

**City of Surrey  
Board of Variance  
Minutes**

2E – Community Room A  
City Hall  
13450 - 104 Avenue  
Surrey, B.C.  
**WEDNESDAY, SEPTEMBER 13, 2017**  
Time: 9:30 AM  
File: 0360-20

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**Present:**

Gil Mervyn, Chair  
Mike Bola  
Inderjit Dhillon  
Jennifer Rahiman  
Puneet Sandhar

**Absent:**

**Staff Present:**

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

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**A. ADOPTION OF MINUTES**

Minutes of the Board of Variance meeting held July 12, 2017.

Moved by I. Dhillon  
Seconded by M. Bola

THAT the Minutes of the Board of Variance meeting held on July 12, 2017, be received and adopted as circulated.

CARRIED UNANIMOUSLY

**B. DEFERRED APPEALS**

**1. Appeal No. 17-19 – Gurinder and Samandeep Akali**

*For permission to extend the effective termination date of Land Use Contract No. 75 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 12738 Arran Place.*

The Board acknowledged Gurinder Akali, Appellant, in attendance to speak to the application, deferred at July meeting.

The Appellant advised he bought the property in 2012 for its Land Use Contract (LUC) specifications that permits him to build a larger home for his extended family in the future. At that time, moving from his parents' home with his wife and expecting their first child, it was agreed that his parents and brother and his family would live together in ten years (10 family members). The larger home will be structured to provide privacy on each level for the three families (parents on the main floor, brother and family on the lower floor and his family on the top floor. Since the plan has always been to build 10 years from the purchase of the home, once his parents retire, the family is not

in the financial position to take on the expense of building a new home at this time. Currently a build cost would be approximately \$650,000. The Appellant reported that his wife has not been working since the birth of their two children, however she will be returning to work once their youngest son is in kindergarten (2019), back to the same employer. At that time the Appellant's parents have agreed to help, retiring and selling their home so that all the family members can live together. In conclusion, the Appellant further reported that his new business is starting to hit its stride, and he feels the family will be back on their feet soon, looking forward to having the family living together, in particular his children having the opportunity to spend time with their grandparents.

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

- The extension sought is for five years; the family will absolutely be financially stable before then.
- Has a general idea of design and knows a number of designers that can help to achieve the perfect home. Don't want to rush the process as it will be the family forever home.
- There have already been some LUC permitted homes built in the neighbourhood. Three of the homes are very close to the Applicant's property, all constructed in 2015 - 2016.

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 hardship has been demonstrated. The Appellant wants to build a type of home that is not permitted in an RF zone and plans were already in made at the time the home was purchased to build a larger home for his family to live with this parents and brother and his family once the parents retire. Allowing the extension will keep those plans in place. With a young family and only one income for a couple of more years, it would cause financial hardship to require the home to be built under the LUC termination requirements.

Therefore, it was

Moved by I. Dhillon  
Seconded by M. Bola

THAT Appeal No. 17-19, to extend the effective termination date of Land Use Contract No. 75 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 12738 Arran Place, in accordance with the provisions of Land Use Contract No. 75, be **ALLOWED**.

CARRIED UNANIMOUSLY

## C. NEW APPEALS

### 1. Appeal No. 17-24 – Jason Dudar

*For permission to increase the maximum height of an accessory building from 4.0 m to 5.0 m, to permit the retention of the roof, as built, for the existing accessory building at 2763 - 136 Street.*

The Board acknowledged Joey Hymers, Square One Contracting, Agent for the Appellant, Jason Dudar, in attendance to speak to the application.

The Agent advised the reason for the appeal is that the accessory building, a detached garage with a room above, is in question. He further reported that when he embarked upon the major renovation project of the home for the homeowner, his daughter and husband, the structure nestled in the back was never something that was to be considered. However, an incomplete permit for this accessory building was discovered. To pursue a proper course, a stamped set of plans proposed to the correct structure were submitted, however it was further identified that the accessory building also faced a zoning height restriction. As the property is residential acreage, neighbouring property owners suggested any further work for the accessory building should be forgotten about. However the homeowners have gone to great lengths to ensure compliance is achieved. To comply with current bylaw requirements it would be necessary to cut the top of the building off and reduce by approximately 3.5 ft. As a result, an appeal to the Board of Variance to outline the hardship caused by having to demolish the entire roof in order to reduce the height is submitted in an effort to avoid the additional costs, not including the demolition, estimated to be in excess of \$10,000, for engineering, consulting, etc. A further \$50,000 has been estimated for the demolition and rebuild of a new garage. For a small young family, with two young children, the option to demolish and incur additional costs is not favourable. The home was purchased 15 years ago by the Appellant who was not aware the accessory building did not have completed permits. Many options were discussed with the decision to renovate and leave the structure, ensuring there is minimal impact to the neighbour. The two neighbouring properties, owned by family members, cannot see the structure from their properties. The proper course of action is being sought. The homeowners

were not responsible for the construction, but are willing to go the lengths to legalize the structure if they do not have to demolish the whole structure. In addition, there is a separate issue with the structure as the original permit allowed for a single-storey garage where as the structure as it stands now, clearly is two stories and has inhabitable space above the garage, which the City may consider to be a "coach home". The house was originally built in 1986 and the current owners have owned the property since 2002. Copies of previous drawings show what was supposed to be the garage, the current owner did not make any changes.

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.

**In response to questions from the Board, Planning staff advised:**

- Principle buildings are allowed a height of 9m, and accessory buildings are allowed 4m. The intent of having the accessory lower in height than the main building may be to prevent large structures in backyards that could be overlooking neighbouring properties. In this case, there aren't any neighbours that can see the structure.
- The height for the accessory building shall not exceed 4m except for the roof slope; roof slope and construction materials are not to exceed 5m. The application is to permit 5.25m. Under the circumstances, the variance is a 1.25m.

