

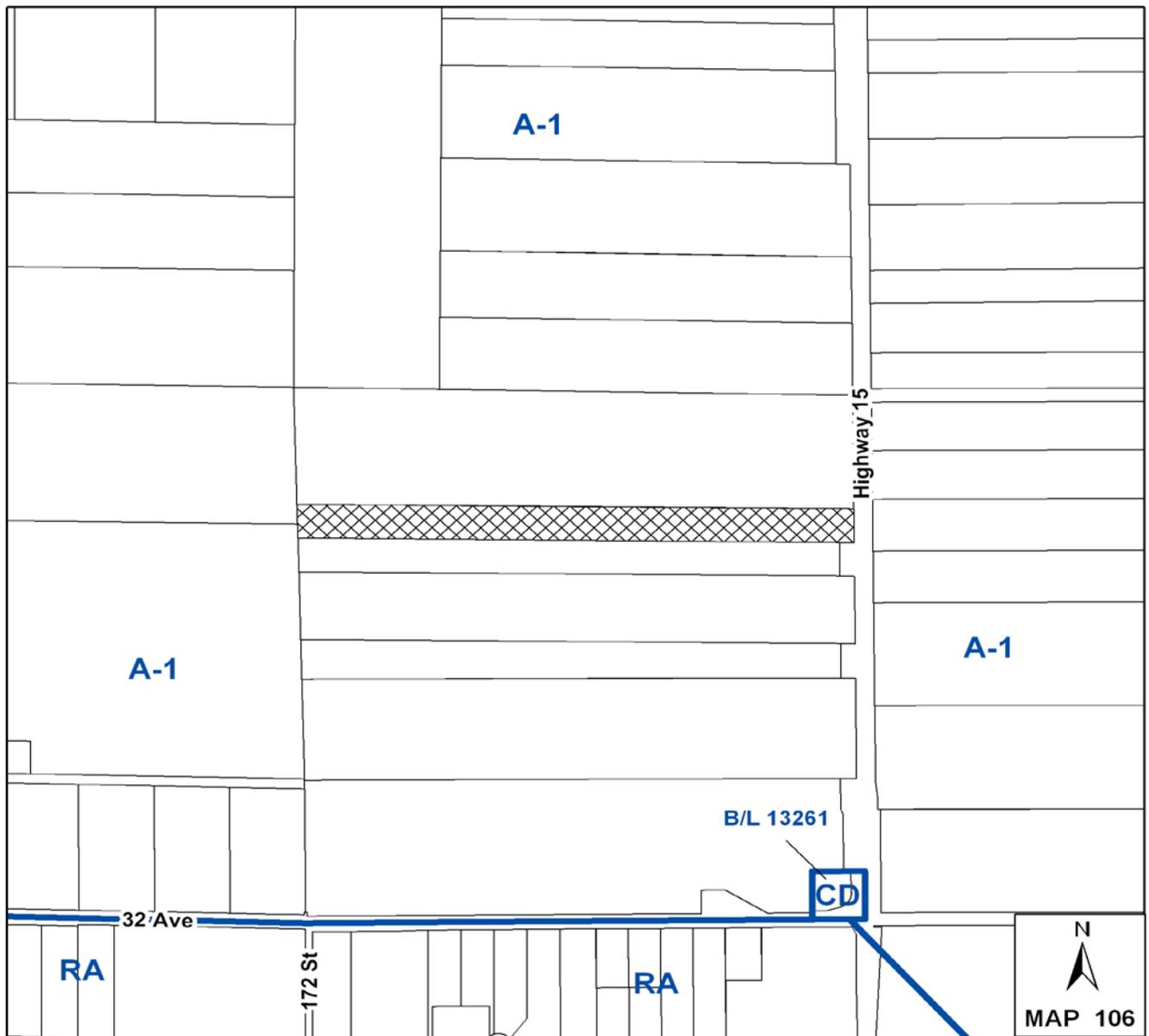
**Proposal:** Rezone from A-1 to CD to permit the development of a second dwelling associated with a farm operation in the ALR.

**Recommendation:** Approval to Proceed

**Location:** 3507 - 176 Street (Hwy. No. 15)      **Zoning:** A-1

**OCP Designation:** Agriculture

**LAP Designation:** Agriculture      **Owners:** Kashmir Akali et al



## PROJECT TIMELINE

Application Submission Date: August 25, 2006  
Completed Application Submission Date: October 2, 2006  
Planning Report Date: April 16, 2007

## PROPOSAL

The applicant is proposing:

- a rezoning from A-1 to CD

in order to permit the development of a second dwelling associated with the farm operation in the ALR.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Transportation; and
  - (d) registration of a Section 219 Restrictive Covenant to restrict access via 176 Street to one driveway only in accordance with the Ministry of Transportation's requirements.

## REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

School District:

**School Impacts:**

**Projected number of students from this development:**

Elementary students = 1 student  
 Secondary students = 0 students  
 Total new students = 1 student

**School Catchment Area/Current Enrollment/School Capacity:**

Morgan Elementary School = 519 enrolled/480 capacity  
 Earl Marriott Secondary School = 1,629 enrolled/1,500 capacity

**Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:**

Elementary students = 13 students  
 Secondary students = 264 students  
 Total new students = 277 students

**Approved Capacity Projects and Future Space Considerations**

*An addition to Morgan elementary has received capital plan approval for funding in 2006 (subject to feasibility study). Also, a new elementary school in the Rosemary Heights NCP Area has been included as a proposal in the 2005-2009 five year capital plan (site partially acquired. The capital plan proposes the purchase of a new secondary school site in the Grandview Heights area, to relieve projected capacity shortfall in the long term.)*

Ministry of Transportation:

Preliminary approval is granted. All storm water to be directed to a municipally maintained storm drainage system. Only one access will be permitted from the property to Highway No. 15 (176 Street) (Appendix V).

