

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BY-LAW NO. 21

Being a By-law of the Regional District of Central Okanagan to establish a Board of Variance.

DEFINITIONS:

In this By-law.

Regional Board shall mean the Regional Board of the Regional District of Central Okanagan

Chairman shall mean the chairman of the Board of variance as elected pursuant to "Section 708 (2) of the Municipal Act"

Secretary-Treasurer shall mean the secretary-treasurer of the Regional District of Central Okanagan

WHEREAS subsection (1) of section 708 of the "Municipal Act" being Chapter 255 of the Revised Statutes of British Columbia 1960 as amended, provides that where a Regional Board has adopted a zoning By-law, there shall be established by By-law, a Board of Variance constituted as follows:-

WHERE the population of a Regional District is more than twenty-five thousand,

- (i) two persons appointed by the Regional Board
 - (ii) two persons appointed by the Lieutenant-Governor in Council; and
 - (iii) one person appointed by the other four appointees;
- and the members of the Board shall elect one of their number as chairman.

AND WHEREAS subsection (9) of section 708 of the said "Municipal Act" provides that in any By-law adopted under the provisions of the said subsection (1) of the said section 708 there shall be set out the procedures to be followed by the Board of Variance, including the manner in which appeals are to be lodged with the Board and the giving of notices required under section 709 of the said Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in open meeting, assembled enacts as follows:

1. Pursuant to subsection (1) of section 708 of the "Municipal Act" being chapter 255 R.S.B.C. 1960 as amended, there shall be established a Board of Variance of five (5) persons, as follows:
 - (i) two (2) persons appointed by the Regional Board
 - (ii) two (2) persons appointed by the Lieutenant-Governor in Council and,
 - (iii) one (1) person appointed by the other four (4) appointees

and the members of the Board shall elect one of their members a chairman.

2. The procedures to be followed by the said Board of Variance including the manner in which appeals are to be lodged with the Board, and the giving of notices required under section 709 of the said act, shall be as follows:

a) a person appealing shall prepare a signed written statement marked with the heading "Notice of Appeal (Board of Variance) and composed of paragraphs dealing one(1) at a time with the following matters

- (i) the legal description of the parcel involved
- (ii) the name of the registered owner of the said parcel
- (iii) the name of the applicant or his agent
- (iv) the address to which notices to the registered owner, applicant or agent may be mailed
- (v) the details of the decision which is being appealed and the grounds upon which the appeal is based pursuant to section 709 of the said "Municipal Act"

b) the applicant or his agent shall deliver or caused to be delivered, to the Secretary-Treasurer a copy of the "Notice of Appeal" within 10 days of the date of the decision being appealed.

3. The Secretary-Treasurer shall notify the chairman, who shall set a date for the hearing of the appeal.

4. The Secretary-Treasurer shall mail a notice of the hearing to:

- a) the applicant or his agent
- b) the members of the Board of Variance
- c) the owners and occupiers of adjacent property pursuant to section 709 subsection (2) of the said "Municipal Act".

This By-law may be cited as "Regional District of Central Okanagan Board of Variance By-law# 21

READ THE FIRST TIME this 4TH day of FEBRUARY 1970

READ THE SECOND TIME this 4TH day of FEBRUARY 1970

READ THE THIRD TIME this 4TH day of FEBRUARY 1970

RECONSIDERED AND ADOPTED this 4TH day of FEBRUARY 1970

M. C. Bennett
CHAIRMAN

[Signature]
SECRETARY-TREASURER