

City of Surrey

Agricultural Advisory Committee

Agenda

THURSDAY, MAY 1, 2008

3. **PROPOSED BCSPCA LEASE**
COLEBROOK ROAD
FILE No. 7908-0076-00
MEMO DATED APRIL 18, 2008 FROM JENNIFER MCLEAN, PLANNER,
REGARDING THE ABOVE SUBJECT LINE. THE PLANNING &
DEVELOPMENT DEPARTMENT REQUESTS COMMENTS FROM THE
COMMITTEE.

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B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

1. [7908-0076-00](#) 1
17910 Colebrook Road

Agent: Wayne Power, City of Surrey
Owner: City of Surrey

ALR - Long-term Lease
Development Variance Permit

to allow a 60-year lease and the construction of a new BCSPCA animal shelter on the eastern portion.

*** Planning Recommendation**

The Planning & Development Department recommends that:

1. **Council authorize referral of the application to the Agricultural Land Commission for consideration of the**

creation of a lease parcel for agricultural purposes for a period of 60 years.

2. Council approve Development Variance Permit No. 7908-0076-00, (Appendix IV) varying the following, to proceed to Public Notification:

(a) to reduce the minimum side yard on a flanking street setback of the A-1 Zone from 12.0 metres (40 ft.) to 0 metre (0 ft.); and

(b) to reduce the minimum lot size created through subdivision of the A-1 Zone from 10 acres (4 hectares) to 8.03 acres (3.2 hectares).

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**3. Proposed BCSPCA Lease
Colebrook Road
File No. 7908-0076-00**

Jennifer McLean, Planner, was in attendance to review her memo of April 18, 2008 regarding the above subject line and to receive comments from the AAC that will be provided to the ALC. Comments were as follows:

- The City owned land contains a net area of approximately 49 acres and is currently zoned A-1. The land borders Highway 15 and is separated from other commercial property in the area by a CP railway line.
- The land contains two distinct features. Approximately 40 acres is low lying and currently under agricultural use, while the remaining nine acres is higher and is largely vacant. It is these nine acres that are the subject site for a new BCSPCA.
- The lease will be for 60 years, to facilitate the development of a replacement SPCA animal shelter to service the City of Surrey.
- It was noted that the drawings provided were different from what was shown at the meeting. This was because the 30m riparian setback had not been addressed in the original drawings.
- The current shelter at 6706 – 152 Street, owned by the City, has reached a stage whereby a new shelter needs to be built.
- The SPCA Long Range Strategic Plan identifies Surrey as the location for a new animal centre which is supported by the Board of Directors for the BCSPCA.
- The future animal centre includes a livestock barn and paddocks for impounded or seized animals, emergency/disaster rescue area and a park space with an interpretative forest.

- The 30m setback of the building will accommodate any future widening of Colebrook Road.
- The building size will be approximately 19,500 sq. ft.
- A riparian buffer should not be required for the horses and horse paddocks. This is farm use, it is permitted under the zoning, it meets all the criteria, there is no reason to apply the required fisheries setback as long as there is no change to the use.

It was Moved by Councillor Hunt
 Seconded by B. Aulakh
 That Staff be advised that the AAC does not see any problem with a long term lease being provided for this property as long as the rest of the property is used for agricultural purposes.
Carried

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DEVELOPMENT CONSIDERATIONS

Background

- The current British Columbia Society for Prevention of Cruelty to Animals (BCSPCA) shelter located at 6706 – 152 Street, owned by the City, (with the SPCA holding an operating agreement over the site), has reached a stage whereby a new shelter needs to be built. The SPCA Long Range Strategic Plan identifies Surrey as the location for a new animal centre and this has been supported by the Board of Directors for the BCSPCA.
- As the population of Surrey and surrounding areas has grown, the services of the local branch of the BCSPCA have expanded. The existing shelter no longer has the physical capacity to house the number of animals who are seized, surrendered, stray or abandoned in the region each year.
- The vision for the future animal centre in Surrey includes a livestock barn and paddocks for impounded or seized animals, emergency/disaster rescue area and a park space with an interpretative forest.
- The vision for the new animal centre in Surrey is a facility that could meet both the needs of animals and the community for the next 25 years.

Current Proposal

- The subject site, owned by the City, is located on the south-east corner of Colebrook Road and 176 Street at 17910 Colebrook Road.

