

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7919-0117-00

Planning Report Date: July 22, 2019

PROPOSAL:

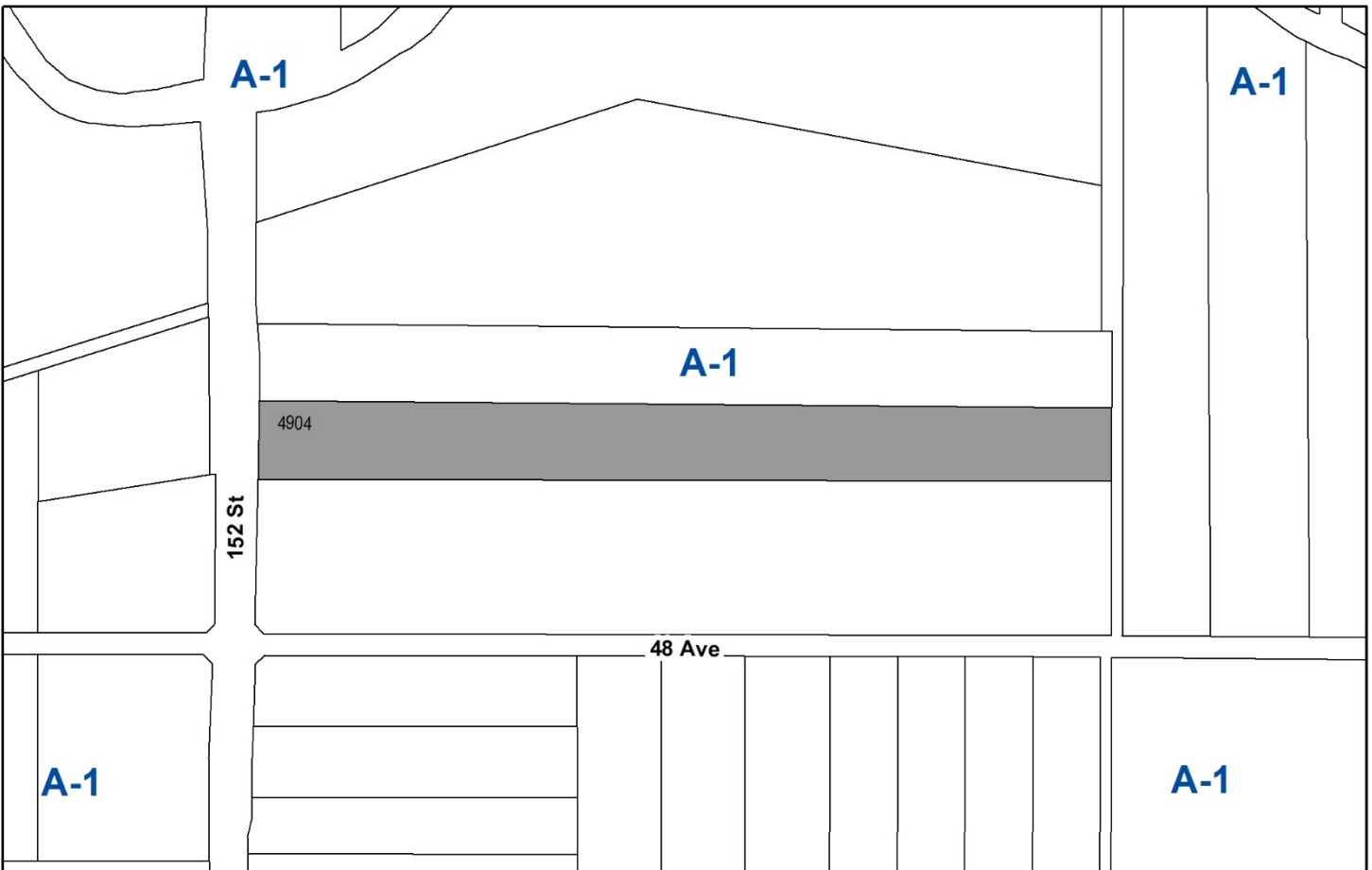
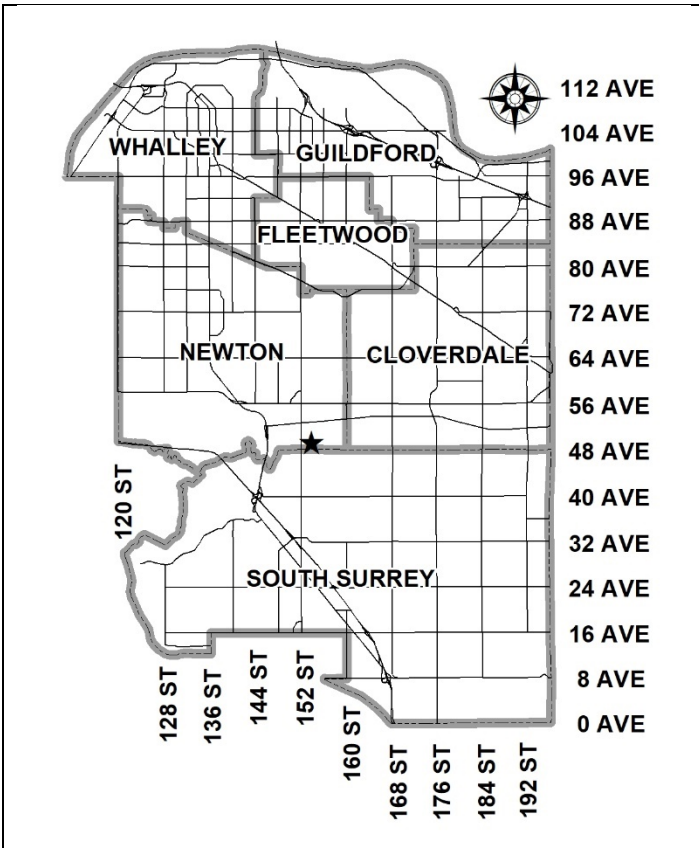
- **Development Variance Permit**

