

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0096-00

Planning Report Date: November 9, 2020

PROPOSAL:

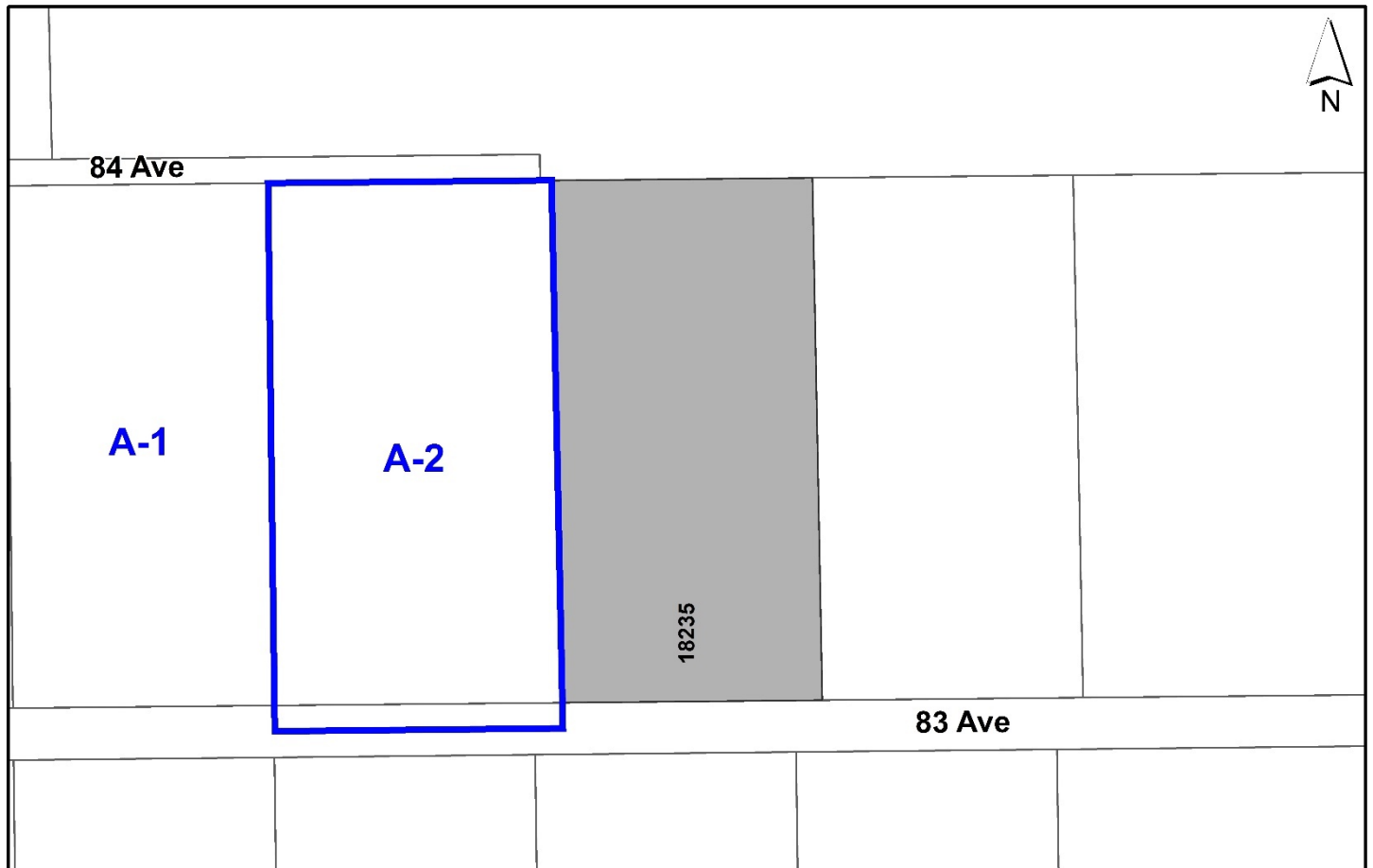
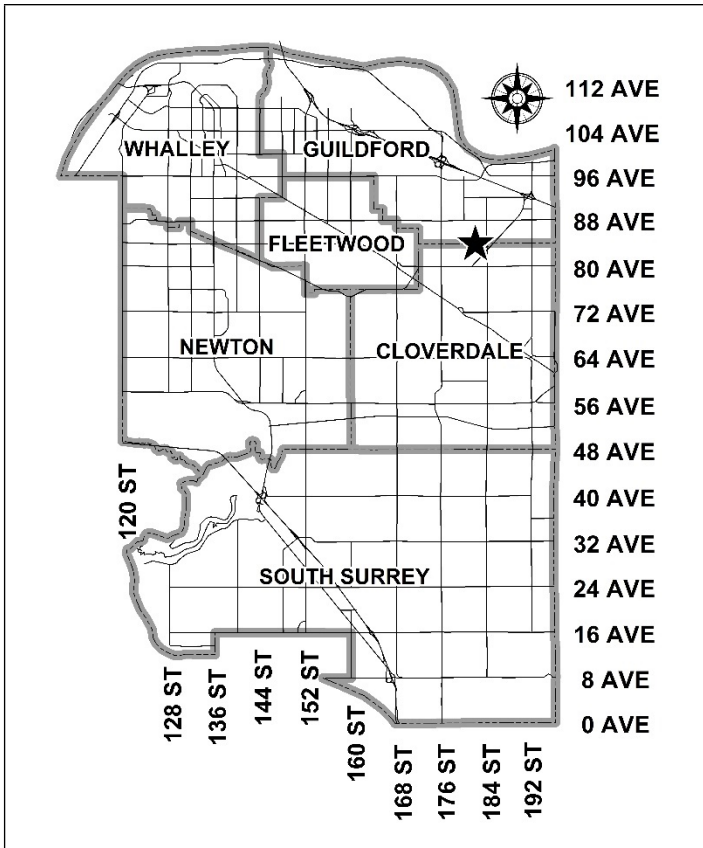
- **Development Variance Permit**

