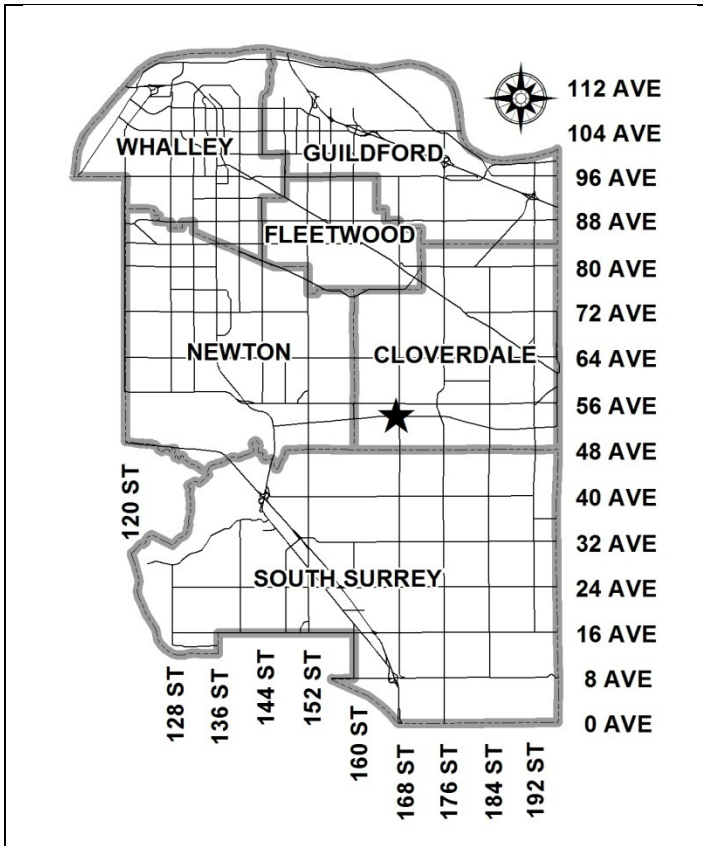


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0093-00

Planning Report Date: July 25, 2011



PROPOSAL:

- **Non-farm Use** under Section 20(3) of the ALC Act in order to permit a BC SPCA facility on this site within the ALR.

LOCATION:

16748 - 50 Avenue

OWNER:

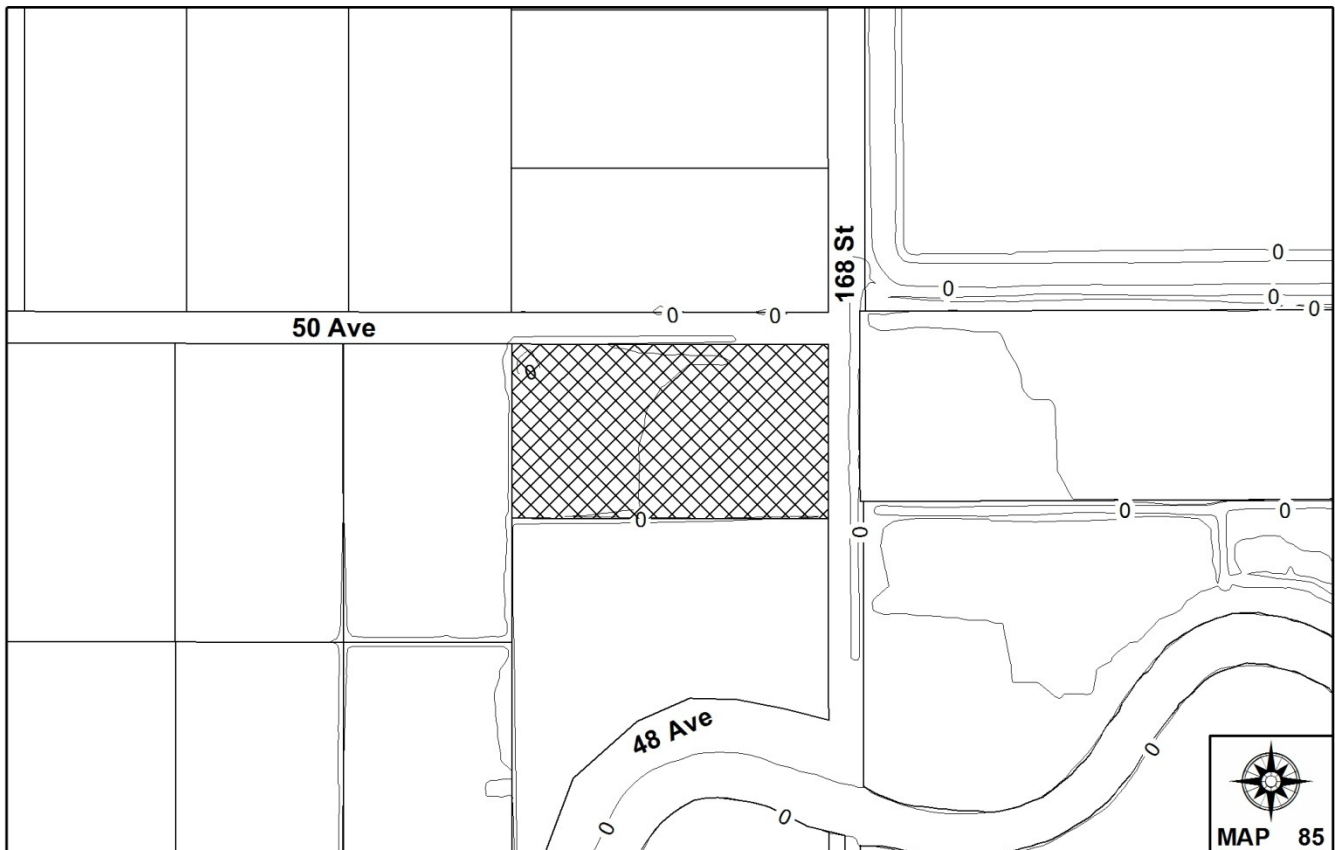
The British Columbia Society For
Prevention Of Cruelty to Animals

