

Agriculture and Food Security Advisory Committee Minutes

2E - Community Room B
City Hall
13450 - 104 Avenue
Surrey, B.C.
THURSDAY, APRIL 6, 2017
Time: 9:06 a.m.
File: 0540-20

Present:

Councillor Starchuk, Chair
M. Bose, Vice-Chair
B. Sandhu
H. Dhillon
J. Sandhar
J. Zelazny
M. Hilmer
P. Harrison
S. VanKeulen

Agency Representative:

D. Geesing
T. Pellett

Regrets:

G. Hahn
D. Arnold

Staff Present:

C. Stewart, Planning & Development
M. Kischnick, Planning & Development
R. Dube, Engineering
T. Mueller, Legislative Services

The Vice-Chair called the meeting to order at 9:06 a.m.

A. ADOPTION OF MINUTES

1. The committee is requested to pass a motion adopting the minutes of March 2, 2017.

It was

Moved by P. Harrison

Seconded by M. Hilmer

That the minutes of the Agriculture and Food Security Advisory Committee meeting held March 2, 2017, be adopted as presented.

Carried

B. DELEGATIONS

C. OUTSTANDING BUSINESS

D. NEW BUSINESS

1. **Proposed Exclusion from the ALR for two contiguous lots**
Adam Rossi, Planning Technician
File: 6800-75; 7917-0027-00

Staff provided the following comments:

- The subject properties are located at 7160 – 152 Street and 7180 – 152 Street and taken together are approximately 0.56 (1.4 acres) hectares in size.

- The properties are designated "Agricultural" in the Official Community Plan (OCP), zoned "General Agricultural Zone (A-1)" and located within the Agricultural Land Reserve (ALR). The subject sites are not classified as farmland under the *Assessment Act*.
 - The subject lots are part of a contiguous section of the ALR boundary between 69 Avenue and 76 Avenue, along 152 Street. The ALR surrounds the properties to the north, east, and south.
 - The applicant indicated that there is minimal history of a farm activity on these lots and they are currently being used for residential purposes. The applicant is requesting to have the two subject properties removed from the ALR, but to leave the Agricultural land use designation and A-1 zone in place.
 - Staff noted that at this time there is no alternative land use proposed, land offset has not been proposed for this application and there has been no inclusion elsewhere for the ALR.
 - City of Surrey Policy O-51 - Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve; was adopted by Council on May 17, 2004 (Res. R04-1316); and supports the establishment of criteria to be used in the evaluation of applications for exclusion of land from the Agricultural Land Reserve (ALR). Staff clarified that the intention of the policy is not directed at lending support to, or encouraging ALR exclusions, but rather, the policy focuses on maintaining the City's practice of protecting agricultural lands for agricultural purposes consistent with the Official Community Plan (OCP).
 - Staff noted that the application before the Committee, should be evaluated under Section 4 of City Policy O-51 and that there are seven specific criteria for exclusion consideration as follows:
 1. Soil Capability;
 2. Proposed Use;
 3. Alternative Site for the Proposed Use;
 4. Location of the Site;
 5. Roads and Services;
 6. Interface Buffering; and
 7. Impacts on Adjacent Agricultural Activities.
- Staff noted that with respect to Policy O-51, Section 4; Item 3 - Alternative Site for the Proposed Use; at this stage, they are unable to comment on what is proposed or whether it can be suitably accommodated elsewhere.
- The Applicant's rationale; as summarized in the Planning Report notes that due to the small lot sizes the subject area is not conducive for farming.
 - Under Section 23(1) of the ALC Act, the restrictions on use of agricultural land in the ALR do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the Land Registry Act, R.S.B.C. 1960, c. 208, less than 2 acres in area. As per the regulation, the subject

properties are exempt from the restrictions on uses in the ALR. The applicants have provided documentation supporting their claim which has been found acceptable by Planning Staff. However, the use of the land is still regulated by Surrey's A-1 Zone.

- In terms of Application No. 7917-0027-00, the land use has been proposed to remain the same but if it is formally removed from the Agriculture Land Reserve (ALR) it could feasibly open up the discussion as to what the City wishes to do in this area.

