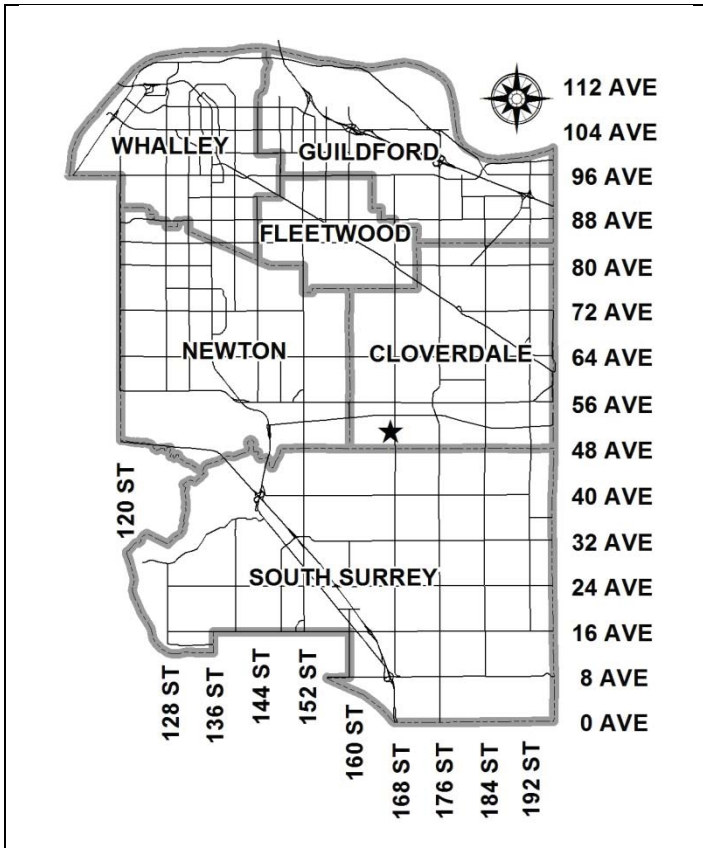


Planning Report Date: October 23, 2017



PROPOSAL:

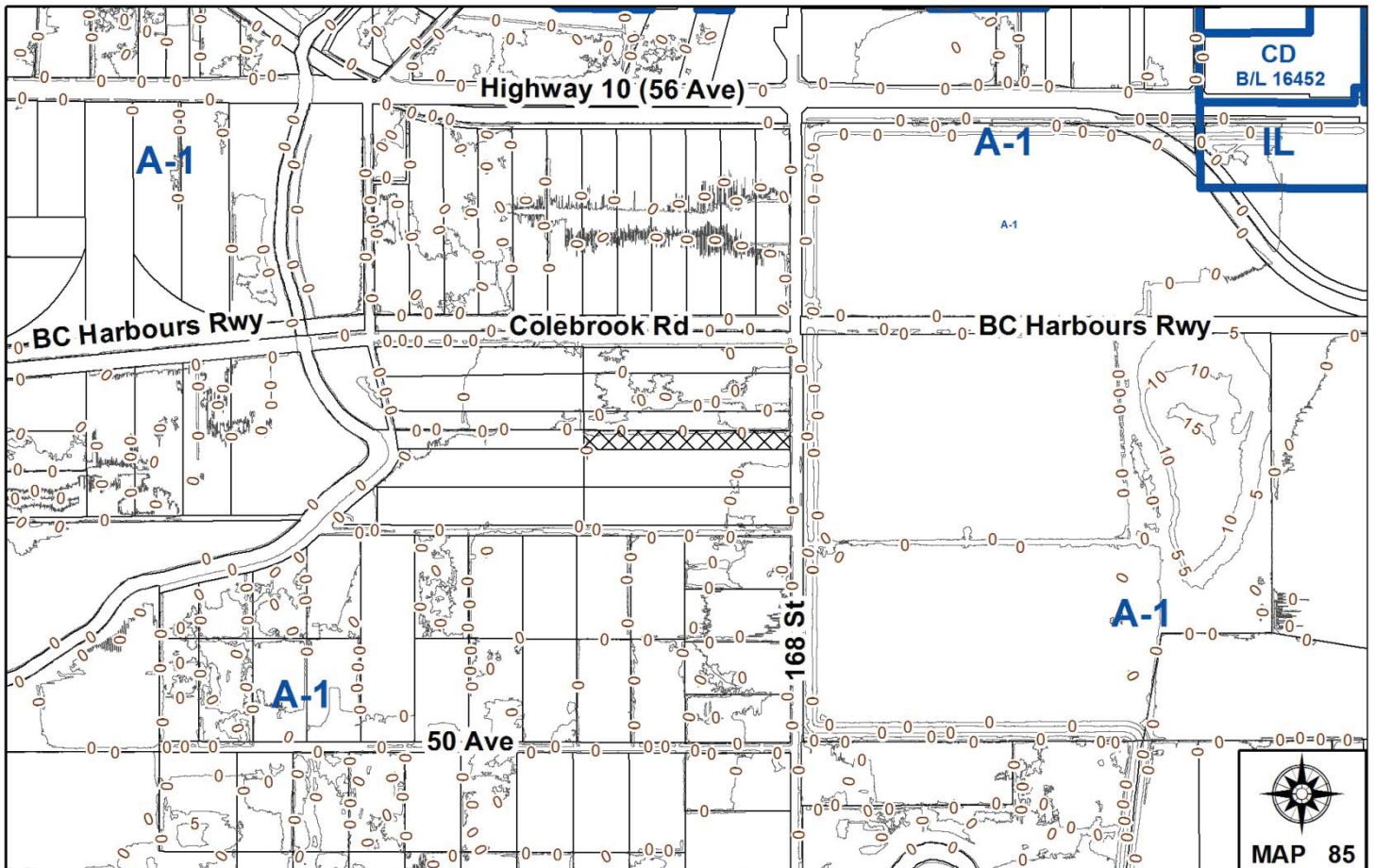
- **Development Permit**
- **Development Variance Permit**

to reduce the minimum streamside protection setback to allow construction of a new single family dwelling and to reduce the minimum south side yard setback for a farm accessory building to permit a new farm building (storage barn).

