

Board of Variance Applications

This document is intended as a guide only. Please discuss your application with our Development Services Department. Any contradiction, dispute or difference between the contents of this brochure and the *Local Government Act* or District of North Vancouver Bylaws will be resolved by reference to the bylaws and other official documents.

The Board of Variance is established pursuant to the *Local Government Act* and is comprised of five members appointed by Council. The Board appoints a chair from their number. All members serve without remuneration.

What is the purpose of the Board of Variance?

The Board of Variance considers minor variances in siting, dimensions, or size requirements (side yard, back, front, height and area coverage) where compliance with the District of North Vancouver Zoning Bylaw would cause hardship. The Board of Variance cannot vary the permitted uses, densities or parking under the Zoning Bylaw nor is it to deal with major variance applications. Major variances require a Development Variance Permit application.

How do you apply to the Board of Variance?

Before you apply to the Board of Variance, you must first submit your building plans for review with the Development Services Department. If your application is denied because your building plans do not meet siting, size or dimension requirements under the Zoning Bylaw, you may appeal the decision to the Board of Variance and request permission to receive a variance to the Zoning Bylaw.

Application forms are available online at www.dnv.org/our-government/committees/board-variance. Submissions are made in person at the District of North Vancouver Municipal Hall.

What is required to make an application

1. An electronic (PDF) copy of all materials submitted in hard copy, including forms, site plans, floor plans, elevations and photographs. This may be submitted via email to the Board of Variance committee clerk at input@dnv.org, USB stick, Dropbox or other Cloud storage service;
2. **One** copy of the completed application form;
Five (5) hard copies of all of the following:
3. Letter of rejection from the Development Department;
4. Letter of application addressed to the Board of Variance explaining the rationale for the requested variance(s);
5. Written authorization from the owner of the property if an agent/architect is acting on their behalf;
Please note: the Authorization to Represent Owner form for permit applications **cannot** be used for a Board of Variance application unless it specifically lists “apply to Board of Variance” in the **My Agent is also authorized to** field on page 2. For a form specific to Board of Variance applications, please email input@dnv.org.
6. Full sized site plans that are clearly defined, well dimensioned and to scale and show the variance(s) requested.
7. Full sized sealed site survey; and,
8. Full sized drawings to scale of floor plans and elevations of the structures proposed and of the existing development.

The drawings submitted must match those submitted to the Development Services Department for review. Pictures and letters of support from neighbours are helpful.

Please **do not** bind or staple any of your application documents or submit materials in folders, duotangs or binders.

When are the meetings?

The Board generally meets 10 times a year on the third Thursday of each month except for August and December. The Board will consider a maximum of five applications per meeting; applications are scheduled on a first-come first-served basis.

When are the Application Deadlines?

An application to appear before the Board must be submitted to the Clerk's Office before 4:00 pm no later than 12 working days prior to the date of the meeting. Where this date falls on a statutory holiday, please see the posted deadline date.

Important: The Applicant must book a plan check meeting a minimum of 10 days prior to the Board of Variance deadline.

Fees

Please see *Fees and Charges Bylaw 6481* for the current fees for the Plan Check (Rejection) Letter and Board of Variance Application (www.dnv.org/bylaws/fees-and-charges-bylaw). Both fees must be paid in full at the time the application is submitted. If the application is withdrawn prior to the statutory notification of the hearing, a refund of 50% of the application fee only shall be returned to the applicant.

Board Of Variance Hearings

1. Meetings are open to the public;
2. Neighbours adjacent to and facing the property are notified of your application and may be present.
3. Be prepared to briefly describe your requested variance(s) and answer questions from the Board.
4. Upon considering the application, the Board of Variance may approve your application with or without conditions, or deny it.
5. Approval is granted by a majority vote of all members of the Board (minimum of three votes in favour).
6. The Legislative Services Department will notify you in writing of the Board's decision.
7. Decisions of the Board are final and binding. If the Board has made an error as to its jurisdiction or has committed a breach of procedural fairness, the Board's decision may be overturned on an application under the *Judicial Review Procedure Act*.

Questions?

If you have questions on the Board of Variance process, please email input@dnv.org.