

DRAFT MINUTES

Development Advisory Committee

File: 360-20 (DAC)
Date: October 24, 2019
Time: 2:30 p.m.
Location: 3W Meeting Room
A, Surrey City Hall

Members:

Andy Aadmi
Scott Pelletier
Sunny Sandher
Mark Sakai
Keigan Scharnberg
Phil Magistrale
Neeraj Sood
Jasroop Gosal
Anita Huberman
Tom Miller
Richard Demikia
Jeff Fisher
Adam Donnelly
Thomas Rowe

City Staff:

Tommy Buchmann
Sam Lau
Doug Merry
John Nguyen
Angela Doiron
Stephen Godwin
Ron Gill

Guest

Councillor Brenda Locke

1. Previous Minutes

The notes of the September 26, 2019 meeting were accepted as distributed.

2. Engineering Permit Fees (Road Use, Traffic Obstruction, and ESC Fees) – Jaime Boan

The City has found a discrepancy in the amount of permit fees charged to developers and the total cost for staff to undertake reviews. The new permit fees will be more in line with other municipalities of similar size.

The Road Use Fees, which are in addition to Hoarding and Shoring permit fees, applies when the road right-of-way is used to facilitate on-site construction (i.e., concrete pours). The Road Use Fee will now be included in the Bylaw which will streamline the process. Previously, requests to extend construction beyond the site and onto rights-of-ways were processed as one-offs.

The City will apply different cost/value to different road use as the impact to users will vary. The fees will include a base fee plus road use fee. The intent is to encourage contractors to minimize impact to road users. The City conducted a review on how to mitigate traffic impacts during construction and considered a range of factors: staff hours, cost for the city to undertake reviews, etc. Increase in permit fees reflect the amount of staff time and resources used to reviewing plans and inspecting compliance in the field.

All required fees will continue to be the responsibility of the contractor.

Comments:

DAC member asked do current processing fees cover the new permit fees? Jaime Boan said no, there was no review process or standards prior.

3. Sensitive Ecosystem Development Permit Area – Angela Doiron

Federal/Provincial Regulation: In addition to regulatory changes in the past 3 years, more amendments are expected in November.

Riparian Area regulation: Municipalities are not permitted to go below setbacks from watercourse minimums. The Riparian Area Protection Regulation (RAPR) is expected to come into force and effect in Nov 2019. The Province of BC will now conduct audits on some RAR reports that come in.

The City cannot minimum setbacks below RAR. RAR reports are only required if setbacks are below minimums. Stephen Godwin Said that the professionals' qualification would need to be included in the QEP report.

The intent of RAR is to provide setbacks to protect fish. The purpose of the Water Sustainability Act (WSA) is to protect water and increase water security (i.e., flood, drought, groundwater recharge...etc.). The WSA defines natural sources of water and sets out provisions that aim to mitigate damage to development. The WSA will determine whether development aligns with WSA management of water.

The City has set out stricter setbacks than RAR for liability reasons and precaution. Because water moves, climate is rapidly changing, and changes to drainage, the City is planning ahead to protect residents. Greater setback requirements will help mitigate incidences of falling trees onto homes, spread of invasive plants while facilitate wildlife movement.

Environmental reports older than 2 years old will likely need to be updated given the changes to provincial regulation. WSA does not affords protection to wetland.

The Green Infrastructure Network is a way to achieve City of Surrey Biodiversity Conservation Strategy goals, to keep existing biodiversity in the city and prevent habitat fragmentation. Development can apply for variances below City standards, but not the RAR and hardship must be proven.

Comments

- DAC member asked whether the Province of BC will hire more staff to review environmental reports and conduct audits. Angela Doiron, said yes and not all environmental reports will be audited.
- DAC member asked if grandfather provisions were a senior or local government tool? Angela Doiron said it's a senior government tool.
- DAC member asked about impacts if the City is going beyond the minimum setback required by the Province of BC. Angela Doiron said that Ministry is aware of each city's streamside protection requirements. The City does not require RAPR report submissions to the Province if it exceeds minimums.
- DAC member stated there is confusion in the industry as to how province is distinguishing between ditches and streams. Angela Doiron noted that the issue is jargon, but for clarity members should refer to Water sustainability Act.

- DAC member is worried about the number of applications going to the province. Angela Doiron said does not expect more RAR reports to be submitted to the province as much of cities setbacks are stricter than the RAR minimums.
- DAC member asked about the varying from the Department of Fisheries and Oceans (DF). Angela Doiron said noted that the RAPR will layout the steps to get a variance. DFO will outline how one could apply for a variance.
- DAC member asked about water classification identification. Angela Doiron replied, stating that the WSA does not include wording on *significance*, only whether or not ground water is conveyed. The Ministry has agreed to review disagreements on classifications between what is designated and the interpretation of the QEP.
- Stephen Godwin noted that Class A and A/O are considered as streams under the regulations, but Class C would not be. The WSA applies to all streams, regardless of classification. Stephen Godwin reminded DAC members that the stream watercourse layer in Cosmos is to be used for reference purposes only. Angela Doiron emphasised the reasons for precaution: WSA violation may result in contamination, flooding, erosion to neighbours, sedimentation into fish bearing watercourse, loss of adjacent property value...etc.
- Angela Doiron said if a stream is identified on the property, contact a consultant and a City staff immediately.
- DAC member asked whether compensation is required under the Class C classification. Angela Doiron said no, however a stormwater management plan must be considered.
- Angela Doiron mentioned that WSA has developed a guideline document for QEP
- DAC Member asked if beaver dams need to be considered in QEP reports. Angela Doiron said yes.
- DAC member asked if a water feature was historically designated as a wetland but the hydrology was changed due to development impacts over time, would it still be considered as a wetland? Angela Doiron said that a qualified professional will need to make that determination. Generally, if it is a disturbance-cased wetland, it is still considered a wetland. Stephen Godwin noted that in some cases, the wetland will be protected under the WSA, but may not have setback requirements. Evidence of wetness should trigger engagement with the Ministry.
- DAC member asked about how one can ensure that a QEP is acceptable and what occurs when one audited? Stephen Godwin said that the methodology of the report will be reviewed. It is at the Ministry's discretion to inspect sites on the ground.
- DAC member asked what happens if an Environmental Report is found to be in contravention. Stephen Godwin said that that it depends on the degree of contravention. Angela Doiron said it's the City's responsibility to inform what the regulations are and how to meet them. The city cannot authorize development unless compliance with the RAR is met.
- DAC member asked if a development application is delayed while under audit. Stephen Godwin said that it would be unlikely. The RAR assessment and review typically takes 2 weeks.
- DAC Member voiced general concerns about Provincial Regulations. Angela Doiron said that historically, there were issues with compliance.
- Stephen Godwin urged DAC members to contact a QEP early in the development application and use LIDAR.
- DAC member asked if Angela Doiron will be more involved with Neighbourhood Concept Plans in the future? Angela Doiron said yes

4. Comments on the market (all members)

DAC members noted that the market relatively steady Chilliwack and Coquitlam. The price difference between Surrey City Centre and other cities in the lower mainland was highlighted by a DAC member. Town house sales have been increasing. Generally, homes around \$500,000 have been steady and units over \$1,000,000 are moving more slowly. Lot prices in Fraser Heights appear to be decreasing while there has been greater interest in industrial land.

A DAC member noted that the Township of Langley will introducing a new Development Cost Charge bylaw with rates between \$20,000-25,000/unit and anticipates a surge of supply. This may impact the City of Surrey market.

5. Next Scheduled Meeting – November 28, 2019