

<https://wordpress.com/post/west-creek-awareness.ca/8>

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## Report to Council Agenda May 29, 2023

F5 <https://calendar.tol.ca/meetings/Detail/2023-05-29-1330-Council-Meetings2/962d3d58-f38e-4453-8b26-b00e0101f199>

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The site is located at the headwaters of West Creek and Nathan Creek. A number of red-coded and yellow-coded tributaries to West Creek are located throughout the site. A tributary to Nathan Creek is located on the easterly edge of the site. **In the 1990's, the Department of Fisheries and Oceans Canada authorized removal of a number of the watercourses in the Gloucester area subject to enhancement works for 161884 Canada Inc. The authorization was extended to 2005 and is no longer valid.** Much of the watercourse removal and **enhancement works** authorized by DFO in the 1990's were completed by the applicant as development advanced throughout.

# 99-HPAC-PA2-000-000217  
MELP File # A2004880

<https://westcreekawareness.files.wordpress.com/2022/10/a-2017-01193-dq-final-1.pdf>

## WEST CREEK HEADWATER WETLAND FACTS

16. GLOUCESTER shall ensure that the compensatory habitat is functioning as intended for the lifetime of Gloucester Industrial Estates. If at any time GLOUCESTER becomes aware that the compensatory habitat is not functioning as intended GLOUCESTER shall carry out any works which are necessary to enable the compensatory habitat to function as designed. If GLOUCESTER transfers its interest in Gloucester Industrial Estates, and the transferee assumes the obligations in Paragraph 12 in a form satisfactory to DFO, GLOUCESTER shall thereafter be relieved of these obligations.
17. GLOUCESTER will provide a restrictive covenant in favour of BC Environment pursuant to s. 215 of the *Land Title Act*, to ensure the compensatory habitat is left undisturbed in perpetuity. The restrictive covenant will be attached as Schedule "C". GLOUCESTER confirms it shall leave the compensatory habitat undisturbed. After the compensatory habitat is functioning as intended, GLOUCESTER shall not carry on any work or undertaking that will adversely disturb or impact the compensatory habitat, and will take all reasonable steps to ensure that the compensatory habitat is not disturbed by others, so long as GLOUCESTER is associated with Gloucester Industrial Estates.



## MEMORANDUM

TO: MAYOR AND COUNCIL      DATE: DECEMBER 4, 2017

FROM: COMMUNITY DEVELOPMENT DIVISION      FILE NO: 14-05-0098

SUBJECT: DEVELOPMENT PERMIT APPLICATION NO. 100890  
(161884 CANADA INC. / BEEDIE DEVELOPMENT / 4825 - 275 STREET)

The purpose of this memorandum is to provide Mayor and Council with information regarding Development Permit No. 100890 to permit the construction of a 9,835 m<sup>2</sup> (105,868 ft<sup>2</sup>) industrial building including accessory office space located at 4825 - 275 Street in Gloucester.

As noted in the November 6, 2017 report to Council: "As part of the application, the applicant has proposed to relocate an existing Statutory Right of Way and storm sewer. The north portion of the site includes a bio filtration/detention pond constructed in 2007 as part of the overall DFO compensation for the Gloucester Industrial Park. A non-disturbance restrictive covenant was registered on the property in 2008 to protect the pond."

The modification to the Statutory Right of Way (SRW) pertains to relocation of a stormwater pipe, that conveys stormwater flows. A tributary of West Creek exists (classified as Class B) south of Highway No. 1 with flow from that watercourse piped until it is received in the pond at the northerly portion of the subject site. The pond and flow outlet point have been constructed in compliance with Department of Fisheries and Oceans (DFO) and Township's Streamside Protection provisions and are respected by the subject application.

A November 24, 2017 Langley Environmental Partners Society (LEPS) letter states: "This channelized creek is actually one of the main branches of West Creek, draining upstream agricultural lands, as well as the highway. The creek is Class B or yellow coded according to the Township of Langley's Watercourse Classification map; yellow coded streams are significant source of food, nutrient or cool water to salmon populations downstream."

The watercourse identified in the LEPS letter was authorized for elimination by DFO pursuant to an August 27, 2000 DFO authorization (see attached) and eliminated between 2005 to 2008. Consistent with the authorization, the flows were piped with a SRW registered at that time. The pipe and associated SRW is proposed to be relocated as part of the subject application.