LOCATION: 5285 - 168 Street

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval to draft Sensitive Ecosystems (Streamside Areas) Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To permit construction of a new single family dwelling on an existing pre-load pad the applicant is seeking to reduce the minimum streamside setback under Part 7A Streamside Protection of the Zoning By-law No. 12000, as measured from the top-of-bank, for two (2) Class A/O (intermittent red-coded) watercourses/ditches as follows:
 - From 10 metres (33 ft.) to 6.5 metres (21 ft.) for the east watercourse; and
 - From 10 metres (33 ft.) to 5.8 metres (19 ft.) for the residential portion of the north watercourse.
- To permit construction of a new farm building (storage barn), the applicant is seeking to vary the minimum side (south) yard setback from 15 metres (50 ft.) to 10.6 metres (35 ft.).

RATIONALE OF RECOMMENDATION

- Unnamed Class A/O (intermittent red-coded) watercourses/ditches run north-south parallel to the east property line, within the 168 Street Road allowance, and east-west adjacent to the north property line of the subject lot. An additional Class A/O watercourse/ditch, which crosses multiple adjacent properties, runs along the west property line.
- The applicant provided a detailed Riparian Area Regulations (RAR) Assessment (June 16, 2017) and Impact Mitigation Plan (August 28, 2017) for the Class A/O watercourses, both prepared by ENKON Environmental Ltd. Both were reviewed by City staff and found to be acceptable.
- The applicant has agreed to register a combination Restrictive Covenant and Statutory Right-of-Way over the entire Streamside Protection Area, for City engineering access.
- The Streamside Protection Area immediately to the north and east of the proposed farm residential homeplate, approximately 600 square metres (6,460 sq.ft.) in area, will be separated from the remainder of the site by a 1.8-metre (6-ft.) high permanent chain link fence. In addition to fencing, the applicant is proposing to landscape the residential portion of the northern protection area with native plant species, which will help to enhance the previously disturbed riparian area.
- The location of the proposed farm building (storage barn) is not currently used for agricultural production and the proposal helps to limit the overall impact on farmable land within the Agricultural Land Reserve (ALR) by clustering the farm and residential buildings in a contiguous area.
- The proposed location of the farm building is more in keeping with the intent of the BC Ministry of Agriculture's "Guide for By-law Development in Farming Areas" (2016) with respect to interior side yard setback requirements.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Sensitive Ecosystems (Streamside Areas) Development Permit No. 7916-0646-00 generally in accordance with the attached drawing (Appendix V).
2. Council approve Development Variance Permit No. 7916-0646-00 (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum streamside setback area under Part 7A Streamside Protection of the Zoning By-law No. 12000, as measured from top-of-bank, for the east Class A/O (intermittent red-coded) watercourse/ditch from 10 metres (33 ft.) to 6.5 metres (21 ft.);
 - (b) to reduce the minimum streamside setback area under Part 7A Streamside Protection of the Zoning By-law No. 12000, as measured from top-of-bank, for the north Class A/O (intermittent red-coded) watercourse/ditch from 10 metres (33 ft.) to 5.8 metres (19 ft.); and
 - (c) to reduce the minimum south side yard setback of the A-1 Zone from 15 metres (50 ft.) to 10.6 metres (35 ft.) for a farm building (storage barn).
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a finalized landscaping plan and landscaping cost estimate for the proposed riparian fencing and additional riparian planting, to the satisfaction of the General Manager, Parks, Recreation & Culture; and
 - (c) registration of a combined Statutory Right-of-Way/Restrictive Covenant on the proposed streamside protection areas for drainage access.

REFERRALS

Engineering:

The Engineering Department has no objection to the proposal, provided that a combined Statutory Right-of-Way/Restrictive Covenant is registered over the protected area prior to issuance of the Development Permit (DP) and Development Variance Permit (DVP), as outlined in Appendix III.

Parks, Recreation & Culture: No objection.

Agricultural and Food Security Advisory Committee (AFSAC): The project was reviewed at the December 1, 2016 AFSAC meeting wherein the Committee recommended not to support the proposed development (see AFSAC section).

SITE CHARACTERISTICS

Existing Land Use: There are currently no existing buildings on the subject lot, however, a pre-load fill pad for both the proposed single family dwelling and farm building is located on the eastern portion of the lot.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Active farmland within the ALR	Agricultural	A-1
East (Across 168 Street):	City-owned park (Mound Farm Park) within the ALR	Agricultural	A-1
South:	Inactive farmland within the ALR	Agricultural	A-1
West:	Active farmland within the ALR	Agricultural	A-1

DEVELOPMENT CONSIDERATIONS

Background and Proposal

- The 1.42-hectare (3.51-acre) subject lot is located at 5285 – 168 Street in Cloverdale. The site is approximately 36.2 metres (119 ft.) wide and 394 metres (1,290 ft.) deep.
- The subject site is designated "Agricultural" in the Official Community Plan (OCP) and is zoned "General Agricultural Zone (A-1)". The lots to the north, east, south and west of the subject site are designated "Agricultural" in the OCP, zoned "General Agriculture Zone (A-1)" and are actively farmed, including the City-owned lot to the east (Mound Farm Park), across 168 Street.
- The subject property is located within the Agricultural Land Reserve (ALR), as well as within the 200-year floodplain of the Serpentine River.

