



# Corporate Report

NO: L006

COUNCIL DATE: June 27, 2005

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## REGULAR COUNCIL – LAND USE

TO: Mayor & Council                      DATE: June 22, 2005  
FROM: General Manager, Planning      FILE: 7903-0269-00  
and Development  
SUBJECT: Restrictive Covenant Conditions for Removal of  
Driveway on Semiahmoo Trail Application No. 7903-  
0269-00

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## RECOMMENDATION

It is recommended that Council:

1. Receive this report as information; and
2. Provide direction to staff with regard to the restrictions to be included in the Restrictive Covenant that will be registered at time of subdivision on Lot 17 of Application No. 7903-0269-00, related to eliminating driveway access to Semiahmoo Trail.

## INTENT

The purpose of this report is to obtain Council's direction with respect to the possible further amendment of a Restrictive Covenant that is proposed to be registered on the title of proposed Lot 17 (previously identified as Lot 5 in the Planning Report to Council) in a subdivision of the property at 2885 Semiahmoo Trail. The attached plan, labelled Appendix "A", illustrates the proposed subdivision of 2885 Semiahmoo Trail, within which Lot 17 is located.

## BACKGROUND

The Planning Report related to subject rezoning application was considered by Council at the Regular Council Land Use meeting on June 21, 2004. A copy of the Planning Report is attached as Appendix "B". During his presentation to Council at that meeting, the applicant requested that Council allow him to continue to have a driveway for the proposed Lot 17 off Semiahmoo Trail until either Lot 17 is further subdivided into two lots (i.e., Lot 17 as proposed is intended to accommodate an existing house and is large enough to subdivide into two lots under the proposed RH-G Zone) or until the City closes Semiahmoo Trail to vehicular traffic between 28 Avenue and 32 Avenue. This request was contrary to the recommendation of the Planning Report to Council. In this regard, the Planning Report to Council had included a recommendation 2(h), which states that before final adoption of the related Rezoning By-law (By-law No. 15423), that the applicant be required to:

- (h) ensure appropriate access arrangements are established to remove the existing vehicular access to Semiahmoo Trail either through the cul-de-sac at the north or through Lot 4.

The "cul-de-sac to the north" will be provided as and when the property to the north of the subject property is subdivided. There is an application in process for such a subdivision of the property to the north of Lot 17. "Lot 4",

as referenced in the recommendation, is a proposed lot to the west of Lot 17 that fronts a proposed new street.

After hearing the presentation by the applicant, Council resolved as follows:

"That item 2(h) be referred to staff to be amended in the context of the issues raised at the June 21, 2004 Regular Council Land Use meeting".

A copy of the minutes of the Land Use meeting, related to the subject application, is attached as Appendix "C".

In response to Council's direction, staff will require that the applicant register on the title of Lot 17, a Restrictive Covenant that allows the owner of Lot 17 to maintain the existing driveway for Lot 17, to Semiahmoo Trail until further subdivision takes place on proposed Lot 17 or when the entire length of Semiahmoo Trail between 28 Avenue and 32 Avenue is closed to vehicular traffic, whichever comes sooner. The Restrictive Covenant document has been completed and executed by the applicant and is ready for registration in series with the registration of the subdivision.

There is concern on the part of members of the Heritage Advisory Committee that the maintenance of a driveway for Lot 17 is not consistent with the general approach that the City has taken in relation to having driveways removed from Semiahmoo Trail, between 28 Avenue and 32 Avenue, at the time of subdivision of fronting properties.

At the Regular Council meeting on June 20, 2005, Rezoning By-law No. 15423 was on the Council agenda for final adoption. This By-law will, if adopted, act to rezone the property, within which proposed Lot 17 is located, to the RH-G Zone and will position the property, from a zoning perspective, to be subdivided. Council resolved to defer consideration of final adoption and referred the By-law back to staff for one week to provide appropriate advice on Semiahmoo Trail.

