#### City of Surrey PLANNING & DEVELOPMENT REPORT Application No.: 7919-0266-00

Planning Report Date: September 14, 2020

**PROPOSAL:** 

- Development Permit
- Development Variance Permit

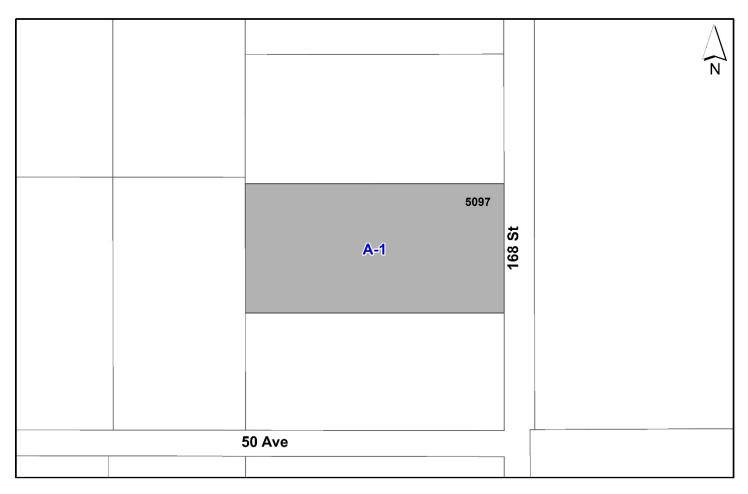
to vary the maximum setback of a single family dwelling and the maximum depth of the farm residential footprint on an agricultural lot and a Development Permit for Sensitive Ecosystems to construct a new single family dwelling.

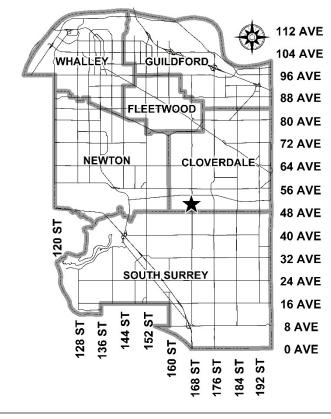
A-1

LOCATION: 5097 - 168 Street

ZONING:

**OCP DESIGNATION:** Agricultural





#### **RECOMMENDATION SUMMARY**

- Approval to draft Development Permit for Sensitive Ecosystems.
- Approval for Development Variance Permit to proceed to Public Notification.

#### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposed variance to increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres to 60 metres; and
- Proposed variance to increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres to 65.7 metres.

#### **RATIONALE OF RECOMMENDATION**

- The proposal complies with the Agricultural designation in the Official Community Plan (OCP).
- The proposal complies with the Agricultural designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposal complies with the Development Permit requirements in the OCP for Sensitive Ecosystems (Streamside Areas).
- The Agricultural and Food Policy Advisory Committee supports the proposal.
- The use of a shared access road by both the proposed farm home plate and the existing farm buildings as well as the clustering of buildings into a contiguous area will help mitigate any potential losses to farmable land on the property.
- Using the existing fill-pad for the proposed single-family dwelling will limit disturbance to the site and not require any more fill to be brought on-site.

#### RECOMMENDATION

The Planning & Development Department recommends that:

- 1. Council authorize staff to draft Development Permit No. 7919-0266-00 for Sensitive Ecosystems (Streamside Areas), generally in accordance with the attached drawings (Appendix II) and the finalized Ecosystem Development Plan.
- 2. Council approve Development Variance Permit No. 7919-0266-00 (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres to 60 metres; and
  - (b) to increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres to 65.7 metres.
- 3. Council instruct staff to resolve the following issues prior to final approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a finalized Ecosystem Development Plan and Impact Mitigation Plan to the satisfaction of City staff; and
  - (c) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Build" and conveyance access.