In addition, the proponents' Qualified Environmental Professional (QEP) has provided a letter (copy attached) stating: "In conclusion, we confirm that there is no stream on the subject property and that the Township is entirely within their jurisdiction to allow realignment of the storm sewer through the property."

Attachment A      Aerial Site Photo

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### GOLF COURSE LANDS AT GLOUCESTER, LANGLEY, BC PROPOSED OCP AMENDMENT, REZONING AND DETENTION POND EXPANSION Oct. 18, 2022

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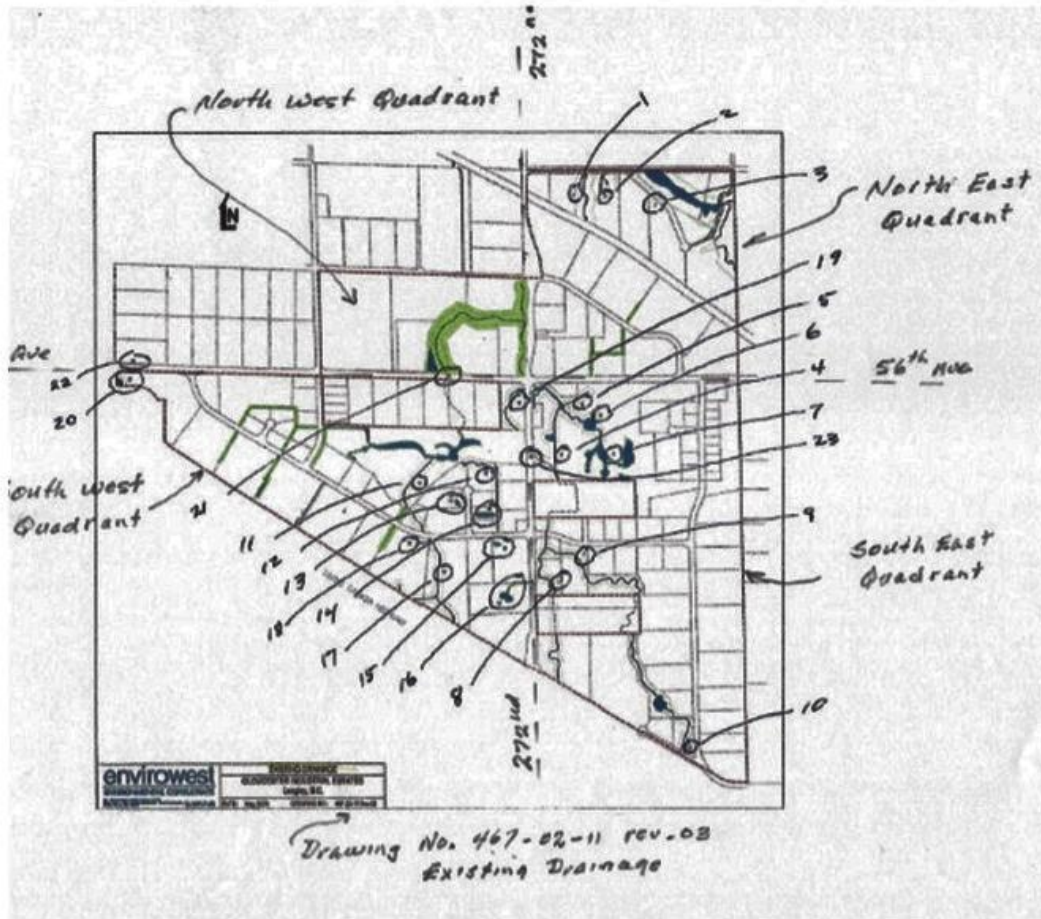
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**Why was this 2017 application approved when the DFO Permit had expired in 2005 (TOL) or 2015 (Envirowest) ???**



Application from Envirowest to BC MELP  
to “eliminate” watercourses June 8, 1999  
**“Compensation” will be “the Poppy Golf  
Course”** Map Page 16