to reduce the minimum front yard and side yard setback of the A-1 zone to allow the retention of an agricultural storage barn.

LOCATION: 18235 - 83 Avenue

ZONING: A-1

OCP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing to reduce the minimum front yard setback of the A-1 Zone for a building with uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture) from 30.0 metres to 17.3 metres.
- Proposing to reduce the minimum side yard setback of the A-1 Zone for a building with uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture) from 15.0 metres to 8.7 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 cost of tearing down the structure and rebuilding would be a financial burden for the applicants. The structure was built on an existing foundation of an old barn structure. Retaining the structure would minimize construction disturbance on adjacent farmland.
- The barn is necessary for the daily operations of the farm and will allow the applicants to continue their farm operation.
- The proposed variances to the minimum front and side yard setbacks do not impact neighbouring properties.
- The Agricultural and Food Policy Advisory Committee (AFPAC) supports the proposal.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7920-0096-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the A-1 Zone of a building for uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture) from 30.0 metres to 17.3 metres to the principal building face; and
 - (b) to reduce the minimum western side yard setback of the A-1 Zone of a building for uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture) from 15.0 metres to 8.7 metres to the principal building face.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP/NCP Designation	Existing Zone
Subject Site	Single family dwelling & agricultural barn in ALR	Agricultural	A-1
North:	Agriculture	Agricultural	A-1
East:	Agriculture	Agricultural	A-1
South (Across 83 Avenue):	Agriculture & single family dwelling	Agricultural	A-1
West:	Agriculture	Agricultural	A-2

Context & Background

- The subject lot is located at 18235 – 83 Avenue in Cloverdale and is approximately 20,217 square metres in size. The subject lot is designated Agricultural in the Official Community Plan (OCP), zoned "General Agriculture Zone (A-1)" and is in the Agricultural Land Reserve (ALR).
- There is an existing single family dwelling and agricultural storage barn on the subject site.
- The site is adjacent to a Class A watercourse along 83 Avenue and a Class A/O watercourse along the west property line on the neighbouring property.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing to vary the minimum front yard setback from 30.0 metres to 17.3 metres and the minimum side yard setback from 15.0 metres to 8.7 metres for a building accommodating uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture), in order to retain an existing agricultural barn as shown on the survey plan attached in Appendix I.
- The applicant built the subject barn without a permit on a pre-existing foundation of an old barn structure. The applicants were not aware that a new building permit was required to construct the current structure. They have subsequently applied for a building permit to retroactively legitimize the structure. However, the structure now requires a Development Variance Permit to meet the requirements of the A-1 Zone.
- The agricultural uses on the site include the raising of organic animals, vegetable farming and blueberry crops. The barn is used for storage of farm machinery and animal feed.

