

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7921-0155-00

Planning Report Date: July 12, 2021

PROPOSAL:

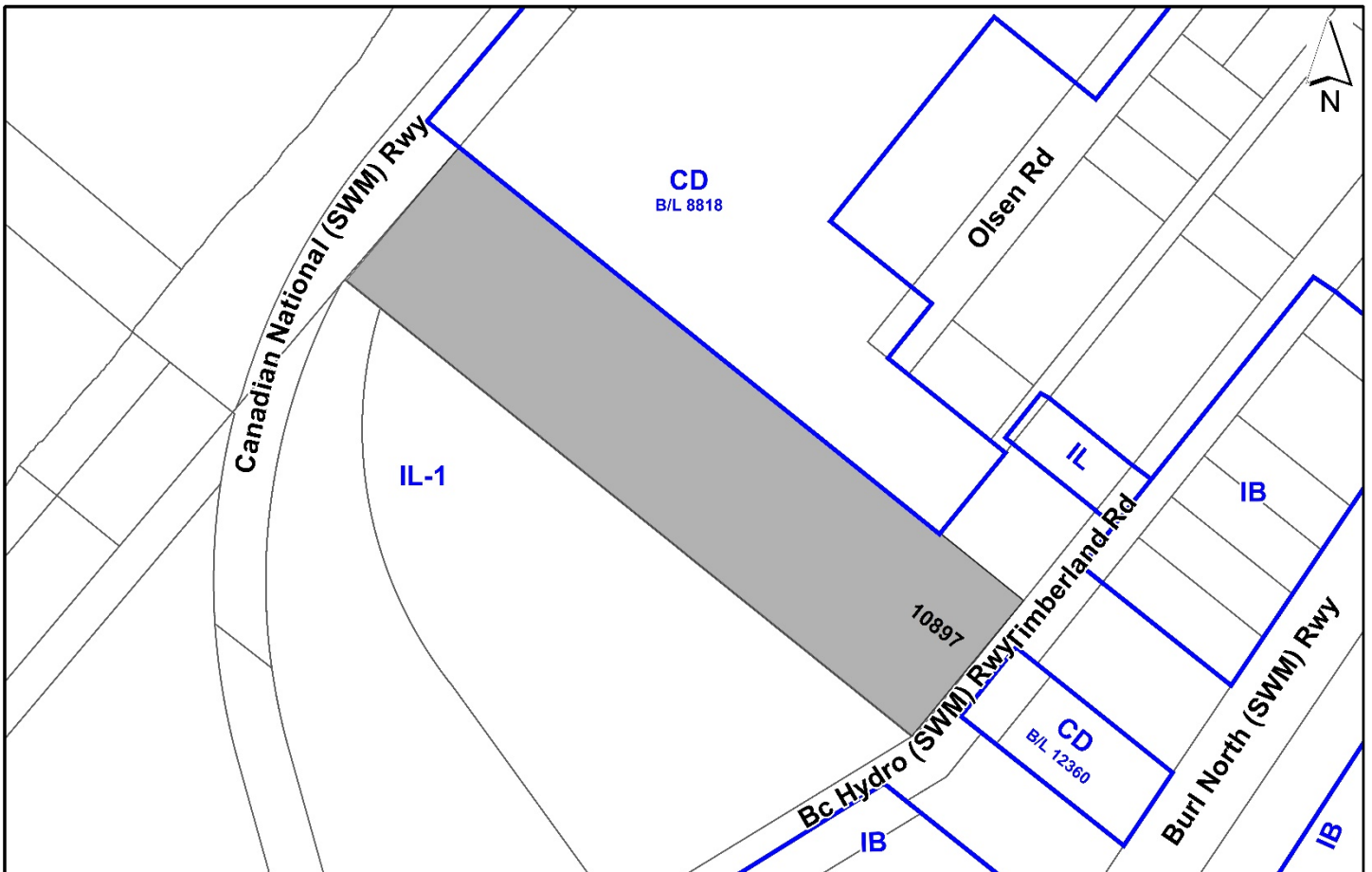
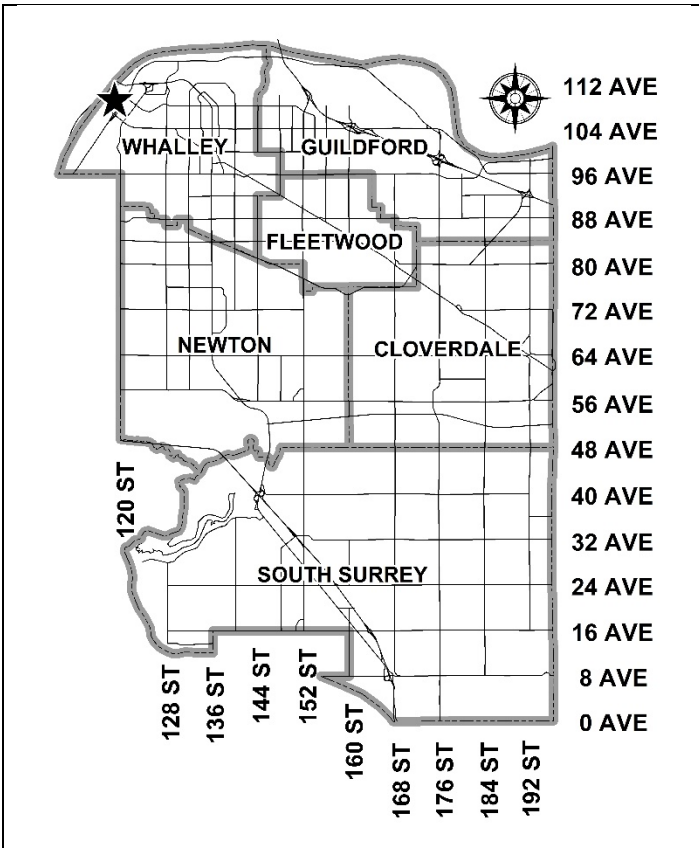
- **Temporary Use Permit**
to allow an existing unauthorized outdoor wood chipping facility to continue operations for 3 years.

LOCATION: 10897 - Timberland Road

ZONING: IL-1

OCP DESIGNATION: Mixed Employment

NCP DESIGNATION: Business Park



RECOMMENDATION SUMMARY

- The Planning & Development recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The recycling plant (wood chipping) use is contrary to the "Light Impact Industrial 1 Zone (IL-1)". The proposed land use also does not comply with the "Business Park" and "Parks and Open Spaces" designation in the South Westminster Neighbourhood Concept Plan (NCP) and the "Mixed Employment" designation in the Official Community Plan (OCP).

RATIONALE OF RECOMMENDATION

- The same Temporary Use Permit (TUP) proposal was previously presented to Council under an identical Application No. 7916-0195-00 at the January 22, 2018, Regular Council – Land Use Meeting . At that meeting, Council advised that a three-year TUP, without the possibility of extension, could be supported subject to the applicant addressing the following 3 conditions:
 1. the applicant be required to clean up the current site conditions;
 2. the applicant retain a Qualified Environmental Professional (QEP) to prepare a full environmental assessment for the site and ensure that operations comply fully with all streamside setback requirements, and
 3. the applicant provide additional information on the proposed relocation of the business and work with staff to confirm the new location will meet all City by-laws and licensing requirements.
- The applicant did not address any of the above requirements and the application was closed at the applicant's request on January 29, 2019.
- By-law Enforcement has initiated action against this property and there is a court order that the site is to be vacated by July 2021. The applicant has therefore submitted the subject TUP application.
- The proposal does not comply with the "Mixed Employment" designation in the OCP. Heavy industrial uses are only permitted within the "Industrial" designation in the OCP. The proposal also does not comply with the "Business Park" and "Parks and Open Spaces" designation in the NCP and may delay the future redevelopment of the site and surrounding area.
- The proposal does not comply with the current zoning of the subject property, which is "Light Impact Industrial 1 Zone (IL-1)".
- The existing business is unsightly, and the subject site is highly visible from the SkyTrain. It is contrary to the vision to improve the image of South Westminster from that of a salvage industrial area, to an area with high quality development and to provide an attractive gateway to Surrey.

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- The existing wood processing facility encroaches into the Streamside Setback Areas as regulated in the Zoning By-law and there are concerns with possible contamination.
 - Area residents have filed complaints with By-law Services about the noise and dust from the existing operation. It is not compatible with existing adjacent residential uses.
 - The City of Surrey's Bylaw & Licensing Division is currently undertaking a review of unauthorized uses in the area to improve compliance.
 - The applicant has been operating without a business license and in contravention of the IL-1 Zone since approximately 2002.
 - The recycling plant (wood chipping) use should be undertaken within a building, where negative impacts could be mitigated.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

If, however, Council considers there is merit to the application, Council may refer the application back to staff to complete the application review process and bring the requested Temporary Use Permit (TUP) forward for Council consideration at a future date.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	NCP Designation	Existing Zone
Subject Site	Non-permitted recycling (wood chipping) operation.	Business Park	IL-1
Northeast:	Brownsville mobile home park and pub	Business/Residential Park & Parks and Open space	CD (By-law No. 8818) and IL-1
Southeast (Across Timberland Road):	Vacant lots	Business Park	CD (by-law No. 12360) and IL-1
Southwest:	Lumber yard	Light Impact/Business Park	IL-1
Northwest:	Canadian National Railway	Special Study Area	IL-1

