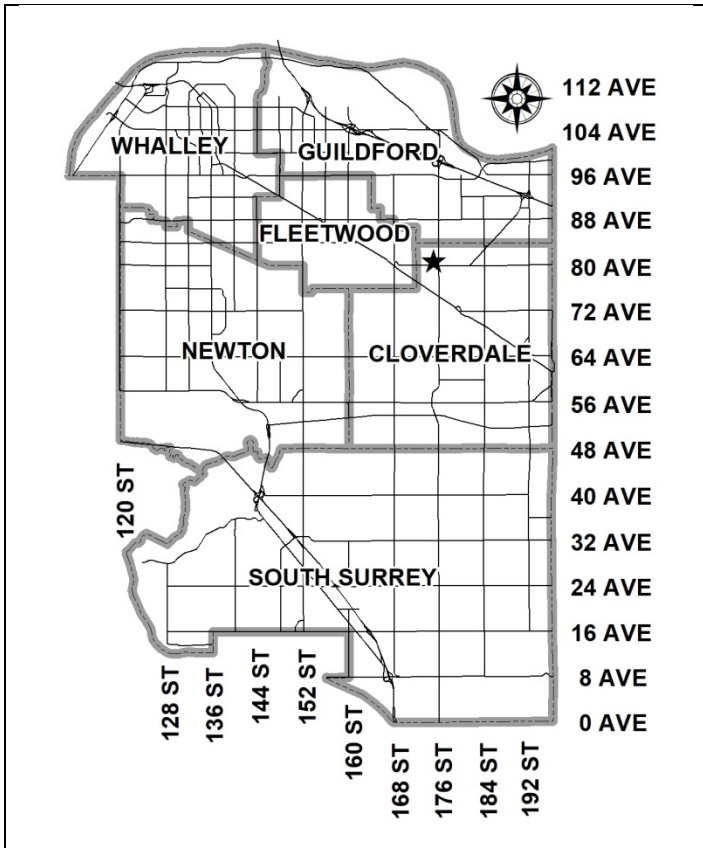


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7917-0312-00

Planning Report Date: June 25, 2018



PROPOSAL:

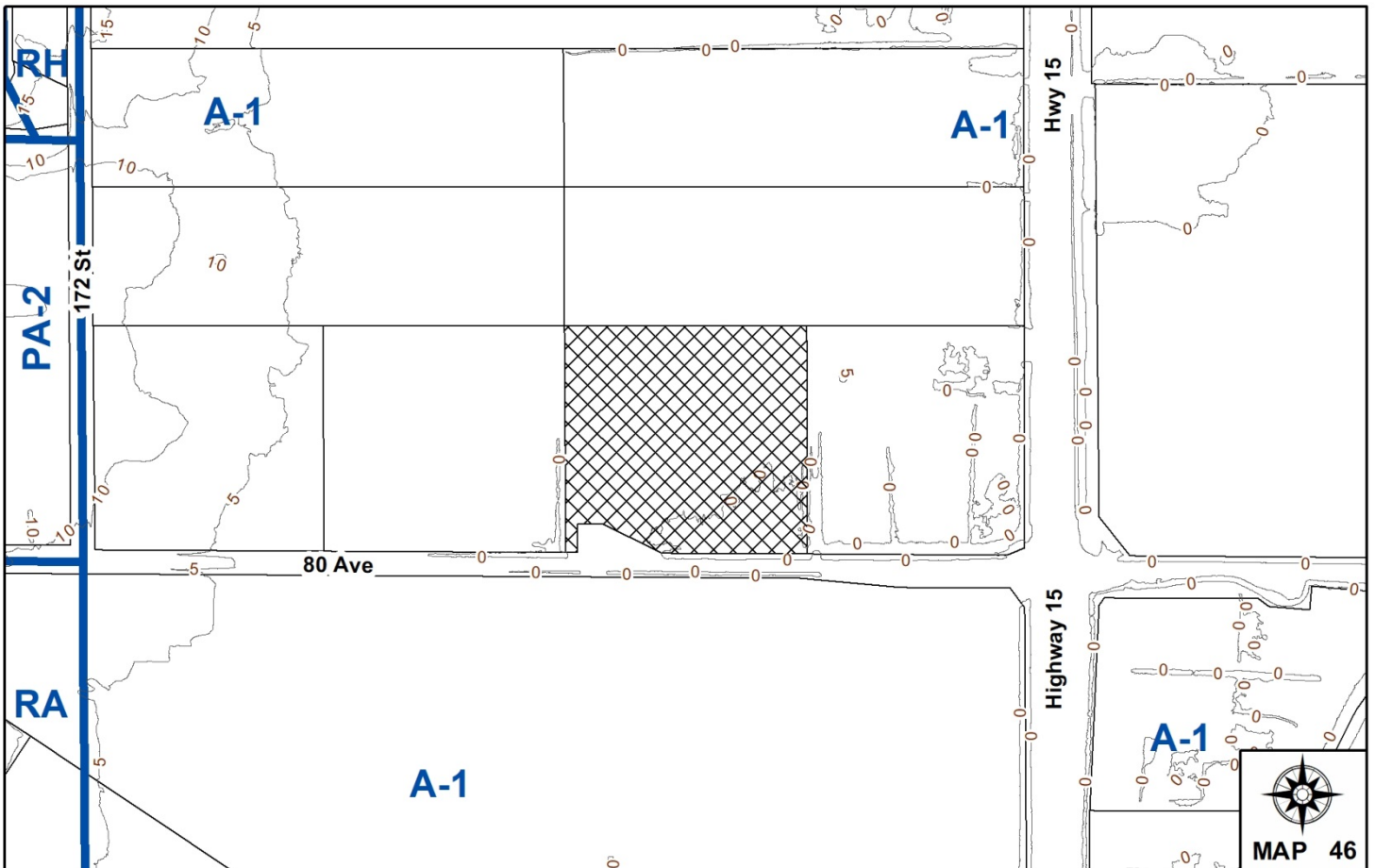
- **Development Permit**
- **Development Variance Permit**

