

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0172-00

Planning Report Date: June 15 2015

PROPOSAL:

- **Development Variance Permit**

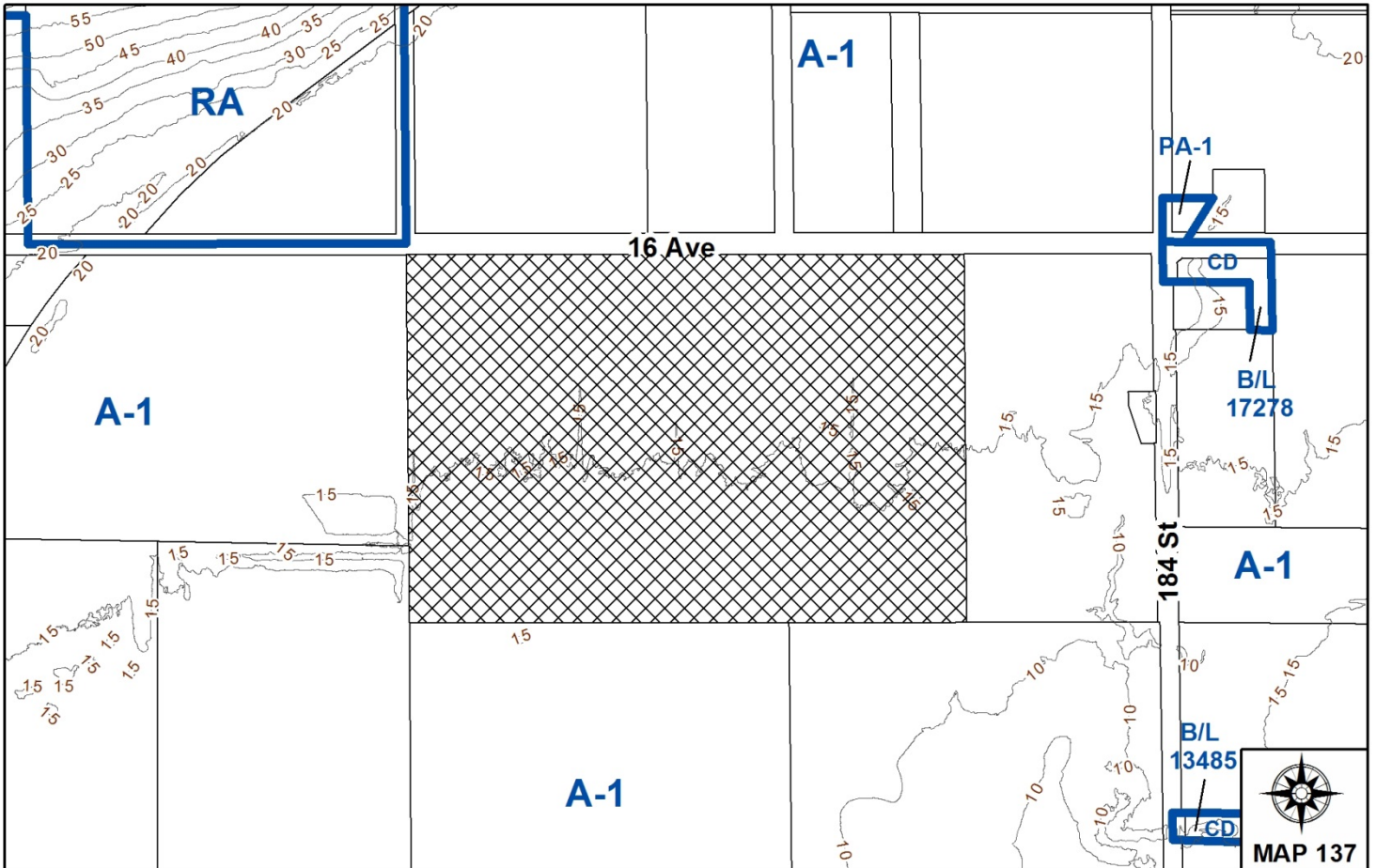
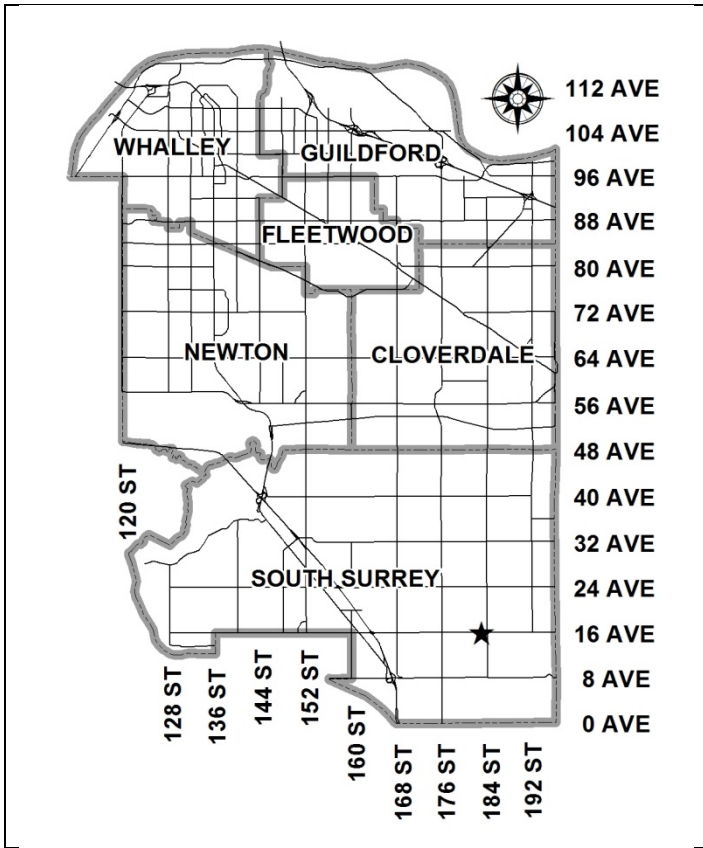
To relax the total minimum setback from the 16 Avenue centerline in order to permit the construction of a new greenhouse.