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Agriculture	Agricultural	A-1
North:	Agriculture & Single family dwelling	Agricultural	A-1
East (Across 168 Street):	Mound Farm Park	Agricultural	A-1
South:	Agriculture & Single family dwelling	Agricultural	A-1
West:	Agriculture	Agricultural	A-1

#### SITE CONTEXT & BACKGROUND

#### **Context & Background**

- The subject site is located at 5097 168 Street in Cloverdale and is approximately 20,199 square metres. The site is designated as "Agricultural" in the Official Community Plan (OCP), zoned "General Agriculture Zone (A-1)", and is located within the Agricultural Land Reserve (ALR).
- The subject site is classified as farmland under the *Assessment Act*. There are three (3) existing farm buildings on the subject property. The owners use the site to farm poultry for eggs and have pastures of produce and a pumpkin patch.
- There is no existing house on the subject property. There is an existing fill pad that was approved under permit in 2009. The fill pad has remained vacant and no single family dwelling has been constructed on site.
- There are several Class A/O watercourses located adjacent to and on the subject site that will be protected through the associated Sensitive Ecosystems Development Permit.

#### **DEVELOPMENT PROPOSAL**

#### Planning Considerations

- The applicant is requesting to vary the maximum allowable setback from the front lot line for a single family dwelling in the General Agriculture (A-1) Zone from 50 metres to 60 metres as shown on the site plan attached as Appendix I.
- The applicant is also requesting to vary the maximum allowable depth of the farm residential footprint from the front lot line in the General Agriculture (A-1) Zone from 60 metres to 65.7 metres as shown on the site plan attached as Appendix I.
- The proposed location of the farm home plate is on an existing fill pad.
- The proposed farm home plate would be connected to 168 Street via the existing private gravel driveway currently used by the existing farm buildings which would mitigate further losses of farmable land due to new driveway construction.
- The proposed single family dwelling and access driveway will be located within a farm residential footprint of approximately 997-square metres, which is within the maximum farm residential footprint permitted for a property containing one (1) single family dwelling in the A-1 Zone.
- The floor area of the proposed single-family dwelling is 500 square metres, with 42 square metres for the proposed garage, meeting all requirements for the A-1 zone.

#### Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.	
Agricultural and Food Policy Advisory Committee (AFPAC):	The proposal has no negative impacts on farming and would keep active agricultural land in production.	
(),	AFPAC recommends support of Development Application No. 7919-0266-00.	

#### **POLICY & BY-LAW CONSIDERATIONS**

#### **Regional Growth Strategy**

• The proposal complies with the Agricultural designation in the Metro Vancouver Regional Growth Strategy (RGS). This designation is intended for agricultural uses, facilities and supporting services with an emphasis on food production.

#### Official Community Plan

#### Land Use Designation

• The proposal complies with the Agricultural designation in the Official Community Plan (OCP). The Agricultural designation is intended to support agricultural uses and includes all lands within the Agricultural Land Reserve and other rural lands that are used for farming and other complementary uses.

#### **Zoning By-law**

#### Setback Variances

- The applicant is requesting the following variances:
  - to increase the maximum setback of all portions of a single family dwelling from the front lot line in the A-1 Zone from 50 metres to 60 metres; and
  - to increase the maximum depth of the farm residential footprint from the front lot line in the A-1 Zone from 60 metres to 65.7 metres.
- The use of a shared access road by both the proposed farm home plate and the existing farm buildings as well as the clustering of buildings into a contiguous area will help mitigate any potential losses to farmable land on the property.
- Using the existing fill-pad for the proposed single-family dwelling will limit disturbance to the site and not require any more fill to be brought on-site.

- The proposed farm home plate will be within the maximum size permitted for an agricultural zoned property containing one (1) single family dwelling.
- Staff support the requested variances to proceed for consideration.