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

- It is important for the Board express appreciation to any citizen of the city whose intent is to follow procedure. Any appellant who decides to come this course is appreciated.
- The existing accessory building has existed for many years, dating prior to the purchase by the Appellant, and has not generated any complaints or concerns from the adjacent property owners. The retention of the accessory building, as built, would not be contrary to the intent of the bylaw, given its location on acreage property and not being visible from neighbouring properties.
- Application of the bylaw height limitations would result in unwarranted hardship.

Therefore, it was

Moved by P. Sandhar  
Seconded by I. Dhillon

THAT Appeal No. 17-24, to increase the maximum height of an accessory building from 4.0 m to 5.25 m, to permit the retention of the roof, as built, for the existing accessory building at 2763 - 136 Street, as presented to the Board, be **ALLOWED**.

CARRIED UNANIMOUSLY

**2. Appeal No. 17-25 – Gurdev and Harjinder Mann**

*For permission to extend the effective termination date of Land Use Contract No. 376 for five years until January 16, 2023, to permit the construction of a new residential dwelling at 6314 – 129A Street.*

The Board acknowledged Harjinder Mann, Appellant, in attendance with Harminder Kalta, translator for the Appellant, to speak to the application.

Mr. Kalta advised the Appellant bought the property in 2012 and has been living there since. The property was bought for the Land Use Contract (LUC) specifications, with the intent to build a new home under the LUC in 2013 or 2014. Unfortunately, a motor vehicle accident resulted in injuries that prevented the Appellant from working until last year; he is back to working full time now. An extension to the LUC termination date is being sought for five years to provide time to raise the money needed to build the home, as intended.

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

- There has recently been two new LUC houses built in the area and another home is in the process of being built. Approximately eight or nine similar new homes were built in the last couple of years.
- The Appellant lives in the home with his wife, mother and father, his sister and mother and father-in-law (9 people). The same family members will live in the new home once it is built.
- Design not determined yet. When planning a few years ago had only just started to look at options. Unfortunately injuries sustained from a motor vehicle accident prevented the Appellant from working for one and half years, which ended the design process at the time due to the lack of income to support moving forward with a design.
- Under the RF zone, the home would be much smaller, less height and square footage (6,500 sq. ft. down to 4,000 sq. ft.). To accommodate three different generations, privacy is important and it will be necessary

to build a larger home than permitted under the RF zone to ensure some privacy for all residents of the 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:**

- There are already a number of large LUC homes built in the neighbourhood, including the two on either side of the subject property.
- A hardship has been demonstrated. The Appellant's accident has set him back one or two years, resulting in a financial hardship to meet the requirements of the LUC termination date. Secondly, if he has to build under the RF zone, he could only build a two storey home, significantly smaller than the homes currently on either side of the property.

Therefore, it was

Moved by I. Dhillon

Seconded by P. Sandhar

THAT Appeal No. 17-25, to extend the effective termination date of Land Use Contract No. 376 for five years until January 16, 2023, to permit the construction of a new residential dwelling at 6314 – 129A Street, in accordance with the provisions of Land Use Contract No. 376, be **ALLOWED**.

CARRIED

(M. Bola and J. Rahiman Opposed)

Board member I. Dhillon declared a conflict of interest related to the following appeal and left the meeting at 10:10 a.m.

**3. Appeal No. 17-26 – Harpal and Maninder Randhawa**

*For permission to extend the effective termination date of Land Use Contract No. 376 for four years until January 16, 2022, to permit the construction of a new residential dwelling at 6336 – 129 Street.*

The Board acknowledged Maninder Randhawa, Appellant, in attendance to speak to the application.

The Appellant advised the home was bought in 2011 with the intention of building a new home under the Land Use Contract (LUC) provisions. The owners of the property have previously constructed two new homes on other

properties. In order for the Appellant to receive Owner Builder Authorization (OBA) under the *Homeowner Protection Act* to provide home warranty insurance to construct another new home, they must wait three years from the date of first occupancy of the second home before applying. The required three year period ends February 2018. As a result, the Appellant is unable to apply for OBA until February, 2018, one month after the LUC termination date for the subject property, January 16, 2018. Therefore, an extension to the termination date is requested in order to meet the requirements for OBA to provide home warranty insurance for the construction of the new home.

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

- The property owners are long shoreman by profession.
- Design plans have already been made for proposed new house.
- Termination of the LUC is only one month short of the minimum three years required to be able to apply for OBA and provide a warranty for the property. If it wasn't for the lack of being able to apply for the OBA, a new home could begin construction right away.
- Although the original appeal is for a four year extension, a shorter period of time will be fine. The main reason for the extension is to be able to apply for the OBA. Once that has been applied for and received, an application for a Building Permit can be submitted. The City will not accept a Building Permit application without warranty protection.
- The Appellant owns three properties but lives a rented home.
- The sizes of the houses built on the two other properties are a two storey, 5,000 sq. ft., and three storey, 3,500 sq. ft.
- The intension is to continue the two year lease with the tenants currently living at the property and then build the new home and move in to that home once completed.
- Depending on the actual size of the lot, the largest home the RF zone will permit is 5,000 sq. ft., which is too small. The new home will need to be larger to accommodate the extended family.
- There will be seven family members living together, including the Appellant's mother-in-law and father-in-law, as the Appellant's mother will also be living with them soon.

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 written hardship provided in the Appeal submission is different from the hardship reported today. The hardship had previously been based on the health concerns of the Appellant's mother, the lease given to the current tenants of the property (which was reported), and that one of the family members is currently off work on disability. The hardship reported today is based on the need for an extension of the LUC termination date to meet the requirements timeline to apply for an OBA to provide home warranty insurance for the construction of the new home.
- It should be noted that there is typically a six to eight month waiting period to receive an OBA after submitting the application.
- None of the homes in the neighbourhood have been redeveloped. The cul-de-sac is all original houses.
- A hardship has not been demonstrated. The property is not the primary home, the Appellants are currently renting but own multiple homes, and the only issue preventing the home they desire to build now is that they wish to have home warranty insurance issued to them; the home could be constructed by another builder.

Therefore, it was

Moved by J. Rahiman

Seconded by M. Bola

THAT Appeal No. 17-26, to extend the effective termination date of Land Use Contract No. 376 for four years until January 16, 2023, to permit the construction of a new residential dwelling at 6336 – 129 Street, in accordance with the provisions of Land Use Contract No. 376, be **DENIED**.

