

City of Surrey  
**ADDITIONAL PLANNING COMMENTS**

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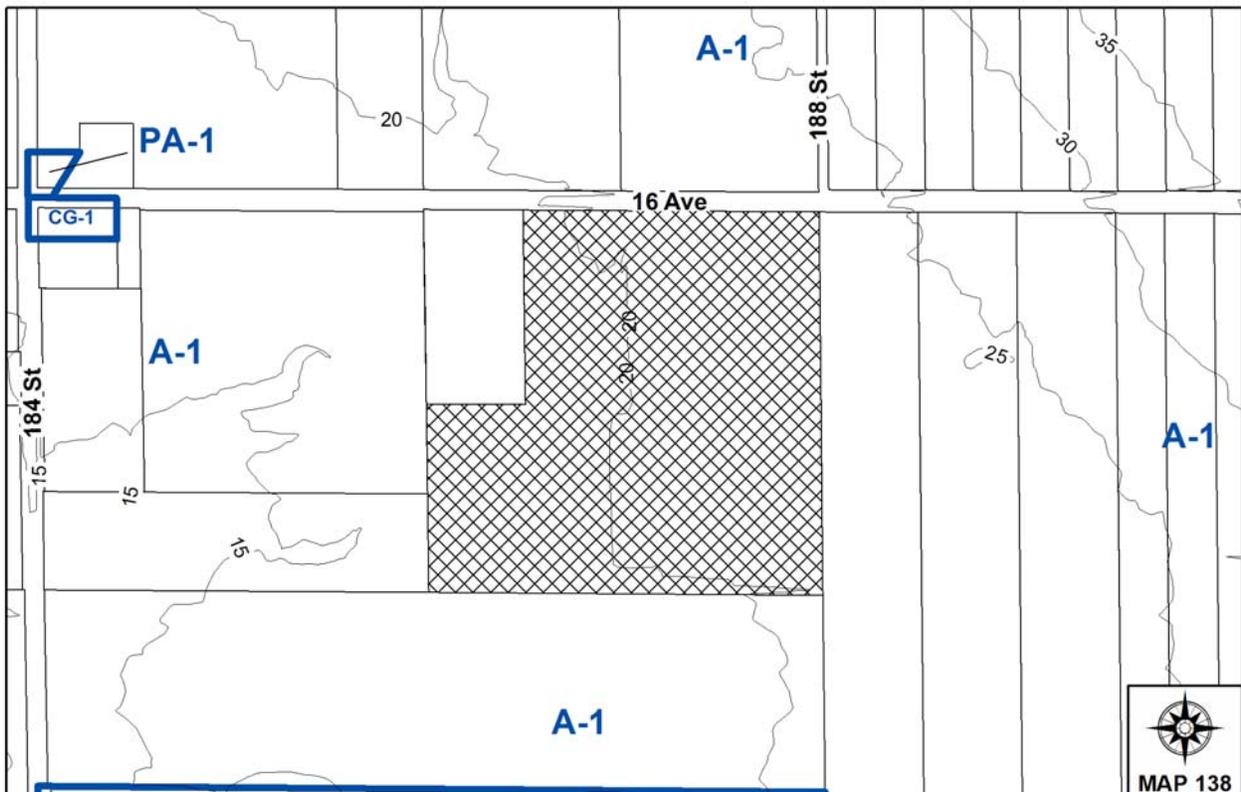
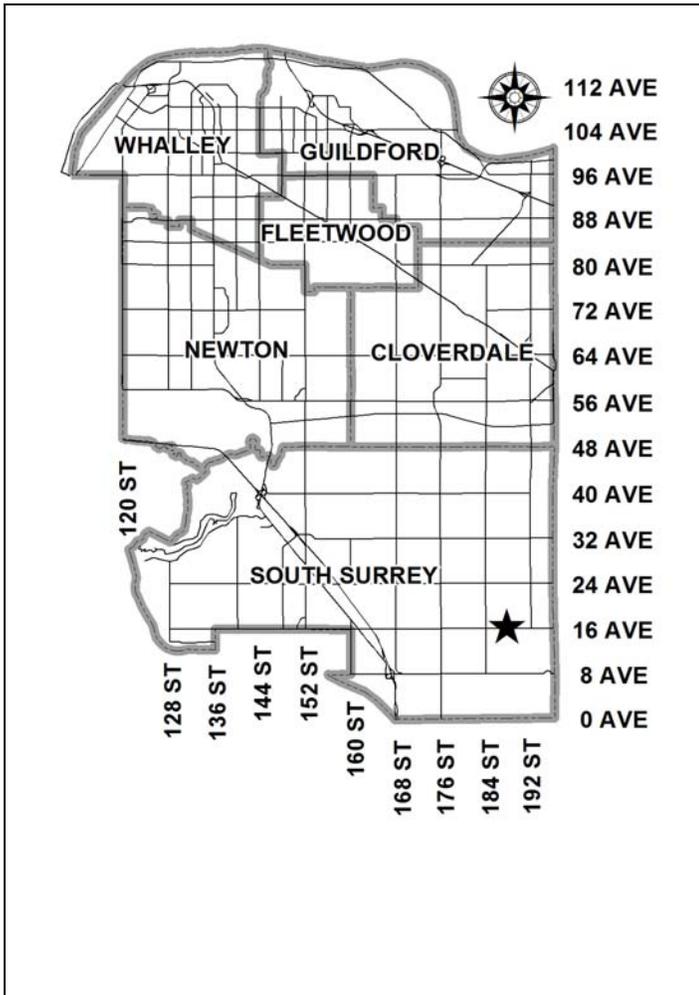
Planning Report Date: October 19, 2009