<https://westcreekawareness.files.wordpress.com/2023/02/scan-3-2.pdf>

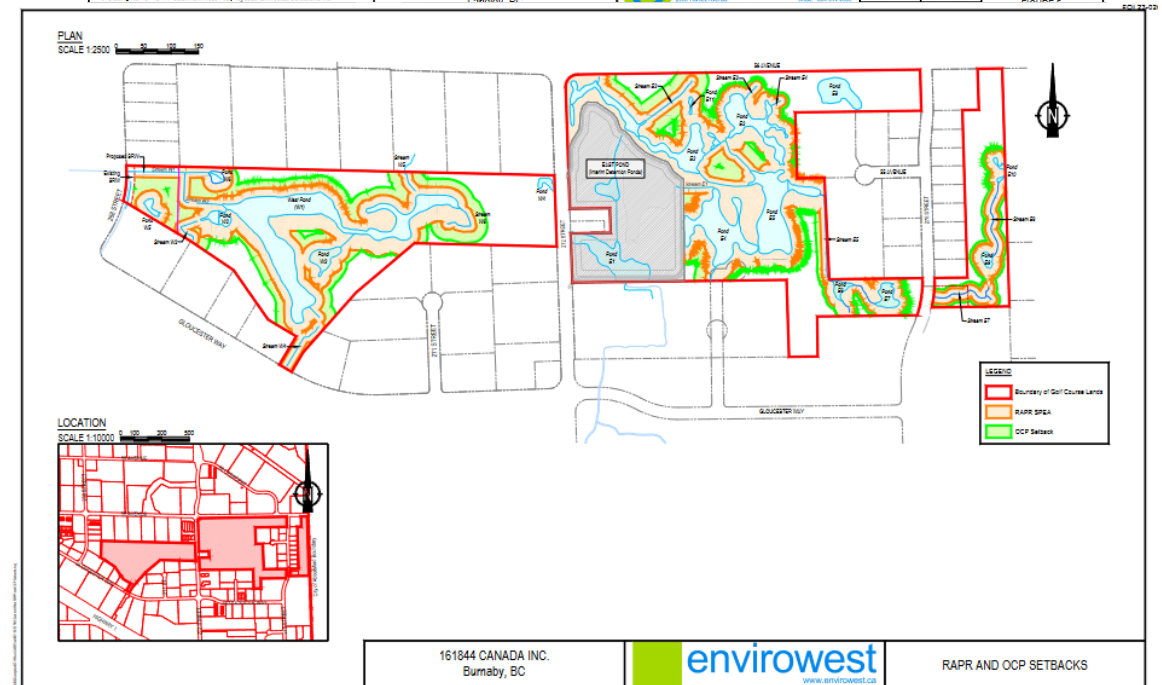
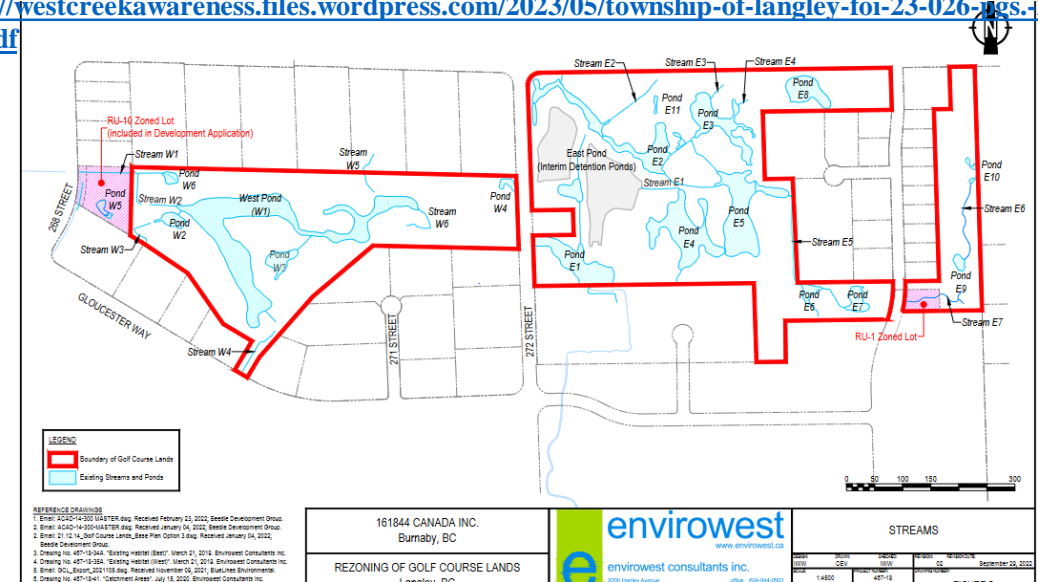


