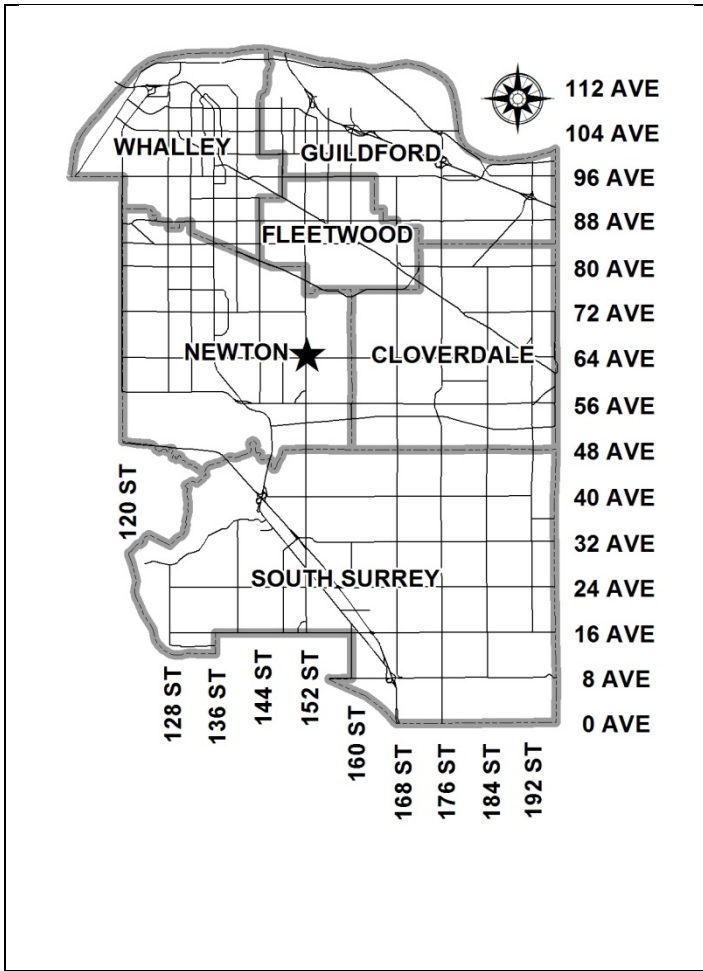


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0304-00

Planning Report Date: June 17, 2013



PROPOSAL:

- **ALR Exclusion and Inclusion** under Section 30 of the ALC Act.

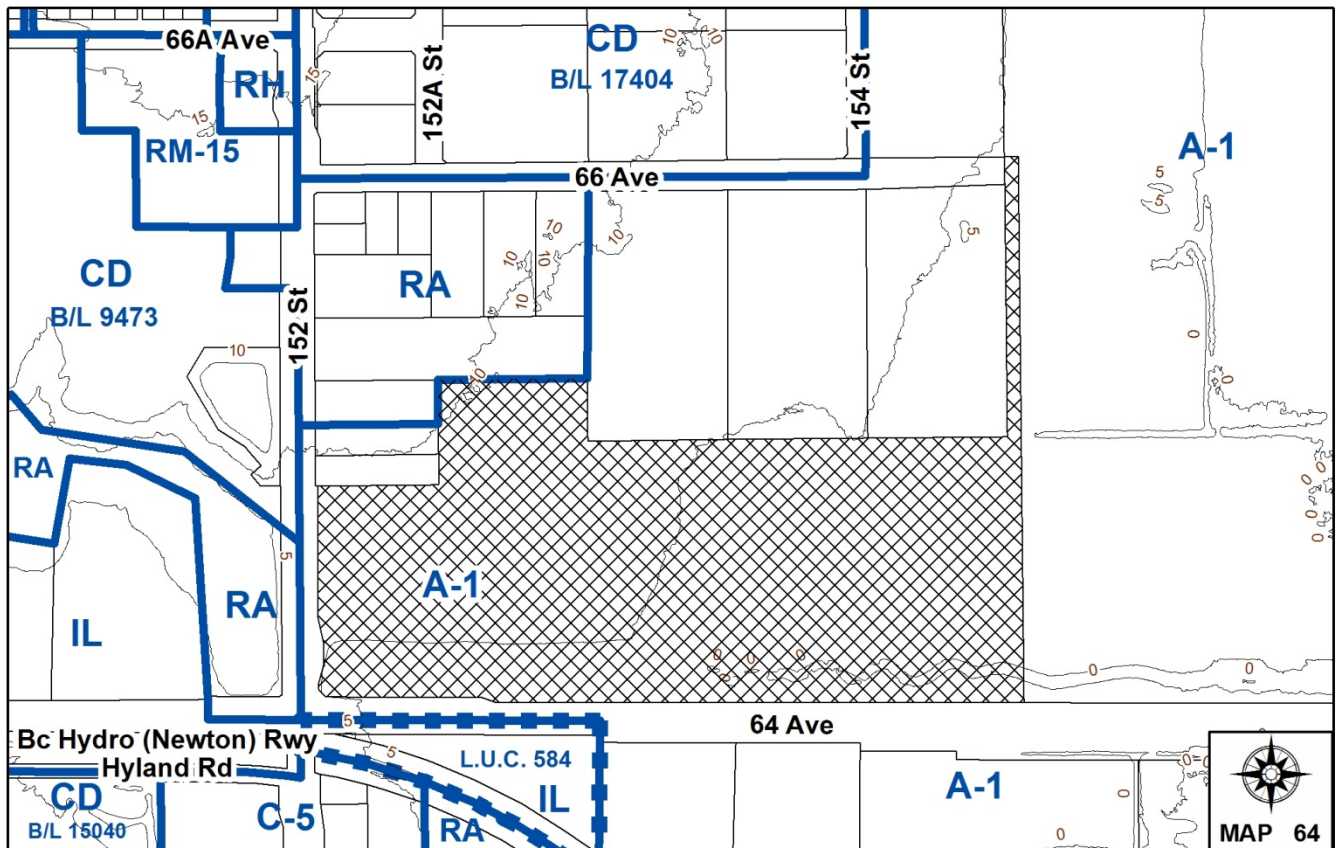
LOCATION: 6480 - 152 Street
 19103 - 8 Avenue

OWNER: 0926342 BC Ltd.
 0938107 BC Ltd.

ZONING: A-1

OCP DESIGNATION: Agricultural

LAP DESIGNATION: Agricultural, Open Space
 (6480 - 152 Street)
 Agricultural, Suburban Residential
 (5 acre) (19103 - 8 Avenue)



RECOMMENDATION SUMMARY

- In accordance with AFSAC's recommendation, refer the application to the Agricultural Land Commission (ALC) without comment.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposal is not in compliance with Official Community Plan (OCP) policies to maintain the integrity of the Agricultural Land Reserve (ALR) and its existing boundaries, nor is it in compliance with several aspects of Council Policy No. O-51 ("Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve").

RATIONALE OF RECOMMENDATION

- The *Agricultural Land Commission Act* allows for any owner of land within the ALR to apply to the ALC, through local government, to have their land excluded from the ALR.
- The applicant contends that the proposed exclusion property at 6480 – 152 Street is not suitable for agriculture. The applicant is proposing an "inclusion : exclusion ratio" of 1.5 : 1 by including an 11.6 hectare (29 acre) parcel at 19103 – 8 Avenue into the ALR.
- Although the application is not in compliance with OCP policies to maintain the integrity of the ALR and its existing boundaries, nor is it in compliance with several aspects of Council Policy No. O-51 ("Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve"), the Agriculture and Food Security Advisory Committee (AFSAC) recommends that Council consider forwarding the application to the ALC.

RECOMMENDATION

The Planning & Development Department recommends that Council authorize referral of the application to the Agricultural Land Commission without comment.

REFERRALS

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

Agriculture and Food Security Advisory Committee (AFSAC): At its February 7, 2013 meeting, AFSAC recommended the subject application be forwarded to the ALC without any recommendations.

SITE CHARACTERISTICS

Existing Land Use: 6480 – 152 Street: Fallow agricultural land in the Agricultural Land Reserve (ALR). Vacant.

19108 – 8 Avenue: The southerly two-thirds of the site is actively farmed with a dairy operation. The northerly one-third is forested. The southerly half of the property is in the ALR. The northerly half is not in the ALR.

Adjacent Area: 6480 – 152 Street

Direction	Existing Use	OCP/NCP or LAP Designation	Existing Zone
North:	Single family residential	Industrial/Live & Work (or future business park)	RA and A-1
East:	Active farmland	Agricultural/Agricultural	A-1
South (Across 64 Avenue):	Active farmland Truck parking site	Agricultural/Agricultural	A-1 L.U.C. No. 584
West (Across 152 Street):	Riparian area	Urban/Open Space	RA and CD By-law No. 9473

Adjacent Area: 19103 – 8 Avenue

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North :	Paintball gaming operation.	Agricultural/Suburban Residential (5 acre)	A-1

Direction	Existing Use	OCP/LAP Designation	Existing Zone
East :	Active farmland	Agricultural/Agricultural	A-1
South (Across 8 Avenue):	Active farmland	Agricultural/Agricultural	A-1
West:	Active farmland	Agricultural/Agricultural and Suburban Residential (5 acre)	A-1

DEVELOPMENT CONSIDERATIONS

Proposed Exclusion Parcel: 6480 – 152 Street (Appendix II)

- The property at 6480 – 152 Street is zoned "General Agriculture Zone (A-1)", is designated "Agricultural" in the OCP and "Agricultural" and "Open Space" (the riparian area) in the Newton Local Area Plan (LAP). The parcel is within the ALR.
- The parcel is bordered on the north by single family parcels that are designated for industrial uses in the East Newton Business Park NCP and are not in the ALR. To the east is an agricultural parcel in the ALR. South of the parcel, across 64 Avenue, are smaller agricultural parcels in the ALR. To the west, across 152 Street, is a riparian area that is not in the ALR.
- The total size of the property at 6480 – 152 Street is 10.1 hectares (25.1 acres). 2.5 hectares (6.1 acres) of the property is encumbered along the south property line by Hyland Creek and a corresponding drainage easement. **The non-easement remainder of the site is 7.7 hectares (19.0 acres) in area**, and this is the area that the applicant is seeking to exclude from the ALR. Approximately 1/3 of the site (3.3 hectares/8.2 acres) lies within the floodplain.
- The subject parcel is vacant and is not currently actively farmed, but there is a history of farming on the property. Information provided for a previous application by G.G. Runka Land Sense Ltd. in 2000 indicates that the western 1/3 of the lot is suitable for non-soil based agriculture, and the remaining 2/3 of the lot would support a wide range of crops with drainage and irrigation.
- The applicant provided a recent agricultural capability assessment by Pottinger Gaherty Environmentals Consultants Ltd. (PGL). PGL's survey found "an improved agricultural capability classification of 60% Class 3DT, 40% Class 4DT in the western portion of the property and 50% Class 3W and 50% Class 4W in the eastern portion of the property". For reference, Class 1 soils have the highest agricultural capability while Class 7 soils have the lowest agricultural capability.
- The applicant is proposing to exclude the property from the ALR and is therefore requesting that Council refer the application to the Agricultural Land Commission (ALC). The applicant intends to retain the existing A-1 zoning, with no changes proposed to the existing zoning at present.