ZONING:

A-1

OCP DESIGNATION:

Agricultural



RECOMMENDATION SUMMARY

- Support referral of the proposed non-farm use to the Agricultural Land Commission.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with existing General Agricultural (A-1) Zone.
- ALC staff advised that the application requires approval from the ALC as a non-farm use.
- The proposed BC SPCA facility will accommodate a new Surrey SPCA location once the existing 152 Street location in Newton is closed.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize referral of the application to the Agricultural Land Commission.

REFERRALS

Engineering: The Engineering Department has no objection to the project as outlined in Appendix III.

Agricultural Advisory Committee (AAC): The non-farm use proposal was reviewed at the June 2, 2011 AAC meeting and was not supported for the following reasons:

1. It is an inappropriate use of land within its surrounding context of agricultural uses;
2. It will raise expectations for further development within the ALR; and
3. The use conflicts with the City of Surrey's Agricultural Plan. (Appendix IV)

SITE CHARACTERISTICS

Existing Land Use: Single family dwelling and farm buildings to be retained and renovated.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across 50 Avenue):	Farmland.	Agricultural within ALR	A-1
East (Across 168 Street):	Farmland.	Agricultural within ALR	A-1
South:	Farmland.	Agricultural within ALR	A-1
West:	Farmland.	Agricultural within ALR	A-1

DEVELOPMENT CONSIDERATIONSBackground

- The Surrey branch of the British Columbia Society for Prevention of Cruelty to Animals (BC SPCA) shelter is currently located at 6706 – 152 Street in Newton.
- The shelter and land are owned by the City with the SPCA holding an operating agreement over the site.

- This facility has reached a stage whereby a new shelter needs to be built in order to meet the needs of animals and the community for the next 25 years.
- The City of Surrey and the BC SPCA had initially been involved in an application, File No. 7908-0076-00, for a new facility at 17910 Colebrook Road in Cloverdale. Following the completion of this previous application, the City and the BC SPCA agreed not to pursue a new facility as a joint venture.
- In response to this decision, the City of Surrey submitted an application, File No. 7910-0214-00, for a new City-owned and operated Animal Care and Adoption Centre to be located at 17910 Colebrook Road. This application is anticipated to be presented to Council for consideration of final approval, on July 25, 2011.
- In order to ensure the BC SPCA continues to provide its charitable animal welfare services to the City of Surrey, the BC SPCA purchased a property at 16748 – 50 Avenue which is the subject of this Report.

