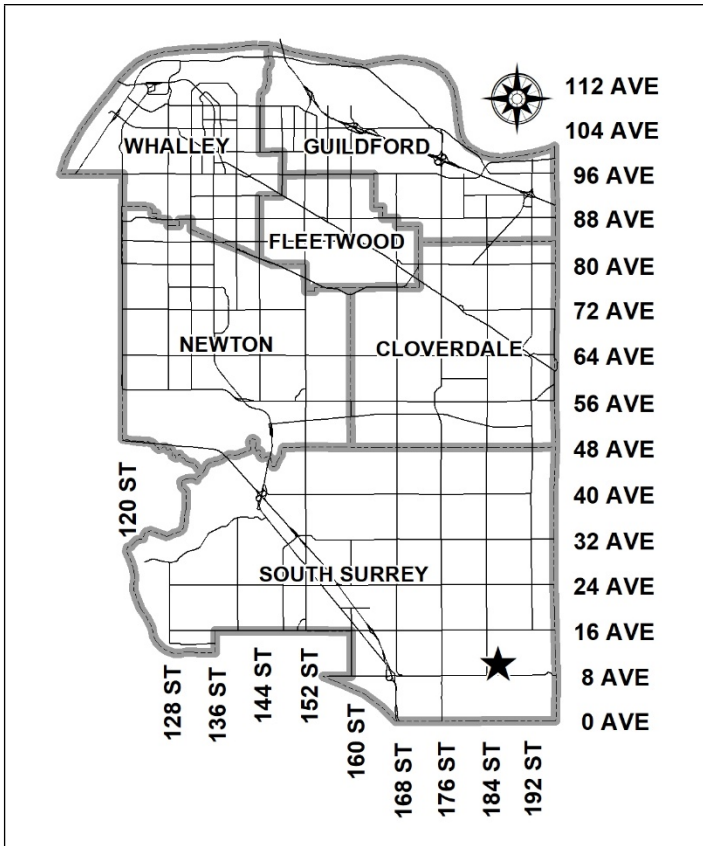


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**  
 Application No.: 7923-0281-00  
 Planning Report Date: December 18, 2023