to increase the maximum single family dwelling and farm residential footprint setbacks and reduce the minimum streamside protection setback to allow construction of a dwelling on the existing farm residential homeplate and retain an existing gravel driveway on the lot.

LOCATION: 17445 - 80 Avenue

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval to draft Sensitive Ecosystems Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- To permit construction of a new home on an existing farm residential homeplate, the applicant is seeking to vary the maximum setbacks of the A-1 Zone as follows:
 - To increase the maximum allowable setback of all portions of a single family dwelling, as measured from the front lot line, from 50 metres (164 ft.) to 120 metres (396 ft.); and
 - To increase the maximum setback of the farm residential footprint, as measured from the front lot line, from 60 metres (197 ft.) to 128 metres (420 ft.).
- In order to retain an existing gravel driveway along the west edge of the subject property, which connects the existing farm residential homeplate to 80 Avenue, the applicant is seeking to reduce the minimum streamside protection setback, as measured from top-of-bank, for the western "Class A/O (intermittent red-coded) Ditch" from 10 metres (33 ft.) to 5.4 metres (17.5 ft.).

RATIONALE OF RECOMMENDATION

- The proposed variances will allow for the construction of a new single family dwelling on the existing (historical) farm residential homeplate, which is accessed from 80 Avenue via an existing gravel driveway.
- Allowing the farm residential footprint to be sited in its current location will not result in further disturbance of agriculturally productive land.
- At the June 7, 2018 meeting of the City's Agriculture and Food Security Advisory Committee (AFSAC), the Committee supported the proposed variances to both increase the maximum setbacks of the farm residential footprint and to reduce the minimum streamside protection area for the western "Class A/O Ditch".
- The proposed 5.4-metre (17.5-ft.) wide Streamside Protection Area along the western edge of the subject property will be protected in perpetuity through the registration of a combination Statutory Right-of-Way / Restrictive Covenant for "No-Build" and conveyance access. Furthermore, 1.2-metre (4-ft.) high permanent riparian fencing will be installed along the western edge of the existing gravel access driveway in order to limit access and disturbance.
- The applicant has submitted an Ecosystem Development Plan and Impact Mitigation Plan, prepared by SER Environmental Management Ltd. dated June 14, 2018, which indicates that the implementation of these measures will ensure that the proposed streamside setback reduction will not negatively impact the existing riparian area.
- Protection of the Streamside Protection Area, through the registration of a combination SRW/RC and installation of riparian protection fencing, is considered acceptable minimum safeguarding as per the Sensitive Ecosystems DP3 Guidelines.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7917-0312-00 for Sensitive Ecosystems, generally in accordance with the Ecosystem Development Plan and Impact Mitigation Plan prepared by SER Environmental Management Ltd., dated June 14, 2018.
2. Council approve Development Variance Permit No. 7917-0312-00 (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) to increase the maximum setback of all portions of a single family dwelling in the A-1 Zone from 50 metres (164 ft.) to 120 metres (396 ft.);
 - (b) to increase the maximum setback of the farm residential footprint in the A-1 Zone from 60 metres (197 ft.) to 128 metres (420 ft.); and
 - (c) to reduce the minimum streamside protection setback, as measured from top-of-bank, for the western "Class A/O (intermittent red-coded) Ditch" from 10 metres (33 ft.) to 5.4 metres (17.5 ft.).
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan, including a finalized fencing cost estimate, to the satisfaction of the Planning and Development Department; and
 - (b) registration of a combined Statutory Right-of-Way/Restrictive Covenant over both the western and southern Streamside Protection Areas, for both "No Build" and conveyance access.

