



Corporate Report

NO: R084

COUNCIL DATE: May 26, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: May 22, 2008
FROM: General Manager, Engineering FILE: 4520-20(4624-192)
SUBJECT: Soil Depositing Application for Property at 4624 - 192 Street

RECOMMENDATIONS

The Engineering Department recommends that Council:

1. Receive this report as information; and
2. Request the City Clerk to arrange for the applicant to appear before Council as a delegation at a Regular Council Land Use Meeting to advise Council about the merits of the soil depositing application from the delegation's perspective prior to Council making a decision on the application and that a copy of this report be included on the same agenda in which the delegation is included.

INTENT

The Engineering Department has received an application from the property owner to allow for the deposition of 25,000 cu.m. of soil at 4624 - 192 Street (see the map attached as Appendix I). This report provides information about the application and the related review.

BACKGROUND

The proposed soil deposition works are considered to be a 'non-farm use' under Section 20 of the *Agricultural Land Commission Act, S.B.C., 2002, c.26*. Surrey's Soil Removal and Depositing Regulation By-law and the *Agricultural Land Commission Act* specify that placement of fill in the ALR is subject to approval by the City and the Agricultural Land Commission (ALC).

The provisions of the *Agricultural Land Commission Act* require that an application for soil deposition works on land in the ALR be submitted to the local government to review first. The Council of the local government has the option to either authorize or refuse the application to proceed to the ALC for review and approval.

Site Characteristics

The property, which has an area of 8.0 hectares (20 acres) is located east of 192 Street, south of the 48 Avenue alignment and is in the ALR (a location map is attached as Appendix I). To allow the site to be used for farming purposes (a vineyard), the owner has made application for, and was granted, a tree removal permit. The trees were removed within the westerly portion of the property and soil was deposited for construction of a driveway along the northerly edge of the property. Currently the land is vacant and is not actively being farmed.

The property to the south at 4552 - 192 Street is also located in the ALR and is owned by the same property owner. This property at 4552 - 192 Street has been an aggregate extraction and fill site for the last 7 years. The soil filling operation on this other site will be completed this year and a vineyard development has been established at that property.

Merits of the Proposed Works

The applicant has applied to deposit 25,000 cu.m of soil on the property. In support of the application, an Agrologist's report, prepared by C&F Land Resources, was submitted to the City. It outlines that the intent of this project is to tie-in grades between properties at 4624 and 4552 - 192 Street so as to allow for the expansion of the vineyard development on 4552 - 192 Street to 4662 - 192 Street and to improve the soil profile of the property at 4624 - 192 Street. The Agrologist's investigation revealed that the native soils are unsuitable for grape production as the soil structure restricts drainage, leaving the property waterlogged throughout the year. The Agrologist advises that importing 1.0 metre of suitable soil will provide a well-drained soil profile suitable for growing grapes.

Impacts of the Proposed Works

The amount of soil deposition proposed under the current application will result in approximately 3,000 truckloads of soil being hauled to the site over up to a 2-year period.

The soil depositing works on the adjacent property at 4552 - 192 Street, involving nearly 13,000 truck loads of soil, resulted in numerous complaints on a regular basis from the neighbours related to the impacts that the soil deposition works were having on the neighbourhood including traffic safety, dust, noise, dirty roads, groundwater impacts, loss of trees, unauthorized filling and visual impacts due to the height and location of the filling.

It is reasonable to say that from the perspective of the neighbours, they view their lives as having been significantly disrupted over the last few years as the soil filling operation on the adjacent property was in progress. Allowing soil filling to take place at 4624 - 192 Street for a further 2 years will put further stress on the neighbourhood.

Merits of Allowing Soil Filling

Given the amount of development that is taking place in the City at present, there is a need for soil deposition sites at which to dispose of excess material from construction sites. In the absence of authorized fill sites, the City is faced with unauthorized soil

'dumping' throughout the City and most often on sites in the ALR. This unauthorized dumping of soil is difficult to control and causes significant damage to the agricultural potential of the sites on which the soil is placed since it is typically undertaken without supervision and with no plan for the reclamation of the site once the filling is completed. As such, it is in the best interests of the City and the ALC to have sufficient and appropriately located soil deposit sites in the City to discourage the unauthorized dumping of soil.

Current Authorized Soil Deposit Operation in Surrey

The Engineering Department keeps an inventory of all authorized soil depositing opportunities in the City. At this time, there are 44 such operations (as illustrated on the attached Appendix II) with a capacity to receive over 700,000 cu.m (100,000 truck loads) of soil. Based on this inventory there appear to be sufficient opportunities in the City for soil deposition without the need to establish a new soil deposition opportunity at 4624 - 192 Street.