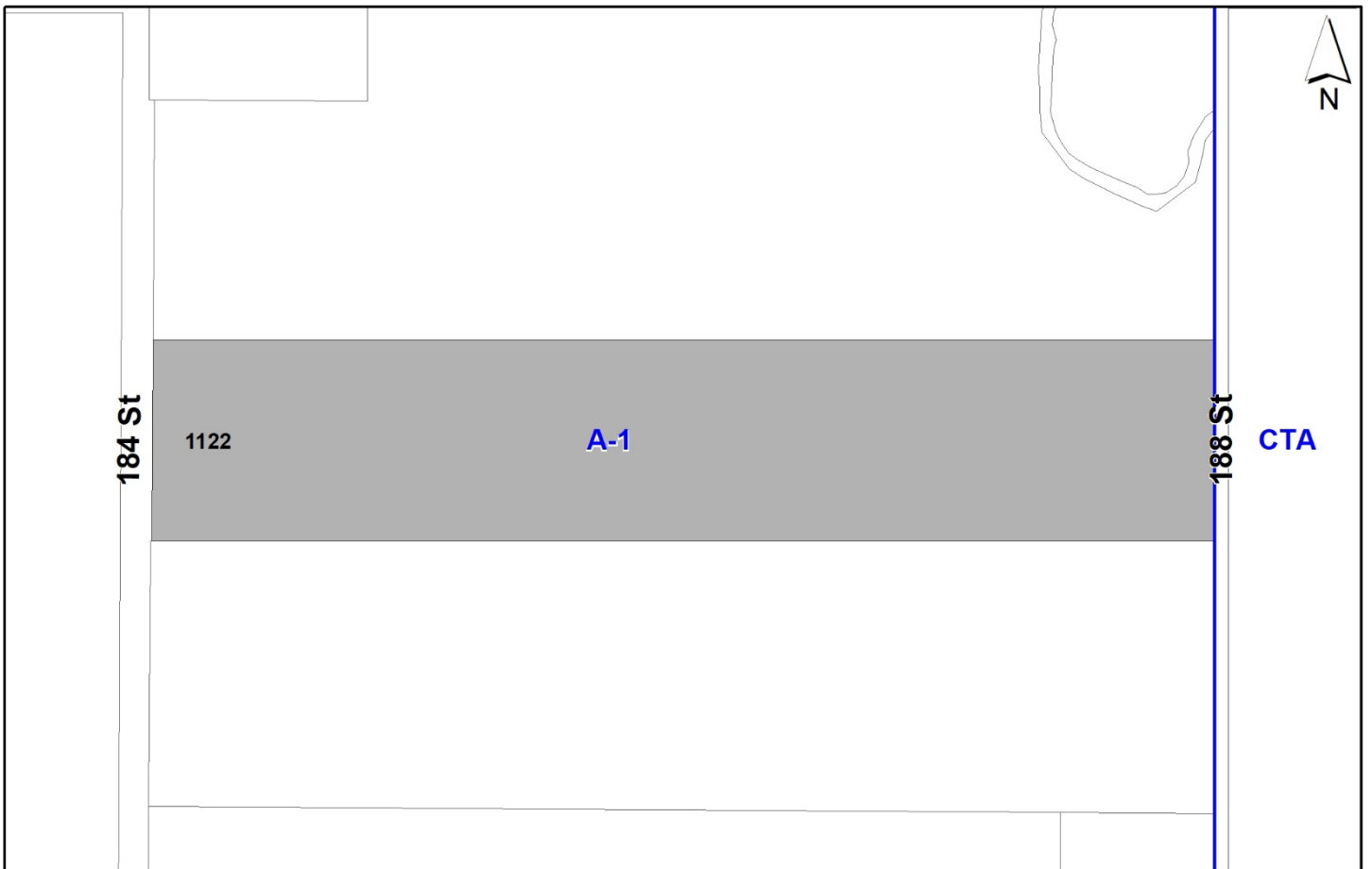
**PROPOSAL:**

- **Development Variance Permit**  
to permit a free-standing grid tile solar panel system.

**LOCATION:** 1122 - 184 Street

**ZONING:** A-1

**OCP DESIGNATION:** Agricultural



**RECOMMENDATION SUMMARY**

- Approval for Development Variance Permit to proceed to Public Notification.

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- Proposing to increase the maximum home plate requirements and reduce the minimum side yard setback of the “General Agriculture Zone (A-1)”.

**RATIONALE OF RECOMMENDATION**

- The solar panel system is currently located adjacent to the residential dwelling on the site, on a elevated portion of the property, and does not conflict with the property’s hay farm operations.
- The solar panels contributes clean energy without resulting in a combined footprint for residential structures and uses above the maximum 2,000 square metres under the “General Agriculture Zone (A-1)”.
- The proposal was supported unanimously by the Agriculture & Food Policy Advisory Committee (AFPC) at the November 7<sup>th</sup>, 2023, committee meeting.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7923-0281-00 (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum side yard setback of the “General Agriculture Zone (A-1) from 10% of the lot width (14.96 metres) to 10.9 metres to the accessory structure; and
  - (b) to increase the maximum farm residential footprint depth of the “General Agriculture Zone (A-1) from 60 metres to 520.6 metres to the accessory structure.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Residence, General Agriculture	Agricultural	A-1
North (Abutting):	General Agriculture	Agricultural	A-1
East (Abutting):	Manufactured Homes	Agricultural	CTA
South (Abutting):	Residence, General Agriculture	Agricultural	A-1
West (Across 184 Street):	General Agriculture, Sam Hill Creek	Agricultural	A-1

### Context & Background

- The subject property is located at civic address 1122 184 Street and is approximately 11.84 hectares in area.
- The property is designated Agricultural in the Official Community Plan (OCP), zoned “General Agriculture Zone (A-1)” and located within the Agricultural Land Reserve (ALR).
- The property is classified as farmland under the BC Assessment Act and is currently used for hay farming.

