

INTER-OFFICE MEMO

**Regular Council - Land Use
B. 4 7919-0270-00
Monday March 6, 2023
Supplemental Information**

TO: City Clerk, Legislative Services Division

FROM: Acting Manager, Area Planning & Development – South Division

DATE: March 6, 2023 **FILE: 7919-0270-00**

**RE: Agenda Item B.4, March 6, 2023, Regular Council – Land Use
Development Application No. 7919-0270-00
Replacement Page for the Planning Report**

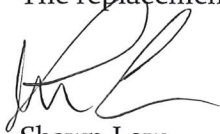
Development Application No. 7919-0270-00 is on the agenda for consideration by Council at the March 6, 2023 Regular Council – Land Use Meeting under Item B.4.

After finalizing the Planning Report for the March 6, 2023 Regular Council – Land Use Agenda, it was noted that the report incorrectly stated that remediation would be required on the western portion of the site. Remediation is required only on the northern portion of the site.

Additionally, the report incorrectly state that the driveway runs north-south through the property. This has been updated to state that the driveway runs east from 176 street to the existing fill pad.

Pages 2 and 4 of the Planning Report have been updated to reflect this change.

The replacement pages for the Planning Report detailing is attached to this memorandum.



Shawn Low
Acting Manager
Area Planning & Development- South Division

Attachment - 7919-0270-00- Page 2 and 4 Replacement Pages

c.c. - City Manager
- General Manager, Planning and Development Department

RECOMMENDATION SUMMARY

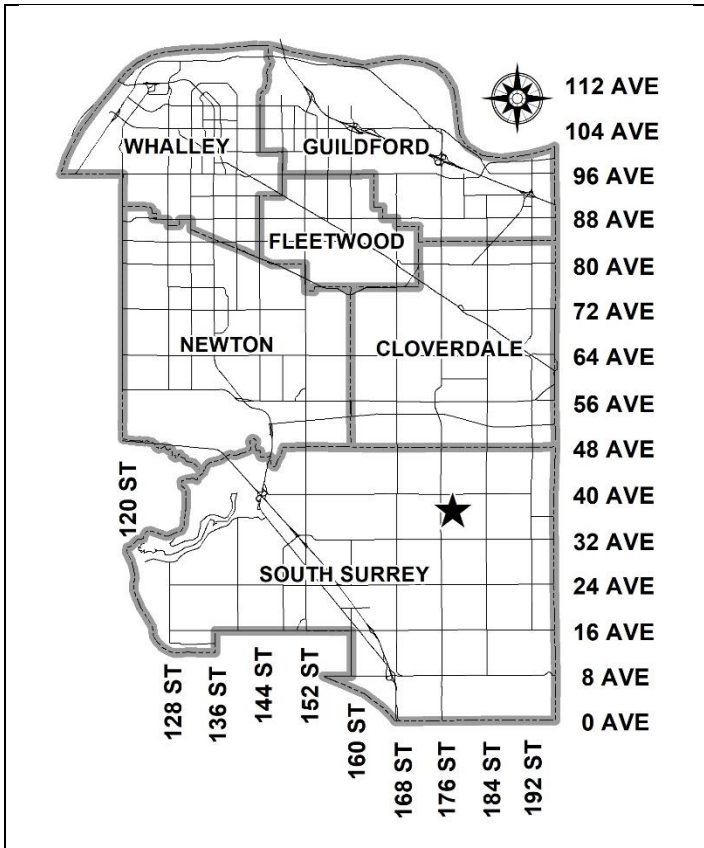
- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to increase the maximum residential home plate and single-family dwelling front setback depth of the “General Agriculture Zone (A-1)”

RATIONALE OF RECOMMENDATION

- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas).
- The lot contains a long access driveway from Highway 15 (176 Street) that leads approximately 180 metres ~~north~~ east to a pre-existing fill pad at the center of the property, placed in 2007. The proposed farm residential home plate would be sited within this fill pad, which is situated farther than the maximum permitted setback of 60 metres from the front lot line (176 Street).
- Under the “General Agricultural Zone (A-1)”, the maximum depth permitted for a farm residential building and the residential home plate are intended to maximize retention of agricultural land. Due to the previous fill placed on site for a Homeplate, the center of the property is already disturbed. Additionally, an existing driveway exists that connects the existing fill pad to Highway 15 (176 street).
- Without a variance, redevelopment of the farm residence under the A-1 zone would require further disturbing the western portion of the site with another Homeplate fill pad, or relocation and rehabilitation of the existing fill pad location.
- The applicant proposes partial remediation of the existing fill-pad to remove existing residential fill from the streamside setback area for the Class A ditch running along the north property line in proximity to the existing fill. Remediation would be required prior to final issuance of a building permit.
- Previous applications in the area proposing increased Homeplate setbacks for the purposes of retaining existing fill have been supported by Council and the Agriculture, Environment and Investment Advisory Committee (AEIAC).



