

NO: R160

COUNCIL DATE: July 25, 2022

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **July 25, 2022**

FROM: **General Manager, Engineering
Acting General Manager, Planning &
Development**

FILE: **8740-40**

SUBJECT: **Non-Farm Use at 7435 - 176 Street and 17540 Fraser Highway**

RECOMMENDATION

The Engineering and Planning & Development Departments recommend that Council:

1. Receive this report for information;
2. Endorse the application to temporarily deposit soil and conduct a non-farm use on the properties at 7435 - 176 Street and 17540 Fraser Highway received from the Transportation Investment Corporation; and
3. Authorize staff to forward the application to the Agricultural Land Commission for consideration in accordance with the *Surrey Soil Conservation and Protection By-law, 2007, No. 16389*, and *Agricultural Land Commission Act, S.B.C. 2002*.

INTENT

The purpose of this report is to advise Council about an application to temporarily deposit soil and conduct a non-farm use on the properties at 7435 - 176 Street and 17540 Fraser Highway (the "Properties"), as shown on the attached Appendix "I", by the Transportation Investment Corporation (the "Province") as part of the Temporary Test Pile Program in support of the final design and construction of the Surrey Langley SkyTrain ("SLS") extension.

BACKGROUND

Soil deposition on Agricultural Land Reserve ("ALR") lands within the City is regulated by the *Surrey Soil Conservation and Protection By-law, 2007, No. 16389* (the "Soil Bylaw") and the *Provincial Agricultural Land Commission Act* (the "ALC Act"). The Province has applied to temporarily deposit soil and conduct a non-farm use on the Properties to allow for the installation of a temporary crane pad and letdown facility, as illustrated in the attached as Appendix "II". The proposed non-farm use will help to facilitate testing through the Temporary Test Pile Program in support of the final design and construction of the SLS extension.

The proposed soil deposition and use is considered to be a 'non-farm use' under Section 20 of the ALC Act, S.B.C., 2002, c.26. Surrey's Soil Bylaw and the ALC Act specify that placement of fill in the ALR is subject to approval by the City and the Agricultural Land Commission (the "ALC"). The provisions of the ALC Act require that an application for soil deposition works on land in the ALR be first submitted to the local government for review. The Council of the local government has the authority to either refuse the application or to authorize the application to proceed to the ALC for review and approval.

DISCUSSION

The Properties are located on the south side of Fraser Highway, west of 176 Street (Highway 15), as shown in Appendix "I". The Properties are designated "Agricultural" in the Official Community Plan and zoned "General Agriculture Zone (A-1)". The Properties are located within the ALR and were previously farmed for dairy feed (corn); however, no farming activity is currently taking place on the properties at this time.

There are no existing dwellings or farming buildings on the Properties. Access to the Properties is provided through an unpaved, culverted driveway crossing to Fraser Highway on the north-east lot line.

The Properties are bisected by a number of Class A/O (red-coded) watercourses, in addition to a Class A/O (red-coded) watercourse abutting the north-east lot line within the southern portion of the Fraser Highway road allowance and the Serpentine River to the west.

The Properties, in addition to the existing lot to the immediate south (7371 - 176 Street), are currently under Development Application No. 7921-0103-00 for a subdivision within the ALR under Section 21(2) of the ALC Act and a Development Variance Permit to permit a lot line adjustment to reconfigure three lots under the A-1 Zone. Following consideration at the Regular Council Land Use meeting on December 6, 2021, Council authorized referral of Development Application No. 7921-0103-00 to the ALC for consideration of approval (RES.R21-2225). As no buildings or structures are proposed, there is no requirement for a Temporary Use Permit or a Development Variance Permit. All fill and other materials associated with the pile will be removed at the conclusion of the study period (approximately 14 months).

The Province is applying for a non-farm use under Section 20(1) and Section 20.3(1) of the ALC Act to permit the installation of a temporary crane pad and letdown facility as part of the Temporary Test Pile Program in support of the final design and construction of the SLS extension.

