



Corporate Report

NO: R116

COUNCIL DATE: May 26, 2003

REGULAR COUNCIL

TO: **Mayor &
Council** DATE: **May 16,
2003**

FROM: **General Manager, Planning
& Development** FILE: **6300-01**

SUBJECT: **Response to Mr. Jim McMurtry's Letter
Regarding Tree Retention and Environmental
Concerns**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize the City Clerk to forward a copy of this report and the related Council resolution to Mr. Jim McMurtry, spokesperson for the Cloverdale Community Association.

INTENT

The purpose of this report is to respond to Council's request for information related to concerns raised by Mr. McMurtry during his presentation to Council at the April 7, 2003, Council in-Committee meeting and that were also documented in a letter that he submitted to Council, dated February 13, 2003. A copy of the letter is attached as Appendix "A".

BACKGROUND

Mr. McMurtry has raised the following concerns regarding tree retention and landscaping maintenance in the City:

1. Tree-clearing on the south side of 64 Avenue, west of 168 Street and tree-clearing on the east side of 188 Street, north of the Fraser Highway to make way for new development;
2. Conflict of interest arising when arborists who are involved in tree assessment are being involved in removing the trees for which they submit assessment reports;
3. Removal of three large trees in front of Surrey Centre Elementary School at 16670 Old McLellan Road;
4. The absence of a mechanism to help Surrey residents to protect heritage trees;
5. The use of herbicides in City parks, grass fields and flower beds; and
6. The lack of educational information available for Surrey residents regarding how to maintain lawns without the use of herbicides and other environmental issues.

The remainder of this report provides information on each of the listed concerns.

DISCUSSION

Concern 1: Tree Clearing in Relation to New Development in Cloverdale

The Surrey Tree Preservation By-law makes provision for the removal of trees that cannot be preserved through the process of land development. The *Local Government Act* does not allow the City to use a tree preservation by-law to prevent a property owner from developing his/her property to the maximum density allowed by the Zoning By-law. As part of the process of reviewing land development projects, every developer is required to retain the services of a qualified arborist to undertake a tree survey and assessment on each development site and to provide recommendations to the City regarding the potential for individual trees to be preserved through the development process. In both of the circumstances cited by Mr. McMurtry, this process was followed.

In most circumstances, it is difficult to save many trees in urban development sites. Forest grown trees, whether coniferous or deciduous, cannot usually be preserved because they grow very differently from trees that are growing out in the open. When surrounding trees protect a tree, it does not develop the trunk taper needed to withstand forces created by the wind. Forest grown trees put all their energy into growing tall to escape the shade of the surrounding trees and only produce foliage at the very top where there is sunlight. When forest-grown trees are exposed to sun by virtue of surrounding trees being removed, they often suffer from sunscald. Also, the roots of trees grown in a cluster are entwined and the destruction of the root system of a tree is usually inevitable when any of the surrounding trees are removed. Given the density of building coverage in a typical new urban development site, it is difficult to preserve a large enough cluster of trees to avoid the referenced concerns. It should also be noted that many of the trees on development sites in the City consist of cottonwood and alder. Even though these trees are valuable in terms of wildlife habitat, they are not suitable for retention or for planting within residential areas because they are short lived and become brittle as they mature causing them to be hazardous. Based on the above reasons, most trees end up being removed on new urban development sites in the City, as was the case in both instances cited by Mr. McMurtry.

To offset the loss of existing mature trees (i.e., those that have reached a trunk diameter of 0.3 metres/1 foot or more) on new development sites, the City requires the developer to retain a consultant to design a tree replacement plan for the development and to post security to ensure the planting of the replacement trees as part of the development process. The replacement trees are located such that they will grow in a healthy and sustainable manner so as to establish or re-establish an urban forest within the development that will survive over the long term. For example, on typical full size urban lots, the developer is required to plant three trees on each lot. In addition to on-site replacement trees, the developer is also required to fund the planting of boulevard trees on new local streets fronting the new lots. These boulevard trees are located at a density of approximately one tree per lot. These boulevard trees are located such that at maturity they create a consistent green canopy along the streets on which they are located.

To date, in the North Cloverdale West Neighbourhood (i.e., that area to the south of 64 Avenue and west of 168 Street) 262 trees, each with a trunk diameter greater than 0.3 metres, have been removed and the developers in the area have provided security to the City to ensure the planting of 462 replacement trees. The replacement trees will be planted after the homes are constructed on the new lots. In addition, using funding provided by developers in the area, the Parks Division will plant about 160 boulevard trees along all of the new local streets that have been constructed in the area.

