

**City of Surrey
Board of Variance**

2E Community Room A
City Hall
13450 - 104 Avenue
Surrey, B.C.
WEDNESDAY, JANUARY 14, 2015
Time: 9:30 a.m.
File: 0360-20

Minutes

Present:

Gil Mervyn, Chair
Puneet Sandhar
Melissa Rook-Green

Absent:

Audrey Pease
Inderjit Dhillon

Staff Present:

K. Shangari, Planner, Planning & Dev.
K. Broersma, Planner, Planning & Dev.
L. Thompson, Engineering
Technologist, Engineering
L. Luaifofo, Secretary

A. ADOPTION OF MINUTES

Minutes of the Board of Variance meeting held on November 12, 2014.

Moved by P. Sandhar
Seconded by M. Rook-Green

THAT the Minutes of the Board of Variance meeting held on November 12, 2014 be received and adopted as circulated.

CARRIED UNANIMOUSLY

B. DEFERRED APPEALS

No items for this meeting.

C. NEW APPEALS

1. Appeal No. 15-001 – Baldev Grewal

For permission to relax the front yard setback requirement from 50 m to 59.3 m to allow for construction of a single family dwelling at 15460 48 Avenue, Surrey, BC.

Baldev Grewal provided the following comments concerning the application to the Board:

- The property was purchased in 2012 and was pre-loaded and ready for construction.
- The Zoning bylaw changed in 2012 which affected the setback requirements.

- There would be a financial hardship as well as time wasted if the application is not approved.

The Board commented as follows:

- The Board questioned if the proposed house to be built was purchased with the lot or designed by the Appellant. The Appellant responded that the house was designed based on the zoning requirements that were in existence when the property was purchased.
- The Chair noted that the application does not include detailed plans of the proposed building and questioned if the application was for a single family dwelling. The appellant confirmed the application is for a single family dwelling and noted the land will be used to farm blueberries and construction of the house is ready to begin.

The Chair questioned if there were any other persons present to speak to the application and confirmed there was no correspondence.

Lance Thompson, Engineering provided the following comments:

- A stop work order was issued for excess fill on the property where the variance is being discussed. Staff supported the application proceeding to the Board of Variance with the agreement that the appellant resolve the pending fill issue and remove the excess dirt from the site.
- The permitted area was allowed 1766 m² of soil and it is significantly more than that. Under the Farm Home Plate, the 1766 m² should be under 2000 m² and the land restored to a condition of agriculture production.

Discussion ensued and the following comments were made by the members of the Board:

- The Chair requested confirmation from staff that if the application before the Board was approved, that it would not interfere with the requirements of the appellant set out by the City. Staff confirmed this was correct.
- The appellant stated that the soil will be removed as soon as the weather improves.
- The Board questioned if the additional preload was brought in from the previous owner. The appellant replied that the soil was from the previous owner and staff clarified that some of the fill was brought in after 2012 (after previous owner).
- The Board questioned if the appellant has to remove the majority of fill anyway, will the cost increase much more to move the home plate forward to comply with the current zoning setback requirements. It was noted that it is a significant difference in cost to remove the extra fill compared to moving the approximate .9 m site setback.
- The Chair re-iterated that staff supported the appellant submitting an application to the Board of Variance in the spirit of compromise, based on the agreement that the requirements by staff will be adhered to.

Members of the Board made the following concluding comment regarding the requested variance:

This appeal should be allowed due to the fact the appellant purchased this property in 2012, prior to the change in setback requirements and the fill was already in place. To move the home plate would be a financial hardship and delaying construction would result in a further hardship.

Therefore, it was

Moved by P. Sandhar
Seconded by M. Rook-Green

THAT Appeal No. 15-001be **ALLOWED**, thereby permitting the relaxation of the front yard setback requirement from 50 m to 59.3 m to permit the construction of a single family dwelling, in accordance with the homeplate presented to the Board.

CARRIED UNANIMOUSLY

D. OTHER BUSINESS

Adoption of 2015 Meeting Schedule

The Committee was requested to adopt the 2015 Board of Variance Meeting Schedule.

Therefore, it was

Moved by M. Rook-Green
Seconded by P. Sandhar

THAT the 2015 Board of Variance Meeting Schedule be adopted as presented.

CARRIED UNANIMOUSLY

The Chair questioned if staff knew how many outstanding soil permits there were and if it was possible to identify those permits and have Council grandfather those cases. Staff responded that there weren't enough staff resources to research that option and as time moves on, there will be fewer applications.

E. NEXT MEETING

The next scheduled meeting of the Board of Variance will be held on Wednesday, February 11, 2015 at 9:30 am.


F. ADJOURNMENT

Moved by P. Sandhar
Second by M. Rook-Green

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:42 am.



Gil Mervyn, Chair (Acting)

PUNCEY SANDHAR



Losa Luaifoa, Secretary