FOI 23-026 Pages 221 and 260

GOLF COURSE LANDS AT GLOUCESTER, LANGLEY, BC

PROPOSED OCP AMENDMENT, REZONING AND DETENTION POND EXPANSION

<https://westcreekawareness.files.wordpress.com/2023/05/township-of-langley-foi-23-026-pgs.-209-256.pdf>





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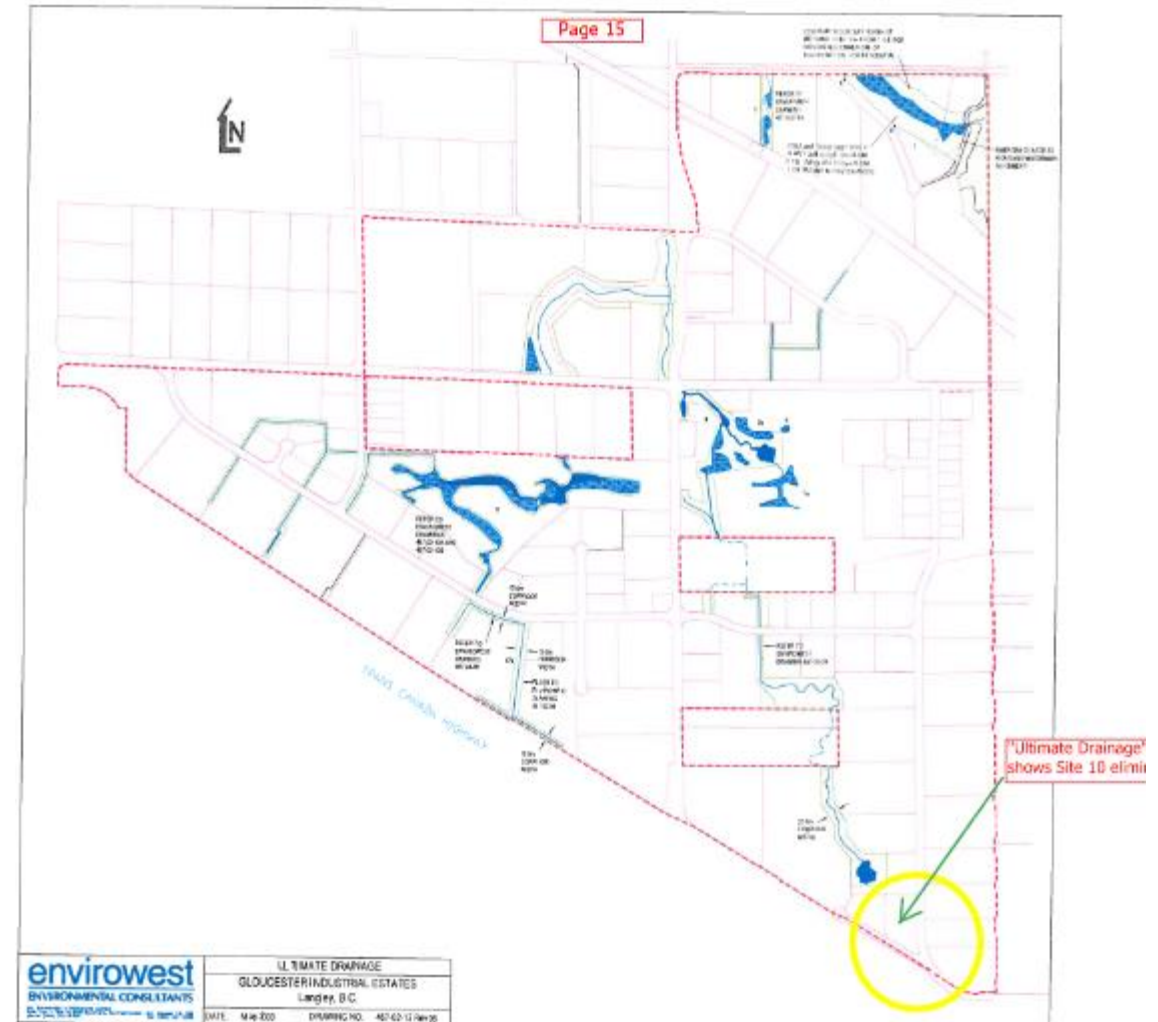
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## Attachment G