- The current owners purchased the subject property with the intention of operating as a single lot, owner-operated farm operation for the production of blueberries, subsequently revised to the growing of assorted seasonal vegetables. A soil permit was issued by the City in July 2016 for a 980 square metre (10,550 sq.ft.) pre-load pad in order to accommodate the construction of a single family dwelling on the lot and an additional 185 square metres (2,000 sq.ft.) of fill intended to accommodate the placement of a 167-square metre (1,800-sq.ft.) farm building (storage barn).
- Subsequent to completion of the fill works the owners were advised by staff that the proposed single family dwelling and farm building siting did not comply with the Zoning By-law No. 12000.
- In order to permit construction of the proposed farm building on the existing 185-square metre (2,000 sq.ft.) pre-load fill pad, a Development Variance Permit (DVP), to reduce the minimum south side yard setback of the A-1 Zone from 15 metres (50 ft.) to 10.6 metres (35 ft.), is required.
- Although Part 7A Streamside Protection setbacks of the Zoning By-law do not apply to farm accessory buildings, and approved farm activity within the Agricultural Land Reserve (ALR) is exempted from the Sensitive Ecosystems Development Permit (SEDP) requirements, the proposed single family dwelling and associated farm residential footprint must conform to both the SEDP requirements and the Streamside Protection provisions of the Zoning By-law.
- A Development Variance Permit (DVP) also therefore has been requested to reduce the minimum streamside setback area along portions of the existing watercourses (see By-law Variances section) in order to accommodate the proposed single family dwelling on the existing 980-square metre (10,550 sq.ft.) pre-load pad.
- It is noted that the original variance proposal also included a request by the owner to extend the depth of the farm residential footprint, however, the owner is no longer pursuing this request.

Sensitive Ecosystems (Streamside Areas) Development Permit

- The subject property falls within the Sensitive Ecosystems (Streamside Areas) Development Permit Area due to the presence of several "Class A/O (intermittent red-coded) Ditches" that run parallel to the east and north property lines and north-south along the west property line.
- A Riparian Areas Regulation (RAR) Assessment Report, prepared by ENKON Environmental (dated June 16, 2017), recommended a Streamside Protection and Enhancement Area (SPEA) based on an RAR setback of 5.8 metres (19 ft.), as measured from top-of-bank, along the residential portion of the northern watercourse and 6.5 metres (21 ft.), as measured from top-of-bank, for the eastern watercourse. The RAR Assessment report has been audited by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) and reviewed by City staff, and found to be acceptable.

- In addition, the applicant's Qualified Environmental Professional (QEP) has prepared an Impact Mitigation Plan (IMP) which proposes additional protection and riparian enhancement measures for those portions of the northern and eastern watercourses adjacent to the proposed farm residential footprint (see By-law Variance section). The QEP has indicated that implementation of these measures will ensure that the proposed setback reductions will not negatively impact the existing riparian areas.
- For the non-residential portion of the north "Class A/O Ditch" west of the farm residential footprint and the entirety of the "Class A/O Ditch" on the western-most portion of the subject property a 10-metre (33-ft.) wide streamside protection area, approximately 0.047 hectares (1.15 acres) in area, will be safeguarded via a combination Statutory Right-of-Way/Restrictive Covenant. The combined SRW/RC will prohibit the construction of buildings or structures but will allow the continuation of normal farming practices within the SRW.

Agriculture and Food Security Advisory Committee (AFSAC)

- The proposed variance application was presented to the AFSAC at the December 1, 2016 meeting. At that time the proposal included the requested side yard relaxation for the proposed farm building, along with a request to increase the depth of the farm residential footprint. The Committee expressed non-support and as outlined in the minutes (Appendix IV) provided the following comments on the proposal:
 - The Committee did not see an agricultural justification for a 300-square metre (3,220 square foot) storage barn given the size of the subject property (approximately 3.15 acres) and the permitted use (blueberries); and
 - Insufficient rationale was provided regarding the additional variance to increase the depth of the farm residential footprint, from 60 metres (197 ft.) to 88 metres (290 ft.) as the approved 980 square metre (10,550 sq.ft.) pre-load pad would accommodate an adequately sized home.
- Subsequent to the December 1, 2015 AFSAC meeting the applicant revised the proposal, removing the requested variance to the maximum depth of the farm residential footprint. The area between the proposed single family dwelling and proposed farm building will be used to accommodate a septic system, which may be located outside of the maximum farm residential footprint depth requirements of the Zoning By-law.
- It is noted that there is no limitation on the size for farm buildings in the A-1 Zone and the proposed area to be occupied by the proposed farm building complies with the Agriculture Land Commission's Policy #14 "Placement of Fill or Removal of Soil: Construction of Farm Buildings".

TREES

- No existing mature trees are proposed to be removed from the subject property as a result of the proposed development.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum streamside setback under Part 7A Streamside Protection of the Zoning By-law, as measured from top-of-bank, for the east Class A/O watercourse/ditch, from 10 metres (33 ft.) to 6.5 metres (21 ft.).

Applicant's Reasons:

- The proposed reduction will permit an adequately sized and accessible front yard space for use by the property owners.

