

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7909-0151-00

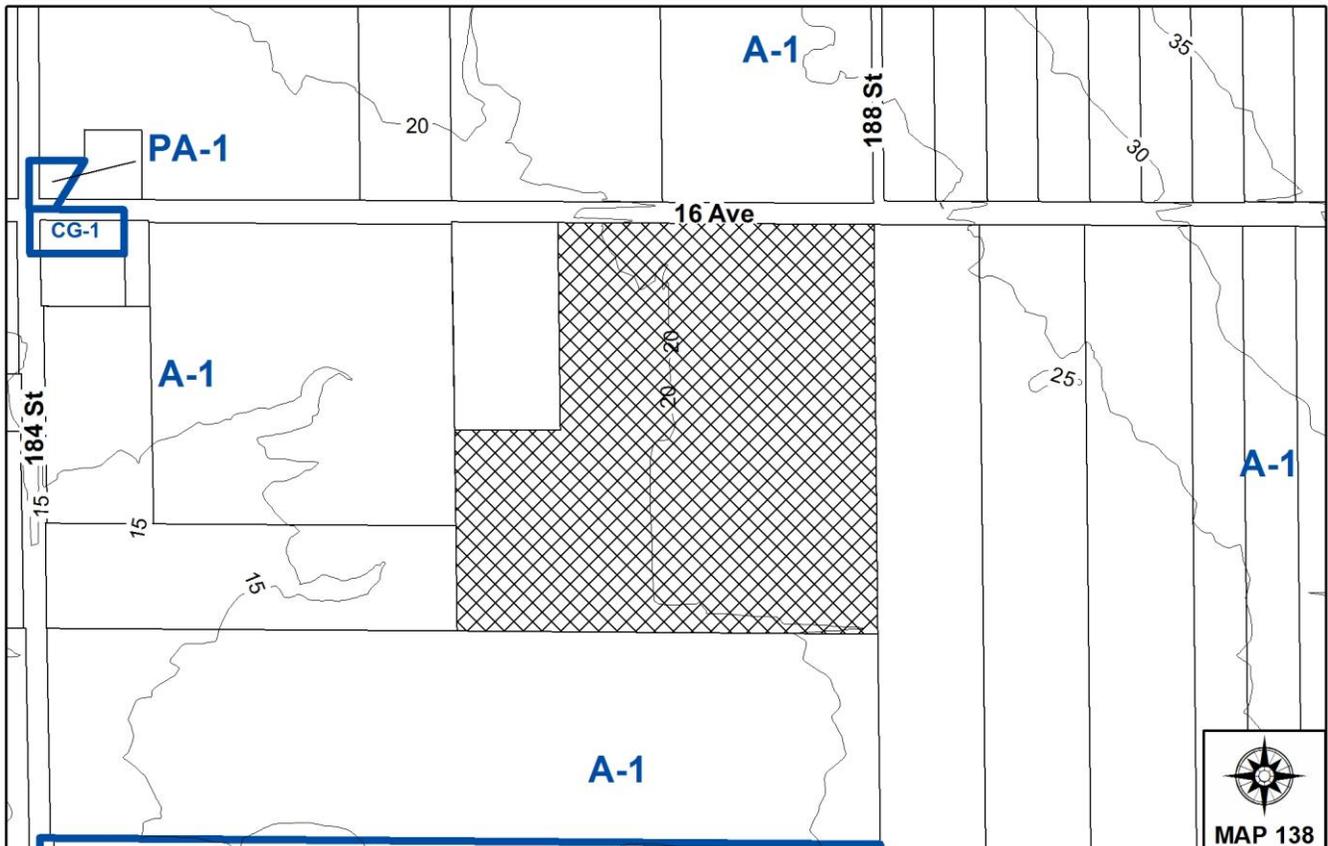
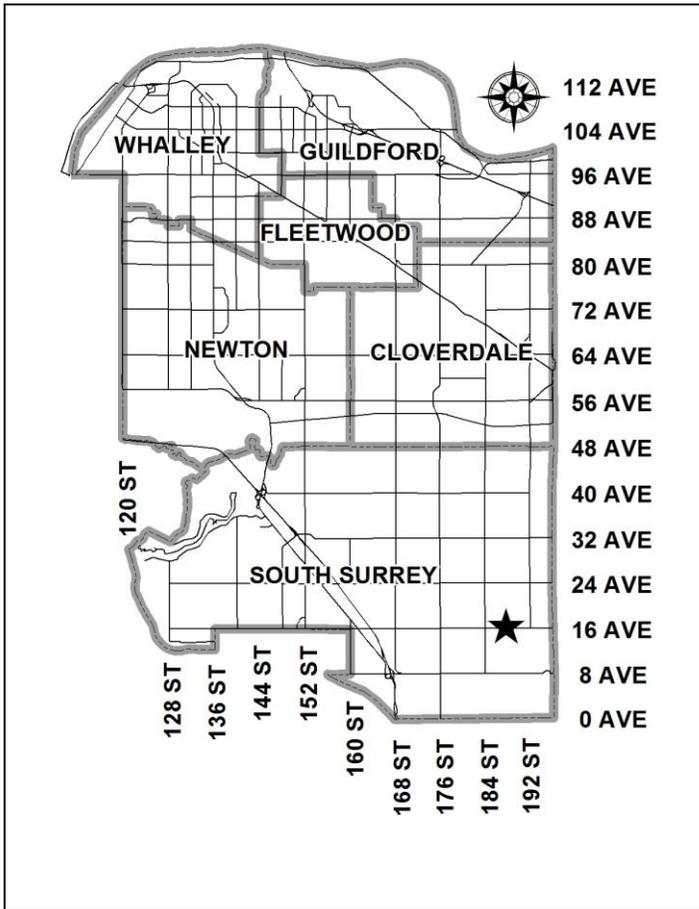
Planning Report Date: September 14, 2009

**PROPOSAL:**

- **Rezoning** from A-1 to CD (based on A-1)
- **Housing Agreement**

in order to permit the development of a 17-unit farm workers residence on a lot within the ALR.

**LOCATION:** 18782 - 16 Avenue  
**OWNER:** SMK Investments Inc., Inc. No. BC064682  
**ZONING:** A-1  
**OCP DESIGNATION:** Agricultural  
**LAP DESIGNATION:** Agricultural



### RECOMMENDATION SUMMARY

- By-law Introduction for Rezoning.
- Approval to Draft Housing Agreement.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposal for 17 multiple residential units within a lot in the ALR intended to house farm workers/researchers requires rezoning as A-1 zoned lots permit a maximum of one (1) single family dwelling or duplex for farm help.

### RATIONALE OF RECOMMENDATION

- The multiple unit residential dwellings will be regulated through a Housing Agreement with the City, which will ensure farm worker/researcher occupancy only.
- The proposed agricultural research facility is in keeping with OCP objectives and policy framework as it supports and encourages the growth of agri-industry and value added agricultural activities and provides employment in the agricultural sector. The proposed farm workers residence is an important and complementary element of the proposed agricultural research operations.
- The proposal is also in keeping with the City's Employment Lands Strategy as an employment generator on agricultural land.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the subject site from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000).
2. Council authorize staff to draft a Housing Agreement and associated By-law.
3. 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 road dedication plan for widening on 16 Avenue to the satisfaction of the Approving Officer;
  - (c) the application be presented to the Agricultural Advisory Committee (AAC) for further comment based on requested additional information; and
  - (d) the applicant enter into a Housing Agreement with the City to limit occupancy of the 17-unit farm workers residence to farm employees and farm researchers only.

## REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

Agricultural Advisory Committee (AAC): The application was presented to the AAC on September 3, 2009. The AAC deferred their decision and requested staff provide a legal opinion and additional information on the proposed farm research facility use. Staff will present the requested legal opinion and additional information to the AAC on October 1, 2009 and will report back to Council on the recommendations of the AAC prior to the Public Hearing being scheduled.

## SITE CHARACTERISTICS

Existing Land Use: Greenhouses.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
North, East, South and West:	Agricultural land.	Agricultural	A-1

DEVELOPMENT CONSIDERATIONSBackground and Context

- The subject property (18782 – 16 Avenue) is a 34-acre parcel of property on the south side of 16 Avenue, just east of 184 Street. The property is zoned General Agriculture (A-1) Zone, is designated ‘Agricultural’ in the Official Community Plan (OCP), and is in the Agricultural Land Reserve (ALR). The site is currently occupied by two greenhouses. The newer 5-acre greenhouse is currently leased by a tenant growing organic heirloom tomatoes. The older 6.4-acre greenhouse is currently not in use. A building permit was recently issued by the City to permit construction of a barn and workshop on the site. These buildings are not yet under construction.
- The owner of the subject property, SMK Investments Inc., is in the process of establishing a farm-based research and laboratory facility. Details on the nature of this proposed facility are provided in the attached letter from the owner (*Appendix IV*). The proposed farm base research facility itself is a permitted agricultural use under the A-1 Zone. However, as part of the facility, the owner proposes to construct a 17-unit farm workers residence, a use that is not permitted under the A-1 Zone. The A-1 Zone permits a maximum of one additional single family dwelling or one duplex on the site to accommodate farm help. The owner is seeking to rezone the site to a "Comprehensive Development (CD) Zone" to accommodate a 17-unit farm worker residence.
- The owner contends that in order to attract talented researchers and to ensure the proper management of diverse and simultaneous agricultural-based research projects an on-site living quarters is essential. In addition, the owner advises that much of the research will be sensitive, requiring constant or near-constant surveillance and the ability to respond to situations or research needs on a 24/7 basis. Only the people employed at the farm or invited to act as researchers on the various research projects would be housed in the proposed residence, and only for the duration of a particular research project. Projects range from a few weeks to many months, but since projects will overlap, the residence will be needed on a year-round basis.
- The residence is being designed by an architect and features 17 self-contained, residential units, each with either one or two bedrooms, a living area, and kitchen facilities. There is also a common area and laundry facilities. The building is 2 storeys in height and has a total floor area of 1,212 square metres (13,000 sq.ft). A site plan, and some conceptual floor plans and building elevations for the proposed residence are attached to this report (*Appendix II*). Detailed design drawings will be required to be completed prior to the final approval of this project.

### Justification for Proposed Rezoning

- The proposal is consistent with the OCP, as it will support agricultural uses.
- The City's Official Community Plan (OCP) identifies enhancing agricultural viability as a key objective of the City and sets out a variety of policies to achieve this objective. The proposed agricultural research facility is in keeping with this key objective and policy framework as it supports and encourages the growth of agri-industry and value added agricultural activities and provides employment in the agricultural sector. The proposed farm workers residence is an important and complementary element of the proposed agricultural research operations and will be occupied only by agricultural workers.
- The proposal is also in keeping with the City's Employment Lands Strategy as an employment generator on agricultural land.

### Proposed CD Zone and Housing Agreement

- The proposed CD By-law is identical to the A-1 Zone, including the same permitted uses and provisions, with the exception that a 17-unit residential building, for farm workers and researchers employed on the site only, is added as a permitted accessory use. The 17 residential dwellings will be regulated through a Housing Agreement with the City, which will ensure farm worker/researcher occupancy only. Council approval of a By-law is required to enable that Housing Agreement By-law to be entered into. Should Council choose to allow the proposal to proceed, staff would prepare the necessary Housing Agreement and associated By-law for Council's consideration prior to the Public Hearing.
- The second single family dwelling or duplex that would be permitted under the A-1 Zone for a site of this size (larger than 10 acres) has been deleted from the proposed CD By-law. As such, the proposed farm workers residence can be viewed as a replacement of the second single family dwelling or duplex that would have been permitted on the site under the existing A-1 Zoning. The proposed CD By-law will also limit the maximum residential floor area and building height of the farm workers residential building to 1,212 square metres (13,000 sq.ft.) and 2 storeys (9.0 metres/30 ft.) respectively, to prohibit any future additions to the currently proposed building. The CD By-law will also limit the number of dwelling units to 17 as currently proposed.