to reduce the minimum side yard setback of the A-1 Zone to allow the development of a storage barn.

LOCATION: 4904 - 152 Street

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposed variance to reduce the side yard (north) setback of the General Agricultural Zone (A-1) for an agricultural building from 15.0 metres (50 ft.) to 7.3 metres (24 ft.).

RATIONALE OF RECOMMENDATION

- The variance will allow the proposed barn to be located adjacent to an existing farm road.
- There are currently no covered structures on the property that can be used to store farm equipment. A storage barn is necessary for the daily operations of the blueberry farm and will allow the applicants to expand their operation.
- The proposed variance will minimize the impact to the existing blueberry field and save approximately 399 square metres (1,309 sq. ft.) of mature blueberry plants.
- The Agricultural and Food Policy Advisory Committee supports the proposal.

RECOMMENDATION

The Planning & Development Department recommends that Council approve Development Variance Permit No. 7919-0117-00 (Appendix I) to reduce the minimum side yard (north) setback of the General Agricultural Zone for an agricultural building, from 15 metres (50 ft.) to 7.3 metres (24 ft.), to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project

Agricultural and Food Policy Advisory Committee (AFPAC): The proposal has no negative impacts on farming and would keep active agricultural land in production.

AFPAC recommends support of Development Application No. 7919-0117-00.

SITE CHARACTERISTICS

Existing Land Use: Agricultural

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North, East, South and West (Across 152 Street):	Agriculture	Agricultural	A-1

DEVELOPMENT CONSIDERATIONSSite Description

- The subject property is located at 4905 – 152 Street and is approximately 5.5 hectares (13.7 ac.) in size.
- The site is located in the Agricultural Land Reserve (ALR), is designated Agricultural in the Official Community Plan (OCP) and is zoned "General Agriculture Zone (A-1)".
- There are currently no existing residential buildings on the site, but there is an active building permit to construct a new single family dwelling. This building permit was received and reviewed prior to the enactment of the *Agricultural Land Commission Amendment Act* (Bill 52) and as such, is considered an "unfinished pre-existing residence" under Section 20.2 (1) of the *Agricultural Land Commission Act*. The residential uses on the property are permitted to exceed 500 square metres of total floor area provided that the foundation has been constructed by November 5, 2019.

