



Agricultural and Food Policy Committee Minutes

Meeting Room 125A and 125B
Surrey Operations Centre
(Works Yard)
6651 148 St
Surrey, B.C.
TUESDAY, APRIL 4, 2023
Time: 6:00 p.m.

Present:

Councillor Bose, Chair
D. Bondar
H. Dhillon
P. Harrison
S. Keulen
S. Rai
M. Schutzbank
R. Sihota
R. Tamis
R. Vanderende

Absent:

Councillor Bains, Vice Chair
R. Brar

Staff Present:

D. Luymes, General Manager, Planning & Development
M. Kischnick, Senior Planner
M. Jorgensen, Planner
J. Kew, Planner
A. Theobald, Planner
L. Blake, Assistant City Clerk
S. Meng, Administrative Assistant

R. Vanderende joined the meeting at 6:03 p.m.

A. ADOPTIONS**1. Adoption of the Agenda**

It was

Moved by H. Dhillon
Seconded by P. Harrison
That the agenda of the Agricultural and Food
Policy Committee meeting of April 4, 2023, be adopted.
Carried

2. Adoption of the Minutes – March 7, 2023

It was

Moved by R. Vanderende
Seconded by R. Sihota
That the minutes of the Agricultural and
Food Policy Committee meeting held March 7, 2023, be adopted.
Carried

B. DELEGATIONS

This section had no items to consider.

C. OUTSTANDING BUSINESS**1. Annual Workplan Draft**

It was Moved by S. Van Keulen
Seconded by P. Harrison
That the Agricultural and Food Policy
Committee support the Annual Workplan as presented.
Carried

D. NEW BUSINESS**1. Development Application 7920-0229-00**

Misty Jorgensen, Planner
Address: 5580 – 172 Street

Misty Jorgensen, Planner, summarized the report dated March 24, 2023, regarding Development Application No. 7920-0229-00 which proposes to exclude the southerly portion of the subject property located at 5580 172 Street, an approximately 3.6 hectare (8.9 acre) portion of the site fronting an unopened road and BC Hydro/Southern Railway of British Columbia (SRBC) corridor from the Agricultural Land Reserve (ALR). The following information was highlighted:

- The property is designated “Agricultural” and “Industrial” in the Official Community Plan (OCP) as well as “Agricultural Land Reserve (ALR)”, “Industrial/Business Park” and “Riparian Buffer” in the Cloverdale Town Centre Plan. The subject property is currently split-zoned “General Agricultural Zone (A-1)” and “Light Impact Industrial Zone (IL)”.
- The proposal to exclude a portion of the subject site from the ALR does not comply with the specific objectives in the OCP in terms of preserving farmland. However, staff noted the following conditions are unique to the subject property and surrounding area:
 - Due to the past widening of 56 Avenue (No. 10 Highway), the Southern Railway of British Columbia (SRBC), which formerly ran parallel to 56 Avenue, was realigned to the south. This resulted in the expropriation of land from the subject site as well as creation of a less efficient farm site;
 - The subject property is bounded to the entire southwest by the presence of a BC Hydro corridor, the SRBC and the future road dedication of 54A Avenue, hence a suitable and significant buffer to the ALR is present;
 - The future road and portions of the SRBC, delineate between existing agricultural practices to the south and west and potential future industrial and business park uses on the site;

- The future road is expected to continue further east (from 172 Street to 184 Street) and provide alternate access for future industrial and business park uses; and
- The northern portion of the subject site is currently designated “Industrial” in the OCP, is located outside the ALR and is expected to redevelop for light impact industrial uses.

R. Tamis joined the meeting at 6:13 p.m.

In response to questions from the Committee, Ms. Jorgensen and Markus Kischnick, Senior Planner, provided the following information:

- OCP amendments involving the removal of agricultural land include a Community Amenity Contribution charge that is 75% of the land lift value for capital projects.
- The City has an agricultural industrial zone that is rarely used. A CD zone accompanied by a development zone for agricultural industrial uses can be proposed at any location.
- The right-of-way to the railway is approximately 40 metres from 172 Street.

