

**Zoning bylaws concerning the siting, size, and dimensions of buildings, structures, and permitted uses**

	MNC	Duncan	CVRD	Ladysmith	Cumberland	Courtenay	Lake Cowichan
<b>Type of Variance</b>		minor variance is not a major variance			A Development Variance Permit is considered minor where it meets the following criteria:		
<b>Yard setback</b>	50% reduction	more than 25% - major	20% reduction	75%		25%	25%
<b>Minimum lot size</b>	25% reduction or 200m2 reduction, whichever is less				The variance would have no significant negative impact on the use of immediately adjacent or nearby properties;		no
<b>Minimum lot size where an existing lot is already below minimum lot size</b>	25% reduction from existing size or 100m2 reduction from existing size, whichever is less				. Degree or scope of the variance relative to the regulation from which a variance is sought is not significant;		no
<b>Lot coverage</b>	25% increase					25% - no increase in density	25% - no increase in density Subdiv bylaw allows AO to vary lot frontage and depth up to 10% of bylaw standard with exceptions
<b>Lot frontage</b>	25% decrease				The proposed variance is consistent with the general purpose and intent of the zone; and	25%	
<b>Projections into a required setback</b>	50% increase				There is a valid reason for the variance request		25%
<b>Building Height</b>	1 metre	major	10% increase	1.5 m principal building / 0.25 m other buildings and		25% - no increase in density	10%
<b>Minimum number of parking spaces</b>	35% reduction	major	20%	5% residential / 25% non-residential		25%	25%
<b>Any other provision pertaining to off-street parking</b>	Any variance			any variance to standards			any variance to standards
<b>Bike parking</b>				5% non-residential			10%
<b>Off-street loading useable open space</b>	Any variance			any variance to #		25%	any variance to # and standards
<b>Retaining walls, and fence heights or setbacks where the fence is regulated in combination with a retaining wall.</b>	Any variance						any variance
<b>Fences without retaining walls</b>	25% height increase						25% height increase
<b>Garbage, Recycling and Composting containers and enclosures</b>	Any variance						any variance
<b>Landscaping and Screening Sign Bylaw</b>	+/- 25% of standard		20%	variance to landscaping and screening where equivalent area or type of landscaping on the same site			25%
<b>Sign dimensions, height or setback</b>	+/- 25% of standard			any variance to sign bylaw			25% to standards
<b>Affordable/special needs housing</b>		major					

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the anticipated impact of the proposed minor variance on neighbouring properties;	a) Inappropriate development of the site;	whether the proposed variance can reasonably be expected to adversely affect the use or enjoyment of neighbouring properties;	. The proposed variance addresses a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.);	impact on adjacent properties or the surrounding neighbourhood and how the impacts are mitigated.	
the anticipated impact of the proposed minor variance on City infrastructure;	b) Adverse impacts on the natural environment, ecosystems or biodiversity;	whether the proposed variance would defeat the intent of the bylaw proposed to be varied	There is a community or environmental benefit to the larger community in granting the variance and/or it would support a Council priority (i.e. affordable housing, environmental protection, provision of a trail SRW);	whether there is a community or environmental benefit to the larger community	
the anticipated impact of the proposed minor variance on the natural environment;	c) Adverse impacts to the use and enjoyment of the subject property or adjacent land.	whether compliance with the regulation proposed to be varied would cause an undue hardship;	. The variance request must not include a reduction in the required number of parking stalls except in situations where an increase in parking spaces is associated with a change in use associated with a business licence application and does not propose additional floor area;	whether there is hardship other than the business aspects of the development, such as location, size, site configuration or topography or other natural attribute of the land	
the configuration and other characteristics of the land that is the subject of the proposed development variance permit;		whether practical alternatives are available to the landowner that do not require a variance	. Proximity and impact of the variance to neighbouring properties is considered;		
the feasibility of alternative siting, design, and development configurations that would avoid the need for a minor variance; and		after due consideration of all available environmental impact, engineering and planning information, whether the proposed variance would adversely affect the natural environment, the conservation of heritage property or infrastructure to an unacceptable level; a	The proposed variance would unduly impact the character of the streetscape or surrounding neighbourhood		
compliance with applicable City standards, guidelines, policies, plans, and regulations and whether the proposed minor variance would achieve greater compliance and conformity with those standards, guidelines, policies, plans, and regulations.		whether the proposed variance supports implementation of the Official Community Plan	If strict compliance with the zoning regulation would be unreasonable		

Refer permits to Council

The proposed variance is in conjunction with a Development Permit Application that is not delegated to staff;

The proposed variance meets the criteria of minor, but in the opinion of the Manager, it would be in the public interest to instead have the application considered by Council.