Pêches  
et Océans

Authorization # 99-HPAC-PA2-000-000217  
MELP File #A2004880

### AUTHORIZATION FOR WORKS OR UNDERTAKINGS AFFECTING FISH HABITAT

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#### Authorization issued to:

Name: 161884 Canada Inc.: Gloucester Industrial Estates (herein also referred to as "Gloucester")  
Address: 310 - 1001 West Broadway, Vancouver, BC V6H 4B1  
Contact: Mr. Dave Gormley  
Telephone: (604) 856-3156  
Facsimile No: (604) 856-3384

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#### Location of Project:

Tributaries to West and Nathan creeks within the Gloucester Industrial Estates in Langley, generally encompassing lands north of the Trans-Canada Highway, west of the Langley-Abbotsford boundary, east of 264th Street and south of 60th Avenue.

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#### Valid Authorization Period:

The valid authorization period for the harmful alteration associated with various land development activities is from 01 May, 2000 through 15 September, 2005.

As specified herein, this document only authorizes the destruction of the fish habitat and associated compensatory works until 15 September, 2005. If any phase of the project is not completed by that date, such that fish habitat may be affected, a new application pursuant to Section 35(2) of the Fisheries Act may be required. Should this Authorization expire without the works proceeding, and no alterations to the project design or DFO policy, legislation and/ or guidelines have occurred, an amendment for an extension to this authorization may be considered.

#### Conditions that relate to works in or near watercourses:

5. Instream works may only be undertaken during the period between 01 August and 15 September of any year of this development. Any extensions to the work window will be considered on a case by case basis (season and weather dependent) and must have approval for extension from DFO and/ or MELP. An environmental monitor must be present full time during all instream works, unless otherwise agreed to by DFO and/ or MELP. The environmental monitor must have the authority to alter or halt works should they feel the works are detrimental to fisheries resources. Gloucester must provide a copy of the written authority, providing the name of the environmental monitor, contact number and a brief outline of relevant experience related to the proposed works to DFO, MELP and the Township.

***In the Southeast Quadrant of the development -***

Compensatory Site B, located at or near Site 9:

SEP 18 '00 09:45AM CO OPERATORS DEVELOPMENT LANGLEY

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- Re-alignment of a watercourse, including development of pools (each with two rootwads) at 30 metre intervals, boulder complexing (minimum 6 boulders per 30 metre interval), and riparian enhancement (refer to ECL Drawing No. 467-02-09, Revision 00, dated April 12, 1999, and Hunter Laird Engineering Ltd. Job No. 4518, Sheets 9 of 14 and 10 of 14, both Revision A and dated July 29, 1999).
- A 1 metre wide strip on each side of the channel/pools is to be live-staked with a combination of red-osier dogwood and willow at a density of 5 stakes per square metre. Densities for trees and shrubs shall be one per five square metres and one per one square metre, respectively. Trees shall be increased in number to ten percent of total plants. Salvaged plant material may be used as an alternative to nursery stock, provided that it meets the required success rate.
- Rip rap is to be deleted from the side slopes of the pools; refer to ECL Dwg. #467-02-09.
- Boulder and boulder cluster placement will be undertaken as per the direction of the environmental consultant. Boulder complexing should be undertaken to provide fish habitat, direct flow, promote flushing, prevent infilling and to ensure bank stabilization, where necessary. Boulders must be appropriately keyed into the sides of banks and placed to ensure they are stable. Boulder diameter may be varied, depending on stream cross-section and gradient, but must average 400mm.

Compensatory Site C, located at or near Site 11:

- Pond/wetland creation north of Gloucester Way within the lands designated as future golf course (refer to ECL Drawings 467-02-10A and 467-02-10B).
- Wetland plants shall be planted at a density of four plants per square metre and trees and shrubs at densities one per five square metres and one per one square metre, respectively.
- The configuration of the constructed habitat may be revised subject to advance notification to DFO and completion of a similar or greater amount of habitat.
- Large woody debris placement should provide a minimum average of 25% cover in pools/ wetland using either gnarly rootwads and/ or whole tree sections.

