

Appendix E

*Evaluation Criteria Questions for Considering  
Variance Requests*

### **Information Question**

1. What is the intent of the bylaw which the applicant is seeking to have varied?

### **Assessment Questions**

2. Is there a community benefit to the granting of the variance; beyond that received by the owner or occupant of the property?
3. Is there a hardship involved in adhering to the pertinent bylaw? A hardship must relate to the location, size, geometry or natural attributes (e.g. slope, floodplain, rock formation, natural vegetation) of the site and not the personal or business circumstances of the applicant.
4. If the answer to question #2 is 'No,' but the answer to question #3 is 'Yes,' can it still be demonstrated that the proposal still meets the intent of the bylaw?
5. Is this the most appropriate mechanism for achieving the end result of the proposed variance?
6. Is the proposed variance relatively minor?

### **Building Specific Criteria (Side Yard Setbacks)**

- Does the decreased setback still provide adequate space between the building and the adjacent building (or a building that could be built under the existing zoning) in terms of liveability and open space proportionate to the size of the building?
- Does the decreased setback still provide for appropriate massing along the street?
- Does the decreased setback create privacy issues for the adjacent property in terms of windows, decks, or balconies?