The Committee provided the following comments:

- The Committee asked if it was common for an application to come forward without a particular project associated with the lands. Staff noted that it happens; however, Planning Staff typically want to know what is going on before it goes forward for Committee review and approval.
- The Committee noted that there is no Development Variance Permit (DVP) and therefore the application is not supported to just grant the exclusion and that without knowing what is proposed, there is no way to know how the neighbouring property would be impacted.
- In response to a question from the Committee, staff clarified that in order for the applicant to do anything on the site other than what is permitted in the zone would have to go through a land use rezoning process.
- The Committee asked for clarification as to whether the property was being purchased for residential use only; staff noted that in its current state it has been primarily residential;
- Staff clarified that the intent of the proposal is to remove the subject site from the ALR with the intent that the lands use would be dealt with in the future.
- The Vice-Chair noted that 152 Street is a defensible boundary and the lots are small with only marginal agricultural activity. The Committee endorsing the request for exclusion could breed expectations; and, without a proposed use it is difficult to gauge what the potential impact on neighbouring properties will be.

It was

Moved by S. VanKeulen

Seconded by P. Harrison

That the Agriculture and Food Security

Advisory Committee recommend to the General Manager of Planning and Development that Application No. 7917-0027-00 not be forwarded to the Agriculture Land Commission (ALC) due to concerns raised by members of the Committee and because there is no proposed use for the site; therefore, the potential impact on neighbouring properties cannot be adequately assessed.

Carried

2. Proposed Increase in Farm Residential Footprint

Adam Rossi, Planning Technician

File: 6880-75; 7916-0691-00

Staff provided the following comments:

- The subject property is located at 14230 Rio Place and is approximately 2 hectares (5 acres) in size. The property is designated "Agricultural" in the Official Community Plan (OCP), zoned "General Agricultural Zone (A-1)" and located within the Agricultural Land Reserve (ALR). The subject site is not classified as farmland under the *Assessment Act* and is located within the Flood Prone Hazard Land Development Permit Area and the Sensitive Ecosystem Development Permit Area.
- The applicant is requesting a Development Variance Permit to increase the residential farm home plate of the A-1 Zone from 0.2 hectares (0.5 acres) to 0.26 hectares (0.64 acres) in order to construct a new single family dwelling and an accessory building. The proposed lot coverage for the principle building is 1,094 square metres (11,772 square feet) and 76 square metres (818 square feet) for the accessory building.
- The applicant indicates that there has been no history of farm activities on this lot in the past and that the site has been used primarily for residential purposes. The property contains a non-conforming farm residential footprint of approximately 5,413 square metres (1.34 acres) which includes a single family dwelling, an outdoor pool, landscaping, and driveways and walkways.
- Staff noted that the Applicants are looking to extend the farm home plate and to construct new buildings over the area where the current dwelling and driveways are located.
- When the house was originally built, the west was built for flood proofing purposes. A man made pond was dredged; there is a non-conforming residential footprint of approximately 5,413 square metres (1.34 acres).
- In July 1976 a building permit was issued for the structure and an unidentified amount of fill was used to construct a residential building footprint.
- In January 1991, applications by a previous property owner were made to the City and the ALC to permit the placement of fill in the north and south side yards and to infill a ditch at the base of the dyke to the west of the house. The total lot coverage in the fill placement request was 3,716 square metres (0.92 acres). On March 25 1991, Council granted approval (Res. 91-1307) for fill placement.
- Staff noted that the current Applicants are looking to build a new single family dwelling and that they will remediate the site to remove landscaping features; however, there is still the historical, unidentified fill located directly underneath the subject site.

- Staff clarified that the Agriculture Land Commission (ALC) policy on fill has been resolved, they issued a permit, the fill is in place; however, by varying the zoning bylaw farm residential footprint requirements, it will impact neighbouring properties as the lands develop.
- Staff clarified that the existing house will be demolished and that the Applicant proposes to construct the new buildings over the area where the current dwelling and driveways are located on existing areas of approved fill. Therefore, a non-farm use application for the placement of fill is not required from the ALC.
- In locations where the land is below flood construction level, the applicants have indicated that they will use Styrofoam blocks and relocated soil from the existing home plate.
- The foundations will be on piles and anywhere needed to rise will be on Styrofoam block. No new fill will be brought to site.
- It was noted that the application before the Committee has no connection or benefit to agriculture.