REFERRALS

Engineering:	The Engineering Department has no objection to the project, subject to completion of Engineering requirements as outlined in Appendix IV.
Parks, Recreation & Culture:	No concern.
Agricultural and Food Security Advisory Committee (AFSAC):	At the June 7, 2018 meeting, AFSAC supported the proposed variances to increase the maximum setback of the single family dwelling and farm residential footprint, as well as to reduce the minimum streamside setback of the western watercourse (Appendix V).

SITE CHARACTERISTICS

Existing Land Use: Blueberry farm containing an existing (historical) farm residential homeplate and gravel driveway.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Inactive farmland within the ALR	Agricultural	A-1
East:	Inactive farmland within the ALR	Agricultural	A-1
South (Across 80 Avenue):	Greenhouse production facilitates (Burnaby Lake Greenhouses)	Agricultural	A-1
West:	Active farmland within the ALR	Agricultural	A-1

DEVELOPMENT CONSIDERATIONSBackground

- The subject property, at 17445 – 80 Avenue, is approximately 3.73 hectares (9.21 acres) in size and located within both the Agricultural Land Reserve (ALR) and 200-year floodplain of the Serpentine River. It is designated "Agricultural" in the Official Community Plan (OCP), zoned "General Agriculture Zone (A-1)" and is not classified as farmland under the Assessment Act.
- The subject site is currently an active blueberry farm, with approximately 3 hectares (7.4 acres) of blueberry fields.
- Both the existing 1,280-square metre (4,200 sq.ft.) farm residential footprint, located near the northwest corner, and the 6-metre (20 ft.) wide gravel access driveway running along the western edge of the subject property were approved for placement by the City in mid-2011.
- A "Class A/O (intermittent red-coded) Ditch" runs north-south within the agricultural lot to the immediate west (17351 – 80 Avenue). An additional "Class A/O (intermittent red-coded) Ditch" runs east-west within the 80 Avenue right-of-way, adjacent to the south lot line. The minimum required streamside protection setbacks for each, as measured from top-of-bank, extend onto the subject property.
- The City's mapping system identifies additional "Class A/O (intermittent red-coded) Ditches" within the subject property along both the north and east property lines. However, the applicant's Qualified Environmental Professional (QEP) has submitted a Watercourse Assessment seeking re-classification from "Class A/O" to "Non-existent" as both watercourses have been filled over time due to agricultural activities on the lot. Staff have reviewed the recommendations of the QEP and accept the proposed reclassification.