Compensatory Site D, located at or near Site 17:

- Re-alignment of a watercourse south of Gloucester Way (refer to Aplin & Martin Consultants Ltd. Drawing Nos. 96025SR-1, Revision 1; 96025SR-2, Revision 2; and 96025SR-3, Revision 2). The portion adjacent to Gloucester Way is to be located within a 15-metre wide corridor, habitat details for this portion are shown in ECL Drawing No. 467-04-06, Revision 01. Habitat details for the remaining portions are shown in ECL Drawing No. 467-02-08, Revision 01. The north-south portion is to be constructed with a corridor width of 25 metres. Wherever possible, existing trees and

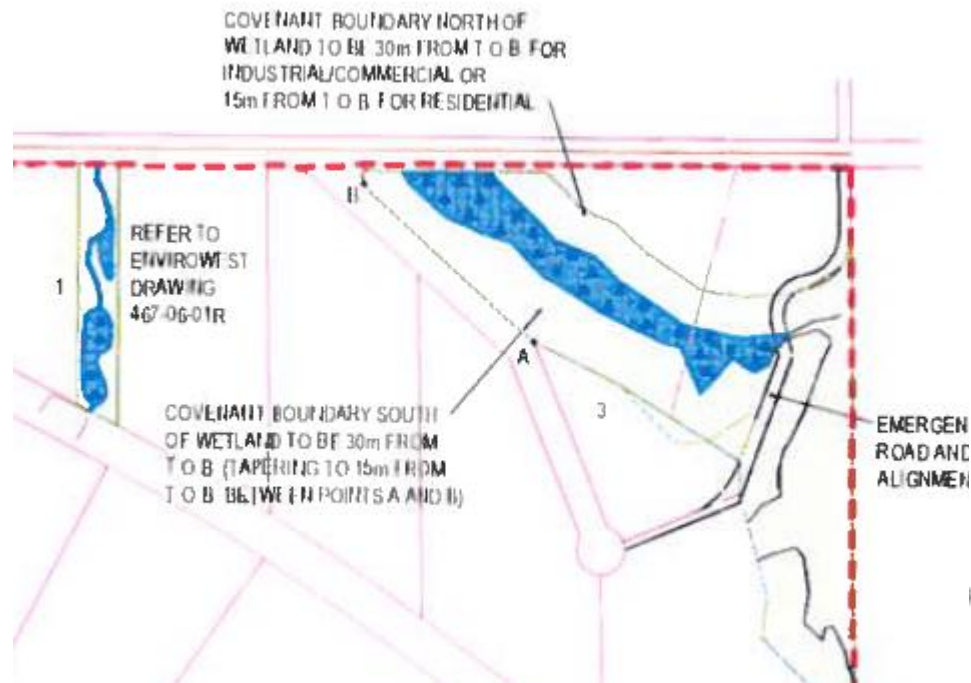
SEP 18 '00 09:45AM CO OPERATORS DEVELOPMENT LANGLEY

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shrubs are to be retained along the margins of the new watercourse. Where existing vegetation is disturbed it will be re-planted in accordance with the specifications on ECL Drawing No. 467-02-08, Rev 01, and as detailed further herein.

- Deflector logs, aeration logs and rootwads shall each be installed in the channel at 10 metre intervals. Boulder clusters, each comprised of a minimum of four boulders of a minimum diameter of 400mm, are to be installed at 5 metre intervals.
- A one metre wide strip on each side of the channel is to be live-staked with a combination of red-osier dogwood and willow at a density of 5 stakes per square metre. Densities for trees and shrubs shall be one per five square metres and one per one square metre, respectively. Salvaged plant material may be used as an alternative to nursery stock.
- View/ access points around the constructed wetland/ pond areas at the "golf course" will be constructed so that access into and around the watercourse is discouraged. If access is or becomes problematic (i.e. interferes with the success of any aspect of the constructed habitat), additional measures may be required to prevent human encroachment into such areas (i.e. low fencing).



... (see) ... from the restrictive covenant boundary.