Staff Comments:

- The RAR Assessment Report for the unnamed "Class A/O Ditch" recommends using the RAR SPEA setback of 6.5 metres (21 ft.) from the high water mark as the setback distance. As the high water mark corresponds to the top-of-bank for this watercourse this translates to a 6.5-metre (21-ft.) setback from the top-of-bank (approximately 8.8 metres (29 ft.) from the east property line).
- The 6.5-metre (21-ft.) Streamside Protection Area will be safeguarded by a combined Statutory Right-of-Way/Restrictive Covenant (SRW/RC) and further protected via the installation of approximately 38.5 linear metres (126 linear ft.) of 1.8-metre (6-ft.) high black chain-link fencing along the western boundary of the SRW/RC, between the riparian area and the adjacent farm residential footprint.
- In addition, the applicant has agreed to register an additional 3.5-metre (11.5-ft.) wide combined Statutory Right-of-Way and Restrictive Covenant (SRW/RC) outside of the Streamside Protection Area for City engineering access, effectively limiting access or unnecessary disturbance within an area equal to the minimum Part 7A streamside setback of 10 metres (33 ft.), as measured from the top-of-bank of the eastern watercourse (Appendix V).

(b) Requested Variance:

- To reduce the minimum streamside setback under Part 7A Streamside Protection of the Zoning By-law, as measured from top-of-bank, for the residential portion of the north Class A/O watercourse/ditch, from 10 metres (33 ft.) to 5.8 metres (19 ft.).

Applicant's Reasons:

- The 10-metre (33-ft.) streamside setback, measured from top-of-bank as required under the Streamside Protection provisions of the Zoning By-law, precludes redevelopment of the property as it would encompass nearly a third of the lot width, limiting the ability to place a single family dwelling and provide an adequately sized farm road connecting 168 Street to the proposed farm building and blueberry fields.

Staff Comments:

- The RAR Assessment Report for the unnamed "Class A/O Ditch" recommends using the RAR SPEA setback of 5.8 metres (19 ft.) from the high water mark as the setback distance. As the high water mark corresponds to the top-of-bank for this watercourse this translates to a 5.8-metre (19-ft.) setback from the top-of-bank (approximately 7.6 metres (25 ft.) from the north property line).
- The applicant's Qualified Environmental Professional (QEP) has prepared an Impact Mitigation Plan (IMP) which proposed planting a combination of native shrubs, such as Snowberry, Salmonberry and Pacific Rhododendron, and tree species, such as Beaked Hazelnut, Black Hawthorn and Bitter Cherry on the previously disturbed Streamside Protection Area.
- Furthermore, approximately 50 metres (164 ft.) of 1.8-metre (6-ft.) high, black chain link fence will be installed along the south edge of the north Streamside Protection Area, between the riparian area and the adjacent residential uses, to limit access and disturbance.
- The 5.8-metre (19 ft.) Streamside Protection Area will be safeguarded by a combined Statutory Right-of-Way and Restrictive Covenant (SRW/RC) registered on the property title to ensure safeguarding and maintenance of the riparian area in perpetuity. The combined SRW/RC will also ensure the installation of the riparian fencing and native species planting with appropriate securities collected and held by the City for a period of three (3) years.
- In addition, the property owner has agreed to register a 4.2-metre (13.8-ft.) wide combined Statutory Right-of-Way and Restrictive Covenant (SRW/RC) outside of the Streamside Protection Area for City engineering access. The additional SRW/RC will prohibit the installation of any buildings or structures within 4.2 metres (13.8 ft.) of the southern boundary of the Streamside Protection Area but will permit the construction of a gravel farm road.
- For the non-residential portion of the north "Class A/O Ditch" west of the farm residential footprint and the entirety of the "Class A/O Ditch" on the western-most portion of the subject property a 10-metre (33-ft.) wide streamside protection area, approximately 0.047 hectares (1.15 acres) in area, will be safeguarded via a combined Statutory Right-of-Way/Restrictive Covenant (Appendix V). The combined SRW/RC will prohibit the construction of buildings or structures but allow the continuation of normal farming practices within the SRW.
- That portion of the proposed farm road between the proposed farm building and the proposed residential footprint will be setback a minimum of 5 metres (16.5 ft.) top-of-bank setback from the north watercourse.

(c) Requested Variance:

- To reduce the minimum south side yard setback of the A-1 Zone from 15 metres (50 ft.) to 10.6 metres (35 ft.) for a farm building (storage barn).

Applicant's Reasons:

- Given the narrow width of the subject property the proposed variance would permit the farm building (storage barn) to be placed closer to the south property line, allowing for less restricted access to the arable farmland to the west.
- Clustering both the residential and farm buildings on the subject property will allow the property owners to operate the farm more efficiently.

Staff Comments:

- The subject property is relatively narrow compared to other agricultural lots at only 36.2 metres (119 ft.) in width. Applying the full 15-metre (50-foot) interior side yard setback from both the north and south property lines would render the construction of a functioning farm building impossible.
- The proposal limits the overall impact on farmable land within the Agricultural Land Reserve (ALR) by clustering both residential and farm buildings in a contiguous area.
- The proposed location of the farm building is more in keeping with the intent of the BC Ministry of Agriculture's "Guide for By-law Development in Farming Areas" (2015) which recommends a maximum interior side yard setback of 4.5 metres (15 ft.) for farm storage buildings.
- Although the size of the proposed farm was raised as a concern by the Surrey Agriculture and Food Security Advisory Committee (AFSAC) the applicant has indicated that the proposed 167-square metre (1,800-sq.ft.) storage barn will be used to accommodate farm machinery (i.e., tractor, trolleys and seed cultivator) and equipment (seeds, spray and fertilizers). As part of a proposed owner-operated farm operation a portion of the storage barn will also be used for the cold storage of seasonal vegetables. According to the applicant, approximately 4-5 seasonal farm workers will be required as part of the farm operation and a portion of the storage barn approximately 22 square metres (240 sq.ft.) in area will be used as a lunch room, private office and washroom facility.
- It is noted that there are no limitations on the lot coverage or floor area of farm buildings in the A-1 Zone and the proposed area to be occupied by the proposed farm building complies with the maximum allowable coverage provisions of the Agricultural Land Commission's Policy #14 "Placement of Fill or Removal of Soil: Construction of Farm Buildings."