Proposed Inclusion Parcel: 19103 – 8 Avenue (Appendix III)

- The property at 19103 – 8 Avenue is zoned "General Agriculture Zone (A-1)", is designated "Agricultural" in the OCP and the southerly portion is designated "Agricultural" and the northerly portion is designated "Suburban Residential (5 acre)" in the South-East Surrey LAP. The southerly half of the parcel is within the ALR. The northerly half of the parcel is not in the ALR, and the applicant is proposing to include this portion in the ALR.
- The parcel is bordered by actively farmed agricultural parcels to the east, west and south (across 8 Avenue) that are in the ALR (the adjacent property to the west is half in the ALR, similar to the subject parcel). The parcel to the north is mostly forested and is not in the ALR.
- The total size of the parcel at 19103 – 8 Avenue is 23.2 hectares (57.4 acres). The southerly 11.6 hectares (28.7 acres) are in the ALR. **The northerly 11.6 hectares/28.7 acres are proposed to be included in the ALR**, and contain a 4.7 hectares (11.6 acres) area that is being actively farmed, while the remainder of the northerly portion (6.9 hectares /17.1 acres) is forested and contains a number of watercourses.
- The subject parcel is being actively farmed by a dairy operation. The parcel contains a registered heritage house, the Robert Barton House. No changes to the heritage house are proposed as part of this ALR inclusion application.
- The applicant provided a recent agricultural capability assessment by Pottinger Gaherty Environmental Consultants Ltd. (PGL). PGL's survey found "an improved agricultural capability classification of 100% Class 3AT in the upland areas at the northern portion, 70% Class 4I and 30% Class 5I in the lowland areas associated with the watercourse floodplains at the northern portion of the site, and 100% Class 3WD for the remainder of the property".

Policy Considerations

- In considering the proposal to remove the subject site from the ALR, there are a number of Provincial, Metro Vancouver and Surrey policies and regulations that are designed to protect the Province's supply of agricultural land. These are described below.

Agricultural Land Commission (ALC)

- The mission of the ALC is to preserve agricultural land and to actively engage farmers and ranchers to collaboratively encourage and enable agricultural businesses throughout British Columbia.
- The ALC has the authority and mandate to review the ALR boundary from time to time to determine whether land is appropriately designated and defensible as ALR lands. Due to budget constraints, the ALC is unable to conduct these reviews on its own but, at present, will respond to applications from individual land owners to adjust the ALR boundaries on their own properties.
- As such, according to Section 30(1) of the *ALC Act*, any owner of land within the ALR may apply to the Commission to have their land excluded from the ALR. The *Act* does not specify any criteria as to under what circumstances these applications should or could occur.

- According to Section 30(4) of the *ALC Act*, a resolution of the local government is required to allow the application to proceed to the ALC for consideration where the land is currently zoned for Agricultural use and/or where an amendment to an official community plan or an official development plan is required. The proposed exclusion parcel at 6480 – 152 Street is zoned A-1 in Surrey Zoning By-law No. 12000 and is designated “Agricultural” in the Official Community Plan (OCP).
- Should an application to exclude land from the ALR be referred to the ALC by local government, the ALC may do one of the following:
 - Refuse permission to have land excluded from the ALR;
 - Grant permission to have land excluded from the ALR; or
 - Permit a non-farm use or subdivision on the land.

Metro Vancouver

- The proposed exclusion parcel at 6480 – 152 Street is designated as "Agricultural" in Metro Vancouver's *Regional Growth Strategy* (RGS) and is located outside of the Urban Growth Containment Boundary. The Urban Containment Boundary is intended to establish a stable, long-term regionally defined area for urban development and to reinforce the protection of agricultural areas, among other areas, while the Agricultural designation in the RGS is intended to reinforce provincial and local objectives to protect the agricultural land base of the region.
- The southerly half of the proposed inclusion parcel at 19103 – 8 Avenue is designated as "Agricultural" in Metro Vancouver's RGS. The northerly half of the inclusion parcel is designated as "Rural" and is a "Special Study Area". The entire parcel at 19103 – 8 Avenue is located outside of the Urban Growth Containment Boundary.
- Special Study Areas identify locations where, prior to the adoption of the Regional Growth Strategy, a municipality has expressed an intention to alter the existing land use, and is anticipating a future regional land use designation amendment. Pending Metro Vancouver Board approval of a regional land use designation amendment, the current regional land use designation applies within the Special Study Area. Amending a regional land use designation within a Special Study Area is a minor amendment under section 6.3.4 of the RGS. This includes associated adjustments to the Urban Containment Boundary for a Special Study Area.
- Amendments to the Urban Containment Boundary and the Agricultural designation of the RGS must come from the affected municipal government, and require an affirmative two-thirds weighted vote of the Metro Vancouver Board and a regional public hearing. This step would occur subsequent to a Council-authorized referral of the exclusion to ALC, and subsequent to ALC granting permission to exclude the subject site from the ALR.

Surrey Policies on Protection of Agriculture and Agricultural Areas

- The protection of agriculture and agricultural areas is a key objective of the City of Surrey. Surrey's Official Community Plan (OCP) contains policies that are designed "to protect farmland as a resource for agriculture, a source of heritage and as a reflection of a distinct landscape defining communities". These policies seek to maintain the integrity of the ALR and its existing boundaries. They also seek to enhance the viability of agriculture as a component of the City of Surrey's economy.
- The position of the City has, to date, been that the lands outside the ALR are sufficient to accommodate population and employment growth in the City beyond 2021.
- In addition, Council has endorsed policies regarding agricultural land uses that are to be considered in the evaluation of applications to exclude land from the ALR, including Policy No. O-51 ("Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve") which was adopted in 2004 (Appendix VII).
- Policy No. O-51 is not meant to encourage removal of land from the ALR, but rather to describe a policy framework for dealing with exclusion applications. With respect to the proposed exclusion at 6480 – 152 Street, Policy O-51 offers these comments:
 - If the land has a Soil Capability Rating of Class 1, 2, 3 or 4, the exclusion application will generally not be supported;
 - If the land has a Soil Capability Rating of Class 4 to 7, it still may lend itself to non-soil bound agriculture, especially if it is surrounded by other agricultural uses, and the exclusion application will generally not be supported; and
 - If the land proposed for exclusion is to be zoned for a use that can be accommodated on alternative sites in the City, the application will generally not be supported.
- The PGL agricultural capability assessment indicates that the proposed exclusion property is a combination of Class 3 and 4 soils.
- If the proposed exclusion property was excluded from the ALR, the applicant proposes the land be utilized for industrial uses to be consistent with the East Newton Business Park NCP immediately adjacent to the site. Presently, there are many other properties in the East Newton Business Park NCP area that can be utilized for business park uses.
- Policy No. O-51 includes discussion on compensation for land being excluded from the ALR. The compensation for land being excluded from the ALR is inclusion of land into the ALR with an area that is at least twice as large as the land being excluded (**ie. a 2 : 1 ratio**). Where a 2:1 ratio is not achievable, the ratio may be reduced to as low as 1:1 if the land included in the ALR is supplemented by other means to mitigate the impact of the exclusion and to increase the agricultural capability of land remaining within the ALR. The ALC must also accept any proposed compensation.

- The applicant is proposing to include 11.6 hectares/28.7 acres (the northerly half of 19103 - 8 Avenue) into the ALR and exclude 7.7 hectares/19.0 acres (the non-easement area of the parcel at 6480 - 152 Street) from the ALR. **This provides a ratio (inclusion : exclusion) of 11.6 hectares : 7.7 hectares (or a 1.5 : 1 ratio).**

Engineering Considerations

- Approximately 1/3 (3.3 hectares/8.2 acres) of the proposed exclusion property at 6480 - 152 Street site lies within the floodplain. The City does not support development of non-farm uses within the floodplain, as noted in Surrey's Policy No. O-55 ("Policy to Regulate Development Within the Serpentine and Nicomekl River Floodplains"). The Western portion of the lot which extends beyond the 200 Year flood plan can be supported for development subject to detailed evaluation of Servicing.
- Staff note that the proposed exclusion property at 6480 - 152 Street is not serviced by a sanitary sewer system and is outside of the Greater Vancouver Sewerage & Drainage District (GVS & DD) Metro Fraser Sewer Area and the Metro Vancouver Urban Containment Boundary. Approval for inclusion in the GVS & DD would be required from Metro Vancouver to extend services to this area.
- Although future development applications are expected on the property at 6480 152 Street, if the Exclusion application is successful, Frontage Dedication requirements and Watercourse protection requirements on both the Exclusion and Exclusion lands should be addressed through this Exclusion process.

PRE-NOTIFICATION

Pre-notification is not required by the City for ALR exclusion applications. ALC regulations require the applicant to provide neighbouring property owners with notification of the exclusion application, which was provided through signage and newspaper notices in January 2013. During the pre-notification period required by ALC, staff received 1 phone call and 1 written comment. The caller was curious about the application and had no concerns. The written comment indicated that the proposed exclusion property had been used for farming in the past and should be left as agricultural land.

