

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0282-00

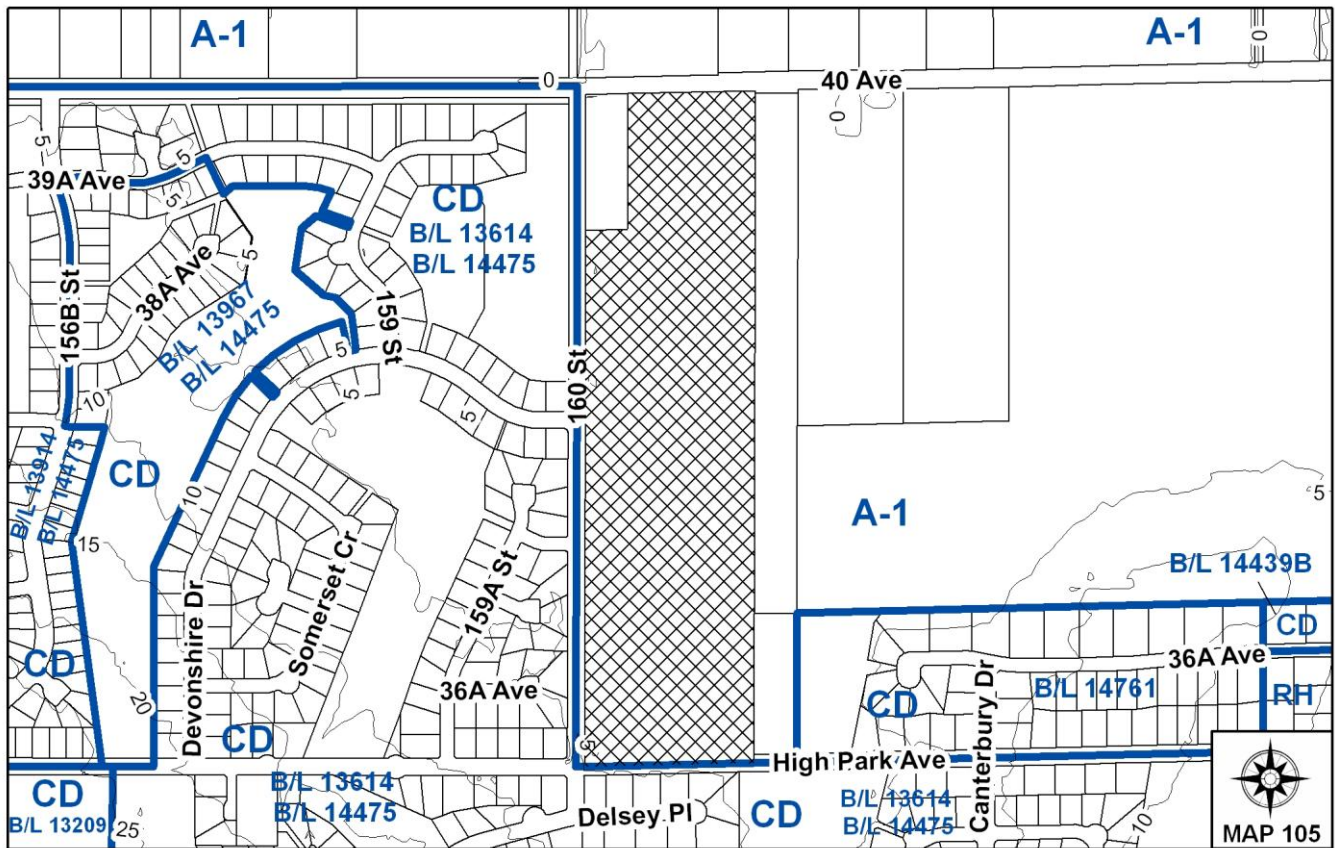
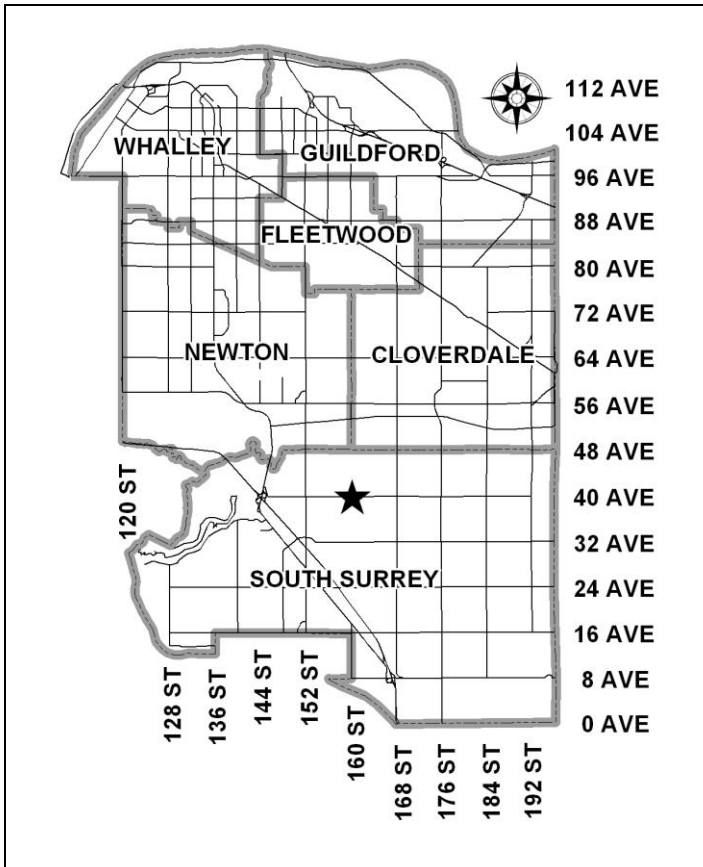
Planning Report Date: October 5, 2009