CARRIED UNANIMOUSLY

I. Dhillon rejoined the meeting at 10:28 am.

**4. Appeal No. 17-27 – Charanjit and Sukhwinder Johal**

*For permission to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7851 – 126A Street.*

The Board acknowledged Charanjit and Sukhwinder Johal, Appellants, in attendance to speak to the application. Their daughter, Amanpreet Johal, translated on behalf Mr. and Mrs. Johal.

Miss Johal advised there are six family members that reside in the home: her parents, one set of grandparents, her brother and herself, and there are



currently two additional family members visiting and staying at the house. The property was purchased seven years ago, jointly with her parents, her uncle and grandparents, with the intention of tearing down the old home and building a new, larger family home that will accommodate all family members. Her parents bought her uncle's share of the home only two years ago and also have a house in India. The family is not financially stable enough to undergo the expense of building a new home as Mr. Johal has been suffering from a ligament injury which has prevented him from working. He is not sure if he will be able to go back to the work he will ever be able to go to the work he was doing. In addition, Miss Johal is presently in her final year of high school and will be following on the college or university, which is going to impact the family further financially. As a result, the full extension of time allowable to the Land Use Contract (LUC) termination date is being sought in order to provide enough time to raise the money needed to build a larger family home in the future.

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

- Miss Johal reported that the house in India has recently been constructed for the grandparents that often return home to visit and is nearly completed.
- It is felt that it may be a further two to four years to be able to start building the new family home as desired, as Mr. Johal's ligament injury and the extent of damage is undetermined at this point and under review by the doctor to ascertain when/if he can return to work.
- The home is 2,400 sq. ft. A new home under the RF zone would allow a maximum of 2,800 sq. ft. for this property, not nearly enough increased space to accommodate the extended family.
- There is always a chance that Mr. Johal's brother and his family may wish to return to live with the family, in which case a much larger home than the present one will be necessary.

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:**

- There is existing redevelopment in the neighbourhood that has set a pattern for design.
- Hardship has been determined based on the limited increase in house size available with the underlying RF zone, opposed to the size of home allowed under the LUC provisions which permits a much larger home to accommodate their extended family.

Therefore, it was

Moved by P. Sandhar  
Seconded by M. Bola

THAT Appeal No. 17-27, to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7851 – 126A Street, in accordance with the provisions of Land Use Contract No. 448, be **ALLOWED**.

CARRIED UNANIMOUSLY

**5. Appeal No. 17-28 – Kanwaldeep and Sukhwinder Dhillon**

*For permission to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7867 – 126A Street.*

The Board acknowledged Sukhwinder Dhillon, Appellant, in attendance to speak to the application.

The Appellant reported the property was purchased in 2009, with the intent to build a larger family home, as permitted under the Land Use Contract (LUC), in 2023-2024. Due to a series of setbacks financially as the result of health concerns with both Mr. Dhillon's father-in-law and mother-in-law, the birth of their first child, and schooling costs incurred to attain employment, the Appellants are not currently financially ready to build their dream home within the timeline permitted under the LUC termination.

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

- Currently the home is occupied by Mr. Dhillon, his wife, her parents and one child. Mr. Dhillon's parents will also be moving into the home, as will his sister and her family once they arrive from India for a total of 10 family members, although Mr. Dhillon expects he and his wife will have more children.
- The extended family will be too large to be able to comfortably live together in a home built under the proposed zoning, which is why the LUC specifications are desirable. Furthermore, the neighbourhood is already undergoing redevelopment, predominantly made up of large extended families in large, three storey homes. In particular, there is one LUC style home neighbouring the property, with another one immediately beside it and another which has almost completed construction across the street and down two houses; all visible from the property.

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:**

- There are existing houses in the area that have been redeveloped; the area is already starting to see a transition.
- There are currently five LUC termination extension applications from the same area.
- The underlying zone is RF-G, which provides for a 2,800 sq. ft., two-storey home. The hardship has been demonstrated as the extended family will need a much larger home. A financial hardship has also been noted as a result of the Appellants unable to work as they cared for their parents and completed schooling. The Appellants are working now and their financial forecast will be much better within a couple of years or so.

Therefore, it was

Moved by I. Dhillon  
Seconded by M. Bola

THAT Appeal No. 17-28, to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7867 – 126A Street, in accordance with the provisions of Land Use Contract No. 448, be **ALLOWED**.

CARRIED UNANIMOUSLY

**6. Appeal No. 17-29 – Jagroop and Sarabjit Aulakh**

*For permission to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7827 – 126A Street.*

The Board acknowledged Jagroop and Sarabjit Aulakh, Appellants, in attendance to speak to the application.

The Appellant advised the family does not live in the property, it is currently rented. However he would like to demolish the home and build a new home as the future family home under the Land Use Contract (LUC) specifications. Unfortunately another property owned by the Appellant experienced significant fire damage, which has had a financial impact as the home will need to be rebuilt before finances can be directed to other projects. The Appellant further reported that he has just recently finished paying university fees and wedding costs for his children, and his oldest child is moving back

home, which has also impacted him financially. He lastly noted that he suffered a stroke not too long ago and has not been feeling well ever since.

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

- If not for health issues and the unforeseen fire damage to his property on August Drive, the new home likely would have been constructed already.
- The Appellants own four properties all in different areas. One property is rented (the subject property), they currently live in another property near Boundary Park, there is another home Cloverdale and the August Drive property with fire damage in Fleetwood.
- As previously stated the Appellants are not in a position to build their new family home at this time due to their financial commitment to repair and restore the August Drive home.
- An extension until June 30, 2024 is being sought in order to provide the opportunity to build a nice new, large, three storey LUC permitted home, large enough to accommodate the Appellants grown children to move back home with their spouses and provide space for their families in the future. The property location is the most desirable as it is surrounded by newer homes.
- The Appellants no longer want to live in the older home that they live in now and want to live with their children and (future) grandchildren.