Current Proposal

- On November 5th, 2012, Council gave final adoption to Text Amendment By-law No. 17771 (Corporate Report No. R207; 2012) which included amendments to the "General Agriculture Zone (A-1)" to regulate the location of residential buildings through maximum single family dwelling and farm residential footprint setbacks.
- Under the "General Agriculture Zone (A-1)" no portion of a single family dwelling shall be located further than 50 metres (164 ft.) from the front lot line. Furthermore, no portion of the farm residential footprint or "farm home plate" is to be located further than 60 metres (197 ft.) from the front lot line, within which all accessory farm residential buildings and facilities such as residential driveways, tennis courts and swimming pools must be located.
- The applicant proposes to construct a 630-square metre (6,780-sq.ft.) two-storey, slab-on-grade dwelling with a secondary suite, on the existing (historical) residential farm homeplate.
- As the previously approved farm resident footprint is non-conforming with respect to maximum setbacks from the front lot line (80 Avenue), the applicant is requesting a Development Variance Permit (DVP) to vary the maximum setback of a single family dwelling and farm residential footprint.
- Following issuance of the approved soil permits, the applicant applied additional, unauthorized gravel and organic fill at the northwest corner of the subject property, covering approximately 2,000 square metres (3,229 sq.ft.). The applicant's registered professional Agrologist is currently working with City staff to remediate the eastern-most portion of unauthorized fill, covering an area of approximately 900 square metres (9,700 sq.ft.), back to a condition capable of agricultural production.
- The applicant has indicated that they intend to utilize the remainder of the graveled area for the storage of farm equipment and as a staging area for blueberry sorting and shipping, in conjunction with a proposed 334-square metre (3,600-sq.ft.) farm building (storage barn), clustered in a contiguous area at the northwest corner of the property.
- The applicant has verified that a maximum of 3 to 4 trucks are parked at the northwest corner of the site on a typical day, one of which is used for farm use purposes (blueberry shipping to off-site canary and cold storage locations). All vehicles parked on the subject property, whether for farm or non-farm purposes, are owned and operated by the property owner.
- Furthermore, in order to retain the existing access driveway at its current location approximately 3.5 metres (11.5 ft.) from the west property line, the applicant is also seeking a DVP to reduce the minimum streamside protection setback, as measured from top-of-bank, for the western "Class A/O (intermittent red-coded) Ditch" from 10 metres (33 ft.) to 5.4 metres (17.5 ft.).

Sensitive Ecosystems (Streamside Areas) Development Permit

- The subject property falls within the Sensitive Ecosystems (Streamside Areas) Development Permit Area due to the presence of "Class A/O (intermittent red-coded) Ditches" adjacent to the west and south property lines.

- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a "Class A/O (intermittent red-coded) Ditch" requires a minimum streamside protection setback of 10 metres (33 ft.), as measured from the top-of-bank.
- The applicant is seeking a variance to the minimum streamside setback for the western "Class A/O Ditch", in order to retain an existing access driveway (see By-law Variances section for details). The applicant has submitted an Ecosystem Development Plan (EDP) and Impact Mitigation Plan (IMP), prepared by SER Environmental Management Ltd. dated June 14, 2018, which will form part of the subject Development Permit, to ensure compliance with the recommendations of the Qualified Environmental Professional (QEP).

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 Variances:

- To increase the maximum setback of all portions of a single family dwelling in the A-1 Zone, as measured from the front lot line, from 50 metres (164 ft.) to 120 metres (396 ft.); and
- To increase the maximum setback of a farm residential footprint in the A-1 Zone, as measured from the front lot line, from 60 metres (197 ft.) to 128 metres (420 ft.).

Applicant's Reasons:

- The applicant would like to site the proposed dwelling on the existing farm residential homeplate, the location of which was previously approved by the City in 2011, in order to help with security on the property.
- The applicant states that siting the house within the required farm residential footprint setbacks would require the removal of existing blueberry crops and delay construction of a new dwelling as it would require the applicant to relocate the existing pre-load and wait 2-3 years for adequate soil compaction in the revised location.

Staff Comments:

- The proposed location of the farm homeplate and dwelling is the same location as that of the existing (historical) farm homeplate, which helps to reduce the overall negative impacts to farmable land associated with the proposed development.

- Additional bonding has been retained by the Engineering Department in order to ensure compliance with the proposed remediation of unauthorized soil and gravel fill on the subject property. Completion of the remediation work, to the satisfaction of the General Manager, Engineering, will be a condition of the issuance of the single family building permit.
- The owner has agreed to remove all non-farm vehicles over 5,000 kilograms (11,023 lbs.) gross vehicle weight (GVW) and associated trailers from the subject property, except for the two (2) trucks and two (2) associated trailers permitted under Sub-Section H.4 of the A-1 Zone, where the lot is less than 4 hectares (10 acres) in size and provided that:
 - There is a farm operation on the lot;
 - The vehicles and associated trailers are owned or operated by the owner or occupant of the lot;
 - The vehicles and associated trailers are parked within the farm residential footprint; and
 - The vehicles and associated trailers shall not be parked within the required building setbacks.
- The total area of the proposed farm residential footprint, which includes the access driveway and on-site septic system, is approximately 1,865 square metres (20,070 sq.ft.) which complies with the maximum allowable farm residential footprint area of the A-1 Zone (2,000 square metres / 21,527 sq.ft.).
- The proposed variances were reviewed at the June 7, 2018 Agriculture and Food Security Advisory Committee (AFSAC) meeting, where the Committee recommended a motion of support for the proposal.