PROJECT EVALUATION AND DISCUSSION

- As noted previously, the applicant is seeking to exclude 7.7 hectares/19.0 acres from the ALR and include 11.6 hectares (28.7 acres) into the ALR, and is therefore requesting that Council refer the application to the Agricultural Land Commission (ALC). The applicant intends to retain the existing A-1 zoning for the present time.
- The proposed exclusion property at 6480 – 152 Street has some agricultural limitations, as identified in the PGL's report: "Portions of the site consist primarily of soils with agricultural capability limitations due to excess water and inundation. In areas of the site not dominated by excess water, soils consist of Whatcom and Scat soil units. Inherent limitations to soil-bound agriculture on these soils included undesirable soil structure and perviousness, and a complex mix of poorer capability soil units, which make them difficult to manage as discrete areas."
- The PGL report offers this summary assessment of the proposed inclusion portion of the property at 19103 – 8 Avenue: Soils consist of Cloverdale and mainly Sunshine with small inclusions of Heron soil series. Existing farm operations have managed to develop farming practices to alleviate minor limitations to soil-bound agriculture. Overall, the inclusion of the property within the ALR would be in keeping with the surrounding land use and would enhance the long-term preservation of the ALR in this area. This area has maintained a rural character and inclusion would support this in the longer term."
- It is the position of staff that the current application is unable to satisfy all of the criteria as outlined in Policy No. O-51 that would support exclusion of the parcel at 6480 – 152 Street from the ALR. The proposal also does not comply with the specific objectives outlined in the OCP for the preservation of farmland.
- Staff have concerns with respect to the setting of a precedent with the exclusion from the ALR of the parcel at 6480 – 152 Street. The City has many kilometres of interface between agricultural and non-agricultural uses, and the concern is that it may be difficult to prevent the submission of further applications to exclude lands from the ALR if the applicant is successful in this exclusion application.
- The ALC is structured and best-suited to accurately and objectively assess the merits of exclusion applications, with staff trained to determine the suitability and capability of lands for agricultural purposes.
- When considered at the February 7, 2013 meeting, the Agriculture and Food Security Advisory Committee (AFSAC) recommended the application be forwarded to the Agricultural Land Commission without any recommendations.
- If the proposed exclusion property is ultimately excluded from the ALR, a land use planning process would need to be undertaken to designate the property as "Industrial", including significant public consultation. No land use planning process has been undertaken to date nor has any public consultation other than identified in this report been undertaken related to the current ALR exclusion application.

OPTIONAL COURSES OF ACTION

The following is a summary of the optional courses of action for consideration, and the benefits and concerns of each approach.

Option A: Refer the Application to the Agricultural Land Commission Without Comment

Pros:

- The ALC is tasked with upholding the integrity of the provincial agricultural land base, has the expertise to assess the merits of exclusion applications, and determine the suitability and capability of lands for agricultural purposes.
- City staff do not have the expertise to determine the agricultural suitability and capability of land.
- This option is consistent with the recommendation of the Agriculture and Food Security Advisory Committee (AFSAC).

Cons

- There is the potential of setting a precedent that would generate future applications to exclude land from the ALR.

Option B: Deny the Application

Pros:

- Denying the application would be consistent with the City's policies relative to the protection of farmland as a resource for agriculture, a source of heritage and distinct landscape defining communities.

Cons

- The applicant would not likely pursue inclusion of the northerly half of the parcel at 19103 - 8 Avenue into the ALR if the exclusion application is denied.

CONCLUSION

- The Planning & Development Department recommends Option A, which is to refer the application to the ALC without comment.
- If Council is of the view that the relative merits of the application are not sufficient to allow the application to proceed, the application should be denied (Option B) and staff will close the application.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Exclusion Parcel (6480 – 152 Street)
Appendix III.	Inclusion Parcel (19103 – 8 Avenue)
Appendix IV.	Engineering Comments
Appendix V.	East Newton Business Park NCP map
Appendix VI.	Agriculture and Food Security Advisory Committee Minutes
Appendix VII.	Policy No. O-51 (“Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve”)
Appendix VIII.	Definition of Soil Terms from PGL Report

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

KB/da

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DRV 6/13/13 10:07 AM

Information for City Clerk

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

1. (a) Agent: Name: Maggie Koka
 Aplin & Martin Consultants Ltd.
 Address: #201, 12448 - 82 Avenue
 Surrey BC
 V3W 3E9

 Tel: 604-597-9058

2. Properties involved in the Application

(a) Civic Address: 19103 - 8 Avenue
 6480 - 152 Street

(b) Civic Address: 19103 - 8 Avenue
 Owner: 0938107 BC Ltd.
 Director Information:
 Bruno Wall
 Alfred Wall

Officer Information as at April 16, 2013

Bruno Wall (Secretary)
Alfred Wall (President)

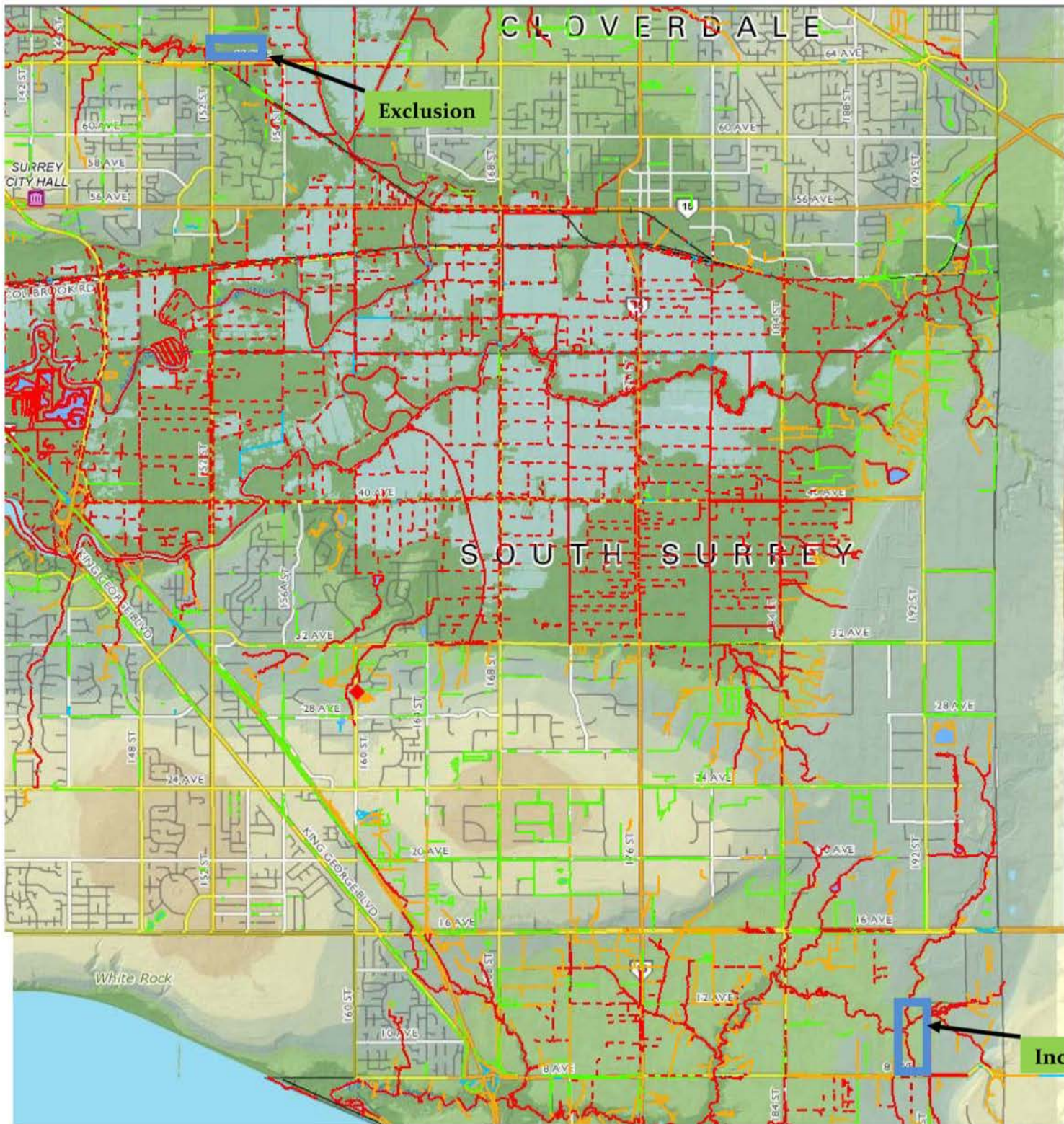
PID: 013-223-178
East Half of the South East Quarter Section 9 Township 7 Except the West Quarter, New
Westminster District

(c) Civic Address: 6480 - 152 Street
 Owner: 0926342 BC Ltd.
 Director Information:
 Kulwinder Singh Grewal

No Officer Information Filed

PID: 026-064-634
Lot A Section 14 Township 2 New Westminster District Plan BCP13644

