

CITY OF SURREY

BY-LAW NO. 16716

A by-law to amend provisions of "Atira Women's Resource Society
Agreement Authorization By-law, 2006, No. 15999"
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WHEREAS the City of Surrey has received an application to amend a housing agreement;

AND WHEREAS Section 905 of the Local Government Act, R.S.B.C. 1996 c.323, as amended (the "*Local Government Act*"), empowers the Council or the City of Surrey to amend a housing agreement.

NOW, THEREFORE, the Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. The City of Surrey is hereby authorized and empowered to amend the housing agreement authorized by Atira Women's Resource Society Housing Agreement, Authorization By-law, 2006, No. 15999 in the form attached hereto as Schedule A and forming part of this By-law (the "Housing Amendment Agreement") with the following party:

Atira Women's Resource Society
#204 - 15210 North Bluff Road
White Rock, BC V4B 3E6

and with respect to that certain parcel or tract of lands and premises, situate lying and being in the City of Surrey, in the Province of British Columbia and being more particularly known and described as:

Parcel Identifier: 005-344-689
Lot 18 Section 33 Township 2 New Westminster District Plan 17255

13729 - 92 Avenue

2. The Mayor and Clerk are hereby empowered to execute the Housing Amendment Agreement on behalf of the City of Surrey.

3. The City of Surrey shall file in the Land Title Office a notice against the Lands in accordance with Section 905 of the Local Government Act, that the Lands are subject to the Housing Amendment Agreement.

4. This By-law shall be cited for all purposes as "Atira Women's Resource Society Housing Agreement", Authorization By-law, 2006, No. 15999, Amendment By-law, 2008, No. 16716."

PASSED THREE READINGS on the 14th day of July, 2008.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 30th day of July, 2008.

_____ MAYOR

_____ CLERK

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CITY OF SURREY

(the "City")

AMENDMENT TO HOUSING AGREEMENT

THIS AGREEMENT is made as of the day of 2008.

BETWEEN: ATIRA WOMEN'S RESOURCE SOCIETY
#204 - 15210 North Bluff Road
White Rock
V4B 3E6

(the "Owner")

OF THE FIRST PART:

AND: CITY OF SURREY, a municipal corporation under the
Local Government Act of the Province of British
Columbia, and having its offices at 14245 - 56 Avenue,
Surrey, British Columbia, V3X 3A2

(the "City")

OF THE SECOND PART;

WHEREAS:

A. The Owner is the registered owner of those lands and premises in the City of Surrey, in the Province of British Columbia, more particularly known and described as:

Parcel Identifier: 005-344-689
Lot 18 Section 33 Township 2 New Westminster District Plan 17255

(the "Lands")

B. By agreement dated for reference the 24th day of April, 2006, the parties entered into an agreement with respect to the Owner proposal to re-develop the Lands with residential rental units for occupancy by Qualified Occupants as defined therein (the "Agreement").

C. The parties wish to make the following amendments to the Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH in consideration of the premises, the respective covenants and agreements of the parties as hereinafter set out and the sum of \$1.00 and other good and valuable consideration paid by the City to the Owner (the

receipt and sufficiency of which is hereby acknowledged), the parties hereto covenant and agree each with the other to amend the Agreement as follows:

1. Recital C. of the Agreement is deleted and replaced by the following:

"C. Atira proposes to construct a development on the Lands comprised of approximately 36 supportive housing units, a child care centre and limited office and community service uses (the "Development");"

2. Paragraph 1.1 (b) is deleted and replaced by the following:

"1.1 (b) "Supportive Housing Unit" means any sleeping units with private or shared bathrooms and with or without shared cooking and/or living spaces and/or dwelling units, for persons receiving care or assistance, which is licensed or funded by provincial agencies and is in the Development that is occupied and/or available for occupancy by either:

i. a Resident Manager, or

ii. a Qualified Occupant;"

3. Paragraph 1.1 (f) is deleted and replaced by the following:

"1.1 (f) "Support Services" means any type of assistance and/or services provided to a Qualified Occupant including but not limited to housing, counselling, child care, medical services on an out-patient basis and any other permitted uses as identified in Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16596; and"

4. Paragraph 2.1 is amended by replacing the word "Dwelling" with the word "Supportive Housing" after the word "any" and before the word "Unit".

5. Paragraph 2.3 is amended by replacing the word "Dwelling" with the word "Supportive Housing" after the word "no" and before the word "Unit".

6. This amendment to the Housing Agreement forms part of the Agreement as defined therein.
7. This Agreement shall enure to the benefit and be binding upon the Owner and its successors, trustees and assigns and all parties claiming through them and this Agreement shall ensure to the benefit of and be binding upon the City and its administrators, successors and assigns.

AS EVIDENCE OF THEIR AGREEMENT the parties have executed this Agreement as of the date and year first above written.

ATIRA WOMEN'S RESOURCE SOCIETY
by its authorized signatory

Miriam Sobrino, Chair
Board of Directors

CITY OF SURREY
by its authorized signatory(ies):

Jean Lamontagne
General Manager
Planning and Development Department

Margaret Jones, City Clerk

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