LOCATION: 18150 - 16 Avenue

OWNER: 16th Avenue Greenhouses Ltd

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval and issuance of Development Variance Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires a reduction of the special building setback from the future right-of-way of 16 Avenue.

RATIONALE OF RECOMMENDATION

- The setback relaxation accommodates an agricultural use on an A-1 zoned property that is within the Agricultural Land Reserve.
- The proposed setback of the greenhouse is consistent with the setback of an existing greenhouse on the adjacent property to the west.
- The siting of the proposed greenhouse will not impact the future widening of 16th Avenue.
- The siting of the proposed greenhouse is not anticipated to have any negative impacts on neighbouring agricultural properties.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7915-0172-00 (Appendix V) varying the following, to proceed to Public Notification:

- (a) To relax Part 7 "Special Building Setbacks" of Surrey Zoning By-law, No 12000, by reducing the minimum required setback from the 16 Avenue centreline from 48.5 metres (159 ft.) to 42.2 metres (138 ft.) for a new greenhouse.

REFERRALS

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

SITE CHARACTERISTICS

Existing Land Use: Vacant.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 16 Avenue):	Agricultural	Agricultural	A-1 (ALR)
East:			
South:			
West:			

DEVELOPMENT CONSIDERATIONS

Site Description

- The development site is a 22.83 hectare (56.4 acre) parcel located on the south side of 16 Avenue, approximately 1km east of Highway 15 (176 Street).
- The parcel is zoned "General Agricultural Zone (A-1)", designated "Agricultural" within the Official Community Plan (OCP) and is within the Agricultural Land Reserve (ALR). It does not currently contain any structures.
- The subject property is surrounded on all sides by agricultural operations and lands that are within the ALR.

- A yellow-coded creek (Class B) tributary of the Little Campbell River is located in the south-east corner of the site. A raptor's nest is located within a cluster of trees located immediately south of the site. The mandatory noise and vegetation buffer extending from the nest, as required by the provincial Ministry of Environment, extends more than 150 metres (500 ft.) into the site.