The tree removal that has taken place in the East Clayton area (i.e., that area located north of the Fraser Highway and east of 188 Street) relates to the development of a 13.2 ha site, which was subdivided to establish 147 compact lots and two multi-family residential sites. Only about 20% of the site was forested (see attached air photo). There were 330 protected trees within the site, all of which were removed. The developer provided a tree replacement plan to the City and provided security to ensure the planting of 284 replacement trees on the new lots (i.e., two trees per compact lot). In addition, using funding provided by the developer, the Parks Division will be planting approximately 140 boulevard trees along the new local streets in the area.

The arborists' reports related to the both the West Cloverdale area developments and the East Clayton developments are available for viewing at City Hall. The arborist that assessed the trees in each of above-referenced instances had no connection with the firm that was responsible for the tree removal operations.

Concern 2: Conflict of Interest for Arborists

Mr. McMurtry's second concern was relates to the conflict of interest that may arise if an arborist is responsible for both the assessment of trees and the removal of the trees. Others have previously raised this concern.

To date, staff has been reluctant to prohibit an arborist or a firm that declared a tree hazardous from also doing the work of removing the tree for a couple of reasons. Firstly, such a restriction can sometimes create an additional expense for the property owner, who then has to pay for both the tree assessment as well as for the tree removal (currently, some tree service firms will not charge for the assessment if they are responsible for other tree pruning or removal work on the same property) and, secondly, this may penalize some of the more reputable tree service companies who act professionally in both their assessment and removal of trees in the community. Despite these reasons, the real and perceived conflict of interest between those involved in tree assessment and those involved in tree removal work is sufficient that staff will be recommending, as part of a new Tree Preservation By-law, a provision that will prohibit an arborist or an arboricultural firm that undertakes a tree assessment from undertaking the work of removing the tree if the assessment indicates that removal of the tree is necessary. Recommended modifications to the City's Tree Preservation By-law will be forwarded for Council consideration within the next few weeks.

Concern 3: Removal of Three Large Conifers in Front of Surrey Centre Elementary School

Three large conifers were removed from in front of Surrey Centre Elementary School at 16670 Old McLellan Road earlier this year. The trees included a Cedar, a Sitka spruce and a Douglas fir. The trees were removed as part of the redevelopment of the elementary school site, where the existing school is being replaced with a new one. The redevelopment includes major changes to the site layout. An arborist assessed the subject trees and submitted a report to the City. Based on the report, the Cedar was in poor condition (co-dominant tops and in general decline), but the other two trees were in good condition. A tree removal application for the subject trees was received by the City from the School District to allow road widening, sidewalk construction, site servicing and site regrading that was required in support of the new elementary school. The arborist that assessed the trees had no connection with the firm that removed the trees.

The City's files contain no information that would suggest that the subject trees had any special community or historic significance, nor had the trees been nominated for Heritage or Significant Tree status.

Concern 4: Mechanisms for the Public to Nominate Trees for Special Designation

There is a mechanism in place for residents to help the City protect heritage trees. Anyone may nominate a tree for heritage protection by filling out a nomination form that is available through the Parks, Recreation and Culture Department or the Planning and Development Department. City staff, using a standard evaluation sheet, assesses each nominated tree, based on a standard evaluation form. The evaluation includes an assessment of the tree's general health and structure, the historical or landmark value of the tree and the way in which the tree contributes to its location. If the tree scores well enough, a recommendation is made to the Heritage Advisory Commission Heritage Tree Subcommittee. If the subcommittee agrees with the assessment of the tree, it makes a recommendation to the Heritage Advisory Committee that they forward the nomination to City Council with a recommendation that Council add the tree to the List of Significant Trees, which is part of the Surrey Tree Preservation By-law and/or add the tree to the Heritage Register as a Heritage Tree. Once a tree is placed on the Significant Tree List it cannot be pruned or physically altered without the owner obtaining Council's approval.

Concerns 5 and 6: The Use of Herbicides in City Parks, Grass Fields and Flower Beds and the Lack of

Educational Information Available for Surrey Residents Regarding How to Maintain Lawns Without the Use of Herbicides and Other Environmental Issues

Concerns 5 and 6 were addressed in Corporate Report R082, which was considered by Council at the Regular Council Meeting on April 28, 2003. A copy of Corporate Report R082 is attached as Appendix "B".

CONCLUSION

It is recommended that Council receive this report as information and authorize the City Clerk to forward a copy of this report and the related Council resolution to Mr. Jim McMurtry, spokesperson for the Cloverdale Community Association, who appeared before Council at a Council-in-Committee meeting on April 7, 2003, related to the matters discussed in this report.

Original signed by

Murray Dinwoodie
General Manager
Planning and Development

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Attachment

Appendix "A" – Jim McMurtry's letter dated February 13, 2003

Appendix "B" – Corporate Report No. R082

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