3. Summary of Actions for City Clerk's Office



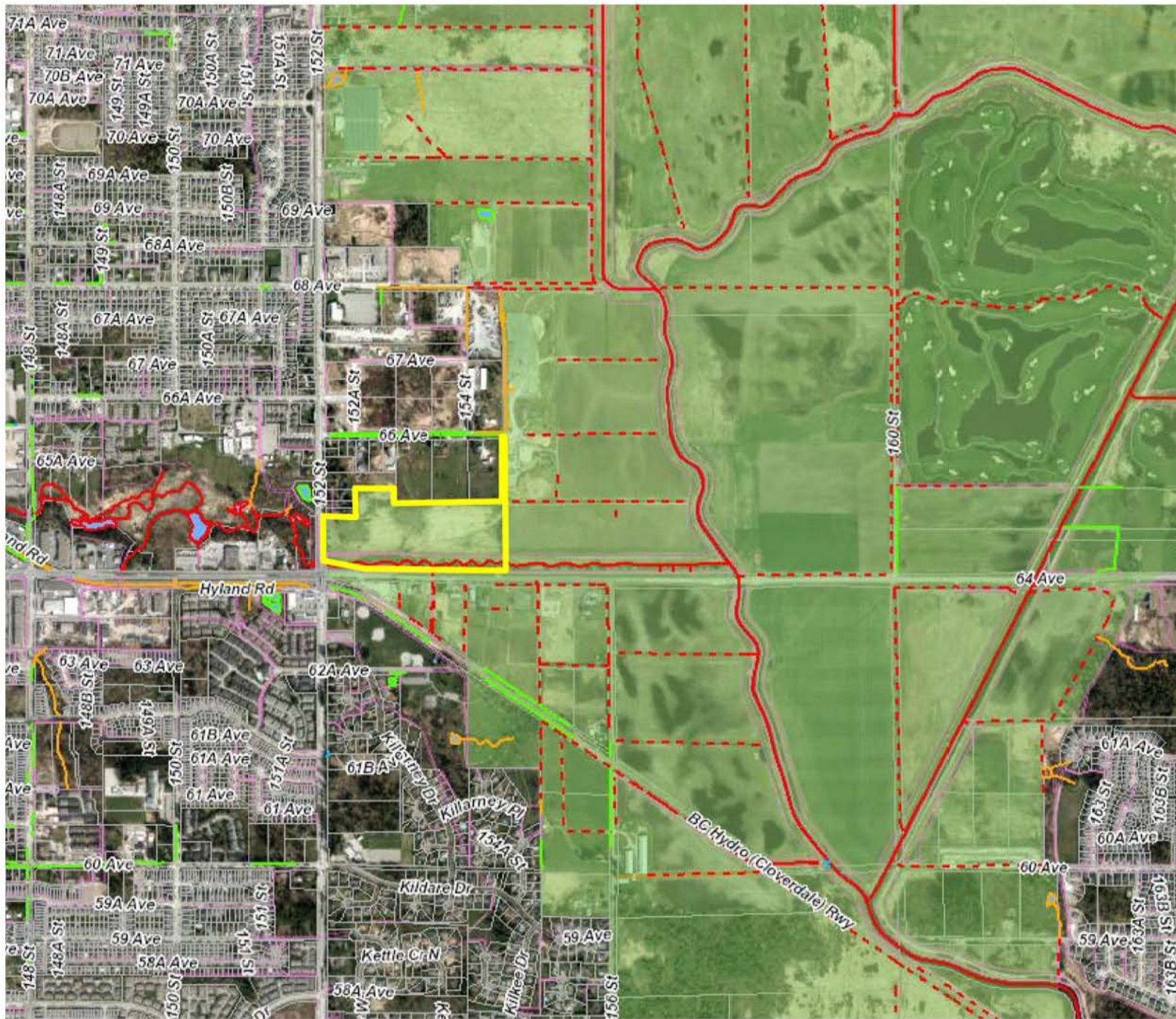
Exclusion

Inclusion

Location of Properties:

Exclusion Property:
6480 - 152 Street

Inclusion Property:
19103 - 8 Avenue



ALR
Boundary by
Exclusion
Property:
6480 - 152
Street



Barber Creek Properties Ltd.
ALR Land Swap

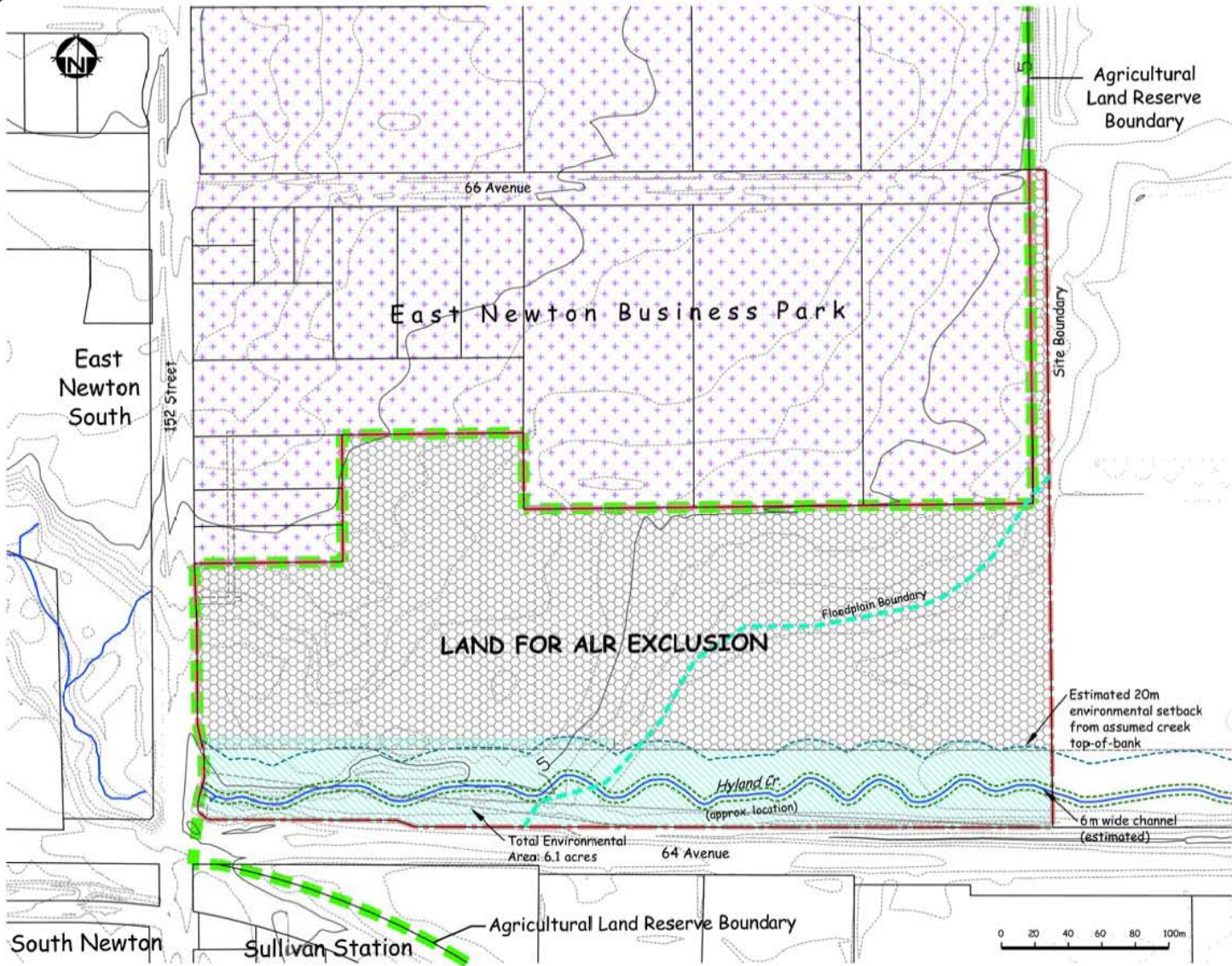
**PROPOSED
EXCLUSION PROPERTY**
6480 152 Street, Surrey

Total site area: 10.2 ha / 25.1 ac
Less watercourse environmental area: 2.5 ha / 6.1 ac
Land for exclusion: 7.7 ha / 19.0 ac

- NOTE:
This plan is conceptual only, is subject to change due to:
- Review and approval by appropriate municipal, regional, provincial and federal governments and outside agencies
 - Full environmental, geotechnical and soil assessments.
 - Legal and topographical survey.
 - Tree survey and assessment.
 - Park dedication requirements or cash in lieu of.
 - School site acquisition requirements and/or charges.
 - Storm water detention requirements.
 - Road dedication requirements.
 - Environmentally sensitive areas and setback requirements.
 - Building locations.
 - Right-of-way and/or easement requirements.

