

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7920-0171-00

Planning Report Date: January 17, 2022

PROPOSAL:

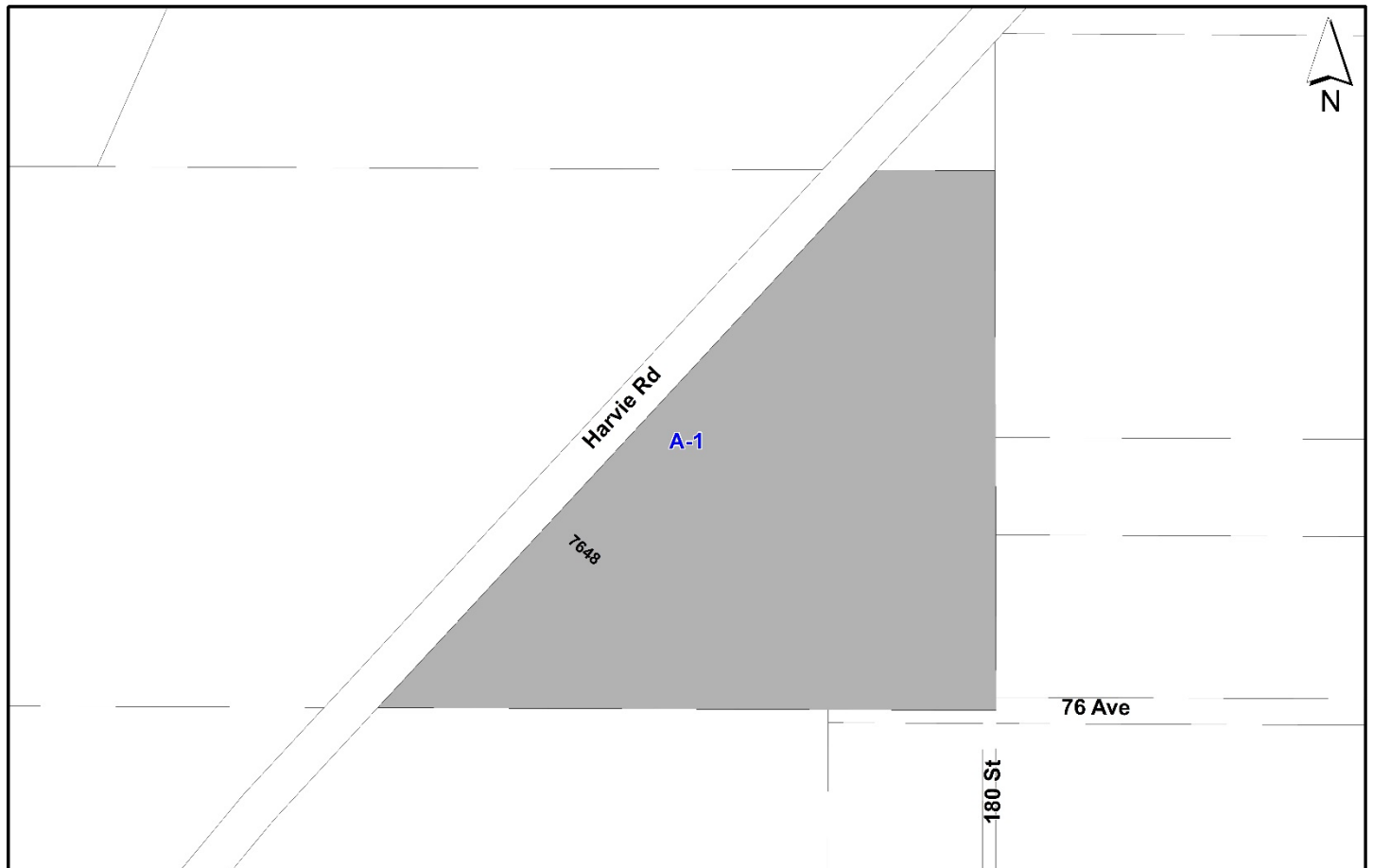
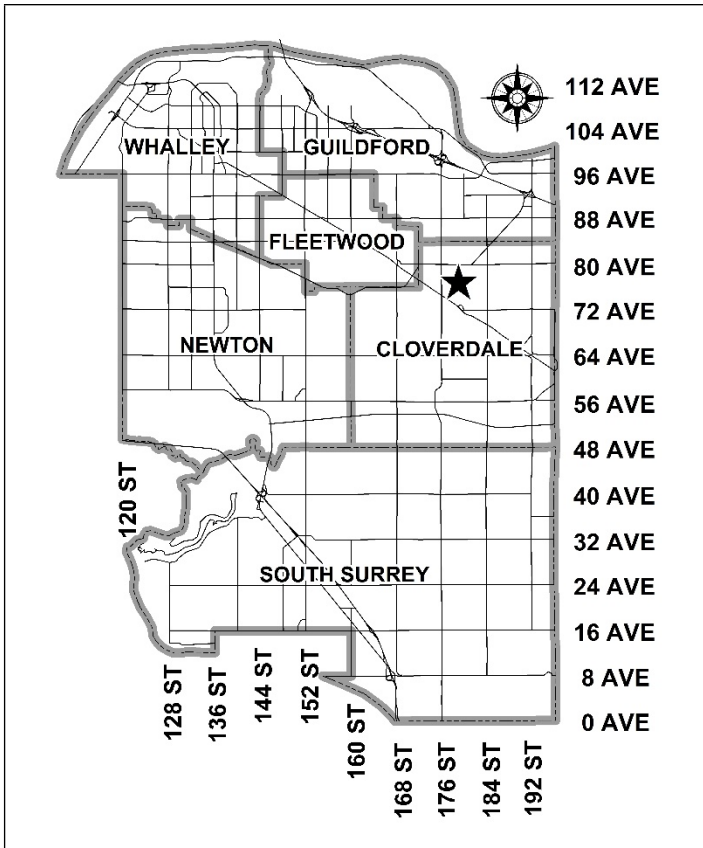
- **Development Permit**
- **Development Variance Permit**