Typically, applications for non-farm uses are provided to the City's Agriculture, Environment and Investment Advisory Committee prior to Council's consideration. As the next meeting of the Agriculture, Environment and Investment Advisory Committee is not scheduled until September 7, 2022, staff are bringing this application to Council for consideration at this time so as not negatively impact the SLS project schedule. Staff do not anticipate that the Agriculture, Environment and Investment Advisory Committee will have concerns with this application, given that fill and other materials associated with the pile will be removed at the conclusion of the study period.

Should Council resolve to support the recommendations of this report, the ALC will conduct an independent review of the application to evaluate if the proposal aligns with their policies, goals, and mandate. Under Section 25(1) of the ALC Act, the ALC may:

- Refuse permission for the use applied for;
- Grant permission, with or without limits or conditions, for the use applied for; or
- Grant permission for an alternative use, with or without limits of conditions, as applicable.

SUSTAINABILITY CONSIDERATIONS

The approval of the application to temporarily deposit soil and conduct a non-farm use on the Properties supports the objectives of the City's Sustainability Charter 2.0, as it supports the completion of the SLS project. In particular, the project relates to the Sustainability Charter 2.0 themes of Inclusion and Built Environment and Neighbourhoods. Specifically, the SLS project supports the following Desired Outcomes ("DOs"):

- Social Infrastructure and Innovation DO24: Surrey has strong infrastructure that supports the needs of its diverse and growing population; and
- Neighbourhoods and Urban Design DO2: Surrey is well-connected within the City and to the rest of the region by fast and efficient public transit and active all-ages-and-abilities transportation infrastructure.

CONCLUSION

The proposed temporary non-farm use under Section 20(1) and Section 20.3(1) of the ALC Act to permit the installation of a temporary crane pad and letdown facility as part of the Temporary Test Pile Program supports the final design and construction of the SLS extension.

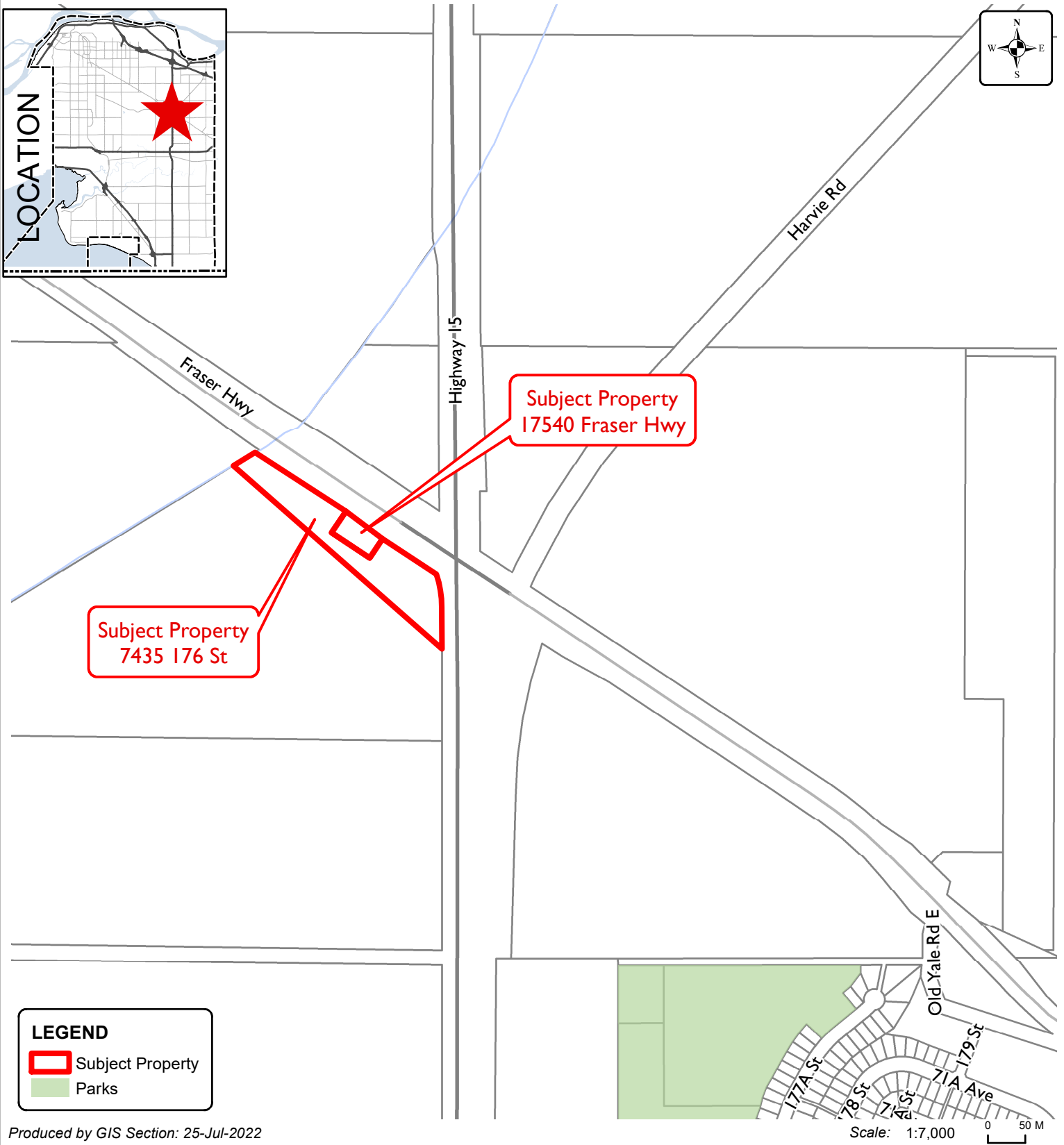
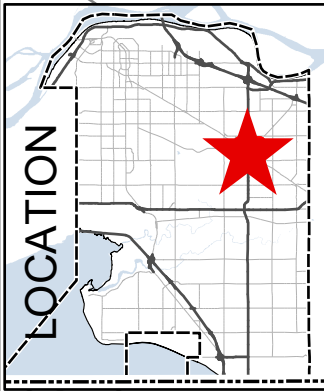
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JA/SN/cc

