

## A Guide to the Board of Variance (BOV) Process

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### **What is a *Board of Variance*?**

The Board of Variance (BOV) is a body independent of Metro Vancouver (Metro Vancouver Regional District) that is empowered to hear and adjudicate minor issues relating to variances to the Electoral Area A Zoning Bylaw of Metro Vancouver. A Board of Variance is given jurisdiction under Section 536 of the Local Government Act. The Board of Variance functions independently of the Metro Vancouver Board.

### **What is it for?**

It allows for a degree of flexibility in the application of a zoning bylaw that might otherwise require a formal amendment. This process is applied to avoid creating situations of “hardship” for a property owner when complying with the zoning bylaw.

### **What can a BOV do?**

The BOV may grant a variance if they have considered the following factors and are of the opinion that the variance does not:

- result in inappropriate development of the site
- adversely affect the natural environment
- substantially affect the use and enjoyment of the adjacent land
- vary the permitted uses and densities or defeat the intent of the bylaw.

The BOV focuses primarily on hardship relating to matters such as siting, dimensions and size of buildings. They cannot conflict with other matters such as Land Title Act covenants, permits or land use contracts or floodplain bylaw specifications. A decision of the Board regarding a variance is final and cannot be appealed.

### **Board Hearing Schedule**

The Board of Variance meets as required. Every effort will be made to set a time for the Hearing that is convenient to all participants in the process. Consideration will be given to applicants who may have to travel to attend the meeting.

### **How do I make an Appeal to the Board of Variance?**

The *Board of Variance application* for an appeal can be obtained from our website at

<http://www.metrovancouver.org/services/regional-planning/PlanningPublications/Board-of-Variance-Application.pdf>

You are encouraged to contact our office prior to making an application to the Board of Variance.

### **For more information, please contact:**

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