

City of Maple Ridge – Board of Variance Information Guide and Checklist

INTRODUCTION

This brochure has been prepared as a general guide and outlines the Board of Variance process in Maple Ridge. It is intended to assist land owners, developers and their agents in any application to the Board of Variance. See guide here: mapleridge.ca/2305

FUNCTION

Where a Council has enacted a Zoning Bylaw, Section 536 of the *Local Government Act* requires that Council establish a Board of Variance by Bylaw. The Board of Variance functions separately from the Local Government that established it and has its own authority under the *Local Government Act*. The Board of Variance is a venue for appeal by a person alleging that compliance with a bylaw [see points a) through d) below] would cause undue hardship. The question of what constitutes hardship to grant a relaxation rests solely with the Board of Variance. There is no appeal to a Board of Variance decision. The only avenue available is to submit a separate Development Variance Permit application to Council.

The authority and duties of the Board of Variance are specified in Section 540 of the *Local Government Act*. The Board of Variance is confined to considering variances that will not adversely impact a bylaw adopted by Council through the Planning Department.

The Board of Variance shall hear and determine an appeal by a person who alleges that the following would cause them undue hardship:

- a) compliance with a bylaw respecting the siting, dimension or size of a building or structure, or the siting of a manufactured home in a manufactured home park;
- b) the prohibition of a structural alteration or addition under Section 531 of the *Local Government Act*;
- c) compliance with a subdivision servicing requirement under Section 506(1)(c) of the *Local Government Act* in an area zoned for agricultural or industrial use; or
- d) that the determination by a building inspector of the amount of damage under Section 532 of the *Local Government Act* is in error.

The Board of Variance consists of five members who are appointed for three year terms. The Board of Variance meets the first Tuesday of every month except those months where the preceding Monday is a Statutory Holiday, in which case the meeting shall be held the second Tuesday of the month. The schedule may be viewed at mapleridge.ca/2305 or contact the Planning Department to confirm meeting dates. (A meeting will not be held if no applications have been received).

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DEADLINES

Important Note: Applications requiring submission of outstanding material or payment may risk missing a deadline. It is, therefore, strongly recommended to **submit the application 2 - 5 days prior to the deadline** to address any deficiencies. Please see page 4 for deadline dates.

PROCEDURAL FORMAT

1. The Planning Department assists in completing the Zoning Section of the application and ensures all materials listed on the form are included. The application form is available on-line at mapleridge.ca/2305 or at the Planning Department Front Counter. For further clarification of the information provided on the website, please contact the Planning Department at 604-467-7341 or at planning@mapleridge.ca.
2. The deadline prior to the meeting ensures there is sufficient time for application processing, review by department managers, file preparation, and;
3. Once completed, the application is forwarded to the Clerk's Department for completion of the Agenda.
4. The completed Agenda is then forwarded to the Planning Department and Building Inspection Department Managers as well as the five (5) appointed Board of Variance members;
5. Letters are sent to owner/occupiers and adjacent property owners/occupiers of subject property, advising of the date and time of the meeting and variances being sought.
6. The appointed members of the Board of Variance may attend site visits at the site property at their discretion.

Order of events for Board of Variance Meeting:

- 9:00 am: Call to Order
- Introduction by Chairman
- Adoption of Minutes of Previous Meeting
- Unfinished Business
- Appeals (to follow order of Agenda)
- Each Appeal:
 - ✓ Presentation and comments of undue hardship from Appellant
 - ✓ Comments from Board Members
 - ✓ Comments from City Staff
 - ✓ Comments from affected Property owners
 - ✓ Decision and vote
- New Business
- Adjournment

****Board of Variance decisions and votes are made at the meeting for each appeal. A letter is mailed out to the applicant/agent for their records.**

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SUBMISSION CHECKLIST:

Applications for the Board of Variance must include the items detailed below. Please ensure all items are submitted correctly as **missing items may result in missing a meeting deadline.**

	Provided	N/A
1) A completed Board of Variance Appeal Form with the prescribed \$510.00 fee (\$765.00 fee for unauthorized work without permits).	<input type="checkbox"/>	
2) A Certificate of Title. (or a Company Search (if applicable))	<input type="checkbox"/>	
3) A Board of Variance Consent Form and Letter of Authorization, if the applicant is different from the owner shown on the Certificate of Title. The applicant on this form must match the applicant shown on the Board of Variance Appeal Form of Item 1 above.	<input type="checkbox"/>	<input type="checkbox"/>
4) A letter addressed to the Board members, explaining in brief a description of the variance, any reason why the variance is required, and reasons why the variance may be justified, in particular why there is undue hardship.	<input type="checkbox"/>	
5) A sketch plan and survey by a BCLS (if seeking a <i>variance for siting, setback, or height</i>) showing the proposed variance, that complies with the following, as applicable:		
i. Appropriate scale (1:200 or 1:500) in metric (Zoning Bylaw is metric)	<input type="checkbox"/>	<input type="checkbox"/>
ii. Property lines with correct dimensions and areas;	<input type="checkbox"/>	<input type="checkbox"/>
iii. Existing roads adjacent to the property under application, with widths identified;	<input type="checkbox"/>	<input type="checkbox"/>
iv. All bodies of water (streams, rivers, ponds, wetlands, ditches, etc.) on or adjacent to the property under application;	<input type="checkbox"/>	<input type="checkbox"/>
v. A North arrow;	<input type="checkbox"/>	<input type="checkbox"/>
vi. Accurate location of all existing and proposed structures, noting variances requested;	<input type="checkbox"/>	<input type="checkbox"/>
vii. Indication of any building removal or relocation;	<input type="checkbox"/>	<input type="checkbox"/>
viii. Existing and proposed building floor plans;	<input type="checkbox"/>	<input type="checkbox"/>
ix. The complete legal description of the property under application; and	<input type="checkbox"/>	<input type="checkbox"/>
x. Drawing Date and Drawing Number.	<input type="checkbox"/>	<input type="checkbox"/>

The plan is to be in a **reproducible form** to a **maximum of 11x17 paper print**. The plan can be prepared by the applicant or by an Engineer, Planner, Surveyor, or Draftsperson, etc. An electronic version of the plan should also be provided.

Important Notes:

- Staff may require additional information at any time to properly assess the application; please contact the Planning Department for any items you need clarification on.
- To be accepted, applications must be complete, legible, and clearly show all proposed variances in metric scale. If any material is missing or deficient, the applicant will be advised as soon as possible to supply the required information so the application may proceed.

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- Outstanding material may result in missing a deadline. Please apply prior to the deadline date.

Please return your completed application to the following address by mail or in person at the service counter:

The City of Maple Ridge
Planning Department
11995 Haney Place
Maple Ridge, BC V2X 6A9