

City of Surrey
ADDITIONAL PLANNING COMMENTS

File: 7909-0250-00

Planning Report Date: July 26, 2010

PROPOSAL:

- **Non-farm use** under Section 25 of the ALC Act
- **Rezoning** from A-1 to CD (based on A-1 and IA)

in order to permit the development of a commercial composting facility in the ALR.

LOCATION:

17690 and 17720 – 12 Avenue

OWNERS:

Robert Gordon Baldwin and
 William Herbert Baldwin

ZONING:

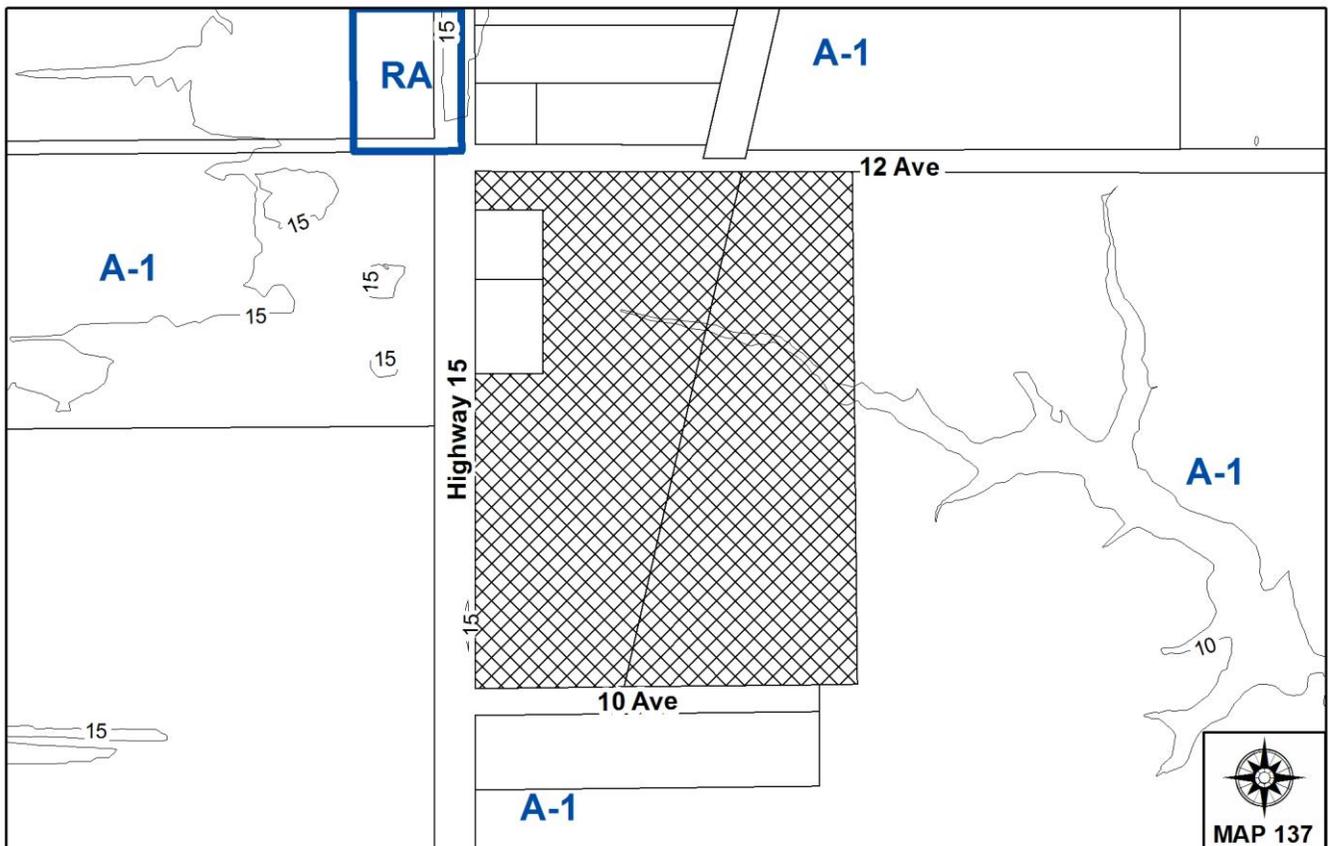
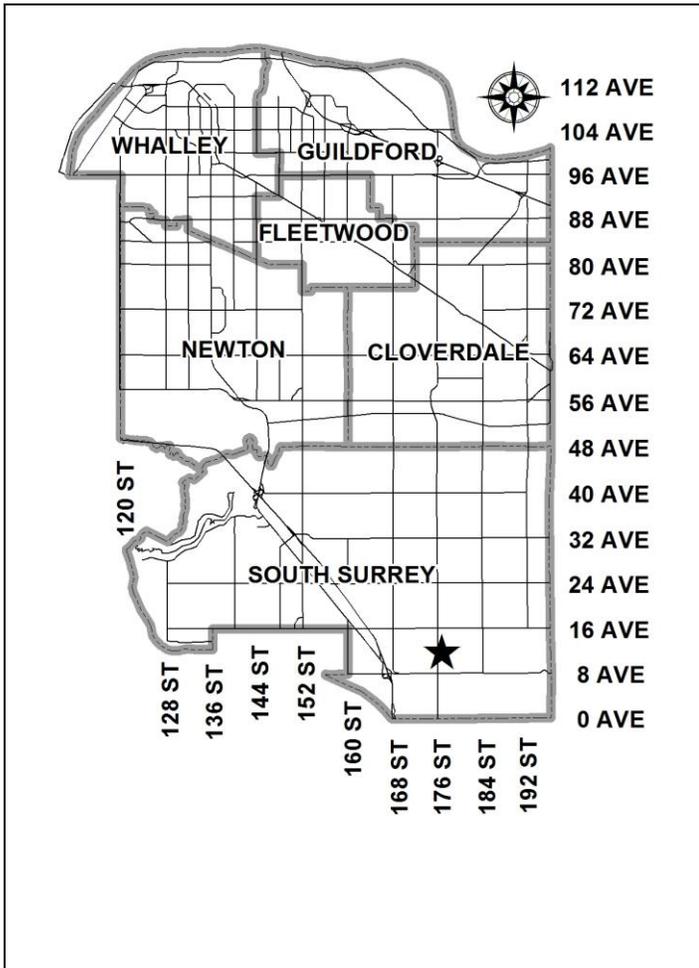
A-1

OCP DESIGNATION:

Agricultural

LAP DESIGNATION:

Agricultural and Open Space
 (South East Surrey Plan)



RECOMMENDATION SUMMARY

It is recommended that Council:

- Receive this report as information; and
- Refer this application back to staff to work with the applicant to find an alternative site for this proposed commercial composting facility, preferably in an industrial area.

RATIONALE OF RECOMMENDATION

- While the proposed commercial composting facility offers several benefits to the City, by contributing to the broader community goal of waste diversion as part of the City's overall commitment to sustainability, and by addressing the increasing need for such facilities in response to Metro Vancouver's commitment to divert 70% of landfill waste by 2015, the appropriateness of the proposed composting facility on the subject site has been questioned throughout the application review process.
- The Agricultural Land Commission (ALC) has deferred a decision on the non-farm use application pending a review by their Executive Committee of the wider implications of this proposal and potential future policies.
- The City's peer review consultant has indicated that large-scale compost facilities are typically located in close proximity to other industrial activity, and that the proximity of the proposed facility to a protected watercourse, water well and private residences, is uncommon. The peer review consultant has also identified that the site has a high water table.
- Strong objections have been raised by surrounding residents to the proposed composting facility on the subject site, many of whom have indicated that this type of facility should be located on industrial land.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council receive this report as information.
2. Council refer this application back to staff to work with the applicant to find an alternative site for this proposed commercial composting facility, preferably in an industrial area.

ADDITIONAL PLANNING COMMENTS

Background

- At the January 25, 2010, Regular Council – Land Use meeting, Council considered a development application (No. 7909-0250-00) by Pilot Grove Developments Ltd. The proposal is to develop a commercial composting facility at 17690 and 17720 – 12 Avenue. The proposed commercial composting facility is intended to compost green waste, food waste and agricultural waste into Class A compost, with a potential of 20,000 tonnes of compost being produced annually. The applicant intends to sell the majority (95%) of the compost off site. The applicant is also proposing additional agricultural uses, including traditional farming areas, community garden plots and experimental garden plots.
- The proposal does not comply with permitted farm uses in the ALR, according to the Agricultural Land Commission (ALC). Therefore, approval for a non-farm use in the ALR is required. Furthermore, City staff determined that given the scale of the proposed composting operation, and the proposed sale of the majority of the product off site, the proposal does not meet the permitted uses of the A-1 Zone in the City's Zoning By-law. Therefore, rezoning to a Comprehensive Development (CD) Zone is also required.
- At the January 25, 2010 Regular Council – Land Use meeting, after considering the Planning report from staff on the proposal, Council determined that the application be referred to the Agricultural Land Commission (ALC) and also referred the proposal to staff to work with appropriate stakeholders to assess the City's current approach to compost facilities and to make recommendations to Council regarding changes to the current approach; particularly, with respect to performance standards, design considerations and locational criteria.
- The applicant held a Public Information Meeting on March 31, 2010 to present their proposed composting operation to neighbouring property owners. The meeting was attended by approximately 45 to 50 residents, many of whom expressed strong concerns about the proposal. The main concerns include: odours, noise, traffic, impact on land values, and environmental impacts (e.g. groundwater, fish habitat air quality). Subsequent to the Public Information meeting staff received a number of phone calls, letters, and email correspondence from neighbouring property owners in objection to the proposed composting use.
- At the May 3, 2010 Regular Council – Land Use meeting, Council considered an Additional Planning Comments report on the proposal. Council instructed staff to ensure the following procedural requirements are fulfilled prior to introducing a rezoning by-law for Council's consideration for the proposed composting facility use:

- (a) Completion of an independent peer review of the proposed commercial composting facility to fully evaluate the proposal and provide an assessment on the viability of the operation and technology proposed, a risk and impact assessment on the proposed operation/technology, and recommendations as to how nuisance impacts can be avoided or appropriately mitigated;
- (b) The applicant to hold a second Public Information meeting to respond to community concerns raised at the first Public Information meeting and throughout the public consultation process;
- (c) Obtain a decision from the Agricultural Land Commission (ALC) on the non-farm use application; and
- (d) Request staff to bring 7909-0250-00 forward to the June 21, 2010 Regular Council meeting; to be dealt with once the ALC decision is made.

Council also instructed staff to write a letter to the ALC advising that Surrey City Council endorses the proposed development subject to the conditions prescribed in the above section.

Application Process Update

- Since the application was reviewed by Council on May 3, 2010, staff have been working closely with the applicant to complete the requirements outlined in Council's resolutions, as follows:

Agricultural Land Commission (ALC) Review

- The Agricultural Land Commission (ALC) reviewed the non-farm use application at the July 5/6, 2010 ALC Meeting. The Agricultural Land Commission (ALC) has deferred a decision on the non-farm use application pending a review by their Executive Committee of the wider implications of this proposal and potential future policies.

Independent Peer Review

- With the concurrence of the applicant, the City retained an independent consultant (Bio-Logic Environmental Systems) to conduct a peer review of the proposed composting facility. The independent peer review is in the process of being finalized. However, changes to the findings of the review are not anticipated.
- Findings of the independent peer review indicate that in general the proposed composting facility contains all the required elements of a successful compost system and would lie in the upper-intermediate level of process sophistication. There are, however, a number of issues associated with the proposed facility and its intended site that require attention.
- The draft peer review indicates that the location of large-scale compost facilities are typically situated in close proximity to other industrial activities, and that the proximity of the proposed facility to a protected fish habitat watercourse, water well and private residences, is uncommon. The peer review consultant has also identified that the site has a high water table as the entire site is below road grade and at times portions of the site are saturated.

- Although the peer review consultant can recommend a variety of facility/management improvements that could be implemented to improve the performance of the facility, regardless of location, preliminary indications are that other more suitable sites could be explored, where potential impacts would be minimized.

Second Public Information Meeting

- The applicant held a second public information meeting on July 9, 2010. The meeting was attended by approximately 70 to 80 residents, many of whom expressed concerns about the proposal. The main concerns were the same as those raised at the first public information meeting and include: odours, noise, traffic, impact on land values, and environmental impacts (e.g. groundwater, fish habitat, air quality). Many of the residents indicated that this proposal should be located in an industrial area. Some residents also raised concerns about the notification procedure that was used to advise neighbouring property owners of the meeting, which included mail-out letters to properties within 100 metres (300 ft.) of the subject site. These residents speculated that a much larger turnout would have been observed at the meeting if a wider notification area was utilized.
- Subsequent to the second Public Information Meeting, staff has received a petition signed by 934 persons representing 777 households in opposition to the proposal. A map of petition respondent locations is attached in Appendix III. Of the 777 households represented in the petition, 525 are from Surrey, 221 are from outside Surrey (i.e. White Rock, Langley, and Delta), and 31 are invalid addresses. Staff have also received a letter from 18 local business owners and community representatives opposing this proposal.