## DISCUSSION

Legal Services has reviewed the subject application, No. 7903-0269-00 and the processing of the application that has led to this point in time. The City Solicitor has confirmed that, prior to final adoption of the subject Rezoning By-law No. 15423, Council has the authority to change the condition of approval for the Rezoning By-law related to the removal of the driveway from Semiahmoo Trail and that such a change will not compromise the validity of the Public Hearing process related to the subject By-law.

Given the above, Council may resolve:

**"to request that the Approving Officer, as a condition of subdivision approval for the property affected by Rezoning By-law No. 15423, require the registration of a Restrictive Covenant on the title of Lot 17 (the lot fronting Semiahmoo Trail) that stipulates that the driveway(s) off Semiahmoo Trail for this Lot be removed from Semiahmoo Trail when:**

- o **vehicular access to the subject Lot is available from frontage on another constructed road other than Semiahmoo Trail; or**
- o **alternatively, when the City closes Semiahmoo Trail to vehicular traffic between 28 Avenue and 32 Avenue (in which case access to Lot 17 must be provided through one of the lots located to the west of Lot 17);**

**whichever occurs first".**

If Council chooses to adopt such a resolution, Council may give final adoption to Rezoning By-law No. 15423 at the same meeting as the subject resolution is adopted.

## CONCLUSION

Based on the above discussion, it is requested that Council provide direction to staff, with regard to the restrictions related to eliminating driveway access to Semiahmoo Trail that are to be included in the Restrictive Covenant that will be registered at time of subdivision of proposed Lot 17 under Application No. 7903-0269-00.

Murray Dinwoodie  
General Manager  
Planning and Development

MDD:saw

Attachments:

Appendix "A" – Plan Illustrating Subdivision of 1885 Semiahmoo Trail

Appendix "B" – Planning Report on Application No. 7903-0269-00 (including Appendices I and V)

Appendix "C" – Minutes of Regular Council Land Use Meeting on June 21, 2004

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Appendix "A"

Appendix "B"

**City of Surrey**

**Rezoning**

**PLANNING & DEVELOPMENT REPORT**

**File: 7903-0269-00**



**Proposal:** Rezone from RA to RH-G to permit the development of 5 half-acre gross density lots and the provision of 15% open space.

**Recommendation:** Approval to Proceed

**Location:** 2885 Semiahmoo Trail      **Zoning:** RA

**OCP Designation:** Suburban

**LAP Designation:** Half-Acre Gross Density      **Owner:** Sharon Lea Rosenberg

## PROJECT TIMELINE

Completed Application Submission Date: July 25, 2003  
Planning Report Date: June 21, 2004

The applicant is proposing:

- a rezoning from RA to RH-G

in order to allow subdivision into five single family residential lots with a provision of 15% open space.

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;

- (c) submission of an acceptable tree survey and a statement regarding tree preservation;
- (d) submission of a landscaping plan and landscaping cost estimate for the landscaping buffer along the Semiahmoo Trail to the specifications and satisfaction of the City Landscape Architect;
- (e) submission of a Letter of Credit for the landscaping buffer along Semiahmoo Trail;
- (f) ensure that the applicant address the issue of open space with the Parks, Recreation & Culture Department in order to facilitate the improvements along the Semiahmoo Trail and landscaping with the proposed open space;
- (g) ensure that the applicant incorporate in the Building Scheme, the Parks, Recreation & Culture Department's comments of low permeable fences with access gates to the lots backing onto the proposed open space; and
- (h) ensure appropriate arrangements are established to remove the existing vehicular access to Semiahmoo Trail either through the cul-de-sac to the north or through Lot 4.

## REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix III).
Parks, Recreation & Culture:	The Parks, Recreation & Culture Department supports the orientation of the proposed open space. A future linear park and trail system will be constructed in the dedicated open space. The applicant is required to address the upgrade of the open space, including tree planting and trail construction. Lots which back onto the proposed open space are encouraged to have low permeable fences, with gates to access the area. Windows, decks and patios that overlook the corridor are encouraged to promote CPTED principles (Appendix IV).
Heritage Advisory Commission (HAC):	The HAC has reviewed the proposed development application and wants to ensure that non-vehicular access to the Semiahmoo Trail be attained as soon as possible. Further discussion on this issue is contained in the Development Considerations section of this report. Development Application No. 7903-0269-00 should only be approved subject to compliance with the Semiahmoo Trail Design Guidelines.

