



What Is a Variance?

A variance is the approved deviation or reduction to a standard regulation of the Land Use Bylaw by the Town of Ponoka.

The Town of Ponoka Land Use Bylaw is the guiding document that regulates the use and development of land within the Town. The Land Use Bylaw sets out various land use districts, which are used to manage the development which is acceptable on private and public land. Each district will have specific regulations and requirements that are to be met in addition to other general requirements. Regulations may include but are not limited to, minimum lot sizes, building setbacks, lot coverage, building height and parking requirements.

What Is the Purpose of a Variance?

Sometimes there are unusual conditions on a parcel of land and it may not be possible to meet all the requirements when you are applying for new development. Your property may be so narrow or oddly shaped that you might need to apply for a variance. A variance may include a reduction of one or more requirements as listed by the Land Use Bylaw in order to accommodate for the conditions on a site.

When Can a Variance Be Granted?

At the time of application for a development permit or subdivision, the applicant may request a variance for one or more regulations of the Land Use Bylaw. A variance will only be considered for development that is either a permitted or discretionary use under the subject land use district. It must be shown that compliance with the Land Use Bylaw is unreasonable and causes undue hardship.

VARIANCES

How Is a Variance Reviewed?

Applications requesting a variance shall be evaluated and considered on a case-by-case basis. An application for a variance does not guarantee approval.

Some of the main factors that are taken into consideration when making a decision to grant a variance include:

- Does the lot have irregular lot lines making it more difficult to place a structure?
- What are the potential impacts to surrounding properties?
- Does the proposed variance interfere with or affect the use, amenities, or enjoyment of neighbouring land?
- Are there potential safety issues?

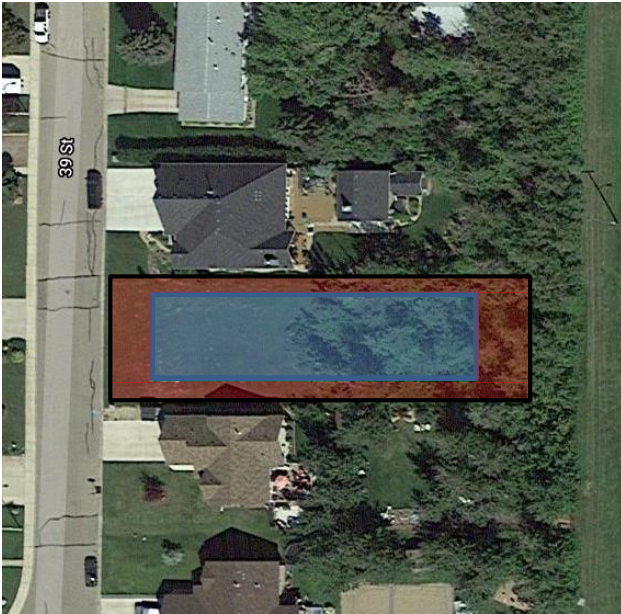
Will a Variance Require Notification?

A development permit application requesting a variance may require:

- The circulation of the application to adjacent landowners; or
- A notice to be published in a newspaper circulating in the Town; or
- A combination of both.

What if I Have a Previously Approved Variance?

Sometimes a variance will be granted with a corresponding condition limiting the time of approval. This will require development permit holders to reapply after a specified time frame as noted by the conditions of approval. A previously approved variance is not guaranteed to be approved again. It is important to note that with each new development permit a variance will be reconsidered and evaluated again.



The image above shows a typical residential parcel. The box in blue indicates the allowable building area for residential development that complies with the Land Use Bylaw. The red box indicates where the placement of any part of a residential development shall require a variance. This is only an example of one type of variance.

More Questions?

Further information may be obtained by contacting the Development Services Department through the contact information below. For all requirements, restrictions and exemptions, please consult the Land Use Bylaw which may be downloaded from the Town of Ponoka website: <https://www.ponoka.ca>

Please note: This information sheet has no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect. The Town of Ponoka accepts no responsibility for persons relying solely on this information.