#### **DEVELOPMENT PERMITS**

#### Sensitive Ecosystems (Streamside Areas) Development Permit Requirement

- The subject property falls within the Sensitive Ecosystems Development Permit Area (DPA) for Streamside Areas in the OCP, given the location of existing Class A/O (red-coded) watercourses adjacent to and on the site. The Sensitive Ecosystems (Streamside Areas) Development Permit is required to protect aquatic and terrestrial ecosystems associated with streams from the impacts of development.
- In accordance with Part 7A Streamside Protection setbacks of the Zoning By-law, a Class A/O (red-coded) watercourse requires a minimum streamside setback of 10 metres, as measured from the top of bank. The proposed setbacks comply with the requirements outlined in the Zoning By-law.
- The riparian area will be protected through the registration of a combined Restrictive Covenant/Right-of-Way against the property to ensure safeguarding and maintenance of the Protection Area in perpetuity, in compliance with the OCP.
- An Ecosystem Development Plan, prepared by Ryan Preston, *P. Ag.*., of Enkon Environmental and dated June 5, 2020 was reviewed by staff and found to be generally acceptable, with some modifications to content and format of the report still required. The finalized report and recommendations will be incorporated into the Development Permit.

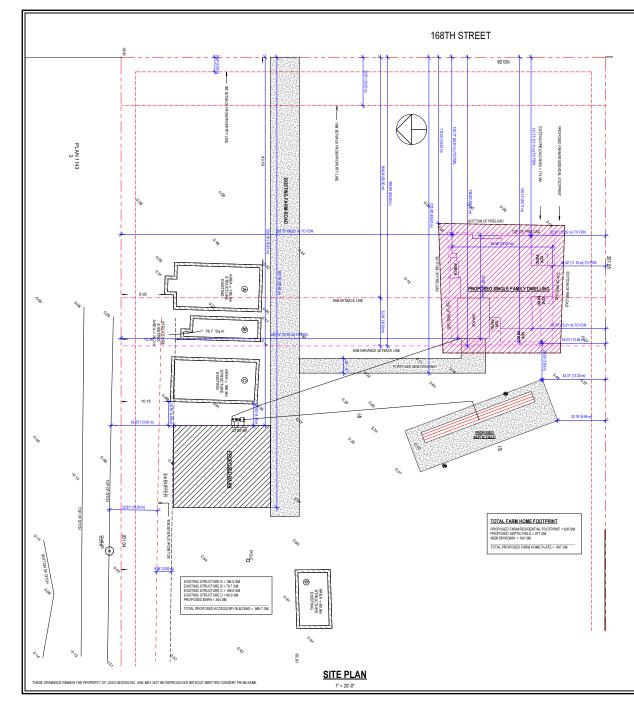
#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Site Plan
Appendix II.	EDP Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Agricultural and Food Security Advisory Committee Minutes – July 7, 2020
Appendix V.	Development Variance Permit No. 7919-0266-00

