



Town Of Bay Bulls

P.O. Box 70, 2 Southside Side Rd, Bay Bulls, NL A0A 1C0

Office of the Town Clerk/Manager
Telephone: (709) 334-3454 | Fax: (709) 334-3477
Email: info@townofbaybulls.com

Application Number

Office Use Only

Application for a Variance

All Fields are Mandatory. Incomplete application will be returned to the applicant.

Date: _____

Applicant(s) Name: (Print Name) _____

Applicant Signature: _____

By signing the application, the applicant indicates that, to his/her knowledge, all information contained in the application is correct, and further; that all information can be made public including property ownership, name of applicant, and the details of the proposal.

If the applicant is not the owner of the property please provide a letter that; 1) identifies the property, 2) names the owner of the property, 3) lists owner's contact information, 4) has a statement from the owner saying they authorize the applicant to make an application for the variance, and, 5) is signed by the owner.

Applicant Contact Information:

Applicants Mailing Address: _____
P.O. BOX/STREET TOWN POSTAL CODE

Phone#: _____ Cell#: _____ Email Address: _____

Describe Proposed Use: ☐ Residential ☐ Industrial ☐ Commercial ☐ Other: _____

Property Address; (where the variance(s) will be located): _____

Land Use Zone for the Property; (from the Town's Development Regulations): _____

Proposed Variance(s); Clearly state from "x" in the Town's Development Regulations, to "y" (As one example; a variance to reduce the minimum side yard distance west of the proposed house from 3 meters to 2.8 meters) _____

Reason for the proposed variance(s); (attach more information or drawings if necessary): _____

Survey Attached ☐

Use the space provided below to indicate the *size of your land, and variance needed*. You must show dimensions of your land (length by width). **An updated survey must be attached to this application**

OFFICE USE ONLY

Notification to the Public;(attach delivery list (if applicable) and copy of notification advertisement in local newspaper)

DATE:_____

Variance considered (with any letters from public) by Council on:

DATE:_____

Variance Outcome:

Rejected (attach list of reasons)

Issued (attach copy of variance)

Attach appeal results if there is an appeal to the Appeal Board under Section 42 of the Urban and Rural Planning Act.

Staff Signature:_____

Office Comments:

Frequently Asked Questions

There are a few questions that people often have about applications for variances.

What is a “variance”?

Where a particular development does not comply with development standards set out in the Town’s Development Regulations, Council may consider varying specific development standards to a maximum of 10%. The specific change from the requirements of the Town’s Development Standards is called a “variance”.

Are there limits to the variances that can be asked for?

There are limits. A variance cannot be granted if that variance, when considered together with other variances made or to be made with respect to the same land, building or structure, would have a cumulative effect that is greater than a 10% variance (even though the individual variances are separately not greater than 10%). Council also cannot give a variance that would increase the non-conformity (as defined by the Town’s Development Regulations) of an existing development.

What does Council consider in making its decision?

In making its decision Council considers whether compliance with the development standards would prejudice the proper development of the land, building or structure in question; and, whether the proposed variance is in the public interest. In addition, notifications are either delivered to properties in the immediate vicinity of the proposed variance or posted publicly in a local circulating newspaper and the comments received will be considered by Council in making their decision.

Can I add or change variances later?

It is very important that an applicant is certain that the variances requested in an application are complete and correct. Additions cannot be made to a variance application after public notices are sent. Consideration of a new variance requires a new application, notifications, and a new process.

How are the Town’s Development Regulations affected by a variance?

A permit for a variance does not change the Town’s Development Regulations except for the specific variance listed in the permit that was approved by Council. All the rest of the Town’s Development Regulations continue to apply to the development.

How long does it take?

An application received 6 weeks prior to a Council meeting will, under normal conditions, go to that Council meeting. Staff does their best to take applications to the first available Council meeting while ensuring the required steps in the process are followed.

What process is followed for the application?

All applications for variances are considered in the same way. The process includes (in summary);

- A completed application for a variance is received by the Town,
- Public notification. The notice is written and distributed by Town staff. The distribution is paid for by the applicant. There is a set waiting period to allow the public an opportunity to respond,
- Consideration by Council of whether to approve or reject the variance.

Can a decision about a variance be appealed?

The decision about a variance application can be appealed (within 14 days of receipt of the Town’s decision) to a Provincial Appeal Board under Section 42 of the Urban and Rural Planning Act. Contact the Department of Municipal Affairs and Environment for Newfoundland and Labrador for more information at (709)729- 2135 or visit website: <http://www.ma.gov.nl.ca/ma/for/appeals.html>. In accordance with Section 42(11) of the Urban and Rural Planning Act, the Appeal Board cannot overrule a decision made under the discretionary authority of Council.

The information in the “Frequently Asked Questions” is of a general nature, may not be complete, and is intended for convenience only. Refer to the legislation of the Province or the Town’s Development Regulations, procedures, and policies for complete requirements. If you have any questions regarding this process please contact staff at the Town of Bay Bulls to discuss.