- The subject site is currently occupied by a residence approximately 400 metres east from the frontage (184 Street). Under Board of Variance application 15-02, the property was permitted to have a farm home plate at a maximum depth of 435 metres and a maximum area of 1,800 square metres.
- The property historically operated in conjunction with the north abutting lot (1140 184 Street) as part of an equestrian facility. These properties were most recently subdivided under a lot line adjustment application in 2011 and now operate independently.
- The existing residence and accessory buildings were constructed under building permits issued in 2017.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- In 2022, a building permit application was submitted for a grid tile solar panel system with a concrete base. As part of the review it was determined that the solar panels' location conflict with the A-1 zone's minimum setback and depth requirements.
- The solar panel system has been constructed on an up-hill portion of the property, north-east of the home plate and existing residence.
- The applicant's survey plan indicates that the solar panels are located 520.6 metres from the front lot line and 10.82 metres from the north lot line. The entire solar panel system is approximately 185.57 square metres in area.
- The solar panel system is sited close to the north abutting lot (1140 184 Street) but is separated from farming activities in the interior of that lot by a farm road and Class C ditch.

### Referrals

Engineering: The Engineering Department has no objection to the project.

Agricultural and Food Policy Committee (AFPC) At the November 7, 2023 meeting, AFPC voted unanimously to support the variance.

The Committee commented that the structure should be identified as accessory to the residential use as opposed to accessory to the farm use. Committee members also indicated that they liked the design of the system, as the solar panels are mounted on portable concrete blocks that do not require any permanent soil displacement.

## POLICY & BY-LAW CONSIDERATIONS

### Agricultural Land Commission Act and Regulations

- Currently, solar panel systems are not included as a permitted non-farm use under the ALC Act Use Regulations. Residential utilities are permitted under the Regulations.
- City staff have determined that the subject solar panel system should be considered an accessory to the residence, as the system is adjacent to the residence, and the system's electrical room is located inside the dwelling.
- If the energy was to be used for a non-farm commercial use (such as public charging stations), then an ALC Non-Farm Use approval under Section 20(2) of the ALC Act would be required. There is no indication that the solar panels or energy generated will be utilized for commercial use or that the property is being developed for such uses.

### Zoning By-law

#### Residential Footprint Setback and Depth Variances

- The applicant is requesting the following variances:
  - to reduce the minimum side yard setback of the A-1 Zone from 10% of the lot width (14.96 metres) to 10.9 metres to the accessory structure; and
  - to increase the maximum farm residential footprint depth of the A-1 Zone from 60 metres to 520.6 metres to the accessory structure.
- The siting of the solar panel system is consistent with historic variances that permitted residential construction further back on the lot, on the elevated and non-farmed portion of the property.
- The proposed variance will permit generation of clean energy for the residential use and an overall residential footprint conforming to the maximum 2,000 square metres under the "General Agriculture Zone (A-1)".
- The proposal was supported unanimously by the Agriculture & Food Policy Advisory Committee (AFPC) at the November 7<sup>th</sup>, 2023, committee meeting.
- Staff support the requested variances to proceed for consideration.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Aerial Context Plan
- Appendix II. Survey Plan
- Appendix III. Solar Panel Anchorage Plan
- Appendix IV. DVP 7923-0281-00

