

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7918-0002-00

Planning Report Date: July 9, 2018

PROPOSAL:

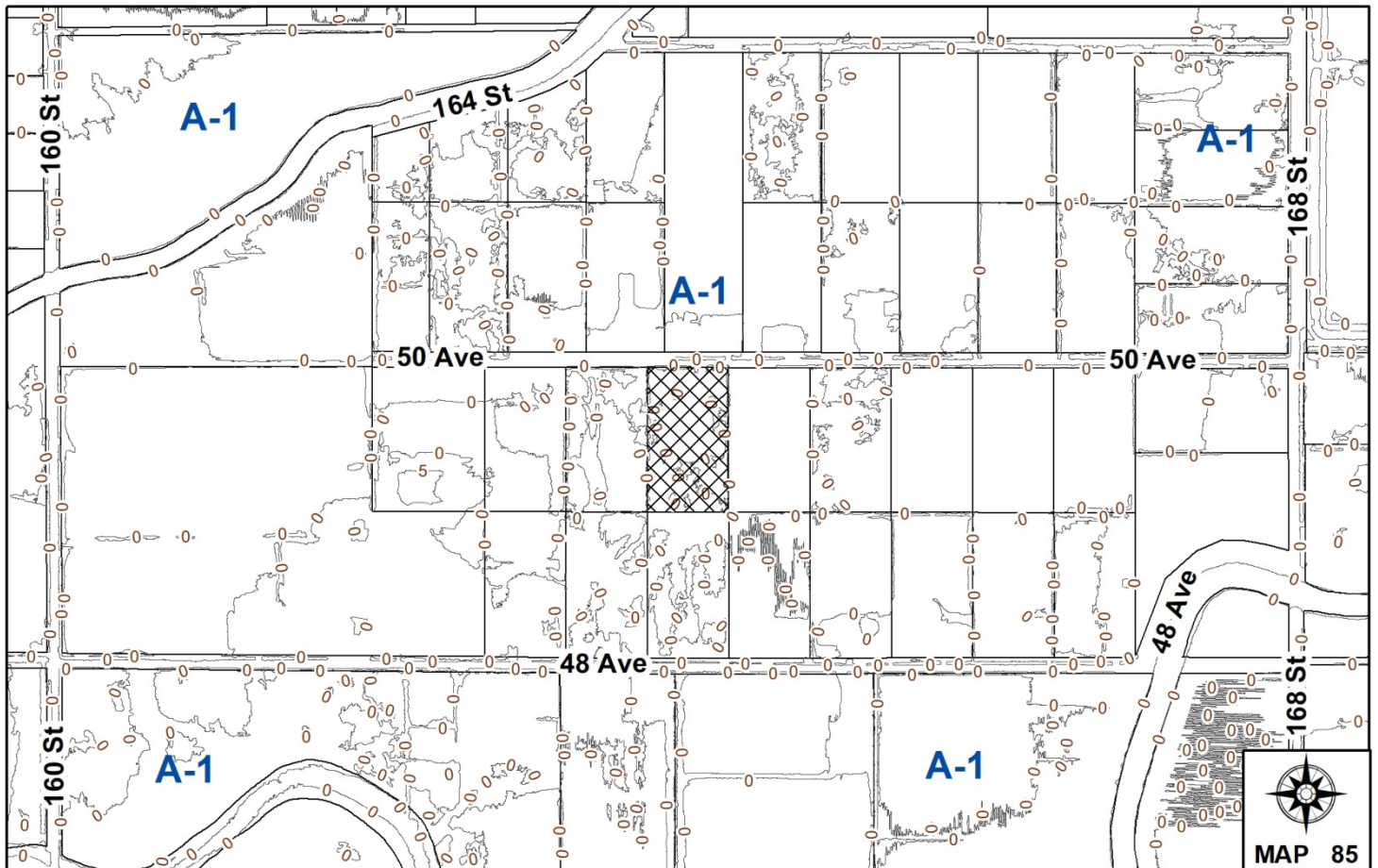
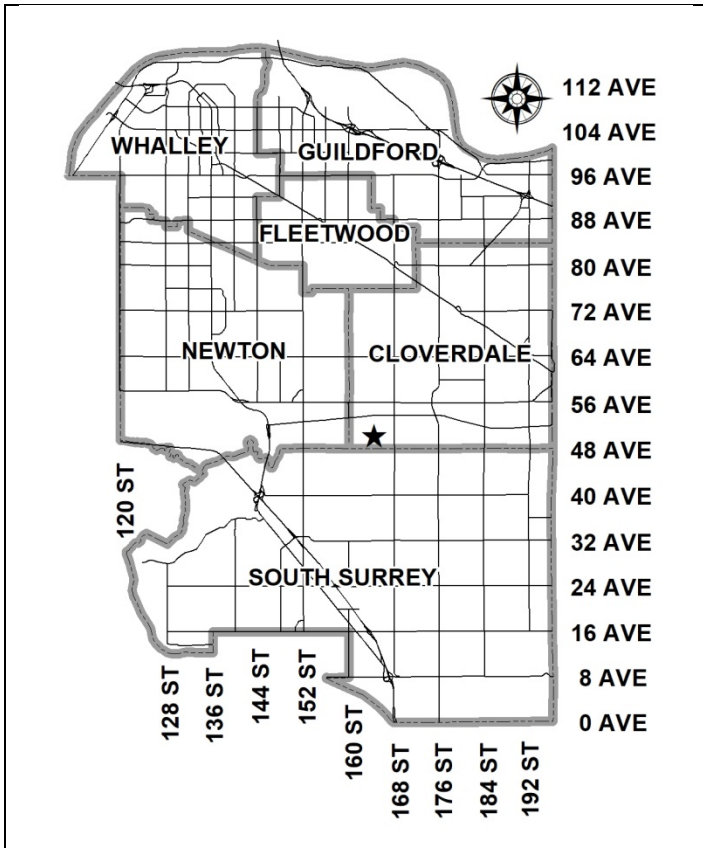
- **Development Variance Permit**
- **Development Permit**

