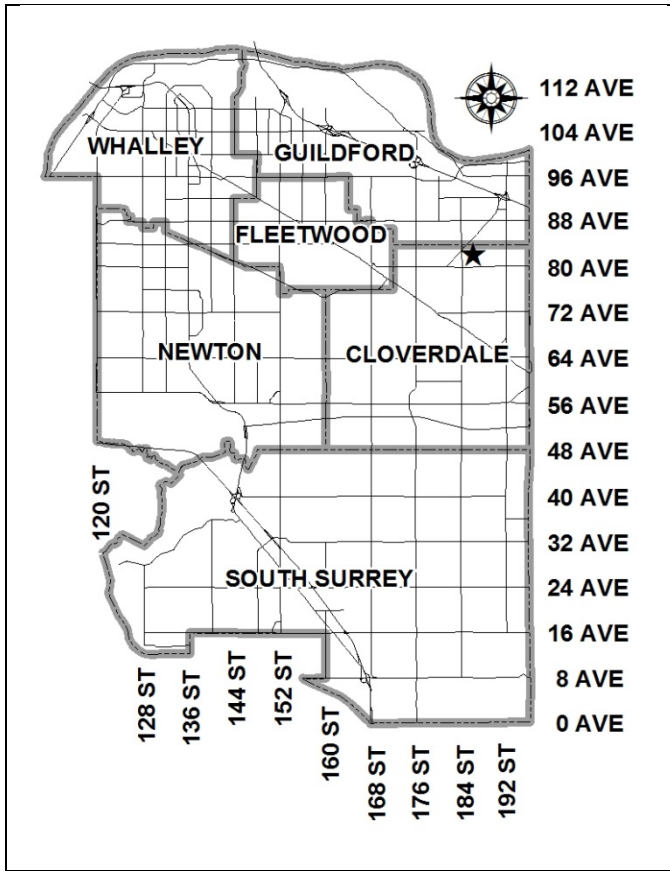


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0318-00

Planning Report Date: February 23, 2015



**PROPOSAL:**

- **Development Variance Permit**

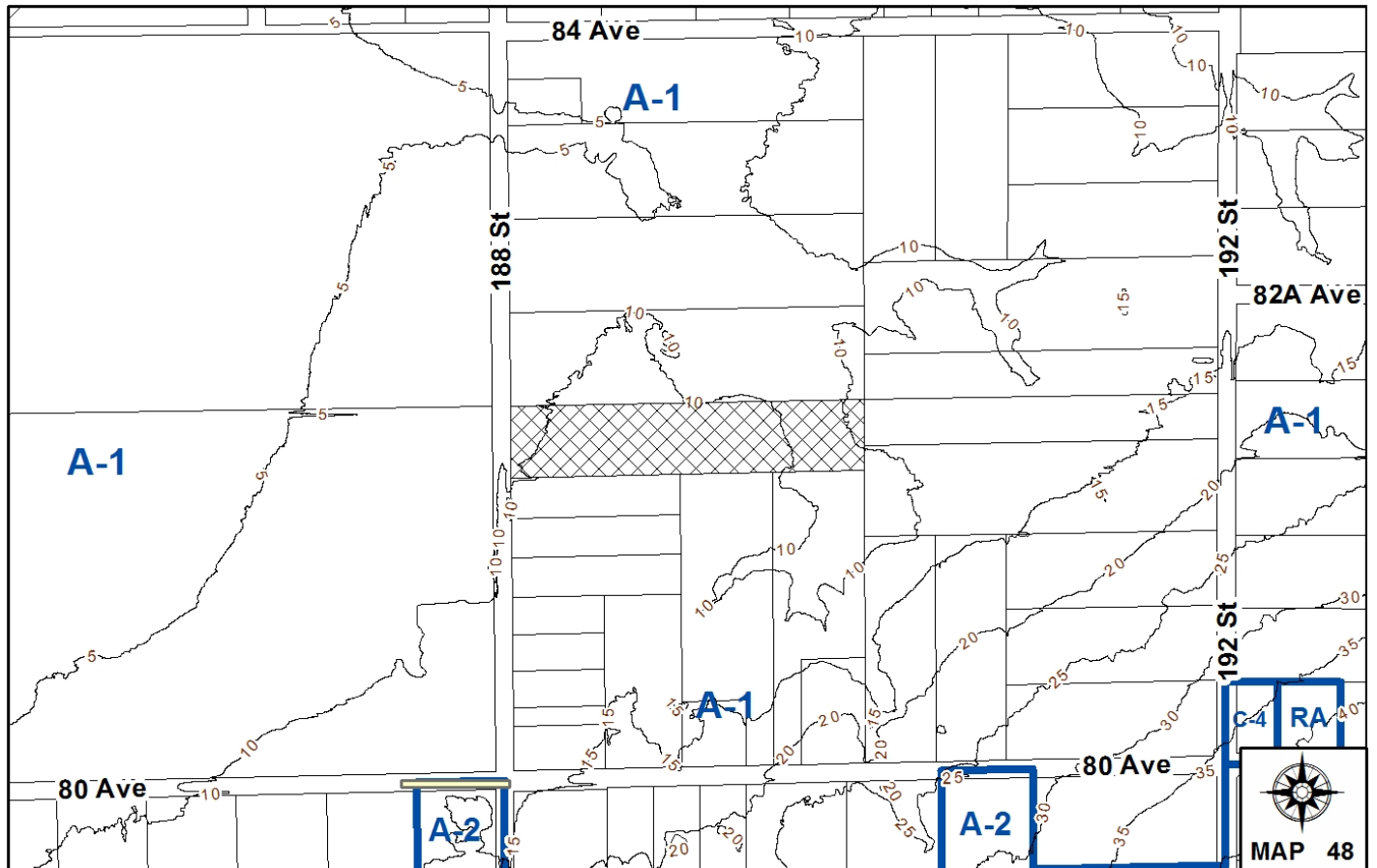
to vary the farm residential footprint and setbacks of the A-1 Zone in order to construct a new single family dwelling and to bring two existing farm buildings into compliance with the zone.

**LOCATION:** 8188 - 188 Street

**OWNERS:** Lloyd I. De Jong  
 Helena M. De Jong

**ZONING:** A-1

**OCP DESIGNATION:** Agricultural



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking to vary the A-1 Zone to:
  - increase the maximum setback of the single family dwelling in the A-1 Zone from 50 metres (164 ft.) to 190 metres (623 ft.);
  - increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres (197 ft.) to 230 metres (755 ft.);
  - increase the maximum size of the farm residential footprint of the A-1 Zone from 2,000 square metres (0.5 ac.) to 2,750 square metres (0.68 ac.); and
  - reduce the minimum south side yard setback of an accessory building in the A-1 Zone from 8.0 metres (26 ft.) to:
    - 6 metres (20 ft.) for an existing farm shop (eastern-most structure); and
    - 0.4 metre (1.5 ft.) for an existing tractor shed (southern-most structure).

### RATIONALE OF RECOMMENDATION

- The subject site is actively farmed for hay and silage.
- In order to construct a home in compliance with the farm residential footprint requirements, productive farmland would need to be removed.
- The proposed house location is mostly within a disturbed area of the site that is not farmed.