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary (Confidential)
- Appendix II. Soil Permit Site Plan (Braun Geotechnical)
- Appendix III. Engineering Summary
- Appendix IV. Agricultural and Food Security Advisory Committee Minutes
- Appendix V. Streamside Protection Plan (IMP - ENKON Environmental)
- Appendix VI. Development Variance Permit No. 7916-0646-00

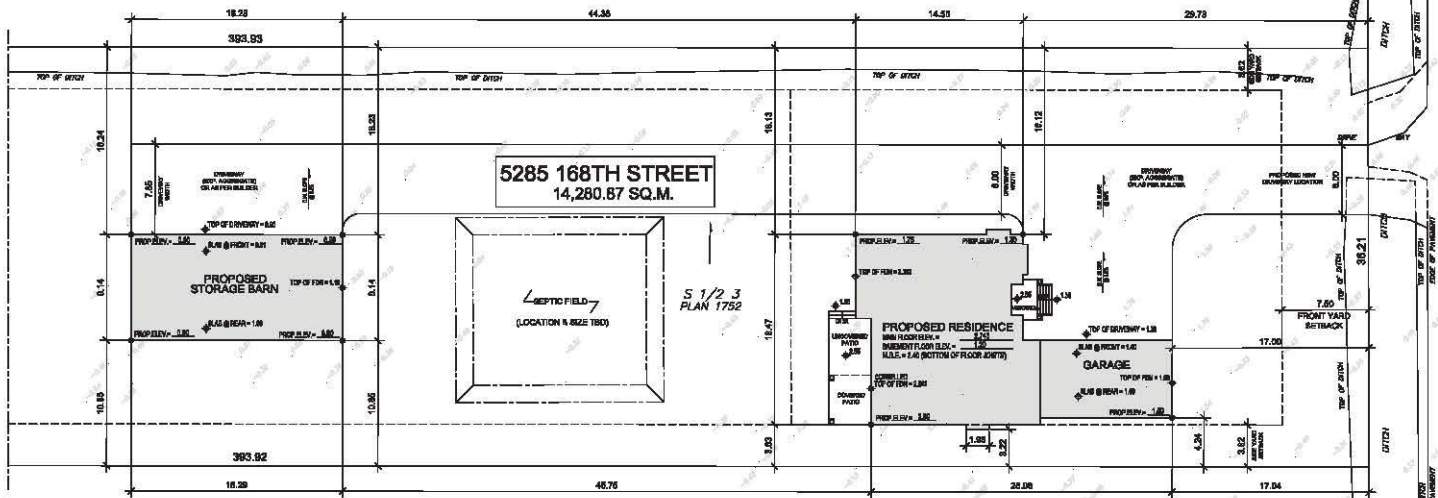
original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

CRL/da

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

NOTE: GRADES TO SLOPE DOWN 2% PROJECTING AWAY FROM HOUSE



LOT CALCULATIONS: A1 ZONING (GENERAL AGRICULTURAL ZONE)
 LOT AREA = 163,716 SQ.FT. (14,280.87 SQ.M.)
 MAX. SIZE OF FARM RESIDENTIAL FOOTPRINT:
 MAX. ALLOWABLE = 21,627.82 SQ.FT. (2000.00 SQ.M.)
 PROPOSED = 3832 SQ.FT. (INCL. GARAGES, VERANDA & PATIO)
 AVG. BLDGS. GRADE PROPOSED:
 PROPOSED RESIDENCE = $(1.50 + 1.30 + 2.00 + 1.75) / 4 = 1.635$
 PROPOSED STORAGE BARN = $(0.90 + 0.90 + 0.90 + 0.90) / 4 = 0.90$



SITE PLAN
 SCALE (20' METERS)

NOTE: THE ENERGY DETAIL SHEETS FORM AN INTEGRAL COMPONENT OF THESE PLANS AND NO CONSTRUCTION SHOULD TAKE PLACE UNLESS THE SPECIFICATIONS OF THE SAID DETAIL SHEETS ARE THOROUGHLY REVIEWED BY THE OWNER AND THE BUILDER, WHO SHALL TAKE FULL RESPONSIBILITY FOR COMPLIANCE WITH THE BC BUILDING CODE (LATEST EDITION AND REVISION)

GENERAL:
 IT IS THE RESPONSIBILITY OF THE OWNER AND BUILDER TO VERIFY ALL DIMENSIONS AND STRUCTURE BEFORE PROCEEDING WITH CONSTRUCTION AND TO REPORT ALL CHANGES OR
 THROUGH REVISIONS. THE BUILDER TO REPORT ANY AND ALL CHANGES THAT ARISE TO THE ARCHITECT IMMEDIATELY. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE DESIGN OF ALL STRUCTURES ASSOCIATED WITH THE CONSTRUCTION OF THIS HOME.
 CONSTRUCTION TO BE COMPLETED WITHIN THE PERIOD OF 12 MONTHS FROM THE DATE OF THE PERMITS. ALL NOTICES CONCERNING THIS PERMITS MUST BE SUBMITTED TO ALL OTHER PARTIES OF THE PLAN.