(b) Requested Variance:

- To reduce the minimum streamside protection setback, as measured from top-of-bank, for the western "Class A/O (intermittent red-coded) Ditch" from 10 metres (33 ft.) to 5.4 metres (17.5 ft.).

Applicant's Reasons:

- The applicant has stated that relocating the existing gravel access driveway outside of the minimum streamside setback area of the western "Class A/O Ditch" would require the removal of productive blueberry crops.

Staff Comments:

- A detailed Riparian Areas Regulation (RAR) Report, prepared by SER Environmental Management Ltd. and dated June 1, 2018, recommended a Streamside Protection and Enhancement Area (SPEA) based on an RAR setback of 5.4 metres (17.5 ft.) from high water mark for the western "Class A/O Ditch". As the high water mark corresponds with the top-of-bank for this watercourse this translates to a 5.4-metre (17.5-ft.) setback from top-of-bank (approximately 3 metres (10 ft.) from the west property line). The report has been audited by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) and found to be acceptable.
- The proposed 5.4-metre (17.5-ft.) wide Streamside Protection Area will be protected in perpetuity through the registration of a combination Statutory Right-of-Way / Restrictive Covenant for "No-Build" and conveyance access. Furthermore, 1.2-metre (4-ft.) high permanent riparian fencing will be installed along the western edge of the existing gravel access driveway in order to limit access and disturbance.
- The applicant has submitted an Ecosystem Development Plan and Impact Mitigation Plan, prepared by SER Environmental Management Ltd. dated June 14, 2018, which indicates that the implementation of these measures will ensure that the proposed streamside setback reduction will not negatively impact the existing riparian area.
- Installation of the permanent riparian protection fencing is to occur prior to issuance of a building permit for the proposed dwelling on the subject property.
- Protection of the Streamside Protection Area, through the registration of a combination SRW/RC and installation of riparian protection fencing, is considered acceptable minimum safeguarding as per the Sensitive Ecosystems DP3 Guidelines.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary (Confidential)
Appendix II.	Site Plan
Appendix III.	Neighbourhood Context Photo (COSMOS, May 2017 Aerial)
Appendix IV.	Engineering Summary
Appendix V.	Draft Minutes of June 7, 2018 Agricultural and Food Security Advisory Committee (AFSAC) meeting
Appendix VI.	Development Variance Permit No. 7917-0312-00.

