

INTRODUCTION

This brochure has been prepared as a general guide to 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.

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 of a Board of Variance decision. The only avenue available is by making a separate Development Variance Permit application to Council.

The authority and the 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.

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 on the first Tuesday of every month except in those months where the preceding Monday is a Statutory Holiday, in which case the meeting shall be on the second Tuesday of the month. See the schedule at www.mapleridge.ca or contact the Planning Department to confirm meeting dates as some months there is no meeting due to no applications received.

PROCEDURAL FORMAT

1. An application to the Board of Variance is received at the Planning Department front counter at City Hall no later than fifteen (15) days prior to the monthly meeting. The Planning Department assists in completing the Zoning Section and ensures all items are included as listed on the form. An application form is available on-line (mapleridge.ca/2305) or at the Planning Department Front Counter. You may telephone 604-467-7341 for further clarification of the information provided on the website.
2. The application is forwarded to the Clerk's Department;
3. The agenda is to be forwarded to the Planning and Inspection Services Departments and the Board of Variance Members;
4. Letters are sent to adjacent property owners/occupiers advising them of the date and time of meeting, what variance is being sought, and the contact person at City Hall;
5. The members of the Board of Variance may visit the sites under application.
6. Order of events for Board of Variance Meeting:
 - 9:00 am: Call to Order
 - Introduction by Chairman
 - Minutes of Previous Meeting
 - Unfinished Business
 - Appeals (to follow order of Agenda, e.g. Item #1, 2, etc.)
 - Comments from City Staff
 - Presentation of Appeal by Applicant/Agent
 - Comments from affected Property owners
 - Item #2 etc. (as above)
 - Other matters
 - Adjournment

Decisions of the Board of Variance will be made during the appeal and the applicants subsequently advised.

CITY OF MAPLE RIDGE BOARD OF VARIANCE

Submission Checklist

Applications for the Board of Variance must include the following:

	Provided	N/A
1) A completed Board of Variance Appeal Form with the prescribed \$200.00 fee.	<input type="checkbox"/>	
2) A Certificate of Title.	<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 variance for siting, setback, or height) showing the proposed variance, that complies with the following, as applicable:		
i. Appropriate metric scale (1:200 or 1:500);	<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.

Notes:

- Staff may require additional information at any time to properly assess the application;
- Incomplete applications **will not** be accepted.
- If any material is missing or deficient, the applicant will be advised as soon as possible to supply the needed information so the application can proceed.