PROPOSAL:

- **Development Permit**

in order to establish a landscaped buffer as part of a subdivision along the ALR.

LOCATION: 16082 - 40 Avenue
OWNER: Karnail Singh Sekhon et al
ZONING: A-1
OCP DESIGNATION: Agricultural/Suburban
LAP DESIGNATION: Agricultural/Suburban Residential



RECOMMENDATION SUMMARY

- Approval and issuance of Development Permit.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- The Official Community Plan (OCP) requires establishment of a landscape buffer as part of any subdivision of land along the Agricultural Land Reserve (ALR).
- The proposed buffer will accommodate a required riparian area that will provide benefit to the ALR, and also exceeds the buffer requirements prescribed in the OCP Design Guidelines for interfaces along the ALR.
- The proposal is also in compliance with City policy O-23 "Residential Buffering Adjacent to the ALR/Agricultural Boundary" as a site is within the Outer Ring Transition Area (within 200 metres) of the ALR/Agricultural boundary.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the attached Development Permit No. 7907-0282-00 (Appendix III), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

REFERRALS

Engineering: The Engineering Department has no objection to the project. Engineering requirements will be addressed through the corresponding subdivision application.

Department of Fisheries and Oceans (DFO): Support. The site is adjacent to a watercourse along 160 Street, which has been confirmed by DFO to be yellow-coded. As part of the engineering requirements for the proposed subdivision, the applicant is required to complete road works on 160 Street along the frontage of the proposed new southerly lot. These road works require that the existing road side water course be culverted. To compensate for the habitat loss, the applicant’s environmental consultant proposes to construct a new 10.0 metre (33 ft.) wide watercourse that will form part of the proposed landscape buffer along the ALR boundary.

Agricultural Advisory Committee: No support. The proposed buffer was presented to the Agricultural Advisory Committee (AAC) on September 3, 2009. The AAC recommended that the proposed buffer be located entirely outside the ALR and that the relocated creek not be considered a part of the required buffer. Further information is provided later in this report.

SITE CHARACTERISTICS

Existing Land Use: Blueberry farm.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across 40 Avenue:	Agricultural land.	Agricultural	A-1

Direction	Existing Use	OCP/NCP Designation	Existing Zone
East:	Agricultural land and suburban residential lots.	Agricultural and Suburban Residential	A-1 and CD
South:	Suburban residential lots.	Suburban Residential	CD
West (Across 160 Street):	Suburban residential lots.	Suburban Residential	CD

DEVELOPMENT CONSIDERATIONS

Background

- The subject property (16082 – 40 Avenue) is located on the southeast corner of 40 Avenue and 160 Street, adjacent to the Morgan Creek residential neighbourhood. The property has a total site area of approximately 15 hectares (38 acres) and is split designated in the Official Community Plan (OCP) and in the Agricultural Land Reserve (ALR). The northern portion of the property, which is approximately 11.7 hectares (28.9 acres) in size, is designated “Agricultural” in the OCP and is in ALR. The southern portion of the property, which is approximately 3.4 hectares (8.4 acres) in size, is designated “Suburban” in the OCP and is outside of the ALR. The boundary between the “Suburban” and “Agricultural” designation is identical to the location of the ALR boundary. The property is zoned General Agriculture (A-1) Zone, and is currently used for blueberry farming.
- The applicant proposes to subdivide the property along the Agricultural Land Reserve (ALR) and Agricultural designation boundary, to create 2 lots (see Appendix II). The northern lot (11.7 hectares/ 28.9 acres) will remain within the ALR and will be Agricultural designated; the southern lot (3.4 hectares/ 8.4 acres) will be outside of the ALR and will be Suburban designated. The proposed subdivision is permissible under the site’s existing A-1 Zoning and does not require approval from the Agricultural Land Commission (ALC) since it is subdividing a property along the ALR boundary.
- The Surrey Official Community Plan (OCP) identifies all properties that are outside of the Agricultural designation that are abutting Agricultural designated land as Development Permit areas for the purpose of protecting farming. Since the proposed subdivision will create a non-Agricultural designated lot abutting Agricultural designated land, a Development Permit to establish an ALR buffer along the northern boundary of the proposed southern lot is required.