- The variances will allow the owners to reside in their existing house while their new house is constructed. The existing house will be removed upon completion of their new house.
- The proposed house location is on the high ground of the site, which will reduce the risk of the house flooding.
- The proposed house location is sited near existing farm structures to help maintain efficiency and security of farm operations.
- The Agriculture and Food Security Advisory Committee (AFSAC) supports the application and recommends the septic field be placed at the rear of the existing house, to minimize further encroachments into active farmland. The applicant has considered this comment and has provided rationale for locating the new field in front of the proposed home.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7914-0318-00 (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to increase the maximum setback of the single family dwelling in the A-1 Zone from 50 metres (164 ft.) to 190 metres (623 ft.);
  - (b) to increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres (197 ft.) to 230 metres (755 ft.);
  - (c) to increase the maximum size of the farm residential footprint in the A-1 Zone from 2,000 square metres (0.5 ac.) to 2,750 square metres (0.68 ac.);
  - (d) to reduce the minimum south side yard setback of an accessory building in the A-1 Zone from 8.0 metres (26 ft.) to:
    - i. 6 metres (20 ft.) for a farm shop; and
    - ii. 0.4 metre (1.5 ft.) for a tractor shed.
2. Council instruct staff to resolve the following issue prior to approval:
  - (a) the applicant submit a building permit application for the existing farm shop and tractor shed.