to vary the maximum setback of a single family dwelling and the maximum depth of the farm residential footprint to permit house construction on an existing preload pad on an agricultural lot. Development Permit is for Sensitive Ecosystems (Streamside Areas).

LOCATION: 16410 - 50 Avenue

ZONING: A-1

OCP DESIGNATION: Agriculture



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing a Development Variance Permit (DVP) to increase the maximum setback for a single family dwelling from the front lot line, and to increase the maximum depth of the farm residential footprint in the A-1 Zone in order to permit the construction of one (1) single family dwelling on an existing preload pad.

RATIONALE OF RECOMMENDATION

- The proposed farm home plate location is not currently being used for agricultural production and is located on disturbed (compacted) soil which would preserve farmable land elsewhere on the subject property.
- On November 5th, 2012 Surrey City Council approved changes to the Zoning By-law to include a provision for a maximum farm Residential Setback and Farm Residential Footprint in Agricultural zones. A Soil Permit to pre-load the proposed home plate was issued to the applicant in 2009, prior to these regulations to size and location of the home plate.
- The applicant has proposed to reduce the existing pre-load fill pad from 4000 square meters (1 ac.) to 1,994 square metres (0.5 ac.), complying with the Zoning By-law provision for a maximum Farm Residential Footprint in Agricultural zones. The applicant will utilize the excess fill to build a farm road on the site prior to Building Permit issuance.
- The Agriculture and Food Security Advisory Committee (AFSAC) supports the proposal.
- The proposed Sensitive Ecosystem (Streamside Areas) Development Permit is based on an Ecosystem Development Plan from a certified environmental professional. The proposed setbacks to watercourses meet the setback requirements of Part 7A Streamside Protection of the Zoning By-law.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7918-0002-00 for Sensitive Ecosystems (Streamside Areas) generally in accordance with the Ecosystem Development Plan by Marlim Ecological Consulting Ltd., dated April 4, 2018 (Appendix III).
2. Council approve Development Variance Permit No. 7918-0002-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres (164 ft.) to 90 metres (295 ft.); and
 - (b) to increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres (96 ft.) to 97 metres (315 ft.).
3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) registration of a combined Restrictive Covenant/Statutory Right-of-Way against the property to meet drainage requirements, ensure safeguarding of the riparian protection area while permitting agricultural activities; and
 - (b) finalization of the Ecosystem Development Plan to the satisfaction of Planning and Development Department.

