



Surrey Board of Variance Minutes

2E - Community Room A&B
City Hall
13450 - 104 Avenue
Surrey, B.C.
TUESDAY, MAY 14, 2024
Time: 9:03 a.m.

Present:

I. Dhillon, Chair
J. Dharampal
B. Sidhu
P. Sran

Absent:

J. Vinepal

Staff Present:

E. MacGregor, Planner, Planning & Development
R. Ordelheide, Planner, Planning & Development
J. Wonfor, Plan Checker, Planning & Development
L. Blake, Assistant City Clerk, Legislative Services
J. Sung, Legislative Services Coordinator

A. ADOPTIONS

1. Adoption of the Minutes

It was

Moved by J. Dharampal

Seconded by B. Sidhu

That the minutes of the Board of Variance

meeting of March 12, 2024 be approved as circulated.

Carried

B. NEW APPEALS

1. Appeal No. 24-03 – Deremo

The Board acknowledged T. Deremo, 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 is a retired pensioner with limited regular income and would have difficulty recovering from any financial challenge. He is concerned regarding the cost of deck and awning removal, as he may lose his house ownership from the debt.
- The original deck was deteriorating and a painter who was working on the applicant’s house advised that he could repair the deck and install an awning. The Applicant noted that it was difficult locating a deck repairs person during the pandemic.

- The painter who constructed the deck advised that a permit was not needed for existing structure replacement. The Applicant was also not aware the work was encroaching on existing setback.
- The Applicant has had the structure assessed by engineers, who suggested that the posts located within the setback area could be removed without compromising the structure. A Neighbor who lives adjacent to the backyard was consulted and they expressed no concern to the deck and awning.

The Board noted that the deck was built structurally sound and there would be a financial hardship if the Applicant was required to demolish the deck and awning.

It was

Moved by B. Sidhu

Seconded by J. Dharampal

That Appeal 24-03, for permission to vary the rear yard (north) setback of the "Single Family Residential (RF) Zone" from 7.5 metres to 6.15 metres to retain an unpermitted deck and aluminum patio cover in the rear yard of the subject property located at 15697 – 108 Avenue, as presented to the Board, be allowed.

Carried

The agenda was varied to address Appeal No. 24-05 prior to Appeal No. 24-04, as the Agent for Appeal No. 24-04 was not present.

3. **Appeal No. 24-05 – Sidhu**

The Board acknowledged J. Sidhu, Applicant, in attendance to speak to the application.

The Chair confirmed that there were no persons present to speak to the application and that one piece of correspondence regarding a tree located on City property was received in response to the appeal notice.

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

The Applicant provided the following information:

- The Applicant is proposing to build upon an existing foundation of the house that is approximately 50 years old. The property is located on a dead-end road and was purchased as-is couple of years ago.
- The Applicant has two children in university, and a third child expected to enter university shortly, resulting in the Applicant being stretched financially. There would be significant savings to the Applicant if foundation walls do not need to be rebuilt.
- Neighbors to the south have been consulted by the Applicant and have expressed no concern. Two trees on the property may be damaged during construction.

In response to a question from the Board, the Applicant advised that the property is located on a frontage road, and not directly on King George Boulevard.
In response to questions from the Board, staff advised that the building was constructed prior to current bylaws and is considered pre-existing non-conforming.

The Board noted that the existing setbacks are pre-existing non-confirming, the streetscape is not deteriorating, and the new construction will not block view corridors.

It was

Moved by P. Sran

Seconded by B. Sidhu

That Appeal 24-05, for permission to vary the front yard setback of the RH Zone from 7.5 metres to 5.42 metres to construct an addition on an existing single-family dwelling located at 5479 King George Boulevard, as presented to the Board, be allowed.

Carried

2. Appeal No. 24-04 – Te

The Agent for Appeal No. 24-04 was not in attendance. The property owner was acknowledged by the Board and spoke on behalf of the Appeal.

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 following information was highlighted:

- The property was purchased in 2016. There was no plan to open a daycare on location at the time but now the Applicant wishes to open their own business utilizing their past expertise.
- When the Applicant applied for a daycare license from Fraser Health and the drawings were provided to the City for review, the Applicant was informed the pre-existing structure was built without a Building Permit and is encroaching on the setback. The addition is currently used by the Applicant's children
- The Applicant applied for a daycare license more than a year ago, but cannot obtain a license until a separate emergency entrance to the daycare space is provided. The variance is therefore required in order to provide a separate emergency exit for the daycare space.

In response to a question from the Board, staff advised that the basement well appears to have been constructed in 2009. The bylaw provided the following information:

- The bylaw was likely changed after 2009 to not permit basement wells, making the well legal non-conforming.

- The Statutory Right-of-Way is for drainage and not sanitary services, and the structure is sufficiently located far enough away from the setback that there are no concerns.

The Board noted that the addition and basement well are likely existing non-conforming, are located far enough away from City sewer, storm drainage and sanitary lines, and the site is irregularly shaped.

It was Moved by P. Sran
 Seconded by B. Sidhu
 That Appeal 24-04, for permission to vary the east rear yard setback of the "Single Family Residential (RF) Zone" from 7.5 metres to 1.68 metres, and to allow a basement well in the north side yard of the property located at 9970 Semiahmoo Road, as presented to the Board, be allowed.
Carried

The Board discussed variance permit application processing times. Staff noted that in general, the City is working on decreasing the variance application process, and that applications for new developments are usually advised to apply for a Development Variance Permit.

C. OTHER BUSINESS

This section had no items to consider.


D. NEXT MEETING

The next meeting of the Board of Variance is scheduled for June 11, 2024.

E. ADJOURNMENT

It was Moved by B. Sidhu
 Seconded by P. Sran
 That the Board of Variance meeting be adjourned.
Carried

The Board of Variance meeting adjourned at 10:33 a.m.



 Jimmy Sung, Secretary



 Inderjit Dhillon - Chairperson