REFERRALS

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

Agriculture and Food Security Advisory Committee (AFSAC): At their January 15, 2015 meeting, AFSAC supported the application with consideration that the septic field be placed at the rear of the existing house, rather than in the front yard, in order to reduce the amount of encroachment into active farmland.

SITE CHARACTERISTICS

Existing Land Use: Active hay and silage farm with house and farm buildings.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Active farm	Agricultural	A-1

Direction	Existing Use	OCP Designation	Existing Zone
East:	Active farm	Agricultural	A-1
South:	Vacant lot and single family dwelling	Agricultural	A-1
West (Across 188 Street):	Active farm	Agricultural	A-1

## DEVELOPMENT CONSIDERATIONS

### Site Description

- The 3.3-hectare (7.5 ac.) subject site is located at 8188 – 188 Street in Cloverdale.
- The site is located in the Agricultural Land Reserve (ALR), is designated Agricultural in the Official Community Plan (OCP), and is zoned "General Agricultural Zone (A-1)".
- The owners have lived on the subject site for 28 years.
- The owners' family's nearby dairy farm has harvested 3 to 4 cuts of hay and silage crops from the subject site for the past 28 years.
- The existing single family dwelling will be removed upon completion of the proposed home. The existing septic field is located within the front lawn area of the single family dwelling and a drinking well is located in the rear lawn area.
- A red-coded watercourse traverses the eastern (rear) portion of the site, however, it does not impact the subject Development Variance Permit application.

### Proposal

- The owners are seeking to increase the size of the farm residential footprint and are also seeking a number of setback variances to the A-1 Zone (see By-law Variances and Justification section) in order to construct a new home immediately in front (west) of the existing home and to bring two existing farm structures into conformity with the zone.
- The owners intend to reside in their current home while their new home is under construction. The existing home on site will be removed upon completion of the new home.

### Farm Home Plate By-law Considerations

- On November 5, 2012, Council approved changes to the Zoning By-law to include requirements relating to the definition, location and size of a farm residential footprint in both the "General Agriculture Zone (A-1)" and the "Intensive Agriculture Zone (A-2)". These changes were detailed in Corporate Report No. R207, dated September 10, 2012.

- The intent of these new regulations is to cluster the siting of residential buildings on agricultural properties close to the adjoining road frontage, in order to preserve farmland at the rear of parcels and, in turn, to discourage agricultural zoned properties from being used exclusively for sprawling residential estates. The policy is also intended to reduce increased valuation of agricultural properties as a result of property speculation and construction of large scale estate residences.
- The A-1 Zone permits a maximum farm residential footprint of 2,000 square metres (0.50 acre). When the property is classified by BC Assessment as having farm status, the footprint may be increased to a maximum of 3,000 square metres (0.75 acre) to accommodate a second residence (permitted in the A-1 Zone under the same circumstance).
- In addition to the maximum farm residential footprint, the following maximum setbacks apply in the A-1 Zone:
  - dwellings must be located no further than 50 metres (164 ft.) from the front lot line (measured to the back wall of the structure); and
  - the farm residential footprint is to extend from the front property line no further than 60 metres (197 ft.).
- During drafting of the new farm residential footprint regulations, staff were aware that its implementation would create a number of non-conforming sites throughout the City of Surrey. As such, it was anticipated that Development Variance Permit applications could be considered in specific extenuating circumstances.