The Committee provided the following comments:

- The Vice-Chair asked the Applicant (who was in attendance) for clarification regarding the water use for irrigation, and the Applicant noted that they are using City potable water for irrigation of landscaping on the site.
- In response to a question from the Committee, staff clarified the Applicants have hired an architectural firm for the project and that the firm has engaged a qualified environmental professional to review the pond located on the site and prepare a report. The report noted that the existing pond provides important wetland habitat and should be retained on the property.
- The Committee asked for clarification regarding how the house will be raised above flood plain and how the fill will be compensated. Staff noted that they do not have the final geo technical report at this time, and will require a Hazard Land Development Permit for Flood Protection as part of development.
- The Committee noted that the geodetic height of the site is important and should be carefully considered. Engineering staff clarified that they would not permit any more fill on the site in terms of extending the farm home plate which is why Styrofoam blocks have been proposed; the existing grade of the lot is at 3 metres.
- The Committee expressed concern in terms of flooding and whether or not flood protection measures have been taken into consideration; staff noted that they only base permits on current construction level and existing provincial guidelines.

- The Vice-Chair noted that the decision is problematic. It is pre-existing under permits, has been done by the book, have changed the zoning regulations, and now it is pre-existing non-conforming use.
- The Committee noted that work conducted on the site has been done in accordance with past policy and that although the pond does not fit the new farm residential footprint regulations staff was asked to work with the Applicant and stipulate that no additional fill can be used and that the general side grades not be increased anywhere.
- The Committee requested clarification on the zoning requirements for farm residential footprint and staff noted that the existing house is 8,000 square feet including the basement and the proposal is for double the size, and in order to be constructed, requires a variance to the Zoning Bylaw standards for Farm Residential footprint to ensure artificial pond and driveways are accounted for.

It was

Moved by H. Dhillon

Seconded by B. Sandhu

That the Agriculture and Food Security

Advisory Committee recommends that the General Manager of Planning and Development support the proposed Development Variance Permit Application No. 7916-0691-00 to increase in Farm Residential Footprint; under the caveat that no additional fill be brought in; and that the new building footprint does not exceed the existing approved fill plate.

Carried

3. **Development Permit for Farm Protection**

Heather Kamitakahara, Planner

File: 6880-75; 7915-0352-00

Staff provided the following comments:

- The subject property is a 22.6 hectares (55.8 acre) parcel located at 17190 - 32 Avenue in North Grandview Heights. The site is designated "Suburban" in the Official Community Plan (OCP) and "Proposed One Acre Residential Gross Density (RA-G)" in the North Grandview Heights Neighbourhood Concept Plan (NCP).
- The Applicant is proposing an amendment to the North Grandview Heights NCP to amend the land use designation from "Proposed One Acre Residential Gross Density (RA-G)" to "Single Detached"; rezoning from RA to CD; a subdivision to create 126 suburban single family residential lots; a Hazard Lands Development Permit for steep slopes; a Sensitive Ecosystems Development Permit for streamside and green infrastructure area protection; and a Farm Protection Development Permit.

The Agent (on behalf of the Applicant) provided the following comments:

- The Applicant proposes a Neighbourhood Concept Plan (NCP) amendment in order to build single-detached homes and to revise the existing road network.
- The subject site would be subdivided into 126 lots suburban single family residential lots.
- There are four homes which are adjacent to the 20 metre (66 ft.) wide landscape buffer / open space area; and within 50 metres (164 ft.) of the Agriculture Land Reserve (ALR) boundary.