PROPOSAL:

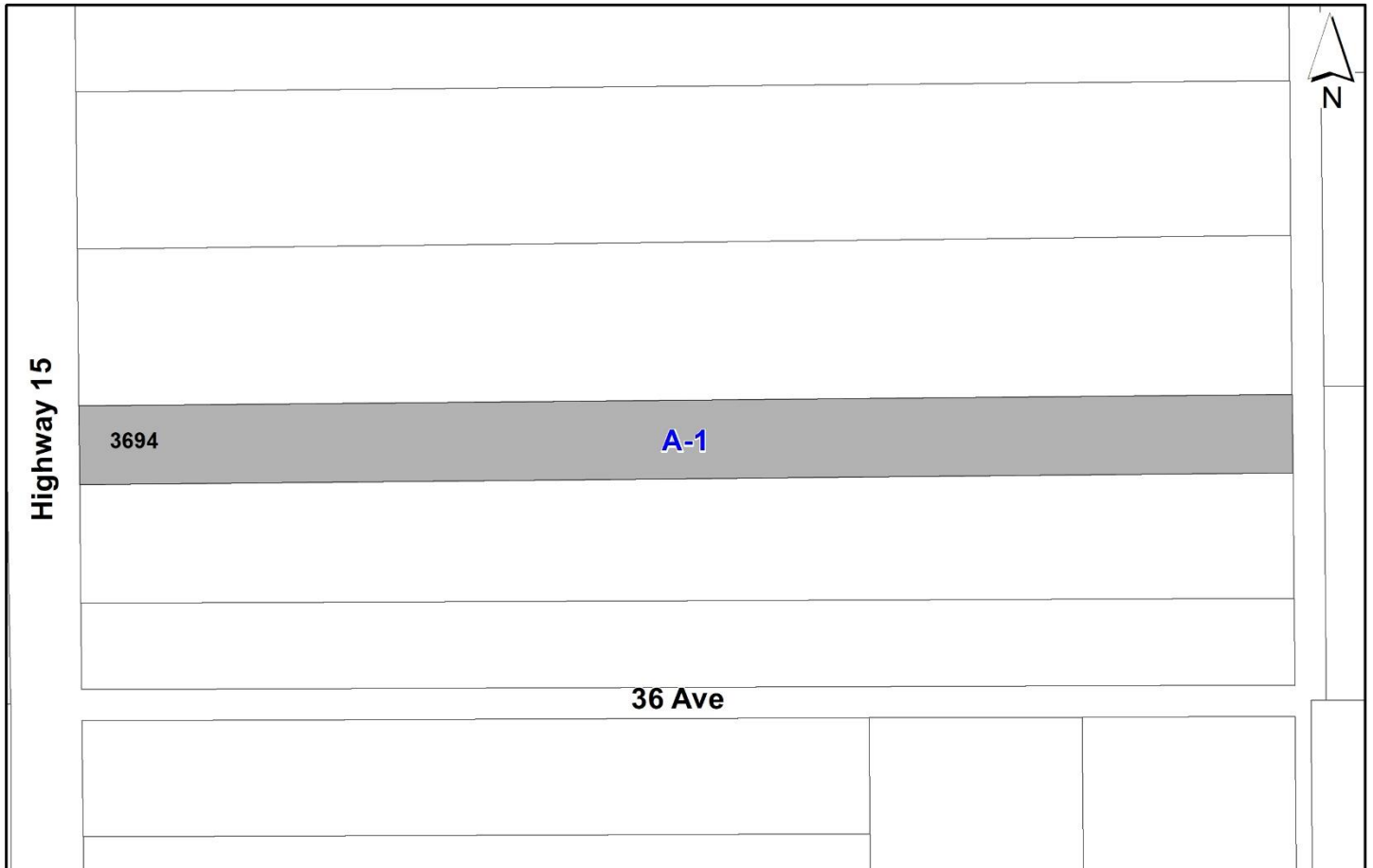
- **Development Permit**
- **Development Variance Permit**

to permit the development of a new single-family home and to increase the maximum depth of the farm residential home plate.

