



# Corporate Report

NO: R185

COUNCIL DATE: September 11, 2006

---

## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **August 31, 2006**  
FROM: **General Manager, Engineering** FILE: **5280-01**  
**General Manager, Parks, Recreation and Culture**  
**Acting General Manager, Planning & Development**  
SUBJECT: **Proposed City Policy - Habitat Replacement on City Land**

---

## RECOMMENDATIONS

That Council:

1. approve the attached proposed City Policy No. P-15 (Appendix I) referred to as the "Compensation Formula and Protocol for Habitat Replacement on City Land"; and
2. authorize the City Clerk, in accordance with Section 194 of the Community Charter, to introduce an amendment to By-law No. 14577 to include the Habitat Replacement on City land application fees of \$2,400 (inclusive of GST) as outlined in Appendix I.

## BACKGROUND

As the City is rapidly developing, there is an increasing demand for lands where environmental mitigation can be provided to offset impacts to other lands where developing is occurring. In some cases better development and environmental opportunities can be achieved by consolidating local environmental features on more appropriate areas than those available on the subject development site(s). The City owns a number of properties, including dedicated roads and parkland with existing environmental features that can be used for this purpose, and it is expected that the development industry, as well as governing agencies undertaking major capital works, will have a strong interest in using some of these City lands for environmental habitat compensatory works.

## DISCUSSION

Under this proposal, habitat compensatory works would generally be constructed by the developer on City-owned lands, as approved by senior environmental agencies and appropriate City departments.

To ensure that the City complies fully with the requirements of the Community Charter and does not confer a benefit or provide assistance where habitat works are to be constructed on City land, the developer would be required to pay compensation based on the highest of the following two valuation approaches:

1. increase in value to the development lands, based on the Before and After appraisal method, due to the relocation of the habitat works elsewhere and the resultant improved developability; or
2. 100% of the value to the City land being utilized for the habitat works.

If the habitat replacement proposal is approved, a licence of occupation will be granted to the applicant for the use of City land for environmental habitat purposes. The licence in most instances would be for a term of five years after completion of construction of the works, being sufficient time to maintain and monitor the planting areas to ensure that they are fully established. In addition to paying compensation to use the City land and pay the cost to construct the habitat mitigation works, the developer would also be required to pay all other related costs, including a staff administration fee of \$2,400 per project (Recommendation #2 and point 1.5 of the draft Policy). This fee is required to cover the cost of determining the compensation payable, preparation of the licence documentation, and ongoing administration over the term of the license.

The developer would be solely responsible for constructing, monitoring, maintaining (including replanting if required) of the actual mitigation works for the entire term of the licence. For the period thereafter, the City would require an appropriate lump sum payment to cover the reasonable cost of ongoing maintenance of the new habitat area.

The income generated from the use of the City land would be placed within the appropriate City department funding account (e.g. City land sales, parkland acquisition, etc.).

## CONCLUSION

The recommended City Policy P-15 (Appendix I) entitled "Compensation Formula and Protocol for Habitat Replacement on City Land is a business-like approach to making appropriate City-owned lands, including dedicated roads, available for habitat compensatory works. These works are typically initiated as a requirement of approval for the development of lands within the same watershed. Provincial and federal agencies responsible for environmental matters often see the use of City lands as more secure and appropriate locations for proposed habitat mitigation works. The City's environmental stewardship responsibilities at the local level will also provide greater confidence to the

various environmental agencies. This recommended policy is seen as a fair and consistent way of ensuring that appropriate compensation is paid by developers for the use of City lands, including dedicated roads, for replacement habitat.

Paul Ham, P. Eng.  
General Manager, Engineering

Laurie Cavan  
General Manager, Parks, Recreation and Culture

How Yin Leung  
Acting General Manager  
Planning and Development

WP/mpr:rdd  
attachment

<http://surrey.ihostez.com/content/uploaded/a98bf08d1bc94863ab7da2569a9832e4-04170938-wp.doc>  
C 7/16/10 3:06 PM

Appendix I. Draft City Policy "Compensation Formula and Protocol  
for Habitat Replacement on City Land"