Appendix "I" – Map of Property Location

Appendix "II" – Conceptual Layout of Non-Farm Use on the Properties



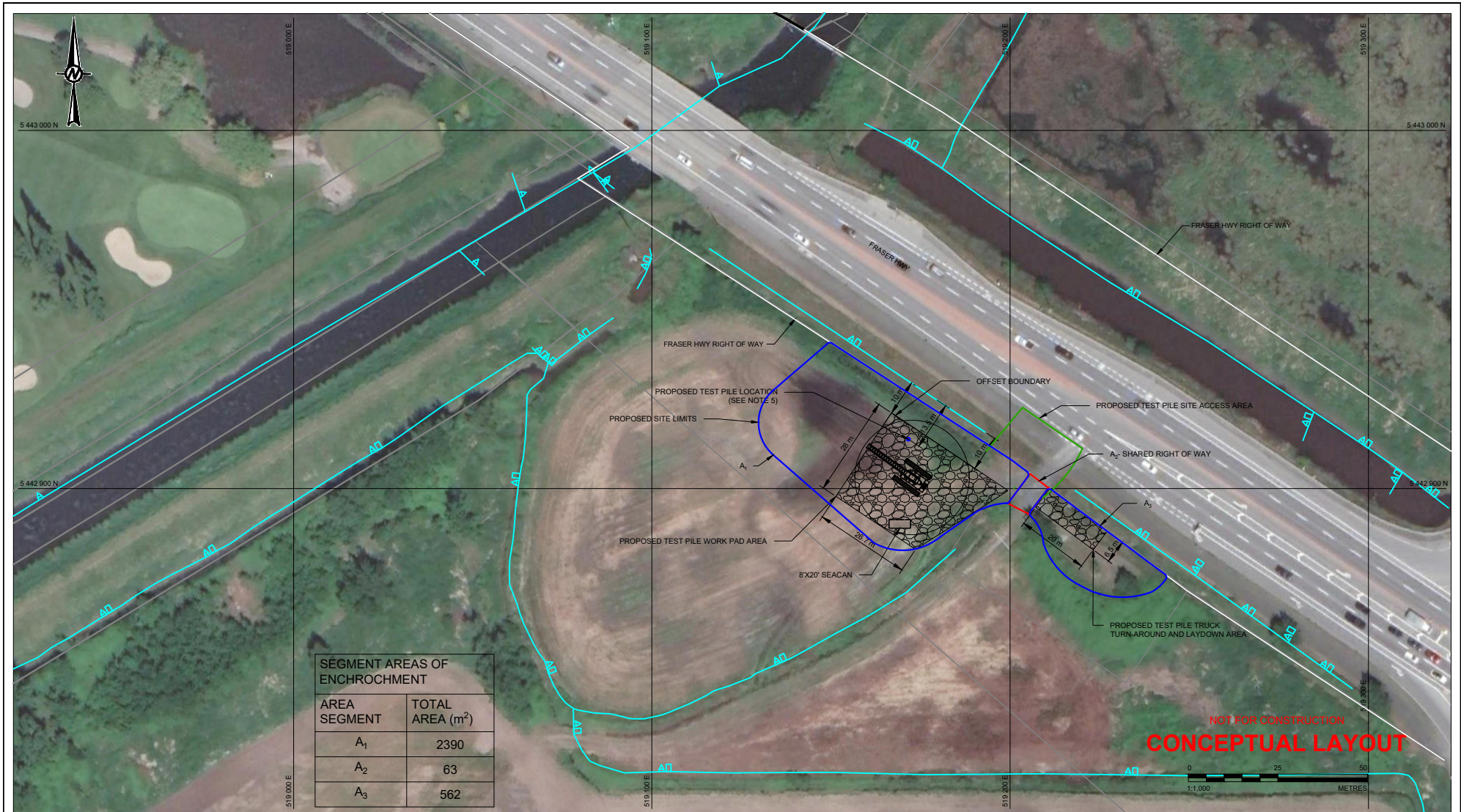
Produced by GIS Section: 25-Jul-2022



**Non-Farm Use at
7435 176 Street and
17540 Fraser Highway**

**ENGINEERING
DEPARTMENT**

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.



SEGMENT AREAS OF ENCHROCHMENT

AREA SEGMENT	TOTAL AREA (m ²)
A ₁	2390
A ₂	63
A ₃	562

- LEGEND**
- PROPOSED TEST PILE WORK PAD AREA
 - PROPOSED TEST PILE SITE ACCESS AREA
 - PROPOSED TEST PILE TRUCK TURN-AROUND AND LAYDOWN AREA
 - DRAINAGE CHANNEL

- NOTES**
1. ALL UNITS ARE IN METRES UNLESS NOTED OTHERWISE.
 2. DATUM: NAD83, PROJECTION: UTM ZONE 10.
 3. PROPOSED TEST PILE AREA IS CONCEPTUAL, AND TO BE CONFIRMED WITH CONTRACTOR SELECTED TO CONDUCT INSTALL.
 4. TEST PILE IS EXPECTED TO EXTEND FROM SURFACE ELEVATION (APPROXIMATELY +2.0 m SLE) TO APPROXIMATELY -100.0 m SLE, SUBJECT TO SOIL CONDITIONS.