*approved by Shawn Low*

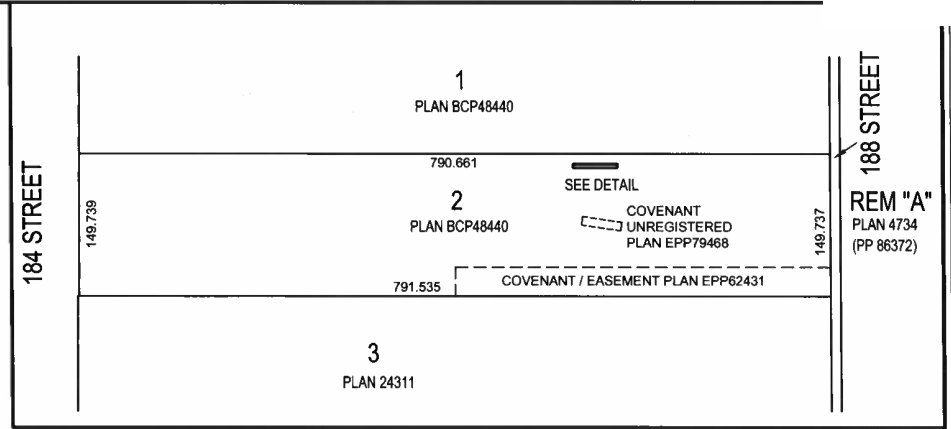
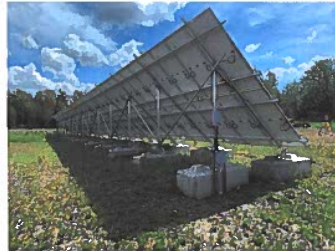
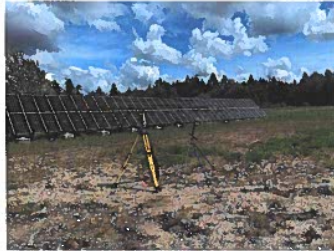
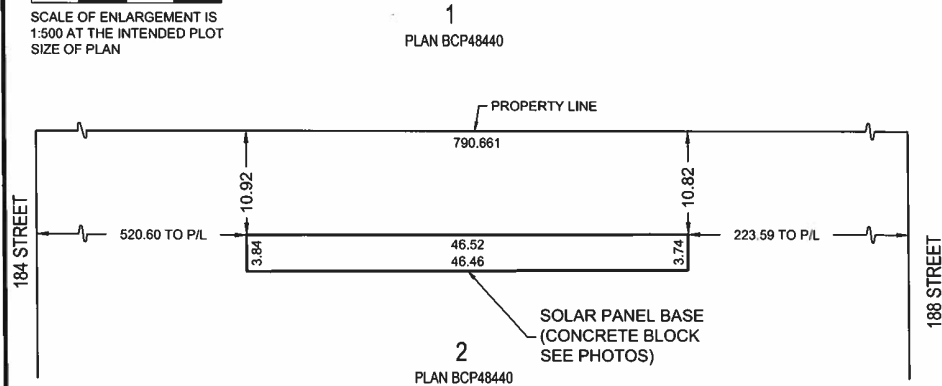
Don Luymes  
General Manager  
Planning and Development

JK/ar



**DETAIL**

0 5 10 15 20m  
 SCALE OF ENLARGEMENT IS  
 1:500 AT THE INTENDED PLOT  
 SIZE OF PLAN



**KEY PLAN**

**LEGEND:**

m DENOTES METRE(S)  
 P/L DENOTES PROPERTY LINE

THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING CHARGES:

COVENANT CA3162376 CITY OF SURREY  
 COVENANT CA6614444 CITY OF SURREY

SCALE 1 : 5000



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 11 x 17 INCHES

**BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION SHOWING STRUCTURE ON LOT 2, SECTION 23, BLOCK 1 NORTH, RANGE 1 EAST, NEW WESTMINSTER DISTRICT, PLAN BCP48440**

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL PRACTICE MANUAL AND IS CERTIFIED CORRECT ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED. DATED THIS 11th DAY OF MAY, 2022.

DIMENSIONS DERIVED FROM PLAN BCP48440  
 PID NO. 028-613-546

PREPARED FOR: WRIGHT CONSTRUCTION LTD.

CIVIC ADDRESS: 1122 - 184 STREET SURREY, B.C.  
 REFERENCE: JOSEPH MARTIN HALEY

*Jason A. Walker*  
 JASON A. WALKER  
 LAND SURVEYOR  
 NO. 908  
 B.C.L.S.

THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN McELHANNEY ASSOCIATES AND OUR CLIENT. 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. 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.

© 2022 McELHANNEY ASSOCIATES LAND SURVEYING LTD. ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.



**McElhanney**

McElhanney Associates Land Surveying Ltd.

