

FAQ

Frequently Asked Questions Board of Variance Appeals

Disclaimer: This is not a legal document and does not outline all applicable regulations. Any contradiction, dispute, or difference between the contents of this document and applicable provincial law or City bylaws, plans, policies, or guidelines will be resolved by reference to the law, bylaws, or other official documents.

What is the Board of Variance?

The Board of Variance (BOV) is an independent group appointed by Council in accordance with the [Board of Variance Bylaw](#) and the [Local Government Act](#).

The primary role of the Board is to review requests for minor variances to the [Abbotsford Zoning Bylaw](#), specifically related to the location, size, or dimensions of buildings or structures when these requirements create undue hardship for the applicant.

Important notes:

- The BOV cannot grant variances to floor space ratio (FSR), land use or density rules.
- Receiving a variance from the BOV does not replace the need for a Building Permit.
- BOV decisions are final. If a request is denied, applicants can still apply for a [Development Variance Permit \(DVP\)](#) through Council. DVP applications are broader and may be more suitable depending on the type of variance needed.

What constitutes undue hardship?

Undue hardship involves hardship that pertains to site and/or building characteristics (e.g., irregular shape, slope), as opposed to hardship that is personal to, or generated by, the owner or resident (e.g., economic hardship).

What factors does the Board consider?

The BOV may grant an applicable minor variance if they find that compliance with the bylaw would result in undue hardship and are of the opinion that the variance does not:

1. Result in inappropriate development of the site
2. Adversely affect the natural environment
3. Substantially affect the use and enjoyment of adjacent land
4. Vary permitted uses and densities
5. Defeat the intent of the bylaw

What are the deadlines and fees for a BOV application?

The Board of Variance meets on the third Thursday of each month at 10:00 a.m. at Abbotsford City Hall, located at 32315 South Fraser Way. To be considered for a hearing, a complete application must be submitted to the Building Permits & Licences Division by 12:00 noon at least 20 business days before the scheduled meeting.

The standard application fee is \$400, with additional charges possible for items such as corporate searches or copies of non-financial charges registered against the property title.

What are the steps to the Board of Variance application process?

STEP 1 Necessity for a BOV Application Identified

Contact the Building Permits & Licences Division at 604-864-5525 or building-info@abbotsford.ca to inquire about submitting an application to the Board. Be prepared to provide reasons why you would experience an undue hardship if your appeal was denied.

STEP 2 Complete & Submit the Application

What you need to submit:

1. Complete the [Board of Variance Application Form](#)
2. A written statement, signed by the property owner, setting out in detail the grounds upon which the application is based and the relief sought.
3. One complete set of construction drawings for presentation at the Board hearing, plus one full digital set emailed to building-info@abbotsford.ca.
4. A site survey plan prepared by a B.C. Land Surveyor, drawn to scale and detailing the proposed development with siting distances from the respective property lines, as well as the location of all existing structures on the property with the siting distances from the respective property lines.
5. Land Title Search (*retrieved within the last 30 days*) must be submitted with this application. A \$25 fee for document retrieval will be required if the application does not include this document at time of submission.
6. Hardcopy of all covenants, easements and right-of-ways registered on the subject property. A \$25 fee for document retrieval will be required per document if the application does not include these at time of submission.
7. Application fee: \$400.

STEP 3 Circulation of Application

The application will be reviewed by staff, and a report will be prepared and submitted to the Board members. You will be notified of the meeting time, date and location. Adjacent owners and residents are formally notified of your proposal and are invited to speak or submit written submissions.

STEP 4 Board of Variance Hearing

During the meeting the applicant will be provided with an opportunity to explain the variance requested as well as the undue hardship. The Board will also consider any submissions made by neighbouring property owners. After listening to all parties, the Board will then deliberate and make a formal decision to approve, deny or defer the appeal during the meeting.

STEP 5 Next Steps following the Board's Decision

You will be notified in writing within a few days of the Board's decision and the next steps required.