

Schedule "A"

**Village of Lions Bay
Board of Variance Application Form**

I hereby apply for a hearing before the Board of Variance for:

LAND SUBJECT OF THE APPLICATION
Street Address:
Legal Description:
Zoning:
OWNER/CONTACT INFORMATION
Full Name(s) of Property Owner(s):
Full Name of Owner's Authorized Representative (if applicable):
Address to Which Notices Should be Mailed:
Daytime Phone # of Owner or Authorized Representative:
Name of Person Who Will Represent Applicant at the Hearing:
TYPE OF APPLICATION (Complete Applicable Section)
A. VARIANCE OF BYLAW RESPECTING SITING, SIZE OR DIMENSION OF A BUILDING OR STRUCTURE [s.540(a)(i)]
Bylaw Name/Number & Section(s) from which relief is sought:
Variance From (current requirement):
To (new requirement requested):
B. EXEMPTION FROM PROHIBITION OF A STRUCTURAL ALTERATION OR ADDITION TO A BUILDING OR STRUCTURE WITH A NON-CONFORMING USE [s.540(c) and s.531(1)]
Bylaw Name/Number & Section(s) Which Previously Permitted Use:
Bylaw Name/Number & Section(s) Which Resulted in Legal Non-Conforming Status:

which the permission or exemption would terminate. If your application is permitted, when do you expect to complete the work?

ADDITIONAL INFORMATION/REASONS SUPPORTING THE APPLICATION

(Attach additional pages if required)

ATTACHMENTS

Fee and Title Documents:

- A Non-refundable application fee of \$500.00 (cash or cheque), payable to the Village of Lions Bay.
- A Title Search Print dated within 30 days of the application and copies of all registered non-financial encumbrances noted thereon.

Drawings Which May be Required:

- A site plan showing the location of all Buildings and Structures, or proposed Buildings or Structures, on the subject property, preferably prepared and signed by a BC Land Surveyor A floor plan (for existing and proposed Buildings) showing space uses and door and window locations, preferably certified by an architect or structural engineer.
- A Building or Structure elevation plan preferably certified by an architect or structural engineer, including original and proposed alterations to site levels, if applicable.

Other Documents Which May be Required:

- A geotechnical engineer's report with respect to drainage, topography, and other geotechnical considerations.
- Explanatory materials and such other additional information as may be advisable in support of the application (eg: photographs, letters of support, etc.)

The Village Building Department may have some of the documents noted above – check first before ordering new. Further information may be required to enable the Board of Variance members to visualize the proposal and its relationship to the surrounding area. Approval, if given by the Board, is for the plans submitted. Changes to plans after the Board's decision will require a new application.

SIGNED BY ALL OWNERS ON TITLE ON _____, _____, _____:
(month) (day) (year)

Note: Decisions of the Board of Variance regarding Type A, B or D applications are FINAL, other than an appeal to the BC Supreme Court in respect of procedure under the *Judicial Review Procedure Act*. Decisions regarding Type C applications may be appealed by the applicant or the Village of Lions Bay to the BC Supreme Court. Information in this application is subject to the *Freedom of Information and Protection of Privacy Act*.

IMPORTANT INFORMATION

On finding hardship, the Board may order a minor variance or exemption if it would not:

- (a) result in inappropriate development of the site;
- (b) adversely affect the natural environment;
- (c) substantially affect the use and enjoyment of adjacent land;
- (d) vary permitted uses and densities under the applicable bylaw; or
- (e) defeat the intent of the bylaw.

An order of the Board must not:

- (a) be in conflict with a registered *Land Title Act* Covenant;
- (b) deal with a matter covered in a land use contract or permit;
- (c) deal with a phased development agreement;
- (d) deal with a floodplain specification under the *Local Government Act*; or
- (e) apply to a heritage property.