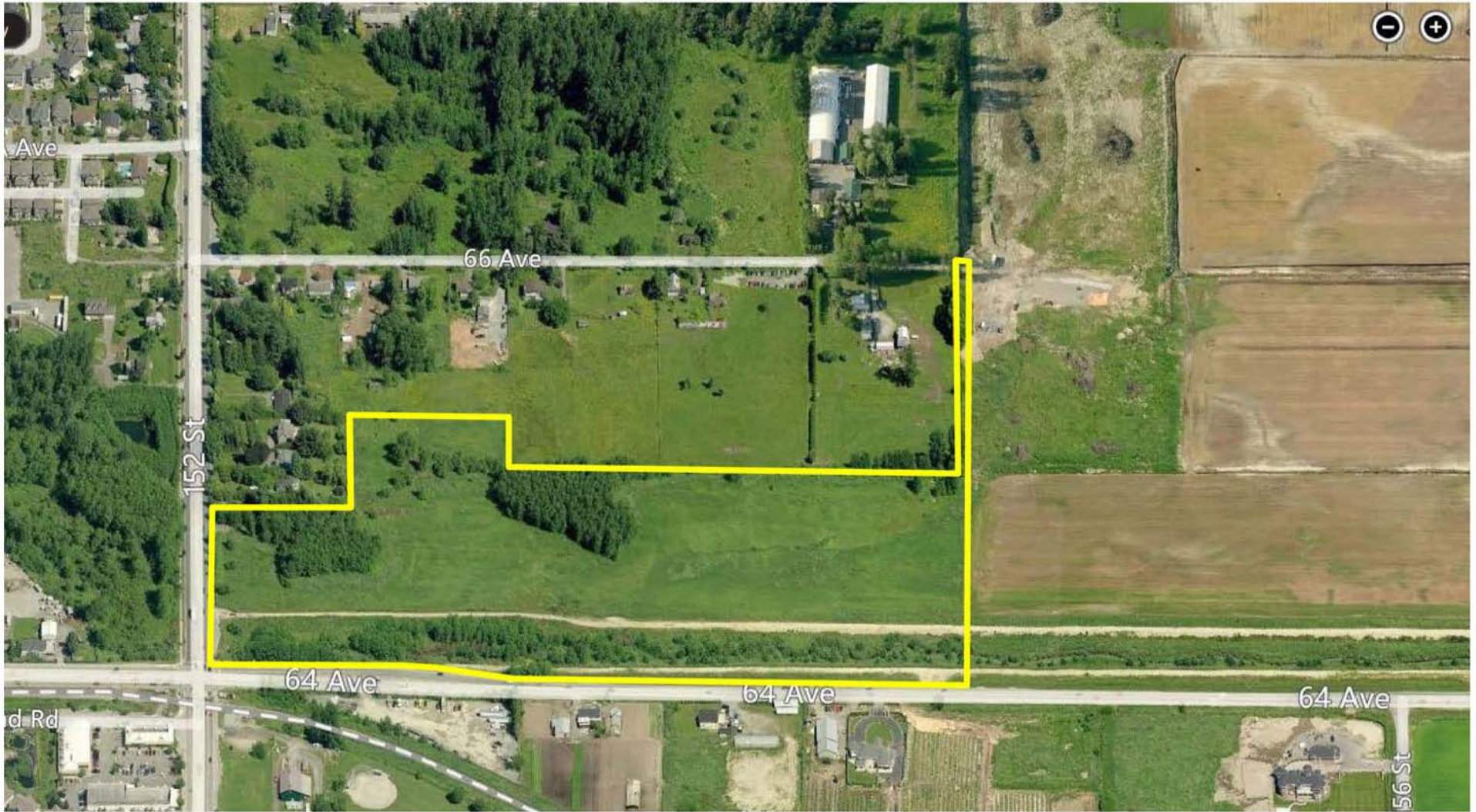


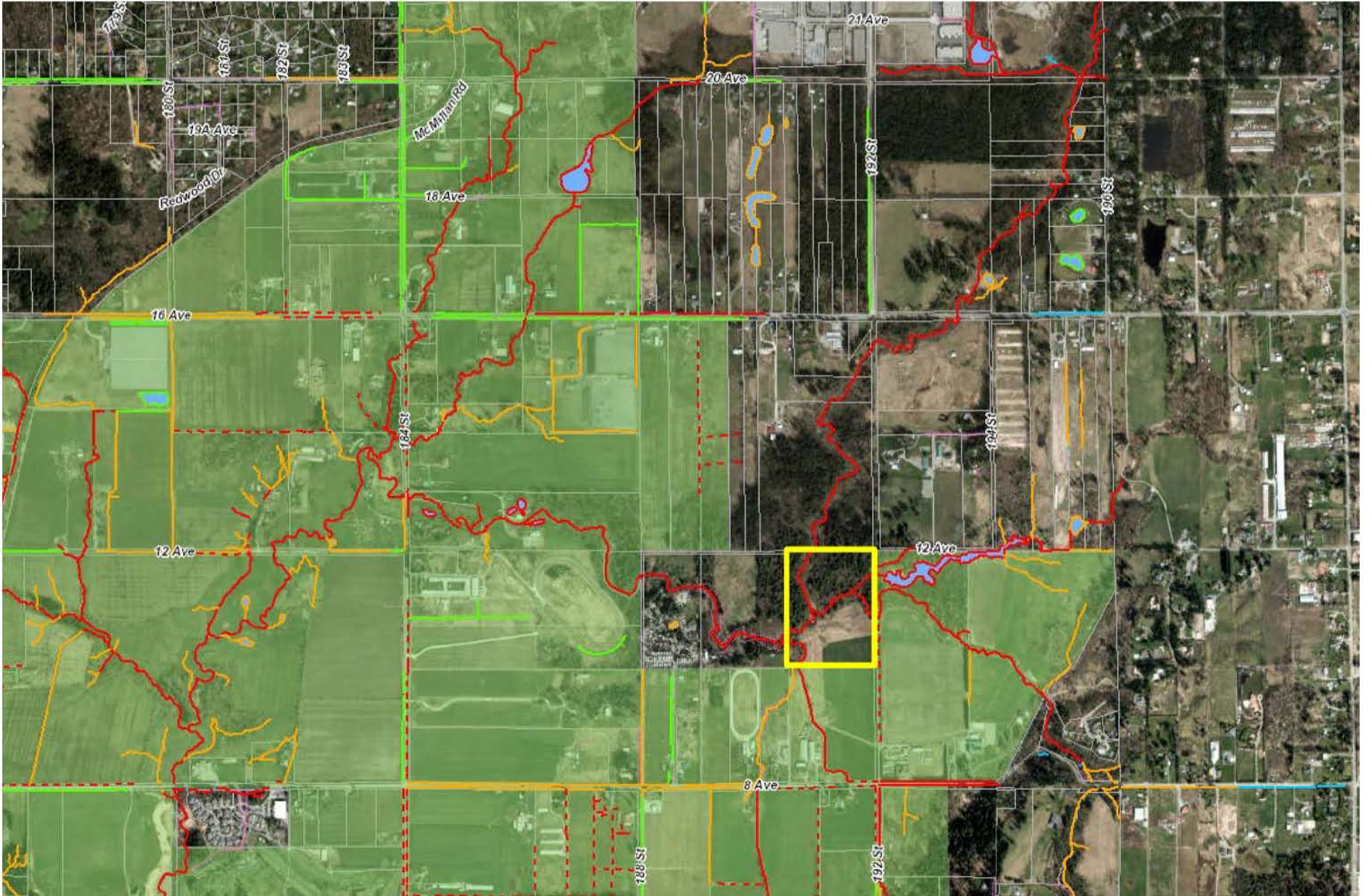
Project 12-175
9 August 2012



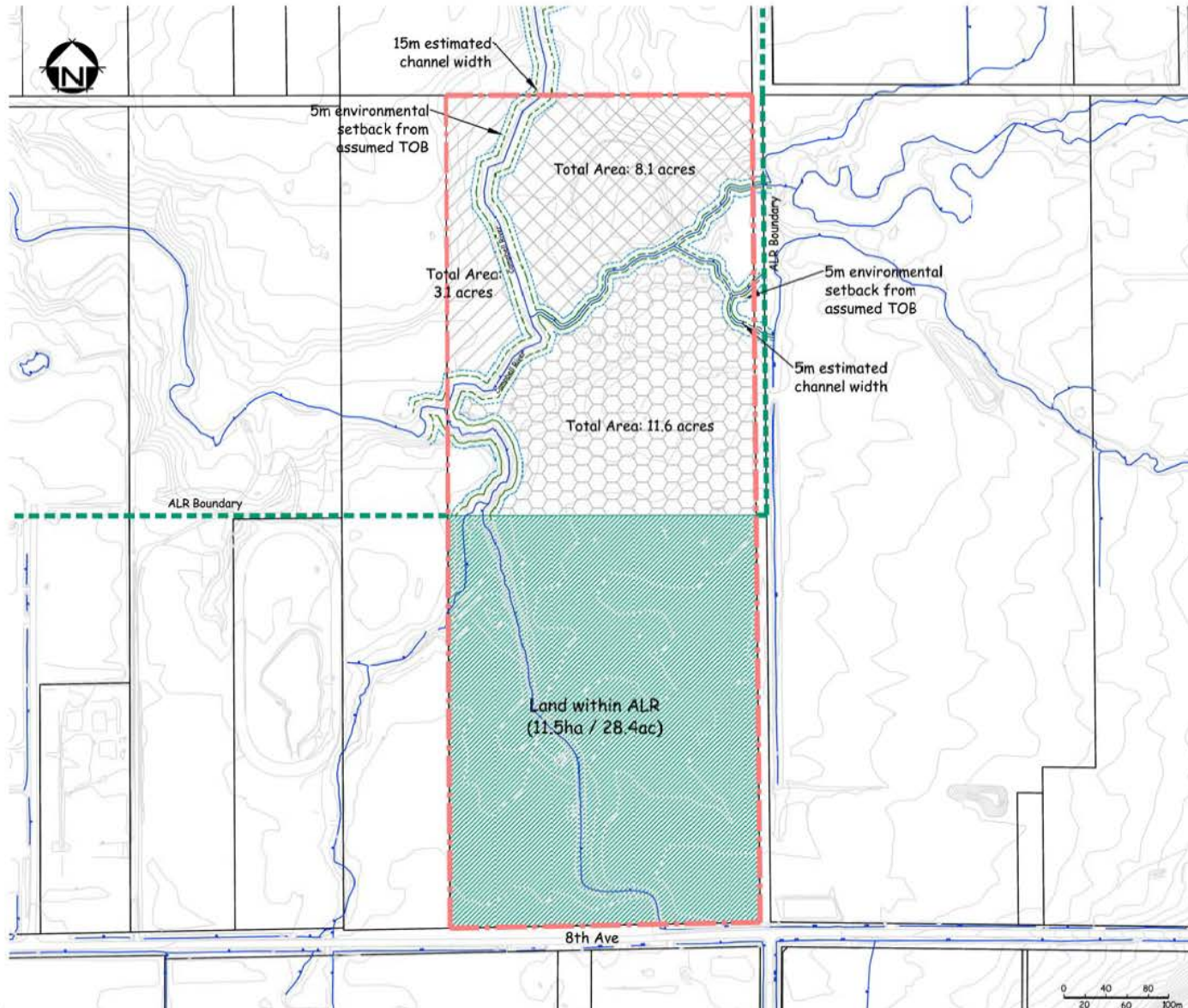
This plan is the property of Aplin & Martin Consultants Ltd. and may not be reproduced or used for any purposes, including promotion, sales or land valuation without written permission.

