia *Environmental Management Act*, and that the property is not contaminated or polluted in any way that would make it unlawful, unsafe or unsuited for the purpose for which it is intended to be used, including within the meaning of the British Columbia *Environmental Management Act*.

I have read and agree with the above paragraph. _____ (initial)

Waiver and Indemnity:

I, the applicant and/or owner, assume all risks incidental to or that may arise as a result of this application and agree to save harmless and indemnify the Capital Regional District and its officials, agents, servants and representatives from and against all claims, actions, costs, expenses and demands with respect to death, injury, loss or damage to persons or property arising out of or in connection with this application. I agree to conform to all applicable bylaws. I understand that no warranty is implied for the approval of this application and that this waiver and indemnity is binding on me, my heirs, executors and assigns.

I have read and agree with the above paragraph. _____ (initial)

Authorization for Access:

I, the applicant and/or owner, hereby grant to the Capital Regional District and its officials, agents, servants and representatives, authorization to enter the land for the purposes of verifying site conditions as they relate to this application.

I have read and agree with the above paragraph. _____ (initial)

Freedom of Information Waiver:

Personal information contained on this form is collected under the authority of the *Local Government Act* and the Juan de Fuca Electoral Area Development Fees and Procedures Bylaw, Bylaw No. 3885, and is subject to the *Freedom of Information and Protection of Privacy Act*. Enquiries about the collection or use of information on this form can be directed to the Juan de Fuca Community Planning office.

Signature of Registered Owner or Applicant

(Note: if more than one owner, ALL registered owners must sign)

Date

INFORMATION TO BE SUBMITTED AT THE TIME OF DEVELOPMENT VARIANCE/EXEMPTION APPLICATION

- Completed application form
- Corporate structure and name of principal of company (*if applicable*)
- Written owner's authorization giving applicant permission to act on their behalf (*if applicable*)
- Written authorization from the Strata Corporation or written approval from the Strata owners (*for applications related to Strata property only*)
- Copy of current Title Search (*dated within 30 days*)
- Copies of any easements, covenants and rights-of-way listed on Title Search
- Site Plan to include the following:
 - Civic address and/or legal description
 - Property boundaries and dimensions
 - Location, dimensions and setbacks of existing and proposed buildings, structures and utilities
 - Location of existing and proposed property access/egress
 - Location and name of any bodies of water or watercourses within or adjacent to property
 - Mapped location and dimension of variance
 - Existing street and road names
- Survey Certificate to confirm the location of any buildings on the property
- Completed Development Application Signs form

APPLICATION FEES TO BE SUBMITTED AT THE TIME OF APPLICATION

- As per Bylaw No. 3885, Juan de Fuca Development Fees and Procedures Bylaw, Schedule B: (*payable by cash, cheque or debit card*)
 - Applications for development variance (setback, building height or other): \$750
 - Plus \$250 for each additional parcel included to a maximum total fee of \$1,500
 - Applications to vary/exempt lot frontage: \$750
 - Plus \$250 for each additional parcel included to a maximum total fee of \$1,500

ADDITIONAL INFORMATION THAT MAY BE REQUIRED

- Proposed subdivision plan drawing to scale
- Building design drawings to include:
 - Building height
 - Floor area
- Other reports or information as required

Owner's Authorization Form

All property owners registered on the Certificate of Title must provide written approval to allow the APPLICANT to act on their behalf.

_____, is hereby authorized to act as my agent for the
(Name of agent)
purpose of _____

(You may list all application types associated with your project)

Subject Property: _____

PID (Parcel Identifier-nine digit number): _____

Legal Description: Lot _____ Block _____ Section _____ Plan _____ Except _____

REGISTERED OWNER 1

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 2

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 3

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

REGISTERED OWNER 4

Name of Registered Owner: _____

Signature of Registered Owner: _____

Date: _____ Email: _____

Folder No: _____
Date Received: _____

Receipt of Development Application Signs

The posting of development application signs is required for OCP or land use bylaw amendments, and, applications for a development permit that includes a variance, a development variance permit or a temporary use permit.

I, _____ have received _____ sign(s) giving notice
(print name)
of this application and provided a deposit of \$ _____, a \$50 deposit per sign, which may be refundable as per Bylaw No. 3885, *Juan de Fuca Development Fees and Procedures Bylaw*, Schedule B.

The sign(s) will be posted at the following street address: _____.

Legal Description: Lot _____ Block _____ Section _____ Plan _____ Except _____

Signature of Applicant _____ Date

Telephone _____ Email

Posting Sign Requirements

The applicant must erect sign(s), provided by Community Planning, for each parcel of land which is subject to the application and post according to the following:

1. signs are to be erected within ten (10) days of submitting a complete application;
2. the applicant must ensure that the sign can be viewed from each public road frontage abutting their property and is unobstructed to viewing by the public.
3. multiple signs are required for subject properties with multiple road frontage and for subject properties that are not contiguous to each other.
4. the sign must be no higher than two (2) metres from the bottom of the sign above the grade of the road and not further back from the road right-of-way than three (3) metres.
5. the sign(s) must stay up until after the application is withdrawn or after the application decision by the Board.
6. a photograph must be submitted to Community Planning confirming the sign has been erected.
7. if the sign is not posted in accordance with this bylaw, consideration of the application by the CRD will be postponed. Any costs associated with the postponement will be borne by the applicant.
8. non-compliance with this section due to the removal, destruction or alteration of a sign by unknown persons, vandalism or natural occurrence shall not affect the validity of the bylaw that is the subject of the application.
9. if the applicant does not return the sign(s) within thirty (30) days after the application is withdrawn or after the application decision by the Board, the sign deposit will be forfeited.

