



CITY OF PORT ALBERNI DEVELOPMENT VARIANCE PERMIT APPLICATION GUIDELINES

The Zoning Bylaw contains specific regulations for development and permitted uses and the Sign Bylaw regulates signage within the Municipality. These land use Bylaws can be updated, or changed, by applying to the City of Port Alberni for amendments OR for variance of specific provisions for a particular site. Applications to vary provisions of the Zoning Bylaw or the Sign Bylaw must be approved by Council. Planning Department staff will help you determine if an amendment or a Variance is needed. If you are advised that your situation requires a Board of Variance your application will be dealt with by a separate advisory board (Board of Variance). If a Development Variance Permit is advised then you will follow the steps listed below.

THERE ARE TWO DIFFERENT VARIANCE PROCEDURES (Please read each description and consult with the Planning Department to determine which type of Variance Application applies to your situation):

1. Board of Variance Application

The Board of Variance is formed pursuant to the provisions of the *Local Government Act* and deals with applications for minor variances in situations where compliance with a Bylaw will cause undue hardship. The Board may also allow additions and alterations to “nonconforming” buildings.

2. Development Variance Application

Development Variance Permits are dealt with by City Council. If an application does not fall within the jurisdiction of the Board of Variance or if the variance is required for a new or re-development in conjunction with a bylaw (i.e. Zoning Bylaw) amendment, a Development Variance Permit should be pursued.

NOTE: A VARIANCE MAY NOT VARY THE USE OR THE DENSITY OF LAND OR A FLOODPLAIN SPECIFICATION.

APPLICATION PROCESS

For most applications the process is as listed below. Please note: process may take four months or more from the time the application is received until final approval by Council. Complex applications may take longer.

STEPS

1. Applicant schedules a pre-application meeting with staff to discuss their plans

2. Applicant submits a completed application and pays the administration fees

3. Staff review the application.

4. Staff present a report to the Advisory Planning Commission for comment that will be considered by Council.

5. The applicant is invited to attend the APC meeting to answer questions from the APC about the application and should expect that the APC members, Council and staff may inspect the site.

6. A Public Notice is prepared and distributed to property owners and occupants, within 75 metres of the site. The notice is also published in the Newspaper advising when Council will consider the application at a Regular Meeting and inviting the public to provide comment for Council’s consideration.

8. At the Regular Meeting of Council the Planning Department presents a report and recommendations along with the Development Variance Permit, for Council consideration. Interested members of the public may make representation to Council.

10. If the Development Variance Permit is approved by Council the applicant is notified and the Permit is registered on the Land Title.



CITY OF PORT ALBERNI APPLICATION for DEVELOPMENT VARIANCE

NOTE: The personal information collected on this form is collected for the purpose of an operating program or activity of the City of Port Alberni as authorized by Section 26(c) of the Freedom of Information and Protection of Privacy Act. All information collected with this form shall be disclosed to the public upon request. If you have any questions about the collection and use of this information, please contact the City Clerk at (250) 720-2810

APPLICATION MUST BE FULLY COMPLETED

PERMIT TYPE (choose one):		Fee
<input type="checkbox"/>	Development Variance Permit	\$600
<input type="checkbox"/>	Combined Development Variance + Development Permit	\$700
<input type="checkbox"/>	<u>Board of Variance Application</u>	\$400

THE FOLLOWING INFORMATION MUST BE SUBMITTED WITH PAYMENT OF FEES:

<input type="checkbox"/>	Written description of the proposed amendment (including reasons for the proposal)
<input type="checkbox"/>	Copy of Land Title (must be recent within last 30 days)
<input type="checkbox"/>	Preliminary Plans (metric units)
<input type="checkbox"/>	Site Survey (if requested)
<input type="checkbox"/>	Copy of Site Disclosure Statement – Schedule 1
<input type="checkbox"/>	Mailing addresses and signatures of ALL registered owners
<input type="checkbox"/>	Agent Declaration (if the Applicant is not the owner)
<input type="checkbox"/>	A list of all mailing addresses for each rented / leased unit located on the property

SUBJECT PROPERTY INFORMATION:

Civic Address of the Property as verified by the City of Port Alberni (Please print)

REGISTERED OWNER INFORMATION: (List names of **ALL** registered owners of the subject property along with full mailing addresses and phone numbers. Attach a separate sheet if required)