INFORMATION AVAILABLE ON FILE

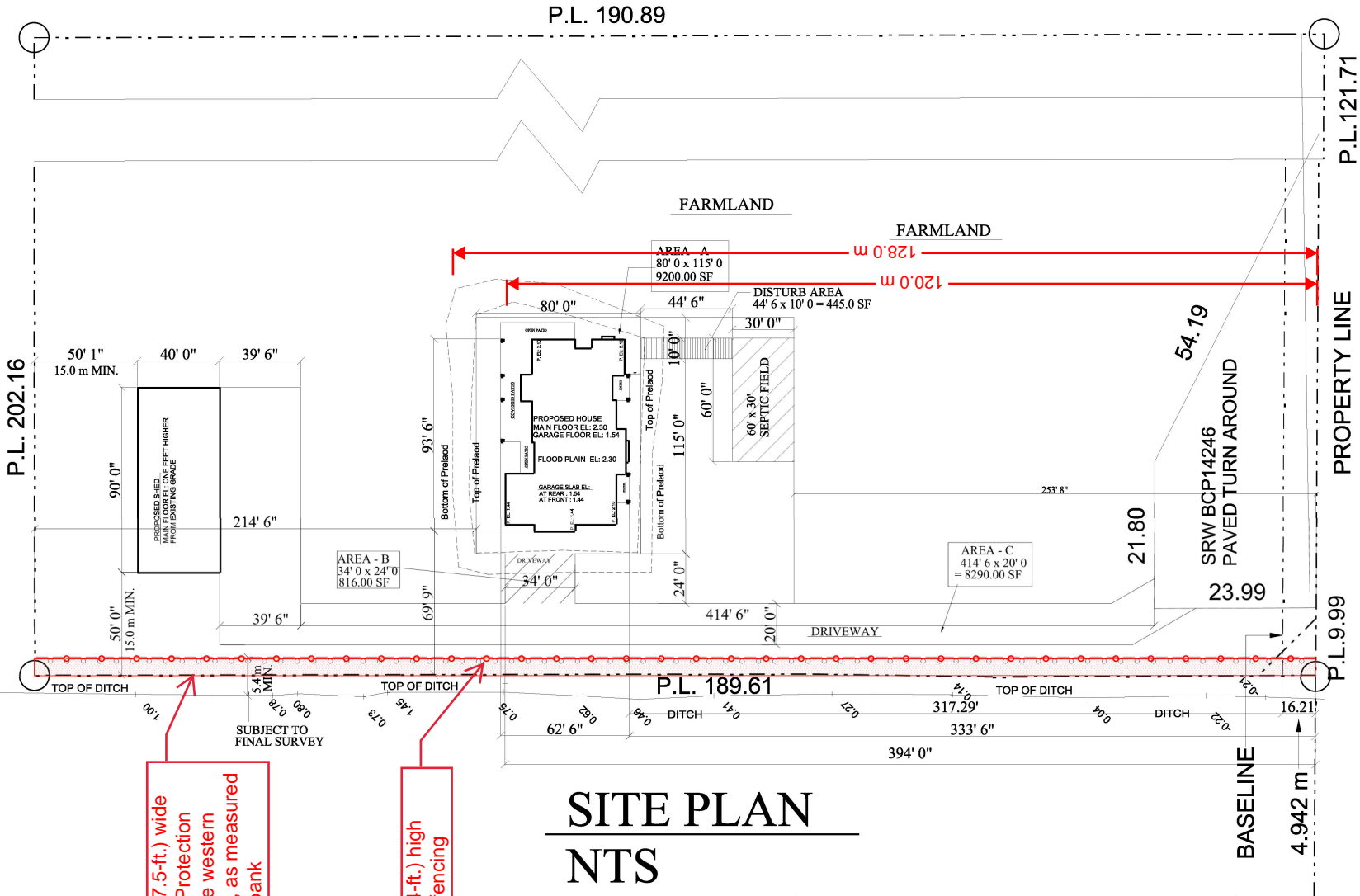
- Ecosystem Development Plan and Impact Mitigation Plan, prepared by SER Environmental Management Ltd., dated June 14, 2018.
- Detailed RAR Assessment Report, prepared by SER Environmental Management Ltd., dated June 1, 2018.

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

CRL/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION



CIVIC ADDRESS:
17445 - 80 Avenue Surrey B.C.

LEGAL DESCRIPTION:
SEC 30 , TOWNSHIP 8
NWD PART W 1/2 OF E 1/2
OF S 1/2 OF SE 1/4 EXCEPT
PLAN BCP 14246

CALCULATIONS:
ZONE: A- 1
LOT AREA = 401771.0 S.F.

PROPOSED F.A.R.
GROUND FLOOR AREA = 3395.0 S.F.
SECOND FLOOR AREA = 2545.0 S.F.
TOTAL = 5940.0 S.F.
PLUS 876.0 S.F. OF GARAGE

LEGEND:
E.E.L. = EXISTING ELEVATION
P.E.L. = PROPOSED ELEVATION

PROPOSED DECK AREA = 990.0 SF



5.4-metre (17.5-ft.) wide
Streamside Protection
Area over the western
watercourse, as measured
from top-of-bank

1.2-metre (4-ft.) high
permanent fencing

SITE PLAN NTS

TOTAL HOME PLATE AREA
20551.00 SF (1909.25 sq.m)

FOR ADD:	17445 - 80 Avenue Surrey B.C.
DRAFT BY:	KAMAL
DESIGN / CHK. BY:	NAVTEJ
SCALE:	NTS
SHEET NO.:	A-001
REV.:	2

June 08 2018	REVISED TO SUIT CITY COMMENTS	2
Mar 05 2018	REVISED TO SUIT CITY COMMENTS	1
Astonish Design & Detailing Ltd.		
19732 - 71B Ave. Langley B.C.		
PH: 1 604 539 1740 FAX: 1 604 539 1741		
CELL: 1 604 728 0389 E-MAIL: navtej@hotmail.com		

THESE PLANS CONFORM TO
B.C.B.C. 2012 EDITION



INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Engineer, Engineering Department**

DATE: **Jun 15, 2018** PROJECT FILE: **7817-0312-00**

RE: **Engineering Requirements
Location: 17445 - 80 Avenue**

DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

The applicant is advised that the proposed development:

- Is located within the floodplain and is susceptible to the 200 year flood.
- Is located within the seismically vulnerable area.