LOCATION: 3694 - 176 Street

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to increase the maximum residential home plate and single-family dwelling front setback depth of the “General Agriculture Zone (A-1)”

RATIONALE OF RECOMMENDATION

- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas).
- The lot contains a long access driveway from Highway 15 (176 Street) that leads approximately 180 metres north to a pre-existing fill pad at the center of the property, placed in 2007. The proposed farm residential home plate would be sited within this fill pad, which is situated farther than the maximum permitted setback of 60 metres from the front lot line (176 Street).
- Under the “General Agricultural Zone (A-1)”, the maximum depth permitted for a farm residential building and the residential home plate are intended to maximize retention of agricultural land. Due to the previous fill placed on site for a Homeplate, the center of the property is already disturbed. Additionally, an existing driveway exists that connects the existing fill pad to Highway 15 (176 street).
- Without a variance, redevelopment of the farm residence under the A-1 zone would require further disturbing the western portion of the site with another Homeplate fill pad, or relocation and rehabilitation of the existing fill pad location.
- The applicant proposes partial remediation of the existing fill-pad to remove existing residential fill from the streamside setback area for the Class A ditch running along the north property line in proximity to the existing fill. Remediation would be required prior to final issuance of a building permit.
- Previous applications in the area proposing increased Homeplate setbacks for the purposes of retaining existing fill have been supported by Council and the Agriculture, Environment and Investment Advisory Committee (AEIAC).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7919-0270-00 for Sensitive Ecosystems (Streamside Areas) generally in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7919-0270-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to increase the maximum setback of a single family dwelling from the front lot line of the “General Agriculture Zone (A-1)” from 50 metres to 202.5 metres; and
 - (b) to increase the maximum depth of the farm residential footprint from the front lot line of the “General Agriculture Zone (A-1)” from 60 metres to 212.5 metres.
3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) completion of a Peer Review of the finalized Ecosystem Development Plan to the satisfaction of City staff;
 - (b) submission of the finalized Ecosystem Development Plan, Landscape, Monitoring, and Fencing Security, to the satisfaction of the Planning and Development Department; and
 - (c) registration of a Section 219 Restrictive Covenant for protection, installation, and maintenance of the sensitive ecosystem permit area.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Active farmland in the Agricultural Land Reserve	Agricultural	A-1
North:	Active farmland in the Agricultural Land Reserve	Agricultural	A-1
East:	Active farmland in the Agricultural Land Reserve	Agricultural	A-1
South:	Active farmland in the Agricultural Land Reserve	Agricultural	A-1
West (Across 176 Street)	Active farmland in the Agricultural Land Reserve	Agricultural	A-1

Agriculture & Food
Policy Committee
(AFPC):

Typically, a Development Variance Permit in the Agricultural Land Reserve would require comment from the AFPC before being introduced to Council. The last meeting occurred, July 13, 2022, with a meeting for the newly formed AFPC scheduled for March 7, 2023 which will discuss the workplan and other housekeeping items related to the Committee. The first meeting scheduled to discuss Planning related items will occur on April 4, 2023.

As there is sufficient precedent of Homeplate setback variances being supported when fill was placed before Homeplate setback requirements were established, it was determined that the Application could be forwarded to Council for consideration.

Previous variances for the purposes of retaining existing fill that have been supported by Council and the AEIAC include Development Application No. 7917-0527-00, 7921-0248-00, and 79-022-0023-00.

POLICY & BY-LAW CONSIDERATIONS

Zoning By-law

Lot Setback and Depth Variances

- The applicant is requesting the following variances:
 - to increase the maximum setback of a single family dwelling from the front lot line of the “General Agriculture Zone (A-1)” from 50 metres to 202.5 metres; and
 - to increase the maximum depth of the farm residential footprint from the front lot line of the “General Agriculture Zone (A-1)” from 60 metres to 212.5 metres.
- Under the “General Agricultural Zone (A-1)”, the maximum depth permitted for a farm residential building and the residential home plate are intended to maximize retention of agricultural land. Due to the previous fill pad placed on site, the centre of the property is already disturbed.
- Without a variance, a new residential dwelling under the A-1 zone would require further disturbing the western portion of the site with another fill pad, or relocation and rehabilitation of the existing fill location.
- The applicant proposes partial remediation of the existing fill-pad to remove existing residential fill from the streamside setback area for the Class A ditch north of the existing fill. Remediation would be required prior to final issuance of a building permit.
- Previous applications proposing increased Homeplate setbacks for the purposes of retaining existing fill have been supported by Council and the Agriculture, Environment and Investment Advisory Committee, such as Development Application No. 7917-0527-00, 7921-0248-00, and 79-022-0023-00.