## SITE CHARACTERISTICS

- **Existing Land Use** One existing house recently constructed, with new driveway to Semiahmoo Trail.
- **East:** Across Semiahmoo Trail to the east, a 15 lot single family development, recently completed under Application No. 7902 0117-00, zoned RF, designated Urban.
- **South:** Application No. 7903-0268-00, rezoning from RA to RH-G and subdivision into 13 single family lots, with 15% open space dedication. The Rezoning By-law is currently at Third Reading.
- **West:** Existing half acre single family lots, zoned RH-G, designated Half Acre Gross Density.
- **North:** Application No. 7903-0469-00, rezoning from RA to RH-G and subdivision into 11 single family lots, with 15% open space

dedication. The application is currently at First and Second Reading and will be proceeding to the June 21, 2004 Public Hearing.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

- The application involves one parcel at 2885 Semiahmoo Trail, located within the Central Semiahmoo Peninsula Local Area Plan area. The site is designated Half Acre Gross Density. The site area is 1.2 hectare (3.06 acres) in size.
- The applicant is proposing to rezone from One Acre Residential Zone (RA) to Half Acre Residential Gross Density Zone (RH-G) in order to permit subdivision into five single family suburban lots. The density currently being proposed by the applicant is 4.2 units per hectare (1.6 units per acre). The maximum density permitted under the Suburban designation is 5 units per hectare (2 units per acre). Lot 5 has the potential to further subdivide into an additional lot in the future, for an ultimate total of six lots, while still meeting the maximum density permitted.
- Four lots will front the internal road proposed as a continuation of the road accessed from 28 Avenue. On the remainder lot (Lot 5) which has the potential to further subdivide into 2 lots has a newly constructed house (2885 Semiahmoo Trail). The applicant intends to retain the existing house and maintain the existing vehicular access as well, as the new driveway was recently constructed (Appendix II).
- In accordance with the RH-G Zone, the applicant is proposing to provide a dedication of 15% open space along the western edge of the property. This open space will allow for an eventual linkage to Semiahmoo Trail Elementary School and Semiahmoo Trail Park to the north and to Sunnyside Acres Urban Forest Park to the south.

## Existing Vehicular Access to Semiahmoo Trail

### *Owner's Proposal*

- Since proposed Lot 5, where the existing house is situated, has future subdivision potential into 2 lots, the owner proposes that the existing vehicular access to Semiahmoo Trail be maintained until Lot 5 is further subdivided or when the entire length of Semiahmoo Trail, between 32 Avenue and 28 Avenue, is closed to vehicular traffic, whichever occurs first. The owner has agreed that he will not prevent the Trail from being closed to vehicular traffic in the future and has agreed to register a Restrictive Covenant on his property to this effect (Appendix VIII).

### *Heritage Advisory Commission's Recommendation*

- The Heritage Advisory Commission (HAC) has made recommendations to have the existing vehicular access on proposed Lot 5 closed as soon as possible (Appendix V). The specific recommendations are as follows:
  - (a) When the subdivision to the north proceeds and the internal cul-de-sac is built, the property owner of this site should be required to access his property from the cul-de-sac of the adjoining development to the north.
  - (b) When all property owners relinquish their driveway access along that portion of the Semiahmoo Trail, this or a subsequent property owner be required to find alternative access.



- (c) In the event that the property to the north is not developed, access to the existing house on proposed Lot 5 should be provided through a right-of-way or no build restrictive covenant on proposed Lots 3 or 4.
- (d) Notwithstanding the above, in the event that the property to the north is not developed by 2010, that driveway access is removed. The owner should maintain alternative access through lots 3 and 4.