Suite 2300  
 13450 - 102 Avenue

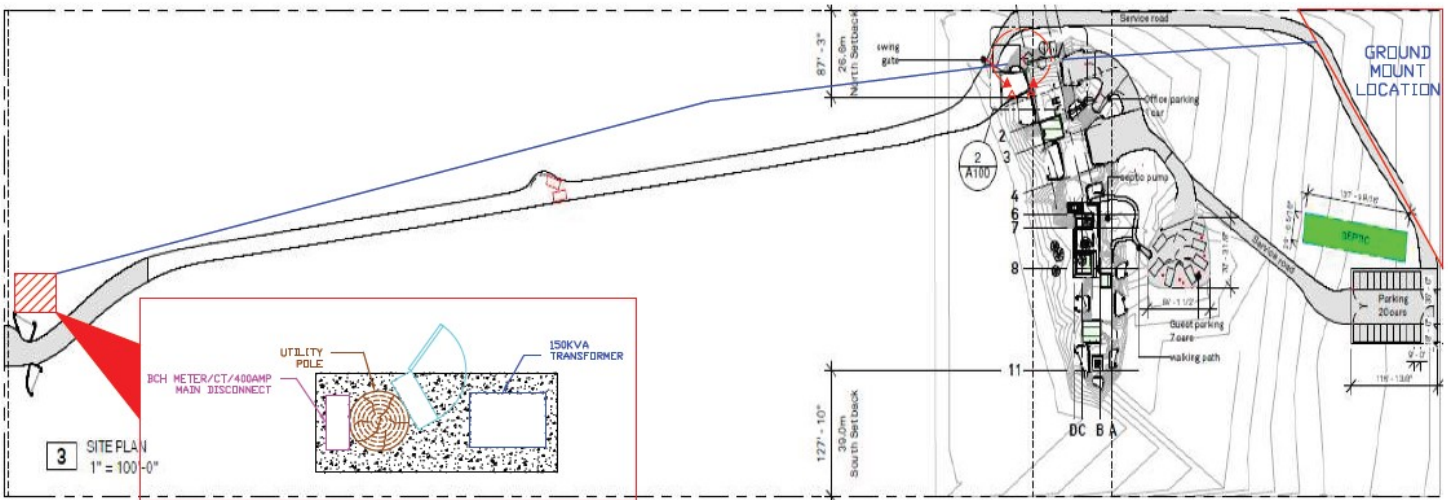
Surrey BC  
 Canada V3T 5X3

Tel 604 596 0391  
 FILE: 2112-07954-V-011

THIS DOCUMENT IS NOT VALID UNLESS ORIGINAL IS SIGNED AND SEALED



REV.	DESCRIPTION	DATE	BY
-	INITIAL RELEASE	04/20/21	LB
A	UPDATE SITE PLAN	04/27/21	DP

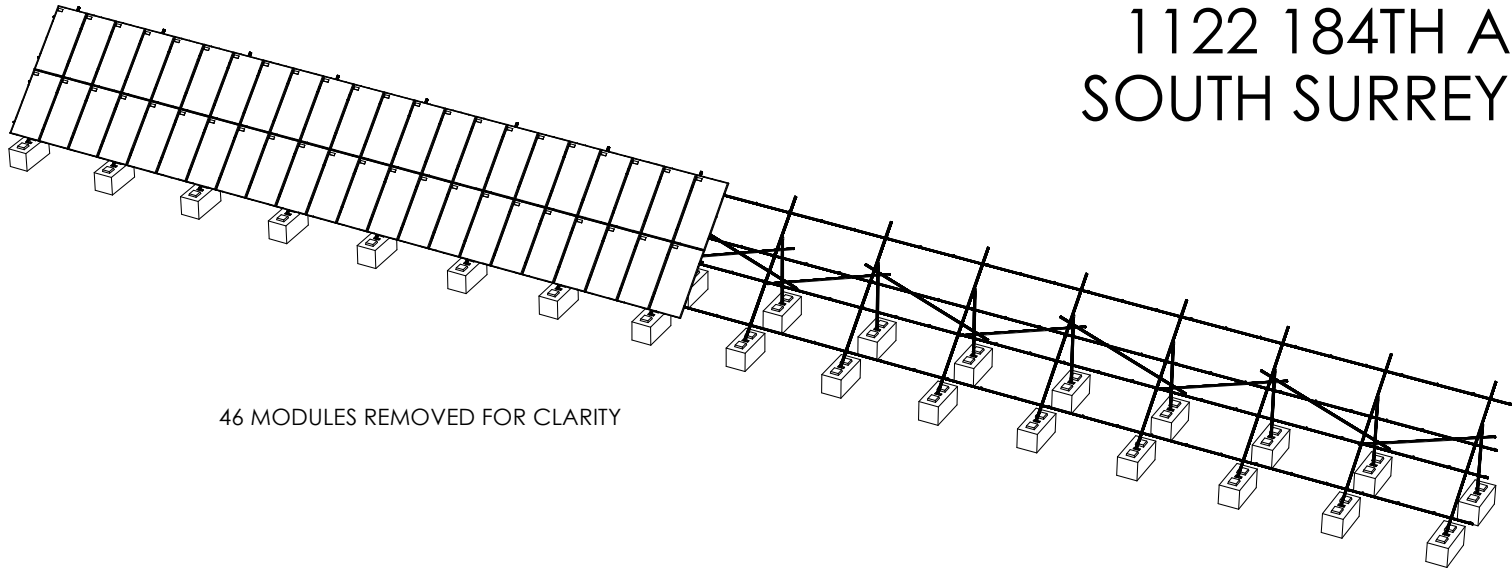


SEAL  
**HORACE ENGINEERING #E113897**  
**PERMIT TO PRACTICE #1001753**  
**STRUCTURAL ANCHORAGE ONLY**

\*LICENCED IN THE PROVINCE OR TERRITORY IN WHICH THE SYSTEM IS TO BE INSTALLED.

N  
 Victoria, BC | Calgary, AB  
 Edmonton, AB | Barrie, ON  
 hespv.com  
 1(866)258-0110

# 75 HOUSE 1122 184TH AVE SOUTH SURREY, BC



46 MODULES REMOVED FOR CLARITY

TITLE: FR-2T-GM90-QCELL425	
75 HOUSE-1122 184TH AVE SURREY, BC V3S 9R9	
THE INFORMATION CONTAINED IN THE IS DRAWING IS THE SOLE PROPERTY OF HES PV LIMITED. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF HES PV IS PROHIBITED	
PROJECT NO: <b>900653</b>	SHEET: <b>1</b>
DRAWING NO: <b>107681</b>	REVISION: <b>A</b>

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7923-0281-00

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: 028-613-546  
Lot 2 Section 23 Block 1 North Range 1 East New Westminster District  
Plan BCP48440  
1122 184 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

- (a) to reduce the minimum side yard setback of the "General Agriculture Zone (A-1)" from 10% of the lot width (14.96 metres) to 10.9 metres to the accessory structure; and
- (b) to increase the maximum farm residential footprint depth of the "General Agriculture Zone (A-1)" from 60 metres to 520.6 metres to the accessory structure.

4. This development variance permit applies to only the portion of 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.

6. 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.
  
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
  
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL/DELEGATED OFFICIAL, THE  
DAY OF           , 20   .

ISSUED THIS    DAY OF           , 20   .

---

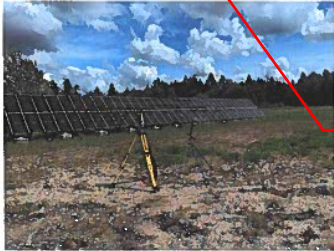
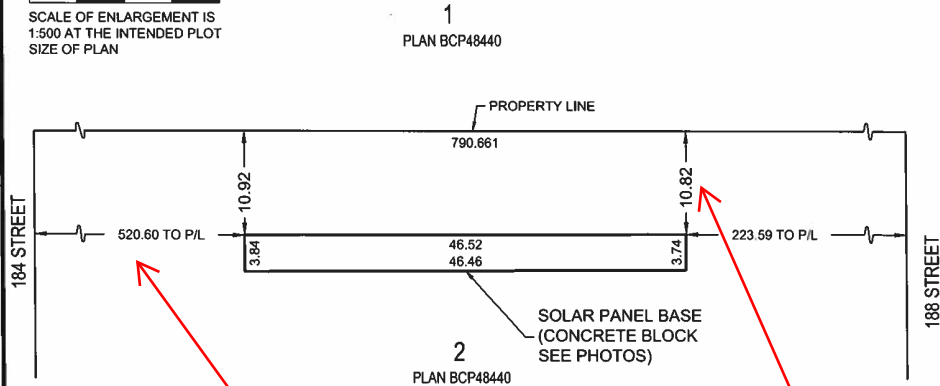
Mayor – Brenda Locke