- A stop work order has been placed on the property as a result of un-permitted fill work. A preload pad was placed under permit on the property in 2006. In 2012, the preload was spread, without permit, across the western portion of the property. An additional fill violation was made in 2016 when asphalt grindings were brought onto the property.
- The site must be remediated prior to issuance of any building permit on the property. The applicant has been working with the Engineering Department to remediate the site. The Engineering Department has indicated that the applicants are on track to complete the required remediation and are satisfied with the work that has been completed to date.
- The site operates as a commercial blueberry farm, which produces an average of 59,000 kg (130,000 lbs.) of blueberries per year and employs 30 to 50 seasonal workers.
- The applicants are planning to expand their operation by leasing additional blueberry fields and selling their fruit directly to small produce supermarkets.

Proposal

- The applicant is proposing to vary the side yard (north) setback of the General Agriculture Zone (A-1) from 15 metres (50 ft.) to 7.3 metres (24 ft.) to allow the construction of a storage barn, as shown on the site plan attached as Schedule A to Appendix I.
- The barn will be used for storing farm equipment and blueberries produced from the farm.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum side yard (north) setback of an agricultural building in the A-1 Zone from 15 metres (50 ft.) to 7.3 metres (24 ft.).

Applicant's Reasons:

- The barn is required for their daily farm operations and to store the fruit that is produced on site.
- The proposed variance would minimize the impact to the existing blueberry field and save approximately 399 square metres (1,309 square feet) of mature blueberry plants.
- Additional farm roads will be needed if the proposed barn were to meet the minimum side yard setback of the A-1 Zone, further impacting the land.
- The proposed variance exceeds the 4.5 metres (15 ft.) interior side yard setback requirement recommended by the Ministry of Agriculture in their "Guide for Bylaw Development in Farm Areas".
- The applicant has reached out to their northern neighbour, who has indicated that they have no concerns about the proposal.

Staff Comments:

- The proposed variance will reduce the area of producing farmland that will be impacted by the storage barn.
- The variance will have a minimal impact on the neighbouring property owner because the proposed barn will be located next to the neighbouring property owner's blueberry field and will be used for typical, non-intrusive agricultural practices.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Development Variance Permit No. 7919-0117-00
Appendix II. Agricultural and Food Policy Advisory Committee Minutes – July 2, 2019

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

BD/cm

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7919-0117-00

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: 002-216-116

The North Half of Lot "B" Except: Firstly: The North 3.535 Chains, Secondly: Parcel "One" (Bylaw Plan 64888), Section 2 Township 2 New Westminster District Plan 3884

4904 - 152 Street

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) Part 10, General Agriculture Zone (A-1), Section F.1. (a) the minimum side yard (north) setback of buildings for uses permitted under section B.1 is reduced from 15 metres (50 ft.) to 7.3 metres (24 metres).
4. This development variance permit applies to only 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.