Proposed Landscaped Buffer

- The applicant proposes a 20 metre (82 ft.) wide buffer along the ALR to address both the required buffering of agricultural designated land and also to meet environmental requirements associated with the proposed subdivision. As part of the engineering requirements for the proposed subdivision, the applicant is required to complete road works on 160 Street (which is a red-coded watercourse) along the frontage of the southern lot. These road works require that the existing road side ditch be culverted. To compensate for the habitat loss, the applicant’s environmental consultant proposes to construct a new 10.0 metre wide watercourse along the proposed new lot line between the northern and southern lot. The watercourse will occupy 5.0 metres of the northerly (ALR) lot and 5.0 metres of the southerly (non-ALR) lot. To the south of the ditch, a 10.0 metre wide riparian vegetated area is proposed, which will be planted with native vegetation. The

proposed riparian vegetated area will include some berming and will be protected by a 3-rail split rail fence in accordance with the attached landscaping plan (Appendix II). This arrangement has been approved by the Department of Fisheries and Oceans (DFO).

- The proposed 20.0 metre buffer exceeds the 15.0 metre buffer requirement prescribed in the OCP Design Guidelines. The proposed combination of native planting, berming, and fencing also exceeds the OCP Design Guidelines.
- To the south of the riparian area, an additional 10.0 metre no-build setback is proposed. As such, any dwelling constructed on the southerly lot will be a minimum of 30 metres from the edge of the agricultural activity on the northerly lot which meets the Development Permit Area Guidelines under the OCP for sites abutting agricultural land. A Restrictive Covenant will be registered over the northernmost 25 metres of the southerly lot to prohibit buildings and/or structures from being constructed within this area, to advise future owners of adjacent agricultural activities, and to ensure that the required riparian planting, berming, and fencing is installed and maintained. The City will also collect adequate landscape securities to further ensure that the buffer will be installed.
- It is noted that the proposal is also in compliance with City policy O-23 “Residential Buffering Adjacent to the ALR/Agricultural Boundary” as a site is within the Outer Ring Transition Area (within 200 metres) of the ALR/Agricultural boundary.

Surrey Agricultural Advisory Committee (AAC)

- The application was referred to the Surrey Agricultural Advisory Committee (AAC) on September 3, 2009.
- The AAC recommended that the proposed buffer not be approved in its current form and that the following amendments to the plan be made:
 - That the new ditch proposed along the new lot line between the northern and southern lot be shifted 5.0 metres further south so that it is entirely on the southerly lot and not encumbering ALR land;
 - That the new ditch proposed along the new lot line between the northern and southern lot not be considered part of the required agricultural buffer and that a full 15.0 metres (50 ft.) of landscaping be required; and
 - That a full 37.5 metre (125 ft.) separation distance be applied between the agricultural boundary and the nearest wall of any principal building on the proposed southerly lot in accordance with City Policy O-23 “Residential Buffering Adjacent to the ALR/Agricultural Boundary”.
- The applicant confirms that the proposed new watercourse will provide a benefit to the northerly ALR lot by helping with drainage. The applicant has demonstrated this benefit to the Agricultural Land Commission (ALC) who on this basis has confirmed that an application to the ALC for a non-farm use is not required. Similarly, this benefit also supports the location of the watercourse partially within the ALR.

- The Official Community Plan (OCP) Design Guidelines state that where there is an existing natural feature such as a watercourse or a ravine along the edge of the agricultural land that provides a physical separation, the width of the landscaping buffer can be reduced from 15.0 metres (50 ft.) to 7.5 metres (25 ft.). While the proposed new ditch is not existing it will be a permanent protected watercourse and as such the proposed 10.0 metre (33 ft.) planted area can be considered to exceed this requirement.
- Under Policy O-23 a minimum 37.5 metre (125 ft.) separation distance between the agricultural boundary and the nearest wall of the principal building on the proposed lots adjacent to the agricultural boundary are only required when half-acre and higher density lots are being proposed and a road right-of-way separates the proposed lots from the agricultural boundary. Since the proposed southerly lot is well over half an acre and no road right-of-way separates the lots, this requirement does not apply.

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.	Proposed Landscape Plans for Buffer
Appendix III.	Development Permit No. 7907-0282-00

Jean Lamontagne
General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Existing Zoning: A-1

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	38 acres
Hectares	15 hectares
NUMBER OF LOTS	
Existing	1
Proposed	2
SIZE OF LOTS	
Range of lot widths (metres)	152 m - 177 m
Range of lot areas (acres)	8.8 acres - 29.1 acres
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	0.13 lots/ha 0.05 lots/acre
Lots/Hectare & Lots/Acre (Net)	0.13 lots/ha 0.05 lots/acre
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	n/a
PARKLAND	
Area (square metres)	
% of Gross Site	n/a
Required	
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	NO
MODEL BUILDING SCHEME	
	NO
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO