

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

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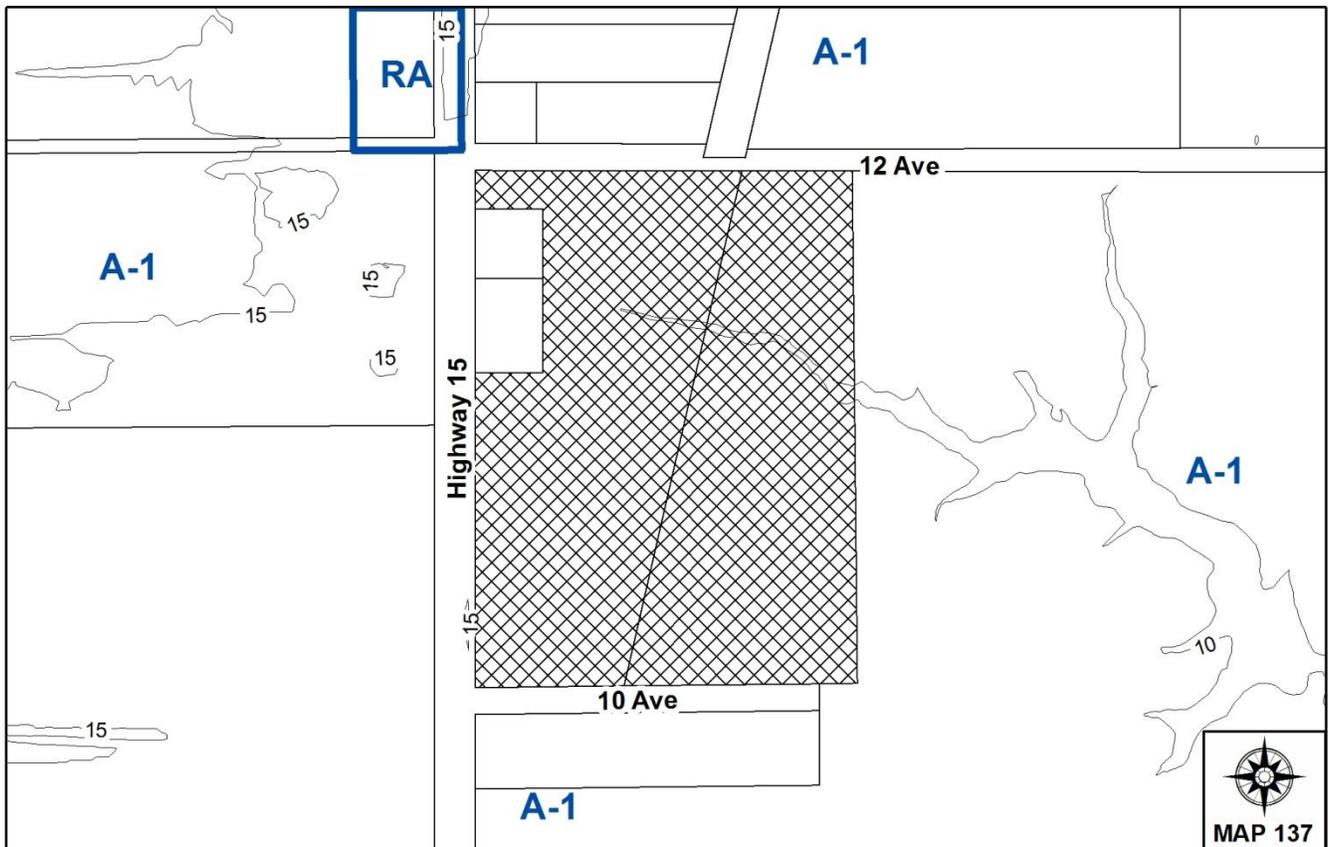
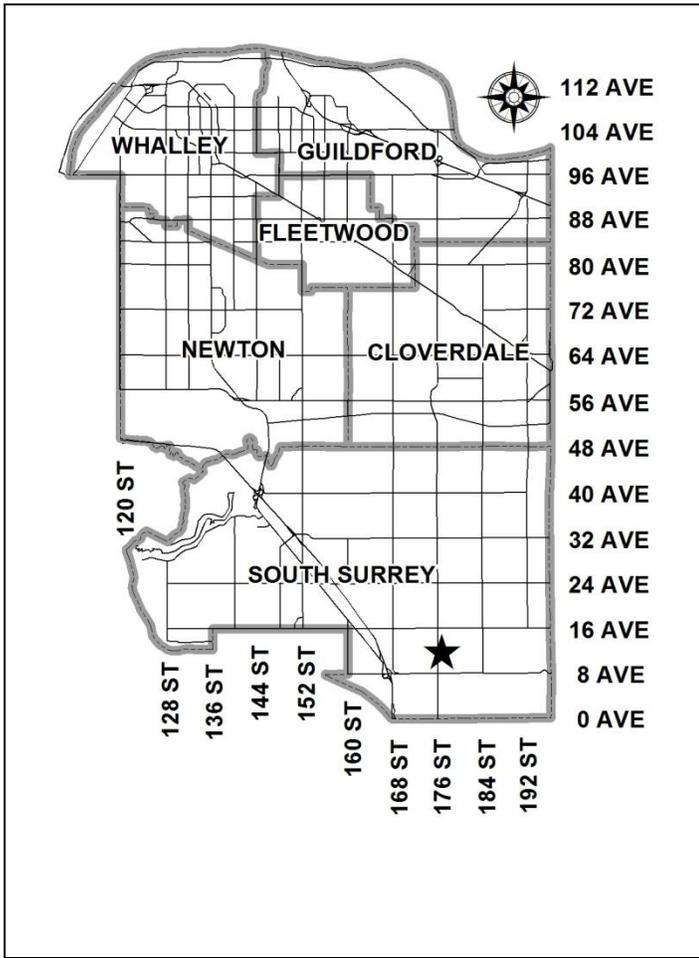
Planning Report Date: January 25, 2010

**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  
**OWNER:** Robert Gordon Baldwin and William Herbert Baldwin  
**ZONING:** A-1  
**OCF DESIGNATION:** Agriculture  
**LAP DESIGNATION:** Agricultural and Open Space (South East Surrey Plan)



### RECOMMENDATION SUMMARY

- Refer the application back 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.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with the Agricultural Land Commission Agricultural Land Reserve Use, Subdivision and Procedure Regulation for lands within the Agricultural Land Reserve (ALR). It is considered a Non-farm use.
- The proposal contravenes the Agricultural Policies of the OCP.

### RATIONALE OF RECOMMENDATION

- The proposed Pilot Grove composting facility has merit from a sustainability point of view. However, the proposed location is within the ALR that contravenes the agricultural policies of the OCP and is considered a non-farm use under the ALR Act and Regulations.
- Other similar facilities in the region and the Province (Richmond and Grand Forks) are located outside the ALR in industrial and non-ALR rural areas.
- There is an increasing need for these types of facilities in the region. However, there is currently no performance standards or locational criteria established for these facilities. This creates a significant concern due to the potential land use impacts associated with these uses. There is a broader need to coordinate with the appropriate authorities the development of a set of criteria and performance standards that can be applied to evaluate proposals such as the subject application.
- It is recommended that Council refer the application back 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.

**RECOMMENDATION**

The Planning & Development Department recommends that the application be referred back 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.

**REFERRALS**

Engineering: The Engineering Department has identified the following issues should the project be considered:

- MOTI input and approval;
- Construction of potable water and sewage disposal that will meet municipal and provincial regulations; and
- A soil deposition permit.

Additional items may be required on detailed review (Appendix III).

Agricultural Advisory Committee (AAC):

- The proposal was reviewed by the AAC on January 7, 2010.
- The AAC does not recommend support of the proposal as it found no agricultural merit in the applicant's proposal; it is not an agricultural facility and is better suited for an industrial site.
- The AAC expressed additional concerns about pollution of ground water (leachate) by the run-off from the compost area and the amount of area that is hard surfaced with the potential to be permanently sterilized for farm use (Appendix IV).

**SITE CHARACTERISTICS**

Existing Land Use: Two farm parcels within the Agricultural Land Reserve. Dwellings and outbuildings are currently located on the lands. A Class A (red-coded) creek crosses the lands on the north side.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North, South, East and West:	Some acreage parcels and farmland.	<ul style="list-style-type: none"> <li>• ALR</li> <li>• Agriculture (OCP) (ALR)</li> <li>• Agricultural (LAP)</li> <li>• Open Space around the creek (LAP)</li> </ul>	A-1 RA

**DEVELOPMENT CONSIDERATIONS**

**Background**

- The subject site fronts onto Highway 15 (176 Street), directly south of 12th Avenue, and is comprised of two parcels, 17690 and 17720 - 12 Avenue.

- The site is located in the Agricultural Land Reserve (ALR), designated "Agriculture" in the Official Community Plan (OCP), designated "Agriculture" and "Open Space" (the Open Space is located around the Class watercourse) in the South East Surrey Local Area Plan (LAP), and zoned "General Agriculture" (A-1) (Surrey Zoning By-law).
- The site is approximately 10.2 ha (25 acres) in size. A Class A watercourse traverses the two parcels (east-west) with Class A tributary also extending north. This creek divides the northern third of the site from the southern two thirds of the site. There are several existing outbuildings located on the northern third of the site.

### Proposal

- The applicant, Pilot Grove Developments Ltd., proposes a commercial composting facility, including off-site compost sales. This proposed 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 to be produced annually. The applicant intends to sell the majority (95%) of the compost off site.
- The applicant is also proposing additional agricultural uses, such as organic crops and a greenhouse. This growing area occupies approximately 35% of the site. A preliminary site plan is attached in Appendix II, including a summary from the applicant detailing the composting process.
- City staff have reviewed the proposal and have determined that given the scale of the proposed composting operation, and the proposed sale of the majority of the product off-site, does not meet the permitted uses of the A-1 Zone in the City's Zoning By-law. Therefore, rezoning of the site is required as discussed below. In addition, the proposal does not comply with permitted farm uses in the ALR, according to the ALC. ALC representatives have confirmed this conclusion. Therefore, approval for a non-farm use in the ALR is also required.

### Proposed Rezoning

- In the Surrey Zoning By-law, composting is considered a "Soil Amendment". It is allowed under the A-1 and A-2 Zones as an Accessory Use to the Permitted Uses. Furthermore, a soil amendment application has to utilize wastes produced on the farm for the purpose of enhancing the soil capability of the same farm operation in order to meet the definition of "Soil Amendment".
- The proposed composting operation by Pilot Grove does not meet the requirements of the A-1 and A-2 Zones for the following reasons:
  - The composting operation uses materials from off-site sources; and
  - The majority of the compost (95%) will be sold off-site.
- It should be noted that "Soil Processing" is allowed in the A-2 and IH Zones. However, "Soil Processing" use only involves the mixing of materials but does not include the process of composting.

- The applicant, therefore, seeks to rezone the site from "General Agricultural Zone (A-1)" to "Comprehensive Development Zone" (CD) to specifically permit a composting facility and compost sales use.

#### Proposed Non-Farm Use

- According to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, Part 2 – Permitted Uses 3(1)(p), a Class A Composting Facility is considered an agricultural related use by the Agricultural Land Commission if the municipality deems it appropriate for the lands, but only if at least 50% of the compost stays on the land to improve the land for farming. The intent of the latter restriction is to ensure that the compost operation maintains its agricultural nature rather than a commercial operation in the ALR.
- Class A Compost (The Environmental Management Act and Public Health Act Organic Matter Recycling Regulation [BC Reg. 18/2002]) is generally defined as being made up of untreated and unprocessed wood residuals and yard waste or unprocessed wood waste, and other organic matter that meets the requirements set out in the Regulation (which may include municipal sewage sludge, fish wastes, food waste, and manure as examples) and require pathogen (harmful bacteria) reduction, sampling and analysis of materials. Pilot Grove is proposing to compost yard waste, wood waste, food waste and agricultural waste such as horse manure.
- The applicant has confirmed his intention to establish a commercial composting facility, and to sell up to 95% of the compost off the site. Accordingly, the scale and nature of the operation is considered a non-farm use under the ALR Regulations. Therefore, an application for non-farm use is required. This conclusion has been confirmed with ALC staff.

#### Surrey Agriculture Advisory Committee (AAC)

- The AAC reviewed the applicant's proposal on January 7, 2010.
- The AAC recommended against the proposal. The AAC found that the commercial compost facility and sales use has no agricultural merit, is a commercial/industrial use and not agricultural in nature.
- The AAC also raised concerns about the leachate (the potentially polluted run-off) and the amount of area being hard-surfaced, thus taking the lands permanently out of potential farm production.
- The applicant submitted revised information after the proposal was reviewed by the AAC. The revised proposal expands the scope of the project to include the acceptance of agricultural waste such as horse manure. This information has been included in Appendix II.

#### Evaluation of Pilot Grove Composting Facility

- The proposed Pilot Grove project does not comply with the composting provisions of the A-1 Zone and is considered to be a non-farm use under the ALR Regulations. The pros and cons of the Pilot Grove proposal are discussed as follows:

*Pros:*

- The Pilot Grove facility can contribute to the broader community goal of waste diversion as part of the 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 Pilot Grove proposal will address such needed facilities. 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, it is noted that the FRSF facility is located on Heavy Industrial zoned lands and is not within the ALR.

*Cons:*

- The nature of the proposed Pilot Grove Project is primarily a commercial/industrial operation that contravenes the Agricultural Policies of the OCP. The OCP has the following policies pertaining to the protection and maintenance of agricultural activities:
  - support agricultural practices in the City in accordance with the intent of such legislation as the ALC Act and the Farm Practices Protection Act; and
  - ensure that all land uses within the ALR conform to the policies and regulations of the ALC Act and the Farm Practices Protection Act.
- Pilot Grove is proposing to compost yard waste, wood waste, food waste and agricultural waste such as horse manure. The wastes will be imported to the site for composting and up to 95% of the compost will be sold off the site. There are potential land use issues that relate to the proposed composting operation. These issues include traffic (truck), odour control and environmental protection (leachate collection, groundwater, watercourse protection, storm water retention, etc.).
- Property owners in the surrounding area have raised concerns regarding the proposal.

PRE-NOTIFICATION

- Pre-notification letters were sent January 8, 2010 and staff received the following comments:
  - Eight (8) telephone calls and two (2) letters have been received from residents in the immediate area identifying the following concerns:
    - Smell;
    - Noise;
    - Traffic (12 Avenue);
    - Dust;
    - Air Quality in immediate area;
    - Impact on property values;
    - Groundwater quality and impact on wells;
    - Whether this facility will set a precedent for similar facilities in the ALR;
    - Pests; and

- The proposal is not an agricultural use.

## CONCLUSION

- The proposed Pilot Grove composting facility has merit from a sustainability point of view; however, the proposed location is within the ALR that contravenes the agricultural policies of the OCP and is considered a non-farm use under the ALR Act and Regulations.
- Other similar facilities in the region and the Province (Richmond and Grand Forks) are located outside the ALR in industrial and non-ALR rural areas.
- There is an increasing need for these types of facilities in the region. However, there are currently no performance standards, design guidelines or locational criteria established for these facilities. This creates a significant concern due to the potential land use impacts associated with these uses. There is a broader need to coordinate with the appropriate jurisdictional authorities to develop a set of criteria and performance standards that can be applied to evaluate these types of proposals.
- Therefore, it is recommended that Council refer the application back 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.
- If Council decides to allow the application to proceed, Council should adopt a resolution to forward the application to the Agricultural Land Commission for a decision on non-farm use aspect.

## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets and Survey Plan
Appendix II.	Proposed Subdivision Layout, Site Plan, Building Elevations Landscape Plans and Perspective
Appendix III.	Engineering Summary
Appendix IV.	Agricultural Advisory Committee Minutes
Appendix V.	South East Surrey Local Area Plan

Jean Lamontagne  
General Manager  
Planning and Development

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Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                      J. Bergen, Pilot Grove Developments  
                         Address:                      2694 – 1055 Dunsmuir Street  
                                                              Vancouver, BC  
                                                              V7X 1L3  
                         Tel:                                      604-687-0400
  
2.      Properties involved in the Application
  - (a)      Civic Address:                      17690 and 17720 – 12 Avenue
  
  - (b)      Civic Address:                      17690 – 12 Avenue  
                         Owners:                                      Robert Gordon Baldwin  
                                                              William Herbert Baldwin  
                                                              Executors of the Estate of Jeffrey Albert Baldwin,  
                                                              Deceased  
                         PID:    002-482-851  
                         Parcel 1 (Explanatory Plan 8271) Section 21 Block 1 North Range 1 East Except:  
                         Firstly: Parcel B (Explanatory Plan 9580), Secondly: Parcel A (Explanatory Plan  
                         12682) New Westminster District
  
  - (c)      Civic Address:                      17720 – 12 Avenue  
                         Owners:                                      Robert Gordon Baldwin  
                                                              William Herbert Baldwin  
                                                              Executors of the Estate of Jeffrey Albert Baldwin,  
                                                              Deceased  
                         PID:    002-482-908  
                         Parcel 2 (Reference Plan 7604) Section 21 Block 1 North Range 1 East New  
                         Westminster District
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Application is under the jurisdiction of MOT.

## SUBDIVISION DATA SHEET

Proposed Zoning: CD

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	25 ac.
Hectares	10.1 ha
<b>NUMBER OF LOTS</b>	
Existing	2
Proposed	1
<b>SIZE OF LOTS</b>	n/a
Range of lot widths (metres)	
Range of lot areas (square metres)	
<b>DENSITY</b>	n/a
Lots/Hectare & Lots/Acre (Gross)	
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	10% (9,990 m <sup>2</sup> /107,450 sq.ft.)
Estimated Road, Lane & Driveway Coverage	33% (33,339 m <sup>2</sup> /358,875 sq.ft.)
Total Site Coverage	43%
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	YES
<b>MODEL BUILDING SCHEME</b>	NO
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	YES
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

## DEVELOPMENT DATA SHEET

Proposed/Existing Zoning: A-1/CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		n/a
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 <sup>2</sup>	9,990 (107,450 sq.ft.)

*\* 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
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