approved by Ron Gill

Jean Lamontagne General Manager Planning and Development



#### STRUCTURAL SPECIFICATIONS EXTERIOR WALLS ARE DRAWN 6" THICK ASSUMING 1/2" PLYWOOD SHEATHING ON 5-1/2" STUDS. ALL INTERIOR WALLS ARE DRAWN 4" OR 6" THICK FOR 2x4 OR 2x6 STUD WALLS. PROPOSED NEW SINGLE DWELLING DIMENSIONS TO BE TAKEN FROM OUTSIDE FACE OF SHEATHING FOR EXTERIOR WALLS AND CENTRE OR FACE OF STUDS FOR INT. WALLS AS SHOWN. CLIENT: GEETU SIDHU LEGAL DESCRIPTION ALL HEIGHT DIMENSIONS ON FLOOR PLANS ARE FROM TOP OF FLOOR PLYWOOD. LOT 2 BLOCK 1 DL 362 GROUP 2 APPLICATION OF MATERIALS MUST CONFORM TO THE TABLES PROVIDED IN THE SPAN BOOK 2004 EDITION. PID: 004-921-593 BUILDING FRAMES SHALL BE ANCHORED TO THE FOUNDATION WALLS BY FASTENING A SILL PLATE TO THE FOUNDATION WALL WITH 13MM ANCHOR BOLTS SPACED AT 1800MM ON CIVIC ADDRESS 5097 168 STREET, SURREY, BC CENTER, UNLESS OTHERWISE NOTED. FLOOR JOISTS SPANNING MORE THAN 2100MM ARE TO BE BRIDGED AT MID SPAN OR AT 2100MM ON CENTRE BY 38:38 DIAGONAL BRIDGING, ALL SUBFLOORS TO BE 15, SMM T&G PLYWOOD, GLUED AND NAILED TO THE JOISTS. ZONING ANALYSIS ZONE = 41 WINDOW AND DOOR SIZES ARE APPROXIMATE AND CONTRACTOR SHALL CHECK WITH WINDOW AND DOOR SUPPLIER FOR ACTUAL ROUGH OPENINGS. LOT AREA = 215114.00 SF (19984.74 SM) FLOOR AREA RATIO ALL LINTELS ARE TO BE 2-38x135 D. FIR NO. 2 OR BETTER PERMITTED FAR = 5834.04 SF (542.00 SM) UNLESS OTHERWISE STATED, AND SHALL BE SUPPORTED ON A MINIMUM 38MM BEARING.) - HOUSE = 5381.96 SE (500.00 SM) - GARAGE = 452.08 SF (42.00 SM) BUILDER TO CHECK SNOW LOAD AND RAIN LOAD GUIDELINES FOR THEIR MUNICIPALITY PRIOR TO CONSTRUCTION. PROPOSED FLOOR AREA 5832.25 SF (541.83 SM) TOP OF EXTERIOR FOUNDATION WALLS TO BE MIN 8" ABOVE FINISHED GRADE. UPPER FLOOR AREA NET = 2262.98 SF (210.24 SM) MAIN FLOOR AREA NET = 2978.02 SF (276.67 SM) GARAGE AREA = 591.25 SF (54.93 SM) VILL GURNLINNLS TO BE 42" IN HEIGHT AND 4" VERTICAL SPACING: ALL GURADRAILS MUST CONFORM TO ALL RELEVANT REQUIREMENT TO SECTION 9.8.8 OF THE B.C.B.C. 2018. ALLOWABLE PORCH AREA = 10% 583.40 SF (54.20 SM) PROPOSED PORCH & DECK AREA = 583.00 SF (54.16 SM) - PORCH (RESERVED 160 SF) = 160.00 SF (14.86 SM) CONTRACTOR MUST VERIFY ALL SERVICE LINES PRIOR TO CONSTRUCTION. - PATIO = 423.00 SF (39.30 SM) FOOTINGS MUST PENETRATE BELOW FROST LINE AND BE ON SOLID BEARING. EXPOSED SHEET METAL FLASHING SHALL BE OF GALVINIZED DRAWING INDEX CAULKING AND FLASHING TO BE PROVIDED AS PER B.C.B.C. DRAWING TITLE 2018 A1-1 SITE PLAN & NOTES INSULATION AND VENTILATION A1-2 FRONT & REAR ELEVATIONS ALL INSULATION TO BE R40 FOR ROOFS, R22 FOR WALLS, AND R28 FOR CANTILEVERED FLOORS, UNLESS OTHERWISE NOTED. A1-3 LEFT & RIGHT ELEVATIONS ATTIC ROOF SPACE SHALL BE VENTED WITH ROOF TYPE, EAVE TYPE AND/OR GABLE TYPE VENTS TO A MINIAUM OF 1300 OF THE INSULATED CELING AREA. ROOFS CONSTRUCTED WITH ROOF JOISTS SHALL BE VENTED TO A MINIAUM OF 1:150 OF THE INSULATED CELING AREA. A1-4 ROOF PLAN A1-5 UPPER FLOOR PLAN A1-6 MAIN FLOOR PLAN VENTS SHALL BE UNFORMLY PLACED AROUND THE BUILDING. A1-7 FOUNDATION PLAN CRIMILSPACES MAY ALSO BE HEATED BY A FORCED AIR HEATING SYSTEM OR VENTS TO AN ADJACENT BASEMENT AND SHALL BE VENTED TO ACCORDING TO SECTION 9.32 OF THE B.C.B.C. 2018. A1-8 SECTIONS & DETAILS D DETAIL CONSTRUCTION CEILING INSULATION SHALL BE INSTALLED SO AS NOT TO RESTRICT AIR FLOW THROUGH ROOF VENTS TO ATTIC SPACES. ATTIC SPACES AND CRAWLSPACES TO HAVE A MINIMUM 500y700 ACCESS HATCHWAY MISCELLANEOUS THE INSTALLATION OF PLUMBING, HEATING AND ELECTRICAL EQUIPMENT AND MATERIALS SHALL BE IN ACCORDANCE WITH MANUFACTURENS SPECIFICATIONS AND THE APPLICABLE SECTIONS OF THE B.C.B.C. STANDARDS. 2047 370 - 8029 199 STREET LANGLEY, BC EMAIL: INFO@JOSSHOMEDESIGN.COM TEL : 778 323-8873 19 200.97 JUNE 24, 2020\_BP .52 DRAWN JS 5097 168 ST, SURREY, BC PROJECT SCALE 1/8" = 1'-0" SITE PLAN & NOTES 2609 DRAWING TITLE KEYPLAN 96002

