

THE BOWEN ISLAND TRUST COMMITTEE

BY-LAW #3

A B Y - L A W

TO CONSTITUTE A BOARD OF VARIANCE

WHEREAS the "Municipal Act" provides that where a Council has adopted a zoning by-law, there shall be established by by-law a Board of Variance:

AND WHEREAS The Bowen Island Trust Committee has adopted a zoning by-law:

NOW THEREFORE The Bowen Island Trust Committee enacts as follows:

1. There is hereby established, pursuant to the provisions of the "Municipal Act", a Board of Variance for The Bowen Island Trust Committee constituted as follows:
 - (1) One person appointed by the Bowen Island Trust Committee;
 - (2) One person appointed by the Minister of Municipal Affairs and Housing; and
 - (3) One person appointed by the other two appointees, and the members of the Board shall elect one of their number as Chairman.
2. The Board of Variance shall hear and determine any appeal with respect to matters mentioned in Section 709, subsection (1) of the "Municipal Act".
3. Any person may appeal to the Board of Variance by filing with the Manager of the Islands Trust, within 30 days of the giving of any decision appealed from, a written notice of appeal stating clearly the grounds of the appeal and an address to which notices may be mailed.
4. Upon receipt of a Notice of Appeal the said Manager shall notify the Chairman of the Board of Variance and the said Chairman shall set a date for the hearing of the appeal. Notice of the said hearing shall be mailed by the said Manager by registered post addressed to the appellant at the address shown in the Notice of Appeal, or otherwise delivered to the said appellant, and mailed by ordinary post or otherwise delivered to the persons mentioned in Section 709, subsection (2) of the "Municipal Act" at least ten clear days before the date set for the hearing.
5. All hearings by the Board of Variance shall be open to the public except when the Board deems it in the public interest that the public be excluded.
6. It is preferred that meetings be held on Bowen Island.
7. Proceedings before the Board of Variance shall be informal. The Board may admit any evidence whether on oath or not and whether written or oral and may inspect the premises which are the subject of the appeal.
8. The Board of Variance shall cause a record of its proceedings to be kept.

- 9. Meetings of the Board of Variance may be adjourned from time-to-time.
- 10. Any person whose property is affected by an appeal to the Board of Variance shall have a right to be heard and to give evidence at the hearing or may be represented by some other person authorized by him in writing to represent him.
- 11. The decision in writing of all or of a majority of the members of the Board of Variance is the decision of the Board.
- 12. Every decision of the Board of Variance shall be filed with the said Manager who shall give notice thereof to the appellant and to the Building Inspector.
- 13. This By-law may be cited for all purposes as the "Board of Variance By-law, 1978".

READ A FIRST TIME THIS 23rd day of February, 1978
 READ A SECOND TIME THIS 23rd day of February, 1978
 READ A THIRD TIME THIS 23rd day of February, 1978

RECONSIDERED, FINALLY PASSED AND ADOPTED, signed by the Chairman and the Manager of the Islands Trust THIS 19th day of April, 1978.

Tom Bell

MANAGER

John H. Adams

CHAIRMAN

Certified a true and correct copy
 of By-law No. 3 - Bowen Island.

Administrative Officer

Date