In light of the applicant's submission (Appendix VIII) and HAC's recommendations regarding the elimination of the existing access to Semiahmoo Trail, the Planning and Development Department offers the following comments and recommendation:

- The existing vehicular access on the subject site was granted in June 2003 when the owner's proposal was proceeding through Building Permit review. At that time, there were no new development applications in the area that suggest the potential for an alternate access to the site. Direct access to Semiahmoo Trail was the only option available. However, in July 2003, an application for development of the site to the south was submitted, providing the opportunity for the alternative access required.
- The *Semiahmoo Trail Design Guidelines* indicate that where existing dwellings have driveway access, the access should be removed and alternative access be provided as part of the review and approval of development proposal or subdivision application. The normal practice is that when an applicant proceeds forward with a rezoning and subdivision application and where alternative access can be provided, that the applicant close the access off to Semiahmoo Trail.
- Now that an application (Application No. 7903-0268-00) to the immediate south of the subject site is currently at Third Reading, and Application No. 7903-0469-00 to the immediate north, has received First and Second Readings. It is likely that alternate access can be achieved through the proposed cul-de-sac from the north (Appendix IX).
- The disadvantages of the owner's proposal are the following:
  - There is no definite timeline as to when the vehicular access to Semiahmoo Trail will be closed.
  - The proposal is contrary to the *Semiahmoo Trail Design Guidelines* and recommendations of the HAC to have the Semiahmoo Trail vehicular access terminated at time of development approval.
- Based upon the above, the Planning & Development Department recommends that the existing vehicular access to Semiahmoo Trail be closed and as a first priority, access from the cul-de-sac to the north be obtained. If this is not possible, then temporary access should be provided from proposed Lot 4 via an easement.

### Building Scheme & Lot Grading

- The proposal calls for one to two storey homes, in the Neo-Heritage and Neo-Traditional style. Proposed exterior cladding materials include stucco, cedar siding and cementitious siding, brick/cultured brick, stone/cultured stone, cedar wall shingles or cementitious wall shingles. Roof materials are to include cedar shakes/shingles or concrete tiles (shake or slate profile). This is complementary to what is being proposed within the area, with other new developments.
- The applicant is proposing in-ground basements and a preliminary lot grading plan has been reviewed by the Building Division. The only fill being proposed will be on Lot 5, when the lot is further subdivided in the future and the tennis court is removed. The preliminary lot grading plan has been reviewed by the Building Division and has been found to be acceptable.

- The applicant will be required to register a Restrictive Covenant for the Building Scheme, prepared by Ankenman Associate Architects Inc., in order to ensure that the styles of the proposed houses will be in character with the homes of the area, as well as to ensure that Secondary Suites and basement-entry style homes will not be permitted.

### Tree Preservation & Landscaping Along Semiahmoo Trail

- The applicant's arborist has identified 96 trees on the subject site. 7 trees have been declared hazardous due to natural causes and are proposed for removal. 50 trees in total are proposed for removal. The applicant is proposing that 39 trees be retained and that 59 replacement trees be provided on the subject site.
- In accordance with the *Semiahmoo Trail Design Guidelines*, the applicant is proposing a 10 metres (33 ft.) landscaping buffer along the Semiahmoo Trail on private property, with landscaping treatment and split rail fencing in character with the treatment already existing to the east of Semiahmoo Trail. The landscaping plan for the buffer will be secured through the Building Scheme Restrictive Covenant. A security will be required from the applicant to facilitate the development of the landscape buffer.

### PRE-NOTIFICATION

Pre-notification letters were sent on November 20, 2003 and staff received two (2) responses with the following comments:

- Concerns about retaining vehicular access onto Semiahmoo Trail.

*(Although the Semiahmoo Trail Design Guidelines indicate that where existing dwellings have driveway access, the access should be removed and alternative access provided as part of the review and approval of development proposals or subdivision application, although the owner of the property wishes not to close the vehicular access now, he has agreed to register a restrictive covenant on the title of the property in order to facilitate the closure of the vehicular access at a future time when the remainder lot (Lot 5) is subdivided or when the entire length of Semiahmoo Trail, between 32 Avenue and 28 Avenue is closed to vehicular traffic, whichever proceeds first.)*

- Concerns about construction traffic along Semiahmoo Trail.