Surrey Agricultural Advisory Committee (SAAC):

The SAAC reviewed the proposal and recommends that this proposal be approved with the provision that the footprint of the houses be similar to those that were removed due to the highway widening, and the second house must be necessary for the operation of the farm (Appendix VI).

## SITE CHARACTERISTICS

- **Existing Land Use** Single family residential and Agriculture. The site is designated within the Agricultural Land Reserve (ALR)
- **Significant Site Attributes** Located in the flood plain.
- **East and West:** Single family residential lots with farm operations, zoned A-1, designated Agriculture in the OCP.
- **South:** Single family residential, zoned A-1, designated Agriculture in the OCP.
- **North:** Vacant land that is farmed, zoned A-1, designated Agriculture in the OCP.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

South-East Surrey Plan: Complies.

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject property is designated 'Agriculture' in the Official Community Plan (OCP) and zoned "General Agriculture Zone (A-1)" in the Zoning By-law (No. 12000). The properties to the north, east, south and west are also designated 'Agriculture' and zoned "General Agriculture Zone (A-1)". The subject property and all adjacent properties are located within the Agricultural Land Reserve (ALR).
- Recently, the subject site had 0.107 ha (1,070 m<sup>2</sup>) of land removed in order to accommodate the widening of Highway No. 15 (176 Street). Prior to the removal of this portion of land, the site was 4.0 ha (10 acres) in size and contained two (2) single family dwelling units immediately fronting Highway No. 15 (176 Street). Two dwellings are permitted under the A-1 Zone where the lot exceeds 4.0 ha (10 acres) and is a farm operation. The site contains an existing farm. Due to the removal of land, the subject site is now 3.9 ha (9.5 acres).
- The two (2) dwelling were required to be removed at the time when the road widening occurred as one would have straddled the property line and the other would have been approximately 3.5 metres (11.5 feet) from the front property line.

### Proposed Development

- The applicants propose to reconstruct two (2) dwellings associated with the operation of the farm. However, due to the road widening, the subject parcel has decreased in size from 4.0 ha to 3.9 ha. A second dwelling is not permitted unless the property is 4.0 ha (10 acres) in size.

- Given the circumstance that led to the decrease in the lot size, it is a reasonable request by the applicant to reconstruct two (2) dwelling units on this parcel of land. The potential impacts of rebuilding two dwellings the subject site, which is 0.107 ha (0.26 acre) short of the 4.0 ha (10 acres) minimum, is not expected to be negative given the site history and containing agricultural uses on the site.
- The proposal for two (2) dwellings for an agricultural operation in the ALR is consistent with the OCP Designation and complies with the permitted uses in the ALR. Therefore, the rezoning does not require approval from the Agricultural Land Commission (ALC).

#### Agricultural Advisory Committee

- The Agricultural Advisory Committee (AAC) discussed this application on October 5, 2006 (Appendix V). It was noted that in order for a second dwelling to be constructed on an agricultural parcel of land larger than 4.0 ha (10 acres), the owners of the property must actively farm the land and a second dwelling must be necessary for the operation of the farm. These conditions are to be demonstrated at the building permit stage of the application, including providing confirmation of annual farm income, and assessment of the site as a farm.
- It was further recommended by the AAC to restrict the footprint of the future dwelling units to that of the footprints of the dwelling units that previously existed on this property. However, the footprints of the previous dwellings were approximately 70 m<sup>2</sup> (750 ft<sup>2</sup>) in size, which is very small.
- The A-1 Zone does not restrict the size of a dwelling unit through lot coverage or density. Therefore, the potential size of a dwelling unit on this property could be beyond 930 sq.m (10,000 sq.ft).
- To address the AAC request regarding the need to restrict the footprint and size of the proposed dwellings, staff recommend that a maximum allowable dwelling size of 330 sq.m., (3,550 sq.ft.) be established for each unit. This is the allowable dwelling size for a single family dwelling under the RF Zone. A dwelling of this size is more than adequate and should provide some assurance to the AAC that oversized dwellings cannot be built on this property, thus protecting the agricultural potential of this site. The applicant has agreed to this restriction. The proposed CD Zone has been drafted to ensure a maximum dwelling size of 330 square metres (3,550 sq.ft.) for each dwelling and to ensure a maximum lot coverage corresponding to this house size for a two-storey dwelling, which is approximately 0.009% lot coverage based on a lot size of 3.9 hectares (9.5 acres).

#### PRE-NOTIFICATION

Pre-notification letters were sent on October 2, 2006, and staff received no comments.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Ministry of Transportation
Appendix VI.	Agriculture Advisory Committee (AAC)
Appendix VII.	Proposed CD By-law

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated November 2, 2006.
- Soil Contamination Review Questionnaire prepared by Kashmir Akali dated June 6, 2006.

How Yin Leung  
Acting General Manager  
Planning and Development

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CONTOUR MAP FOR SUBJECT SITE