Context & Background

Background

- The 1.89-hectare (4.65-acre) subject site is located at 10897 - Timberland Road in South Westminster, south of Old Yale Road.
- The Brownsville mobile home park and pub site is adjacent to the subject site, to the northeast.
- The site is impacted by two (2) Class A/O watercourses along the northwest property line and along the southeast property line. If the proposed Temporary Use Permit (TUP) application were supported by Council, the property would be subject to a Sensitive Ecosystems Development Permit and the streamside setback requirements of the Zoning Bylaw.
- The site is zoned "Light Impact Industrial 1 Zone (IL-1)" and is designated as "Business Park" and "Parks and Open Spaces" in the South Westminster Neighbourhood Concept Plan (NCP).

- The site is located approximately 275 metres (900 ft.) to the south of the SkyTrain guideway within the Fraser River Waterfront area of the South Westminster NCP. This is a high-profile area that is emerging as a prominent gateway to Surrey. The subject site is visible from SkyTrain and from the Pattullo Bridge.
- The site is currently occupied by an unauthorized outdoor wood chipping operation.
- A Council-initiated rezoning (described in Corporate Report No. R034 from February 21, 2005) implemented the intent of the South Westminster NCP by rezoning lands, including the subject site, to the IL-1 Zone. This rezoning prohibited outdoor storage and storage of trucks or trailers that are not associated with the business on the lot.
- With the adoption of the OCP By-law No. 18020 on October 20, 2014, the Official Community Plan (OCP) designation for this site was amended from "Industrial" to "Mixed Employment" to better reflect the mix of uses intended for this site in the South Westminster NCP and in the Metro Vancouver Regional Growth Strategy.
- The Zoning By-law identifies a "Recycling Plant" as a facility in which recoverable resources are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production. This definition includes the processing of wood waste (i.e., "wood-chipping").
- Recycling plants are only permitted in the "High Impact Industrial Zone (IH)" and are not permitted under the IL-1 Zone. In addition, under Part 4 General Provisions of Zoning By-law No. 12000, no use shall take place on an industrial-zoned lot unless there is a building that exceeds 100 square metres (1,076 sq. ft.) and contains washroom facilities. The subject recycling plant operation occurs outdoors.

Previous Application

- The subject Temporary Use Permit (TUP) proposal was previously presented to Council under an identical Application No. 7916-0195-00 at the January 22, 2018, Regular Council – Land Use Meeting. At that meeting, Council advised staff that a three-year TUP without the possibility of extension could be supported subject to the applicant addressing the 3 following conditions:
 1. the applicant be required to clean up the current site conditions;
 2. the applicant retain a Qualified Environmental Professional (QEP) to prepare a full environmental assessment for the site and ensure that operations comply fully with all setback requirements, and
 3. the applicant provide additional information on the proposed relocation of the business and work with staff to confirm the new location will meet all City by-law and licensing requirements.
- The applicant did not address any of the above requirements and the application was closed at the applicant's request on January 29, 2019.
- By-law Enforcement has initiated action against this property and there is a court order that the site is to be vacated by July 2021. The applicant has therefore submitted the subject TUP application.

CURRENT DEVELOPMENT PROPOSAL

Planning Considerations

- West Rim Fiber Corp. has been operating a wood waste processing facility on site since approximately 2002.
- The recycling plant use and the outdoor storage use on the site without a permanent structure, are contrary to the "Light Impact Industrial 1 Zone (IL-1)", the South Westminster Neighbourhood Concept Plan (NCP) and the Official Community Plan (OCP).
- West Rim Fiber Corp. has requested a Temporary Use Permit (TUP) to allow for the site to continue to be used to process wood products outdoors for a period of three years.

Referrals

Engineering: If Council supports the Temporary Use Permit application, a referral will be done to the Engineering Department requesting comments.

Applicants Justification

- The applicant has provided the following rationale in support of the proposed Temporary Use Permit to allow an existing wood-chipping recycling facility on the subject site, for a period of three (3) years (with staff comments in italics, as necessary):
- West Rim Fibre Corp. (WRF) is a local business with five (5) employees that aggregates, and processes mill residuals (sawdust and shavings), old pallets and urban wood waste. WRF is a sister company to Pacific Lumber Remanufacturing Inc. (PLR), which is located at 11598 - 134 Street and employs sixty (60) people. WRF receives wood products from PLR, as well as from other businesses in the local area, which is ground into small pieces for distribution to local greenhouses and pulp mills for clean energy sources. Without WRF, PLR would be less viable and could face either shutting down or moving to a more favourable location.
- The subject site's proximity to PLR in North Surrey provides a short route for transporting raw materials and is well-situated for receiving pallets and urban wood waste from businesses in the local area. If WRF were not able to receive these products, they would be transported to Cloverdale Fuels in Langley, Basran Fuels in New Westminster, or to the landfill. Therefore, WRF provides an important service for the local area in contributing to the local economy and diverting waste materials from the landfill.

