

How and where to apply:

Complete a Board of Variance application. These are available from the RDEK offices at:

- **19 - 24th Avenue South
Cranbrook, BC**
- **1164 Windermere Loop Road
Invermere, BC**

The application form is also available online at www.rdek.bc.ca.

Include the following:

1. \$350.00 non-refundable fee payable to the Regional District of East Kootenay.
2. A detailed sketch of your property showing all buildings, well, septic system, access, and physical features.
3. An explanation of your request and any other information, such as photographs in support of your application. This type of application requires you to demonstrate that compliance with the bylaw regulation would cause you undue hardship.
4. A Title Search Print dated no more than 30 days before you file your application. These are available from the Land Title Office at www.ltsa.ca. If requested, a Title Search can be obtained by the RDEK for a document fee of \$15.00.
5. In some cases, approval from the Ministry of Transportation and Infrastructure is required. You must obtain this approval before your application can be considered by the Board of Variance.
6. In some cases, a completed Site Disclosure Statement is required. See Section 5 of the Application Form for more information.

Take your application, the fee, and the items listed above to the RDEK office in Cranbrook. If it is more convenient, mail your application, fee and required information.

Cranbrook Office hours: 8:30 am to 4:30 pm Monday through Friday, excluding holidays

Phone: 250- 489-2791

Fax: 250-489-3498

Toll Free: 1-888-478-7335

What happens to your application:

Your application will be reviewed:

- RDEK Development Services staff will prepare a report describing the variance and make a recommendation to the Board of Variance.
- A building inspector may visit your property and take photos.
- The RDEK will also refer your application to the provincial government if technical input from one of the ministries is needed.

A hearing date will be set:

The RDEK will set a date for your application to be considered by the Board of Variance. You will be notified so you can attend.

Your neighbours will be notified:

RDEK staff will send notices to property owners and tenants within 100 metres of your property to advise them of your application.

The hearing will be held:

The Board of Variance will consider your application. **It is very important that you attend the meeting to answer any questions that the Board of Variance may have.** The Board of Variance will examine reports from RDEK staff, provincial government (if a report was requested) and review any letters received from your neighbours. The Board of Variance will either approve your application, turn it down, or grant you a partial variance. If your application is approved, the RDEK can issue your building permit.

If your application is turned down:

A decision of the Board of Variance concerning hardship or non-conforming use is final. For further information refer to the *Local Government Act*.

Questions:

Call Development Services at **250-489-2791** or toll free at **1-888-478-7335**.



Board of Variance Application

Cranbrook Office
 19 – 24th Avenue South
 Cranbrook BC V1C 3H8
 Ph: 250-489-2791 • Fx: 250-489-3498

Columbia Valley Office
 1164 Windermere Loop Road
 Invermere BC V0A 1K3
 Ph: 250-342-0063 • Fx: 250-342-0064

Toll Free 1-888-478-7335

SECTION 1 – APPLICANT INFORMATION

Registered Owner(s): _____	Agent: _____
Address: _____ _____	Address: _____ _____
Phone: _____ (home) _____ (work) Email: _____	Phone: _____ (home) _____ (work) Email: _____

SECTION 2 – DECLARATION AND AUTHORIZATION

I / we declare that the information in this application is, to the best of my / our knowledge, true and correct.

Signature of Applicant(s): _____ Date: _____

If the application is submitted by an Agent, the owner(s) must sign the following statement or provide separate written authorization:

I / we consent to this application filed by the person or company whose name appears as the agent above.

Signature of Owner(s): _____ Date: _____

Personal information contained on this form is collected under the *Local Government Act* and in accordance with the *Freedom of Information and Protection of Privacy Act* and will be used only for the purpose of processing the application and may be shared with the Directors of the RDEK and referral agencies. For questions or additional information pertaining to your personal information, contact the RDEK FOI Coordinator at 250-489-2791.

SECTION 3 – LAND UNDER APPLICATION

Legal description of all land proposed for development:

Lot _____ Block _____ Plan _____ District Lot _____

Extended legal description: _____

Street Address: _____ Parcel Identifier Number (PID): _____

Size of property: _____ Existing Zoning: _____

SECTION 4 – PURPOSE OF APPLICATION

- Describe the proposed construction and the variance requested as well as why compliance with bylaw regulations will cause you undue hardship:

SECTION 5 – DEVELOPMENT & LAND USE INFORMATION

- Describe the current use of the land and how long the use has existed: _____

- Does your property have a history of a specified industrial and commercial use as shown on Schedule 2 of the Contaminated Site Regulation?

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_04

No

Yes, Completed Site Disclosure Statement included.

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_02

More information about this requirement (including 'How to complete a Site Disclosure Statement') can be found on the Ministry of Environment's Site Remediation website here:

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-identification>

- Attach a map or sketch showing:

- | | |
|---|-------------------------------------|
| ▪ North arrow & scale | ▪ Access (roads, driveways) |
| ▪ Lot lines with dimensions | ▪ Well or water intake |
| ▪ All buildings & structures (existing & proposed) | ▪ Septic tank & field |
| ▪ Physical features (creeks, ponds, hills, gullies, etc.) | ▪ Proposed setbacks |
| | ▪ <i>(Photographs are optional)</i> |

Office Use Only

File No: _____

Owner(s)/Applicant: _____

SECTION 6 – ENSURE THE FOLLOWING ARE ENCLOSED WITH YOUR APPLICATION:

- Application fee of \$350.00 payable to the Regional District of East Kootenay
- Site Disclosure Statement, if required as per Section 5
- A Title Search Print dated no more than 30 days before you file your application; **OR**
- Consent to the RDEK to conduct a Land Title Search on your behalf for a fee of \$15.00.

Office Use Only

File No: _____

Owner(s)/Applicant: _____

Revised: April 2021