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 appeal is based on financial hardship, not having enough money to build the new home at this time. However, the Appellants have the resources if they really wanted they could sell one or more of their other properties as a source of funds for the new family home.
- The hardship has not been demonstrated and there does not appear to be any reason a Building Permit could not be sought within the LUC termination deadline provided.

Therefore, it was

Moved by I. Dhillon  
Seconded by M. Bola

THAT Appeal No. 17-29, to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7827 – 126A Street, in accordance with the provisions of Land Use Contract No. 448, be **DENIED**.

CARRIED UNANIMOUSLY

**7. Appeal No. 17-30 – Tarlochan and Sukhwantjit Swatch**

*For permission to extend the effective termination date of Land Use Contract No. 448 until April 24, 2024, to permit the construction of a new residential dwelling at 7925 – 126A Street.*

The Board acknowledged Tarlochan and Sukhwantjit Swatch, Appellants, in attendance to speak to the application.

Mrs. Swatch advised the Appellants have been living at the property for 11 years and renovated the property in 2015 with the intention to build a new larger family home in another 10 years. Unfortunately the timing of the Land Use Contract (LUC) termination has affected those plans and the Appellants are not currently in a position financially to incur the large expense of building a new home. Mrs. Swatch has been travelling to India to look after her aging grandparents as their health has not been very good and there is nobody there to look after them. In addition, Mrs. Swatch's mother has not been very well and has required visits to India (her homeland) for treatment. These family health concerns have been a strain on finances. The Appellants would like to build, and have even gone as far as to talk to a designer about a custom house with more room than the current home, but the current financial and personal commitments make it impossible to continue discussions with the designer at this time.

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

- A larger house with more rooms is desired to accommodate the Appellants, both of their mothers, their children and their future families.
- A five year extension to the LUC termination date is being sought to provide enough time to focus on looking after the grandparents in India, as well as the family members at home, including the Appellant's mother, who requires to be taken to India once a year for treatment.

- This is the only property the Appellants own. It has been zoned RF-G, which does not permit the size of home the Appellants would like to build, as demonstrated to them by the designer they conferred with.
- At present there are two LUC homes, built back to back, within the Appellants neighbourhood.

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:**

- A hardship has been demonstrated as a result of the commitment to looking after family members overseas and at home and the financial setback that has caused. In addition, the underlying RF-G zone does not provide the size of home required by the Appellants to accommodate their extended family in the future.

Therefore, it was

Moved by I. Dhillon  
Seconded by P. Sandhar

THAT Appeal No. 17-30, to extend the effective termination date of Land Use Contract No. 448 until April 24, 2024, to permit the construction of a new residential dwelling at 7925 – 126A Street, in accordance with the provisions of Land Use Contract No. 448, be **ALLOWED**.

CARRIED UNANIMOUSLY

The meeting recessed for 10 minutes at 11:00 am.

**8. Appeal No. 17-31 – Gurpreet Sandhu, Harpreet Sandhu and Surjit Sandhu**

*For permission to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7910 – 126A Street.*

The Board acknowledged Gurpreet Sandhu, Appellant, and Prabh Pallu, translator, in attendance to speak to the application on behalf of the Appellant.

Mr. Pallu reported the Appellant purchased the property two years ago with the intention to build a larger home in the future. As the home had been fully renovated by the previous owners, the Appellant did not see the need to build

a larger home until much later. The Appellant currently works as a plumber part-time at minimum wage, as he is currently enrolled and wait listed for the four year heavy duty mechanic training at BCIT.

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

- The current home is 1,700 sq. ft., two storey, no basement. There are currently five people living in the home: the Appellant, his brother, parents and cousin. Although the home is an adequate size just now, looking ahead, a much larger home will be required to accommodate a growing extended family.
- There are new developments within the cul-de-sac, including one next door to the property. The Appellant wishes to build a similar three storey house, built to the maximum specifications. The underlying zone is RF-G which does not allow for the size of home the Appellant would like to build.
- The family does not own any other properties.

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 hardship is a typical situation with a growing family requiring the specifications of the LUC to provide a larger home, and limited time available to proceed to meet those LUC termination requirements.
- The neighbourhood is seeing a change with many LUC homes being constructed. With three young men working at minimum wage and/or attending school, they are not able to support the construction of a new home at this time, which has been demonstrated to be a hardship.

Therefore, it was

Moved by P. Sandhar  
Seconded by J. Rahiman

THAT Appeal No. 17-31, to extend the effective termination date of Land Use Contract No. 448 until June 30, 2024, to permit the construction of a new residential dwelling at 7910 – 126A Street, in accordance with the provisions of Land Use Contract No. 448, be **ALLOWED**.

CARRIED UNANIMOUSLY

**9. Appeal No. 17-32 – Kuldip and Narinder Mundi**

*For permission to extend the effective termination date of Land Use Contract No. 44 for four years until May 29, 2022, to permit the construction of a new residential dwelling at 13466 – 87A Avenue.*

The Board acknowledged Kuldip Mundi, Appellant, in attendance to speak to the application.

The Appellant advised he bought the property in 2010 for its Land Use Contract (LUC) specifications that permits him to build a larger home. He stated that he did not have an immediate plan for a new house and therefore underwent the expense two years later to renovate the home for the time being as his finances would be tied up in purchasing a semi-truck for his employment. Not knowing the LUC would be terminated, the Appellant is not currently in the position to design a new home and submit for a building permit before the termination date.

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

- A larger home will be necessary as the family is growing; currently consists of the Appellant's wife, his mother, two children and two nieces.
- There was no intention to build a new home until the children were older. Plans will need to be moved up. Just not in a position financially to undergo the cost of building a new home at this time.

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:**

- It may not be possible to build a three storey home. Looking at the neighbourhood, even though there has been development under the LUC, it has not resulted in large three storey homes in the area.
- Under the RF zone, the Appellant can build a 4,000 sq. ft. home on this property.
- The hardship has been demonstrated as the intent was to build a larger home under the LUC in the future. With the expenses incurred for extensive renovations and the purchase of a new truck for employment, the Appellant has demonstrated financial hardship. Furthermore, it has been demonstrated that a larger home, as needed, can be achieved under the LUC than the underlying RF Zone.