---

City Clerk – Jennifer Ficocelli

DETAIL

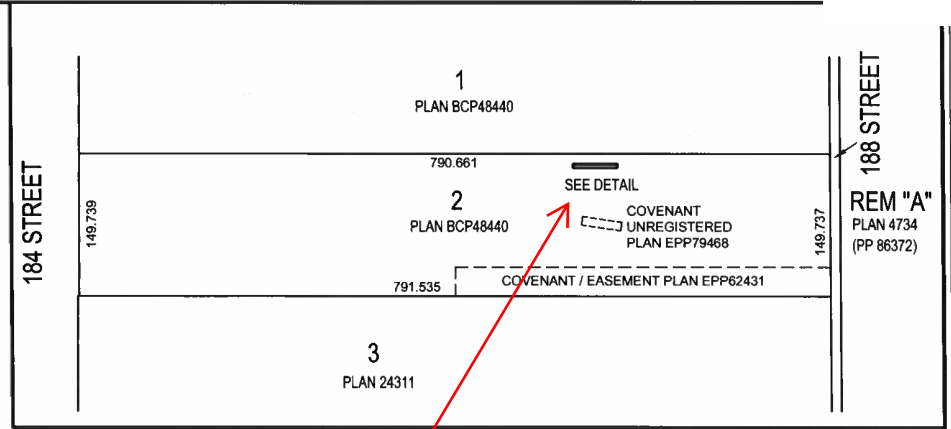
0 5 10 15 20m  
 SCALE OF ENLARGEMENT IS  
 1:500 AT THE INTENDED PLOT  
 SIZE OF PLAN



**DVP 7923-0281-00:**

(a) to reduce the minimum side yard setback of the "General Agriculture Zone (A-1)" from 10% of the lot width (14.96 metres) to 10.9 metres to the accessory structure; and

(b) to increase the maximum farm residential footprint depth of the "General Agriculture Zone (A-1)" from 60 metres to 520.6 metres to the accessory structure.



KEY PLAN

LEGEND:

m DENOTES METRE(S)  
 P/L DENOTES PROPERTY LINE

THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING CHARGES:

COVENANT CA3162376 CITY OF SURREY  
 COVENANT CA6614444 CITY OF SURREY

SCALE 1 : 5000



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 11 x 17 INCHES

BRITISH COLUMBIA LAND SURVEYOR  
 SECTION 23, BLOCK 1 NORTH, RANGE 1 EAST, NEW WESTMINSTER DISTRICT, PLAN BCP48440

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL PRACTICE MANUAL AND IS CERTIFIED CORRECT ACCORDING TO LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED. DATED THIS 11th DAY OF MAY, 2022.

DIMENSIONS DERIVED FROM PLAN BCP48440  
 PID NO. 028-613-546

PREPARED FOR: WRIGHT CONSTRUCTION LTD.

CIVIC ADDRESS: 1122 - 184 STREET SURREY, B.C.  
 REFERENCE: JOSEPH MARTIN HALEY

JASON A WALKER  
 LAND SURVEYOR  
 NO. 908  
 B.C.L.S.

THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN McELHANNEY ASSOCIATES AND OUR CLIENT. 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. 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.

© 2022 McELHANNEY ASSOCIATES LAND SURVEYING LTD. ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF THE SIGNATORY.



**McElhanney**

McElhanney Associates Land Surveying Ltd.

Suite 2300  
 13450 - 102 Avenue

Surrey BC  
 Canada V3T 5X3

Tel 604 596 0391  
 FILE: 2112-07954-V-011

THIS DOCUMENT IS NOT VALID UNLESS ORIGINAL IS SIGNED AND SEALED