



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JULY 28, 2008
Time: 3:00 p.m.

Present:

Chair – Councillor Martin
Mayor Watts
Councillor Villeneuve
Councillor Steele
Councillor Gill
Councillor Hepner
Councillor Bose
Councillor Hunt
Councillor Higginbotham

Absent:

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Parks, Recreation & Culture
General Manager, Human Resources
City Solicitor
Deputy City Manager
Manager, Parks

A. DELEGATIONS

- 1. Gus Melonas, Regional Director of Corporate Relations
Danniel MacDonald, Manager, Engineering Services,
and Stuart Gordon, Assistant Terminal Superintendent,
Burlington Santa Fe Railway (BNSF)
John Mills, Regional Director, Transport Canada – Surface Region
File: 8710-20; 0550-20-10**

As requested at the May 26, 2008 Regular Council Public Hearing meeting, upon receipt of Corporate Report R088, Fire Chief Len Garis was in attendance with Burlington Santa Fe Railway (BNSF) representatives Gus Melonas, Regional Director of Corporate Relations, Danniel MacDonald, Manager, Engineering Services and Stuart Gordon, Assistant Terminal Superintendent, and John Mills, Regional Director, Transport Canada – Surface Region, to discuss the findings and recommendations of the Railway Safety Act Panel Review as they relate to concerns that have been raised by South Surrey residents with respect to the location and operation of the BNSF Railway in South Surrey.

John Mills provided information on the role of Transport Canada, specifically with respect to the Railway Safety Act Review Panel (the “Panel”). Additional comments were as follows:

- Transport Canada is the regulator, regulating federal railways within the province of British Columbia, which include Canadian National, Canadian Pacific, BNSF as well as some parts of the Union Pacific (which enter into the southeastern section of the province) and also regulate several shorelines in the interior.
- Transport Canada’s role is to provide safety oversight of the railways to ensure that the railways are in compliance with the *Railway Safety Act* (the “Act”) and to ensure that the railways are operating safely from an engineering, operations and equipment perspective as well as the transportation of dangerous goods.

- The Panel had a task of reviewing the Act and to go across the country and get input on revisions to the Act itself. Towards the end of 2007 the Panel completed its report and presented approximately 54 recommendations to the Minister of Transport.
- Transport Canada is currently in the process of putting together a strategy to implement those recommendations, some of which require legislative amendments.
- Transport Canada is establishing some working committees that will deal with issues that were identified by the Panel. One of those issues is with respect to proximity or locations of development along rail lines which is a significant problem for not only railway operations but for communities across Canada from a safety perspective.
- There are no regulations and there were no recommendations with respect to train lengths. The railways are obligated to operate their trains, no matter what the length is, safely, for which there are quite a number of inspections (equipment as well as an infrastructure). However, the restriction ordered by the Federal Transport Minister on November 5, 2005, to limit the number of cars on its conventional trains traveling in the area between Squamish and Clinton to 80 cars, following the August 5, 2005, derailment of nine CN Railway train cars into the Cheakamus River, is still in place.

Discussion ensued regarding the increased length and frequency of trains running through communities, particularly in Crescent Beach, where there have been major concerns regarding access ability for emergency vehicles due to the length of time it takes for the trains to pass. It was noted that there are rules called the Canadian Rail Operating Rules (CROR) and Rule 103 which talk about blocking crossings. The railways are allowed to block a crossing for about five minutes when they are switching. If it is to be longer than five minutes then the railway has to make some decisions as to how it is going to accommodate the traffic. If they consistently fail to do that, then Transport Canada has the ability to order them to introduce a different process. Transport Canada would certainly welcome an opportunity to establish a public dialogue with South Surrey and White Rock residents regarding the concerns they have. Comments continued:

- BNSF has more than 160 trained and well equipped emergency responders, in this area, to ensure that personnel are available to assist if an incident such as train derailment occurs.
- Transport Canada have rail inspectors that have an effective working relationship with the Federal Railway Administration in the United States to ensure that northbound traffic coming into Canada are safe and have the proper documentation.
- BNSF have a hazmat training train that is taken to various cities for training fire departments. The train has been offered to Surrey for training and an education piece with the community could also be made available. The train carries three different kinds of tank cars including a classroom tank car. The training is quite extensive.

