



Surrey Board of Variance Minutes

2E - Community Room B
City Hall
13450 - 104 Avenue
Surrey, B.C.
TUESDAY, JUNE 13, 2023
Time: 9:00 a.m.

Present:

J. Dharampal
B. Sidhu, Vice Chair
P. Sran
J. Vinepal

Absent:

I. Dhillon, Chair

Staff Present:

E. MacGregor, Planner, Planning & Development
J. Welkhu, Plan Checker, Planning & Development
N. Gojevic, Plan Checker, Planning & Development
L. Blake, Assistant City Clerk, Legislative Services

A. ADOPTIONS**1. Adoption of the Minutes**

It was

Moved by J. Vinepal

Seconded by P. Sran

That the minutes of the Board of Variance
hearing held on March 14, 2023, be received and adopted as circulated.

Carried

B. DEFERRED APPEALS

This section had no items to consider.

C. NEW APPEALS**1. Appeal No. 23-04 – Lupien**

The Board acknowledged R. Lupien, Applicant, in attendance to speak to the application.

The Chair confirmed that there were no persons present to speak to the application and that no correspondence had been received in opposition to the proposal.

The Chair then called on the Applicant to present their appeal.

The Applicant provided the following information:

- The Applicant has lived at the property for 26 years and always intended to build a shop. The Applicant explored various placement options and ultimately decided to locate the shop in back corner of the property in order to leave some usable backyard space.

- The property has a ten-foot BC Hydro right-of-way that required a right-of-usage letter in order to build the shop in the preferred location. After receiving the right-of-usage letter that will allow the shop to be within 1.3 metres of the BC Hydro right-of-way.
- The Applicant is seeking a setback variance due to the site constraints including the BC Hydro right-of-way, tree line and existing deck.

In response to questions from the Board, the Applicant advised that the arborist report has been approved by the City and the onsite trees are not permitted to be cut down and must be protected during construction. As tree protection zones cannot be established because of the proximity to the deck, a \$15,000 deposit was required. Vehicle access will be restricted to dirt removal, gravel, sand and rock deliveries, and lumber will be hand delivered to the construction area. A geo-tile driveway is proposed to protect the tree root line.

The Board noted that a hardship has been demonstrated due to the site constraints.

It was

Moved by P. Sran

Seconded by J. Vinepal

That the Board finds that undue hardship would be caused to the Appellant by compliance with the Zoning Bylaw and orders that Appeal No. 23-04, permission to vary the rear yard setback of the RF Zone from 18 metres to 14.74 metres to allow an accessory building (garage/shed) in the rear yard of the property located at 15118 Eagle Place, as presented to the Board, be allowed.

Carried

2. Appeal No. 23-05 – Eshaghzey

The Board acknowledged A. Eshaghzey, Applicant, in attendance to speak to the application.

The Chair confirmed that there were no persons present to speak to the application and that no correspondence had been received in opposition to the proposal.

The Chair then called on the Applicant to present their appeal.

The Applicant advised that he purchased the property in March 2020 and the existing shed was in a state of disrepair. The Applicant demolished the shed and rebuilt a more aesthetically pleasing structure to match the new home on the same property on the existing concrete slab, with an extra foot added to the width to allow for a garage door. The additional width resulted in the shed being 18 square feet larger than what is permitted as per the Zoning Bylaw. The Applicant has invested a considerable amount of time and money into constructing an appealing shed, and was also required to pay a \$10,000 bond that will be held until the issue is resolved.

In response to questions from the Board, the Applicant advised that the shed is not accessible from the flanking street.

In response to questions from the Board, the Planner and Plan Checker provided the following information:

- As the Applicant demolished and reconstructed the accessory building (shed) prior to the demolition and construction of the new primary dwelling, they were required to provide a \$10,000 bond; however, the Applicant must have the variance addressed first before the bond can be released.
- As the property is a double-fronting lot, the shed must also comply with the front yard setbacks.

The Board noted that the variance is necessary due to the front yard setbacks required for a double-fronting lot.

It was

Moved by J. Dharampal

Seconded by P. Sran

That the Board finds that undue hardship would be caused to the Appellant by compliance with the Zoning Bylaw and orders that Appeal No. 23-04, permission to vary the front yard setback from 18 metres to 2.8 metres, and flanking side yard setback from 7.5 metres to 1.27 metres and 1.38 metres of the RF Zone to allow retention of an accessory building (shed) in the front yard of this irregularly shaped corner lot located at 15711 Aster Road, as presented to the Board, be allowed.

Carried

3. Appeal No. 23-06 – Bains

The Board acknowledged G. Bains, Applicant, in attendance to speak to the application.

The Chair confirmed that there were no persons present to speak to the application and that no correspondence had been received in opposition to the proposal.

The Chair then called on the Applicant to present their appeal.

The Applicant advised that he is seeking a variance to permit a stairwell for access to the basement suite. The property is a double-fronting lot, so there is technically no rear yard. If the stairwell is not permitted, the basement can only be accessed through the interior of the house.

In response to questions from the Board, the Applicant provided the following information:

- There are three other properties in the same subdivision that were permitted to construct a stairwell in the rear of the property, despite also being double-fronting lots.

In response to questions from the Board, the Plan Checker advised that the application complies with all other setback requirements.

The Board noted that the Applicant requires external access to the basement suite and that undue hardship has been demonstrated due to the requirements of the Zoning Bylaw and the double frontage of the property.

It was

Moved by J. Vinepal

Seconded by J. Dharampal

That the Board finds that undue hardship would be caused to the Appellant by compliance with the Zoning Bylaw and orders that Appeal No. 23-06, permission to vary the location of the basement stair well permitted under the Zoning Bylaw to the east side yard, setback 7.2 metres from the property line, towards the back of the house, located at 12725 54A Avenue, as presented to the Board, be allowed.

Carried

D. OTHER BUSINESS

This section had no items to consider.

E. NEXT MEETING

The next meeting of the Board of Variance is scheduled for July 11, 2023.

F. ADJOURNMENT

The Board of Variance meeting adjourned at 9:38 a.m.

Lauren Blake, Secretary

Beerinder Sidhu - Chairperson