Referrals

Engineering:	The Engineering Department has no objection to the project.
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. 7920-0096-00. AFPAC minutes were not available at the time of completion of this report.

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 Variance

- The applicant is requesting the following variance:
 - To reduce the minimum front yard setback of the A-1 Zone of a building for uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture), from 30.0 metres to 17.3 metres to the principal building face; and
 - To reduce the minimum western side yard setback of the A-1 Zone of a building for uses permitted in Section B.1 of the A-1 Zone (Agriculture & Horticulture), from 15.0 metres to 8.7 metres to the principal building face;
- The cost of tearing down the structure and rebuilding would be a financial burden for the applicants. The structure was built on an existing foundation of an old barn structure. Retaining the structure would minimize construction disturbance on adjacent farmland.
- The barn is necessary for the daily operations of the farm and will allow the applicants to continue their farm operation.
- The proposed variances to the minimum front and side yard setbacks do not impact neighbouring properties.
- Staff support the requested variances to proceed to Public Notification.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Survey Plan
Appendix II.	Aerial Photo
Appendix III.	Development Variance Permit No. 7920-0096-00

approved by Ron Gill

Jean Lamontagne
General Manager
Planning and Development

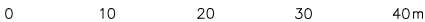
SJ/cm

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE SHOWING EXISTING BUILDINGS, ELEVATIONS AND TREES ON LOT 1 SECTION 29 TOWNSHIP 8 NEW WESTMINSTER DISTRICT PLAN 5811

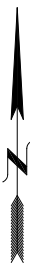
Current Civic Address:
 18235-83 Avenue
 Surrey, B.C.
 PID: 008-718-792

