

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 3965

A Bylaw to establish a Board of Variance

WHEREAS Council adopted a Zoning Bylaw, being Bylaw No. 3778 known as the City of North Vancouver "Zoning Bylaw, 1967" and amendments thereto, and pursuant to Section 705 of the Municipal Act, 1957, established a Zoning Board of Appeal by the adoption of Bylaw No. 2590, known and cited as "Zoning Board of Appeal Bylaw, 1957".

AND WHEREAS subsection 1 of Section 708 of the Municipal Act being Chapter 255 of the Revised Statutes of British Columbia., 1960 (formerly subsection 1 of Section 705 of the Municipal Act, 1957) was repealed by Section 170 of the Municipal (Amendment) Act, 1968 which provides for a Board of Variance in place of a Zoning Board of Appeal.

AND WHEREAS it is desirable that a Board of Variance be established under the provisions of Section 708 to 710 inclusive of the Municipal Act to replace the Zoning Board of Appeal.

AND WHEREAS the population of the Municipality of the City of North Vancouver is more than 25,000.

NOW THEREFORE the Council of The Corporation of the City of North Vancouver in open meeting assembled enacts as follows:

1. There is hereby established a Board of Variance of five members for the municipality known as The Corporation of the City of North Vancouver to be appointed in accordance with Section 708 of the Municipal Act.
2. The manner in which appeals are to be lodged with the Board and the giving of notices required under section 709, shall be as follows, namely:
 - (a) The Appellant shall:
 - (i) Prepare a Notice of Appeal in writing setting forth with reasonable certainty the decision, order or action appealed from and the grounds of appeal.
 - (ii) Cause the Notice of Appeal to be served upon the Clerk of The Corporation of the City of North Vancouver, within ten (10) days after the decision, order or action appealed against.
 - (b) The said Clerk shall deliver a copy of the Notice of Appeal to the Building Inspector and the City Superintendent of the said Corporation.
 - (c) The Board shall appoint a day, time and place for hearing the appeal and may adjourn the hearing from time to time.

- (d) The proceedings before the Board shall be informal and evidence need not be given under oath. The Board may in all cases take a view of the premises in respect of which the appeal has been made. Any person whose property is affected by such appeal shall have a right to be heard and give evidence on the hearing of the appeal.
3. Bylaw No. 2590, known and cited as "Zoning Board of Appeal Bylaw, 1957" is hereby repealed.
4. This Bylaw shall be known and cited for all purposes as the "Board of Variance Bylaw, 1968".

READ a first time by the Council on the 29th day of July, A.D., 1968.

READ a second time by the Council on the 29th day of July, A.D., 1968.

READ a third time and passed by the Council on the 29th day of July, A.D., 1968.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 5th day of August, A.D., 1968.

"C. M. Cates Mayor"

"W. Gibbs, City Clerk"