6480 – 152 Street ALR Exclusion





ALR Boundary by
Inclusion Property:
19103 - 8 Avenue



Alf Wall
19103 8th Ave, Surrey

CONCEPTUAL LAYOUT

EXISTING ZONING & DESIGNATIONS

Zoning: A-1 General Agricultural Zone
OCP: Agricultural

TOTAL SITE AREA

Approx. 23.3 hectares / 57.5 acres

NET SITE AREAS

Total area outside ALR: 28.4 acres
Total area excluding watercourses: 22.8 acres

NOTE:

This plan is conceptual only and subject to change due to:

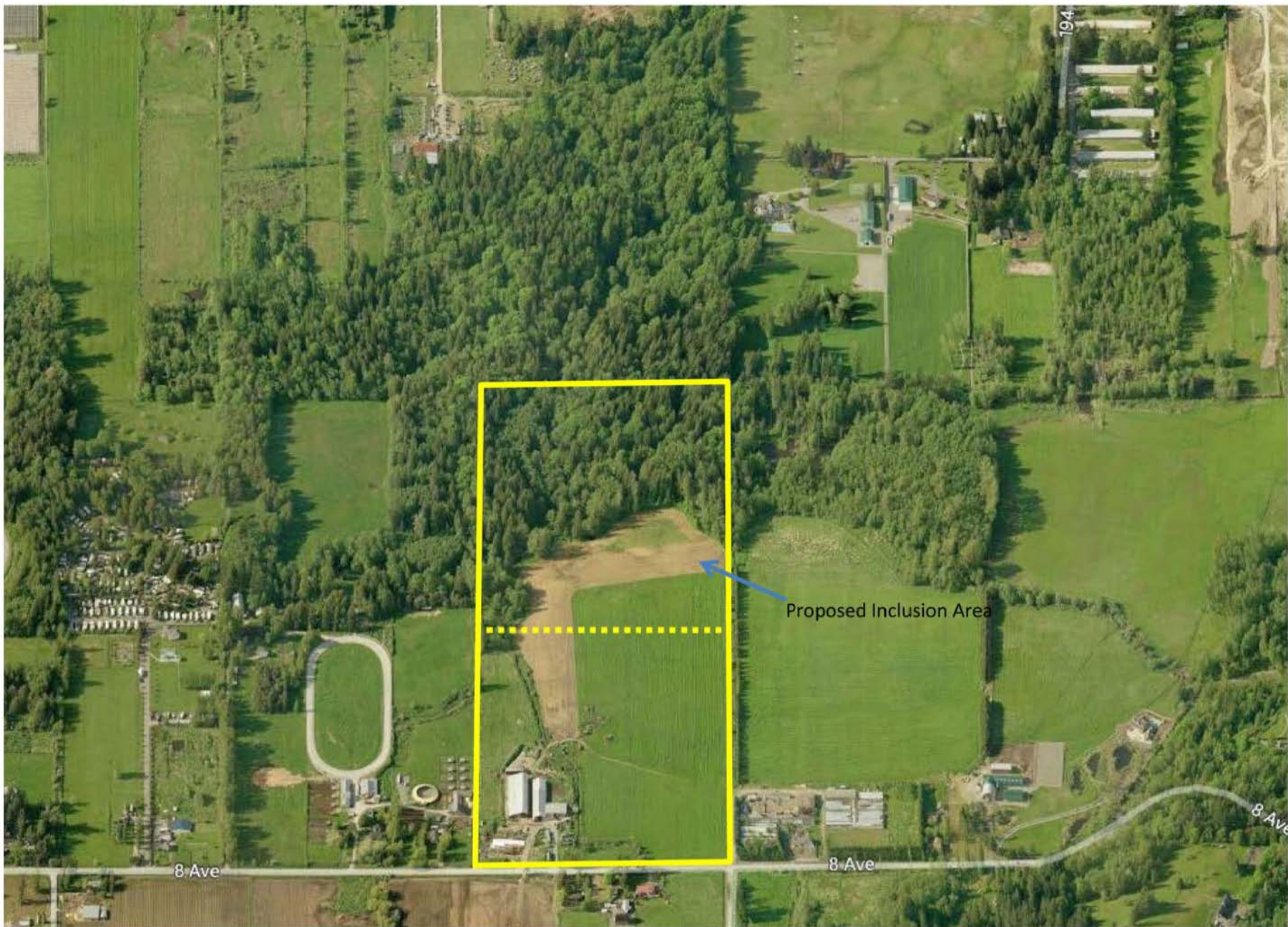
- Review and approval by appropriate municipal, regional, provincial and federal governments and outside agencies
- Environmental, geotechnical and soil assessments
- Legal and topographical survey
- Tree survey and assessment
- Park dedication requirements or cash in lieu of
- School site acquisition requirements and/or charges
- Storm water management requirements
- Road right-of-way dedication requirements
- Environmentally sensitive areas and setback requirements
- Building locations
- Right-of-way and/or easement requirements



Map
1

Project 12-xxxx
10 / July / 2012

19103 – 8 Avenue ALR Inclusion Area



N

TO: **Manager, Area Planning & Development
- South Surrey Division
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **June 13, 2013** PROJECT FILE: **7812-0304-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 6480 152 St/19103 8 Avenue**

ALR EXCLUSION/INCLUSION

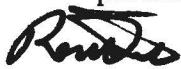
If the Exclusion Application is successful, it is anticipated that the subject lands will be referred back to Engineering for comment through future Rezone/subdivision applications; however, the following issues should be addressed and considered through the Exclusion process:

Property and Right-of-Way Requirements

- Dedicate 1.589 m on 152 Street for a total of 30 m
- Dedicate 1.500 m on 64 Avenue for a total of 30 m
- Dedicate outstanding gazette roads on 152 Street and 64 Avenue
- Ultimate bus bay dedication on 152 Street at intersection of 152 Street and 64 Avenue
- Provide 2.7 m SROW along 152 Street for Surrey Lake Greenway and 5.000 m SROW around Johnson Road Pump Station
- Note: significant dedications and SROWs will be required within the site through future rezone/subdivision for required internal road network and servicing requirements
- Dedicate 4.942 on 8 Avenue for a total of 30 m
- Dedicate 10.058 on 12 Avenue for a total of 20 m
- Dedicate or protect through SROW red coded creeks running through 19103 8 Avenue

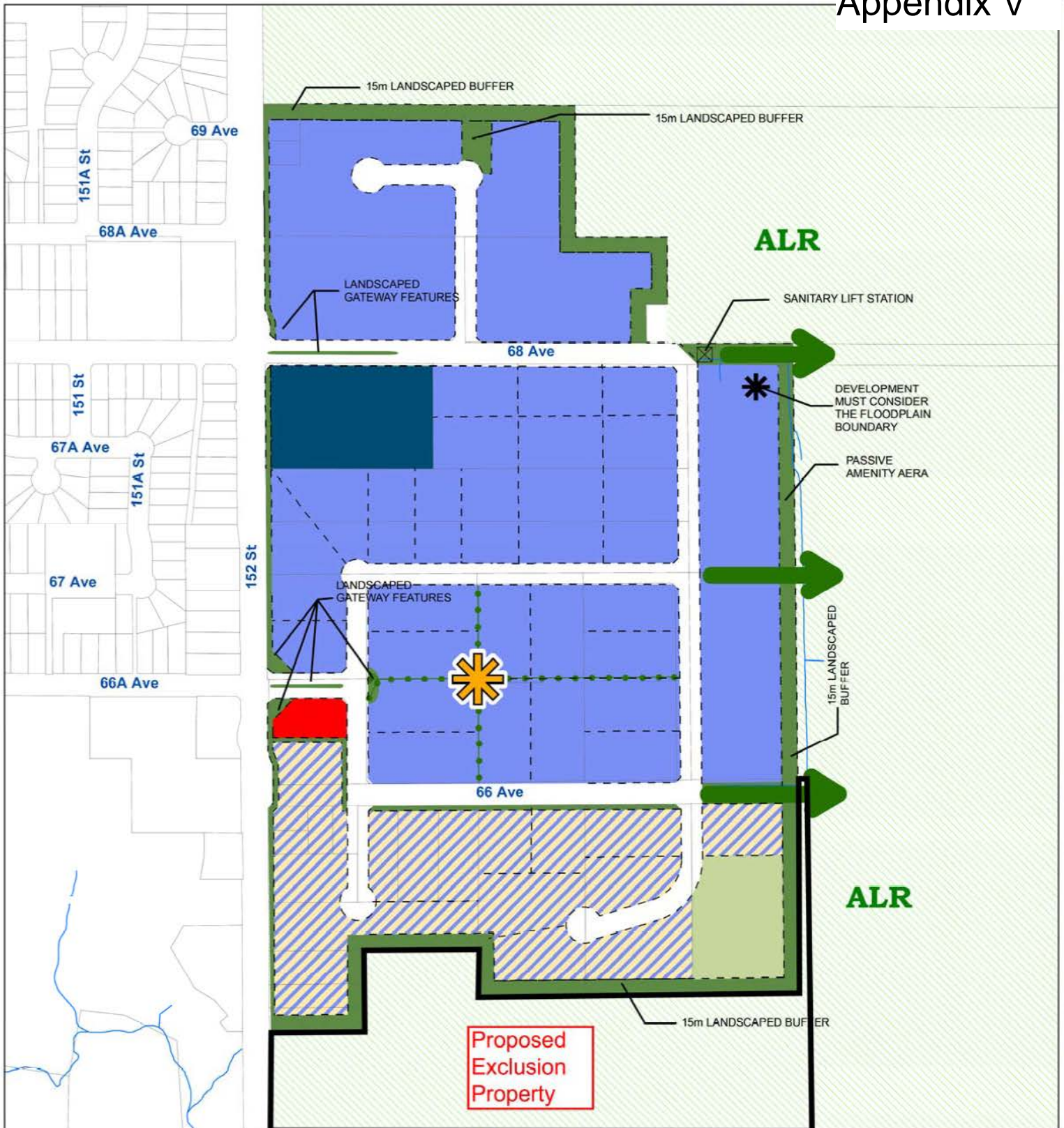
Works and Services

- Property 6480 152 Street proposed for exclusion, is not included in the Metro Vancouver Urban Containment Boundary and as such is not included in the GVS&DD sewer servicing area. Application for Extension of the Sewer Servicing Area will be required.
- A portion of 6480 152 Street falls within the 200 Year Serpentine River flood plain. Development within the flood plain is not supported as per Surrey Policy O-55 ("Policy to Regulate Development Within the Serpentine and Nicomekl River Floodplains").
- All works required to Service the sites will be defined through the Rezone/Subdivision process.



