

**City of Surrey
Board of Variance
Minutes**

**Virtual Meeting
WEDNESDAY, JULY 21, 2021
Time: 9:08 a.m.
File: 0360-20**

Present:

Gil Mervyn, Chair
Inderjit Dhillon
Dave Hans
Hossam Meawad
Beerinder Sidhu

Absent:

Staff Present:

K. Broersma, Planner, Planning & Development
I. Poon, Plan Review, Building
L. Anderson, Secretary

A. ADOPTION OF MINUTES

1. The minutes of the Board of Variance hearing held on April 14, 2021.

Moved by I. Dhillon
Second by B. Sidhu

THAT the Minutes of the Board of Variance hearing held on April 14, 2021, be received and adopted as circulated.

CARRIED UNANIMOUSLY

B. DEFERRED APPEALS

C. NEW APPEALS

1. **Appeal No. 21-04 – SINGH / HOTH**

For permission to increase the building height from 9.0 metres to 9.77 metres, to permit the construction of a new single family dwelling at 11530 – 129 Street.

The Board acknowledged Mohinder Shergill, Agent for the Appellant, in attendance to speak to the application.

The Agent informed the property is in the Bridgeview area and impacted by floodplain construction restrictions requiring the habitable space to be 4.4m above sea level. Construction of a family home with a 9.0 ft. ceiling height for the upper two floors is proposed, which increases the building height to 9.77m, an increase to the permitted height for the RF (Single Family Residential) Zone property by 0.77m. Numerous options were considered but it was difficult to meet the zoning requirements, without losing an entire floor (approx. 1500 sq. ft.), even with the roof pitch designed to have a lower than typical slope. As a result of the floodplain limitations and height challenges for the design of the home, a variance to increase the height to 9.77m is being sought.

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

- The property value of the home will be much lower without a 9 ft. ceiling height and reducing the ceiling height to 8 ft. for the main and upper floor still did not meet the requirements.
- To comply with the Bylaw, the ceiling heights would need to be less than 8 ft., or the home would need to be a single storey.

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

- Now required for new homes in the Bridgeview floodplain area is a Restrictive Covenant (RC), registered on the property's title at the Land Titles Office before the issuance of the Building Permit (during the plan review stage).
- The RC will prohibit the creation of any habitable floor area below the FCL value (the foyer is permitted).

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

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

- 9 ft. ceilings are 99% standard these days, even in townhouses.
- Compared to other RF zoned areas in Surrey with a maximum height of 9.0m, the proposed residential dwelling is required to be pushed up to meet the minimum flood plain zone to begin with, leaving less space available to meet the requirements of the zoning bylaw.
- This is an area in Surrey that has a common issue as a result of the flood plain; property owners are limited to the height they can have.
- Alternatives to comply with the Bylaw were sought without success.
- Undue hardship has been demonstrated as a result of the impact from the floodplain restrictions requiring the habitable space to be above the established floodplain level.

Therefore, it was

Moved by B. Sidhu
Second by I. Dhillon

THAT the Board finds that undue hardship would be caused to the Appellants by compliance with the Zoning Bylaw and orders that Appeal No. 21-04, to increase the building height from 9.0 metres to 9.77 metres, to permit the construction of a new single family dwelling at 11530 – 129 Street, as presented to the Board, be **ALLOWED**.

CARRIED UNANIMOUSLY

Following the Board's decision, the Agent acknowledged the information provided by staff with respect to the requirement of an RC to be registered on the property's title prior to the issuance of the Building Permit.

D. OTHER BUSINESS

1. Update: Board Recommendations

The Chair requested that staff provide an update at the next Board meeting with respect to the two Board recommendations of March 11, 2020, passed by Council on June 15, 2020, pertaining to the 80/20 Rule and floodplain issues.

E. NEXT MEETING

The next Board of Variance hearing is scheduled to be held on Wednesday, September 15, 2021, at 9:00 a.m.

F. ADJOURNMENT

Moved by I. Dhillon
Second by H. Meawad

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:27 a.m.

Gil Mervyn, Chair

Lorraine Anderson, Secretary