The Committee provided the following comments:

- Placing high-density single family housing next to ALR lands may generate complaints due to wind turbines, agricultural odours and noise from operating farm machinery. Staff clarified that one of the requirements associated with the project would be to register restrictive covenants on title for all properties located within 300 metres of the ALR to ensure that buyers are made aware of their close proximity to active farming operations and Right to Farm Act legislation in the ALR.
- The Committee expressed concern regarding stormwater going to the ditches and the farm lands sit saturated longer and longer and more difficult to farm. All the urban area water instead of being absorbed is running into farm lands and as the water table rises even more the farmland will be negatively affected in 50 years.
 - *In response, Engineering Staff noted that the City has completed integrated stormwater management plans (ISMPs) through-out the City that note required mitigation measures in each catchment. This development falls within the Burrows Ditch watershed for which an ISMP has been prepared. The plan prescribes enhanced infiltration throughout the catchment to manage winter storms while maintain irrigation in the summer. Detention facilities are also required in the lower reaches to deal with larger winter rainfall events. During the detailed design phase, the project engineers would be required to implement and meet specific criteria to address drainage concerns.*
- The Committee expressed concern regarding the drainage and associated mitigation measures.
 - *In response, staff clarified that there are detention features within the development, there are infiltration trenches, as well as pervious materials for hard surfaces and infiltration chambers. Staff clarified that a surface pond cannot be built on a hill.*
- In terms of buffering to reduce noise, the committee noted bird scare cannons, wind turbines, and traffic will generate complaints from area residents and that additional buffering will be needed along 32 Avenue.

- Staff noted the Development Permit (DP) indicates that the building design guidelines will include triple glazed windows, landscaping and fencing to assist with buffering. Specific design standards could call for double-glazed windows and/or acoustic glass for those homes adjacent to the edge of the ALR.
- The Committee suggested that once there are homes built bordering agricultural lands; consideration should be given to requiring that every development pay a contribution toward helping to pump the ditches out and deal with residual run-off and drainage issues.

The Committee was not supportive of the Application and expressed concern with the drainage aspect on 32 Avenue and requested that the project be sent back to staff to work with the Applicant in order to address concerns raised, in terms of noise complain mitigation and impacts agricultural activities.

It was Moved by S. VanKeulen
Seconded by R. Brar
That the Agriculture and Food Security
Advisory Committee (AFSAC) recommend to the General Manager, Planning and Development, to refer Application No. 7915-0352-00 back to staff to work with the Applicant in order to address concerns raised in terms of density along 32 Avenue, noise mitigation and buffering and provide a further report to the AFSAC with a more comprehensive drainage strategy.

Carried

Discussion ensued regarding flood mitigation measures during significant rain events. The Committee expressed concern regarding the potential risk of flooding and loss of farm lands if there was a massive rainfall and high tides. The Committee noted that careful consideration must to be given as to how a significant volume of water could be contained; particularly given the fact that this proposed site is the first sizable application received fronting agricultural lands.

Councillor Starchuk assumed the role of Chair at 10:13 a.m.

It was Moved by S. VanKeulen
Seconded by R. Brar
That the Agriculture and Food Security
Advisory Committee request that staff provide a more detailed overview of both the drainage and the buffer plan associated with Application No. 7915-0352-00.
Carried

E. ITEMS REFERRED BY COUNCIL

F. CORRESPONDENCE

G. INFORMATION ITEMS**1. Environmental Sustainability Advisory Committee (ESAC) Update**

An update from the March 29, 2017 Environmental Sustainability Advisory Committee (ESAC) meeting was provided by J. Zelazny as follows:

- A group of students attended the meeting and provided presentations on the following: 1) bioplastics and 2) global warming'
- There was a follow up discussion on the Kinder Morgan project which included detail surrounding a City of Surrey Park dedication granted by the National Energy Board (NEB) as one of the conditions associated with the project;
- The ESAC discussed the upcoming Green City Awards; and
- There was an update regarding flood mitigation meetings which included various stakeholders. The purpose of the meetings was to discuss sea water rise and what it means for Surrey and also the riverine (water flowing down the river) Engineers Canada, acted facilitator for the presentation and discussions were very informative.

2. 5228 King George Boulevard Agricultural Land Commission Agriculture Land Reserve Exclusion Decision Reversed

File: 6880-75; 7915-0078-00

Notice from the ALC that the September 2016 decision to exclude the Buckets 'n Birdies (5228 King George Boulevard) property from the ALR has been reversed by decision of the ALC Executive Committee. The reasoning and resolution were provided in the March 1, 2017 letter received from the ALC.