THESE PLANS CONFORM TO THE B.C. BUILDING CODE 2018

1" = 100'-0"

#### GENERAL NOTES:

Appendix I

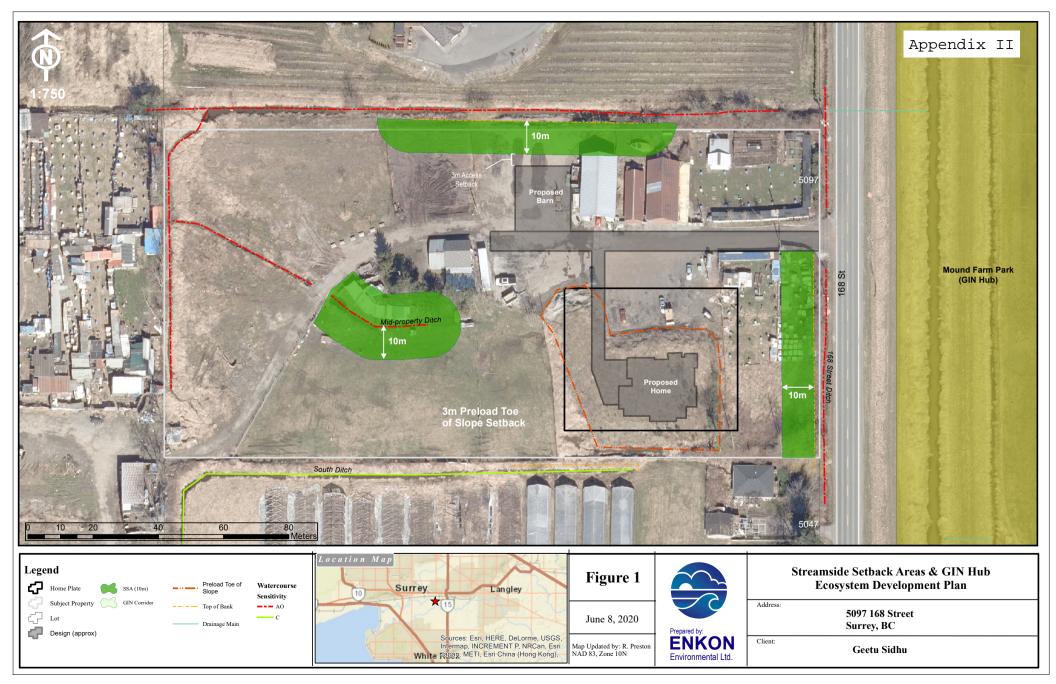
THESE DRAWINGS HAVE BEEN PREPARED BY JOSS DESIGN NC. TO CONFORM TO CURRENT RESIDENTIAL STANDARDS OF THE BRITISH COLUMBIA BUILDING CODE (B.C.B.C.) 2018 AND THE SPAN BOOK 2004 EDITION. THE BUILDER IS RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION CONFORMS TO PROVINCIAL AND LOCAL BUILDING CODES AND BY-LAWS.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO CHECK AND VERIFY ALL DIMENSIONS, MATERIALS, AND SPECIFICATIONS PRIOR TO CONSTRUCTION. ANY ERROR OR OMISSIONS SMAL BE BROUGHT TO OLE ATTENTION IMMEDIATELY SO THAT CORRECTIONS CAN BE MADE AND PLANS REPLACED.