(While the wood processing facility is considered an interim use, it does not provide a large employment opportunity, nor is it a catalyst for new business growth in the area due to its negative visual impact.

With direct links to New Westminster and Vancouver via the Pattullo Bridge and SkyTrain and Delta by way of Scott Road, River Road and South Fraser Perimeter Road, South Westminster is emerging as a prominent gateway into Surrey.

The subject site is in a highly visible location by passengers on the SkyTrain. The proposed land use is unsightly and contrary to the vision to improve the image of South Westminster from that of a salvage industrial area to an area with high quality development and to provide an attractive gateway to Surrey.)

- There have been no complaints from the residents of the Brownsville mobile home park in the last five years, as there is minimal dust produced. WRF have established a good relationship with the residents.

(The wood processing operation is not compatible with adjacent residential uses.

By-law Enforcement has previously received complaints from the residents of the adjacent mobile home park with respect to the noise and dust generated from the existing operations).

- WRF is currently looking at an alternative permanent location to operate their facility. The TUP will give them the time they need to secure the site and prepare it for their use.

(Staff have not been provided the address of the site to confirm if the proposed property would permit their existing operation or if it would require rezoning to allow for the wood chipping operation.)

Advantages of the Proposal

- The proposed Temporary Use Permit to allow a wood processing facility will be an interim use until the subject property can redevelop into a land use more consistent with the South Westminster NCP.
- The proposal will accommodate an existing business (albeit unauthorized) for a 3-year period.
- West Rim Fiber provides employment directly to five staff and indirectly 125 employees at the sawmill and reman plant in Bridgeview and contributes to the local economy.
- The business assists in diverting wood waste from the landfill.

Disadvantages of the Proposal

- The applicant did not address any of the previous requirements outlined by Council to support the same TUP back in 2018. The previous application was closed at the applicant's request on January 29, 2019.
- If approved, the proposed Temporary Use Permit could further delay the redevelopment of this area as envisioned in the South Westminster NCP and the OCP.

- In order to support the previous TUP application for this site, the applicant was requested to clean up the site and comply with streamside setbacks . The site is still unsightly, and a QEP has not been engaged to provide a report on the requirements to protect the watercourses.
- The applicant has advised that they are looking at a new site to relocate their business, however, they have not provided any information on any potential relocation options.
- The proposed use is contrary to the vision of creating an attractive entrance to Surrey with an enhanced public realm. The subject site is unsightly and is highly visible from the SkyTrain, Pattullo Bridge and the adjacent Brownsville mobile park and pub.
- The operation aggregates and processes wood fibers for recycling, which is a use that should be performed within a building to mitigate adverse impacts on adjacent lands.
- There are environmental concerns with allowing a potentially hazardous operation to continue adjacent to a Class A/O watercourse and within the Fraser River floodplain.
- The subject property is zoned "Light Impact Industrial 1 Zone (IL-1)", and the recycling plant (wood processing operation) is not permitted under the IL-1 Zone. A recycling plant is only permitted under the "High Impact Industrial Zone (IH)", which is not a land use permitted within the boundaries of the South Westminster NCP.
- The proposal does not comply with the South Westminster NCP and the OCP.

PUBLIC ENGAGEMENT

- If Council supports the application and refers it back to staff, pre-notification letters will be sent out and the applicant will be requested to erect a development proposal sign on the property.
- The existing wood processing operation produces noise and dust which impacts the residents of the adjacent mobile home park.

(By-law Enforcement has received complaints from the residents of the adjacent mobile home park with respect to the noise and dust generated from the existing operations since 2002.)

CONCLUSION

- In considering the pros and cons of this proposal, the Planning and Development Department believes that the negative impacts of this project out-weigh its advantages, and therefore, recommends that this proposal be denied.
- However, if Council determines that there is some merit in allowing a TUP application to proceed on the subject site, the application should be referred back to Planning staff to complete the development application review process, including the necessary referrals and notifications, and to then prepare Temporary Use Permit No. 7921-0155-00 for Council's consideration.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Aerial Photo of the Site

approved by Ron Gill

Rémi Dubé
Acting General Manager
Planning and Development

LAP/cm