- The 19.8-hectare (49-acre) subject site is designated Agricultural in the Official Community Plan (OCP) and is located within the Agricultural Land Reserve (ALR). The current zoning of the site is General Agriculture Zone (A-1). The proposed animal shelter conforms to the land use designation in the OCP and is a permitted use under the A-1 Zone.
- Currently, approximately 40 acres (16 hectares) of the property (western portion) are leased on a year-to-year basis to Nicomekl Farms Ltd. for agricultural purposes.
- The current proposal is to construct a new 1,812- square metre (19, 500-sq.ft.) BCSPCA animal centre on the remaining 9-acre (3.6-hectare) eastern portion of the subject site. This 9-acre portion is intended to be leased to the BCSPCA for a period of 60 years.
- In order to provide the SPCA with a sixty-year lease, a lease plan must be created. The purpose of this plan is to facilitate the development of a replacement SPCA animal shelter to service the City of Surrey.
- After road dedication, the net area of the lease area will be 8.03 acres (3.25 hectares).
- Under Section 73 of the Land Title Act, a lease greater than 3 years is considered to be a subdivision. As such, approval by the Agricultural Land Commission for subdivision within the ALR is required before the subdivision can be approved by the Approving Officer.
- The A-1 Zone requires a minimum lot size of 4 hectares (10 acres) for land within the ALR. The proposed lease boundary creates a remainder parcel that is 8.03 acres (3.25 hectares) in size. The applicant has applied for a Development Variance Permit to reduce this requirement (see By-law Variance section).
- The A-1 Zone also requires a minimum side yard setback along a flanking street of 12 metres (39 ft.). In order to retain an existing dwelling which the City currently rents to a tenant, a relaxation will be required and a Highway License Agreement will be required to allow the dwelling to be located within the road dedication area (see By-law Variance section).

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To reduce the north side yard setback on a flanking street from 12.0 metres to 0 metre (0 ft.).

Applicant's Reasons:

- The existing single family dwelling located on the northwest corner of the proposed lease area is a City-owned rental dwelling and is currently occupied by a tenant.
- The Engineering Department has requested a 20-metre (66 ft.) wide road dedication along Colebrook Road for future widening. The existing dwelling can be retained within the dedicated road allowance with a road right-of-way use permit until the widening is required.
- A Highway License Agreement will be required to retain the dwelling within the road dedication area as road construction is not anticipated for 20-30 years.

Staff Comments:

- This variance has been triggered by the requirement to provide a 20-metre (66 ft.) road dedication along the north property line. Staff support the proposed variance.

(b) Requested Variance:

- To reduce the minimum lot size permitted within the A-1 Zone for lands within the ALR from 4 hectares (10 acres) to 8.03 acres (3.25 hectares) in size.

Applicant's Reasons:

- Currently approximately 40 acres (16 hectares) of the western portion of the site is leased on a year-to-year basis to Nicomekl Farms Ltd. for agricultural purposes. The remaining 9.0-acre (3.6-hectare) portion of the site is the proposed lease area for the SPCA development.
- The Engineering Department has requested a 20-metre (66 ft.) wide road dedication along Colebrook Road for future widening. After road dedication the remaining land for the lease area is 8.03 acres (3.25 hectares)

Staff Comments:

1. This variance has been triggered by the requirement to provide a 20-metre (66 ft.) road dedication along the north property line. The Planning and Development Department supports the relaxation in lot size.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets
Appendix II. Proposed Subdivision Layout, Site Plan and Building Elevations
Appendix III. Development Variance Permit No. 7908-0076-00

Jean Lamontagne
General Manager
Planning and Development

JLM/kms

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City of Surrey

Regular Council - Land Use

ACTION ITEMS

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

1. **7908-0076-00**
17910 Colebrook Road
Wayne Power, City of Surrey/City of Surrey
ALR - Long-term Lease/Development Variance Permit
to allow a 60-year lease and the construction of a new BCSPCA animal shelter on the eastern portion.

That:

1. **Council authorize referral of the application to the Agricultural Land Commission for consideration of the creation of a lease parcel for agricultural purposes for a period of 60 years.**

2. ***Council approve Development Variance Permit No. 7908-0076-00, (Appendix IV) varying the following, to proceed to Public Notification:***
 - (a) *to reduce the minimum side yard on a flanking street setback of the A-1 Zone from 12.0 metres (40 ft.) to 0 metre (0 ft.); and*
 - (b) *to reduce the minimum lot size created through subdivision of the A-1 Zone from 10 acres (4 hectares) to 8.03 acres (3.2 hectares).*

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B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

1. **7908-0076-00**
17910 Colebrook Road
Wayne Power, City of Surrey/City of Surrey
 ALR - Long-term Lease/Development Variance Permit
to allow a 60-year lease and the construction of a new BCSPCA animal shelter on the eastern portion.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was Moved by Councillor Villeneuve
 Seconded by Councillor Steele
 That:

1. Council authorize referral of the application to the Agricultural Land Commission for consideration of the creation of a lease parcel for agricultural purposes for a period of 60 years.
2. Council approve Development Variance Permit No. 7908-0076-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard on a flanking street setback of the A-1 Zone from 12.0 metres (40 ft.) to 0 metre (0 ft.); and

- (b) to reduce the minimum lot size created through subdivision of the A-1 Zone from 10 acres (4 hectares) to 8.03 acres (3.2 hectares).