- Staff support the requested variances to proceed for consideration.

DEVELOPMENT PERMITS

Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of existing Class A/O (red-coded) watercourses impacting the property. The subject site includes a Class A/O watercourse along the northern property line adjacent to the proposed home.
- The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with watercourses from the impacts of development.
- As agricultural uses are not subject to the Sensitive Ecosystems Development Permit, the Development Permit is administered for portions of the watercourses proximate to the proposed residential home plate.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class A/O (red-coded) ditch requires a minimum streamside building setback of 10 metres, as measured from the top of bank. The proposed home will be located approximately 25.6m from the watercourse top of bank. Existing fill is located within the 10 setback, requiring remediation of the setback area before Building Permit issuance. The applicant will also be required to provide Securities to ensure that this area is remediated.
- An Ecosystem Development Plan, prepared by Libor Michalak, *R.P. Bio.*, of Keystone Environmental and dated December 2, 2022 was reviewed by staff and found to be generally acceptable. Should Council support the subject proposal then a peer review would be required as a condition of approval of this application. The finalized report and recommendations will be incorporated into the Development Permit.
- Libor Michalak, *R.P. Bio.*, of Keystone Environmental Ltd. Prepared a Riparian Area Protections Regulations (RAPR) report for the Ministry of Forests, Lands, Natural Resources Operations and Rural Development (FLNRORD). The report was confirmed to meet the standards of RAPR on July 27, 2021.

TREES

- No trees are located within proximity to the proposed home, with the nearest on-site tree being located approximately 110 metres away. No trees are proposed to be removed.

INFORMATION ATTACHED TO THIS REPORT

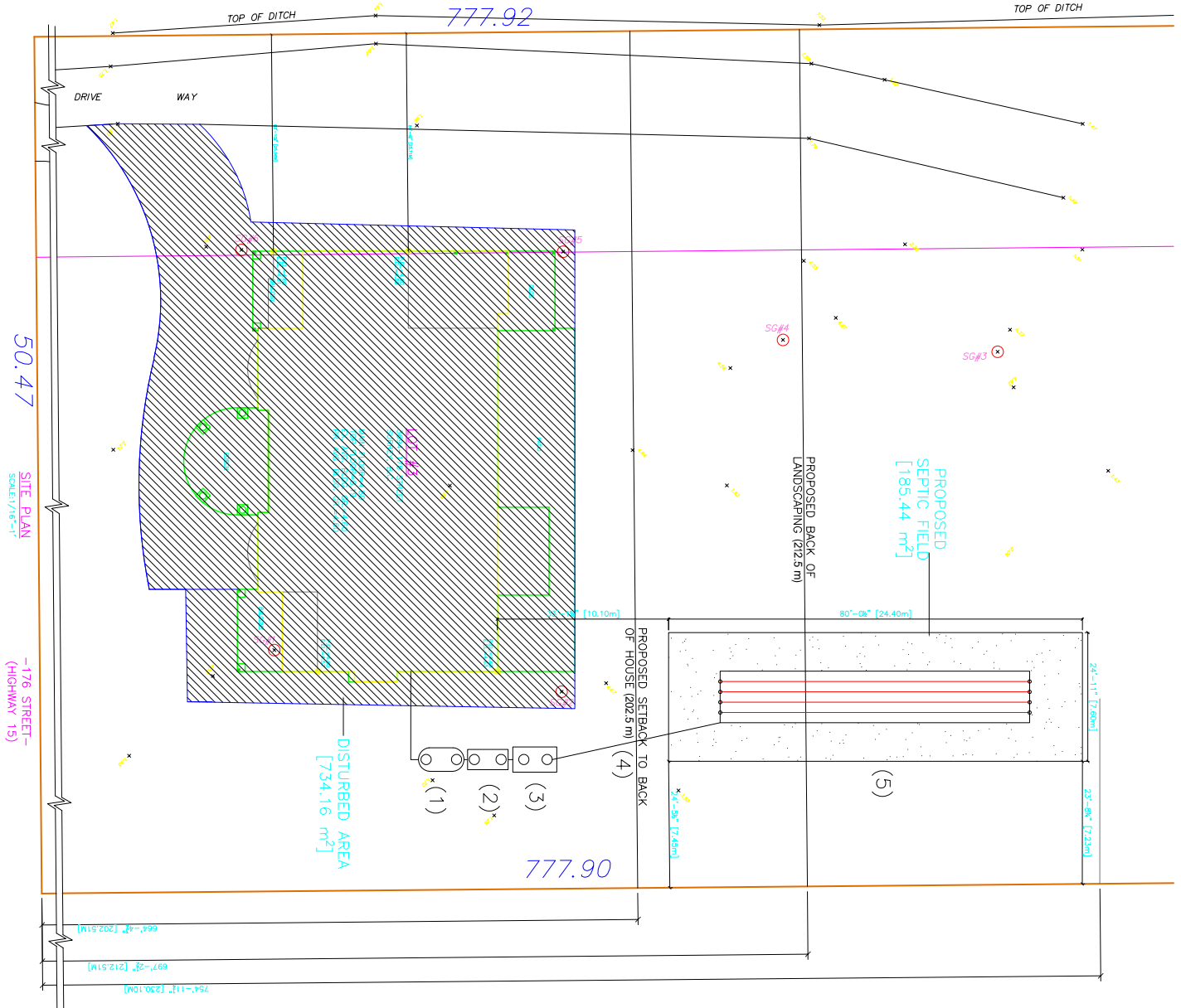
The following information is attached to this Report:

- Appendix I. Site Plan
- Appendix II. Development Variance Permit No. 7919-0270-00
- Appendix III. Ecosystem Development Plan Drawing

approved by Shawn Low

Don Luymes
General Manager
Planning and Development

Proposed Setbacks



DISTURBED AREA CALCULATIONS:
 BUILDING DISTURBED AREA = 734.16 m²
 SEPTIC DISTURBED AREA = 185.44 m²
 TOTAL DISTURBED AREA = 919.60 m²

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0270-00

Issued To:

("the Owner")

Address of Owner:

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 009-384-715

Lot 3, Except: Part on Plan 17425; Section 29 Township 7 New Westminster District Plan 10773
3694 176 Street

("the Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F Yards and Setbacks of Part 10 General Agriculture Zone (A-1), the maximum allowable setback of a single-family dwelling from the front lot line is increased from 50.0 metres to 202.5 metres; and
 - (b) In Section J Special Regulations of Part 10 General Agriculture Zone (A-1), the maximum depth of the farm residential footprint from the front line is increased from 60 metres to 212.5 metres
4. This development variance permit applies to only the portion of the Land and that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit
5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

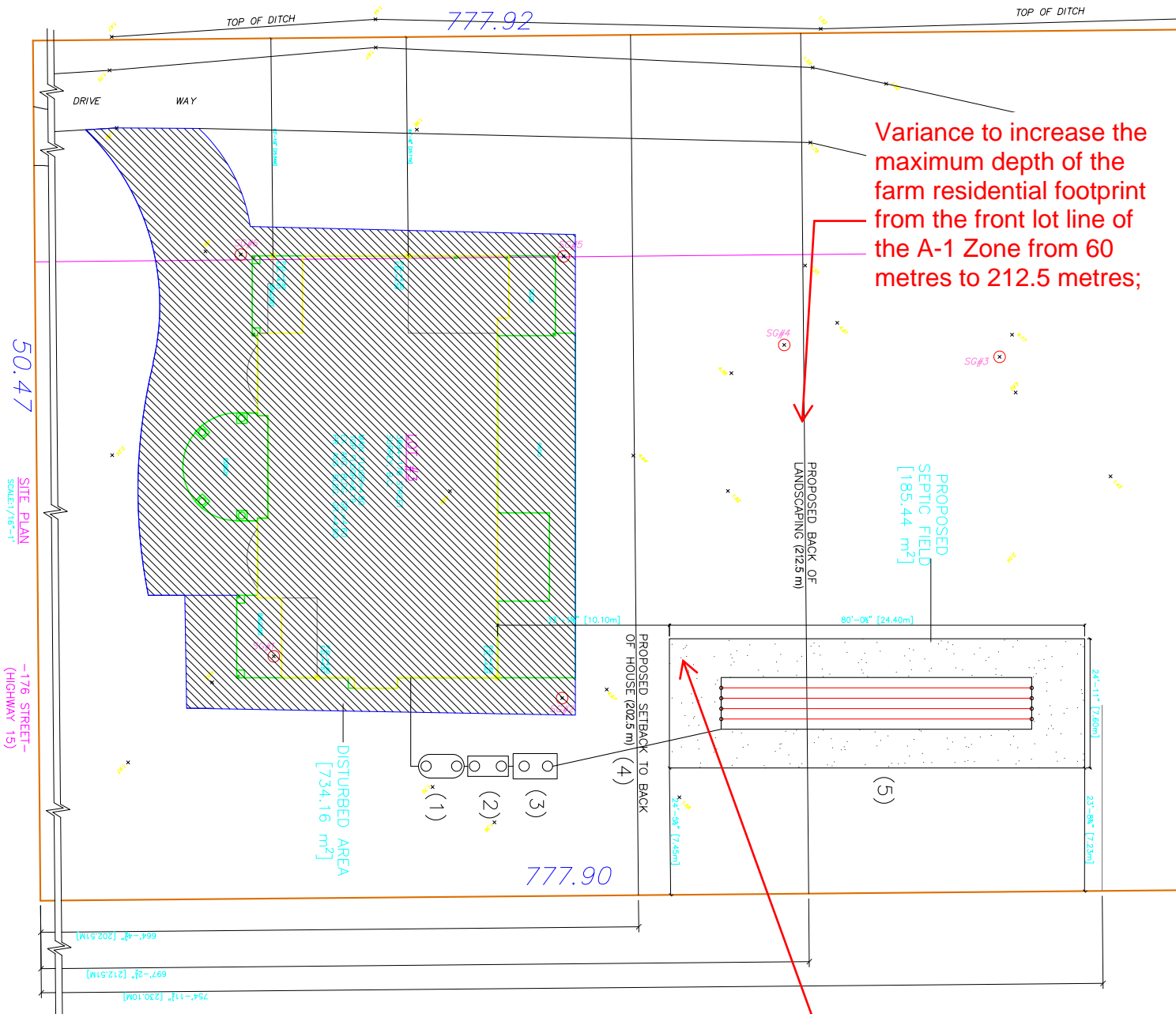
9. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
10. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
11. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Brenda Locke

City Clerk – Jennifer Ficocelli

Proposed Setbacks

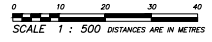


Variance to increase the maximum depth of the farm residential footprint from the front lot line of the A-1 Zone from 60 metres to 212.5 metres;

Variance to increase the maximum setback of a single-family dwelling from the front lot line of the A-1 Zone from 50 metres to 202.5 metres;

Disturbed area calculations
 BUILDING DISTURBED AREA = 734.16 m²
 SEPTIC FIELD AREA = 185.44 m²
 TOTAL DISTURBED AREA = 919.60 m²