Current Proposal

- The subject site is located on the south-west corner of 50 Avenue and 168 Street at 16748 - 50 Avenue.
- The 2.2-hectare (5.5-acre) subject site is designated Agricultural in the Official Community Plan (OCP) and is located within the Agricultural Land Reserve (ALR). The current zoning of the site is General Agriculture Zone (A-1). The proposed animal shelter conforms to the land use designation in the OCP and is a permitted use under the A-1 Zone.
- Agricultural Land Commission (ALC) staff provided the applicant with preliminary comments and advised that a "non-farm use" application is required. The ALC considers the proposed use to be beyond the scope of permitted land uses in the ALR.
- The applicant has indicated that the proposed operation at this location will focus primarily on large animals with only a few domestic animals on site. The only domestic animals anticipated at this facility would be from cruelty seizures.
- The applicant is proposing to use the existing buildings on site to accommodate their operation. At this time, no new buildings are being proposed.
- The larger single family dwelling is proposed to be converted to an adoption centre, as well as the administration and criminal investigation offices (Appendix II).
- The multi-car garage associated with the larger single family dwelling will be converted to kennels.
- The smaller, second dwelling on the property is proposed to be removed.
- There are two poultry barns located on the subject site which are proposed to be converted to livestock shelter.

- The two remaining out-buildings are proposed to be used for feed and storage.
- The large open space remaining on the west portion of the site will accommodate animal paddocks.
- There are two existing driveways that will remain; one via 50 Avenue and one via 168 Street.

Applicant's Response to the Concerns of the Agricultural Advisory Committee (AAC)

- The non-farm use proposal was reviewed at the June 2, 2011 Agricultural Advisory Committee (AAC) meeting: as is the usual practice, the applicant was not in attendance. The Agricultural Advisory Committee (AAC) expressed concerns with the proposal and recommended that the application not be forwarded to the ALC (see AAC Minutes attached as Appendix IV). More specifically, the following concerns were raised:

- Objection to a proposed retail outlet.

Applicant's response:

- The BC SPCA has never discussed or expressed any intention of raising animals on the property for sale. The BC SPCA is a not-for-profit animal welfare organization formed under the Prevention of Cruelty to Animals Act and it is not within their mandate to undertake a commercial venture of this kind.
 - There is no retail of any products proposed at this site.
 - The BC SPCA does work closely with Canadian producers to promote the humane treatment of farm animals and provides certification through its internationally recognized SPCA Certified labelling program. The SPCA has given some thought to promoting products from SPCA-Certified farms to support and assist local SPCA Certified producers and to benefit Surrey residents interested in purchasing humanely raised products.
- There is no need for two animal shelters.

Applicant's Response:

- It is the applicant's understanding that the new city shelter will continue to operate as a pound facility responsible for animal control services. The charitable services provided to the community by the BC SPCA are unique and are not a duplication of City by-law services.
- Created under the auspices of the Prevention of Cruelty to Animals Act, the BC SPCA is the only animal welfare organization in the province with the mandate and responsibility to respond to complaints of animal cruelty and abuse and to work with Crown counsel in the prosecution of individuals who inflict suffering on animals.

- In addition, the BC SPCA provides a number of valuable services to the community, including programs to reduce pet over-population, humane education programs for youth and adults, advocacy campaigns to raise the standard of animal welfare in communities and sheltering and care for thousands of unwanted and surrendered animals.
 - The BC SPCA believes they will not duplicate the services provided by the City, but rather will continue to enhance and complement the services provided for Surrey residents and their pets.
 - Residents in communities across B.C. are demanding increased standards of animal welfare. Combining the animal-related services funded by Surrey taxpayers with those funded by BC SPCA donors will raise the level of animal welfare in Surrey and will establish the City as a leader in the field of animal care.
- Commercialization of ALR land.

Applicant's Response:

- There is no commercial venture being considered by the BC SPCA at this location.
- Disposal of waste from the facility.

Applicant's Response:

- The BC SPCA is subject to the same requirements as any other organization. The property has two septic systems and all solid waste would be removed from the property on a scheduled basis. The system was inspected by a Registered Onsite Wastewater Practitioner (ROWP) who has the responsibility to report where a septic system is found to be a "health hazard" as described in the Sewerage System Regulation, the Safety Standards Act, and/or the Electrical Code. No such potential hazard was found or reported.
- Large animal waste would also be removed from the property on a regular basis. This is a practice that the BC SPCA has in place with the existing City of Surrey Animal Pound.

Additional Staff Comments

- The proposed use can be accommodated within the existing farm buildings and requires no new construction.
- The keeping of animals conforms to the intent of the A-1 Zone and allows for animals to be kept overnight where commercial and industrial zones do not.

- With a focus on primarily large animals, the expansive open space on the western portion of the site will accommodate animal paddocks.
- With respect to concerns of the Agricultural Advisory Committee (AAC) on further "commercial" development within the ALR, staff will continue to review each proposal for a non-farm use on a case-by-case basis.
- Staff support the proposed use at the proposed location and recommend that Council refer the application to the Agricultural Land Commission (ALC).

