



# Board of Variance

## Information Bulletin

Revised: January 2023

## What is the Board of Variance?

The Board of Variance (BOV) consists of five members and one chair, both appointed, who are not elected officials or associated with the City as it functions separately from the municipality. The Board is required under Section 961 of the ***Municipal Act*** where a Council has enacted a zoning bylaw. The role of the BOV is to consider appeals on the interpretation and application of regulations that will not adversely impact or change the intent of the subject bylaw(s).

## Application Types

The public can make an appeal to the BOV, so long as undue hardship is demonstrated, under any of the following five categories:

- Relaxation of zoning regulations.
- Extension of non-conforming uses.
- Relaxation of servicing requirements.
- Reconstruction of non-conforming buildings.
- Relaxation of tree protection requirements.

## Considerations

When reviewing variance applications, the assigned Planner and BOV consider the following:

- Is the variance minor?
- Does the application demonstrate undue hardship?
- Is the intent of the Zoning Bylaw and other relevant regulations still met?
- Are there any major issues identified by staff or the public that must be considered?

## How is an application made?

To apply for a Board of Variance, please speak with Development Services staff who will assist you prior to submitting your application. Staff will help you ensure your package is complete.

## What is the application cost?

The fee for a Board of Variance application is \$730 under the City's **Consolidated Fees and Charges Bylaw No. 0028**. This does not include the cost of any additional plans (i.e. site plan), legal fees or documents required to make the application complete.