

City of Surrey  
PLANNING & DEVELOPMENT REPORT

Application No.: 7919-0312-00

Planning Report Date: April 20, 2020

PROPOSAL:

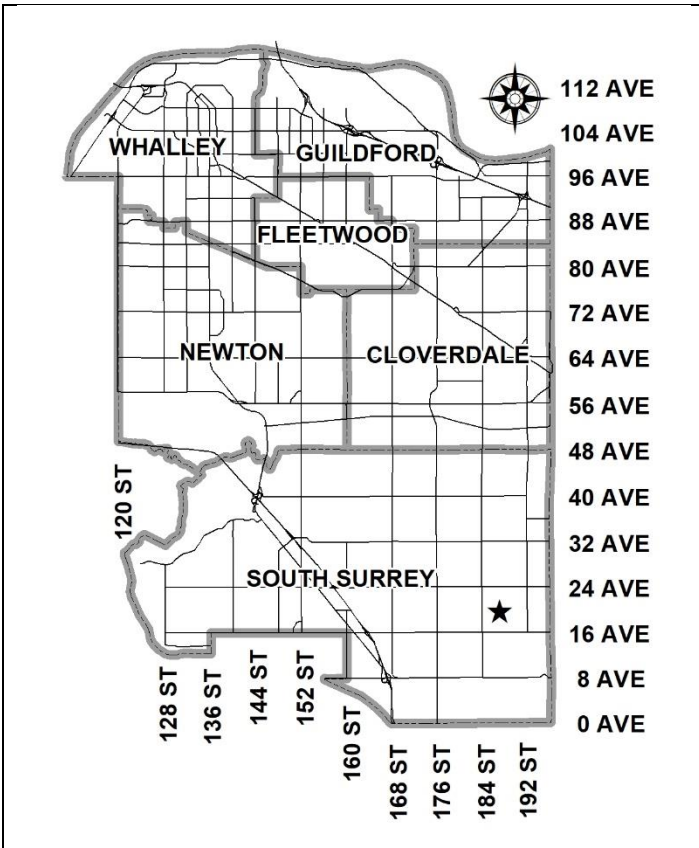
- **Non-adhering residential use** under Section 20.1 of the *ALC Act*.

to allow the development of a single family dwelling that exceeds 500 square metres in total floor area.

LOCATION: 18738 - 20 Avenue

ZONING: A-1

OCP DESIGNATION: Agricultural (within the ALR)



**RECOMMENDATION SUMMARY**

- Refer the subject non-adhering residential use application to the Agricultural Land Commission (ALC) without comment

**DEVIATION FROM PLANS, POLICIES OR REGULATIONS**

- Proposing to increase the maximum floor area of a principal residence allowed by the *Agricultural Land Commission Act (ALCA)*.

**RATIONALE OF RECOMMENDATION**

- The Province adopted legislation on February 22, 2019, which introduces a cap on the floor area of principal dwellings to 500 square metres.
- The City has only recently started receiving development applications that propose to exceed the maximum floor area that is permitted for a principal dwelling. As the proposal complies with the maximum floor area that is permitted under the "General Agriculture Zone (A-1)" and the legislation is relatively new, Staff recommend that the ALC application be forwarded to the ALC for consideration without comment.

## RECOMMENDATION

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

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Agriculture (ALR)	Agricultural	A-1
North (Across 20 Ave), East, South, West:	Agriculture (ALR)	Agricultural	A-1

