



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, SEPTEMBER 25, 2006
Time: 4:41 p.m.

Present:

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

Absent:

Staff Present:

Acting City Manager
City Clerk
Acting General Manager, Planning & Development
City Solicitor
General Manager, Engineering
General Manager, Finance, Technology & HR
Manager, Long Range Planning & Policy Development

A. DELEGATIONS

1. **Elaine Anderson** **WiTS Lower Mainland Coordinator** File: 0550-20-10

Elaine Anderson, WiTS Lower Mainland Coordinator was in attendance to address a tree-cutting permit that will put a Bald Eagle nest at risk.

Following are some of the comments provided by the delegation during their presentation:

- WiTS is an environmental stewardship program of the Federation of BC Naturalists (FBCN) that aims to create, coordinate, and assist a network of community stewards interested in conserving wildlife tree habitats through volunteer monitoring, landowner agreements, and community education in Southern BC
- By definition, a wildlife tree is any standing dead or live tree with special characteristics that provide valuable habitat for the conservation or enhancement of wildlife. They play an important role in forest ecosystems by contributing and maintaining the biological diversity in BC forests (Wildlife Tree Committee of BC).
- In BC there are more the 80 different wildlife tree species in BC, and they are grouped into five general groups.
- Currently, Section 34(b) of the BC Wildlife Act extends year-round protection to a select group of birds' nests that include those of eagles, ospreys, herons, burrowing owls, gyrfalcons, and peregrine falcons. For other bird species, the federal Migratory Birds Convention Act and provincial Wildlife Act protects nests only when they are occupied by adult birds, their young and/or eggs. For these species, the nest tree is vulnerable to removal when occupation by birds or their eggs is unknown.
- Information collected on each identified wildlife tree is placed in a database that provides information to an online Wildlife Tree Atlas.

- Wildlife tree atlas is on line, provides an online inventory of nest locations in the wildlife trees, and the historical use of the trees, specific information and more. A sample of the online atlas was reviewed.
- WiTS can help by an information sharing agreement, giving Surrey a password to the online database to provides productive records, and field notes. WiTs can further work with Surrey to create a nest protection bylaw, and address the tree preservation before cutting occurs.
- WiTs is already working with other local governments.

In response to questions:

- There are 22 active nesting sites in the City of Surrey.
- Ospreys tend to nest on manmade structures.
- When you take away buffer trees the wildlife trees are at a higher risk.
- The GVRD is currently working on urban biodiversity and WiTS is involved with this project.

2. **Larry Androsoff and Mohinder S. Cudail**

File: 0550-20-10

Larry Androsoff and Mohinder S. Cudail were in attendance regarding the condition of the streets at 102 and 102A Avenues and 121 Street, and the truck stop in the area.

Ms. Androsoff made the following comments during her presentation:

- The roads in our area are beaten to a pulp. There was a GVRD culvert above ground by a foot and the City came in to fix that portion of the road only.
- The roads are not wide enough and there is a lot of truck traffic in the area.
- Trucking companies need to comply with the proper licenses. The trucking companies also need to improve the roads with widening.
- Along 121 Street there is an issue with the steep grade of this street and the high number of trucks using this route. The street was not closed and things have not improved. Trucks and buses were being re-routed and diesel, smoke, and dust are stirred up from the traffic.

3. **Shirley Hill**

Shirley Hill was in attendance regarding Development Variance Permit No. 7996-0292-00; 0550-20-10

Note: See Development Variance Permit 7996-0292-00 under Clerk's Report, Item I.1(a) of the Regular Council - Public Hearing agenda.

Note: See delegation request under Clerk's Report, I.3(b) of the Regular Council - Public Hearing agenda.