The following engineering requirements are to be met prior to issuance of the Development Permit/Development Variance Permit:

- The building fill must be located outside the setback area for the Class A/O creek (Serpentine River tributaries). See Planning requirement for registration of statutory right-of-way/restrictive covenant document for streamside protection.
- The applicant must bring the property into compliance with the Soil Deposition Environmental Violation. As this is an outstanding bylaw infraction, no building permits will be issued until the outstanding infraction is brought into compliance.
- Construct asphalt access at current location which will be subject to Ministry of Transportation and Infrastructure approval.



Rémi Dubé, P.Eng.
Development Services Manager

MB

AGRICULTURE AND FOOD SECURITY ADVISORY COMMITTEE

THURSDAY, JUNE 7, 2018

For the purposes of information only, minutes are subject to change.

D. NEW BUSINESS**3. Development Permit / Development Variance Permit**

Christopher Lumsden, Associate Planner

File: 7917-0312-00; 6880-75

The subject property is 3.73 hectares in size, designated Agricultural in the Official Community Plan, zoned General Agricultural Zone (A-1), and located within the Agricultural Land Reserve (ALR). The site is not currently classified as farmland under the *Assessment Act* and the property is currently used for active farming purposes, namely, blueberry fields.

There is no existing dwelling or accessory buildings on the subject property and a building permit application has been submitted to construct a two-storey residential dwelling on slab foundation. The owner has agreed to remove all vehicles over 5,000 kilograms GVW and associated trailers from the subject site except those permitted under Sub-Section H.3 and H.4 of the A-1 Zone. Staff verified that the trucks parked on the subject property are owned by the property owner.

It was

Moved by S. VanKeulen

Seconded by P. Harrison

That the Agriculture and Food Security

Advisory Committee recommend to the General Manager of Planning and Development to support Development Application 7917-0312-00.

Carried

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7917-0312-00

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: 013-237-977

West Half of the East Half of the South Quarter of the South East Quarter Section 30
Except Part in Plan BCP14246 Township 8 New Westminster District

17445 - 80 Avenue

(the "Land")