### Context & Background

- The subject site is located at civic address 18738 – 20 Avenue, is approximately 1.9 hectares in area and is accessed from 20 Avenue.
- The property is 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 currently classified as farmland under the BC Assessment Act. Over the past five years, the property has been classified as farmland every year except 2018, when it was classified as residential.
- The property is currently improved with a barn which is used for horse breeding and boarding. The land is used for the production of hay, grazing, and horse riding.
- The applicant purchased the property in 2016. The applicant also co-owns three properties immediately to the south (18669, 18721, and 18781 – 18 Avenue) with the property owner of 18760 – 20 Avenue.
- The applicant submits that in addition to the subject site, 18669, 18721, and 18781 – 18 Avenue, and 18760 – 20 Avenue, will be used as part of the farm operation, which will be used for the production of seasonal vegetables and blueberries.
- The total area of the proposed farm operation is proposed to be approximately 8 hectares (20 acres).
- The applicant made a previous application to the ALC (City Application No. 7817-0286-00; ALC Application No. 57517) to extend 18 Avenue to provide access to 18669, 18721, and 18781 - 18 Avenue. The ALC found that there was viable means of accessing these properties for farm use from 18738 – 20 Ave due to the common ownership between these properties. The ALC also found that extending 18 Avenue would increase the likelihood of residential development on the site. The application was therefore denied by the ALC.

## DEVELOPMENT PROPOSAL

### Planning Considerations

- The applicant is applying for a non-adhering residential use under the Section 20.1 of the *Agricultural Land Commission Act (ALCA)* to allow the construction of a 1,836 square metre dwelling at 18738 – 20 Avenue.

### Referrals

Engineering:	The Engineering Department has no objection to the project.
Agricultural and Food Policy Advisory Committee (AFPAC):	<p>At the February 4, 2020 meeting, AFPAC recommended that the proposed Non-Adhering Residential Use be denied by Council.</p> <p>In their discussion, the Committee noted that the size of the proposed dwelling is not commensurate to the existing and proposed agricultural operation on both the subject property and the larger farm operation.</p>

## POLICY & BYLAW CONSIDERATIONS

### Agricultural Land Commission Act and Regulations

- Section 20.1(1)(b) of the *ALCA* restricts the maximum total floor area of a principal residence to 500 square metres.
- In their application to the ALC, the applicant submitted that they were proposing a 1,450 square metre dwelling. The floor plans of the show that the proposed dwelling is 1,836 square metres in total floor area.
- The subject application represents one of the first ALC Non-Adhering Residential Use applications that has been proposed within the City of Surrey since the recent changes to the *ALCA*. The proposal complies with the A-1 Zone and other City regulations, as the Zoning By-law does not restrict the density of single family dwellings on agricultural zoned properties. For these reasons, Staff is recommending that the Non-Adhering Residential Use application be forwarded to the ALC for consideration given the deviation from the *ALCA*.

### Applicant's Rationale

- In support of their application, the applicant has submitted a detailed business plan that outlines the proposed farm operation on the subject property and the adjacent co-owned properties.
- The business plan outlines that approximately 1 hectare will be planted with seasonal vegetables and 4.9 hectares will be planted with blueberries.
- The business plan estimates that blueberries will be planted at a density of 908 plants per acre, resulting in a total of 10,896 blueberry bushes.

- It is estimated that it will take 2 years for the plants to establish, resulting in a projected yield of 4,000 pounds of blueberries by 2022 and capping out at 12,000 pounds by 2026.
- For the vegetable operation, the business plan estimates a yield of 15,000 pounds per acre (using squash as the assumed crop).
- In total, the business plan estimates a total farm income of \$190,000 starting in 2022 and increasing to \$360,000 by 2026.
- In addition to financial statements, the business plan also provides a detailed market analysis of blueberries and ground crops in the lower mainland.
- The farm operation will be established concurrently with approvals for the proposed dwelling. The applicant plans on preparing their fields in the summer of 2020.
- The applicant advises that the dwelling will be used as a multi-generational farm house to accommodate nine (9) family members. Five (5) members of the family will be assisting on the farm full-time, while the other four (4) will be assisting on a part-time basis.
- In addition to the family, the dwelling will also accommodate, two (2) full time farmhand. The farm hands will be residing in the room labelled 'nanny quarters' on the house plans.
- The garage will be used, in part, to store farm equipment.
- The applicant submits that they have spent approximately \$30,000 designing the house and associated services prior to the changes in the ALCA, which restricted the maximum size of the principal dwelling to 500 square metres. The applicant has also incurred an additional \$80,000 in professional fees related to their previous ALC application to extend 18 Avenue.
- The applicant asks that Council and the ALC consider the financial impact on the family, when considering the application
- The applicant states that the proposal will not discourage farming on the land, but will bring prime agricultural land into production, which has not been done in the past.

