



DISTRICT OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3042

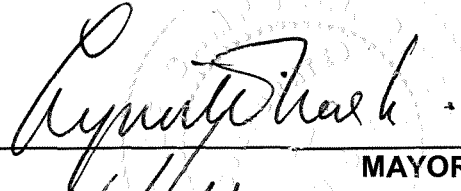
A BYLAW TO ESTABLISH A BOARD OF VARIANCE FOR THE DISTRICT OF CAMPBELL RIVER.

WHEREAS the Council of the District of Campbell River, in open meeting assembled, enacts as follows:


1. This Bylaw shall be cited for all purposes as "**Board of Variance Bylaw No. 3042, 2003**".
2. There is hereby established a Board of Variance of the District of Campbell River.
3. The Board of Variance shall be comprised of five members to be appointed at large.
4. Each member appointed shall hold office for a term of three years or until his successor is appointed, but a person may be reappointed for a further term.
5. A person who is a member of the Advisory Planning Commission of the Municipality or an officer or employee of the District of Campbell River is not eligible to be appointed or to sit as a member of the Board of Variance for the Municipality.
6. A majority of the Board is a quorum.
7. The Chair may, from time to time, appoint a member of the Board as Acting Chair to preside in the absence of the Chair.
8. In the event of the death, resignation or removal from office of a member of the Board, his successor shall be appointed in the manner in which the member was appointed, and until the appointment of his successor, the remaining members constitute the Board.
9. Council may remove any appointee at any time.
10. The Board may set policies, (as it deems necessary) pertaining to the acceptance of applications.
11. An appeal shall lie to the Board of Variance in those cases provided for in Section 901 and 902 of the Local Government Act.
12. Any person exercising the right of appeal to the Board of Variance shall file with the Planning Services Manager a written notice of Appeal which shall state clearly the grounds upon which the Appeal is made, and shall include a copy of a site plan and building plans if applicable. The appellant shall also provide an address to which all correspondence may be mailed.
13. Any person applying to the Board of Variance shall pay to the District at the time such application is filed, a fee as set out in Miscellaneous Fees & Charges Bylaw 2125. No fees paid to the District pursuant to the provisions of this Bylaw shall be refunded.
14. The Municipal Clerk shall, subsequent to contacting the members of the Board, set a date for the hearing of the Appeal.
15. Notice of the Hearing shall be mailed by regular mail or otherwise delivered, a minimum of five days before the date of the Hearing, to the appellant and the owners and occupiers of all real property located adjacent to the property with respect to which the appeal is being heard. Public Notice of the Hearing shall be given if the matter is deemed by the Board to be of sufficient importance.
16. Any person whose property is affected by any such Appeal shall have the right to be heard to give evidence at the Hearing or may be represented by some other person on his behalf.

- 17. The proceedings before the Board of Variance shall be informal.
- 18. In the event that the decision of the members is equally divided, the Appeal shall be disallowed.
- 19. The decision of the Board of Variance shall be filed with the Municipal Clerk, who shall forward a copy thereof to the appellant, and to all officials concerned in the enforcement of this Bylaw.
- 20. No member of a Board of Variance shall receive compensation for his services other than an allowance for actual expenses necessarily incurred in the discharge of his official duties.
- 21. The Board must submit to Council an annual report by October 31st that includes:
 - a) a review of its achievements from the previous year; and
 - b) financial and policy implications of the Commissions work plan.
- 22. "Board of Variance Bylaw No. 2721, 1998" as amended, is hereby repealed.

Read a first time on the	22nd	day of	November	2004.
Read a second time on the	22nd	day of	November	2004.
Read a third time on the	22nd	day of	November	2004.
Adopted on the	30th	day of	November	2004.



 MAYOR



 CLERK