Review by the Agricultural Advisory Committee (AAC)

The AAC reviewed the application for soil deposition at its meeting on May 1, 2008. After discussion, the AAC recommended that the application be denied. Based on discussion at the meeting, the AAC had concerns with the necessity of filling the property for farming. The AAC noted that properties are actively being farmed near the subject property without having previously been filled.

CONCLUSION

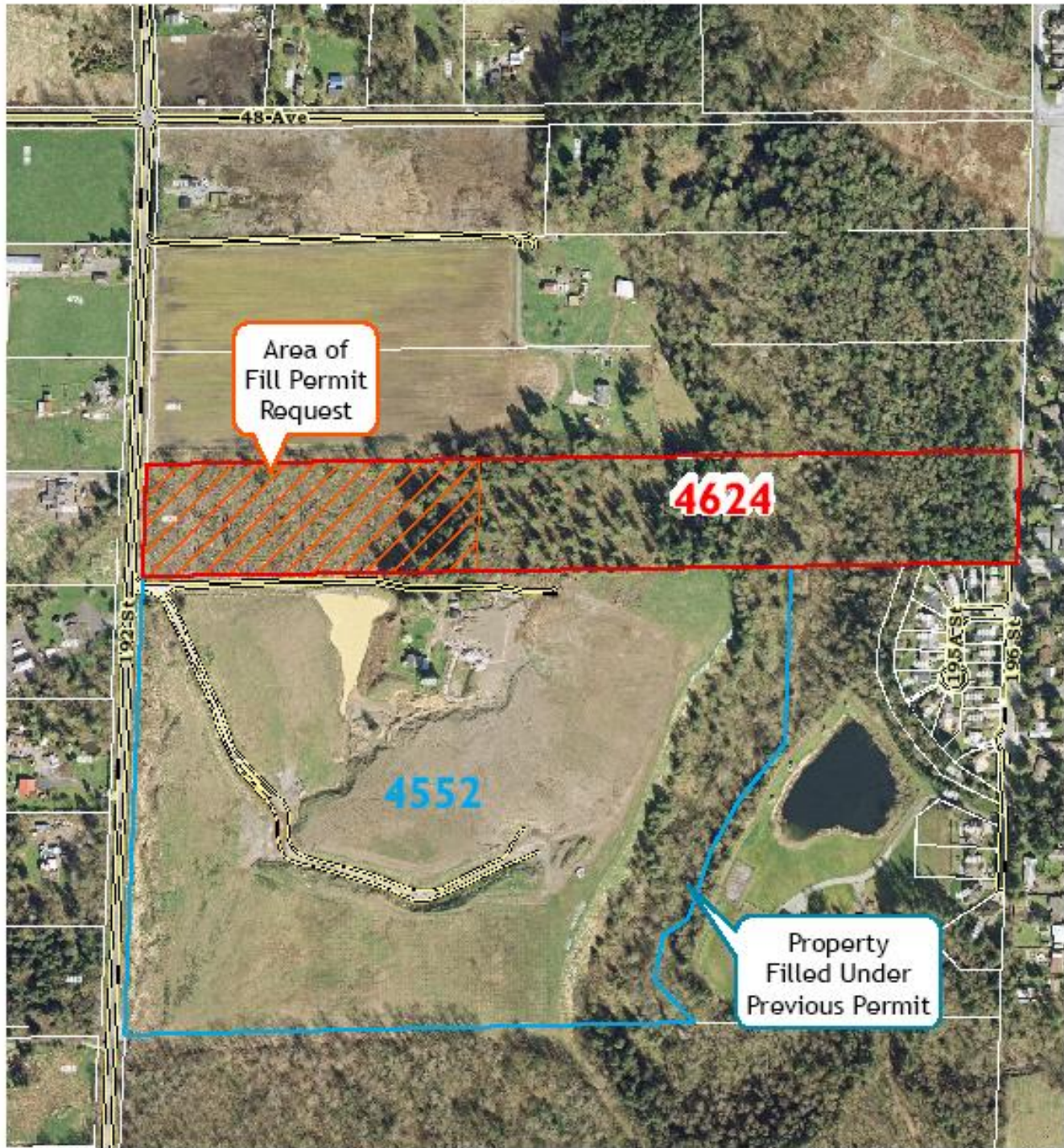
Based on the above discussion, staff is inclined to recommend that Council deny the application for soil deposition at 4624 - 192 Street and not refer the application to the Agricultural Land Commission (ALC). However, as is the City's practice with respect to land use applications, where a denial is recommended, Council typically allows the applicant an opportunity to explain the merits of the application to Council from the applicant's perspective. As such, it is recommended that Council request the City Clerk to arrange for the applicant to appear before Council as a delegation at a Regular Council Land Use Meeting to advise Council about the merits of the soil depositing application from the delegation's perspective prior to Council making a decision on the matter and that a copy of this report be included on the same agenda as the delegation.