Registered Owner Name (Please print)

Phone:

Email:

Mailing Address:

Postal Code:



Signature of **Registered Owner**

Property Owner (Print Name)

Date (mm/dd/yy)

Additional Registered Owner Name (Please print):	Phone:	Email:
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Mailing Address:	Postal Code:
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<input checked="" type="checkbox"/> Signature of Additional Registered Owner	_____ Date (mm/dd/yy)
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APPLICANT INFORMATION: *(complete only if the applicant is NOT the property owner)*

Applicant Name (Please print):	Phone:	Email:
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Mailing Address:	Postal Code:
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AGENT/APPLICANT and OWNER DECLARATION:

I, (print full name of **applicant**): _____
solemnly declare that I am the authorized agent of the registered owner/s of the subject property as described in this application.

It is understood that until the City of Port Alberni is advised in writing that I am no longer acting on behalf of the undersigned registered owner, the City shall deal exclusively with me with respect to all matters pertaining to the Development Permit application.

I hereby declare that the foregoing information is true and proper and I make this declaration knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

<input checked="" type="checkbox"/> _____ Signature of Applicant	_____ Date (mm/dd/yy)
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<input checked="" type="checkbox"/> _____ Signature of Registered Owner (if not the Applicant)	_____ Registered Owner (Print Name)	_____ Date (mm/dd/yy)
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<input checked="" type="checkbox"/> _____ Signature of Additional Registered Owner	_____ Additional Registered Owner (Print Name)	_____ Date (mm/dd/yy)
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CONTAMINATED SITES DECLARATION:

Have any of the activities listed on Schedule 2 of the Contaminated Sites regulations (attached) occurred on the property?: Yes or No

Note: If you answered “Yes” above be sure to complete the provincial Site Disclosure Statement (Schedule 1) online at: <https://chefs.nrs.gov.bc.ca/app/form/submit?f=32a95812-f9db-4fd2-99eb-7e362b0253b1> and submit a copy with this application.

X

Signature of **Applicant**

Date (mm/dd/yy)

SITE DESCRIPTION:

Describe the existing buildings and structures: (Attach sketches of a scaled site plan noting existing building locations and setback dimensions (metric measurements to property lines from the foundation/s of existing buildings):

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DEVELOPMENT VARIANCE REQUEST:

Describe the Development Variance requested:

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Please provide detailed reasons to support the requested Development Variance (Use separate sheet if necessary):

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For more information contact:

Planning and Development Services (lower floor at City hall)
4850 Argyle Street
Port Alberni, BC, V9Y 1V8
Phone (250) 720-2807
Fax (250) 723-3402

SCHEDULE 2

[en. B.C. Reg. 131/2020, App. s. 9.]

SPECIFIED INDUSTRIAL OR COMMERCIAL USES

(page 1 of 2)

A. Chemical industries and activities

1. adhesives manufacturing, bulk storage, shipping or handling
2. chemical manufacturing, bulk storage, shipping or handling
3. explosives or ammunition manufacturing, bulk storage, shipping or handling
4. fire retardant manufacturing, bulk storage, shipping or handling
5. fertilizer manufacturing, bulk storage, shipping or handling
6. ink or dye manufacturing, bulk storage, shipping or handling
7. leather or hides tanning
8. paint, lacquer or varnish manufacturing, formulation, recycling, bulk storage, shipping or handling, not including retail stores
9. pharmaceutical products, or controlled substances as defined in the Controlled Drugs and Substances Act (Canada), manufacturing or operations
10. plastic products (foam or expanded plastic) manufacturing or repurposing
11. textile dyeing
12. pesticide manufacturing, formulation, bulk storage, shipping or handling
13. resin or plastic monomer manufacturing, formulation, bulk storage, shipping or handling

B. Electrical equipment and activities

1. battery manufacturing, recycling, bulk storage, shipping or handling
2. facilities using equipment that contains PCBs greater than or equal to 50 ppm
3. electrical equipment manufacturing, refurbishing, bulk storage, shipping or handling
4. electrical transmission or distribution substations
5. electronic equipment manufacturing
6. transformer oil manufacturing, processing, bulk storage, shipping or handling
7. electrical power generating operations fueled by coal or petroleum
8. hydrocarbons that supply electricity to a community or commercial or industrial operation, excluding emergency generators.