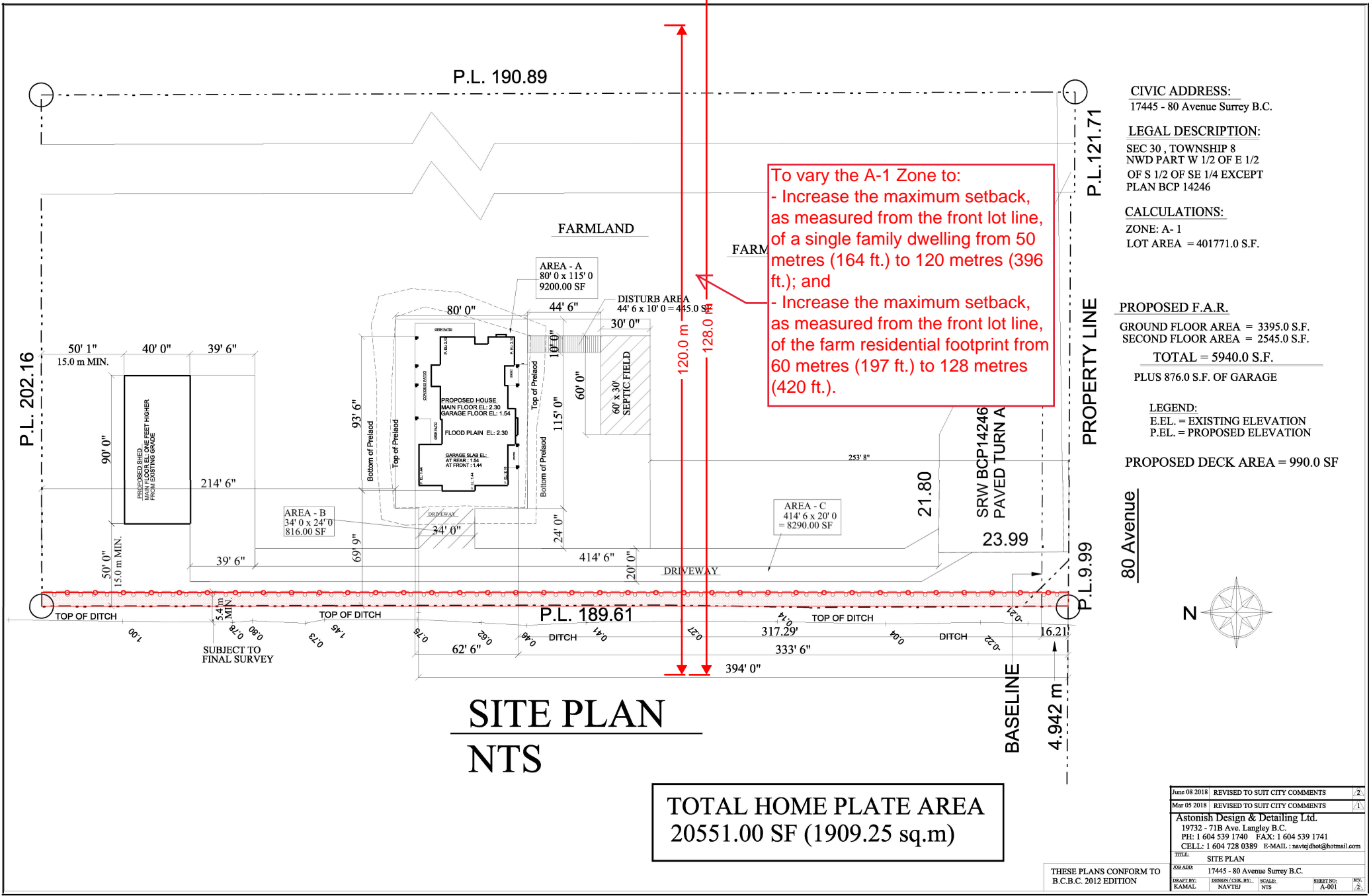
3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F.1(b) of Part 10 "General Agriculture Zone (A-1)", the maximum setback for a single family dwelling is increased from 50 metres (164 ft.) to 120 metres (396 ft.);
 - (b) In Section J.2 of Part 10 "General Agriculture Zone (A-1)", the maximum setback of the farm residential footprint is increased from 60 metres (197 ft.) to 128 metres (420 ft.); and
 - (c) In Section B.2 of Part 7A "Streamside Protection" the maximum streamside setback for a "Class A/O Ditch", as measured from top-of-bank, is reduced from 10 metres (33 ft.) to 5.4 metres (17.5 ft.) for the western watercourse.

4. This development variance permit applies to only 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. 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 .

Mayor – Linda Hepner

City Clerk – Jane Sullivan



To vary the A-1 Zone to:

- Increase the maximum setback, as measured from the front lot line, of a single family dwelling from 50 metres (164 ft.) to 120 metres (396 ft.); and
- Increase the maximum setback, as measured from the front lot line, of the farm residential footprint from 60 metres (197 ft.) to 128 metres (420 ft.).

CIVIC ADDRESS:
17445 - 80 Avenue Surrey B.C.

LEGAL DESCRIPTION:
SEC 30, TOWNSHIP 8
NWD PART W 1/2 OF E 1/2
OF S 1/2 OF SE 1/4 EXCEPT
PLAN BCP 14246

CALCULATIONS:
ZONE: A- 1
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P.E.L. = PROPOSED ELEVATION

PROPOSED DECK AREA = 990.0 SF



SITE PLAN NTS

TOTAL HOME PLATE AREA
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THESE PLANS CONFORM TO
B.C.B.C. 2012 EDITION

June 08 2018	REVISED TO SUIT CITY COMMENTS	2
Mar 05 2018	REVISED TO SUIT CITY COMMENTS	1
Astonish Design & Detailing Ltd.		
19732 - 71B Ave. Langley B.C.		
PH: 1 604 539 1740 FAX: 1 604 539 1741		
CELL: 1 604 728 0389 E-MAIL: navtej@hot.com		
TITLE: SITE PLAN		
FOR ADDR:	17445 - 80 Avenue Surrey B.C.	
DRAFT BY:	DESIGN / CHK. BY:	SCALE:
KAMAL	NAVTEJ	NTS
SHEET NO:	REV:	
A-001	2	