Date Issued: _____

Date Returned: _____

Refund: \$ _____

Receipt No. _____

Signature of Official

Archaeology in B.C.

Archaeological sites are physical evidence of how and where people lived in the past. There are over 62,000 known sites in B.C., 90% of which are of First Nations origin. First Nations have governed and stewarded their cultural heritage and archaeological resources since time immemorial and have an ongoing connection to these sites. Many archaeological sites in B.C. are culturally sensitive, contain ancestral remains, and have important sacred and spiritual value to First Nations in B.C.

Examples of archaeological sites include:

- Remains of ancient villages and cemeteries
- Hunting and food processing sites
- Stone tool manufacturing areas
- Culturally modified trees
- Ancient rock art
- Shell midden

Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples recognizes that Indigenous Peoples have the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites and artifacts.

The Province has a legal duty to consult with First Nations on Heritage Conversation Act (HCA) permit applications that have the potential to impact their rights and title interests. All comments or concerns received during this process, including appropriate accommodations, are considered in a decision on whether or not to issue a permit, and if so, under what terms and conditions.

Protection of Archaeological Sites

Protecting heritage in B.C. is a shared responsibility.

Archaeological sites on both public and private land are protected under the HCA. This includes recorded sites and sites that have not yet been recorded. HCA protections apply even if a site has been disturbed in the past. Construction, renovations, and landscaping can damage and destroy an archaeological site. Property owners and developers have a legal responsibility to ensure archaeological sites are not disturbed without appropriate permits in place. If you are considering a construction or development project, you may need an HCA permit. Follow these steps:

STEPS FOR PROPERTY OWNERS AND DEVELOPERS:

1	Get Archaeological Information	<ul style="list-style-type: none">✓ Find out if your property contains a protected archaeological site by:<ol style="list-style-type: none">1. Talking to your local government OR2. Submitting an Archaeological Information Request [It's free!]: www.archdatarequest.nrs.gov.bc.ca/ OR3. Contracting a private consulting archaeologist✓ If there is presence or possibility of an archaeological site, you will receive a report and information on next steps
2	Plan Before You Dig	<ul style="list-style-type: none">✓ Consider low-impact building techniques✓ Contact the Housing Navigator Service to determine what authorizations, including local government permits, are needed for your project: permitconnectbc.gov.bc.ca/#one-place✓ Learn about HCA permitting requirements✓ Hire an archaeologist to help you apply for a permit www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits
3	Get a Heritage Inspection Permit	<ul style="list-style-type: none">✓ If an archaeological site may be at risk, you may need an HCA Heritage Inspection Permit✓ A Heritage Inspection Permit allows an archaeologist to conduct an archaeological assessment. This involves subsurface testing to identify if a site is present and how you can protect it during your development✓ The Province will consult with affected First Nations during the permit application process
4	Get an Alteration Permit	<ul style="list-style-type: none">✓ If a site is present, you must have an HCA Alteration Permit to impact or disturb the site✓ An Alteration Permit allows for activities such as capping a site, impacting a site, and relocating archaeological material, such as stone tools and bone fragments, in a way that ensures their care. Ground disturbing activities may require the oversight of an archaeologist during excavation or other ground disturbing activities✓ The Province will consult with affected First Nations during the permit application process

Hiring an Archaeologist

A qualified archaeologist will need to apply for, or act as a co-applicant on, any archaeological permits required for your development.

To find an archaeologist:

- Do an internet search for “archaeologists near me”
- Check local business directories
- The [British Columbia Association of Professional Archaeologists](#) keeps a list of its current members
- Get one or more quotes, and find out when an archaeologist is available to do the work
- Confirm that an archaeologist is “qualified and able” to hold permits in your area. You may email: Archaeology@gov.bc.ca to inquire about the status of an archaeologist

Visit: www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/private-commercial-or-development-property

Costs to Homeowners

- Property owners and developers are responsible for the costs of archaeological work. These costs can be minimized by taking early action and employing a low-impact approach to development
- The costs of archaeological work may vary on the scope of the work required, the location of the project, and the charge-out rates of the archaeologist.
- HCA permits and information requests issued by the Province are free

Choose low-impact building techniques

Archaeological sites are an irreplaceable part of history and critically important to First Nations communities.

By choosing low-impact construction methods you can help reduce:

- Impacts to an archaeological site
- The costs of archaeological work

Low impact building techniques include:

- Changing location of the building site or footprint to reduce or avoid impacts to an archaeological site
- Adjusting the construction techniques to reduce the degree of site impact, for example, an above ground basement or building on pads and or pilings instead of an in-ground foundation
- Use existing utilities access
- Develop within imported fill to avoid disturbing natural sediment, or soil, that may contain archaeological material.

Working with Local Governments

- Local government requirements may be different throughout B.C.
- Property development requires other permits and authorizations from municipalities, regional districts, or the Province. Local government development permits are not a substitute for archaeological permits.
- Some local governments ask property owners to obtain an Archaeological Data Report prior to issuing their own development permits.

🌐 **Visit:** www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/private-commercial-or-development-property

CONTACT THE HOUSING NAVIGATOR SERVICE

The [Housing Navigator Service](#) has dedicated staff to help you determine what applications are needed for your project and navigate the provincial process.

🌐 **Visit:** permitconnectbc.gov.bc.ca/#one-place

✉ **Email:** Housing.Authorizations@gov.bc.ca

📞 **Call:** 1-844-687-4644



For More Information

🌐 **Visit:** [Archaeology in B.C.](http://Archaeology.in.B.C.)
www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology

✉ **Email:** Archaeology@gov.bc.ca



Ministry of
Forests