Paul Ham, P.Eng.
General Manager, Engineering

PH/VL/VJ/brb:kd

Appendix I - Aerial Photo of Property 4624 - 192 Street
Appendix II - Authorized Soil Depositing Sites in Surrey

APPENDIX I



PRODUCED BY ENGINEERING, GIS SECTION: May 20, 2008, CS

Date of Aerial Photography: April 2007



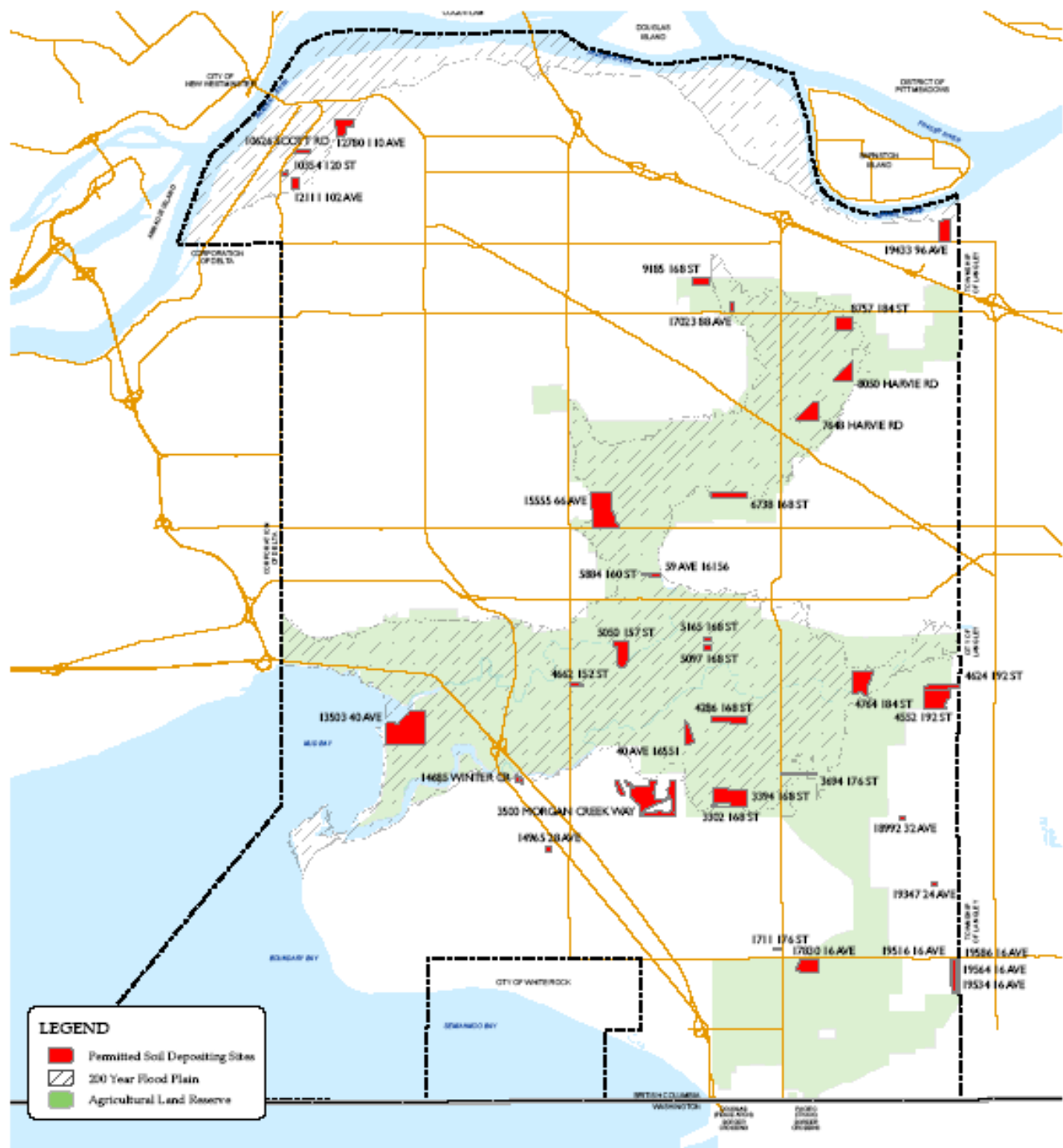
SUBJECT PROPERTY:
4624 - 192 STREET

**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 II



PRODUCED BY ENGINEERING, GIS SECTION: May 20, 2008, CS



PERMITTED SOIL DEPOSIT SITES

ENGINEERING DEPARTMENT

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