The Committee provided the following comments:

- Between 2004 to 2006, Highway 10 was approved to be widened and the railway was relocated. It was proposed that mitigation for the subject site would include agricultural upgrades such as drainage improvements; however, these mitigation efforts did not occur. The subject site is still owned by the same family.
- The proposed agricultural buffer provided does not benefit 54 Avenue and the railway buffers seems greater than 30 metres. An additional buffer that would be required if the property was rezoned to Industrial would not benefit the parcel to the west.
- The site is currently being actively farmed and is growing corn. In addition, there are awkwardly shaped farms throughout the city. It would not seem to be beneficial to reduce the scale of the site from conventional commercial farming to community garden plots.
- This application was originally considered by the Committee in the early 2000s to review issues related to the railway. At that time, the Committee expressed concerns regarding the proposed boundary; however, it was understood that the eventually better access would be provided for adjacent industrial properties.
- If the site is removed from the ALR, it should still be used for agriculture-related uses, such as agricultural industrial uses so there is a net benefit to agriculture and compensation would be justifiable.

- Agriculture industrial zone would drive more revenue from tax purposes and be beneficial in agriculture perspective.
- Staff could review zoning and registered covenants that are used in other cities.

S. Rai joined the meeting at 6:21 p.m.

M. Schutzbank joined the meeting at 6:23 p.m.

It was

Moved by S. Van Keulen

Seconded by R. Sihota

That the Agricultural and Food Policy

Committee recommend that Council support advancing the Agricultural Land Reserve (ALR) exclusion application to the Agricultural Land Commission (ALC), providing the uses in the portion of the site excluded from the ALR be limited to agro-industrial uses through an appropriate zone and restrictive covenant, in addition to the compensation being proposed by the applicant for Development Application 7920-0229-00.

Carried with M. Schutzbank opposed

2. Development Application 7922-0323-00

Jonathan Kew, Planner

Address: 14571 - 44 Avenue

H. Dhillon declared a conflict of interest and left the meeting at 6:43 p.m.

Jonathan Kew, Planner, summarized the report dated March 24, 2023, regarding Development Application No. 7922-0323-00 which proposes to re-issue a lapsed Sensitive Ecosystem Development Permit (SEDP) and Development Variance Permit (DVP) to increase the maximum depth of a dwelling and residential home plate to permit construction of the property's farm residence located at 14571 44 Avenue. The following information was highlighted:

- The previously issued Development Variance Permit (DVP) lapsed due to the deadline to commence construction. The applicant has submitted a new DVP application, with a revised site plan.
- There are challenges related to accessing the site from an unopened portion of 44 Avenue from southern portion of property. It is not possible to provide access from King George Boulevard and there are currently no plans to construct 44 Avenue.

In response to questions from the Committee, Mr. Kew provided the following information:

- The applicant did proceed to get their fill permit and did preload related to the initial application; however, it is not clear why the applicant did not move forward with the project. The building plan and envelope has changed previously. The location is similar however the design of the house has changed and could have contributed to the delay.

The Committee did not express concerns regarding the proposed siting for the house.

It was

Moved by S. Van Keulen

Seconded by M. Schutzbank

That the Agricultural and Food Policy

Committee recommend that the General Manager of Planning and Development support Development Application 7922-0323-00.

Carried by members remaining

H. Dhillon rejoined the meeting at 6:49 p.m.

3. Development Application 7922-0340-00

Jonathan Kew, Planner

Address: 16507 - 40 Avenue

Jonathan Kew, Planner, summarized the report dated March 24, 2023, regarding Development Application No. 7922-0340-00 which proposes a Development Variance Permit (DVP) to reduce the minimum front yard for a barn and barn addition to permit construction on the subject property located at 16507 40 Avenue.

The following information was highlighted:

- The applicant is proposing to authorize an addition to the existing barn and to construct a new farm tools storage building. Building permits for both additions have been received by the City but are on hold until the subject Development Variance Permit (DVP) has been issued and the encroachments beyond the varied front yard setback are demolished.
- The applicant has advised that they intend to resume agricultural uses on the property once building is constructed and authorized in order to provide sufficient room for operational equipment. The existing structure is insufficient and mostly utilized to store fertilizer and manure.

In response to questions from the Committee, Mr. Kew and Markus Kischnick, Senior Planner, provided the following information:

- The applicant wants to move the farm closer to the front property line.