C. Metal smelting, processing or finishing industries and activities

1. foundries
2. galvanizing
3. metal plating or finishing
4. metal salvage operations
5. metal smelting or refining welding or machine shops (repair or fabrication)

D. Mining, milling or related industries and activities at or near land surface

1. asbestos mining , milling, bulk storage, shipping or handling
2. coal coke manufacture, bulk storage, shipping or handling
3. coal or lignite mining, milling, bulk storage, shipping or handling
4. milling reagent manufacture , bulk storage, shipping or handling
5. metal concentrate bulk storage, shipping or handling metal ore mining or milling

E. Miscellaneous industries, operations or activities

1. appliance, equipment or engine maintenance, repair , reconditioning, cleaning or salvage
2. ash deposit from boilers, incinerators or other thermal facilities
3. asphalt and asphalt tar manufacture, storage and distribution, including stationary asphalt batch plants
4. coal gasification (manufactured gas production)
5. medical, chemical, radiological or biological laboratories
6. outdoor firearm shooting ranges
7. road salt or brine storage
8. measuring instrument s (containing mercury) manufacture, repair or bulk storage
9. dry cleaning facilities or operation sand dry cleaning chemical storage, excluding locations at which clothing is deposited but no dry cleaning process occurs
10. contamination or likely contamination of land by substances migrating from an industrial or commercial site
11. fire training facilities at which fire retardants are used
12. single or cumulative spills to the environment greater than the reportable quantities of substances listed in the Spill Reporting Regulation

F. Petroleum (including blends and biodiesels) and natural gas drilling, production, processing, retailing , distribution and commercial storage

1. petroleum or natural gas drilling
2. petroleum or natural gas production facilities
3. natural gas processing
4. petroleum coke manufacture, bulk storage, shipping or handling
5. petroleum product, other than compressed gas, dispensing facilities, including service stations and card locks
6. petroleum, natural gas or sulfur pipeline rights of way excluding rights of way for pipelines used to distribute natural gas to consumers in a community

SPECIFIED INDUSTRIAL OR COMMERCIAL USES

7. petroleum product (other than compressed gas), or produced water storage in non- mobile above ground or underground tanks, except tanks associated with emergency generators or with secondary containment
8. petroleum product, other than compressed gas, bulk storage or distribution
9. petroleum refining
10. solvent manufacturing, bulk storage, shipping or handling
11. sulfur handling, processing or bulk storage and distribution

G. Transportation industries, operations and related activities

1. aircraft maintenance, cleaning or salvage
2. automotive, truck, bus, subway or other motor vehicle maintenance, repair, salvage or wrecking
3. dry docks, marinas, ship building or boat repair and maintenance, including paint removal from hulls
4. marine equipment salvage
5. rail car or locomotive maintenance, cleaning, salvage or related uses, including rail yards

H. Waste disposal and recycling operations and activities

1. anti-freeze bulk storage, recycling, shipping or handling
2. barrel, drum or tank reconditioning or salvage
3. biomedical waste disposal
4. bulk manure stockpiling and high rate land application or disposal (non- farm applications only)
5. landfilling of construction demolition material, including without limitation asphalt and concrete
6. contaminated soil or sediment storage, treatment, deposit or disposal
7. dry cleaning waste disposal
8. electrical equipment recycling
9. industrial waste lagoons or impoundments
10. industrial waste storage, recycling or landfilling
11. industrial woodwaste (log yard waste, hogfuel) disposal
12. mine tailings waste disposal
13. municipal waste storage, recycling, composting or landfilling
14. organic or petroleum material landspreading (landfarming)
15. sandblasting operations or sandblasting waste disposal
16. septic tank pumpage storage or disposal
17. sewage lagoons or impoundments
18. hazardous waste storage, treatment or disposal
19. sludge drying or composting
20. municipal or provincial road snow removal dumping or yard snow removal dumping
21. waste oil reprocessing, recycling or bulk storage
22. wire reclaiming operations

I. Wood, pulp and paper products and related industries and activities

1. particle or wafer board manufacturing
2. pulp mill operations
3. pulp and paper manufacturing
4. treated wood storage at the site of treatment
5. veneer or plywood manufacturing
6. wood treatment (anti-sap stain or preservation)
7. wood treatment chemical manufacturing, bulk storage