

CITY OF SURREY

BY-LAW NO. 16706

A by-law to amend "Sunnyside Acres Urban Forest Park
and Park Dedication By-law, 1988, No. 9800, as amended
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WHEREAS the Sunnyside Acres Urban Forest Park and Sunnyside Acres Park were dedicated by Council of the City of Surrey as urban forest and park in 1988 by way of Sunnyside Acres Urban Forest Park and Park Dedication By-law, 1988, No. 9800 ("By-law 9800"), pursuant to Section 533 of the Municipal Act, Chapter 290, R.S.B.C. 1979, as amended (the "Municipal Act");

AND WHEREAS Council of the City of Surrey, pursuant to Section 533 of the Municipal Act amended By-law 9800 by adopting Sunnyside Acres Urban Forest Park and Park Dedication By-law, 1988, No. 9800, Amendment By-law, 1996, No. 12926 ("By-law 12926") and removed a portion of lands from Sunnyside Acres Park dedicated as park and dedicated the same as urban forest park to be included as part of the Sunnyside Acres Urban Forest Park;

AND WHEREAS Council of the City of Surrey, pursuant to Section 30 of the Community Charter, Chapter 26, S.B.C. 2003, as amended, deems it expedient to amend By-law 9800, as amended by By-law 12926, and remove a portion of lands, shown as "(Lot 1)" and "(Lot 2)" on Appendix "1" attached hereto, from Sunnyside Acres Park dedicated as park to facilitate the dedication of same as urban forest park to be included as part of Sunnyside Acres Urban Forest Park;

AND WHEREAS Council of the City of Surrey, pursuant to Section 30 of the Community Charter, Chapter 26, S.B.C. 2003, as amended, deems it expedient to amend By-law 9800, as amended by By-law 12926, and dedicate more lands held by the City of Surrey as urban forest park to be included as part of Sunnyside Acres Urban Forest Park;

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

1. Sunnyside Acres Urban Forest Park and Park Dedication By-law, 1988, No. 9800, as amended by By-law 12926, is hereby amended as follows:

- (a) Section 1 is hereby amended by adding the following as the last paragraph:

"This dedication will permit active recreational use on the portion of the lands identified as Active Recreational Use Area on Schedule "A", legally described as PID: 028-405-269 Lot 1 Section 15 Township 1 New Westminster District Plan BCP46838. The active recreational uses include, but are not limited to, cycling trails, cycling skills apparatus, public events and other recreational activities."

- (b) Section 3 is hereby amended by deleting the legal description and substituting the following legal description:

PID: 015-151-077 Lot 3 Section 15 Township 1 New Westminster District Plan 83184 Except Plans LMP36078 and BCP46838.

PID: 015-151-085 Lot 4 Section 15 Township 1 New Westminster District Plan 83184 Except Plan BCP46838.

As shown hatched on Schedule "A" to this By-law, and shown as Park.

- (c) A new Section 2A is added after Section 2 and before Section 3 as follows:

"The following described lands owned by the City of Surrey and identified as "(Lot 1)", "(Lot 2)", "Rem. Lot 23", "Parcel 'A'" and "Parcel 'B'" on Schedule "A" to this By-law, are hereby dedicated as urban forest park.

PID: 028-405-269 Lot 1 Section 15 Township 1 New Westminster District Plan BCP46838.

PID 028-405-471 Lot 2 Section 15 Township 1 New Westminster District Plan BCP46838.

PID: 006-025-137 Lot 23 Section 16 Township 1 New Westminster District
Plan 46185 Except Plan BCP36896.

PID: 028-049-179 That Portion of Section 16 Township 1 New Westminster
District shown as closed road having an area of 799.9 square metres on
Plan BCP42505.

PID: 028-049-187 That Portion of Section 16 Township 1 New Westminster
District shown as closed road having an area of 379.6 square metres on
Plan BCP42505.

- (d) A new Section 2B is added after Section 2 and before Section 3 as follows:

"The City of Surrey reserves the right to construct, maintain, operate, carry out, replace and renew existing and future water and drainage utility works and related appurtenances on the portion of lands identified on Schedule "B" to this By-law and described as follows:

PID: 028-049-179 That portion of Section 16 Township 1 NWD shown as closed road having an area of 799.9 square metres on Plan BCP42505 shown on Statutory Right of Way Plan BCP47132.

PID: 028-405-269 Lot 1 Section 15 Township 1 New Westminster District
Plan BCP46838 shown on Statutory Right of Way Plan BCP46837

- (e) Section 6 is hereby amended by deleting the text of Section 6 and substituting the following:

"This By-law may be cited as "Sunnyside Acres Urban Forest Park and South Surrey Athletic Park Dedication By-law, 1988, No. 9800"."

2. Schedule "A" to By-law 9800, as amended by By-law 12926, is hereby deleted and a new Schedule "A" as attached hereto is substituted therefore.
3. The Mayor and Clerk are hereby authorized and empowered to sign any documents required by and to do any acts necessary and incidental to the carrying out of this By-law.
4. This By-law may be cited as "Sunnyside Acres Urban Forest Park and Park Dedication By-law, 1988, No. 9800, Amendment By-law, 2011, No. 16706".

PASSED THREE READINGS on the 28th day of February, 2011.

RECEIVED the approval of the electors on the 29th day of July, 2010.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 14th day of March, 2011.

_____MAYOR

_____CLERK





