

VARIANCE INFO SHEET AND FREQUENTLY ASKED QUESTIONS (FAQ)

What is a Variance?

A variance is a formal request to adjust or relax a specific rule in the City's Land Use Bylaw. It allows a property owner to ask for a small exception when the standard rules don't work because of the unique conditions of their property.

A variance does not change what type of building or use is allowed on a property. It only applies to development rules, such as:

- setbacks (distance from property lines)
- building height
- building size (site coverage)
- parking requirements

The City reviews each request carefully. Variances are only approved when they are minor, reasonable, and not expected to negatively affect neighbouring properties or the character of the neighbourhood.

Frequently Asked Questions (FAQ)

1. Why would someone need a variance?

Variances are meant to help where strict compliance is difficult or impractical, not to avoid rules for convenience. You may need a variance if your project cannot meet a specific bylaw or rule due to:

- The shape or size of your lot
- Site constraints from previous development
- A unique building design that still fits the neighbourhood

2. What kinds of things can a variance apply to?

Common examples include:

- Setback reductions (e.g., a garage 0.1 m closer to a side yard)
- Slightly taller or slightly larger accessory buildings
- Minor height changes that do not increase overall density
- Relaxations to parking or landscaping requirements

Variances cannot be used to:

- Permit a use that is not allowed in your district
- Increase density through height or floor area changes
- Make minor changes that conflict with neighbourhood character

3. What does the City look at when reviewing a variance request?

The City must balance your request with long-term planning and community impacts. The Development Authority considers whether the variance:

- Is minor in nature
- Maintains the intent of the Land Use Bylaw
- Aligns with the Municipal Development Plan
- Does not negatively affect neighbouring properties
- Supports orderly and compatible development

4. Do I need to provide a justification?

Yes. A variance application must include a short letter explaining:

- Why you cannot meet the rule
- What unique site characteristics justify the request
- How the variance meets planning criteria
- What hardship you would face without it

Cost, convenience, or preference are not considered hardships on their own.

5. Are variances always approved?

No. Variances are discretionary, which means the City decides on a case-by-case basis. The City's goal is fairness, consistency, and good planning.

A variance may be refused if:

- The change is too large
- It impacts neighbours
- It conflicts with planning policies
- It would create safety or compatibility concerns

6. Will my neighbours be notified?

Yes. As it is discretionary, a variance is subject to a 21-day appeal period under the Municipal Government Act. Input from neighbours helps the City

understand potential impacts, but the final decision remains with the Development Authority.

7. What happens if my variance is refused?

You may:

- Revise your design to meet the bylaw
- Submit a new application with changes
- Appeal the decision (depending on the permit type and applicable legislation)

Staff can help you understand your options and next steps.

8. Is there a fee for applying for a variance?

Yes, variance fees are included as part of the development permit application fees. *Refer to the City of Chestermere Fee Schedule.*