COPYRIGHT:
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THESE PLANS ARE COPYRIGHTED AND ALL RIGHTS ARE RESERVED. THE REPRODUCTION OF THESE PLANS BY ANY MEANS, IN ANY FORM OR MEDIUM, IS STRICTLY PROHIBITED AND IS SUBJECT TO LEGAL ACTION. YOU SHALL BE RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

THE BUILDING SITE:
 LOT GEOMETRY AND TOPOGRAPHICAL INFORMATION HAS BEEN OBTAINED FROM SOURCES BELIEVED TO BE RELIABLE. HOWEVER, THE OWNER AND BUILDER ARE ADVISED THAT THE INFORMATION IS NOT GUARANTEED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS OBTAINED. THE OWNER AND BUILDER SHALL BE RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

EXISTING RECORDS SHOWN AT THE CORNER OF THE STRUCTURE ARE BASED ON THE ORIGINAL INTERPOLATION OF THE TOPOGRAPHICAL DATA PROVIDED TO THE ARCHITECT. THE ARCHITECT HAS ACCEPTED THE DATA AS SHOWN AND HAS NOT VERIFIED IT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DATA. THE OWNER AND BUILDER SHALL BE RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

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WORK IS TO BE DONE IN ACCORDANCE WITH THE PERMITS AND REGULATIONS OF THE LOCAL GOVERNMENT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

ANY CHANGES TO THESE PLANS MUST BE APPROVED BY THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

CLIMATE AND SOIL:
 CLIMATE AND SOIL DATA HAS BEEN OBTAINED FROM SOURCES BELIEVED TO BE RELIABLE. HOWEVER, THE ARCHITECT IS NOT RESPONSIBLE FOR ANY REUSE OR REPRODUCTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

NOTICE

THESE PLANS ARE THE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

DETAIL REFERENCE SYMBOL

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DETAIL REFERENCE SYMBOL

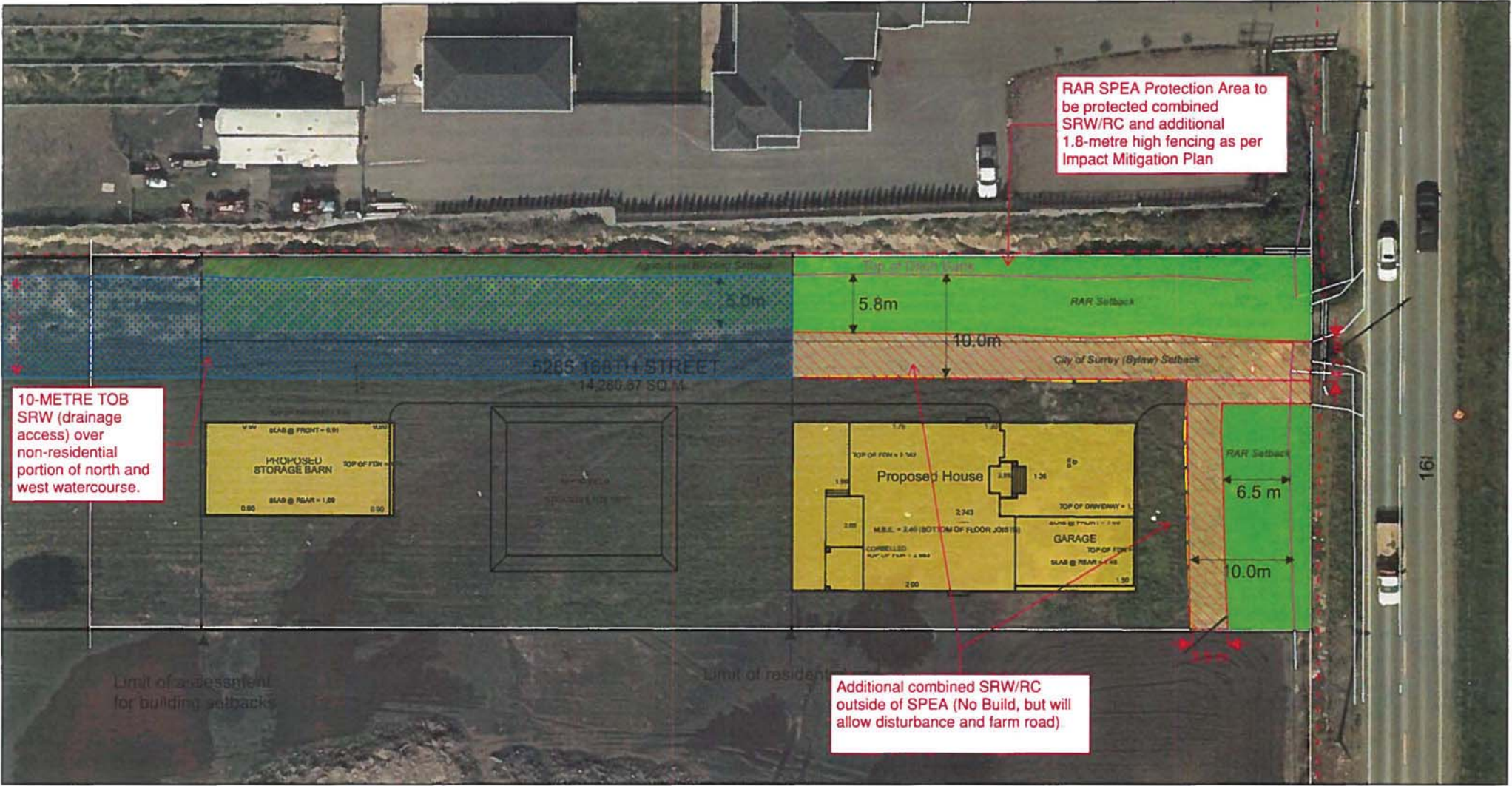
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DETAIL REFERENCE SYMBOL

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10-METRE TOB SRW (drainage access) over non-residential portion of north and west watercourse.