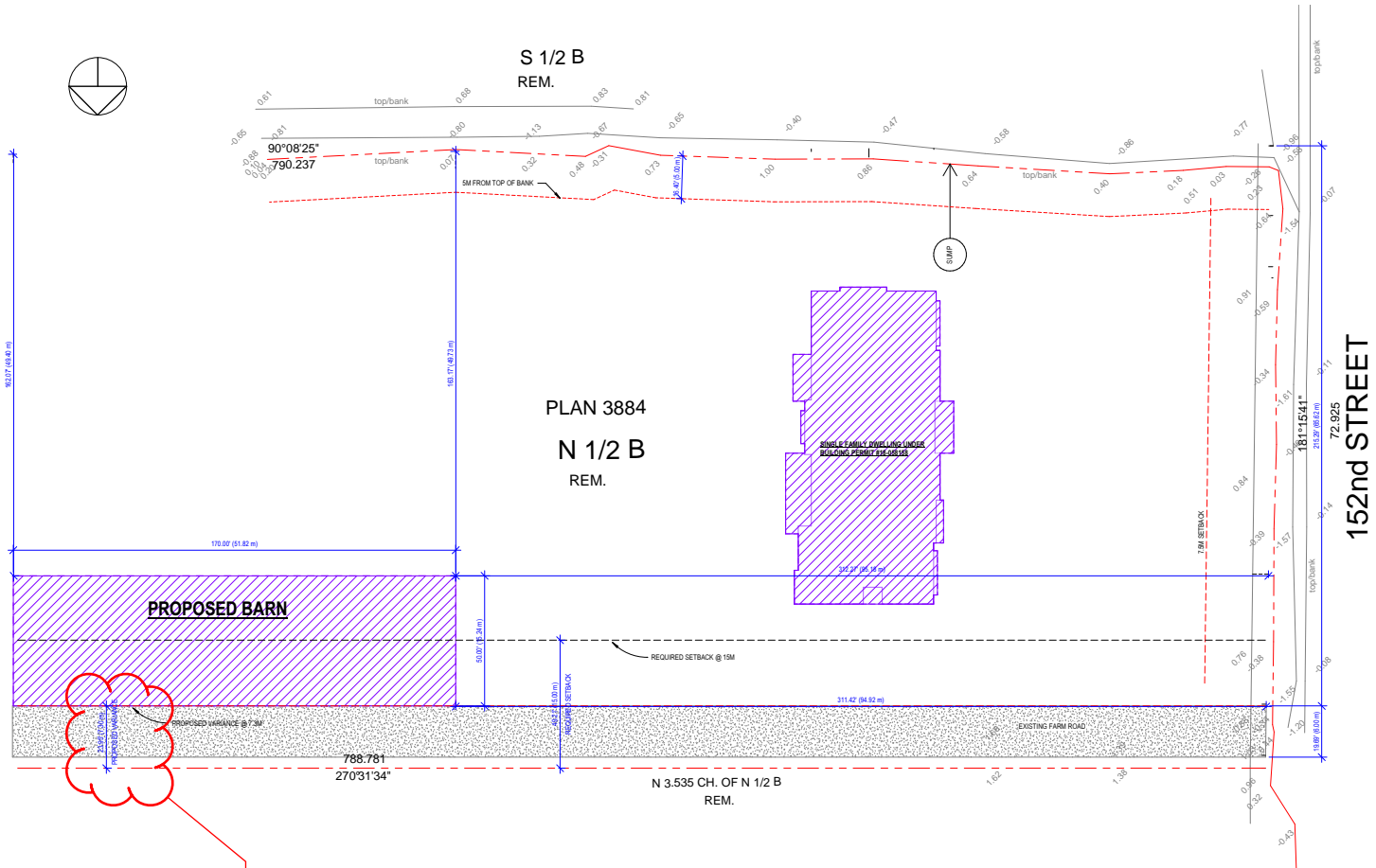
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.

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 – Doug McCallum

City Clerk – Jennifer Ficocelli



Variance to reduce the side yard (north) setback of an agricultural building in the A-1 Zone from 15 metres (50 ft.) to 7.3 metres (24 ft.).

SITE PLAN

<small>1205-2201F FRASER WOOD, RICHMOND, BC EMAIL: INFO@JOSSDESIGN.COM TEL: 778-222-8873</small>	
<small>DRAWN: JS</small>	<small>MAY 14, 2019</small>
PROJECT 4904 152 ST, SURREY, BC	
SCALE 3/8" = 1'-0"	
SITE PLAN & NOTES	
<small>DRAWING TITLE</small>	
A1-1	
<small>SHEET NUMBER</small>	

AGRICULTURE AND FOOD POLICY ADVISORY COMMITTEE

TUESDAY, JULY 2, 2019

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

C. NEW BUSINESS**2. Development Application 7919-0117-00**

Ben Daly, Planner

File: 7919-0117-00

The subject property is designated Agricultural in the Official Community Plan (OCP), zoned General Agricultural Zone (A-1), and is located within the Agricultural Land Reserve. The site is currently classified as farmland under the *BC Assessment Act* and has a soil classification of O₄WL.

The applicant is proposing to reduce the side yard (north) setback of a proposed barn from 15 metres to 7.3 metres. The property is used for blueberry production and the applicant is planning to expand their operation by leasing additional blueberry fields and selling their fruit directly to small produce supermarkets.

It was noted that the application would have no negative impacts on farming and that the lands would be kept for blueberry protection.

It was

Moved by M. Bose

Seconded by M. Hilmer

That the Agriculture and Food Policy

Advisory Committee recommend to the General Manager of Planning and Development to support Development Application 7919-0117-00.

Carried