Rémi Dubé, P.Eng.
Development Services Manager

RD



 Buffers / Natural Areas	 Park	 Landscaped Pathways (private property)
 Business Park	 Live & Work (or future business park)	 Possible Small Urban Plaza (privately owned)
 Local Commercial	 Agricultural Land Reserve	 View Corridor
 Existing Church		




EAST NEWTON BUSINESS PARK LAND USE PLAN
 CITY OF SURREY - PLANNING & DEVELOPMENT DEPARTMENT
 Approved by Council March 3, 1999 Amended Oct. 2011

This map is provided as general reference only. The City of Surrey makes no warranties, express or implied, as to the fitness of the information for any purpose, or to the results obtained by individuals using the information and is not responsible for any action taken in reliance on the information contained herein.



Agriculture and Food Security Advisory Committee Minutes

Executive Boardroom
City Hall
14245 - 56 Avenue
Surrey, B.C.
THURSDAY, FEBRUARY 7, 2013
Time: 9:01 a.m.
File: 0540-20

Present:

Chairperson – Councillor Hepner
M. Bose
D. Arnold
P. Harrison
M. Hilmer
J. Sandhar
K. Thiara
S. VanKeulen

Regrets:

B. Sandhu
T. Pellett, Agricultural Land
Commission

Staff Present:

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

Environmental Advisory

Committee Representative:
B. Stewart

Agency Representatives:

K. Zimmerman, Ministry of Agriculture

Guest Observers:

F. Scales
C. Innes
G. Rice
A. Wall
M. Koka, Aplin & Martin Consultants Ltd.

2. **ALR Exclusion of 6480 – 152 Street;
ALR Inclusion for portion of 19103 – 8 Avenue**
File No.: 7912-0304-00

Keith Broersma, Planner, provided a review of his memo, dated January 28, 2013, regarding the above subject line. Comments were as follows:

- The applicant is proposing to exclude the property from 6480 – 152 Street from the ALR, to rezone the site from A-1 to IB-1 (Business Park Industrial) and to develop an industrial subdivision. This parcel is not currently actively farmed, but there is a history of farming on the property.
- Information in 2000 indicates that the western 1/3 of the lot is suitable for non-soil based agriculture, and the remaining 2/3 of the lot would support a wide range of crops with drainage and irrigation.
- A recent agricultural capability assessment by Pottinger Gaherty Environmental Consultants Ltd., found improved agricultural capability classifications of the western and eastern portions of the property (surrounding land uses were noted.)
- The parcel is located immediately south of the East Newton Business Park NCP, and the applicant is proposing that the subject site be incorporated into the East Newton Business Park NCP.
- The total size of the parcel is 25.1 acres of which 6.1 acres is fully encumbered by Hyland Creek and a drainage easement (the non-riparian remainder of the site is 19.0 acres).

- The applicant is proposing to include the northerly portion of the property at 19103 – 8 Avenue into the ALR. The southerly portion of the property is being used as an active farm and a portion of the ALR inclusion area is being actively farmed as well. The remainder of the ALR inclusion area is forested and contains a number of watercourses (Little Campbell River/Campbell River).
- The total site area is 57.5 acres. The southerly 28.4 acres are in the ALR. The applicant is proposing to include the northerly portion of the site into the ALR. The total non-riparian area, 5m from top-of-bank, proposed for inclusion into the ALR is 24.5 acres.
- An agricultural capability assessment for the inclusion property also found improved agricultural capability classifications (surrounding land uses also noted).
- City Policy O-51, as it relates to soil capability rating of Class 1 -7 soil, compensation for land being excluded, and zoning to accommodate a use that can be provided at alternative sites in the City, was noted as parts of the Policy that are not being met for this application.

The Committee commented as follows:

- With respect to the riparian set back along Hyland Creek, the dyke on that property would be sufficient to support the required 5m setback 5m from top of bank).
- The parcels are relatively close in size and having two creeks across one property makes it a challenge for anyone to farm.
- According to existing policy, the application does not meet a two-to-one exclusion/inclusion, however it does meet a one-to-one exclusion/inclusion.
- Consistency in decisions is paramount. This is an interesting and good proposal. However, it is perplexing as it has been less than 50 years since the property was farmed and the fill was placed there before there were any fill policies (which under today's way of doing business, wouldn't work). There were houses and barns and it was actually a really good farm.
- The fact that the compensation is four acres more than a one-to-one trade is very good. The 8 Avenue land is better land because of what took place on the property at the end of its active agricultural life, however the red-coded streams on the property are concerning.
- It has always been surprising to find out the land was not in the ALR and never has been. Other than the limitations of the creeks, it should have been in the ALR in the first place, it is good farmable land.

The applicant (with the permission of the Chair) reported that there will be a new entrant dairy farm starting on February 23, 2013, for which the Committee expressed their support.

It was

Moved by J. Sandhar

Seconded D. Arnold

That the Agriculture and Food Security Advisory

Committee recommends to the GM Planning and Development support of Application No. 7912-0304-00 moving forward to the Agricultural Land Commission without any recommendations.

Carried



CITY POLICY

No. O-51

REFERENCE:	APPROVED BY:	CITY COUNCIL
REGULAR COUNCIL MINUTES 01 DECEMBER 2003	DATE:	17 MAY 2004 (RES.R04-1316)
	HISTORY:	01 DEC 2003 (RES.R03-3122)

**TITLE: POLICY FOR CONSIDERING APPLICATIONS FOR EXCLUSION OF
LAND FROM THE AGRICULTURAL LAND RESERVE**

1. PURPOSE

The purpose of this policy is to provide the context for and establish criteria that will be used for the evaluation of applications received by the City of Surrey to exclude land from the Agricultural Land Reserve (the "ALR").

2. CONTEXT

The ALR is a Provincially protected land base focussed on sustaining British Columbia's agricultural potential. About one-third or 100 sq. km. (38.6 sq. mi.) of Surrey's land base is designated for agriculture in the City's Official Community Plan (the "OCP"), of which 95% is in the ALR. Provincial legislation and regulations establish how the ALR is to be managed and the role municipalities may exercise in relation to the ALR.

Surrey's OCP contains policies to protect farmland as a resource for agriculture, a source of heritage and a distinct landscape defining communities. These policies seek to maintain the integrity of the ALR and its existing boundaries and to enhance the viability of agriculture as a component of the City's economy by:

- Promoting compatibility between agricultural and non-agricultural areas through such means as buffering and development permit areas;
- Maintaining viable agriculture by means such as discouraging subdivision, protecting boundaries and supporting Agricultural Land Commission (the "ALC") policies;
- Enhancing farm viability by taking actions to support farming;

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- Coordinating farming and environmental protection;
 - Managing water and drainage needs; and
 - Building awareness about the economic dimensions of farming.

Lands outside of the ALR are sufficient to accommodate population and employment growth in the City to beyond 2021.

The intention of this policy is not directed at lending support to or encouraging ALR exclusions nor is its intention to allow the ALR to be "opened up" for development. This policy is focused on maintaining the City's long-standing practice of protecting agricultural lands for agricultural purposes consistent with the OCP. The policy recognizes that, from time to time, applications for exclusion of land from the ALR will be received that will need to be evaluated and that such an evaluation should be undertaken within a comprehensive and consistent policy context.

A further intention of this policy is to address the issue of compensation in instances where land is removed from the ALR. Compensation is intended to mitigate the impact of the exclusion and to maintain and/or enhance the productive capability of ALR lands in Surrey.

3. ALR EXCLUSION APPLICATIONS INVOLVING BOUNDARY ADJUSTMENTS AND GOVERNMENT OPERATED FACILITIES

Over the last decade, the ALC has approved very few applications for exclusion of land from the ALR. Exclusions that have been approved for land within the City of Surrey have, for the most part, been related to minor boundary adjustments that were identified through the development of Neighbourhood Concept Plans. In each case the exclusion was carefully evaluated by the City and approved by the ALC on the basis that there was a clear need to fine tune or strengthen a boundary to provide a better interface between agricultural and non-agricultural uses, thus creating a more defined edge along the ALR.

The ALC also recognizes that certain facilities operated by governments or Crown Corporations, due to their function or geographical requirements, must be situated in agricultural areas. The provisions of this policy have been structured to accommodate such facilities.

The policy also recognizes that there may be some circumstances where private sector development can only feasibly be located on land that is currently within the ALR. Although such circumstances are expected to be very few, this policy has been structured to recognize this possibility.

The following sections contain criteria that will be used as the basis for evaluating applications for:

- Minor boundary adjustments to the ALR; and
- Exclusions of land from the ALR to accommodate:
 - government/Crown Corporation facilities; and
 - private sector development that must be located on land that is currently in the ALR.

3.1 Minor Boundary Adjustments

Minor adjustments to the boundary of the ALR will in general be supported if they satisfy all of the following criteria:

1. The land proposed to be excluded abuts an existing non-agricultural area and is a "sliver" of land as opposed to an entire parcel;
2. The land proposed to be excluded forms a logical extension to the existing non-agricultural area and does not constitute an intrusion into the ALR (i.e., the ALR boundary will not be significantly lengthened as a result of the exclusion);
3. The proposed ALR boundary is clearly defined by physical or other clear features such as major roadways or topographical or other natural features so that it will not act as a precedent for the exclusion of other or adjoining parcels in the ALR;
4. Landscaping and buffering is provided along the proposed ALR boundary within the land being excluded from the ALR with sufficient dimensions to clearly separate and minimize the impacts between the adjacent agricultural and non-agricultural uses; and
5. Compensation may be required in accordance with Section 5.

3.2 Facilities Operated By Government

A "public facility" for the purpose of this policy is a facility operated by a level of government or a Crown Corporation. Where an application is received to exclude land from the ALR to allow a new public facility to be established within, or an existing public facility to be expanded within the ALR, such an exclusion proposal will generally be supported if all of the following criteria are met:

1. It is clearly demonstrated that locating such new or expanded facility on existing ALR land is necessary and that such facility cannot practically be located on non-ALR lands;

2. Uses, buildings and structures are located on the land in such a manner so as to minimize the impact on the abutting ALR lands;
3. Landscaping and buffering is provided along the proposed ALR boundary within the land being excluded from the ALR with sufficient dimensions to clearly separate and minimize the impacts between the adjacent agricultural and non-agricultural uses; and
4. Compensation may be required in accordance with Section 5.