DO NOT SCALE DRAWINGS. JOSS DESIGN INC. WILL NOT BE RESPONSIBLE FOR DEPARTURES FROM AND/OR CHANGE TO THESE PLANS.

A1-1

SHEET NUMBER





INTER-OFFICE MEMO

TO:	Manager, Area Planning & Development - North Surrey Division Planning and Development Department			
FROM:	Development Services Manager, Engineering Department			
DATE:	August 28, 2020	PROJECT FILE:	7819-0266-00	
RE:	Engineering Requirements			

#### RE: Engineering Requirements Location: 5097 168 Street

#### DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT - ALR

The following issues are to be addressed as a condition of issuance of the Development Permit for Sensitive Ecosystems (Streamside) associated with the proposed construction of a new single-family dwelling on the A-1 property:

• The applicant will be required to provide a combined statutory right-of-way/restrictive covenant (SRW/RC) for the class "AO" watercourse located along the west side of 168 Street. The SRW/RC is to be registered over the setback from the top of bank for the proposed building footprint frontage.

There are no additional engineering requirements relative to issuance of the Development Variance Permit beyond those noted above.

### **BUILDING PERMIT**

The following issues are to be addressed as a condition of the subsequent Building Permit:

- Any proposed on-site septic sewer system to be designed and installed in accordance with the requirements of the Fraser Health Authority.
- Grade all new impervious surfaces towards surrounding pervious areas to provide on-lot infiltration.
- Applicant to ensure that any proposed fill on the property is in conformance with the fill requirements for an agricultural land use.
- Provide a minimum 4.5 m wide asphalt driveway to access the site.

A Servicing Agreement is not required but a processing fee of \$1,674.75 (GST included) is needed to administer the legal document requirements.

Tommy Buchmann, P.Eng. Development Services Manager

- The agricultural sector is carbon neutral and powered by clean, renewable energy. The agricultural sector continues to employ best available management practices and technologies to minimize greenhouse gas and air contaminant emissions. The proposal plans to accelerate the adoption of clean, renewable energy sources in agriculture, prevent the cumulative impacts of land development on agricultural land, and preserve and enhance avenues to increase carbon storage on agricultural lands.
- Climate 2050 is aimed to achieve a carbon neutral region by 2050 and is organized around issue areas, including agriculture. The Plan hopes to ensure that infrastructure, ecosystems and communities are resilient to the impacts of climate change. Metro Vancouver plans to reduce regional greenhouse gas emissions by 45% by 2030.

In response to a question from the Committee, the Committee expressed ideas on what would assist the farming community.