**3. Construction of the South Surrey Interceptor Sewer
5359 – 148 Street**

Staff provided background information following an e-mail regarding concerns related to the construction of the South Surrey Interceptor Sewer by Metro Vancouver.

The following comments were made:

- Staff noted that Metro Vancouver were waiting for their permits and are working with both the property owner and Metro Vancouver; there were concerns with the soil used to restore the site and that it is a Metro Vancouver issue to resolve.

- The project involves Metro Vancouver twinning a large sanitary sewer. They have an agreement to construct the works with the property owner. There was a misunderstanding between Metro and the Resident in terms of tree loss and restoration of the site.
- The new soil is an augmented composting soil to remediate the site and staff has been trying to convince Metro Vancouver team to use existing soil as opposed to importing augmented material.
- The Committee noted using augmented material will prevent the landowner/farmer from receiving an organic certification.

Staff noted that they conveyed the Committee's concerns and have encouraged the Metro Vancouver to use existing material and stockpile it on the property. The memorandum in the April 6, 2017, AFSAC agenda package was to keep the Committee up-to-date.

H. INTEGRITY OF THE AGRICULTURE LAND

The Committee discussed a new notice of exclusion that was placed on a property located on 155 Street & 56 Avenue.

Staff noted that it has a City address but the signage is vague in terms of description of the proposal, and there has been no application received and that the City is not receiving any comments from the ALC notice of Exclusion applications ahead of time due to poorly developed signage.

Staff clarified that the Agricultural Land Commission (ALC) is responsible for reviewing exclusion notification signs to ensure that the information listed is correct, and signage is placed on the site at visible locations.

The Committee discussed that there is no justification as to why this property should be excluded. The property was pre-existing and had one acre commercial zoning; part of it is on 156 Road Allowance. There is a hedge that runs in front of the sign. There is no physical way of seeing the sign.

The Committee expressed concern that the proposed application involves multiple properties and as such, each application should technically have multiple signs.

It was

Moved by S. VanKeulen

Seconded by M. Bose

That staff contact the Agricultural Land

Commission (ALC) and advise that ALC exclusion notification signage guidelines are not being adhered to.

Carried

It was Moved by M. Bose
Seconded by M. Hilmer
That an invitation be extended to the
Chief Executive Officer of the Agricultural Land Commission (ALC) to appear as a
delegation before the Agriculture and Food Security Advisory Committee in order to
provide a presentation on the ALC ALR exclusion application process applicants must
undergo in terms of exclusion notification signage and ALC review process under the new
ALC online portal program.

Carried

I. OTHER BUSINESS

1. Verbal Updates

- (a) **Irrigation Program Overview** - Staff will invite Matthew Brown, City of Surrey Engineering Department, Lowland Dyking Stakeholder Committee to attend an upcoming meeting of AFSAC.
- (b) **Soil Erosion of Farm Lands** - It was discussed that it would be beneficial for the City to look at soil erosion mitigation on farmland and keep rich soil alive. Consideration should be given to providing dyking on ditches adjacent to raise the roads up higher. There needs to be a mechanism to work with the farmers to help them.

The Chair requested D. Geesing, P.Ag, B.C. Ministry of Agriculture, to providing an overview of potential programming and how the City of Surrey could potentially partner in establishing a program at an upcoming AFSAC meeting.

- (c) Application No. **7916-0068-00 (18718 - 28 Avenue)** - The Chair noted that there is a rezoning of 18718 28 Avenue (184 and 28 Avenue) and that Council requested staff to ensure that a restrictive covenant was placed on the lots advising businesses that their permitted use cannot require an application for a Metro Vancouver Air Permit.

J. NEXT MEETING

The next meeting of the Agriculture and Food Security Advisory Committee will be held on Thursday, May 4, 2017, at 9:00 a.m. in 2E Community Room B.

K. ADJOURNMENT

It was

Moved by M. Bose


Seconded by P. Harrison

That the Agriculture and Food Security

Advisory Committee meeting do now adjourn.

Carried

The Agriculture and Food Security Advisory Committee adjourned at 10:56 a.m.



Jane Sullivan, City Clerk

Councillor Mike Starchuk, Chair