*(The applicant is aware of this concern and has indicated that construction traffic can be restricted to the internal roads coming from 28 Avenue. The Engineering Department has indicated that, provided the required off-site right-of-way from 28 Avenue to the development site has been acquired, construction inspectors can instruct the contractors to only use 28 Avenue and the off-site road right-of-way for construction purposes.)*

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout and Landscape Plans
Appendix III.	Engineering Summary
Appendix IV.	Parks, Recreation & Culture Comments
Appendix V.	Heritage Advisory Committee Comments
Appendix VI.	Building Design Guidelines Summary
Appendix VII.	Summary of Tree Survey and Tree Preservation
Appendix VIII.	Letter from Larry Rosenberg
Appendix IX.	Map Showing Location of Applications along Semiahmoo Trail

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated November 28, 2003.
- Tree Survey and Tree Preservation and Planting Plan prepared by Randy Greenizan and dated June 2, 2004.
- Residential Character Study and Proposed Building Scheme prepared by Mark Ankenman of Ankenman Associates Architects and dated June 17, 2004. (One copy is filed with the City Clerk's Office.)
- Soil Contamination Review Questionnaire prepared by Sharon Rosenberg and dated July 25, 2003.

Murray Dinwoodie  
General Manager  
Planning and Development

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APPENDIX I

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:     Name:             Clarence Arychuk c/o Hunter Laird Engineering Ltd.  
                  Address:         Unit #300 – 65 Richmond Street  
                                      New Westminster, B.C.  
                  Tel:                 604-525-4651
2.     Properties involved in the Application
  - (a)     Civic Address:         2885 Semiahmoo Trail
  - (b)     Civic Address:         2885 Semiahmoo Trail  
          Owner:                 Sharon Lea Rosenberg  
          PID:                    005-938-431  
          Lot 35 Section 22 Township 1 New Westminster District Plan 45603
3.
  - (a)     Introduce a By-law to rezone the property.

**SUBDIVISION DATA SHEET**

**Proposed Zoning: RH-G**

<b>Requires Project Data</b>	<b>Proposed</b>
<b>GROSS SITE AREA</b>	
Acres	3.09 acres
Hectares	1.25 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	5
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	25.0 m to 56.0 m
Range of lot areas (square metres)	1,120 m <sup>2</sup> to 3,000 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	4 uph/1.3 upa
Lots/Hectare & Lots/Acre (Net)	4 uph/1.3 upa
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	25%
Estimated Road, Lane & Driveway Coverage	15%
Total Site Coverage	40%
<b>PARKLAND</b>	
Area (square metres)	1,873.2 m <sup>2</sup>
% of Gross Site	15%
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	YES
<b>MODEL BUILDING SCHEME</b>	YES
<b>HERITAGE SITE Retention</b>	NO
<b>BOUNDARY HEALTH Approval</b>	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

**APPENDIX V**

**City of  
Surrey**  
*Heritage*

Executive  
Boardroom  
City Hall  
14245 - 56  
Avenue  
Surrey, B.C.  
**WEDNESDAY,  
APRIL 28,**

# Advisory Commission Minutes

2004  
Time: 9:04 a.m.

<u>Present:</u>	<u>Absent:</u>	<u>Staff Present:</u>
B. Paton - Chair	D.	A. Kopystynski,
R. Cammack	Bowyer	Planning &
A. Clegg		Development
C. Dragomir		G. Kwan,
R. Fuller		Planning and
T. Menu		Development
A. Stewart		Department
Councillor		P. Lau, Planning
Higginbotham		& Development
(11:49 am)		J. Boan,
		Engineering
		Development
		B. Sommer,
		Parks, Recreation
		and Culture
		K. Miller,
		Legislative
		Services

