

**City of Surrey  
Board of Variance  
Minutes**

2E – Community Room B  
City Hall  
13450 - 104 Avenue  
Surrey, B.C.  
**WEDNESDAY, NOVEMBER 16, 2016**  
Time: 9:35 AM  
File: 0360-20

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**Present:**

Gil Mervyn, Chair  
Mike Bola  
Don Maciver  
Puneet Sandhar

**Absent:**

Inderjit Dhillon

**Staff Present:**

K. Broersma, Planning & Development  
S. Chand, Plan Review Supervisor, Building  
K. Shangari, Residential Plan Checker, Building  
L. Anderson, Secretary

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**A. ADOPTION OF MINUTES**

Minutes of the Board of Variance meeting held October 12, 2016.

Moved by D. Maciver  
Seconded by M. Bola

THAT the Minutes of the Board of Variance meeting held on October 12, 2016 be received and adopted as circulated.

CARRIED UNANIMOUSLY

**B. DEFERRED APPEALS**

**C. NEW APPEALS**

**1. Appeal No. 16-16 – Harpreet & Mandip Barring**

*For permission to increase the permitted maximum height from 9.0m to 10.1m to permit a new single family dwelling at 11421 – 125A Street.*

The Board acknowledged Harpreet Barring, Appellant, The-kiet Tran, Agent for the Appellant, and Gary Takhar, 78 Home Designs, in attendance to speak to the application.

Mr. Tran provided larger plans to clearly demonstrate the elevation requirements for the proposed residential building, noting that all of the lots within the Bridgeview area require a minimum floodplain of 4.4m, and that the average grade for the proposed residential building is 1.3m; a difference of approximately 10 feet. He stated in order to comply with the bylaw maximum building height of 9.0m, the floodplain requirements reduce the available ceiling height of the liveable space to a height of less than 7 feet. To minimize the impact of the neighbourhood, the design was created with the lowest possible 4/12 roof slope, however a variance to increase the maximum height of the building to 10.1m is required in order to allow the liveable space

on the main floor to a 9 ft. ceiling height (7 ft. for door, 1 ft. for headers and another 1 ft. for beams and structures) and an 8 ft. ceiling height on the second floor. To reduce to an 8 ft. ceiling height on both floors would also not meet the bylaw requirements and a variance would still be required. Mr. Tran further stated that alternate designs (e.g. A-frame) were considered, however the new code requirements resulted in the same outcome for a variance. Additionally, an HVAC system was also considered in order to drop the ceiling height again, but this option was not aesthetically appealing nor provided a comfortable alternative. Finally, providing retaining walls to step the property so that the building does not look like it has been lifted was proposed, however the City advised these options were not permitted.

**In response to comments from the Agent for the Appellant, the Board made the following comments:**

- Modern standards have changed. Once the requirements for the floodplain have been met and a bulkhead has been put in for a furnace or ductwork, the 2.1m minimum ceiling height still cannot be achieved to construct the home without a variance.
- Comments in the staff memo indicate that by lowering the ceiling height of the rooms compliance of the 9.0m limit can be achieved; however the resulting ceiling heights are not consistent with current trends.
- Bridgeview, being a floodplain area, is a concern as it appears to restrict the reasonable development of single family homes in the area.
- The measurement (for the minimum floodplain elevation) is to the bottom of the floor joist, there can be no living space below that elevation.

**In response to questions from the Board, the Appellant and the Agent for the Appellant made the following comments:**

- 78 Home Designs has encountered similar design challenges with the City of New Westminster and the City of Richmond with respect to the floodplain, both of which have developed a number of options to provide for development without limiting the heights as is the case in Surrey.
- The proposed residential building is 4,167 sq. ft., including the 537 sq. ft. garage.
- The surrounding homes appear to be owner occupied and the vacant lots had homes 15 – 20 years ago.
- The previous home on the property was in very bad condition and was demolished in 2014.
- The Appellant was interested in investing in the Bridgeview area and acquired the property with the intent to build a new home, without a basement, that would fit with and enhance the neighbourhood.
- The Appellant does not have any plans to reside in the proposed new home.

The Chair confirmed there were no persons present to speak to the application and no correspondence received in response to the notification regarding the appeal.