- The application meets the Agricultural Land Commission (ALC) guidelines from the building envelope to the ditch. The City would require the applicant to meet the required watercourse variance from top of watercourse of at least 15 metres. The setback reflects the total from the building face to the ditch beyond the property line.
- The lot is 1.98 acres.
- A 10 metre setback from the property line is required for a storage building.
- The applicant requires a large structure for storing farming tools. It has historically been farmed with blueberries, but the assessment has lapsed.

The Committee noted the following comments:

- The structure was previously a shop that was operated by Mud Bay Drilling so there was no farm use.
- The proposed setback is less than required top-of-bank setback and there are environmental considerations for the setback. The applicant is likely in excess of the total land disturbance allowance and may be trying to build within the existing land disturbance in order to disturb less farmland. If the application was denied, the applicant could be permitted to construct a building behind the house, resulting in the loss of more farmland. In addition, the proposal would clean up the front of the site.
- The structure is pre-existing and non-conforming.

It was

Moved by S. Van Keulen

Seconded by M. Schutzbank

That the Agricultural and Food Policy

Committee recommend that the General Manager of Planning and Development support Development Application 7922-0340-00.

Carried

4. **Development Application 7922-0374-00**

Jonathan Kew, Planner

Address: 18010 - 40 Avenue

Jonathan Kew, Planner, summarized the report dated March 24, 2023, regarding Development Application No. 7922-0374-00 which proposes a Development Variance Permit (DVP) to reduce the minimum flanking yard setback (west) for a farm building (barn) from 30 metres to 15 metres and a Sensitive Ecosystem Development Permit (SEDP) renewal to construct a farm residence on the property located at 18010 40 Avenue. The following information was highlighted:

- The subject site's farmland classification under the BC Assessment Act lapsed in 2021. Historically, the property has been farmed and 0.9 hectares of the property's total area have been historically tilled.

- The proposal includes shifting fill towards southwest portion of site. Engineering has confirmed there is no unauthorized addition of offsite fill onto the property that was not permitted under previously fill permit.
- The applicant has advised that they are moving the farm further into the property to conform with the 30 metre setback and limit the amount of airable area in the area. The proposed barn footprint of 961.4 square metres falls under the 1,000 square metres of soil disturbance for agricultural buildings before an Agricultural Land Commission (ALC) Notice of Intent application is required.
- The flanking side yard setback is higher than the standard side yard setback to provide a buffer for potential conflicts between an active road and private property. In this case, the surrounding area is within the Agricultural Land Reserve (ALR) and agricultural in use, and the road is separated from the property by a channelized stream.

In response to questions from the Committee, Mr. Kew provided the following information:

- It is not clear what the usage of the barn would be at this point. Staff can investigate to see if the ALC soil disturbance for the site has been met or exceeded.
- Neighbours have not expressed concerns at this point. Notice has been sent out no comments have been received to date.

The Committee noted the following comments:

- Setback for the side yard of barns is meant to address cross contamination issues. The proposal exceeds the setback requirements, and as there is a street adjacent to the side yard, there are no concerns related to cross contamination.

There is a net agricultural benefit for the proposal. The applicant is allowed a thousand square metres of soil disturbance, and a farm road cannot be constructed without ALC approval.

- The applicant has a permit for the fill onsite.
- The applicant would be required to make \$2500 farm gate sales in order to be eligible for agricultural their tax status. The site is a hobby farm and does not contribute much value to agriculture.

It was

Moved by M. Schutzbank

Seconded by S. Van Keulen

That the Agricultural and Food Policy

Committee recommend that the General Manager of Planning and Development support Development Application 7922-0374-00.

Carried

5. Development Application 7921-0280-00

Alissa Theobald, Planner

Address: 16145 - 48 Avenue

R. Sihota declared a conflict of interest and left the meeting at 7:13 p.m.

Alissa Theobald, Planner, summarized the report dated March 27, 2023, regarding Development Application No. 7921-0280-00 regarding a proposed rezoning from A-1 to CD (based on A-1), Non-Adhering Residential Use (NARU), and Sensitive Ecosystem Development Permit (SEDP) for the property located at 16145 48 Avenue. The following information was highlighted:

- The subject site is 18.2 hectares and is designated Agricultural in the Official Community Plan (OCP) zone and located within the Agricultural Land Reserve (ALR). Subject site has three existing dwelling used for onsite farm operations. The first two are inhabited by the family that own and operate the farming business. The third is used for farm worker accommodation. The subject site currently has a farm residential footprint of approximately 9041 square metres.
- The property owners are proposing to build a new single-family dwelling on the subject site that will be 542 square metres in floor area. One of the existing dwellings will be demolished prior to the construction of the proposed dwelling. This new dwelling will then act as the third dwelling on the subject site.
- The proposed “Comprehensive Development Zone (CD)” would differ from the A-1 Zone in that it will:
 - Permit three dwellings on site, including the existing dwelling, the existing farm worker’s residence, and the proposed new dwelling.
 - Allow a maximum farm residential footprint area greater than 2000 square metres.
- The request for the third dwelling would require a non-adhering residential use application with the Agriculture Land Commission (ALC) as it is not a permitted residential use under ALC policies.
- The applicant has confirmed that the farm residential footprint for all residences is proposed to be approximately 9,277 square metres. The applicant informs staff that the area where the dwelling is to be demolished will be reverted for agriculture use. It will be used as a trial parcel to assess the adaptability of various crops to environmental and weather conditions, and the feasibility of larger scale production. This area will be approximately 1,939.50 square metres.

- The applicants have advised that they are the owners and operators of the farm practices on the subject site. The farm business is family operated and all families involved in the operation live on the subject site. The families live within two of the existing single-family dwellings on the subject site. The dwelling that is proposed for demolition is old and too small for the growing families. The proposed new dwelling will allow them to remain living on the farm as the families grow. Due to lot consolidation that occurred in 2009, from two lots to one lot, the existing farm residential footprint is already greater than 2000 square metres.

In response to questions from the Committee, Ms. Theobald, Markus Kischnick, Senior Planner and Don Luymes, General Manager, Planning & Development, provided the following information:

- The past application was similar to the current proposal; however, as this is a new Committee, staff agreed to bring the application forward for consideration.
- The proposed dwelling is 542 square metres.
- With three dwellings on site, the fill on site is significant.
- The proposal would result in a loss of approximately 236 square feet of land due to the larger home plate.
- The difference between a CD zone and an A-1 zone is the number of homes permitted and the overall farm residential footprint. A CD zone only allowed for one home and Agricultural Land Commission (ALC) legislation changes based on house size.
- The site could specify text amendment keeping A-1 zone to allow for three homes in excess of residential homes instead of having a CD zoning.
- The front of the house by the hatch fencing will be created as a setback.

The Committee noted the following comments:

- The property owners are a family of prime farmers who have contributed a lot to the industry.
- The three houses that exist were previously on two separate properties and were already conforming. The property owners amalgamated the property with the small house that is proposed for demolition and will reclaim the existing house as is. Thus, there is no loss of agricultural land.
- The family consolidated the lots in 2009 due to the location of the barns and the addition of parcel taxes.

It was

Moved by M. Schutzbank
Seconded by S. Van Keulen

That the Agricultural and Food Policy

Committee recommend that the General Manager of Planning and Development support Development Application 7921-0280-00.

Carried by members remaining

R. Sihota rejoined the meeting at 7:40 p.m.

E. CORRESPONDENCE

This section had no items to consider.

F. INFORMATION ITEMS

This section had no items to consider.

G. OTHER BUSINESS

1. April 28 Agricultural Farm Tour with Provincial MLAs

Councillor Bose, Chair, advised that an Agricultural Farm Tour has been arranged for April 28, 2023, in response to a request from local MLAs. The tour will demonstrate the extent of agriculture in Surrey, as there is a disconnect between what people think farming is and what farming has become.

All Committee members were requested to participate in the tour. R. Vanderende advised that a tour of Burnaby Lake Greenhouse could be arranged for the MLAs.

2. Delegation Request

Councillor Bose advised that Trendy has requested to provide a presentation to the Committee regarding their food rescue operation.

It was

Moved by M. Schutzbank
Seconded by P. Harrison

That the Agricultural and Food Policy

Committee approve the company Trendy to appear before the committee as a delegation in May or June.

Carried

H. NEXT MEETING

The next meeting of the Agriculture and Food Policy Committee is scheduled for Tuesday, May 2, 2023 with proposed location in Meeting Room 125 A and B at Surrey Operations Centre.

I. ADJOURNMENT

The Agricultural and Food Policy Committee meeting adjourned at 7:53 p.m.

Jennifer Ficocelli, City Clerk

Councillor Bose, Chairperson