Proposal

- The applicant proposes to construct a 7.38 hectare (18.2 acre) greenhouse on the site for the cultivation of bell peppers. The proposed site plan is contained in Appendix II and an aerial image in Appendix III. An elevation of the proposed greenhouses as shown from 16th Avenue is contained in Appendix IV.
- The site has been cleared of soil in preparation for construction. The owners have been working with City staff through the permitting process for the construction of the proposed greenhouse since shortly after taking ownership in September 2014.
- The greenhouse is proposed to be located 30 metres (98 ft.) from the north property line. This is consistent with the A-1 Zone setback for agricultural structures.
- 16 Avenue, adjacent to the north property line, currently has a road allowance of 24.4 metres (80 ft.), with 8.5 metres (28 ft.) of asphalt accommodating two lanes of bi-directional traffic.
- The future road allowance of 16 Avenue is 37 metres (121 ft.), as identified in the "Surrey Major Road Allowance Map", Schedule "K" of the Subdivision and Development By-law No. 8830. This requires an additional 6.3 metres (20.5 ft.) of road dedication on either side of the centerline of the existing allowance.
- Per Part 7, "Special Building Setbacks" of the City's Zoning By-Law (No. 12000), one-half of the required future road allowance is to be added to the minimum setbacks of the respective zone. Particular to this site, this results in an additional 6.3 metres (21 ft.) being added to the minimum 30 metre (98 ft.) setback for the proposed greenhouse. The resulting required setback for agricultural structures for this site is 36.3 metres (119 ft.) from the existing lot line. As measured from the centerline of 16 Avenue, the total required setback is 48.5 metres (159 ft.)
- During the building permit process, the owners were made aware of the additional building setback subsequent to having prepared their plans under the assumption that the setback was 30 metres (98 ft.) for agricultural buildings. The property owners have therefore applied to reduce the total setback (A-1 Zone minimum + Special Building Setback) to 30 metres (98 ft.) from the lot line, or 42.2 metres (138 ft.) from the 16 Avenue road centerline.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To relax Part 7 'Special Building Setbacks' of Surrey Zoning By-law, No 12000, by reducing the total minimum required setback from the 16 Avenue centreline from 48.5 metres (159 ft.) to 42.2 metres (138 ft.) for a new greenhouse.

Applicant's Reasons:

- Initial inquiries with the City did not reveal the requirement for the special building setback.
- The proposed setback is consistent with an existing greenhouse on the neighbouring property.

Staff Comments:

- The proposed structure conforms to all other siting and setback provisions of the A-1 Zone.
- The proposed setback relaxation accommodates an agricultural use on an A-1 zoned property that is within the Agricultural Land Reserve.
- Given that all surrounding properties are used for agriculture, negative impacts on these properties resulting from the reduced setback are not anticipated.
- The location of a raptors nest south of the site limits the ability to move the greenhouse structure further to the south.
- The greenhouse on the neighbouring property was constructed before amendment of the "Surrey Major Road Allowance Map" that identified 16 Avenue for future widening. This nearby greenhouse is sited 30 metres (98 ft.) from the existing road allowance. The proposed greenhouse on the subject site would be setback back an identical distance.
- A reduction in greenhouse size as result of the increased setback limits the potential agricultural production area of the property with potentially detrimental impacts on economic feasibility as a result.
- The special building setback was identified during the building permit process but after significant resources were spent by the applicants on site planning and the existing building plans.
- Staff are of the opinion that the reasons for a setback reduction are justified and reasonable.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Site Plan
Appendix III	Aerial Photograph
Appendix IV	16 Avenue Building Elevation
Appendix V	Development Variance Permit 7915-0172-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

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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: Asia Van Spronsen
16 Avenue Greenhouses Ltd.