#### Agriculture and Food Security Advisory Committee

- The proposal was presented to the Agriculture and Food Security Advisory Committee (AFSAC) at their January 15, 2015 meeting. AFSAC supported the proposed variances with the consideration that the septic field be located in the existing rear lawn area.
- The applicant has since given consideration to locate the new septic field in the existing rear lawn area. However, the applicant prefers to locate the new septic field in front of the proposed home for the following reasons:
  - The drinking water well is located in the existing rear lawn area, and there is not enough space to accommodate the water well and a new septic field in the rear lawn area;
  - By placing the new septic field in front of the proposed home, the septic field can provide front lawn space. The septic field will be the minimum size required in order to minimize the encroachment into productive farmland; and
  - The applicant would like the flexibility to expand the farm shop yard into the existing rear lawn area, which may not be possible if the septic field is located in the rear lawn area.

BY-LAW VARIANCES AND JUSTIFICATION

## (a) Requested Variances:

- To increase the maximum setback of a single family dwelling in the A-1 Zone from 50 metres (164 ft.) to 190 metres (623 ft.);
- To increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres (196 ft.) to 230 metres (754 ft.); and
- To increase the maximum size of the farm residential footprint of the A-1 Zone from 2,000 square metres (0.5 ac.) to 2,750 square metres (0.67 ac.) which includes the driveway to the house and the existing and proposed front/rear lawn areas (minus 350 sq. m. / 3,800 sq. ft. for the septic field).

## Applicant's Reasons:

- To harvest hay and silage effectively, the large machinery needs long rows with minimal obstructions.
- If the applicant removed their existing home prior to constructing their new home, the applicant and their family would need to find alternative housing while their new home is being built. This would result in additional expenses and inconveniences.
- The proposed home and new septic field cannot be constructed in the existing rear lawn area as that is where the drinking water well is located.
- In the future, the applicant intends to reduce the size of the farm residential footprint by expanding their farm shop yard into their existing rear lawn space.
- The proposed home will be located on the high point of the site, which is an ideal location as it reduces the risk of the house flooding (the subject site is not within the 200-year floodplain).
- The proposed front lawn area will be the minimum depth required in order to accommodate a septic field, in order to minimize the encroachment into productive farmland.

## Staff Comments:

- The existing home is located 186 metres (610 ft.) from the front lot line and a large portion of the active farmland is located in the front portion of the lot.
- A significant amount of existing productive farmland at the front of the lot would need to be removed if the proposed home was to be constructed in compliance with the setback and farm residential footprint provisions of the A-1 Zone.

- The applicant's proposed home will generally be built within the existing front lawn area of the existing home. The majority of the encroachment into the existing active farmland is limited to the proposed new septic field. The septic field is excluded from the farm residential footprint calculation.
- To minimize the northern encroachment into active farmland, the south face of the proposed home will align with the northern edge of the existing driveway.
- Inclusive of the existing home's footprint, driveway, and front/rear lawn areas, but exclusive of the existing septic field (approx. 350 sq. m. / 3,800 sq. ft.), the existing size of the farm residential footprint is approximately 2,150 square metres (0.53 ac.).
- The applicant's proposed farm residential footprint is 2,750 square metres (0.68 ac.), which represents a net increase of 600 square metres (6,450 sq. ft.) over the current footprint. The proposed farm residential footprint size exceeds the maximum 2,000-square metre (0.5 ac.) size permitted in the A-1 Zone.
- If the subject site was a minimum of 1 hectare (2.5 acres) larger than its current size, a 3,000-square metre (0.75 ac.) farm residential footprint would be permitted, to allow for an additional single family dwelling. Under this scenario, the subject site would comply with the farm residential footprint size requirement in the A-1 Zone which permits a 3,000-square metre (0.75 ac.) farm residential footprint for properties that are 4 hectares (10 ac.) or larger in size.
- The proposed house size is approximately 353 square metres (3,800 sq. ft.). The A-1 Zone does not limit the maximum house size.
- The proposed house location is sited near existing farm structures to maintain efficiency and security of farm operations.
- The applicant's proposal meets the spirit of the residential farm footprint policy.
- Staff support the requested variances.

(b) Requested Variances:

- To reduce the minimum south side yard setback of an accessory building in the A-1 Zone from 8.0 metres (26 ft.) to:
  - 6 metres (20 ft.) for an existing farm shop (eastern-most structure); and
  - 0.4 metre (1.5 ft.) for an existing tractor shed (southern-most structure).

Applicant's Reasons:

- The setback relaxations will allow for the retention of two existing farm-related structures.

**Staff Comments:**

- The minimum side yard setback of the A-1 Zone for accessory buildings is the lesser of 10% of the lot width or 13.5 metres, but not less than 3.0 metres (10 ft.), which results in an 8-metre (26 ft.) side yard setback for the 80-metre (262-ft.) wide lot.
- The existing farm shop and tractor shed were constructed on the property without building permits. The owner has agreed to apply for and obtain building permits for these two buildings. The buildings are adjacent to mature vegetation along the rear (north) property line of the neighbouring A-1-zoned lot located at 18941 – 80 Avenue. Therefore, the requested side yard setback variances will not impact the neighbouring property.
- Staff support the requested side yard setback variances.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	Draft Agriculture and Food Security Advisory Committee Minutes
Appendix IV.	Development Variance Permit No. 7914-0318-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

JD/da

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

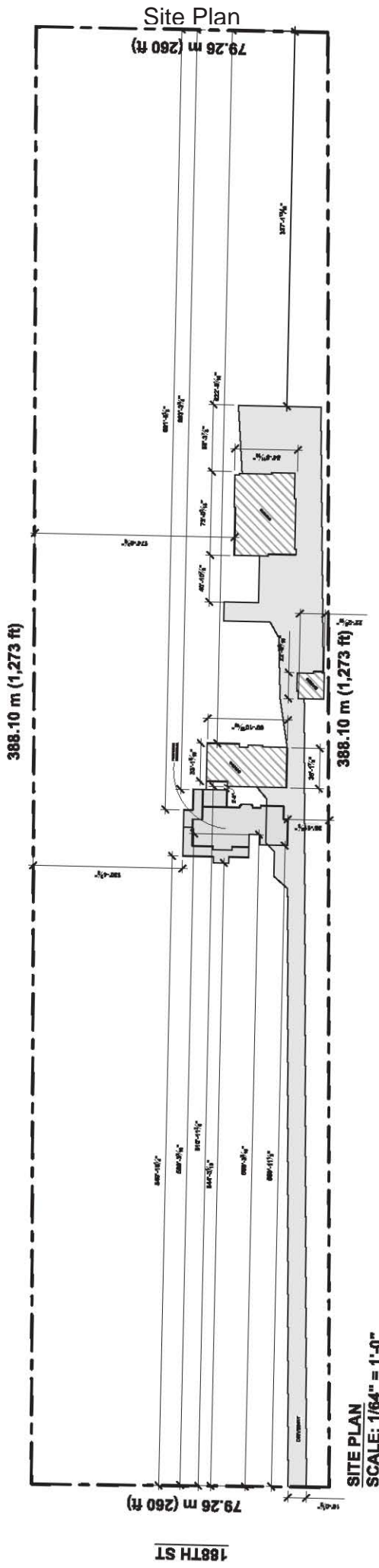
1. (a) Agent:     Name:               Lloyd De Jong  
                  Address:         8188 - 188 Street  
                                      Surrey, BC V4N 6C9  
                  Tel:                 604-882-0868

2.     Properties involved in the Application

- (a)     Civic Address:         8188 - 188 Street
  
- (b)     Civic Address:         8188 - 188 Street  
          Owner:                Helena M. De Jong  
                                  Lloyd I. De Jong  
          PID:                  004-885-970  
          Lot 4 Section 28 Township 8 New Westminster District Plan 4468

3.     Summary of Actions for City Clerk's Office

- (a)     Proceed with Public Notification for Development Variance Permit No. 7914-0318-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk once the applicant meets the condition of approval.

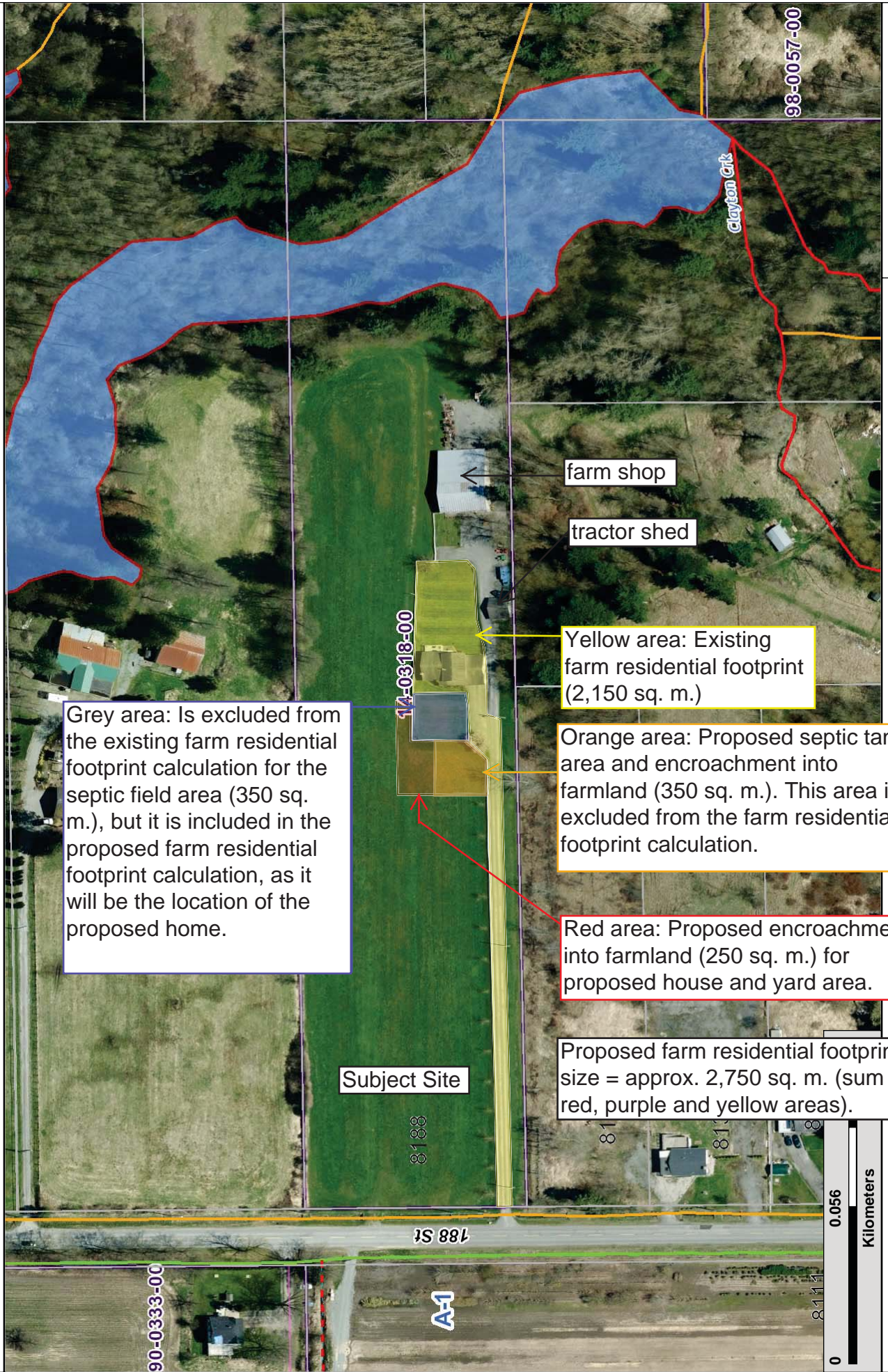


Site Plan

SITE PLAN  
SCALE: 1/64" = 1'-0"



168TH ST



Grey area: Is excluded from the existing farm residential footprint calculation for the septic field area (350 sq. m.), but it is included in the proposed farm residential footprint calculation, as it will be the location of the proposed home.

farm shop

tractor shed

Yellow area: Existing farm residential footprint (2,150 sq. m.)