Shirley Hill, made the following comments during her presentation:

- Manson creek runs parallel to Robson Creek along the western edge of the proposed development.
- Manson creek and its 47 cedar trees are protected by the Federal Department of Fisheries, and by Surrey Stream and Heritage bylaws.
- This site can be developed in a sustainable manner that is financially rewarding to the developer and at the same time respectful of this important protected habitat.
- If Councils denies this application, we believe development that is sensitive to this habitat can still be an asset to the whole community.
 - It can be a “win” for the developer if Council considers instead allowing higher density housing on the site;
 - It can be a “win” for the community because they will keep the magnificent stand of trees and the pristine stream that runs through them.
 - It can be a “win” for Surrey Council, as it will leave a legacy for future generations.
- We also ask that Council consider that the current plan would require panhandle driveways on four of the proposed properties. Each driveway is only ten feet wide, and with planting and a small fence the access would be too small to accommodate emergency vehicles. Street parking and gridlock are already an issue in the area.
- The DFO has not decommissioned the stream.

Jannette Maedel, Streamkeeper for Robson Creek in North Surrey made the following comments during her presentation:

- Privatizing and eliminating the environmental review process in Surrey has consistently skewed results in favor of the developer far more than Council and its citizens may realize.
- In the early stages of this development there were questionable statements suggesting the origin of the Manson Creek was not natural, causing City planner and DFO to relax by-laws and regulations regarding this historic stream.
- The problem is with the use of a developer paid “Independent Environmental Consultant” in place of a true and autonomous public voice. Making sure your client does not break environmental laws while gaining profit is not the same as looking after the public environmental issues.
- On September 21, the DFO posted a notice for the intended elimination of Manson Creek. There has been no public discussion and in 14 days the site can be clear-cut and the stream piped. City records show that \$20,000.00 is the amount of the compensation proposal. Selling our streams under the guise of a compensation deal is unacceptable to the public.
- Streams should be piped if a clear, compelling and defensible argument can be made that piping the stream is of greater public benefit than leaving the stream intact.
- We ask that Council act in a more environmentally conscious manner as you not only represent the political will of the citizens of Surrey, you also listen to citizens. We further ask that you enforce your own City by-laws and obey the rules that you as a Council have agreed to accept.
- Following are the recommendations put forward by the delegation:

- Send a clear message to planners, developers, and DFO indicating that you support our Streamside protection bylaws. In practice, these Streamside regulations have been a starting point for development proposal negotiation but Council can and should recommend stronger adherence to the existing regulations as written.
- Please review the Manson Creek development proposal. Currently, this proposal is an example of how not to manage our streams and fisheries resources. This is an example of the environmental review process gone wrong. Nine houses over a piped stream and clear-cutting the heritage trees is not what Surrey residents expect from our City planning department or from DFO.
- We would like to request that the current Surrey Council conduct a full environmental review of the site by Surrey's Environmental Review Committee, and that these results be made public.
- Planning around sensitive environmental areas needs to be transparent, accountable and public. The skewed results of a privatized environmental review such as in the case of Manson Creek demonstrate how essential this sort of process is. Without public input there are no checks and balances and our heritage trees and streams are for sale as part of doing business in Surrey.

Edward Hadgraft, neighborhood naturalist, birdwatcher and Manson Creek Stream keeper, provided the following comments during his presentation:

- The Environmental west assessment of wildlife report tell us that the American badger and the Oregon spotted frog do not exist on this property, what the report did not mention, is that there are two species of frog that do live there and while the report mentions gray squirrels, it omits the black and the hybrid squirrels that out number the grays five to one.
- The report further talks about pools that are empty, there is life both on the surface and under the water; if they turned over a rock they could a number of creatures scurrying away.
- The water and nutrients from these pools flow into one of the most important fish bearing streams in the lower mainland.
- The second report mentions a bird survey of 10 species of bird; there are 29 different varieties of birds recorded.
- Last spring there was a pair of eagles trying to build a nest for themselves in a noisy crow neighborhood.
- The trees that are approximately 140 to 150 years old are just starting their journey into life and could stand for thousands of years.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

1. The following Corporate Reports to be considered:

The Council-in-Committee adjourned at 6:14 p.m.

Margaret Jones, City Clerk

Councillor Steele, Chairperson