REM LOT 4

SCALE 1:500

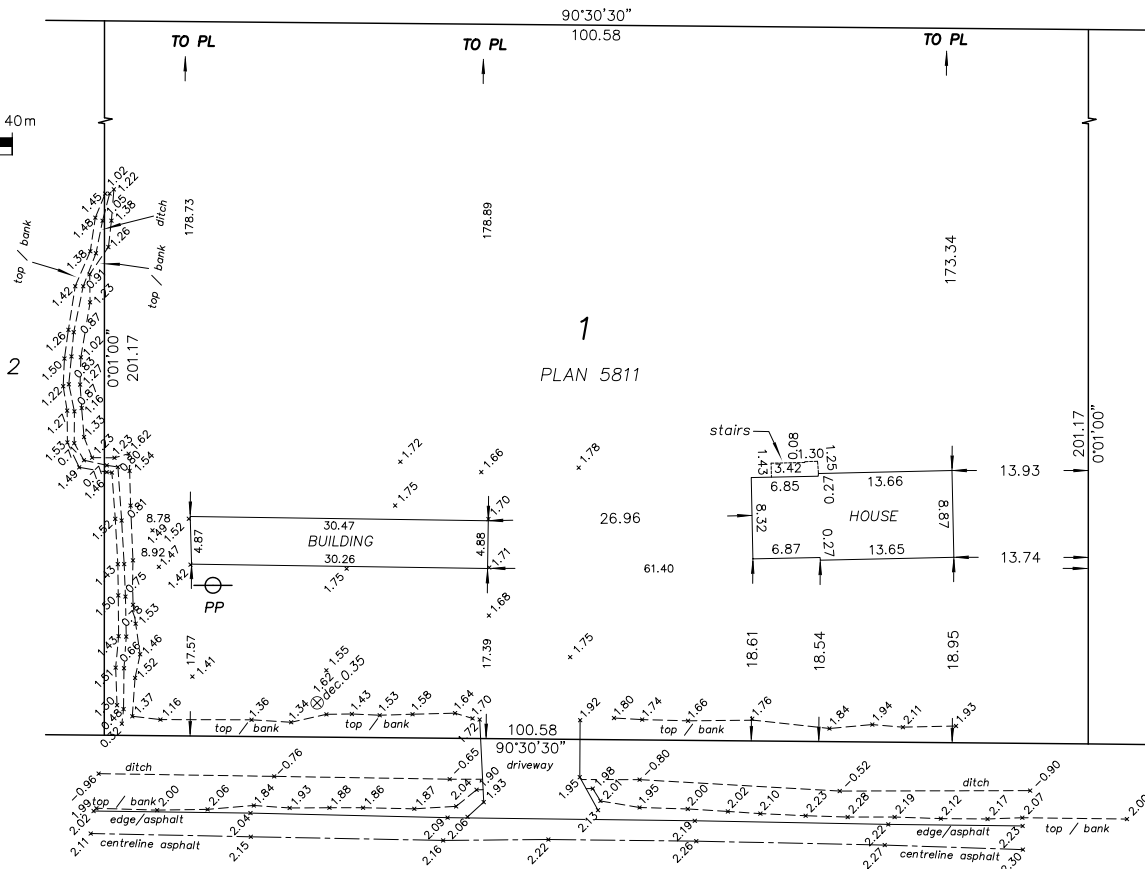


(All distances are in metres)



LEGEND

- dec. ...denotes deciduous tree
- PP ○ ...denotes power pole
- ⊗ ...denotes tree
- x ...denotes spot elevation



GENERAL NOTES:

- All dimensions are in metres.
- This plan is NOT to be used for location of property lines.
- Elevations are based on City of Surrey Geodetic datum, monument 5669 elev. = 2.420m (CVD28GVRD 2018).
- On the subject lot, only trees with a diameter of at least 0.25m are shown
- This plan does not show non-plan charges, liens or interests.
- property dimensions are derived from Land Title Office records

E. 330' OF PCL. 'C'

- This plan was prepared for design purposes and is for the exclusive use of our client. DHALI WAL AND ASSOCIATES LAND SURVEYING Inc. and the signatory accept no responsibility for and hereby disclaim all obligations and liabilities for damages caused by the direct or indirect use or reliance upon the Plan beyond its intended use.

