



## DISTRICT OF 100 MILE HOUSE Policy & Procedures Manual

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### 7. LAND AND DEVELOPMENT

#### 7.1 BOARD OF VARIANCE

##### PURPOSE

To establish a policy for the District of 100 Mile House, setting out criteria for considering under what circumstances an individual will be referred to the Board of Variance.

##### POLICY

In considering whether a person may apply for a Board of Variance Order, the District will take into account the following:

- A person may apply for a Board of Variance Order if:
  - a. there is **undue hardship\*** caused by a Bylaw regulation as to the siting, size or dimension of a building, the prohibition against structural additions or alterations to a legal non-conforming use or subdivision servicing requirements in an area zoned for agricultural or industrial use;
  - b. the development and the variance are **minor\*\*** in nature;
  - c. an individual feels there has been an error in judgment by the Building Inspector as to the extent of damage to a non-conforming structure.
  
- A person may **not** apply for a Board of Variance Order if the variance will:
  - a. vary permitted uses or densities under the applicable bylaw
  - b. defeat the intent of the bylaw;
  - c. result in inappropriate development of the site;
  - d. substantially affect the use and enjoyment of adjacent lands; or
  - e. adversely affect the natural environment.
  
- The fee charged is equivalent to the Development Variance Permit application fee.

**The District considers that:**

**\*Hardship is related to aspects of the site (ie: a large rock or steep topography) as opposed to general hardships in the area, or hardships generated by the owner. Expense is not a hardship.\***

**\*\* A minor variance is approximately 10%.**