- Members asked Metro Vancouver staff about any Provincial or Federal grants and/or subsidize that may help farmers with the costs associated with farm technology to support carbon neutral policies.
- Members highlighted that policies promoting regional and provincial food security should be a high priority.
- Members expressed concerns on costs for farmers to achieve carbon neutral region

Feedback can be submitted to CleanAirPlan@metrovancouver.org and Climate2050@metrovancouver.org by September 30, 2020.

#### C. NEW BUSINESS

#### 1. Development Application 7919-0266-00 Sharon Johal, Planner

File: 7919-0266-00

The proposal to vary the farm home plate for a proposed new single dwelling on an existing fill pad.

• The subject property is 2.02 hectares in size, designated Agricultural in the Official Community Plan (OCP), zoned General Agriculture Zone (A-1), and located within the Agricultural Land Reserve (ALR). The subject site is classified as farmland under the *Assessment Act*. There is no existing house on the subject property but there are three existing farm buildings on the property.

The applicant is requesting to vary the maximum allowable setback from the front lot line for a single family dwelling in the General Agriculture (A-1) Zone from 50 metres to 60 metres. The applicant is also requesting to vary the maximum allowable depth of the farm residential footprint from the front lot line in the General Agriculture (A-1) Zone from 60 metres metres to 65.65 metres.

Staff noted that the fill placement was put on several years ago and the owner did not develop during that time. Staff clarified the fill pad was incompliance with City zoning regulations prior to the establishment of the City bylaw amendments to the A-1 Zone requiring a maximum setbacks and provisions surrounding farm residential footprints.

A member asked about the potential cost associated with moving of the existing fill to comply with current zoning bylaw regulations.

A member noted that leaving the bulk of land available for farming is supported.

It was Moved by Councillor Hundial Seconded by S. VanKeulen That the Agriculture and Food Policy Advisory Committee recommend to the General Manager of Planning and Development to support Development Proposal 7919-0266-00. Carried

# 2. Development Application 7920-0003-00

Ben Daly, Planner File: 7920-0003-00

The proposal is for the placement of fill in the ALR and a Development Variance Permit to increase the maximum area and maximum setback of the farm residential footprint.

- The subject 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 site is classified as farmland under the *BC Assessment Act*. The site was classified as farmland between 2014 and 2017. In 2018 and 2019 the property did not have farm classification.
- Staff noted that Bill 52 has new soil restrictions and that the Agricultural Land Commission requested removal of the illegal fill. The site was filled with illegal fill, which extended the farm home plate and as a consequence, a DVP is required. The applicant is applying to the ALC to allow the unpermitted and excess fill to remain on the property. The preload is intended to be used partially for the farm Homeplate and partially for the farm operation, to display and sell farm product. A Geotechnical report was submitted to the City and noted a portion of the fill could be removed, provided a 3 horizontal by 1 vertical slope was maintained to stabilize the Homeplate.

#### CITY OF SURREY

## (the "City")

#### **DEVELOPMENT VARIANCE PERMIT**

NO.: 7919-0266-00

Issued To:

(the "Owner")

Address of Owner:

- 1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations, or agreements, except as specifically varied by this development variance permit.
- 2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 004-921-593 Lot 2 Block 1 District Lot 362 Group 2 New Westminster District Plan 1143

5097 - 168 Street

(the "Land")

- 3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
  - (a) In Section F.1(b) of Part 10 "General Agricultural Zone (A-1)", the maximum setback of all portions of a single family dwelling from the front lot line is increased from 50 metres to 60 metres; and
  - (b) In Section J.2 of Part 10 "General Agricultural Zone (A-1)", the maximum depth of the farm residential footprint from the front lot line in increased from 60 metres to 65.7 metres.
- 4. This development variance permit applies to only <u>the Land</u> shown on Schedule A which is attached hereto and forms part of this development variance permit.
- 5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.

- 6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
- 7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
- 8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . ISSUED THIS DAY OF , 20 .

Mayor – Doug McCallum

City Clerk – Jennifer Ficocelli

