



Town of Happy Valley-Goose Bay

212 Hamilton River Road

P.O. Box 40 Station B, HV-GB AOP 1E0

Phone: (709) 896-3321

muntech@townhvgb.com

VARIANCE APPLICATION

Refer to Development Regulation: Section 2.3.1

Revised: November 2023

OFFICE ONLY:

PERMIT #: VAR-_____

Approved: _____ Date Received: _____

Not Approved: _____ Application Fee: _____

Section 1: Applicant and Contact Information		
Contact Name		Business Name (if applicable):
Email:		Phone #(s):
Mailing address:		
Town:	Province:	Postal Code:
Section 2: Variance Information		
Property Address (where variance will be located, if different then applicant address):		
Land Use Zone for the Property (from the Town Development Regulations):		
Proposed Variance(s) (clearly state from "x" in the Town's Development Regulations, to "y". For example a Variance to reduce the western side yard from 3m to 2.8m):		
Reason For The Proposed Variance (Attach more information or drawings if necessary):		

I, _____ of _____ in the Province of Newfoundland & Labrador, do solemnly declare that the plans, specification and statements herein contained in the said application are true and conform to the best of my belief to the requirements of the Regulations of the Town of Happy Valley-Goose Bay with full knowledge of the circumstances connected with same, and that the above Regulations will be complied with in the development whether specified herein or not. I make this solemn declaration, conscientiously believing it to be true and knowing that is of the force and effect as if made under oath.

By signing the application, the applicant indicates, to their best 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.

Applicant signature: _____

Date: _____

Property Owner signature (if required): _____

Date: _____

This information is being collected to assist the municipality in identifying and addressing problems observed by residents. The information is collected under the authority of section 61(c) of the Access to Information and Protection of Privacy Act, 2015. If you have any questions about the collection, use and disclosure of your information, please contact Nadine MacAulay at cao@townhvgb.com.



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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?

Council may or may not approve a variance. 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 delivered to properties in the immediate vicinity of the proposed variance 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 of neighboring properties, 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 of properties in the vicinity of the property under application. 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 those notified an opportunity to respond,
- A recommendation is provided to Council from the Municipal Services Committee,
- 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 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 the actual requirements. Staff at the Town of Happy Valley-Goose Bay would be pleased to answer any questions you may have.

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