Address: 13444 - Mckechnie Road
Pitt Meadows, BC V3y 1z1

Tel: 604-465-9868 - Cellular

2. Properties involved in the Application

(a) Civic Address: 18150 - 16 Avenue

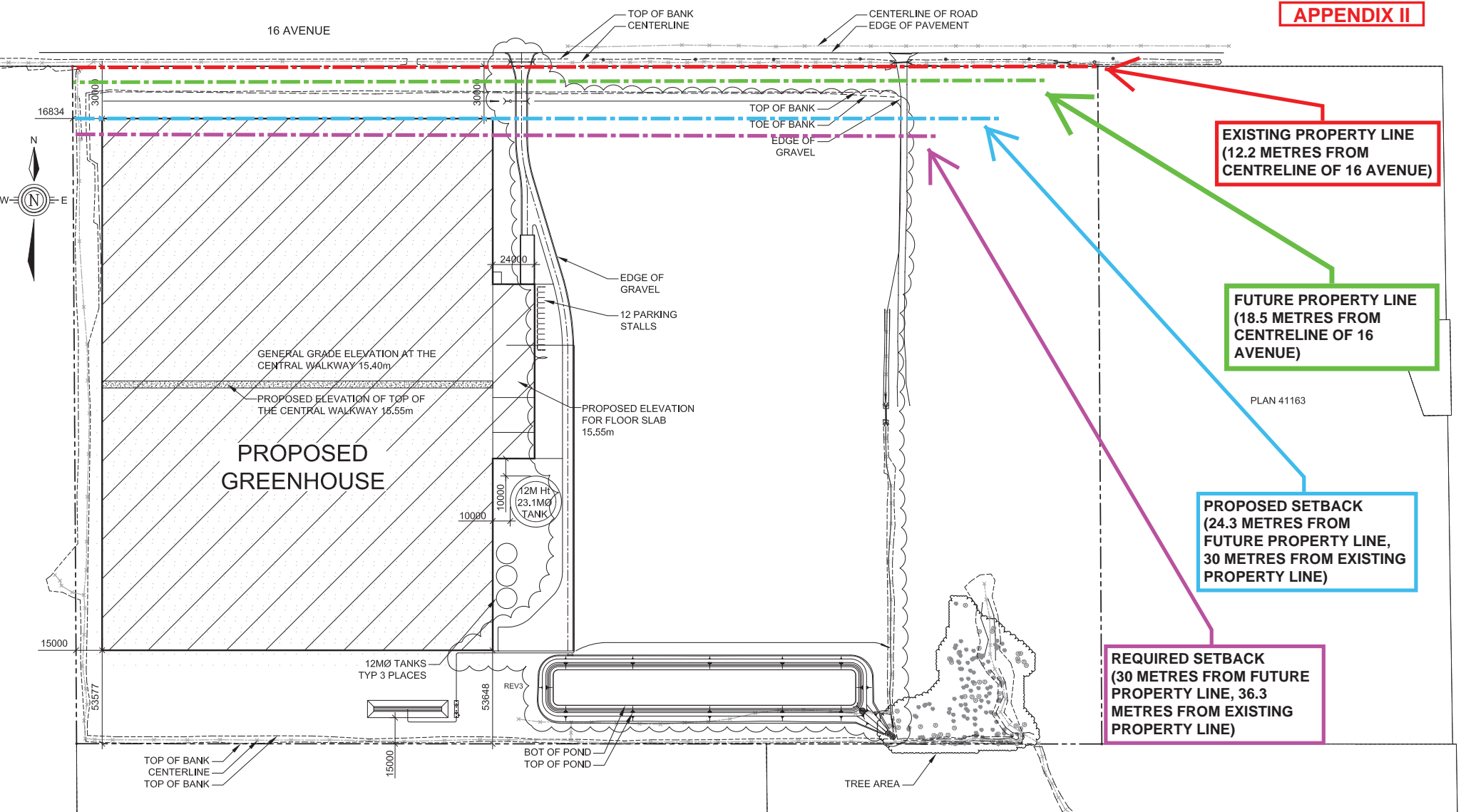
(b) Civic Address: 18150 - 16 Avenue
Owner: 16th Avenue Greenhouses Ltd
PID: 001-318-730

The North Half Of The North East Quarter Section 8 Township 7 Except: Firstly:
Parcel "A" (Reference Plan 5017) And Secondly: Part Subdivided By Plan 41163, New
Westminster District

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Development Variance Permit No. 7915-0172-00 and bring the Development Variance Permit forward for issuance and execution by the Mayor and City Clerk.

APPENDIX II



SITE PLAN
SCALE: 1:2000

LEGAL:
SECTION 8 TOWNSHIP 7
NWD PART N 1/2 OF NE 1/4,
EXCEPT PLAN REF 5017 41163

CIVIC ADDRESS:
18150 16 AVENUE
SURREY BC

NOTE: THIS SITE PLAN HAS BEEN PREPARED FROM INFORMATION PROVIDED BY OTHERS. S. SURA & ASSOCIATES LTD. HAS NOT VERIFIED THE ACCURACY OF THE SITE INFORMATION, AND ASSUMES NO RESPONSIBILITY FOR THE SITE INFORMATION, OR THE LOCATION OF STRUCTURES ON THE SITE.