Therefore, it was

Moved by I. Dhillon  
Seconded by M. Bola

THAT Appeal No. 17-32, to extend the effective termination date of Land Use Contract No. 44 for four years until May 29, 2022, to permit the construction of a new residential dwelling at 13466 – 87A Avenue, in accordance with the provisions of Land Use Contract No. 44, be **ALLOWED**.

CARRIED

(G. Mervyn and J. Rahiman Opposed)

**10. Appeal No. 17-33 – Harjinder Sohi and Indermohan Sohi**

*For permission to extend the effective termination date of Land Use Contract No. 44 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 8665 Tulsy Crescent.*

The Board acknowledged Harjinder Sohi, Appellant, in attendance to speak to the application.

The Appellant advised he bought the property for its Land Use Contract (LUC) specifications that permits him to build a larger home but does not have the financial resources currently to meet the LUC termination date. It is currently a family of six, including three children and the Appellant's 89 year old father that will reside in the new home, once built. One of the children is still in school, with a second child recently completing school. The oldest son is now employed full time. The intent is to continue to pay the current mortgage and schooling until all children are working full time, providing an opportunity for the Appellant to prepare for the expenses of building the new family home.

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

- The Appellant stated he does not reside on the property, which he has owned for 11 years, as it is too small for the family and too far away from the school the children have been attending. The subject property is rented.
- The Appellant owns three properties, two in Surrey and one in Vancouver, on Granville Street, where his family currently reside. The primary reason for staying in Vancouver is the close location to the school.
- The intent is to sell the Vancouver property in four of five years, once the third son has finished schooling, which will provide the finances needed to build the new, larger family home in Surrey. The other Surrey property will be kept to continue to rent as retirement income.

- The new family home will be for the extended family: the Appellant, his wife, all three sons, their grandfather and future daughter-in-law(s).

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:**

- This is one of the original LUC areas with many small homes, however a transition is starting to take place throughout the neighbourhood with larger homes being constructed.
- The Appellant currently lives in Vancouver because it has been convenient for schooling for his children. The subject property was purchased some time ago with the intent the Appellant could move back to Surrey and retire with his family in the future.
- There are no funds available without liquidating. In order to have the financial means at this time, the Appellant would need to sell his Vancouver property. Selling the Vancouver house would provide ample funds for the new home in Surrey, however the hardship may not be so much financial, but more a timing and planning issue that would require the family to relocate early while the third son is still in school.
- If financial hardship was the sole reason, the hardship would not be demonstrated for this appeal. However, it is understood the Appellant is at the stage of his life when the family will be expanding soon, and with the LUC terminated early he would be forced to relocate early. The Appellant has stated that he plans to build the new home once the all schooling is completed. The hardship is the current time constraints.

Therefore, it was

Moved by P. Sandhar

Seconded by M. Bola

THAT Appeal No. 17-33, to extend the effective termination date of Land Use Contract No. 44 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 8665 Tulsy Crescent, in accordance with the provisions of Land Use Contract No. 44, be **ALLOWED**.

CARRIED  
(J. Rahiman Opposed)

**11. Appeal No. 17-34 – Surinder and Rajni Thind**

*For permission to extend the effective termination date of Land Use Contract No. 221 for six years until January 16, 2024, to permit the construction of a new residential dwelling at 14319 – 66A Avenue.*

The Board acknowledged Surinder and Rajni Thind, Appellants, in attendance to speak to the application.

Mrs. Thind advised the property was purchased in 2011 mainly for the Land Use Contract (LUC) specifications. It is the only property they own. The intent was to build a larger family home in the future. However, Mr. Thind faced serious health complications and surgeries which have taken significant time to recover from, rendering him off work for the past year and a half and having a financial impact on the family finances. The Appellants are not currently financially able to meet the termination deadline date for submitting plans for a Building Permit.

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

- A larger home is required for the future as it is intended to be the home for the extended family: the Appellants, their mothers, both children (currently 14 and 17 years) and their future families; three, possibly four generations.
- With the home currently 33+ years old, construction of the new home had initially been planned to coincide with the oldest son finishing school. However, financial hardship has delayed initial plans as a result of the medical issues and loss of income for the Appellants.
- There is one other home in the neighbourhood that was built approximately three years ago and appears to be built under the LUC specifications. It is a large two storey house.
- Mr. Thind has recently started a gradual, part-time, return to work, but it will take a long time to make up the income lost during his illness.

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 family purchased the home for its LUC zone, with the intent to build much later. Although there is currently only one property in the neighbourhood redeveloped so far, the area is just starting to be

redeveloped and there has not been any opposition expressed with respect to the appeal.

- Hardship has been demonstrated due to the Appellants health concerns rendering him unemployed without a source of income during his illness that will take some time to make up for. Additionally, the family will require a larger home in the future to suit the needs of their needs.

Therefore, it was

Moved by M. Bola  
Seconded by J. Rahiman

THAT Appeal No. 17-34, to extend the effective termination date of Land Use Contract No. 221 for six years until January 16, 2024, to permit the construction of a new residential dwelling at 14319 – 66A Avenue, in accordance with the provisions of Land Use Contract No. 221, be **ALLOWED**.

CARRIED UNANIMOUSLY

**12. Appeal No. 17-35 – Parminder and Ravinder Aulakh**

*For permission to extend the effective termination date of Land Use Contract No. 184 for six years until April 24, 2024, to permit the construction of a new residential dwelling at 7867 – 138 Street.*

The Board acknowledged Parminder Aulakh, Appellant, in attendance to speak to the application.

The Appellant advised the home, approximately 35 years old, was purchased in 2009 with the future intent to build a new, larger home to accommodate eight or nine family members, including in-laws. At present, he does not have the finances to build the new home within the time provided under the Land Use Contract (LUC) termination date.

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

- It is the only property owned.
- The hardship is financial at this time. An application for additional funding was made, but approval was only granted for half of the amount needed to build.
- An extension of three years was originally considered, but that was changed to six years in order to have more time to save and design the new home. Plans to start another business to make extra money are also being considered that may help to provide the funding needed in less than six years.

- It is possible (not confirmed), the next door neighbour may be intending to redevelop their property under the LUC.

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 neighbourhood appears to be mostly original 30+ year old homes.
- Looking at the neighbourhood and the small area that is an LUC area, compared to the surrounding RF zoned properties, if approved will the new home become an exception in the area and be the only home that may proceed with a three storey home? At the same time, there has not been any objections received from the neighbourhood in response to the notification.
- Hardship has been demonstrated. The Appellant purchased the property in 2009, so there was the intention to build a larger home in the future; and is now caught up in the early termination of the LUC and not prepared financially.

Therefore, it was

Moved by M. Bola

Seconded by I. Dhillon

THAT Appeal No. 17-35, to extend the effective termination date of Land Use Contract No. 184 for six years until April 24, 2024, to permit the construction of a new residential dwelling at 7867 – 138 Street, in accordance with the provisions of Land Use Contract No. 184, be **ALLOWED**.

CARRIED UNANIMOUSLY

**13. Appeal No. 17-36 – Kulwinder and Satwinder Lalli**

*For permission to extend the effective termination date of Land Use Contract No. 88 for four years until April 24, 2022, to permit the construction of a new residential dwelling at 8878 – 150A Street.*

The Board acknowledged Kulwinder and Satwinder Lalli, Appellants, in attendance to speak to Appeal Nos. 17-36 and 17-37.

In the interest of time, the Chair advised both appeal applications would be heard and considered at the same time, with the decision to be determined independently for each application.

With respect to both properties, 8878 – 150A Street, purchased in 2012, and 8873 – 138A Street, purchased in 2016, the Appellants advised they are seeking an extension to the Land Use Contract (LUC) termination date for each property in order to build future family homes for themselves and their children: son (21 years) and two daughters (21 and 14 years). The Appellants stated they are currently experiencing financial hardship as a result of the inability to work for the past nine months due to injuries sustained from a motor vehicle accident last December that Mr. Lalli and his son (also in the vehicle) were involved in. Mrs. Lalli is the only member of the household that is working, part-time, and supporting her family financially.

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

- Both properties are currently rented. There is no intention to sell either property.
- One of the properties has large three storey homes already built on each side, which is why the property was purchased at a premium, because of the ability to build a similar home. The Appellant's son would like to build a similar large home that can accommodate space for a gym and extra rooms for guests.
- The Appellants currently own three properties. The one they currently live in will eventually be sold, and the two subject properties were purchased specifically for their children and the ability to build larger homes under the LUC, that will accommodate extended family members in the future.
- A home with a basement is not desired. Although the underlying zone is RF, not limited, and could potentially provide the opportunity to build a 5,000 sq. ft. home, the current home is 4,300 sq. ft., which is often not nearly large enough when family are over and have to sleep on the floor.
- Any extension granted for both of these properties would be appreciated.
- If it was necessary to choose between the two properties, the property at 8873 – 138 Street would be preferred.

The Chair confirmed there were no persons present to speak to the either Appeal Nos. 17-36 or 17-37, and that no correspondence was received in response to the notification regarding the two appeals.

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

- In practical terms, what is the true hardship? The desire is one thing, the need to build is another. Simply not wanting to live in a smaller home when an RF zone provides a reasonably large home of potentially 5,000 sq. ft., is not a hardship.

- One of the properties is located in a neighbourhood mostly with original homes.
- With respect to Appeal No. 17-36, there is no basis of hardship that can be applied; if needed, there is the financial means to build a new home within the LUC termination guidelines.
- With respect to Appeal No. 17-37, the neighbourhood has already shown that LUC construction is occurring. As the family grows, it is reasonable to anticipate the need for a larger home than what can be achieved under the RF zone. Given the current financial limitations due to the inability to work as a result of injuries from a motor vehicle accident, a hardship has been demonstrated for this application.
- It should be noted, the Board understands the family is experiencing a hardship at this time due to the motor vehicle injuries sustained by family members, which is why the hardship for one of the properties was granted. However, the Board is unable to understand and support the same hardship to be applied for both appeals.

Therefore, it was

Moved by M. Bola  
Seconded by J. Rahiman

THAT Appeal No. 17-36, to extend the effective termination date of Land Use Contract No. 88 for four years until April 24, 2024, to permit the construction of a new residential dwelling at 8878 – 150A Street, in accordance with the provisions of Land Use Contract No. 88, be **DENIED**.

CARRIED UNANIMOUSLY

**14. Appeal No. 17-37 – Kulwinder and Satwinder Lalli**

*For permission to extend the effective termination date of Land Use Contract No. 49 for five years until April 24, 2023, to permit the construction of a new residential dwelling at 8873 – 138A Street.*

Discussion pertaining Appeal No. 17-37 is noted above in Appeal No. 17-36.

Therefore, it was

Moved by M. Bola  
Seconded by I. Dhillon

THAT Appeal No. 17-37, to extend the effective termination date of Land Use Contract No. 49 for five years until April 24, 2023, to permit the construction of a new residential dwelling at 8873 – 138A Street, in accordance with the provisions of Land Use Contract No. 49, be **ALLOWED**.

CARRIED UNANIMOUSLY

**15. Appeal No. 17-38 – Bhagwan Mann, Karamjit Mann and Dalip Mann**

*For permission to extend the effective termination date of Land Use Contract No. 36 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 12734 Drummond Place.*

The Board acknowledged Bhagwan and Karamjit Mann, Appellants, in attendance to speak to the application.

The Appellants advised they bought the property in 2007 with the primary intent to live in the home with Mr. Mann's mother, raise a family, and build a larger home in the future. The home is very close to the school that their two daughters (ages 10 and 5) attend. It is also a convenient location for Mr. Mann's mother to access her doctor and friends that are also in the area. Mr. Mann is working full time and Mrs. Mann is working part-time as she looks after the children and her mother-in-law. As a result, it is difficult to raise the funds needed within a short period of time in order to build the home they desire. An extension of four or five years would support their efforts to have the time to save the money needed to build a new house.

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

- The underlying RF zone would allow the construction of a 4,000 sq. ft. home, however the Appellant would like to build a 5,000 sq. ft., two storey home, as it is anticipated that Mrs. Mann's parents may also be living with them in the future.
- Similar to other applications before the Board, the intention was to remain and continue to be a part of the community established in the neighbourhood and to build under the LUC in the future; just not financially able to build a new home at this time.

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 neighbourhood surrounding the property does not have a lot of redevelopment at this time, but it is anticipated.
- A financial hardship has been demonstrated. The Appellants are living in the home now and feel they will need a much larger home in the future to accommodate their children and parents.



Therefore, it was

Moved by I. Dhillon  
Seconded by J. Rahiman

THAT Appeal No. 17-38, to extend the effective termination date of Land Use Contract No. 36 for five years until May 29, 2023, to permit the construction of a new residential dwelling at 12734 Drummond Place, in accordance with the provisions of Land Use Contract No. 36, be **ALLOWED**.

CARRIED UNANIMOUSLY

K. Broersma, S. Chand and M. Legge left the meeting at 1:00 pm.

**16. Appeal No. 17-39 – Santokh and Baljit Thind**

*For permission to extend the effective termination date of Land Use Contract No. 368 until December 31, 2021, to permit the construction of a new residential dwelling at 7029 – 130 Street.*

The Board acknowledged Santokh Thind, Appellant, and Manpreet Atwal, translator, in attendance to speak to the application.

The Appellant advised he needs more time to raise the finances needed to build the larger home he requires that can be built under the Land Use Contract (LUC) for his large extended family, which includes his wife, mother-in-law and father-in-law, brother and sister-in-law and their two children.

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

- The Appellant owns two properties, residing in one and renting out the second property.
- This subject property was purchased just over five years ago with the intent to someday build a larger home for his children and extended family. The second (smaller) property is on a busier road and was purchased 20 years ago. It is anticipated the second property will be sold in the future.
- An extension only until 2021 is being sought to provide more time to raise the funds needed for a new home.
- The property was purchased at the time for its location. Circumstances are such that the Appellants will be experiencing financial hardship and will not be able to build a home soon as Mrs. Thind's employment will terminate at the end of the month due to the sale of her employer's hotel for redevelopment.
- In addition, the Appellants have never designed or built a home before and need additional time to learn the steps required.

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:**

- There is evidence of considerable redevelopment under the LUC in the area, including the property immediately opposite the subject property.
- A hardship has been demonstrated as the family needs a larger home to accommodate a growing extended family, and the upcoming loss of employment for Mrs. Thind, requiring more time to secure new employment and save the funding needed to construct a new home.

Therefore, it was

Moved by P. Sandhar

Seconded by M. Bola

THAT Appeal No. 17-39, to extend the effective termination date of Land Use Contract No. 368 until December 31, 2021, to permit the construction of a new residential dwelling at 7029 – 130 Street, in accordance with the provisions of Land Use Contract No. 368, be **ALLOWED**.

CARRIED UNANIMOUSLY

**17. Appeal No. 17-40 – Kuldeep Choongh and Pargat Choongh**

*For permission to extend the effective termination date of Land Use Contract No. 81 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 9071 – 124 Street.*

The Board acknowledged Kuldeep Choongh and Pargat Choongh, Appellants, in attendance to speak to the application.

Mr. Choongh advised he purchased the home in 2010 and has been living there with his wife, three children and his father. The location of the home is in close proximity to the Temple and the ideal location to build the a larger family home in the future, permitted under the Land Use Contract (LUC), as intended when the property was purchased at a premium. With the family still young, it was anticipated there would be plenty of time to plan for the new home and as such, \$18,000 was spent renovating the interior and painting the exterior of the home. The Appellant's father is 63 years of age and currently works part-time as a seasonal farm worker, with minimal income to provide for himself. Due to the current lack of finances to support the construction of the new home, an extension of the LUC termination date for four years is

being sought. This will allow enough time to sell property owned in India, where the market is currently very slow and may take considerable time to sell and transfer funds back to Canada.

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

- The Appellant's mother passed early 2017, which resulted in the recent April 2017 change to the Certificate of Title, as she had been on the Title for the property.
- There is a newer, larger two storey house currently under construction that immediately neighbours immediately on the left.
- The Appellants would like to build a similar two storey home, approximately 5,200 – 5,500 sq. ft. with six bedrooms to accommodate the Appellants' three children as well as their parents.

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 neighbourhood is experiencing a great deal of redevelopment under the LUC.
- Hardship has been demonstrated based on an established financial hardship.

Therefore, it was

Moved by J. Rahiman  
Seconded by M. Bola

THAT Appeal No. 17-40, to extend the effective termination date of Land Use Contract No. 81 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 9071 – 124 Street, in accordance with the provisions of Land Use Contract No. 81, be **ALLOWED**.

CARRIED UNANIMOUSLY

Board member I. Dhillon declared a conflict of interest related to the following appeal and left the meeting at 1:23 pm.

**18. Appeal No. 17-41 – Nirmal and Lakhvir Thind**

*For permission to extend the effective termination date of Land Use Contract No. 81 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 12341 – 91A Avenue.*

The Board acknowledged Nirmal Thind, Appellant, and his son Rajin Thind, as translator, to speak to the application.

The Appellant advised he and his family have been living in the home since it was purchased it in 2001. Knowing that it would continue to be his home for his family and their families once his two children are married, it was intended that a larger 7,000 sq. ft. home, as provided for under the Land Use Contract (LUC) would be constructed in the future.

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

- A home designer has been contacted to initiate preliminary designs for the larger home required to accommodate the growing extended family. There has not been any construction planning done.
- Even though the design process has started, it is felt that a cushion of time, extending the termination of the LUC termination date for four years is required to allow time to carefully consider the design elements before moving forward with next steps.
- Almost all of the cul-de-sac where the property is located has been redeveloped.