### **Zoning Bylaw**

- The "General Agriculture Zone (A-1)" does include any restrictions on density or house size. Therefore, a rezoning application is not required in conjunction with the ALC application for non-adhering residential use.
- The A-1 Zone restricts the location and area of residential uses on agricultural properties through the farm residential footprint. The farm residential footprint is restricted to 2,000 square metres in area, the single family dwelling on a lot has a maximum setback of 50 metres from the front lot line and any accessory farm residential facility may not be located further than 60 metres from the front lot line.
- The proposal complies with the farm residential footprint requirements of the A-1 Zone.

**INFORMATION ATTACHED TO THIS REPORT**

The following information is attached to this Report:

- Appendix I. Proposed Site Plan
- Appendix II. Agricultural and Food Policy Advisory Committee Minutes

*approved by Shawn Low*

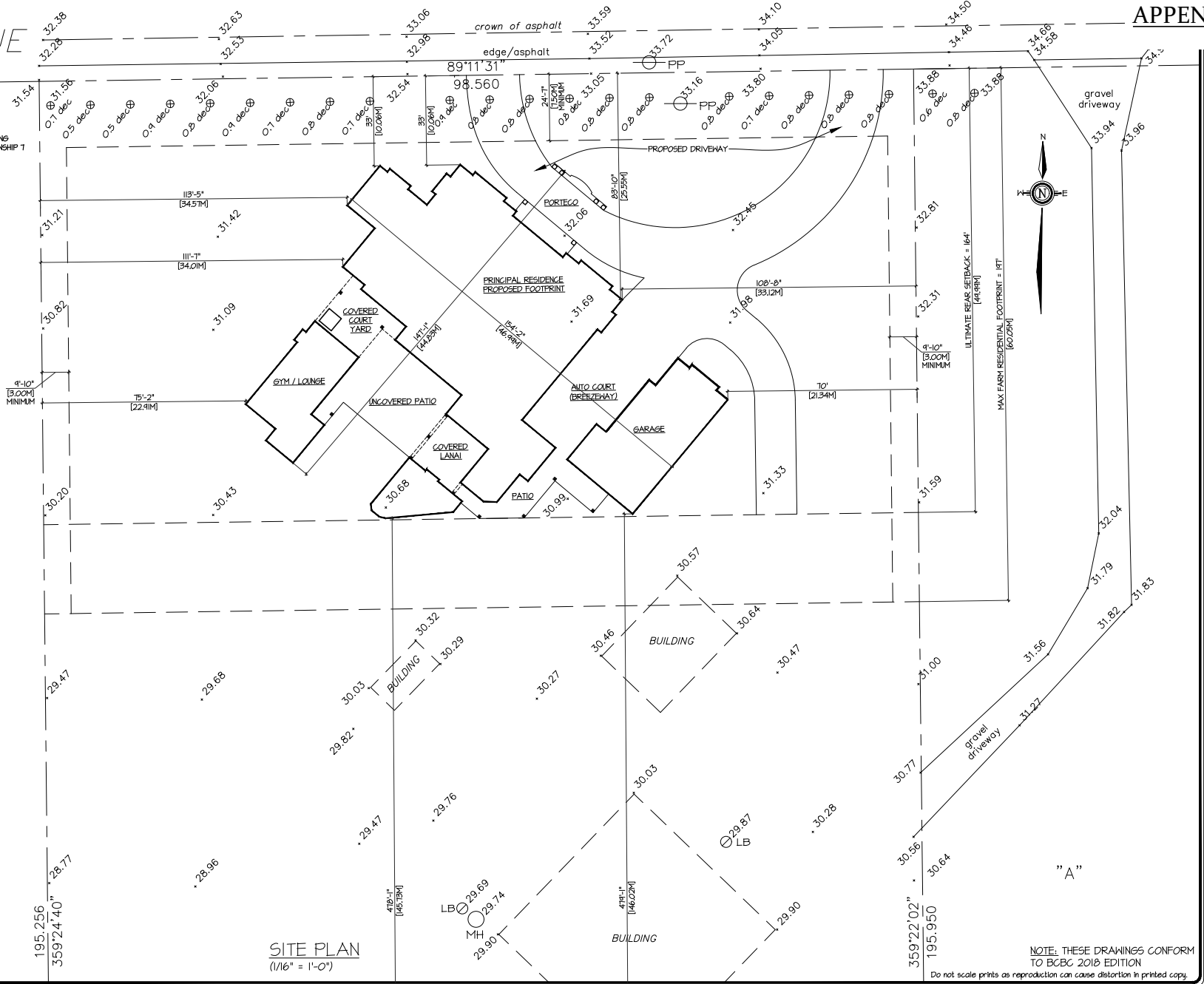
Jean Lamontagne  
General Manager  
Planning and Development