### Agricultural Advisory Committee and Agricultural Land Commission

- The application was presented to the Agricultural Advisory Committee (AAC) on September 3, 2009. At the meeting, the AAC requested that staff seek a legal opinion on whether the proposed farm research facility is a permitted agricultural use under the General Agriculture (A-1) Zone and also requested more details from the applicant regarding the nature of the proposed farm research facility. On this basis, the AAC deferred their decision on the proposal until after this information is received.

- Staff have obtained the requested legal opinion confirming that the proposed farm research facility is a permitted agricultural use under the A-1 Zone. In addition, the applicant has provided additional information regarding the nature of the proposal. The legal opinion and additional information will be provided to the AAC for a subsequent review at the October 1<sup>st</sup> AAC Meeting.
- Discussions with the Agricultural Land Commission (ALC) are still ongoing as to whether the proposed agricultural research facility and multiple unit farm workers residence are considered permitted farm use within the ALR. The ALC is assessing the scope of the use, and whether the residences are essential to the operation. Additionally, a review is being undertaken of other similar facilities in the Lower Mainland and Fraser Valley.
- Should Council allow the proposed rezoning by-law to proceed, staff would report back to Council on the recommendations of the AAC and the results of the discussions with the ALC prior to a Public Hearing being scheduled. Pending the outcome of ALC's decision, a Public Hearing may be held on October 19, 2009.

#### Department of Fisheries and Oceans and Fraser Health Approvals

- There are several yellow coded agricultural watercourses throughout the subject site. The applicant will be required to survey the watercourses and secure DFO approval for the siting of the building prior to a building permit being issued for the proposed farm workers residence. The applicant will also have to secure septic system approval from Fraser Health prior to building permit issuance.

#### PRE-NOTIFICATION

Pre-notification letters were sent on August 27, 2009 and staff received the following response:

- Staff received one phone call from a neighbouring resident who was concerned with the precedence that the subject proposal would set. The resident commented that currently only single family dwellings and duplexes are permitted on agricultural land and the subject proposal could open the door for multifamily buildings. The resident also questioned why it was necessary that all of the workers be housed on site as opposed to having them simply living in a nearby area.
- Staff also received a letter from another neighbouring resident who was also concerned about allowing a multiple residential building on agricultural land.

*(The A-1 Zone only permits one single family dwelling on lots smaller than 10 acres and an additional single family dwelling or duplex on lots 10 acres or larger. A rezoning process is required to accommodate additional residential units for farm workers accommodation and as such future proposal can be considered on the basis on their individual merits. In this case, the applicant requires 17 onsite accommodations to adequately manage an extensive farm research operation)*

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets and Survey Plan
- Appendix II. Proposed Site Plan, Building Elevations Landscape Plans and Perspective
- Appendix III. Engineering Summary
- Appendix IV. Owner's Letter Describing Proposal
- Appendix V. Proposed CD By-law

Jean Lamontagne  
General Manager  
Planning and Development

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                    Clarence Arychuk, Hunter Laird Engineering Ltd.  
                         Address:                    #300 - 65 Richmond Street  
                                                            New Westminster, BC  
                                                            V3L 5P5  
                         Tel:                                    604-525-4651

2.      Properties involved in the Application

(a)      Civic Address:                    18782 - 16 Avenue

(b)      Civic Address:                    18782 - 16 Avenue  
                         Owner:                                    SMK Investments Inc., Inc. No. BC0646482  
                         PID:                                        001-362-861  
                         Lot 2 Section 9 Township 7 New Westminster District Plan 6763

3.      Summary of Actions for City Clerk's Office

(a)      Introduce a By-law to rezone the property.

## DEVELOPMENT DATA SHEET

**Proposed Zoning: CD**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		34 acres (13.7 ha)
Road Widening area		
Undevelopable area		
Net Total		
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front	12.0 m	
Rear	12.0 m	
Side #1 (East)	13.5 m	
Side #2 (West)	13.5 m	
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	9.0 m	
Accessory	12.0 m	
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

**Development Data Sheet cont'd**

<b>Required Development Data</b>	<b>Minimum Required / Maximum Allowed</b>	<b>Proposed</b>
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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