**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 Agricultural Land Reserve (ALR).

**LOCATION:** 18782 - 16 Avenue  
**OWNER:** SMK Investments Inc., Inc. No. BC0646482  
**ZONING:** "General Agriculture Zone (A-1)"  
**OCP DESIGNATION:** Agricultural  
**LAP DESIGNATION:** Agricultural



### RECOMMENDATION SUMMARY

- Council receive the attached letter from Kwantlen Polytechnic University as information (Appendix III).
- Council instruct staff to resolve the following additional issue prior to final adoption:
  - The applicant register a Section 219 Restrictive Covenant requiring that the proposed farm workers residence be sited in accordance with the attached site plan (Appendix II) and that any future primary residence constructed on the site be sited a maximum of 15 metres (50 ft.) from the farm workers residence and a minimum of 155 metres (500 ft.) from 16 Avenue.

### RATIONALE OF RECOMMENDATION

- At the request of AAC, staff have evaluated the proposal by SMK based on the standards for farm worker housing developed by the Ministry of Agriculture and Lands and determined that a restrictive covenant is needed. The proposed Restrictive Covenant will ensure that the proposed farm worker residence is sited in accordance with the attached site plan (Appendix II) and ensure that buildings are clustered on the site thereby reducing the impact on agricultural land.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Council receive the attached letter from Kwantlen Polytechnic University as information (Appendix III).
2. Council instruct staff to resolve the following additional issue prior to final adoption:
  - (a) registration of a Section 219 Restrictive Covenant requiring that the proposed farm worker residence be sited in accordance with the attached site plan (Appendix II) and that any future primary residence constructed on the site be sited a maximum of 15 metres (50 ft.) from the farm workers residence and a minimum of 155 metres (500 ft.) from 16 Avenue.

## ADDITIONAL PLANNING COMMENTS

### Background

- At the September 14, 2009 Regular Council – Land Use Meeting, Council considered a proposal by SMK Investments Inc. (SMK) to rezone the property at 18782 – 16 Avenue from “General Agricultural Zone (A-1)” to a “Comprehensive Development Zone (CD)” to permit development of a farm-based research facility and a 17- unit farm workers residence.
- In the Planning Report for the subject proposal, staff indicated that the Agricultural Advisory Committee (AAC) had requested additional information regarding the subject proposal, and that discussions with the Agricultural Land Commission (ALC) were still ongoing as to whether the proposed agricultural research facility and multiple unit farm workers residence were considered permitted farm uses within the ALR. Staff confirmed that 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 discussions with the ALC, prior to the Public Hearing.
- After considering the Planning Report, Council granted first and second reading to the proposed Rezoning By-law (No. 17016) and scheduled a Public Hearing for October 19, 2009.
- At the October 5, 2009 Regular Council – Land Use Meeting, staff presented Council with the results of further discussions with the ALC regarding whether the proposed agricultural research facility and multiple unit farm workers residence are considered permitted farm uses within the ALR. It was confirmed that although the proposed farm research facility is not a farm use, it is a permitted land use in the ALR, since the proposed buildings and structures intended to be used for research do not exceed 100 square metres (1,076 sq.ft.). In addition, it was confirmed that since those intended to be housed in the proposed 17-unit residence will be directly involved in the growing of the crops, the proposed residence can be considered to be necessary for farm use and, as such, an application to the ALC for a non-farm uses is not required.
- Based on the clarifications from the ALC, the proposed CD By-law was amended by adding “farm research, provided that the area occupied by buildings and structures used or intended to be used for research does not exceed 100 square metres (1,076 sq.ft.)” as an additional permitted use. The Public Hearing for the amended CD By-law was scheduled for October 19, 2009.