 5. TEST PILE TO BE 914 mm IN DIAMETER AND 19 mm THICK PILE TO BE DRIVEN.

- REFERENCES**
1. BASE INFORMATION OBTAINED FROM HATCH.
FILE NAME: XR-EC-S0-PLN-CDST-COL.dwg, XR-EC-S0-PLN-CDST-COS.dwg AND XP-RD-S0-PLN-MSTR.dwg, DATE RECEIVED: JULY 3, 2019.
 2. IMAGE OBTAINED FROM GOOGLE EARTH PRO. ©2022 MAXAR TECHNOLOGIES ©2022 CNES/AIRBUS ©2022 GOOGLE. IMAGE DATE 2021-08-13. GOOGLE EARTH IMAGE IS NOT TO SCALE.

CLIENT
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE /
TRANSPORTATION INVESTMENT CORPORATION

CONSULTANT

wsp GOLDER

DESIGNED	KM
PREPARED	AW
REVIEWED	KvdB
APPROVED	YM

PROJECT
SURREY LANGLEY SKYTRAIN PROJECT
2022 GEOTECHNICAL INVESTIGATION

TITLE
CONCEPTUAL LAYOUT: PROPOSED TEST PILE AREA AND LOCATION

PROJECT NO.	PHASE/DOC.	REV.	FIGURE
22511789	1B.6/005	1	2

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