



# Corporate Report

NO: R065

COUNCIL DATE: APRIL 16, 2007

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## REGULAR COUNCIL

TO: Mayor & Council DATE: April 12, 2007  
FROM: General Manager, Engineering FILE: 4520-20  
SUBJECT: Soil-Depositing Application for 4764 - 184 Street

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## RECOMMENDATIONS

The Engineering Department recommends that Council authorize the soil depositing application for 4764 - 184 Street to proceed to the Agricultural Land Commission (ALC) for review and approval, in accordance to The Surrey Soil Removal and Depositing Regulation By-law, 1979, No. 5880, and Agricultural Land Commission Act, S.B.C. 2002.

## INTENT

The Engineering Department received a soil depositing application from the property owner of 4764 - 184 Street to deposit approximately 25,000 m<sup>3</sup> of soil in order to provide an outdoor exercise/feeding facility for their dairy cattle. Currently the Engineering Department is in the process of reviewing this application. Authorizing the application to proceed to the ALC will allow the City to review the application in parallel with the ALC.

## BACKGROUND

Detailed site descriptions and a discussion of the merits and impacts of the proposed works are presented in Appendix I.

The proposed soil depositing works does not qualify as an approved farm use under Section 4(1)(b) of the Agricultural Land Commission Act. Soil deposition on lands within the City is regulated under the Surrey Soil Removal and Depositing Regulation By-law, No. 5880. The By-law and the Agricultural Land Commission Act specify that placement of soil in the Agricultural Land Reserve for non-farm uses is subject to approval by the ALC. The legislation under the ALC Act requires that applications for non-farm use activities must be submitted to the local government for consideration prior to being forwarded to the ALC for approval. In order for the ALC to consider this

application, an authorization by a resolution of City Council must be provided. If the recommendation is approved, the attached Local Government Report, along with Council's resolution and the soil depositing application, will be forwarded to the ALC.

## **CONCLUSION**

The proposed soil deposition is consistent with the City's Official Community Plan objectives of preserving and protecting agricultural lands and enhancement of farm productivity. The application was presented to the City's Agricultural Advisory Committee on April 5, 2007, and was recommended by the Committee for Council to authorize this application to proceed to the ALC.

Subject to Council's approval for the submission of this application, the City will complete its review of technical details while the application is considered by the ALC.

Paul Ham, P.Eng.  
General Manager, Engineering

PH/VJ/RD/brb  
Attachment

Appendix I. Background  
Appendix II. Aerial Photo of the Properties  
Appendix III. Local Government Report

# APPENDIX 1

## Background

### Site Characteristics

The property is located in the City's lowlands south of 48 Avenue R.O.W., east of the 184<sup>th</sup> Street and West of the Nicomekl River within the Agricultural Land Reserve. The property totals 18.94 hectares, and the proposed fill area totals 2.40 hectares lying at approximately 0.90-2.80 meters geodetic elevation. Currently the property is being used for dairy farming and crop production and is designated Agricultural and zoned A-1.

Previously, a soil depositing permit for 7,000 m<sup>3</sup> was issued in May 2005 to establish a level area for manure storage located on the south end of the dairy barns. These works constituted an approved farm use activity and were completed in compliance with Surrey's Soil Depositing By-law.

### Merits of the Proposed Works

An agrologist report prepared by Dave Melnychuck outlines that the farm operation is in the process of changing its dairy herd management with the focus on improving herd health. Currently, dairy cattle are housed indoor 12 months of the year. Dairy research indicates that the lack of exercise and continual standing on concrete results in several health problems for dairy cattle. Access to an outdoor exercise/feeding facility will be beneficial to herd health and will allow the farm operation to meet Organic Standards from the Certified Organic Association of British Columbia.

Improvements proposed involve the establishment of an outdoor exercise/feeding area which will be located immediately east of the main dairy barn. This layout will allow for free cattle movement between the existing barn and the outdoor exercise/feeding area. Since the existing ground elevations drops off to the north, south, and east of the existing barn, fill is required to provide accessibility by maintaining the same elevation between the barn and the proposed facility.

### Impacts of the Proposed Works

Issues regarding fill in the lowlands are very important as the Serpentine-Nicomekl lowland areas are very sensitive to changes in hydraulic storage conditions. The strategic plan identifies fill placement as one of the reasons flooding is increasing in the lowlands. The proposed fill placement would have no impact on flooding conditions in the lowlands in the Nicomekl River for both the 10-year / 5-day winter and 10-year / 2-day growing season events, as this area is above the flood level for these conditions.

# APPENDIX II

## AERIAL PHOTOGRAPH OF SITE



PRODUCED BY ENGINEERING, GIS SECTION: April 10, 2007, JWD

Date of Aerial Photograph: April 2006



**SUBJECT PROPERTY**  
**4764 184 St**

**ENGINEERING**  
**DEPARTMENT**

*The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.*

*This information is provided for information and convenience purposes only.*

*Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.*

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# APPENDIX III

## Local Government Report to Forward to the ALC



### Local Government Report under the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No.
Air Photo No.

Information supplied by:

\_\_\_\_\_  
City of Surrey  
Local Government

In respect of the application of:

\_\_\_\_\_  
Nicomekl Farms Ltd.  
Name of Applicant

### PLANS and BYLAWS (Attach relevant sections of bylaws)

Community Plan or Rural Land Use Bylaw name and designation: *OCP 2006, Agricultural*

Zoning Bylaw name and designation: *Zoning By-law 1200, A-1 (General Agricultural Zone)*

Minimum Lot Size: *2.0 Hectares*

Uses permitted: *See attached Zoning By-law*

Are amendments to Plans or Bylaws required for the proposal to proceed?

Plan  Yes  No      Bylaw  Yes  No

Is authorization under Sec. 25 (3) or 30 (4) of the Agricultural Land Commission Act required?

Yes (If yes, please attach resolution or documentation)  No

### COMMENTS AND RECOMMENDATIONS (Include copies of resolutions)

Board or Council: *Council Resolution attached*

Advisory Planning Commission:

Agriculture Advisory Committee: *AAC Meeting minutes attached*

Planning staff:

Others:

\_\_\_\_\_  
*Signature of Responsible Local Government Officer*

\_\_\_\_\_  
*Date*