### AAC Review

- On October 8, 2009, staff presented the up-to-date proposal to the Agricultural Advisory Committee (AAC). The AAC decided that a copy of the “Temporary Farm Worker Housing (TFWH) Standards”, issued by the Ministry of Agriculture and Lands, be forwarded to the Planning and Development Department so that the SMK development can work within those standards.
- Staff have reviewed the Ministry of Agriculture and Lands “Temporary Farm Worker Housing (TFWH) Standards”. The standards were developed as guidelines for local governments to provide a basis for establishing land use policy or regulations related to housing temporary migrant farm workers enrolled in a federal program on production farms.
- The proposal by SMK is to construct a permanent building to house highly skilled specialist farm workers who will grow specialty crops for research purposes and as such the TFWH standards are not totally applicable to the SMK development. However, certain standards developed to ensure proper site location, appropriate building size/siting, and assurance of farm worker occupancy, are applicable and as such staff has evaluated the SMK proposal on the basis of these applicable standards:

### Temporary Farm Worker Housing (TFWH) Standards

- The standards suggest that farm worker housing only be located on lots that are classified as ‘farms’ under the BC Assessment Act and are a minimum of 4 hectares (10 acres) in size. The subject site is classified as a farm under the BC Assessment Act and is 13.8 hectares (34 acres) in size.
- For greenhouse operations, the standards suggest a maximum useable floor area per worker of 10 square metres (100 sq.ft.). The residential units proposed by SMK are approximately 36 square metres (400 sq.ft.) in size. The standards are based on the assumption that farm workers accommodations only provide cooking, sanitary and sleeping facilities whereas the units proposed by SMK also include a living area. This is to provide a greater level of comfort, which will help attract the specialist farm workers necessary to make the farm research efforts successful.
- For greenhouse operations, the standards suggest a maximum of 1 worker per 1000 square metres (11,000 sq.ft.) of farm building floor area to a maximum of 130 workers per farm. The total combined floor area of the 2 greenhouses on the subject site is 46,136 square metres (500,000 sq.ft.) and therefore the standards would permit a total of 46 workers. The proposal by SMK is only to house 17 specialist farm workers on the site.
- The standards suggest that farm worker housing be constructed on a home plate or, if local government does not use the home plate in their bylaws, be sited a maximum of 15 metres (50 ft.) from any primary residence on the lot and 60 metres (200 ft.) from an existing road. There is no primary residence on the subject site and the proposed farm worker residence is currently proposed to be setback 155 metres (500 ft.) from 16 Avenue. Although the siting of the farm workers residence does not meet the standards, the intent is to locate the farm workers residence in a central location to the green house operations and to cluster the farm workers residence around the pole barn and workshop which are already under construction thereby optimizing the

- remaining land for farming. Staff recommend that a Restrictive Covenant be registered on title prior to final adoption of the rezoning Bylaw requiring that the proposed farm worker residence be sited in accordance with the attached site plan (Appendix II) and that any future primary residence constructed on the site be sited a maximum of 15 metres (50 ft.) from the farm workers residence and a minimum of 155 metres (500 ft.) from 16 Avenue. This will ensure the buildings are clustered thereby reducing the impact on agricultural land.
- The standards suggest that a statutory declaration be filed with the local government and a restrictive covenant be registered on title stating that the farm worker housing will only be used for farm workers. As a condition of final adoption of the rezoning Bylaw, the owner is required to enter into a housing agreement with the City to limit the occupancy of the residence to farm workers only.
  - The standards suggest that the farm worker housing should only be built on land owned by the applicant which is the case in the subject proposal by SMK.
  - The standards suggest that indoor and outdoor amenity space for farm workers be minimized. The proposed farm residence by SMK includes a small 93 square metre (1,000 sq.ft.) common area but no additional indoor or outdoor amenity space.
- Based on the above evaluation, staff recommends the following requirement be added to the list of conditions for final adoption of the rezoning By-law:
    - The applicant register a Section 219 Restrictive Covenant requiring that the proposed farm worker residence be sited in accordance with the attached site plan (Appendix II) and any future primary residence constructed on the site be sited a maximum of 15 metres (50 ft.) from the farm workers residence and a minimum of 155 metres (500 ft.) from 16 Avenue.

#### Letter from Kwantlen Polytechnic University

- The owner has submitted a copy of a letter from the Institute for Sustainable Horticulture at Kwantlen Polytechnic University documenting the potential for a collaborative research partnership. A copy of this letter is attached in Appendix III.

#### 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 Site Plan, Floor Plans and Building Elevations
Appendix III.	Letter from Kwantlen Polytechnic University

Jean Lamontagne  
General Manager  
Planning and Development



## DEVELOPMENT DATA SHEET

Proposed Zoning: CD

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

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

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
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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