Orange area: Proposed septic tank area and encroachment into farmland (350 sq. m.). This area is excluded from the farm residential footprint calculation.

Red area: Proposed encroachment into farmland (250 sq. m.) for proposed house and yard area.

Proposed farm residential footprint size = approx. 2,750 sq. m. (sum of red, purple and yellow areas).

Subject Site

0 0.056 Kilometers

The data provided is compiled from various sources and is for informational purposes only. This information is provided for informational purposes only and does not constitute a warranty or guarantee of any kind. All measurements and encumbrances must be confirmed at the time of purchase. Copyright and disclaimer notices at cosmos.surrey.ca.

Scale: 1:1,875



Map created on: December-04-14

## Draft Agricultural and Food Security Advisory Committee Minutes

### Requested Variances to the Farm Residential Footprint

#### 8188 - 188 Street

File No.: 7914-0318-00; 6880-75

Jeff Denney, Planner, was in attendance before the Committee to review the memo from Ron Gill, Acting Current Planning Manager - North, dated December 10 2014, regarding the above subject line. The following comments were made:

- The Applicant is proposing to construct a new single family dwelling, located immediately in front (west) of the existing dwelling. The Applicant is requesting to increase the maximum setback of the A-1 Zone from 50 metres to 190 metres, increase the maximum depth of the farm residential footprint of the A-1 Zone from 60 metres to 230 metres, increase the maximum size of the farm residential footprint from approximately 2,000 sq. m. to approximately 2,750 sq. m., and reduce the minimum south side yard setback.
- The property is located in the ALR and is actively farmed.
- The Applicant does not wish to construct the new dwelling in the rear yard of the existing home, as it would be too close to their farm shop (eastern most structure on the property). Relocating the house could potentially push 20 ft. further into viable agriculture land.
- Inclusive of the existing home's footprint, driveway and yard areas, but exclusive of the septic tank area, the existing size of the farm residential footprint is approximately 2,150 sq. m.

The Committee noted the following:

- The proposed front yard area will encroach into the existing farmland in order to accommodate a septic tank. A question was raised if there are options for the septic field to be at the rear of the current house, so that it would not encroach on the agricultural land. It was noted that the current house should be removed; concern was raised with regard to the mechanisms put in place to ensure this happens.
- Concern was expressed that further erosion of productive ALR land would occur; unsure that it would be possible to reclaim the space for viable agriculture land.
- As this is the base of the farming operations, the equipment for the entire operations is stored at this site.

It was

Moved by S. Van Keulen

Seconded by D. Arnold

That the Agriculture and Food Security Advisory Committee recommend to the G.M. of Planning and Development that Application 7914-0318-00 be approved with consideration for the septic field being placed to the rear of the house, rather than the front yard, to reduce the amount of encroachment into the active farmland area.

Carried

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7914-0318-00

Issued To: LLOYD DEJONG  
HELENA DEJONG  
  
("the Owner")

Address of Owner: 8188 - 188 Street  
Surrey, BC V4N 3G5

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: 004-885-970  
Lot 4 Section 28 Township 8 New Westminster District Plan 4468

8188 - 188 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section F.1(a) of Part 10 General Agricultural Zone (A-1) the minimum south side yard setback is reduced from 8.0 metres (26 ft.) to:
    - i. 6 metres (20 ft.) for a farm shop; and
    - ii. 0.4 metre (1.5 ft.) for a tractor shed.
  - (b) In Section F.1(b) of Part 10 General Agricultural Zone (A-1) the maximum setback of a single family dwelling from the front lot line is increased from 50 metres (164 ft.) to 190 metres (623 ft.);
  - (c) In Section J.2(a) of Part 10 General Agricultural Zone (A-1) the maximum size of the farm residential footprint is increased from 2,000 square metres (0.5 ac.) to 2,750 square metres (0.68 ac.); and

- (d) In Section J.2(b) of Part 10 General Agricultural Zone (A-1) the maximum depth of the farm residential footprint measured from the front lot line is increased from 60 metres (197 ft.) to 230 metres (754 ft.).
4. This development variance permit applies to only that portion of the proposed and existing buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached 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.