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary
Appendix II. Aerial Photograph of Subject Site
Appendix III. Agricultural Advisory Committee Minutes

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

JLM/kms

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#1 House - to be converted to adoption centre, administration, criminal investigation division



#2 Multi-car garage - to be converted to kennels



#3 Smaller and larger poultry barns - to be converted to livestock shelter



#4 Feed silos



#5 To be converted to feed and storage



#7 Animal paddocks

British Columbia Society for Prevention of Cruelty to Animals	
PROJECT:	16748 - 50 Avenue, Surrey, B.C.
DRAWING TITLE:	Site Context Plan
SCALE:	NTS
DATE:	April 15, 2011
DRAWING No.:	01



#6 To be converted to storage



Agricultural Advisory Committee Minutes

Parks' Boardroom #1
City Hall
14245 - 56 Avenue
Surrey, B.C.
THURSDAY, JUNE 2, 2011
Time: 9:00 am
File: 0540-20

Present:

M. Bose - Chair
D. Arnold
B. Aulakh
P. Harrison
M. Hilmer
B. Sandhu

Regrets:

Councillor Hunt
T. Pellett, Agricultural Land Commission
K. Thiara
S. VanKeulen
K. Zimmerman, Ministry of Agriculture

Staff Present:

R. Dubé, Engineering
C. Stewart, Planning & Development
M. Kischnick, Planning & Development
L. Anderson, Legislative Services

Environmental Advisory Committee

Representative:

B. Stewart

D. NEW BUSINESS

2. The British Columbia Society for Prevention of Cruelty to Animals (BCSPCA) Proposed Non-Farm Use

File No. 7911-0093-00

P. Lau, Planner, was in attendance to review the memo for the subject application from J. McLean, Planner, Area Planning and Development, North Division, dated May 16, 2011, as follows:

- Background: The subject site, owned by the BCSPCA, is located on the south-east corner of 50 Avenue and 168 Street. The 5.49-acre subject site is designated Agricultural in the OCP and is located within the ALR. The zoning of the site is A-1.
- The applicant is proposing a non-farm use in order to accommodate a BCSPCA facility within the existing structures on the subject site.
- The purpose of the proposed facility is to establish a centralized location in Surrey for the Society to maintain necessary animal care operations within the area.
- The proposed facility will include:
 - Humane Education, Kennels and Adoption Centre;
 - Criminal Investigation Offices and administration; and
 - Large Animal Seizure Centre
- The ALC has provided the BCSPCA with preliminary comments and has advised that a “non-farm use” application is required. The Commission considers the proposed facility to be beyond the scope of permitted agricultural land uses in the ALR.

The Committee commented as follows:

- One of the largest problems with agriculture is the price of agriculture land. This type of development just fuels the cost of agriculture land.
- Right away there is objection to the proposed retail outlet – farmers’ market

- selling SPCA approved meats and dairy products. They are not produced on the site, which is in conflict with the farm market rules.
- It should also be noted that the original house should have been torn down at the time the second house was built on that property. That building should not be there at all.
- When the other facility was approved it was with the SPCA and it was approved as an SPCA facility.
- The City has an animal shelter. Why do we need two animal shelters? Staff commented that it is not unusual for a municipality to operate a pound and the SPCA to operate a separate facility; a lot of municipalities do this.
- All this is commercialization of good agricultural land; inappropriate use of good ALR land.
- If you look at the whole neighbourhood it is all viable vegetable and blueberry farming. Any sort of waste facilities nearby would also impact the farmers' ability to use the land. What will they do with the waste? If it is piled up and leaches into the ditches, that is not good.
- Do we need two pounds in Surrey and do we need another industrial development within the ALR? At the end of the day that is what it is. A commercial facility is what is being sought here. There are other locations that are non-ALR that would be better suited.
- Staff have noted that this application proposes a facility that does go beyond the scope of what is allowed.
- When we say non-farm use, the Alzheimer Society was similar however it has a nursery, which was seen as a benefit.
- There is no net benefit to agriculture and it would have a negative impact to the neighbouring farming properties.

It was

Moved by P. Harrison

Seconded by D. Arnold

That the Agricultural Advisory Committee

recommends to the G.M. Planning and Development that Application No. 7911-0093-00 not be forwarded to the ALC as it:

1. is an inappropriate use of agricultural land within the City of Surrey;
2. would raise expectations for further development within the ALR; and
3. conflicts with the City of Surrey's Agricultural Plan.

Carried