RAR SPEA Protection Area to be protected combined SRW/RC and additional 1.8-metre high fencing as per Impact Mitigation Plan

Additional combined SRW/RC outside of SPEA (No Build, but will allow disturbance and farm road).

Legend — Top of Bank □ Subject Property Culvert — Existing — Proposed		□ 10m Surrey Setback (884 m ²) ■ 5.8 m RAR Setback (392 m ²) ■ 6.5m RAR Setback (183 m ²) ■ 5m Agricultural Setback	N Scale 1:350	 Prepared by ENKON Environmental Ltd. Map Created February 2017 NAD 83, Zone 10N	5285 168th Street, Surrey, BC <hr/> Figure 1 <hr/> Jaspreet Paul
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2. Fill Permit Process

Carrie Barron, Drainage Manager and Lance Thompson, Engineering Technologist,
Engineering
File: 5280-01

The following comments were made:

- The soil fill permit process is managed through various types of permits (building, soil, foundation, demolition, tree removal), Servicing Agreements and Development Permits. Note that soil is permitted to be imported with a soil permit for the purposes of farm roads, farm buildings, and farm houses.
- A soil permit is required when the total quantity of imported soil is more than 15 cubic metres, and includes any soil that has previously been spread on a site. Soil permit exemptions do not apply to soil placed on a slope greater than 20%, within 30 metres of a ravine, watercourse or shoreline; or 30 metres from toe or crest of slope greater than 20%, or within an area rated high or medium Environmentally Sensitive. However, staff can grant a “Notice of Intent” when the soil volume is between 15-100 cubic metres.
- In order for the City of Surrey to meet the Agricultural Land Commission (ALC) requirements, soil permits are required to protect agricultural lands from other uses. Soil permits manage floodplain areas within Surrey and ensures that soil is only deposited where it is safe to do so without affecting adjacent landowners.
- The ALC has specific rules and regulations regarding the removal of topsoil from Agricultural Land Reserve (ALR) and when soil can be imported for farm roads, farm buildings and farm houses. Any other type of filling within the ALR is considered an unpermitted use and requires approval of the ALC; fines are applicable for failure to comply with these regulations.

Soil permits vary depending on the requirements set by the ALC.

Before Development Variance Permit No. 7916-0646-00 was discussed, H. Dhillon declared a conflict of interest to the subject application and exited the meeting at 10:41 a.m.

3. Development Variance Permit No. 7916-0646-00

Christopher Lumsden, Planning Technician
File: 6880-75

The following comments were made:

- The subject property is 1.41 hectares (3.50 acres) in size and is designated Agricultural in the Official Community Plan (OCP), zoned “General Agriculture Zone (A-1)”, and located within the Agricultural Land Reserve (ALR). The subject site is classified as farmland under the *Assessment Act* and is encumbered by two Class A/o (intermittent red-coded) watercourses running along the northern and eastern property lines.

- The applicant is requesting to reduce the minimum required south side yard setback for a farm building, permitted under Section B.1 in the “General Agriculture Zone (A-1) from 15 metres (50 ft.) to 10.85 metres (35.5 ft.) to accommodate the construction of a farm building (storage barn). There is currently no existing house on the subject property.
- The storage barn will be used for the purposes of storing blueberries and farming equipment and will be connected by a proposed farm road to the existing driveway crossing. The applicant is responsible for obtaining a soil permit for the proposed storage barn and farm road.
- A soil permit was issued by the City to construct a residential dwelling on pre-load pad at the eastern end of the property, 963 square metres (10,365 sq. ft.) in area.
- A member noted that based on the given information, they cannot see why a storage barn with washroom facility would be needed for an agriculture operation comprised of two acres of blueberries. Members noted they could not see an agriculture justification of the barn setback for the applicant’s agriculture operation. Staff clarified they did not support the rationale to extend the farm residential home plate.

The Committee was in agreement that the storage barn was not a necessary structure required for agricultural operations.

It was Moved by M. Bose
Seconded by D. Arnold
That the Agriculture and Food Security
Advisory Committee recommend to the General Manger of Planning and
Development:

1. To not support the Development Variance Permit Application No. 7916-0646-00 for a south side yard setback for a farm building in the A-1 Zone; and
2. To not support the Development Variance Permit Application No. 7916-0646-00 to increase the depth of Farm Residential Footprint.

Carried

H. Dhillon returned to the meeting at 10:58 a.m.

E. ITEMS REFERRED BY COUNCIL

F. CORRESPONDENCE



Legend

- Subject Property
- Top of Bank (BCLS)
- Top of Bank (LIDAR)
- Culvert**
- Existing
- Proposed
- 5.8 m RAR Setback
- 6.5m RAR Setback
- 5m Agricultural Setback
- SRW / RC
- COSMOS Watercourses**
- A
- AO



Scale
1:1,000



Map Created October 2017
NAD 83, Zone 10N

5285 168th Street, Surrey, BC

Figure 2

Jaspreet Paul

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0646-00

Issued To:

("the Owner")

Address of Owner:

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: 007-434-529

South Half Lot 3 North East Quarter Section 1 Township 2 New Westminster District Plan 1752

5285 - 168 Street

(the "Land")

