

**City of Surrey
Board of Variance
Minutes**

2E – Community Room A
City Hall
13450 - 104 Avenue
Surrey, B.C.
WEDNESDAY, JUNE 13, 2018
Time: 9:48 AM
File: 0360-20

Present:

Puneet Sandhar, Vice Chair
Mike Bola
Inderjit Dhillon

Absent:

Gil Mervyn, Chair
Jennifer Rahiman

Staff Present:

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

A. ADOPTION OF MINUTES

Minutes of the Board of Variance meeting held May 9, 2018.

Moved by I. Dhillon
Seconded by M. Bola

THAT the Minutes of the Board of Variance meeting held on May 9, 2018, be received and adopted as circulated.

CARRIED UNANIMOUSLY

B. DEFERRED APPEALS

C. NEW APPEALS

1. Appeal No. 18-59 – G. Grewal

For permission to allow a portion of a proposed single family dwelling to be farther than 50m from the front lot line (56 Avenue), in this case to be up to 69m from the front lot line; and to increase the maximum depth of the farm residential footprint from the front lot line (56 Avenue) from 60m to 79m, to accommodate the Metro Vancouver Right-of-Way on the northern portion of the property in order to permit the construction of a new single family dwelling at 15836 - 56 Avenue (Hwy. 10).

The Board acknowledged Inderbir Grewal, son of the Appellant and Agent, in attendance to speak to the application.

Mr. Grewal provided an overview of the subject property noting that there are two Metro Vancouver force mains (sanitary) that run through the north end of the property. To accommodate the request from Metro Vancouver to have no

heavy equipment operated within 15m of the 7.5m Statutory Right of Way (SRW), the Board considered and approved application 17-15 on June 14, 2017 to allow for a portion of the proposed single family dwelling to be up to 59m from the front lot line; and an increase to the maximum depth of the farm residential footprint from the front lot line (56 Avenue) from 60m to 69m, resulting in the proposed dwelling to be located further to the south. Following approval, the plan was to put the crossing in sometime in the fall and wait until the summer for the fill.

Subsequent to receiving the Board's approval, the Appellant was advised by the current Senior Project Engineer for Metro Vancouver that increased variances of a further 5m from toe of preload slope to centerline of pipe is required to address the general softer soils in the area and meet the needs of the Metro Vancouver SRW.

A greater variance is now sought in order to permit the construction of a new single family dwelling that complies with Metro Vancouver's restrictions. If a further variance is not granted, Metro Vancouver will not grant the fill application and the Applicant will not be able to build a home there.

This additional (unforeseen) delay has caused significant financial hardship as the new home was supposed to be built two years ago. Rent paid during this time has been in excess of \$45,000; an expense not anticipated.

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

- During the installation of the crossing a Metro Vancouver surveyor was on site every day to take readings of everything and ensure they were the same at all times.
- Metro Vancouver will not accept any movement on the lines. Even at 20m, Metro Vancouver has advised they will shut down the project if those pipes move. So for safeguarding, the additional 5m over and above what was requested is being sought.
- Although there is no surety in writing there won't be settlement at 20m or even 25m (which should provide a safe buffer), the surety is coming from Metro Vancouver because that is what they are approving. Neither Metro Vancouver nor the Geotech can say 100% it won't happen.
- The septic is part of the farm plate which will not be exceeding the maximum allowable 2,000m².

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.

The Board made the following concluding comments regarding the requested variance:

- For clarification, this Appeal is not a variance of what was approved in June, 2017, it is a new Appeal from the current setback to accommodate the requirements set out by Metro Vancouver.
- The variance request was recommended from the Geotech and Metro Vancouver; it is very specific based on their requirement.
- The request is reasonable as there is undue hardship based on the new limitations and requirement of the Metro Vancouver SRW. The Appellant needs to satisfy the recommendations of Metro Vancouver in order to build the home.

Therefore, it was

Moved by I. Dhillon
Seconded by M. Bola

THAT the Board finds that undue hardship would be caused to the Appellant by compliance with the Zoning Bylaw and orders that Appeal No. 18-59 to allow a portion of a proposed single family dwelling to be farther than 50m from the front lot line (56 Avenue), in this case to be up to 69m from the front lot line; and to increase the maximum depth of the farm residential footprint from the front lot line (56 Avenue) from 60m to 79m, to accommodate the Metro Vancouver Right-of-Way on the northern portion of the property in order to permit the construction of a new single family dwelling at 15836 - 56 Avenue (Hwy. 10), as presented to the Board, be ALLOWED.

CARRIED UNANIMOUSLY

D. OTHER BUSINESS

E. NEXT MEETING

The next Board of Variance meeting is scheduled to be held on **Wednesday, July 11, 2018** at 9:00 am, in Meeting Room 2E – Community Room A, City Hall.

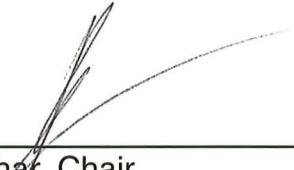
F. ADJOURNMENT

Moved by M. Bola
Second by I. Dhillon

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:59 am.



Puneet Sandhar, Chair



Lorraine Anderson, Secretary