The Chair thanked the delegation for their attendance and the information provided.

2. Cynthia Wiens
Association of Community Organizations for Reform Now (ACORN)
File: 0250-20; 0550-20-10

Cynthia Wiens, Association of Community Organizations for Reform Now (ACORN) was in attendance to provide an update on their organizations' work in Surrey and across the GVRD, to congratulate Council regarding the housing policy and to discuss the success of their Free Income Tax site and other key issues in helping to build safer and stronger communities.

Council expressed their gratitude to the delegation for the dedicated work and the efforts that are being made by ACORN in keeping Surrey's citizens interests at heart and advised ACORN of the Social Plan for Well Being report which notes that one of the initiatives for next year is to put together a housing action plan.

AGENDA VARIED

5. Brenda Kent, Deirdre Goudriaan, Brita Colero, Martin Harcourt
Research and Education Team
Surrey/White Rock Pesticide-free Coalition
File: 5280-23; 0550-20-10

Brenda Kent, Deirdre Goudriaan, Brita Colero, Martin Harcourt, Research and Education Team, Surrey/White Rock Pesticide-free Coalition (the "Coalition") were in attendance with regard to the elimination of pesticides for cosmetic purposes. A number of resource materials were provided as information in support of the presentation. The following comments were provided:

- The Coalition was formed last fall as a result of concerned citizens and has grown to over 180 individuals and have approximately 10 organizations as partners, including the Canadian Cancer Society.
- Last fall, the Coalition presented their concerns regarding the elimination of pesticides Surrey's Environmental Advisory Committee.
- Recently, the Surrey School Board eliminated the use of cosmetic herbicides on all school properties, to which the Coalition would very much like to see the City of Surrey follow suit, particularly since many schools and playgrounds are on City property.
- Children are our most vulnerable citizens, the Coalition requests that the City stop the use of pesticides for cosmetic use by passing a bylaw to restrict the use of pesticides on residential properties.
- There are 140 cities across Canada, as well as two provinces that have passed similar bylaws.
- Pesticides are not safe or inert and do not disappear after application.
- The companies that make pesticides do not say they are safe and many of the pesticides used in Canada are banned in other countries.
- There are safe, effective non-toxic solutions.

- Pesticides are one of the environmental carcinogens, a big risk factor being worked on at the Cancer Society which looks at the body of evidence when making recommendations for healthy public policy. Such research linking pesticides to cancer is suggestive, concluding that there is an association between pesticide exposure and certain cancers including leukemia, brain tumours, lymphoma and cancers that affect the prostate, kidney, pancreas and lung. They also concluded that pregnant women and children are particularly vulnerable to pesticides.
- A recently conducted IPSOS Reid poll shows that 74% of Surrey residents are in support of this issue.

The Manager, Parks, noted that the City looks first to cultural means for eliminating pests, slugs, bugs, and weeds, etc. Where cultural methods are not effective, spot spraying of insecticides or herbicides is used. The bulk of the pesticides that are applied are in street landscaping areas, in mulched beds, to reduce the need for weeding. If pesticides are used, those with the least toxic effects amongst those registered are chosen and then applied only by certified licensed pesticide applicators.

The City Solicitor advised that there had been some research on a bylaw in the past, gathering information from Toronto and a number of municipalities across Canada. It is not certain whether or not bylaws relating to health is a shared jurisdiction with the province and therefore there might be a provincial authority or approval required for a by-law.

Council noted the valid points that were made and questioned the outcome of the presentation to the City's Environmental Advisory Committee late last year. It was requested that Staff follow-up to see if any recommendations were made at that time. The delegation continued:

- As noted in the materials provided, there is a survey in BC that found that 4.6 million kg of pesticides were purchased in 2003 of which 1.4% of that was sold to landscape companies. The concern is largely that the City is not using as much as the residents are, so there is some real concern about the amount used when people are not trained or understanding what they are dumping on their lawns, etc.
- The most toxic products are given to the least knowledgeable, with no training, which has to stop.