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 Appellants have already started the design process and there are already quite a few homes built in the neighbourhood under the specification of the LUC.
- A reasonable hardship has been demonstrated as a result of the growing family that intends to continue living together after their children are married and the needs of the growing family will be matched by the need for a much larger home. Furthermore, the Appellants have already started the design process of building a house, which would have to be started all over again if a different design, under a different zone, is required.

Therefore, it was

Moved by P. Sandhar  
Seconded by M. Bola

THAT Appeal No. 17-41, to extend the effective termination date of Land Use Contract No. 81 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 12341 – 91A Avenue, in accordance with the provisions of Land Use Contract No. 81, be **ALLOWED**.

CARRIED UNANIMOUSLY

Board member I. Dhillon rejoined the meeting at 1:34 pm.

**19. Appeal No. 17-42 – Sukhdev and Harbans Bains**

*For permission to extend the effective termination date of Land Use Contract No. 64 for four years until April 24, 2022, to permit the construction of a new residential dwelling at 14053 – 75A Avenue.*

The Board acknowledged Sukhdev and Harbans Bains, Appellants, in attendance to speak to the application.

The Appellants advised they are a family of four, including their two sons, ages 30 and 26. Their eldest son will be getting married in 2018, and the second son is currently enrolled in university, anticipated to complete his studies and begin working within four years. The Appellants are currently not working as a result of injuries to Mrs. Bains from an accident, and unrelated surgery that was required for Mr. Bains, for which a further surgery is needed. A larger home, to accommodate the family and their future spouses (and families) is intended for this property. Limited finances as a result of health concerns and the upcoming expense of their son's marriage, as well as the university costs for the other son, make it necessary to require an extension of the Land Use Contract (LUC) termination date of four years, providing the opportunity to generate the funding required to build a larger family home.

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

- The Appellants currently own three homes, one in Vancouver and two in Surrey. Although the homes are assets, there is currently no equity as a result of loans against the properties to address a large business financial loss.
- The subject property was purchased in 1992, and second Surrey property was purchased 10 years ago and the Vancouver property was purchased in 2005, and is the home where the Appellants reside.

- The Appellant noted that he once owned a trucking company but has subsequently sold all the assets to repay debts owed that were incurred to prevent having to declare bankruptcy. Had circumstances with the business been different, it is possible the larger family home would have already been built.
- The injury that Mrs. Bains sustained at work required surgery, following which Mrs. Bains has not been able to work.

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:**

- There are numerous new larger homes already constructed under the LUC within the neighbourhood.
- It is likely the Appellants new home would have already been built had they not experienced financial business losses and health concerns resulting in the inability to work.
- Due to the financial losses and health issues outlined by the Appellants, as well as the crucial timing, a hardship has been demonstrated.

Therefore, it was

Moved by I. Dhillon  
Seconded by P. Sandhar

THAT Appeal No. 17-42, to extend the effective termination date of Land Use Contract No. 64 for four years until April 24, 2022, to permit the construction of a new residential dwelling at 14053 – 75A Avenue, in accordance with the provisions of Land Use Contract No. 64, be **ALLOWED**.

CARRIED  
(J. Rahiman Opposed)

**20. Appeal No. 17-43 – Harvinder and Parminder Clair**

*For permission to extend the effective termination date of Land Use Contract No. 300 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 9302 – 123A Street.*

The Board acknowledged Harvinder and Parminder Clair, Appellants, in attendance to speak to the application.

The Appellants advised they are seeking a four year extension as they are currently not in a financial position to build the home they would like to build permitted under the Land Use Contract (LUC). The property was purchased in December, 1998 because of its ideal location to an elementary and high school for their (then) two young children, as well as the ability to build a larger extended family home under the LUC. Circumstances at the time prevented them from building a new home, and financial constraints, resulting from the ongoing costs for major renovations to the kitchen, bathroom and flooring throughout the home over the past few years (completed in 2016) and the expenses incurred for the marriage of their eldest son earlier this year, make it difficult to meet the LUC termination restrictions. In addition, they are expecting their first grandchild in December, and it is anticipated their younger son will also be getting married in 2018. With the new baby on the way and the second wedding expenses, more time is needed to save up to build a new, larger home, that will accommodate both sons and their families as well as the Appellants. Further expenses are also anticipated for travel to India to visit their parents, currently in their late 80's; it is important to be able to visit them in their later years. Just need more time to proceed with building the new home.

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

- The home is approximately 2,100 sq. ft.
- It is the only property they own.
- There are a few houses in the neighbourhood already built and a few others in the process of being built under the LUC, as permitted.

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 hardship has been demonstrated as a result of the financial commitment to renovations of the existing home, the marriage of their oldest son, upcoming wedding of their youngest son, as well as the recent news of their first grandchild, due in December.
- Furthermore, there are additional expenses anticipated to travel to India in the near future.
- It is currently not the right timing (financially or otherwise) to be able to demolish and rebuild a new home under the LUC provisions.
- The Appellants are not exhausting the full maximum extension allowable which supports the intention to build.

Therefore, it was

Moved by M. Bola  
Seconded by P. Sandhar

THAT Appeal No. 17-43, to extend the effective termination date of Land Use Contract No. 300 for four years until June 26, 2022, to permit the construction of a new residential dwelling at 9302 – 123A Street, in accordance with the provisions of Land Use Contract No. 300, be **ALLOWED**.

CARRIED UNANIMOUSLY

**D. OTHER BUSINESS**

Before the meeting adjourned, the Board was approached to discuss an appeal application considered at a previous meeting. The Chair advised the requirement to submit a letter to the Board for consideration at a future meeting.

**E. NEXT MEETING**

Following consultation with Board members, the next Board of Variance meeting was re-scheduled to be held on **Monday, October 16, 2017** at 9:00 am, in Meeting Room 2E – Community Room A & B, City Hall.


**F. ADJOURNMENT**

Moved by P. Sandhar  
Second by J. Rahiman

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 1:58 pm

  
\_\_\_\_\_  
Gil Mervyn, Chair

  
\_\_\_\_\_  
Lorraine Anderson, Secretary