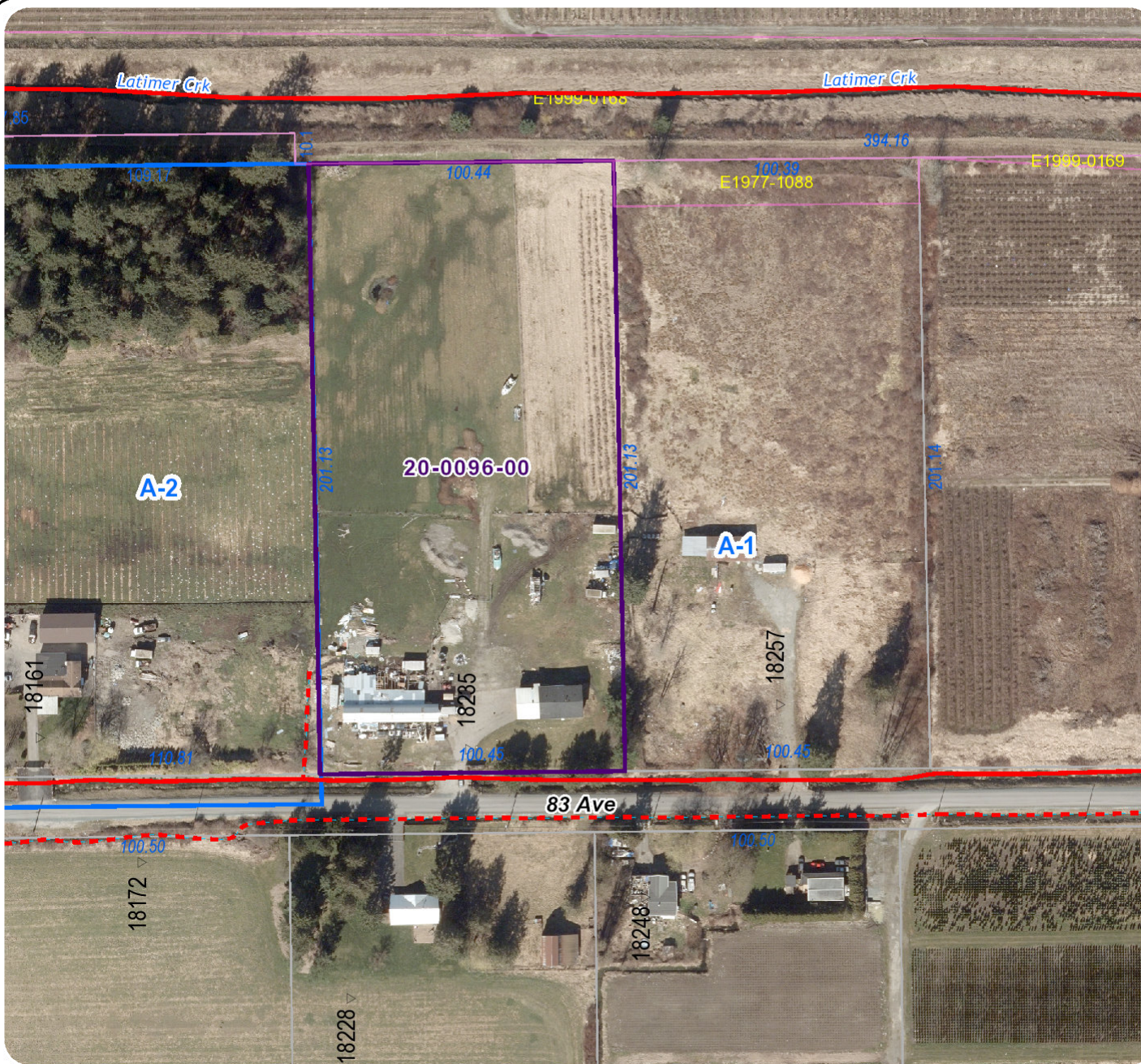
REVISED(DITCH, TOB, CENTRELINE, EDGE OF ROAD)
 19th DAY OF JUNE 2020.
 REVISED(HOUSE)
 17th DAY OF SEPTEMBER 2019.
 DATE OF SURVEY:
 29th DAY OF AUGUST 2019.

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DHALI WAL AND ASSOCIATES
 LAND SURVEYING INC.
 #216 12899-76th Avenue
 Surrey, B.C. V3W 1E6
 phone: (604) 501-6188
 email: info@dhaliwalsurvey.com
 File: 1908127-T03
 Drawn by: GK

83 AVENUE

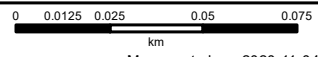
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

MARK J.R. DAILEY B.C.L.S. 867



- Legend**
- Fish Class (Open Channels)**
 - A
 - AO
 - B
 - C
 - Unknown
 - Fish Class (Water Bodies)**
 - A
 - AO
 - B
 - C
 - Unknown
 - Water Courses**
 - River
 - Creek
 - Ditch
 - Early Copy Lots**
 - Early Copy Lots
 - Address Points
 - Easements (yellow)**
 - 3rd Party Agreement
 - Restrictive Covenant
 - Rights of Way (yellow)**
 - Municipal
 - Utility
 - Important Trees Internal**
 - Decommissioned
 - Operating
 - Heritage Sites Internal**
 - Inventory
 - Registered
 - Registered and Protected
 - Heritage Routes**
 - Railway, Registered

Scale: 1:2,021



The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0096-00

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: 008-718-792
Lot 1 Section 29 Township 8 New Westminster District Plan 5811
18235 - 83 Avenue

