

Variance to Zoning By-law No. 7124

Name of Property Owner: _____

Name of Applicant: _____

Civic Address of Property: _____

Legal Description of Property: _____

References:

BAPD Development Plan By-law No. 95/01/12
Applicable Secondary Plan By-law
City of Brandon Zoning By-Law No. 7124

Prior to submitting a formal application, the Planning & Buildings Department strongly recommends that all applicants meet with a Community Planner to complete a pre-application review

Variance Request(s):

As the applicant, I confirm and verify to the City that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, the Zoning By-law, and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

Signature of Owner: _____ Date: _____

Address: _____ Postal Code: _____

Phone No.: (Primary) _____ (Secondary) _____

Email Address: _____

The personal information which you are providing is being collected under the authority of The Planning Act and will be used for the purpose of approving this application. Information is also being collected for the purpose of statistical reporting. It is protected by the Protection of Privacy provisions of The Freedom of Information and Protection of Privacy Act. If you have any questions about the collection and/or use of information, contact Jennifer Houlihan, FIPPA Coordinator, City of Brandon Planning & Buildings Department, 638 Princess Avenue Brandon, Manitoba, R7A 0P3, Telephone 204-729-2116

FOR PLANNING DEPARTMENT USE ONLY:

Community Planner: _____ Planning File No.: _____ CityView No.: _____

Date Application Received: _____ Payment Date: _____ Receipt No.: _____ Amount: \$ _____

Variance - Application

REV 12/2018

Variance

A variance is a process that allows a deviation from the Zoning By-law for a particular property. If a property cannot meet the requirements of the Zoning By-law due to unique circumstances, the approval authority may grant an affected owner an opportunity for relief from the Zoning By-law. A variance can be approved to allow a modification to development standards, such as minimum building setbacks and height restrictions.

Documentation and Fee Requirements

- Application Fee: See fee schedule
- Status of Title: Issued by Brandon Land Titles Office no later than 30 days before the date of the application
- Letter of Authorization: From registered owner(s) of the land whose name(s) appear on the title
- Letter of Intent: As per attached checklist
- Site Plan: As per attached checklist
- Community Participation Report: As per attached checklist
- Other plans and documentation may be required, depending on the nature of the request

Application may not be processed until all of the above information has been submitted

Timelines

The process generally can take seven (7) weeks at best. Complicated applications may take a longer period of time. If the request is determined by the Planning, Property & Buildings Department to be a minor variance (a deviation from the Zoning By-law of no more than 10%), the process may take as little as two (2) weeks.

Decision Making Authority

Variance applications are decided by the Planning Commission, an independent body of five (5) members appointed by City Council. If there is an appeal to the Planning Commission's decision, City Council will make a final decision. Minor variance applications may be decided by the Planning & Buildings Department.

Pre-Application Review

Before formal submission of an application, the Planning, Property & Buildings Department can do a preliminary review of the application package and, if necessary, advise the applicant on which elements of the package should be revisited. The Planning & Buildings Department cannot guarantee support or approval of an application, as it must objectively analyze all applications. The pre-application review may take two to three (2-3) weeks.

Public Hearing

The applicant must attend a public hearing scheduled by the Planning & Buildings Department, and he/she is responsible to present details of his/her application and answer any questions the Planning Commission may have. The public hearing allows the general public to comment on the application prior to the Planning Commission's decision.

Appeals

Anyone who commented on the application and is not satisfied with the Planning Commission's decision may file an appeal in writing to the Office of the City Clerk. The appeal must indicate who is appealing, the Variance Order number, and the reasons for the appeal.

Conditions and Limits of Approval

Variance approvals that have been inactive for twelve (12) consecutive months will lapse and become null and void. Some approvals may have conditions attached; unless otherwise indicated in the conditions, they must be satisfied within twelve (12) months of the date of approval.

Community Participation Report

All community participation reports must include the following information:

For Planning Office Use Only

	<i>Provided</i>	<i>N/A</i>
1. Business/Formal letter format (addressed to “City of Brandon & Buildings Department”, signed and dated)	<input type="checkbox"/>	<input type="checkbox"/>
2. Name(s) of applicant(s)	<input type="checkbox"/>	<input type="checkbox"/>
3. Method(s) of notification	<input type="checkbox"/>	<input type="checkbox"/>
4. List of properties that were notified	<input type="checkbox"/>	<input type="checkbox"/>
5. Summary of comments or concerns	<input type="checkbox"/>	<input type="checkbox"/>
6. Summary of efforts to address comments or concerns	<input type="checkbox"/>	<input type="checkbox"/>
7. If a public meeting is held, the date and location of the meeting	<input type="checkbox"/>	<input type="checkbox"/>