

**City of Surrey
Board of Variance
Minutes**

1E - Community Room B
City Hall
13450 - 104 Avenue
Surrey, B.C.
FRIDAY, JUNE 12, 2015
Time: 9:45 AM
File: 0360-20

Present:

Gil Mervyn, Chair
Inderjit Dhillon
Melissa Rook-Green
Puneet Sandhar

Absent:

Audrey Pease

Staff Present:

K. Shangari, Residential Plan Checker, Building
K. Broersma, Planning & Development
L. Luaifoa, Secretary

A. ADOPTION OF MINUTES

Minutes of the Board of Variance meeting held May 13, 2015.

Moved by P. Sandhar
Seconded by I. Dhillon

THAT the Minutes of the Board of Variance meeting held on May 13, 2015 be received and adopted as circulated.

CARRIED UNANIMOUSLY

B. DEFERRED APPEALS

No items for this meeting.

The meeting of the Board of Variance was adjourned in absence of the appellant.

The Committee ensued discussion regarding the application and the Chair requested clarification from staff regarding the Zoning Bylaw setback requirements related to the farm building vs. residential farm plate. In response, staff quoted Section G.2(b) of the bylaw which states: "the maximum depth of the farm residential foot print from the lot line shall be 60m; the maximum setback to the rear of the residential building located on the farm plate is 50m".

The Chair raised the question to the Board if it was necessary that the residential farm plate be moved back as suggested in the application. A setback of 7.5m already exists from the front property line and the actual residential foot print is 42.5m. The appellant would only need to go to 152.5m rather than 160m in order to meet the requirements of the 100m

restriction by the federal and provincial critical habitat designation for the protection of the Pacific Water Shew.

Representatives of the Appellant arrived and the Chair adjourned the discussion of the Board and called the regular meeting of the Board of Variance to order at 10:00 am.

C. NEW APPEALS

1. Appeal No. 15-07 - Ravinderjit Dhaliwal

For permission to increase the maximum farm plate setback from 60m from the front lot line to 160m from the front lot line to allow the construction of a single family dwelling at 16181 56 Avenue.

Gurcharn Dhaliwal and Gurjit Dhaliwal, spouse and son of the Appellant, were in attendance to speak to the Board of Variance application. Gurjit Dhaliwal provided a brief history on the subject property and noted that when the property was purchased in October, 2014, the family was aware of the 15m buffer zone and intended to build a home behind that buffer zone.

In response to questions from the Chair:

- Gurjit Dhaliwal advised the Board that after the sale of the property was finalized, the family was informed of the change of the federal legislation increasing the protected zone to 100m.
- The appellant's intent is to build a home towards the front of the property and use the rest of the land as farm land. Mr. Dhaliwal further noted that the house plans are not yet finalized. When the family proceeded to do the pre-load, they were informed of the revised federal legislation and the project was stalled.
- Staff advised that given the way the application was advertised to the neighbours, the Board would have to consider the proposed setback. If the setback was to be changed, possible re-advertisement of the application might be warranted.
- The Board recommended that the appellants provide a site plan showing the dwelling within the maximum of 2000 m². Staff replied that the appellant will still have to abide by other components of the bylaw and will be restricted to 2000 m².

The Chair questioned if there were any other persons present to speak to the application and confirmed there had been no correspondence received in response to notification regarding the appeal.

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

- The variance is consistent in meeting the City's needs and the appellant's needs.
- Approval to vary the maximum depth of the building to 150m should be included for the Board's consideration. (the measurements were explained to the appellant in Punjabi for clarification)
- Staff noted that the appellant may have to return to the Board of Variance if warranted, after the preload and design work has been completed.
- The hardship has resulted from the introduction of the revised federal legislation which impacts the ability of the appellant to build on the property when the City of Surrey's *Zoning Bylaw* is applied.

Therefore, it was

Moved by I. Dhillon

Seconded by M. Rook-Green

THAT Appeal No. 15-07 be **ALLOWED**, thereby permitting the maximum farm plate setback to be varied from 60m to 160m from the front lot line and the maximum setback of the rear of the building from 50m to 150m, to permit the construction of a residential building at 16181 56 Avenue.

CARRIED UNANIMOUSLY

D. OTHER BUSINESS

Appointment of Vice Chair

The Chair notified the Board that Puneet Sandhar has been appointed to serve as Vice Chair for the remainder of the calendar year.

E. NEXT MEETING

The next scheduled meeting of the Board of Variance will be held on Wednesday, July 8, 2015 at 9:30 am.


F. ADJOURNMENT

Moved by I. Dhillon
Second by P. Sandhar

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:40 am.



Gil Mervyn, Chair



Lusa Luaifoa, Secretary