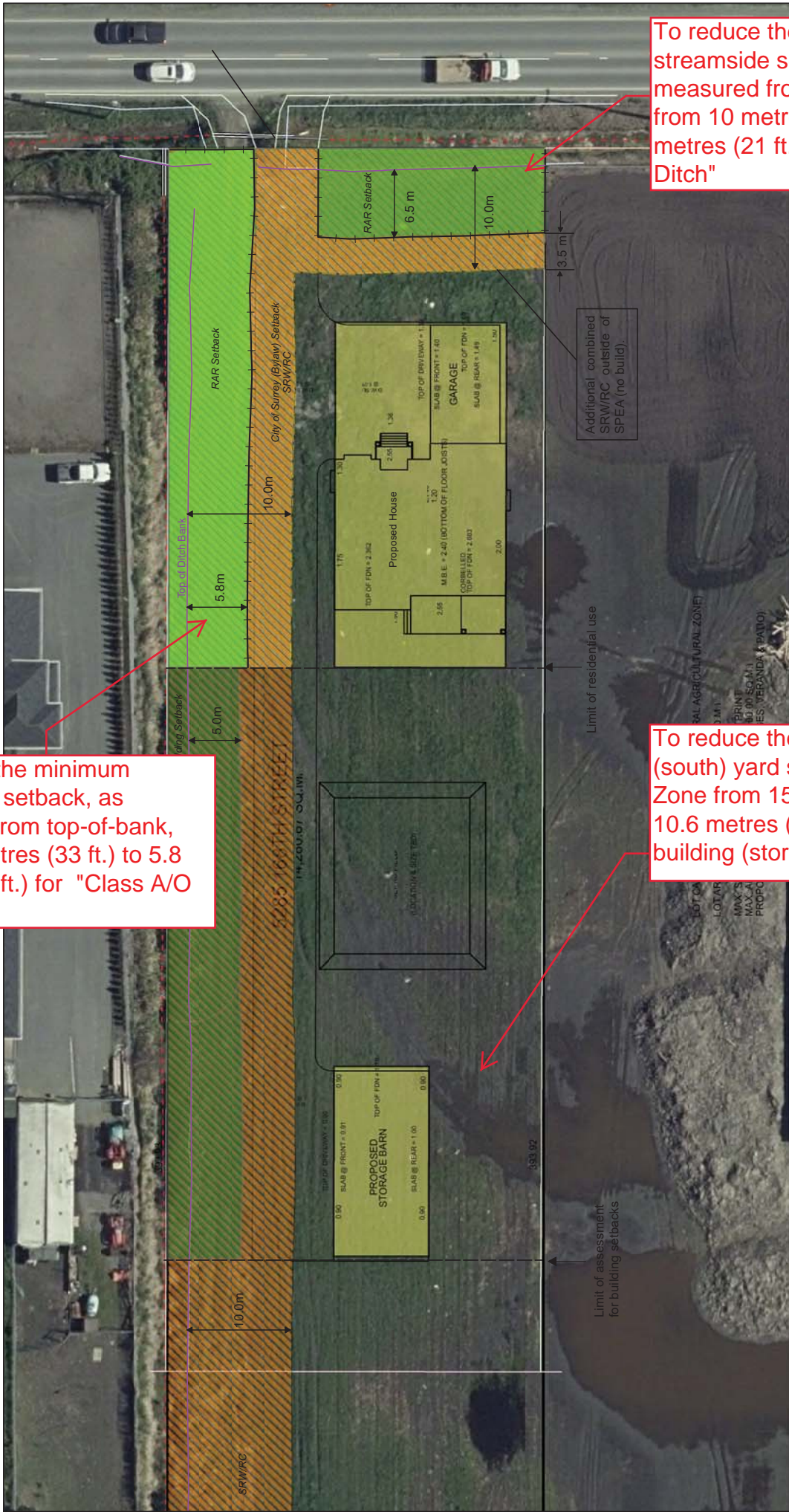
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section B.2 of Part 7A Streamside Protection, the minimum streamside setback area, as measured from top-of-bank for a "Class A/O Ditch", is reduced from 10 metres (33 ft.) to 6.5 metres (21 ft.) for the residential portion of the eastern watercourse;
 - (b) In Section B.2 of Part 7A Streamside Protection, the minimum streamside setback area, as measured from top-of-bank for a "Class A/O Ditch", is reduced from 10 metres (33 ft.) to 5.8 metres (19 ft.) for the residential portion of the northern watercourse; and
 - (c) In Section F Yards and Setbacks of Part 10 General Agriculture Zone (A-1), the minimum side (south) yard setback is reduced from 15 metres (50 ft.) to 10.6 metres (35 ft.).

4. This development variance permit applies to both the portion of the Land and that portion of the buildings and structures on the Land shown on 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 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan



To reduce the minimum streamside setback, as measured from top-of-bank, from 10 metres (33 ft.) to 6.5 metres (21 ft.) for "Class A/O Ditch"

To reduce the minimum streamside setback, as measured from top-of-bank, from 10 metres (33 ft.) to 5.8 metres (19 ft.) for "Class A/O Ditch"

To reduce the minimum side (south) yard setback of the A-1 Zone from 15 metres (50 ft.) to 10.6 metres (35 ft.) for a farm building (storage barn).

5285 16



Map Created October 2017
NAD 83, Zone 10N



- 5m Agricultural Setback
- 5.8 m RAR Setback (392 m²)
- 6.5m RAR Setback (183 m²)
- 10m Surrey Setback (884 m²)
- SRW / RC

- Legend**
- Subject Property
 - Culvert
 - Existing
 - Proposed
 - Top of Bank
 - Fencing