In closing, the Manager, Parks noted that the Federal Government registers pest control products and have several different classifications of registration, one of which is called the Domestic Registration which allows any homeowner to purchase the product once the salesperson asks a series of questions (how to use, used it before, etc). At the stroke of a pen the Federal Government can effect these policies. The Federal Government is required to look at the safety, product registration and labeling, prior to the sale and use in the Province. City staff really believe that there are tools in place immediately by the senior governments to effectively do what the delegation is asking with respect to the application by private land owners on residential properties. The issue about the City's use on its own lands could be directed through policy to undertake. The issue of residential use could be resolved by a senior level of government.

The delegation was thanked for their presentation, noting that education regarding this issue is a priority and that the information provided will be referred to both staff and the City's Environmental Advisory Committee for further investigation and a report back to Council.

3. Catherine Watkins

File: 5600-01; 0550-20-10

Catherine Watkins was in attendance to request that the bare land strata complex at Sunnyside Estates, 2303 Cranley Drive, be a part of the Surrey water meter system with water meters provided for each home in the complex. Further information was provided as follows:

- 30 years ago a combination of city-owned and private lines for water were allowed at the complex. Of the 123 units, 101 units are on a private water line, while the other 22 units, which are on the city-owned water line, were allowed to become part of the water meter program three years ago.
- The 101 units have looked at a solution to bring them to parity with the other 22 units, and for more than one year, have been working with the City's Engineering Department, which have given reasons as to why the City would not provide individual water meters to each unit.
- The solution presented by the City was to have two master water meters installed at a cost of \$120,000 for the infrastructure.
- The strata rules dictate that all 123 owners, the majority of which are retired pensioners and widowers, would have to incur costs, including the 22 units already on the water meters. The complex will be divided by this solution as some owners will be receiving individual bills while others will share the common strata water bill evenly, regardless of usage. The solution will create a division in the complex because of the problem, which has caused considerable upset.
- A solution that reflects the uniqueness of the situation by providing the 101 units the ability to become part of the Surrey individual water meter system by having water meters installed under the City of Surrey's free water meter program is being sought.

Council thanked the delegation for their presentation, noting their concerns and advised that Staff will provide a report back to Council addressing the request of the delegation.

4. Caron Adderley, Bridget Trousdell, Erin Shankie, Rebecca Yanciw, Nicole Rupprecht, Darren Maslack, Students of the Environmental Protection Technology Program at Kwantlen University College/ Love our Environment - Eliminate Pesticides (LEEP)

File: 5280-23; 0550-20-10

Students of the Environmental Protection Technology Program at Kwantlen University College, Caron Adderley, Bridget Trousdell, Erin Shankie, Rebecca Yanciw, Nicole Rupprecht and Darren Maslack, were in attendance to provide a Powerpoint presentation with regard to cosmetic pesticide use and the links to

serious illness, including childhood cancers, as well as impacts on our environment; and to present a petition and letters of support endorsing the initiative to phase out the widespread use of pesticides in the community of Surrey. Comments were as follows:

- Cosmetic pesticides are those pesticides used for the sole purpose of maintaining or beautifying a lawn or garden. The key concern with pesticides is the chronic health affects associated with their prolonged use and exposure.
- The concern is primarily the use of pesticides on private lands; residents are using high doses in small concentrated areas. Homeowners annually apply 5.5 - 12.5 kg/ha of pesticides, five times the rate used for agricultural purposes.
- In 1996 the Quebec Poison Control Centre recorded 1,650 pesticide poisoning cases. 80% occurred in private homes and over 46% of those were in children under the age of five which demonstrates that it is not the professional farmers poisoning themselves but rather it is the average homeowner, untrained in pesticide use, that is being harmed.
- It takes only 2/3 of an ounce of carbaryl (the active ingredient in the insecticide 7) to kill a 154 pound adult.
- Some of the chronic health effects of pesticides include brain, breast, stomach, prostate and testicular cancers, childhood leukemia, endocrine disruption (endometriosis, reduced fertility), Parkinson's disease, liver, kidney or central nervous system damage and reduced intellectual abilities.
- Children's risk of asthma increases 4.5 times with herbicide exposure before one year of age and the risk of non-Hodgkins lymphoma increases 2.5 times for children whose parents use pesticides once or twice a week.
- A majority of pesticide health effects are on children due to the fact that children play in close contact with lawns and gardens, their hand-to-mouth behaviour increases the chance of ingestion and, compared to adults, their bodies have underdeveloped immune systems, inefficient livers and a high percentage of body fat.
- As much as the toxicological data is examined, the synergism is not tested. That is the toxicity of compounds combined together is greater than that of the individual compound. Once pesticides reach the environment they are free to interact with each other and other chemicals. Chemicals do not stay where they are applied. This may cause the formation of more toxic compounds and the breakdown of products can be even more toxic than the original formulas.
- The precautionary principle: when there is reason to believe that a pesticide can cause harm, even if there is not conclusive evidence to 'prove' a causable relationship, we should take preventative measures. Science cannot determine the millions of potential interactions between the 6000 registered pesticide formulations.
- It is requested that the City of Surrey ban the cosmetic use of pesticides to give residents the ability to control their own health and that of their environment.

- Other municipalities have found that education alone is not sufficient to protect the health and well being of the public. New Westminster, Burnaby and North Vancouver have all committed to pesticide bans this year. The more municipalities that ban the use of cosmetic pesticides the more pressure can be put on provincial government to ban the use and sale of cosmetic pesticides as was recently done in Ontario and Quebec.
- There are virtually no regulations in place for pesticide use on private lands. The municipalities of BC can help push provincial governments to restrict the sale of domestic pesticides by invoking municipal bans which collectively send a message to provincial governments that current legislation is deficient when it comes to domestic pesticide use.

A petition, signed by 1133 Surrey residents in support of the ban of cosmetic pesticides on all public and privately-owned properties together with various agency letters of support for LEEP were provided.

It was
Moved by Mayor Watts
Seconded by Councillor Villeneuve
That the signed petition and letters of support for a ban of cosmetic pesticides on all public and privately-owned properties were received as information.

Carried

The Chair commended the delegation for their presentation and their excellent work and advised the delegation of the referral of this issue to both staff and the City's Environmental Advisory Committee for further investigation and a report back to Council.

The delegation was thanked for their presentation, noting that a report from Staff will be provided in due course.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

1. The Corporate Report, under date of July 28, 2008, was considered and dealt with as follows:

Item No. C011

Action Plan for the Social Well-being of Surrey Residents:
2007 - 2008 Annual Report
File: 5080-01

The General Manager, Planning and Development submitted a report regarding the Action Plan for the Social Well-Being of Surrey Residents, which includes a direction that the City develop an Annual Report to Council on the implementation of the Action Plan. The purpose of the Annual Report is to

communicate what has been achieved in the past year, and to seek Council's endorsement of specific future actions on the implementation of the Plan.

It was
Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council:

1. Receive, as information, the 2007-2008 Annual Report on the implementation of the Action Plan for the Social Well-Being of Surrey Residents, which is attached to this report as Appendix I;
2. Endorse the proposed Plan of Actions for 2008 – 2009, as outlined in this report; and
3. Authorize the posting of the Annual Report on the City's website and its distribution to interested stakeholders.

Carried

The Chair thanked and commended staff for the excellent report provided.

D. DELEGATION REQUESTS

E. COUNCILLORS' REPORTS

F. OTHER COMPETENT BUSINESS

G. ADJOURNMENT

It was
now adjourn.

Moved by Councillor Hunt
Seconded by Councillor Hepner
That the Council-in-Committee meeting do

Carried

The Council-in-Committee adjourned at 4:53 p.m.

Margaret Jones, City Clerk

Councillor Martin, Chairperson