

**CITY OF PITT MEADOWS
BOARD OF VARIANCE
BYLAW NO. 3042, 2026**

A bylaw to establish and set the procedures for the Board of Variance.

WHEREAS the Council of the City of Pitt Meadows has adopted a Zoning Bylaw; and

WHEREAS pursuant to the *Local Government Act*, a local government that has adopted a zoning bylaw must, by bylaw, establish a Board of Variance;

NOW THEREFORE the Council of the City of Pitt Meadows enacts as follows:

Citation/Title

1. This Bylaw may be cited as the "Board of Variance Bylaw No. 3042, 2026."

Repeal

2. Board of Variance Bylaw No. 2861, 2020 and its amendments are hereby repealed.

Continuation and Jurisdiction

3. The Board of Variance for the City of Pitt Meadows, established by previous bylaws of the City, is continued and will operate in the manner and to the extent set out in the *Local Government Act* and this Bylaw.

Interpretation & Severability

4. A reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
5. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

Definitions

6. In this bylaw,
 - (a) **Applicant** means a property owner, corporation, partnership or other legal entity that submits an application under this Bylaw including an authorized agent acting on the property owner's behalf.
 - (b) **Board** means the Board of Variance.
 - (c) **City** means the City of Pitt Meadows.

- (d) **Committee Clerk** means the City's Corporate Officer or their designate.
- (e) **Hearing** means a hearing conducted by the Board of Variance pursuant to the *Local Government Act* for the purpose of considering one or more applications under this Bylaw.
- (f) **Staff Liaison** means the Director of Planning & Development, or their designate, who is responsible for supporting the Board with its administrative functions.

Application Process

- 7. A person wishing to make an application to the Board must:
 - (a) file a completed application with the Staff Liaison consisting of:
 - i. an application form, as prescribed by and available from the Staff Liaison, and which:
 - a. is signed by the Applicant;
 - b. sets out in detail the grounds upon which the application is based and the relief sought; and
 - c. provides contact information by which the Applicant can be contacted;
 - ii. the required attachments specified in the application form; and
 - iii. the non-refundable application fee as outlined in the City's Development Application Fee Bylaw.
- 8. The Staff Liaison will:
 - (a) receive all submitted applications;
 - (b) determine the completeness of an application and may request additional information as deemed necessary;
 - (c) determine whether an application involves a matter within the jurisdiction of the Board as outlined in the *Local Government Act*;
 - (d) notify the Applicant if the application is outside the jurisdiction of the Board; and
 - (e) if the application falls within the Board's jurisdiction, notify the Board of its receipt and coordinate a date for the Hearing.

9. If the Staff Liaison determines that an application involves a matter that falls outside the jurisdiction of the Board, the Applicant may request that the Board reconsider the issue of jurisdiction.

Withdrawal

10. An Applicant may, at any time prior to the hearing date, apply to the Staff Liaison to withdraw their application.

Notice of Hearing

11. At least ten (10) days before the date set for a Hearing, the Staff Liaison will mail or otherwise deliver a notice of the Hearing to the last known address of the following persons:
 - (a) the Applicant;
 - (b) the owners and tenants occupying the land that is the subject of the application;
 - (c) the owners and occupants of the land that is adjacent to the land that is the subject of the application, including land separated by private or public rights-of-way;
 - (d) each member of the Board;
 - (e) the Committee Clerk; and
 - (f) the building inspector, if the application is made under Section 544 of the *Local Government Act* [extent of damage to non-conforming use property], and relates to an appeal of the building inspector's determination.
12. The Staff Liaison will include the following information in the notice:
 - (a) the street address of the land which is the subject of the application;
 - (b) the subject matter of the application;
 - (c) the date, time, and place where the application will be heard;
 - (d) the location, dates and times at which the application information that will be considered by the Board may be inspected; and
 - (e) instructions for submitting written comments regarding the application.
13. The Committee Clerk will post a copy of the notice at the City's public notice posting places.

Inspection of Application

14. Starting on the date that notice is given of the Hearing, the Staff Liaison will make available for public inspection the application package and any written comments submitted regarding the application, during regular office hours, up to and including the date of the hearing.

Board Agenda

15. Not less than seven (7) days before the date of a hearing, the Committee Clerk will:
 - (a) prepare an agenda package of all applications to be considered at the Hearing, including:
 - i. the application package for each application scheduled to be heard at the Hearing, and
 - ii. any written comments submitted regarding the applications;
 - (b) email or otherwise make available a copy of the agenda package to:
 - i. each Board member,
 - ii. the Staff Liaison,
 - iii. the Applicants whose applications will be considered at the Hearing, and
 - (c) post a copy of the agenda package at the City's public posting places.
16. Any written comments received after the publication of the agenda, up until the date of the Hearing, will be forwarded to those persons identified in subsection 16(b).