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F.1 (a) of Part 10 "General Agriculture Zone (A-1)", the minimum front yard setback of buildings for uses permitted under Section B.1 is reduced from 30.0 metres to 17.3 metres.
 - (b) In Section F.1 (a) of Part 10 "General Agriculture Zone (A-1)", the minimum side yard setback of buildings for uses permitted under Section B.1 is reduced from 15.0 metres to 8.7 metres.
4. This development variance permit applies to only the Land 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

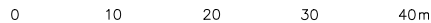
City Clerk – Jennifer Ficocelli

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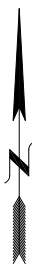
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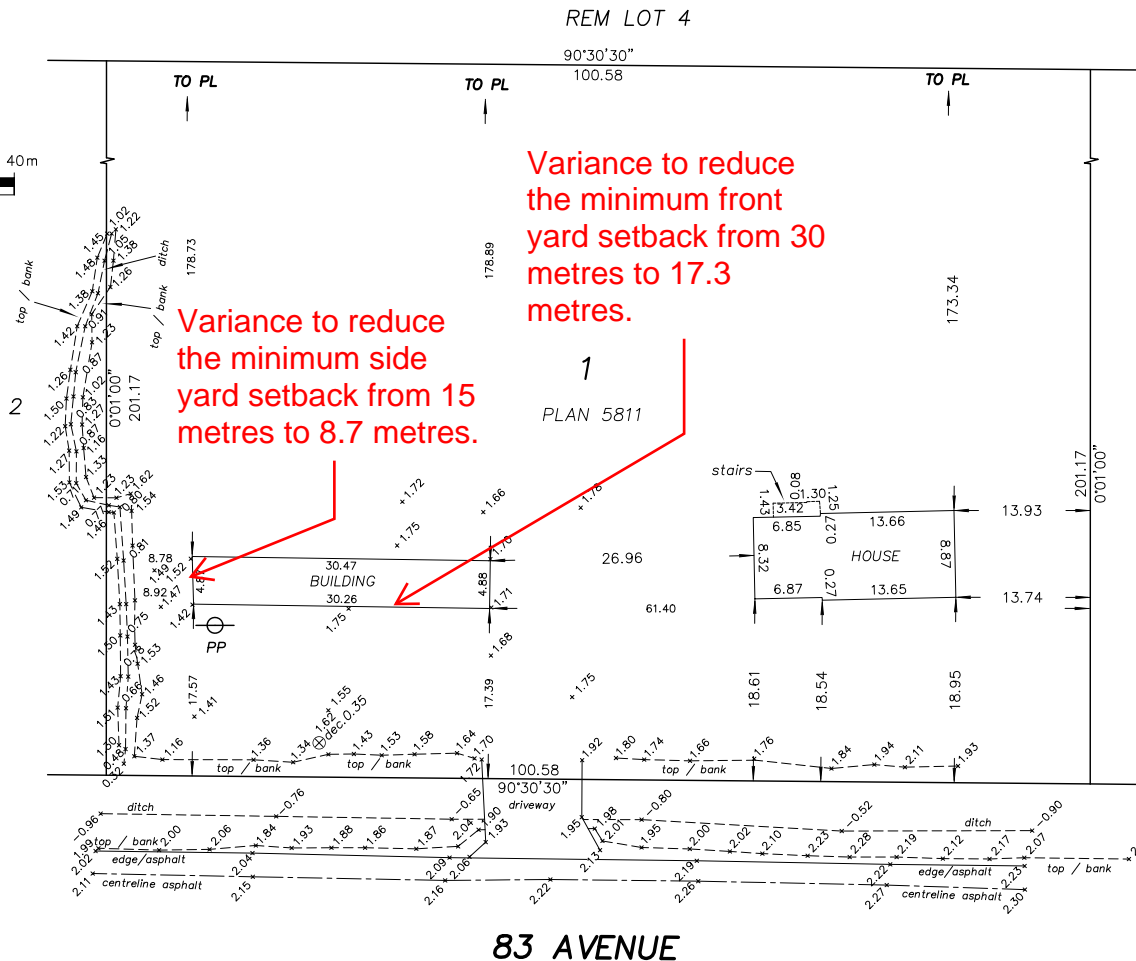
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