

# **City of Surrey**

# Council-in-Committee Minutes

Absent:

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

#### **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.
  - o It can be a "win" for the developer if Council considers instead allowing higher density housing on the site;
  - o 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.
  - o 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 manager 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.
- O 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:

Item No. C018 Stage 1 Land Use Concept Component of the Updated

Semiahmoo Town Centre Plan

File: 6520-20 (Semiahmoo Town Centre)

The Acting General Manager, Planning & Development submitted a report to:

- Provide a synopsis of the results of the public open house held on May 31, 2006, regarding the Stage 1 component of the Plan, to present and receive feedback on the second phase of work to the Plan;
- Identify measures to address the comments and concerns received through the public consultation process;
- Provide an overview and seek Council's approval of the Stage 1 Land Use Concept component of the Plan, as the basis for more detailed planning necessary to complete the Stage 2 component of the Plan; and
- Provide Council with a summary of the outstanding issues to be addressed as part of the Stage 2 component of the Plan.

The Acting General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

## **COMMITTEE RECOMMENDATION**

It was Moved by Councillor Hunt Seconded by Councillor Hepner

That Council:

- 1. Receive this report as information;
- 2. Approve the Stage 1 Land Use Concept of the Semiahmoo Town Centre Plan (the "Plan"), attached as Appendix I to this report;
- 3. Authorize staff to undertake the Stage 2 component for the Plan, based on:
  - the Stage 1 Land Use Concept;
  - the resolution of outstanding land use issues identified in this report;
     and
  - the completion of an engineering servicing strategy and comprehensive financial plan that will provide adequate funding provisions for engineering servicing infrastructure, phasing of development and the provision of community amenities;

and to report back to Council at appropriate milestones through the Stage 2 process;

- 4. Authorize staff to proceed with the processing of development applications in the Semiahmoo Town Centre area on the basis of conformity with the recommended Stage 1 Land Use Concept, with final approval of such applications being held in abeyance pending completion of the Stage 2 component of the Plan;
- 5. Authorize staff to work with City of White Rock staff to develop joint design and development guidelines for the White Rock/Semiahmoo Town Centre area for consideration by Council; and
- 6. Authorize staff to present the sustainability aspects of the Plan to the Environmental Advisory Committee (the "EAC") and address any issues raised by the EAC as part of the work of the Stage 2 component of the Neighbourhood Concept Plan amendment.

Carried

**Item No. C019** Redevelopment of the Cloverdale Fairgrounds -

Concept Plan Options

File: 0850-20 (Cloverdale Fairgrounds)

It was Moved by Councillor Hunt

Seconded by Councillor Steele

That Corporate Report C019 be deferred to

the Council-in-Committee meeting of October 16, 2006.

Carried

- D. DELEGATION REQUESTS
- E. COUNCILLORS' REPORTS
- F. OTHER COMPETENT BUSINESS
- G. ADJOURNMENT

It was Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That the Council-in-Committee meeting do

now adjourn.

Carried

The Council-in-Committee adjourned at 6:14 p.m.	
Margaret Jones, City Clerk	Councillor Steele, Chairperson