

Soil deposition on lands within the City is regulated under the Surrey Soil Removal and Depositing Regulation By-law, 1979, 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 consideration. In order for the ALC to consider this application, an authorization by a resolution of City Council must be provided. If Council approves the recommendations of this report, the attached Local Government Report, along with Council's resolution and the soil depositing application will be forwarded to the ALC.

As previously reported to Council, there are concerns with the amount of fill in the flood plain and the impacts of this fill. There are no specific controls currently in the Zoning By-law relating to the amount of fill that can be placed in the floodplain for house construction. However, as can be seen from this application, the building plate (fill area) requested is the equivalent of an entire half-acre gross density lot. The lot in question, although it is in the ALR, will once built upon, become a building lot and have virtually no agricultural potential.

The Planning & Development Department is currently undertaking a review of house plate and fill area size/location in relation to lots in areas designated as Agricultural in the OCP. There is increasing concern with the scale of fill operations in the floodplain to accommodate very large homes and accessory areas. This review is being undertaken in consultation with the Agricultural Advisory Committee and will involve wider public consultation as well. The Planning & Development Department anticipates reporting in more detail on the review this fall.

Agricultural Advisory Committee Comments

The subject soil depositing application was presented to the City's Agricultural Advisory Committee on July 5, 2007, and although there was no quorum, the members present recommended that Council authorize this application to proceed to the ALC.

CONCLUSION

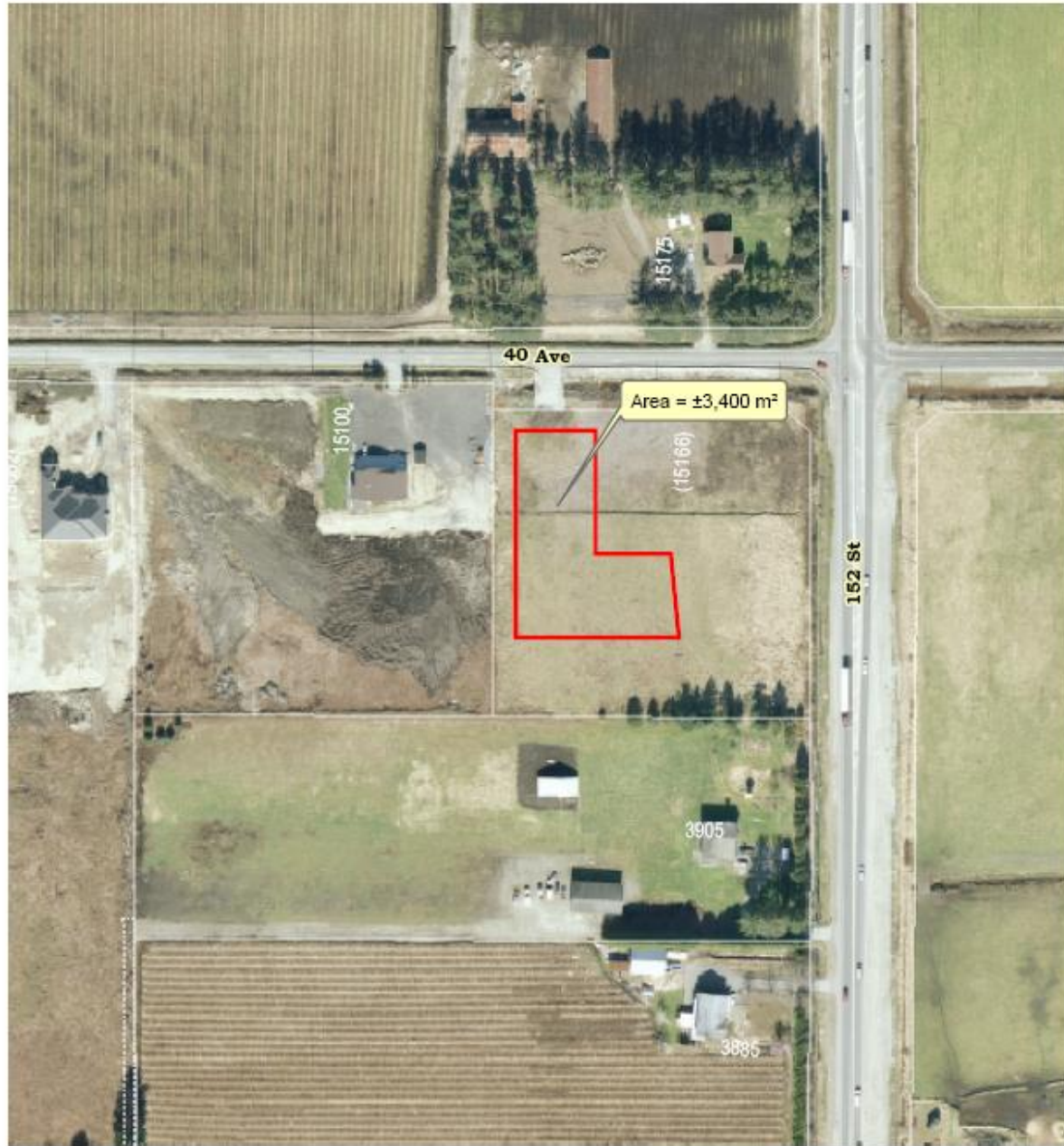
Subject to Council's authorization for the submission of this application to the ALC, the City will complete its review of technical details while the application is considered by the ALC. The Engineering technical review will include an assessment of the impact that the fill will have on other lands in the flood plain. Parallel with this will be the review by the Planning & Development Department of house plate size and fill areas on agricultural lots from a land use planning perspective.

Paul Ham, P.Eng.
General Manager, Engineering

PH/VJ/brb:rdd

c.c. - General Manager, Planning & Development
Appendix I. Aerial Photo of the Property
Appendix II. Background
Appendix III. Local Government Report

APPENDIX I



PRODUCED BY ENGINEERING, GIS SECTION: June 27, 2007, JVO

Date of Aerial Photography: April 2006



SUBJECT PROPERTY
15166 40 AVENUE

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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Background

Site Characteristics

The property is 13,000m² in area and is located at the southwest corner of 40 Avenue and 152 Street in the City's lowlands within the Agricultural Land Reserve. The proposed home-plate area is situated on the northwest portion of the property as shown in Appendix 2. Currently the property is not being used for farming and is primarily covered by wild vegetative growth.

Improvements Proposed

The soil deposition plan indicates flood proofing a 3,400m² home-plate area to construct a 700m² residential dwelling, a 1,170m² septic field, and a 1,530m² driveway area. Based on site investigations and the City's 2004 Design Criteria Manual, the engineer-of-record recommends removing the existing peat and organic silt overlying the home-plate area and replacing it with a layer of structural and preload fill in order to flood-proof and provide a suitable sub-grade for the proposed dwelling and facilities. The existing peat and organic silt will be used for landscaping works within the proposed home-plate area.

Justification of the Proposed Works

Residential uses in the ALR are currently subject only to building height and setback requirements in the City's Zoning By-law. However, in an effort to limit the agricultural land area consumed by the home-plate area, the proposed dwelling has been situated along the northwestern side of the property. Also the associated fill has been limited to areas required for flood-proofing as the City's drainage servicing practice allows flood protection up to the 200-year level for dwellings and related facilities in the lowlands.

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 City's strategic plan identifies fill placement as one of the reasons flooding is increasing in the lowlands. Although the proposed fill placement would have an impact on flooding conditions in the lowlands, this has been addressed through the Upper Nicomekl Flood Control Strategy Study.

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:

Jann Enterprises 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 [x] No Bylaw [] Yes [x] No

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

[x] 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