REFERRALS

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

Agricultural and Food Security Advisory Committee (AFSAC): The Agricultural and Food Security Advisory Committee (AFSAC) has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Existing preload pad

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 50 Avenue):	Residential dwelling, agricultural buildings, and active agriculture	Agricultural	A-1

Direction	Existing Use	OCP Designation	Existing Zone
East:	Residential dwelling, agricultural buildings, and active agriculture	Agricultural	A-1
South:	Residential dwelling, agricultural buildings, and active agriculture	Agricultural	A-1
West:	Residential dwelling, agricultural buildings, and active agriculture	Agricultural	A-1

DEVELOPMENT CONSIDERATIONS

- The 2.02-hectare (5.00 acre) subject property is located at 16410 – 50 Avenue in Cloverdale. The site is located within the Agricultural Land Reserve (ALR), is designated Agricultural in the Official Community Plan (OCP) and is zoned "General Agricultural Zone (A-1)".
- There are currently no structures located on the property.
- The site contains an existing preload pad. An area of 0.41 hectares (1 ac.) was permitted to be preloaded for future buildings under Soil Permit 09-017287-0-0, issued August 17, 2009.
- On November 5th, 2012 Council approved changes to the Zoning By-law to include a provision for a maximum farm Residential Setback and Farm Residential Footprint in Agricultural zones.
- The site is encumbered by Class A/O watercourses on the north and west property lines.

Proposal

- The applicant proposes to build a single family home on the existing preload fill pad by relaxing the home plate requirements of the A-1 Zone to reflect the existing preload location.
- The applicant has proposed to reduce the existing pre-load fill pad from 4000 square meters (1 ac.) to 1,994 square metres (0.5 ac.), complying with the Zoning By-law provision for a maximum Farm Residential Footprint in Agricultural zones. The applicant will utilize the excess fill to build a farm road on the site prior to Building Permit issuance and after the Development Permit for Sensitive Ecosystems is issued.
- The existing home plate is located approximately 100 meters (328 ft.) from the property line to the rear of the home plate. This will be reduced to 97 metres (318 ft.) after the proposed fill reduction. The proposed dwelling is sited 90 meters (295 ft.) from the property line to the rear of the principal building.

- A variance is requested to increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres (164 ft.) to 90 metres (295 ft.), and increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres (96 ft.) to 97 metres (315 ft.).
- The application was supported by the City of Surrey's Agricultural and Food Security Advisory Committee (AFSAC) on June 7, 2018. Minor revisions to the site plan were made since AFSAC reviewed the proposal. The applicant has further reduced the proposed home plate size by 308 square meters to comply with the A-1 zone and the septic field has been relocated further away from the A/O watercourse on the site's west property line.
- This site is also in the Sensitive Ecosystem Development Permit area. The applicant has submitted an Ecosystem Development Plan to the satisfaction of City staff. The development on site is outside the Zoning By-law setbacks for A/O class watercourses of 10 metres (33 ft.).
- The applicant's Qualified Environmental Professional (QEP), MarLim Ecological Consulting Ltd. has submitted an Ecosystem Development Plan dated April 2018. Minor revisions have been requested to allow for farming activities in the riparian setback area and reflect minor site plan updates.
- City of Surrey Engineering staff have requested a 10 metre (33 ft.) wide statutory right of way be registered for drainage access on the A/O watercourse along the front (north) property line. A combined statutory right of way and restrictive covenant will include riparian protection while allowing for agricultural activities within the 10 meter (33 ft.) setback area.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres (164 ft.) to 90 metres (295 ft.); and,
- Increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres (96 ft.) to 97 metres (315 ft.).

Applicant's Reasons:

- To facilitate the development of a single family dwelling on the subject site.

Staff Comments:

- The preload fill was placed on the site in 2009, prior to regulations in size and location of the home plate in Agricultural zones.
- The proposed farm home plate location is not currently being used for agricultural production and is located on disturbed (compacted) soil which would preserve farmable land elsewhere on the subject property.