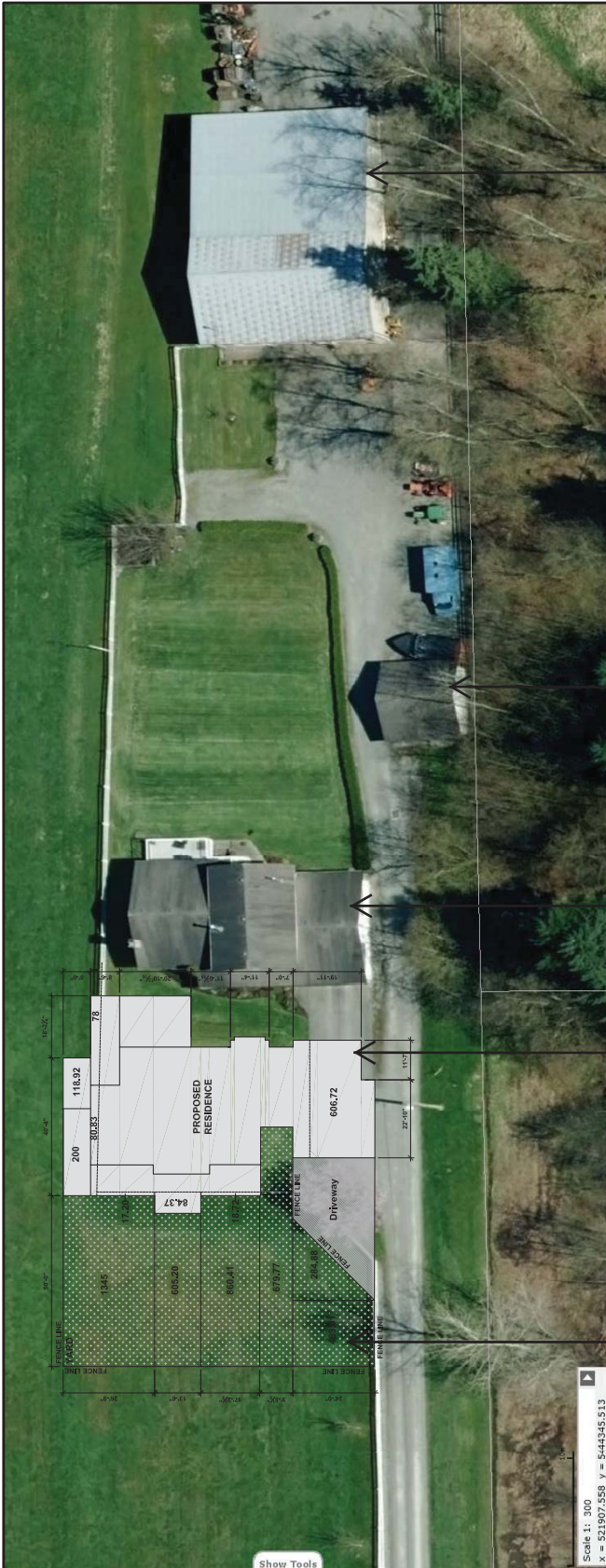
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20   .  
ISSUED THIS      DAY OF      , 20   .

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Mayor – Linda Hepner

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City Clerk – Jane Sullivan



DVP to reduce the side yard setback to 6 metres.

DVP to reduce the side yard setback to 0.4 metre.

Existing house (to be removed)

Proposed house.  
DVP to increase the area of the farm residential footprint to 2,750 square metres, to increase the maximum front yard setback to 190 metres, and to increase the depth of the farm residential footprint to 230 metres.

Proposed front lawn area with septic field.