3.3 Private Sector Facilities in the ALR

Although such circumstances are expected to be extremely few in number, there may be circumstances where the only feasible location for certain types of private sector facilities is on land that is currently within the ALR. Such applications will be considered, based on the following criteria:

1. It is clearly demonstrated that locating such new or expanded facility on land currently in the ALR is the only feasible location for such development and that such facility cannot be located on other lands;
2. Uses, buildings and structures are located on the land in such a manner so as to minimize the impact on the abutting ALR lands;
3. Landscaping and buffering is provided along the proposed ALR boundary within the land being excluded from the ALR with sufficient dimensions to clearly separate and minimize the impacts between the adjacent agricultural and non-agricultural uses; and
4. Compensation is provided as outlined in Section 5.

4. ALL OTHER ALR EXCLUSION APPLICATIONS NOT COVERED IN SECTION 3

The following criteria are to be used as the basis for evaluating all applications for exclusion of land from the ALR, except for those specifically covered by Section 3:

4.1 Soil Capability

If the land proposed for exclusion has a Soil Capability Rating of or is improvable to a Soil Capability Rating of Class 1, 2 or 3, or, in the case of farms providing for grazing, to Class 4, the exclusion application will not generally be supported.

A site with a Soil Capability Rating of 4 to 7 and which is not suitable to support the growing of crops or use by farm animals for grazing, may still lend itself to non-soil bound agricultural use, especially if it is surrounded by other agricultural uses. In such instances, exclusion will generally not be supported.

Council will not give favourable consideration to applications for exclusion where soils have become degraded due to poor farming practices, illegal dumping or filling or wilful despoiling of the soil.

Consideration of each exclusion application will be based on a comprehensive planning exercise to examine the context of the site and the impacts of the proposed exclusion. To assist in making this determination, applicants will be required to retain, at their own expense, a qualified consultant acceptable to the City to undertake an assessment of the existing and potential improvable Soil Capability Rating of any land proposed for exclusion and an assessment of the impacts and potential ramifications of the exclusion from the perspective of the continued viability of agricultural activities in the City of Surrey, particularly in the vicinity of the site.

4.2 Proposed Use

The OCP focuses on building a sustainable and complete city, consisting of compact communities with a full range of uses in support of the citizens of the City. Lands have been designated in non-agricultural areas to accommodate both residential and business growth, together with supporting institutional and recreational uses to accommodate growth in the City for the foreseeable future without the need to exclude land from the ALR for the purposes of accommodating growth.

If an application for ALR exclusion is intended for uses that will result in a departure from the sustainable development principles of the OCP and will encourage speculative pressures on ALR lands, such an application will generally not be supported.

4.3 Alternative Site For The Proposed Use

The OCP has designated areas for a full range of uses to support the development of complete communities and to accommodate the anticipated needs of the current and projected future population of the City. The retention of the agricultural land base to produce food needed by the current and future generations is fundamental to sustainability.

Based on the above, if the land proposed for exclusion from the ALR is to be zoned for a use that can be accommodated on alternative sites in the City that are not in the ALR, whether serviced or not serviced and that are designated or potentially can be designated for the proposed use or uses, the application will generally not be supported.

4.4 Location of the Site

The integrity of the agricultural area of the City should be maintained. Intrusion of non-agricultural uses into the established agricultural area will generally act to undermine the viability of agricultural activities.

If the land proposed for exclusion does not abut an existing non-agricultural area (e.g. Suburban, Urban, Commercial, Industrial or Business Park designation) and does not provide a logical and continuous extension of the existing development pattern of the adjacent non-ALR area, the application will generally not be supported.

The OCP policies are intended to maintain the integrity of the ALR lands and their boundary. The ALR boundary is intended to be clearly defined and defensible.

Where an area proposed to be excluded from the ALR is not contained within permanent well-defined boundaries (i.e., roads, topographic or other natural features, etc.) the application for exclusion will generally not be supported. The applicant will be responsible for retaining an appropriately qualified professional to undertake a comprehensive planning exercise to examine the boundary conditions of the proposed exclusion and provide justification with respect to how the proposed boundary satisfies the requirements of this criterion.

If a site is isolated or separated from the rest of the ALR by a significant developed area or by physical barrier and such isolation is detrimental to the economic viability of the agricultural pocket, exclusion may be considered. If the cost to connect the isolated pocket with the rest of the ALR, or if the cost to overcome the barrier (e.g. transportation infrastructure) is minor in comparison to the potential gain in the productivity of the lands in the agricultural pocket, then the application will generally not be supported.

4.5 Roads and Services

Local roads in agricultural areas are not generally intended to accommodate the movement of goods and people to and from non-agricultural areas. Allowing general traffic on local roads in agricultural areas often result in conflicts with farm vehicles. As well, the extension of engineering services through agricultural areas can be disruptive, costly and trigger undesirable development interest.

If the area proposed for exclusion from the ALR does not have primary vehicular access from an abutting arterial street or provincial road or requires the extension of engineering services on a local agricultural road, the application will generally not be supported.

4.6 Interface Buffering

The OCP requires landscaping buffers along the boundary between the ALR and adjacent non-agricultural land uses. Landscaping along the proposed ALR

boundary on the land proposed to be excluded, is to be provided with sufficient dimensions to clearly separate and minimize impacts between agricultural and non-agricultural uses.

In general, applications for exclusion will not be supported unless the landscaping and other buffering features fully meet or exceed the buffering requirements set out in the OCP.

4.7 Impacts On Adjacent Agricultural Activities

The agricultural areas of the City consist of a number of well-defined rural communities that can be physically impacted by boundary changes and by the encroachment of urban development/uses. The impact may go beyond the immediately abutting lands that remain in the ALR. Measures to mitigate impacts may be necessary and could include farm lot or field reconfiguration, lot consolidation, road closures and exchanges, drainage improvements, landscaping and buffering, etc.

Unless the impact upon the areas adjacent to the lands proposed to be excluded is fully mitigated, the application will generally not be supported. The applicant will be responsible for retaining the services of a qualified professional to assess all potential impacts on the rural community and to recommend all necessary measures to fully mitigate the potential impacts.

5. COMPENSATION

Subject to satisfying the criteria contained in Section 4 of this policy, an application for exclusion of land from the ALR must also demonstrate that compensation will be provided that is satisfactory to Council and to the ALC. The compensation to be provided is intended to ensure that the overall productive capability of Surrey's ALR lands will be retained.

Compensation will include, among other things, the inclusion of other land into the ALR to offset for the impact of the land being removed. The compensation criteria contained in this policy supplement and, in some cases, exceed ALC compensation criteria.

Generally, compensation for land being excluded from the ALR will include:

1. The inclusion of land into the ALR at no cost to the City and coincidentally with the exclusion from the ALR, with an area that is at least twice as large as the area of land being excluded;
2. The lands being included in the ALR must:
 - (a) be within the City of Surrey;
 - (b) be designated Agricultural or Suburban in the OCP;
 - (c) abut the existing ALR boundary;

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- (d) provide a logical extension to the ALR;
 - (e) be zoned or supportable to be rezoned to an appropriate Agricultural Zone as specified in the Surrey Zoning By-law;
 - (f) either be consolidated with existing lots in the ALR or form new lots within the ALR, provided that the new or consolidated lots have a minimum area of 5 hectares (12.4 acres); and
 - (g) be rated with a Soil Capability Rating equal to or exceeding that of the improvable soil capability rating of the site proposed for exclusion;
3. Where a 2 to 1 ratio is not achievable, the inclusion of non-ALR land in the ALR may be reduced to as low as a 1 to 1 ratio if the land included in the ALR is supplemented by other means to mitigate the impact of the exclusion and to increase the agricultural capability of land remaining within the ALR. These means may include, but are not limited to:
- (a) infrastructure works to improve drainage and irrigation;
 - (b) consolidation of parcels and the creation of more rationally sized and configured farm parcels or units;
 - (c) increased utilization of land through cancellation of rights-of-way, utility corridors or home sites;
 - (d) improvements to utilities such as potable water supply, etc.; and
 - (e) improvements to farm access.
4. The ALC's agreement with the exclusion and proposed compensation calculations.

Where exclusion applications are supported for minor boundary adjustments as set out in Subsection 3.1 or for government-operated facilities as set out in Subsection 3.2 of Section 3 of this policy, compensation may be required. However, such compensation will not require the replacement of the excluded land with non-ALR land. Where exclusion applications are supported for private sector facilities that can only be accommodated on ALR land, as set out in Subsection 3.3 of Section 3 of this policy, compensation will be required in accordance with Section 5 except that replacement land may not be required. Compensation requirements for each of these types of applications will be considered on an application-by-application basis.

6. APPLICATION PROCESSING

- Applications for exclusion of land from the ALR will be received by the Planning and Development Department and will be evaluated by City staff using this policy in conjunction with the other policies and by-laws of the City.
- All applications for exclusion of land from the ALR will be forwarded to the AAC for comments and input.
- The applicant will be responsible for retaining the services of qualified professionals, as necessary, to provide information to staff to demonstrate how the criteria in this policy and other relevant policies and by-laws of the City have been or will be satisfied.

- Upon completion of the evaluation and consultation, a Planning report will be submitted to Council for consideration at a Regular Council – Land Use meeting.
- The report will provide, among other things, a summary of the application, a summary of staff’s evaluation of the application against the criteria contained in this policy and a recommendation or set of recommendations for Council’s consideration.

Agriculture Capability Classes

Class 1 land is capable of producing the very widest range of crops. Soil and climate conditions are optimum, resulting in easy management.

Class 2 land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 6 land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

Class 7 land has no capability for soil bound agriculture.

Agriculture Capability Subclasses

A & M	Soil moisture deficiency	N	Salinity
C	Adverse climate (excluding precipitation)	P	Stoniness
D	Undesirable soil structure	R	Shallow soil over bedrock and/or bedrock outcropping
E	Erosion	S & X	Cumulative and minor characteristics
F	Low fertility	T	Topography
I	Inundation adverse (flooding by streams, etc.)	W	Excess water

Unimproved ratings describe the land in its native condition without any improvements to the soil.