Quorum

17. The quorum for the Board is a majority of its members.
18. If a quorum is not present within 15 minutes after the scheduled time of a Hearing, the Committee Clerk must record the names of the members present and notify those in attendance that the Hearing is cancelled.
19. If a Hearing is cancelled due to lack of quorum, the Staff Liaison must reschedule the Hearing to consider the applications as soon as practicable, either by
 - i. announcing at the Hearing the new Hearing date, time, and location; or
 - ii. providing notice of the new Hearing date in accordance with sections 12 to 14 of this Bylaw.

Conduct of Hearing

20. Subject to the provisions of this Bylaw, the Board may determine its own procedures.
21. All Board Hearings are open to the public.
22. Despite section 22 of this Bylaw, the Board may close to the public all or part of a Hearing in accordance with Division 3 [open meetings] of Part 4 the *Community Charter*.
23. The following persons have a right to be heard and give evidence at a Hearing of the Board:
 - (a) the Applicant, owner, and occupants of the subject property;
 - (b) the owners and occupants of the land that is adjacent to the land that is the subject of the application, including land separated by private or public rights-of-way; and
 - (c) the Staff Liaison.
24. The Board, in its discretion, may permit persons other than those entitled to be heard to give evidence at a Hearing.
25. Any person who is entitled or permitted to be heard at the Hearing may be represented by that person's solicitor, or by an agent who is appointed in writing.
26. A person giving evidence at a Hearing may do so either orally or in writing.
27. The Board, in its discretion, may:
 - (a) administer an oath for oral evidence;
 - (b) accept evidence that is unsworn, written, or hearsay evidence;
 - (c) before evidence is presented at a hearing, direct that:
 - i. no oral evidence will be allowed to be given unless all of the witnesses first take an oath or affirmation in the same manner as witnesses at a civil trial in the Supreme Court of British Columbia;
 - ii. that no written evidence will be allowed to be given unless it is verified by affidavit;
 - (d) subject to the provisions of the *Community Charter*, inspect the property that is the subject of the Hearing upon Owner pre-approval.

28. A Board member must not, except during a scheduled Hearing, discuss the merits of an application with any person who is not a member of the Board or the Staff Liaison.
29. The Board will hear evidence and arguments during the Hearing in the following order:
 - (a) the Staff Liaison will present the application to the Board with introductory comments;
 - (b) the Applicant, or their representative, will be given the opportunity to present their case and evidence;
 - (c) the Chair will then grant other persons entitled to be heard under Section 24 and, if permitted, other persons wishing to make comments, the opportunity to speak, in such sequence as the Chair may direct, until all parties entitled and permitted to be heard have been given an opportunity to present their evidence and arguments.
30. The Board may adjourn a Hearing from time to time, as the Board may deem appropriate, to view the property or obtain additional information, and may reconvene the Hearing without further notice if the time, date, and location of the reconvened Hearing is announced at adjournment.
31. The Board may request that the City obtain a legal opinion on any point of law arising in connection with an application and may receive and discuss the opinion at a Hearing or portion of a Hearing that is closed to the public.
32. The Board is not required to adopt or to act upon any legal opinion obtained by the City or upon any evidence given by a member of the City's Planning Department.
33. If the Applicant or other persons notified of the Hearing do not appear at the Hearing, the Board may make their decision on the application in their absence.

Decisions

34. At the conclusion of the Hearing of an application, the Board will render its decision publicly by either granting or denying the variance request.
35. The Board is not required to give reasons for its decisions.
36. The Staff Liaison will, within seven (7) days of a decision, send by mail or otherwise deliver the decision of the Board to the Applicant.
37. If a variance request is granted, the Board may set a time within which the lawful construction must be completed, failing which the exemption granted by the

Board will terminate and the provisions of the applicable bylaw or the *Local Government Act*, as applicable, will apply.

38. A decision of the Board is final.
39. The Board must not, within one (1) year of the date it denies an application for a property, hear a new application from an applicant covering identical grounds or principles as the denied application.

Board Records

40. The Committee Clerk will legibly record and maintain custody of all Board minutes.
41. The minutes of the Board will
 - (a) be signed by the Chair, and
 - (b) serve as the official record of the decisions of the Board.

READ a FIRST, SECOND and THIRD time on September 22, 2026.

ADOPTED on September 29, 2026.

Mayor

Corporate Officer