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.

LOCATION: 7648 - Harvie Road

ZONING: A-1

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 82 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 92 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 Agriculture, Environment, and Investment Advisory Committee (AEIAC) supports the proposal.
- 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. 7920-0171-00 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. 7920-0171-00 (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 82 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 92 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) approval from the Ministry of Forests, Lands and Natural Resource Operations under the Riparian Areas Protection Regulation;
 - (c) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (d) submission of a finalized Ecosystem Development Plan to the satisfaction of City staff;
 - (e) submission of a finalized Soil Remediation Plan to the satisfaction of City staff;
 - (f) registration of a combined Statutory Right-of-Way / Section 219 Restrictive Covenant and a Restrictive Covenant over the designated Streamside Protection Area for both "No Disturbance" and conveyance access; and
 - (g) registration of a Section 219 Restrictive Covenant over the designated Streamside Protection Area for both "No Disturbance".

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Agriculture	Agricultural	A-1

Direction	Existing Use	OCP Designation	Existing Zone
North:	Development Application 7917-0549-00 for a Sensitive Ecosystem Development Permit to construct a Single Family Dwelling	Agricultural	A-1
East:	Agriculture	Agricultural	A-1
South:	Development Application 7921-0023-00 for soil and fill to support CubicFarms hydroponic vertical farming system	Agricultural	A-1
West (Across Harvie Road):	Agriculture and Temporary Use Permit to permit the retention of refrigerated shipping containers for produce and farm equipment storage, and temporary travel trailers for office and lunchroom use, for a period of three years.	Agricultural	A-1

Context & Background

- The subject property is located at 7648 – Harvie Road in Cloverdale and is approximately 11.8 hectares in size. 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 classified as farmland under the *Assessment Act*. The owner use about 10.1 hectares of the site for blueberry farming. There is no existing house on the subject property.
- Surrounding lands to the north, west east and south are also designated Agricultural in the OCP, located within the ALR and zoned General Agriculture Zone (A-1).
- There are several Class AO watercourses located on the subject property that will be protected through the associated Sensitive Ecosystem 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 82 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 92 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 existing fill pad was permitted in 2008 prior to the introduction of the farm home plate requirements in the General Agriculture Zone (A-1).
- The proposed farm home plate would be connected to Harvie Road via the existing driveway crossing.
- The proposed single family dwelling and access driveway will be located within a farm residential footprint of approximately 1,462 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 carport.

