



FRASER VALLEY REGIONAL DISTRICT

Application for Appeal to the Board of Variance

What is an appeal to the Board of Variance?

The Board of Variance is a committee of three (3) people, one appointed by the Province, one appointed by the Regional Board of Fraser Valley Regional District (FVRD); and one appointed by the other two appointees.

New Requirements under Bill 14.

Bill 14 requires that an applicant applying for a variance to the Board of Variance must first apply to the local government if a variance is in relation to a matter for which the local government and Board of Variance have overlapping authority to issue a variance ie. A zoning bylaw (section 901(1)(a)&(b)). Bill 14 also includes a new provision which specifies that the permission or exemption granted by a Board of Variance terminates if the construction is not started within 2 years of the order (section 910(7)(b))

A person may apply to the Board of Variance for an order if the person alleges that compliance with any of the conditions listed under Section 901 of the *Local Government Act* would cause them hardship.

The Board reviews applications for:

- minor variances;
- exemptions from Section 911 (5) of the *Local Government Act*, which prohibits structural alterations or additions to a building used for a use which is no longer permitted by the Zoning bylaw; and
- appealing the decisions of building inspectors regarding the amount of damage to non-conforming buildings or structures.

Who can apply to the Board of Variance?

The property owner or an authorized agent of the owner may make the application. Where a property is owned by a company or a society, the application must be signed by a person with signing authority. Where a property is owned by more than one person, signatures of all owners are required. For strata lots or buildings, approval is also required from the Strata Council.

When do I apply for an appeal to the Board of Variance?

You can apply for an appeal to the Board of Variance if you feel that you meet one of the following criteria:

- 1) Compliance with:
 - a) bylaw regarding the siting, dimensions or size of a building or structure would cause you undue hardship;