#### Conditions that relate to all mitigatory and compensatory habitats:

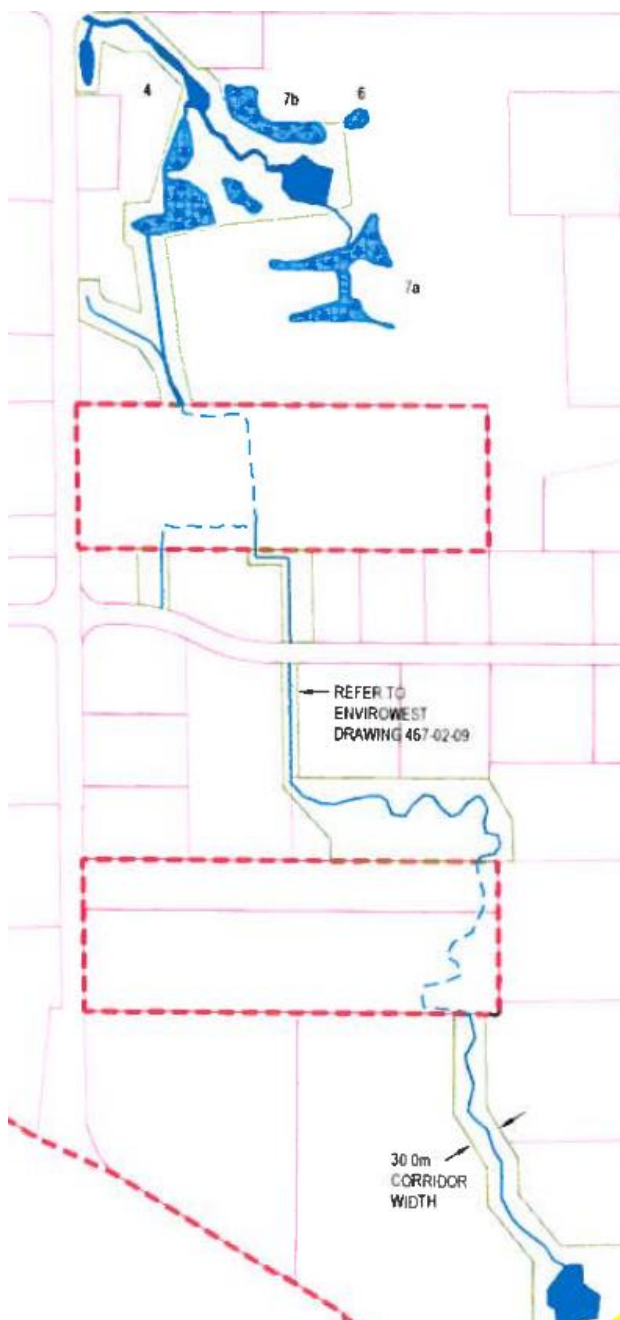
31. The compensatory habitats shall consist of a number of features which are listed below and numerically referenced to a plan of ultimate drainage (refer to ECL Drawing No. 467-02-12, Revision 03, attached in Appendix A). These works are also described in the Habitat Balance (Appendix B). Design drawings are referenced for each project on the ultimate drainage plan.

#### *In the Northeast Quadrant of the development -*

Compensatory Site A, located at or near Site 1:

- Enhancement of an existing watercourse, including partial realignment, wetland/pond creation and riparian enhancement (refer to ECL Drawing No. 467-06-01R, dated March 1999). This watercourse discharges to the existing roadside ditch at 60th Avenue, subsequently flowing in a culvert under 60th Avenue.
- Native shrubs shall include a mix of species (minimum size #2 pot) including snowberry, red elderberry, salmonberry, red-flower currant, pussy willow, red-osier dogwood and thimbleberry (no species to consist of more than 20 percent of the total). Live stakes shall be planted at a density of 5 stakes per square metre.
- Large woody debris (tree, log and rootwad) placement will be undertaken as directed by the environmental consultant. All large woody debris will be placed in such a manner so as to ensure that they are appropriately keyed into the sides of banks or are otherwise stable. Rootwads should be placed so that the gnarly portions of the root mass are below the wetted perimeter of the creek/ pond area, thus providing maximum refuge cover for juvenile salmonids. Trees and logs must have a minimum diameter of 350 mm; rootwads a minimum diameter of 2.0 metres.
- Marsh planting in the northeast quadrant of the development will be undertaken as per the specifications indicated on ECL Drawing 467-02-10A (species list). All wetland planting will meet the minimum density criteria of 4 plants per square metre. Marsh planting may be undertaken early in the spring planting season post construction, provided that appropriate sediment control measures are undertaken throughout the winter season to prevent downstream sedimentation from such areas. Marsh planting must be completed by April 30, the end of the spring planting season.





***In the Southeast Quadrant of the development -***

Compensatory Site B, located at or near Site 9:

SEP 18 '00 09:45AM CO OPERATORS DEVELOPMENT LANGLEY

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