- The applicant proposes to reduce the excess fill that was preloaded on site in 2009 by relocating 2,200 cubic metres (77,692 cu.ft.) of the fill from the pad to make a farm road on-site.
- The proposal meets the intent of the farm home plate policy in that it limits the impact of residential and residential accessory buildings on farmable land
- The Agriculture and Food Security Advisory Committee (AFSAC) supports the proposal.
- The proposed Sensitive Ecosystem (Streamside Areas) Development Permit is based on an Ecosystem Development Plan from a certified environmental professional. The proposed setbacks to watercourses meet the setback requirements of Part 7A Streamside Protection of the Zoning By-law.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary (Confidential)
Appendix II.	Draft Minutes of June 7, 2018 Agriculture and Food Security Advisory Committee Meeting
Appendix III.	Site Plan
Appendix IV.	Development Variance Permit No. 7918-0002-00

original signed by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

KS/cm

APPENDIX I HAS BEEN
REMOVED AS IT CONTAINS
CONFIDENTIAL INFORMATION

D. NEW BUSINESS

2. **Development Application 7918-0002-00**

Kristen Lassonde, Planning Technician

File: 7918-0002-00; 6880-75

The applicant is seeking a Development Variance Permit to reduce the home plate requirements by proposing to reduce the existing pre-load fill pad from 4,000 square metres to 2,302 square metres to build a single family home and to reduce the excess fill that was preloaded on site in 2009 by removing a portion of the fill to make a farm road.

Staff noted the property has a soil violation and would be requesting the property owner to rectify that. The Committee noted that because the preload fill was placed on the site prior to the new regulations in size and location of the home plate, the owner should be allowed to uphold that.

It was

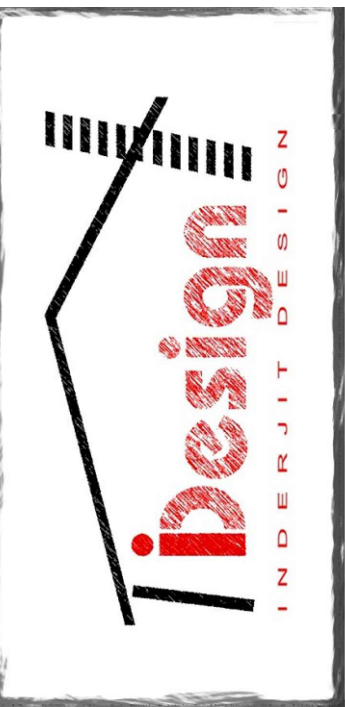
Moved by S. VanKeulen

Seconded by M. Bose

That the Agriculture and Food Security

Advisory Committee recommend to the General Manager of Planning and Development to support Development Application 7918-0002-00.

Carried



GENERAL NOTES:

Plans by idesign:
It is the responsibility of the owner and builder to verify all dimensions and structure before proceeding with construction, to report all errors or omissions to the designer. Failure to report this information will absolve idesign of all responsibility associated with the construction of this project.

ALL NOTES OF THIS PLAN
APPLY TO ALL OTHER PAGES.

COPYRIGHT:

Designs, drawings, presentations and renderings as instruments of service will remain the property of idesign. This is a limited agreement which gives this client the right to build this structure. Designs or plans are not to be duplicated or copied without the written consent of idesign.

Civic Address:
16410 - 50 Avenue
Surrey, B.C.