BD/cm

20th AVENUE

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE SHOWING EXISTING ELEVATIONS & TREES ON LOT II SECTION 16 TOWNSHIP 7 NEW WESTMINSTER DISTRICT PLAN 1893

Current Civic Address: 10670 20th Avenue Surrey B.C.

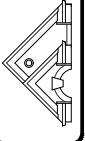


SITE PLAN  
(1/16" = 1'-0")

NOTE: THESE DRAWINGS CONFORM TO BCBC 2018 EDITION  
Do not scale prints as reproduction can cause distortion in printed copy.

8130 - 168 B STREET, SURREY, B.C. VAN  
PHONE: (604) 575-1281 FAX: (604) 575-1

L.G. BURTON DESIGN  
Custom Design, Renovations & Stock Plans



PROJECT:  
BATH RESIDENCE AT  
10670 20 AVENUE  
SURREY, B.C.

DATE:	FEBRUARY 2021
DRAWN:	AS
SCALE:	AS SHOWN
DRAWING NO:	M3076
SHEET:	1 OF 10

TITLE:  
SITE PLAN

**4. Proposed Non-Adhering Residential Use**

Ben Daly, Planning Technician

File: 7919-0312-00

- The subject property is approximately 20 acres, designated Agricultural in the Official Community Plan, zoned General Agriculture Zone (A-1) and located within the Agricultural Land Reserve. The subject site is classified as farmland under the *BC Assessment Act*. The applicant is applying under section 21.1 (2) of the *Agricultural Land Commission Act* (ALCA) to allow the construction of an 1,836 square metre dwelling.
- Agricultural uses on the property include a barn which is used for horse breeding and boarding. The land is used for the production of hay, grazing and horse riding. The applicant co-owns three properties immediately to the south and intends to provide seasonal vegetables and blueberries.

The Committee expressed concerns that the farm operation type and size does not justify the proposed housing size.

It was

Moved by B. Sandhu

Seconded by J. Gibeau

That the Agriculture and Food Policy

Advisory Committee recommend to the General Manager of Planning and Development to not support Development Application 7919-0312-00.

Carried

**D. OUTSTANDING BUSINESS**

**1. Farm Markets**

Item D.1 was deferred to the next meeting.

**E. ITEMS REFERRED BY COUNCIL**

This section had no items to consider.

**F. CORRESPONDENCE**

This section had no items to consider.

**G. INFORMATION ITEMS**

**1. Environmental Sustainability Advisory Committee (ESAC) Update**

At the January 29, 2020 ESAC meeting, staff presented on the Tree Bylaw Update.

**2. Metro Vancouver 2020 Agricultural Awareness Grants**