284 STREET



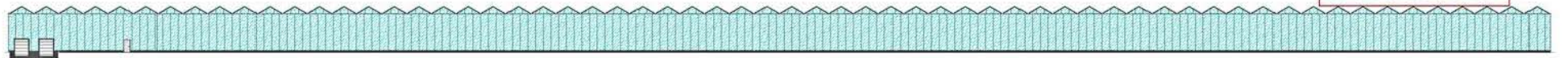
APRIL 2014 AERIAL PHOTOGRAPH

Scale: 1:3,500

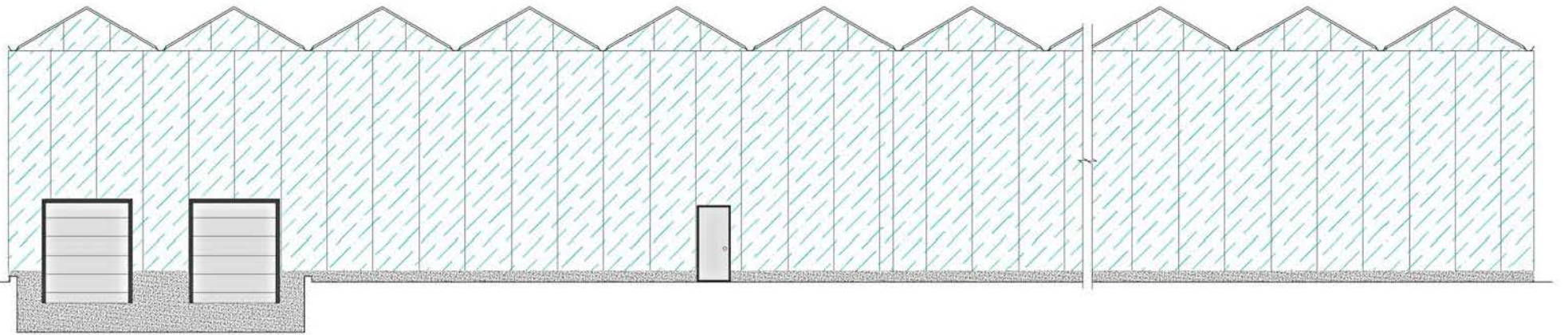
The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca



Map created on: 04/06/2015



NORTH ELEVATION
SCALE 1/32"



PARTIAL NORTH ELEVATION
SCALE 1/8"

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0172-00

Issued To: 16TH AVENUE GREENHOUSES LTD.
("the Owner")

Address of Owner: 13444 - McKechnie Road
Pitt Meadows, BC V3Y 1Z1

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: 001-318-730

The North Half Of The North East Quarter Section 8 Township 7 Except: Firstly: Parcel "A" (Reference Plan 5017) And Secondly: Part Subdivided By Plan 41163, New Westminster District

18150 - 16 Avenue

(the "Land")

3. Section A.1 Part 7 of Surrey Zoning By-law, 1993, No. 12000, requires that the *setback* of *buildings* and *structures* on a *lot* abutting existing or future *highways* shown on the "Surrey Major Road Allowance Map" attached as Schedule K to the "Surrey Subdivision and Development By-law, 1986, No. 8830," as amended shall be the sum of the following:
 - (a) One-half of the width of the ultimate *highway* allowance shown on the "Surrey Major Road Allowance Map" attached as Schedule K to the "Surrey Subdivision and Development By-law, 1986, No. 8830," as amended, measured from the centerline of the ultimate *highway* allowance, which may not necessarily coincide with the centre line of the existing *highway*; and
 - (b) The required *setback* set forth in Section F Yards and Setbacks of the Zone in which the *lot* is located.

4. Surrey Zoning By-law, 1993, No. 12000, is varied as follows:
 - (a) The sum of one half of the ultimate *highway* allowance and the *front yard setback* in Section F Yards and Setbacks, is varied from 48.5 metres (159 ft.) to 42.2 metres (138 ft.) for structures permitted in Section B.1 under Part 10, "General Agriculture Zone (A-1)".
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 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan