

What is a Development Variance Permit?

A development variance permit (DVP) is used to vary a provision of one or more of the following bylaws:

- Official Community Plan
- Zoning Bylaw
- Subdivision and Development Servicing Bylaw

Please note that, as per the *Local Government Act*, a Development Variance Permit cannot vary the uses permitted on a property, density (e.g. the number of units permitted on a property), or floodplain requirements.

What does a Development Variance Permit contain?

A DVP states a specific change in regulations for a particular property. The DVP can contain both text and drawings to show the variance in regulations.

A DVP is registered against the land title of the property in the City of Merritt after it has been issued.

Despite the DVP, other development on the property must still comply with other City of Merritt bylaws. A DVP expires if relevant construction has not substantially started within two years of its date of issue.

How is an Application Made?

Development Services has application packages that outline required information, drawings, and fees. Before submitting a formal application, it is important to make an appointment with the staff to review submission requirements.

Please note that applying for a variance application does not guarantee approval.

Minor and Major Variances

Staff will advise the applicant if the permit is a minor or major variance.

What is Considered in Granting a DVP?

- Other possible design or siting options
- Safety issues
- Aesthetics
- Extent of the variance(s) requested
- Applicant's rationale
- Site Constraints
- Public input
- Potential impact on neighbouring properties

How long does the Process Take?

DVP applications typically take 3 to 4 months to proceed through the evaluation and approval process. Additional information

may be requested during the process, which may increase the application processing time.

What are the Costs Involved?

Applications include an application fee as per the City's [Fees and Charges Bylaw](#).

Additional costs may include:

- Designing and constructing new services
- Current assessed taxes
- Land surveyor fees
- Consultant fees (engineers, solicitors, planners, etc. are typically hired for complex projects).

Public Notice

Written notices are mailed to surrounding property owners within 30 meters of the area or property that is subject to variance by the Development Service Staff. The Distance may be increased to reach more recipients at the discretion of the Council or their Authorized Designate.

Public Input

Applications are referred to various departments for review and comment. Comments by departments and the public are considered by the City Council when making decisions.

Approvals Process

Pre- Application

Review the Zoning Bylaw and Official Community Plan (OCP) Regulations and discuss your development proposal with Staff.

Submit Application

Submit complete application package including application form, site plan, , architectural drawings, variance rationale letter and other supporting or required documents electronically to planning@merritt.ca.

Development Services staff will review the application for completeness and may ask for additional information to support the variance request.

Staff then generate an invoice for the application fee.

Application Review and Public Notification

Development Services staff will initiate the application review process once the application fees are paid. Your development variance application will be referred to other City departments and external agencies for a comprehensive review.

Written notices are mailed to surrounding property owners within 30 meters of the area or property that is subject to variance by the Development Service Staff.

Revisions

After the referral process, **Development Services staff will compile referral comments and provide you with a feedback memo.** Based on referral comments You will need to amend your development proposal and submit a revised application package which includes a written response to the comments contained in the feedback memo.

Decision

When all comments from the review process are addressed to the satisfaction of the City, Staff will prepare a Council Report for Council consideration. The variance application will be considered at the Council meeting, and Council may require additional information.

If the variance is approved by Council, staff will issue the DVP.

If the variance application is refused by Council, re-application shall not be considered within six months from the date of refusal.

Registration

Once approved by the Council, Development Services staff will file a Notice of Permit with the Land Title and Survey Authority of BC for registration on title.

Note that a DVP is not a construction permit. If a Building Permit, Earthworks Permit, or Schedule G - "Works within a City Boulevard" Permit is required, you may begin the applicable application process.