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

- The Appellant has stated that he wants to improve the neighbourhood.
- The hardship is that in order to comply with the bylaw the ceiling heights would need to be reduced to a height that does not comply with current acceptable standards.
- A 9 ft. ceiling height has become the new normal; the previous standard 8 ft. ceiling height appears to be no longer the trend or acceptable.
- The hardship of not being able to meet the zoning requirement in order to build an upper floor that is reasonable and livable for today's standards has been demonstrated.

Therefore, it was

Moved by P. Sandhar

Seconded by M. Bola

THAT Appeal No. 16-16, to vary the permitted maximum height from 9.0m to 10.1m to permit a new single family dwelling at 11421 – 125A Street, as presented to the Board, be **ALLOWED**.

CARRIED UNANIMOUSLY

Further to the consideration by the Board of Appeal 16-16 above, there was continued discussion with respect to situations where a floodplain is generally limiting the maximum permitted height of developments in the Bridgeview area.

The following comments were made:

- The Bridgeview area has a number of older homes, the majority of which are single family slab on grade. Many of the homes appear to be providing minimal living standards, do not meet current bylaw requirements and are likely considered desirable for redevelopment.
- In this recent appeal it was clear that the developer and the designer were trying to address the aesthetic of the neighbourhood with the design and introduced some ideas (e.g. planters) that were not permitted as a result of outdated standards.
- The only reason for the appeal in this case is the limitation of the floodplain; it is not a peculiar site, rather this is a peculiar area. In any other RF zoned area the home could have been built without a variance.
- There does not appear to be a Neighbourhood Concept Plan (NCP) for the Bridgeview area; there is one for South Westminster, but not for

Bridgeview. The area is going to start to redevelop without appropriate guidelines and solutions designed specifically for the area.

- How does the City envision development for the area? Row housing and townhouses? Higher density? It is now a very distinct area.
- Concern was noted that as this area develops there will likely be an increase of appeal applications for similar variances as a result of not being able to meet the current bylaw with respect to height restrictions and floodplain issues.
- Staff advised there is a majority of older homes in the area, and that most of the newer homes have been built according to the bylaw. If a person is buying a lot in the floodplain, it cannot be expected they will receive approval for everything that other areas have by filing an appeal, as that would be unfair to those people in the area that have already built their homes in compliance with the bylaw.
- It was suggested without an NCP or guidelines for the area, there may be benefits of purchasing properties in the area to gain the benefits of other areas simply by filing an appeal application for a variance, which would not be fair to those property owners in the area that have built and/or renovated their homes in compliance with the current bylaw.
- Without there being any distinct plans/guidelines for the Bridgeview area, it may become challenging if the area is to be significantly developed in the future. It is a prime location, given its proximity to both the South Fraser Perimeter Road as well the skytrain.
- Although the Board is not an advisory committee to Council, it is within the Board's mandate to make a recommendation to Council if a Zoning Bylaw related issue is noted which is resulting in a trend of similar appeals which are peculiar to the individual property concern; in this instance it appears the majority of the properties are located in the floodplain area of Bridgeview.

### **BOARD RECOMMENDATION**

Based on the number of appeal applications to relax the maximum height restrictions resulting from the requirements of the minimum floodplain building elevations, and the anticipated increase in development activity in the Bridgeview area of Surrey, the Board of Variance recommends that Council initiate a formal review of the future development of the Bridgeview area by way of the development of a Neighbourhood Concept Plan (NCP).

Therefore, it was

Moved by P. Sandhar  
Seconded by M. Bola

THAT Council initiate a formal review of the future development of the Bridgeview area, and develop a Neighbourhood Concept Plan.

CARRIED UNANIMOUSLY

**D. OTHER BUSINESS**

**1. 2017 Meeting Dates**

The Board had for consideration a Memorandum from the City Clerk dated November 1, 2016 regarding the proposed meeting dates for 2017.

Moved by D. Maciver  
Second by P. Sandhar

THAT the 2017 Meeting Dates be approved as presented in the memo from the City Clerk dated November 1, 2016.

CARRIED UNANIMOUSLY

**E. NEXT MEETING**

The next Board of Variance meeting is scheduled to be held on Wednesday, December 14, 2016 at 9:30 am, in Meeting Room 2E – Community Room A, City Hall.

**F. ADJOURNMENT**

Moved by D. Maciver  
Second by P. Sandhar

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:41 am.

  
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Gil Mervyn, Chair

  
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Lorraine Anderson, Secretary