Applicant's Submission

- The applicant has provided staff with a petition in support of their proposal with 1,007 signatures. Although there was not sufficient time to map the location of these petition respondents prior to drafting this report, the applicant advises that all respondents are from Surrey or White Rock. In addition, the applicant has provided staff with a letter outlining their rationale for why the proposed commercial composting facility should be allowed to proceed on the subject site. The letter is summarized as follows:
 - The applicant advises that their proposal is simply to allow more than 50% of the finished compost from the proposed full - cycle farm and compost facility to be sold off site. Of the entire site, approximately 20% would be used for a fully enclosed, monitored and controlled composting process of green trimmings, organics and agricultural waste, which would yield a Class A compost product that would benefit the soils of the area. The balance of the site would be used for agriculture.
 - The applicant advises that over the past few months they have spent time talking to residents from throughout the City of Surrey and have received very positive reactions to their full - cycle concept. The applicant has a petition in support of the proposal with over 1000 signatures.
 - With respect to the second Public Information meeting, the applicant advises that proper notification procedures were followed including mailing invitations to all addresses in the catchment area, which were provided by the Planning & Development Department. In addition, the applicant invited and notified other parties who have been in touch with

them regarding this proposal over the course of the last 6 months. There were also mentions of the meeting with date and time information in the local newspapers.

- The applicant advises that at the second Public Meeting several attendees commented that they gained more clarification and information on the proposal, and that although they likely will not change the minds of all of those opposed to the proposal, attendees were provided with information as to how the proposal has been modified and redesigned to reflect the community's concerns from the first Public Meeting.
- Although the City's peer review is not yet finalized, the applicant has retained their own consultant, CH2M Hill, to review the proposal. The CH2M Hill report found the design to be satisfactory in addressing the concerns and criteria outlined in the Planning Department's scope of work as well the Organic Matter Recycling Regulation of the Ministry of Environment.
- The applicant has engaged Phoenix Environmental Consultants, to ensure that any creek and environmental concerns are addressed.
- The applicant contends that all perceived site issues have been reviewed by their team of professionals and can be resolved in a responsible and satisfactory manner.
- The applicant contends that having a local solution for diversion is not only needed, but is beneficial to the City and its residents. As Metro Vancouver moves towards its 70% diversion targets, Pilot Grove Farms and the City of Surrey can be effective in helping to provide solutions and infrastructure that support its goals as well as that support sustainability.

Staff Recommendation

- The proposed commercial composting facility offers several benefits to the City. The facility can contribute to the broader community goal of waste diversion as part of the City's overall commitment to sustainability and, therefore, can have both economic and environmental value. Due to Metro Vancouver's commitment to divert 70% of landfill waste by 2015, there is an increasing need for such facilities. The subject proposal would address this need. Currently there is only one Metro Vancouver approved organic waste processing facility within the region, Fraser Richmond Soil and Fibre (FRSF) facility in Richmond. However, through the application review process the appropriateness of the proposed site for this composting facility has been questioned.
- The Agricultural Land Commission (ALC) has deferred a decision on the non-farm use application pending a review by their Executive Committee of the wider implications of this proposal and potential future policies.
- The City's peer review consultant has indicated that large-scale compost facilities are typically located in close proximity to other industrial activity, and that the proximity of the proposed facility to a protected watercourse, water well, and private residences, is uncommon. The peer review consultant has also identified that the site has a high water table.

- The report prepared by CH2M Hill, the consultant retained by the applicant to review the proposed composting facility, indicates that the proposal should be effective managing odour, dust, vectors, leachate, and other nuisance conditions, based on current acceptable industry practices for a facility of this size. The report does not, however, comment on how much nuisance impacts could be further reduced if a more appropriate site were selected, closer to other industrial activity, away from a protected watercourse, water well, and private residences.
- Strong objections have been raised by surrounding residents to the proposed location of this composting facility, many of whom have indicated that this type of facility should be located on industrial land.
- The applicant's petition of support indicates that there is wider community support for this type of composting facility; however, strong localized opposition indicates that alternative sites may be more appropriate.
- On this basis, staff recommends that Council refer this application back to staff to work with the applicant to find another site for this facility, preferably in an industrial area.

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 Site Plan |
| Appendix III. | Map Showing Location of Petition Respondents (Opposed) |

Jean Lamontagne
General Manager
Planning and Development

RG/kms

v:\wp-docs\planning\plncom10\07221446rg.doc
. 7/23/10 1:45 PM

DEVELOPMENT DATA SHEET

Proposed Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		10.1 ha
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	10%	10%
Paved & Hard Surfaced Areas		33%
Total Site Coverage		43%
SETBACKS (in metres)		
Front	30 m	
Rear	15 m	
Side #1 (North)	15 m	
Side #2 (South)	15 m	
BUILDING HEIGHT (in metres/storeys)		
Principal	12 m	
Accessory	12 m	
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	9,990 m ²	9,990 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	5	
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----