

**City of Surrey  
Board of Variance  
Minutes**

**2E – Community Room A**  
City Hall  
13450 - 104 Avenue  
Surrey, B.C.  
**WEDNESDAY, JULY 11, 2018**  
Time: 9:00 a.m.  
File: 0360-20

**Present:**

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

**Absent:**

**Staff Present:**

K. Broersma, Planner  
G. Dusanjh, Residential Plan Checker  
J. Wonfor, Residential Plan Checker  
L. Anderson, Secretary

**A. ADOPTION OF MINUTES**

1. Minutes of the Board of Variance hearing held June 13, 2018.

Moved by I. Dhillon  
Seconded by P. Sandhar

THAT the Minutes of the Board of Variance hearing held on June 13, 2018,  
be received and adopted as circulated.

CARRIED UNANIMOUSLY

**B. DEFERRED APPEALS**

**C. NEW APPEALS**

1. **Appeal No. 18-60 – Chahal**

*For permission to reduce the minimum front yard setback along the eastern side of the parcel from 7.5m to 3.6m, to permit the construction of a new single family dwelling at 7865 Suncrest Drive.*

The Board acknowledged Tirath Sangha, Agent for the Appellants, Ikbal and Kuldeep Chahal, in attendance to speak to the application.

Mr. Sangha reported that the property was purchased in December 2017 with the intention of building a new home for the Appellants' family. The existing home has already been demolished and services have been updated. The property was deemed to be a corner lot and for the purposes of designing the new home, the south property line was considered the front lot line, requiring a 7.5m setback, and the east property line as the flanking side, requiring a 3.6m setback. However, the City's Planning department has informed that,

contrary to the understanding when the home was designed, the section along the east side has been interpreted as a fronting yard, as there is no change in the road name. Therefore the Zoning Bylaw interpretation is that the lot is not a "corner lot" and would require a 7.5m front yard setback along both the south and east property lines.

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

- If a variance is not granted, the Appellants will not be able to build the home according to their needs, designed to accommodate a bedroom on the main floor for their parents, as well as sufficient space for their two grown children, which has been difficult to design on the odd shaped lot.
- As shown in the drawings, it will also be difficult to construct the rear patio without the requested variance.
- The variance for the property setback from the side will essentially be similar to the neighbouring property flanking side.

The Chair confirmed there was no correspondence received in response to the notification regarding the appeal and two people present to speak to the application.

Sara Giesbrecht and Darren Giesbrecht, neighbours of the Appellants, residing opposite to the subject property at 7868 Suncrest Drive, presented concerns as follows:

- The Appellants have two grown children for whom, it may be assumed, will have their own vehicles. Parking and driving down the street is becoming a real issue, with parking often a problem for visitors to neighbouring homes.
- It is often impossible to get out of the driveway as a result of the property owners parking so close to the neighbouring driveway. Once the proposed home is built there will be more cars and not enough room to accommodate vehicles on the property.
- The issue is primarily parking and congestion in the area. If there is less frontage there will be a smaller driveway and less room to allocate the parking. Similar to other properties in the area that have built a new home, even with a double-wide driveway, the owners don't tend to park behind one another, preferring to monopolize any available street parking.

**In response to comments from Mr. and Mrs. Giesbrecht, the Board advised the following:**

- The Giesbrechts were shown the site plan for the subject property to demonstrate that the location of the garage is set back significantly from the side street to provide space for at least two, if not four vehicles, in

addition to the space provided by the garage itself. The location of the garage does not change whether or not the appeal is allowed.

- The concern is the possible impact of additional parking on the street, not the design of the house or the location of the house. The concern would exist regardless of whether or not the appeal was approved.

**In response to comments from Mr. and Mrs. Giesbrecht and the Board, the Agent commented as follows:**

- The requested variance does not alter the driveway, it will stay the same; it is just the other portion of the building that will have to be pushed back.
- The concern is for parking for the home. There are only two vehicles as both children are university students that take the bus.
- There will be a legal suite and possibly a car for the tenant.
- Every effort will be made to keep all vehicles in the driveway, not on the street.
- There is no sidewalk along their property, so it will be possible to have the driveway longer, which could potentially provide parking for up to six cars.

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

- The variance requested is to vary the interpretation of the eastern side of the property to be the side flanking side.
- Most people agree the subject property looks like a corner lot because of the sharp turn of the street. When compared with other similar properties, the only difference is the naming of the street along the flanking side. There are examples of the same situation for similar properties within the immediate area and further below Suncrest Drive, all of which have been treated as "corner" lots.
- At the site visit it was noted that there is already an excess of 3.6m (closer to 5m) between the curb of the street and the property line. Therefore there is already a partial set back from the curve before the actual property line.
- Undue hardship can be determined as this is a situation where the property is located on a corner that is not considered a corner. If the variance is not granted the Appellants cannot build the home according to their needs, and as normally permitted for a corner lot.

Therefore, it was

Moved by P. Sandhar  
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. 18-60 to reduce the minimum front yard setback along the eastern side of the parcel from 7.5m to 3.6m, to permit the construction of a new single family dwelling at 7865 Suncrest Drive, as presented to the Board, be ALLOWED.

CARRIED UNANIMOUSLY

**D. OTHER BUSINESS**

1. Board of Variance Guide

The Board was advised the City has obtained two paper copies and an electronic copy of the BOV Guide, produced in 2017, to share with the Board. Electronic copies will be provided to all Board members via email.

**E. NEXT MEETING**

In response to an inquiry to consider a hearing in August, it was determined unlikely to obtain a quorum for a hearing in August.

The next Board of Variance hearing is scheduled for Wednesday, September 12, 2018 at 9:00 a.m.

**F. ADJOURNMENT**

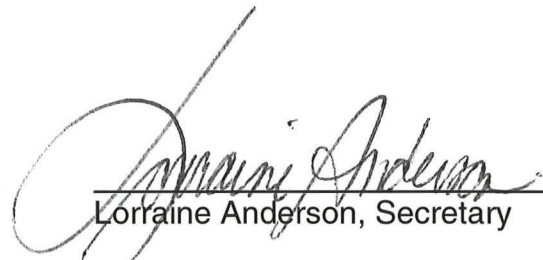
Moved by M. Bola  
Second by J. Rahiman

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:29 a.m.

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

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