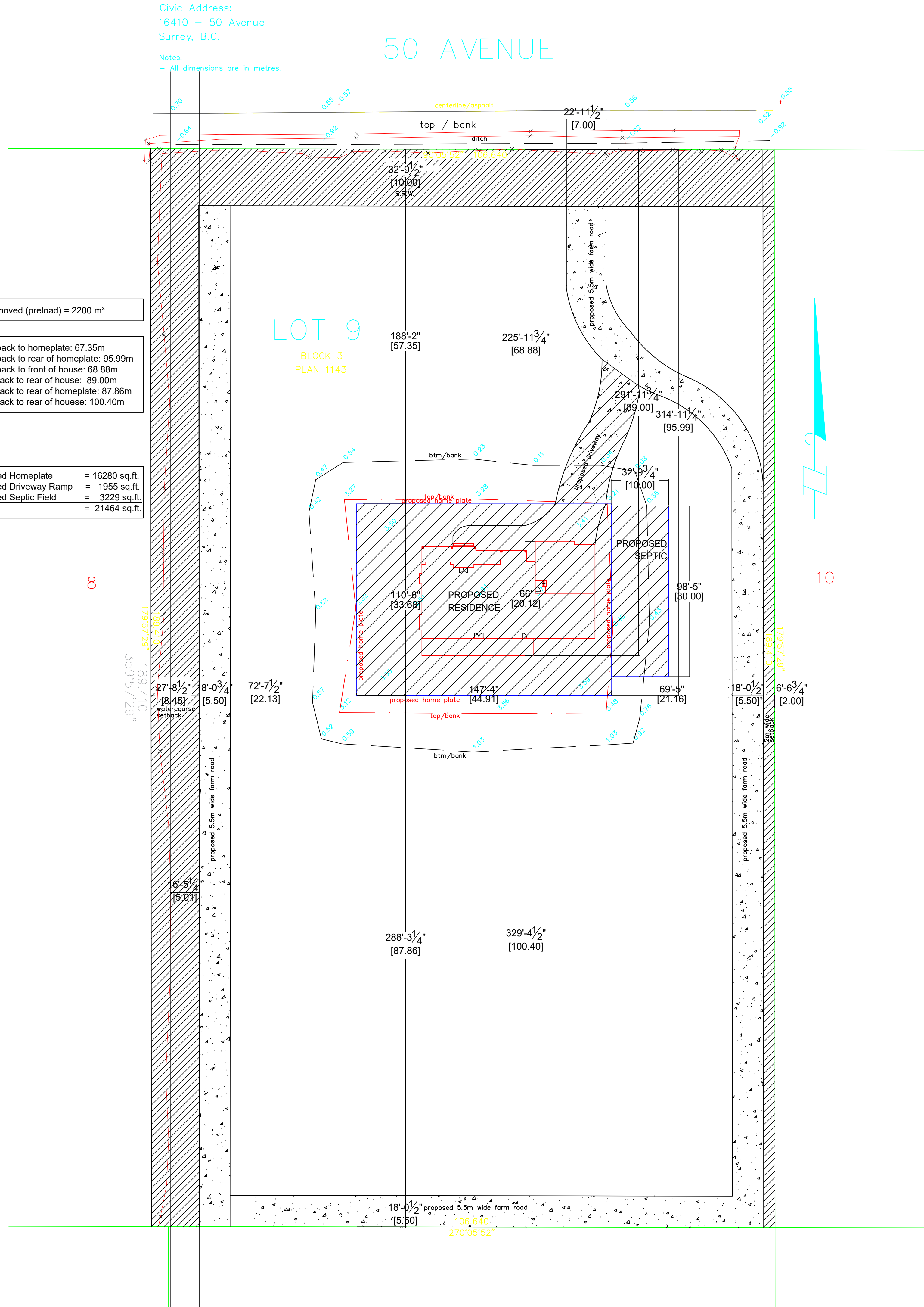
50 AVENUE

Notes:
- All dimensions are in metres.

* Fill to be removed (preload) = 2200 m³

Proposed Front Setback to homeplate: 67.35m
Proposed Front Setback to rear of homeplate: 95.99m
Proposed Front Setback to front of house: 68.88m
Proposed Front setback to rear of house: 89.00m
Proposed Rear Setback to rear of homeplate: 87.86m
Proposed Rear Setback to rear of house: 100.40m

Proposed Homeplate = 16280 sq.ft.
Proposed Driveway Ramp = 1955 sq.ft.
Proposed Septic Field = 3229 sq.ft.
Total = 21464 sq.ft.



08

10

179'57.29"
189'41.0"
359'57.29"

189'41.0"
184'48"

6'-5 1/2"
[5.01]

27'-8 1/2"
[8.48]

8'-0 3/4"
[5.50]

72'-7 1/2"
[22.13]

288'-3 1/4"
[87.86]

329'-4 1/2"
[100.40]

18'-0 1/2"
[5.50]

106'6.40"
270'05'52"

188'-2"
[57.35]

225'-11 3/4"
[68.88]

291'-11 1/4"
[89.00]

314'-11 1/4"
[95.99]

32'-5 3/4"
[10.00]

110'-6"
[33.68]

66'-5"
[20.12]

98'-5"
[30.00]

147'-4"
[44.91]

69'-5"
[21.16]

18'-0 1/2"
[5.50]

6'-6 3/4"
[2.00]

288'-3 1/4"
[87.86]

329'-4 1/2"
[100.40]

18'-0 1/2"
[5.50]

106'6.40"

270'05'52"

* Fill to be removed (preload) = 2200 m³

Proposed Front Setback to homeplate: 67.35m
 Proposed Front Setback to rear of homeplate: 95.99m
 Proposed Front Setback to front of house: 68.88m
 Proposed Front setback to rear of house: 89.00m
 Proposed Rear Setback to rear of homeplate: 87.86m
 Proposed Rear Setback to rear of house: 100.40m

Proposed Homeplate = 16280 sq.ft.
 Proposed Driveway Ramp = 1955 sq.ft.
 Proposed Septic Field = 3229 sq.ft.
 Total = 21464 sq.ft.

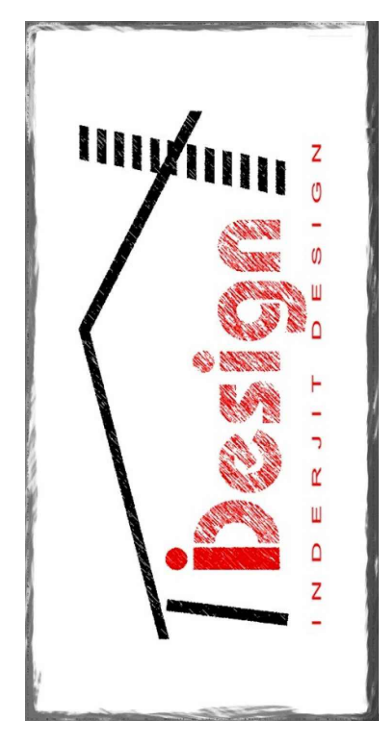
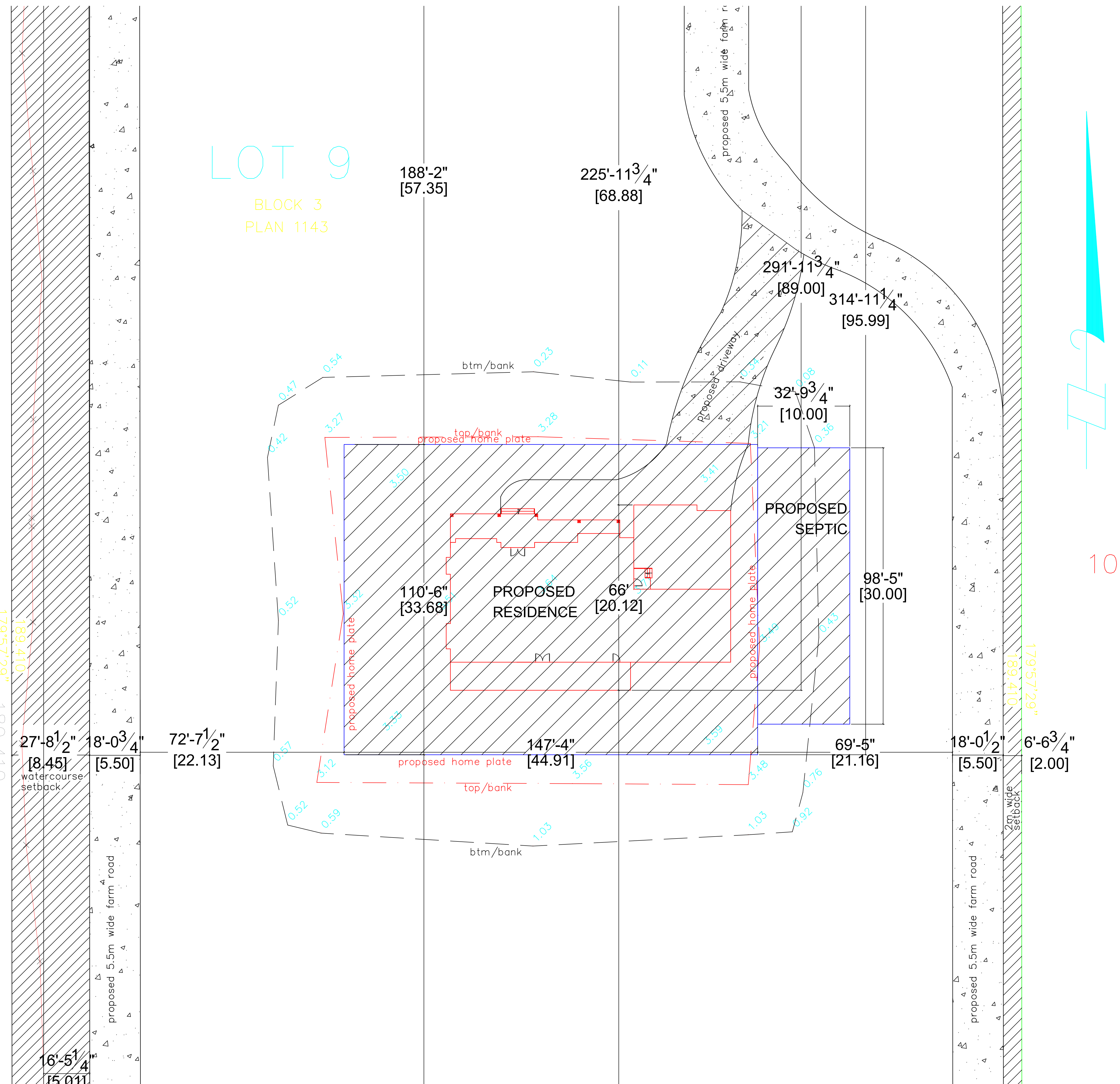
GENERAL NOTES:

Plans by idesign:
 It is the responsibility of the owner and builder to verify all dimensions and structure before proceeding with construction, to report all errors or omissions to the designer. Failure to report this information will absolve idesign of all responsibility associated with the construction of this project.

ALL NOTES OF THIS PLAN
 APPLY TO ALL OTHER PAGES.

COPYRIGHT:

Designs, drawings, presentations and renderings as instruments of service will remain the property of idesign. This is a limited agreement which gives this client the right to build this structure. Designs or plans are not to be duplicated or copied without the written consent of idesign.



CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7918-0002-00

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: 000-549-967

Lot 9 Block 3 District Lots 362 & 365 New Westminster District Plan 1143
16410 50 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

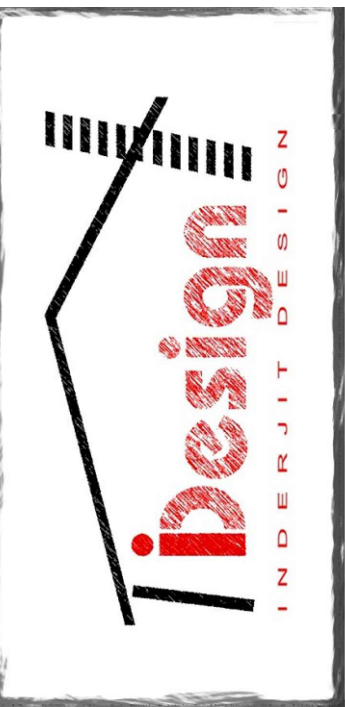
In Part 10 General Agriculture (A-1) Zone, Section F Yards and Setbacks, increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres (164 ft.) to 90 metres (295 ft.); and, increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres (96 ft.) to 97 metres (315 ft.).
4. This development variance permit applies to only the portion of the Land OR 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



GENERAL NOTES:

Plans by idesign:
It is the responsibility of the owner and builder to verify all dimensions and structure before proceeding with construction, to report all errors or omissions to the designer. Failure to report this information will absolve idesign of all responsibility associated with the construction of this project.

ALL NOTES OF THIS PLAN
APPLY TO ALL OTHER PAGES.

COPYRIGHT:

Designs, drawings, presentations and renderings as instruments of service will remain the property of idesign. This is a limited agreement which gives this client the right to build this structure. Designs or plans are not to be duplicated or copied without the written consent of idesign.

Civic Address:
16410 – 50 Avenue
Surrey, B.C.

50 AVENUE

Notes:
- All dimensions are in metres.

- * Fill to be removed (preload) = 2200 m³
- Proposed Front Setback to homeplate: 67.35m
Proposed Front Setback to rear of homeplate: 95.99m
Proposed Front Setback to front of house: 68.88m
Proposed Front setback to rear of house: 89.00m
Proposed Rear Setback to rear of homeplate: 87.86m
Proposed Rear Setback to rear of house: 100.40m
- Proposed Homeplate = 16280 sq.ft.
Proposed Driveway Ramp = 1955 sq.ft.
Proposed Septic Field = 3229 sq.ft.
Total = 21464 sq.ft.

PROPOSED VARIANCE:

Increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres (164 ft.) to 90 metres (295 ft.); and,

Increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres (96 ft.) to 97 metres (315 ft.).