Referrals

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.
Agricultural, Environment and Investment Advisory Committee (AEIAC):	At the June 9, 2021 meeting, AEIAC recommended support of Development Application No. 7919-0266-00 (Appendix IV). The Committee supported the proposal as it has no negative impacts on farming and would keep active agricultural land in production.

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 82 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 92 metres.
- 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 Tracy Anderson, *R.P. Bio.*, of EnviroWest Consultants Inc. and dated December 1, 2021, 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

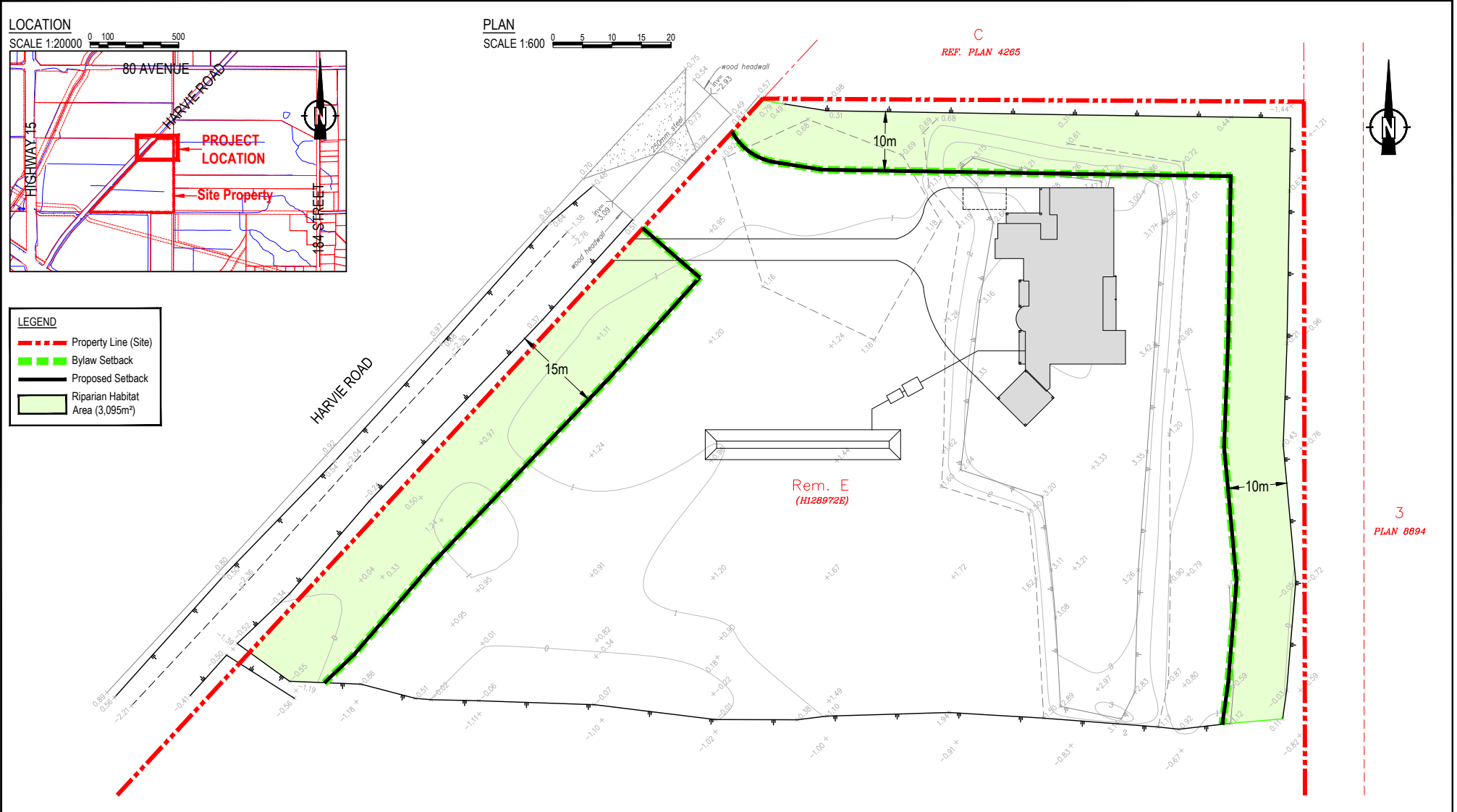
The following information is attached to this Report:

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|---------------|--|
| Appendix I. | Site Plan |
| Appendix II. | EDP Site Plan |
| Appendix III. | Engineering Summary |
| Appendix IV. | AEIAC Meeting Minutes |
| Appendix V. | Development Variance Permit No. 7920-0171-00 |

approved by Ron Gill

Ron Gill
Acting General Manager
Planning and Development

SJ/cm



REFERENCE DRAWINGS

1. Email: Aug-27-2020_@_7648_HARVIE_ROAD_SURREY_site plan.dwg. Received August 27, 2020. Bala Vanumamalai.
2. File No. JS20102_TP. "Topographic Survey Plan of Part of Parcel "E" (H128972E) North West Quarter Section 20 Township 8 Except Firstly; Parcel "D" (Reference Plan 4469), Secondly; Parcel "One" (J102835E), New Westminster District", August 21, 2020. Ondenwater Land Surveying Ltd.
3. 2019 Legal Base and Watercourses from City of Surrey.

BALA VANUMAMALAI

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Surrey, BC

envirowest
www.envirowest.ca

envirowest consultants inc.

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Canada V3C 6M2

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SETBACKS			
DESIGN: TA	DRAWN: CEV	CHECKED: IWW	REVISION: 00
SCALE: As Shown	DATE: September 11, 2020		REVISION DATE:
DRAWING NUMBER:			2837-01-01

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INTER-OFFICE MEMO

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

FROM: **Development Engineer, Engineering Department**

DATE: **June 25, 2021** PROJECT FILE: **7820-0171-00**

RE: **Engineering Requirements
Location: 7648 Harvie Road**

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 east side of Harvie Road adjacent to the property. The SRW/RC is to be registered over the setback from the top of bank.

There are no engineering requirements relative to issuance of the Development Variance Permit other than those stated above.

A Servicing Agreement is not required. An Administrative Processing Fee of \$ 1,722.00 is required to administer the required legal documents.

BUILDING PERMIT

The following issues are to be addressed as a condition of the subsequent Building Permit for the construction of the new single-family dwelling on an A-1 property:

- Any proposed on-site septic sewer system to be designed and installed in accordance with the requirements of the Fraser Health Authority. Register Restrictive Covenant for the protection and maintenance of the onsite septic system.
- Ensure that any proposed fill on the property conforms with the fill requirements for an agricultural land use.
- Provide a driveway access to the site.

Jeff Pang, P.Eng.
Development Engineer

AY

3. Development Application 7920-0171-00

Sharon Johal, Planning Technician
Address: 7648 Harvie Road

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

The following comments were made:

- 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 site is classified as farmland under the *Assessment Act*. There is no existing house on the subject 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 82 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 to 92 metres.

Members of the Committee noted that the dwelling is pre-existing and the fill had been placed prior to the regulations. In response to a question from a member, staff noted that the owners previously applied for a variance through the Board of Variance, which has an expiry date of two years. Since then, the owners have sold the property and the new owners have returned to apply with the same variance.

In general, the Committee supported the proposal.

It was
Investment Advisory Committee recommend to the General Manager of Planning and Development to support Development Application 7920-0171-00.
Carried

Moved by S. VanKeulen
Seconded by Councillor Hundial
That the Agriculture, Environment, and

4. Development Application 7921-0019-00

Sarah Robertson, Planning Technician
Address: 3394 – 168 Street

The proposal is to construct a single-family dwelling that exceeds 500 square metres in floor area. The application also includes a Development Variance Permit to increase the maximum front yard setback for a single-family dwelling from 50.0 metres to 95.8 metres, increase the farm residential footprint setback from 60.0 metres to 95.8 metres, and increase the farm residential footprint area from 2,000 square metres to 2,335 square metres to allow a new dwelling, farm building and accessory residential uses to be constructed on an existing approved preload fill pad on the subject property.

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7920-0171-00

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: 013-230-701

Parcel "E" (H128972E) North West Quarter Section 20 Township 8 Except Firstly: Parcel "D" (Reference Plan 4469) Secondly: Parcel "One" (J102835E), New Westminster District

7648 - Harvie Road

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F.2 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 82 metres; and
 - (b) In Section J.10(b) of Part 10 "General Agricultural Zone (A-1)", the maximum depth of the farm residential footprint from the front lot line is increased from 60 metres to 92 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