TOPOGRAPHICAL SURVEY PLAN OF LOT 3
EXCEPT: PART ON PLAN 17425;
SECTION 29 TOWNSHIP 7
NWD PLAN 10773

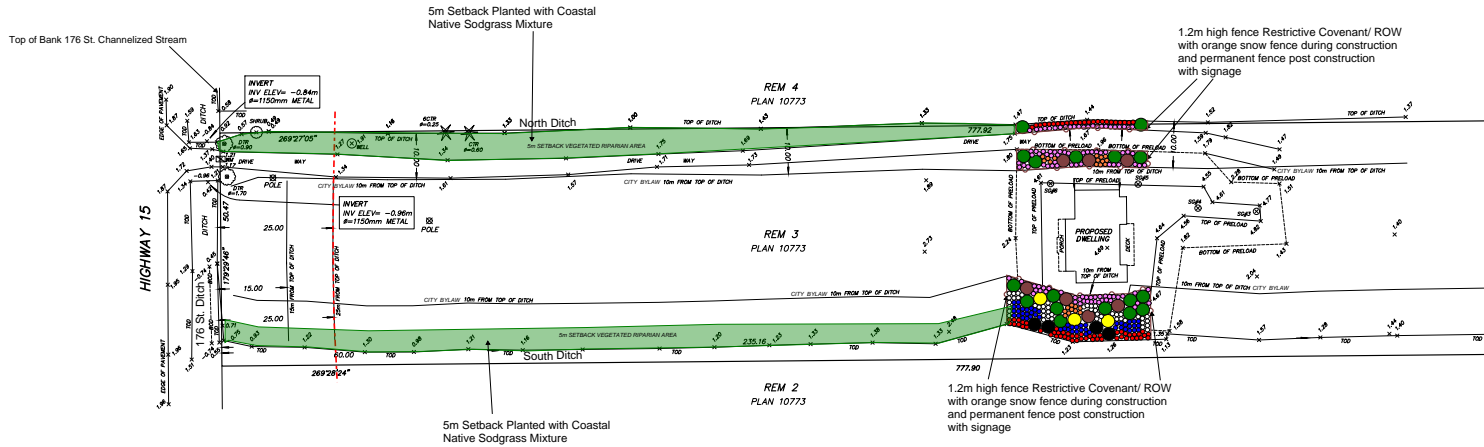


PID : 009-384-715

CIVIC ADDRESS :
3694 - 176th STREET
SURREY, B.C.

ELEVATION DERIVATION

ELEVATIONS ARE GEODETIC DERIVED FROM
CITY OF SURREY CONTROL MONUMENT
NAD83(05) ELEVATION 310m
DATUM 04/28/2018



- LEGEND :**
- SG DENOTES SETTLEMENT GAUGE
 - TD DENOTES TOP OF DITCH
 - BD DENOTES BOTTOM OF DITCH
 - CT DENOTES CONIFEROUS TREE
 - DT DENOTES DECIDUOUS TREE
 - WM DENOTES WATER METER

List dimensions and clearances according to Field Survey.

This plan does not show non-plan charges, liens or interests.
This plan was prepared for inspection purposes and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made or actions taken based on this document. This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners. All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

THIS TOPOGRAPHICAL SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARDS PRACTICE AND IS CERTIFIED CORRECT THIS 8th DAY OF SEPTEMBER, 2021.

RE-CERTIFIED CORRECT THIS 28th DAY OF MARCH, 2022.

BC NATUREPRO MIXTURE DESCRIPTIONS

Seed Weight	% Seed Count		
75.0%	36	Shoreline Creeping Slender Fescue	Altitude: 0-2150 metres (7,000 ft)
17.0%	33	Camvir Canada Bluegrass	Rainfall: 35.5+ cm (14+ inches)
8.0%	31	Schoen Slender Hairgrass	Seeding Rate: Reclamation 25kg/ha (22 lbs/acre)
100%	100	Canada No. 1 Lawn Grass Mixture	Turf: 1.5kg/100 sq. ft. (3 lbs/1000 sq ft)

NOTE: To be broadcast over plantings and bare soil areas of setbacks
To be used where erosion control is of high concern and/or to help control the spreading of invasive species. Also for general landscape and turf use.
Agronomic clovers can be added upon request

Plant Species, Pot Sizes & Quantities					
Symbol	Common Name	Latin Name	POT Size	Count	Specification
Trees					
green	Western redcedar	<i>Thuja plicata</i>	5	17	no. 5 pot, multi-stemmed; densely branched; well established
brown	Douglas fir	<i>Pseudotsuga menziesii</i>	5	7	no. 5 pot, multi-stemmed; densely branched; well established
yellow	shore pine	<i>Pinus strobus</i>	5	3	no. 5 pot, multi-stemmed; densely branched; well established
black	black cottonwood	<i>Populus trichocarpa</i>	5	4	no. 5 pot, multi-stemmed; densely branched; well established
Total Trees				31	
Shrubs					
blue	hardhack	<i>Spirea douglasii</i>	2	50	no. 2 pot, multi-stemmed; densely branched; well established
white	salmonberry	<i>Rubus spectabilis</i>	2	49	no. 2 pot, multi-stemmed; densely branched; well established
orange	red elderberry	<i>Sambucus racemosa</i>	2	22	no. 2 pot, multi-stemmed; densely branched; well established
pink	Nootka rose	<i>Rosa nutkana</i>	2	104	no. 2 pot, multi-stemmed; densely branched; well established
red	Red osier dogwood	<i>Cornus stolonifera</i>	2	74	no. 2 pot, multi-stemmed; densely branched; well established
Total Shrubs				259	

Figure 1 Planting Plan