**1. PLANNING & DEVELOPMENT**  
**(b) Development Application No. 7903-0269-00**  
**2885 Semiahmoo Trail**

It was Moved by Commissioner Fuller  
Seconded by Commissioner Dragomir  
That the Heritage Advisory Commission (HAC) recommends to the General Manager, Planning and Development that the HAC wants to ensure that the proposed non-vehicular access to Semiahmoo Trail be attained as soon as possible, and that in view of the existing access to the detached garage beside the tennis court, that development application no. 7903-0269-00 be approved, subject to compliance with the Semiahmoo Trail Guidelines and the proposed Restrictive Covenant, including the following:

- That when the next subdivision to the north proceeds and the road is built, the property owner should then be required to access his property from the cul de sac of the adjoining development to the north;
- That if once all property owners relinquish their driveway access along that portion of the Semiahmoo Trail, this or a subsequent property owner be required to find alternative access;
- In the event that the property to north is not developed, a condition of this development should be to provide a right-of-way or no building covenant on lots 3 or 4 to guarantee alternative access; and
- Notwithstanding the above, in the event that the property to the north is not developed by 2010, that driveway access be removed. The owner should maintain alternative access through lots 3 or 4.

Carried

Appendix "C"

**B. LAND USE APPLICATIONS**

**16. 7903-0269-00**  
**2885 Semiahmoo Trail**  
**Clarence Arychuk, c/o Hunter Laird Engineering Ltd./**  
**Sharon Lea Rosenberg**

## Rezoning

*From RA to RH-G to permit the development of 5 half-acre gross density lots and the provision of 15% open space.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 2885 Semiahmoo Trail.

The applicant is proposing:

- a rezoning from RA to RH-G

in order to allow subdivision into five single family residential lots with a provision of 15% open space.

Lawrence Rosenberg, 2885 Semiahmoo Trail, was in attendance and commented that he has made it clear with the City and his neighbours that he doesn't want to develop his property and would consider the portion of property west of the tennis court for development only if Semiahmoo Trail is used as access to the house. He continued that he had just finished his house and 30,000 sq. ft. driveway accessing Semiahmoo Trail and was delighted to be able to place the house and new garage on the property without losing any trees. He added that the City did not mention their intention to close the Semiahmoo Trail.

He continued that a stand of fir trees and improvements (tennis court and workshop) were physical obstacles in the way to connect the driveway to the internal road network. He added that he had been granted additional, permanent access to the Semiahmoo Trail in June 2003 and then proceeded with his application. He noted that City staff had advised that access to the Semiahmoo Trail would be closed, at which time he met with staff and the issues were then discussed. He advised that the Heritage Advisory Commission had accepted this arrangement and added further restrictions.

He then noted that he was shocked to find City staff had changed their mind with respect to driveway access and added Item 2(h) to remove existing vehicular access on Semiahmoo Trail. He advised he was not against the closing of the Trail but he did not want to lose access to the Trail before the street actually closes, resulting in significant expense. He discussed construction equipment and timelines.

He requested that Council approve the development application allowing him to use the legal access to Semiahmoo Trail until the City approves subsequent development applications for the subject property or the City acquires permanent closure of the Trail between 28 Avenue and 32 Avenue, whichever comes first.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

The Acting Mayor noted that Item 2(h) would be divided from the motion.

It was

Moved by Councillor Hunt  
Seconded by Councillor Watts  
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) submission of a landscaping plan and landscaping cost estimate for the landscaping buffer

along the Semiahmoo Trail to the specifications and satisfaction of the City Landscape Architect;

- (e) submission of a Letter of Credit for the landscaping buffer along Semiahmoo Trail;
- (f) ensure that the applicant address the issue of open space with the Parks, Recreation & Culture Department in order to facilitate the improvements along the Semiahmoo Trail and landscaping with the proposed open space;
- (g) ensure that the applicant incorporate in the Building Scheme, the Parks, Recreation & Culture Department's comments of low permeable fences with access gates to the lots backing onto the proposed open space; and

RES.R04-1581

Carried

The Acting Chair noted that Item (h) was before Council, and:-

It was Moved by Councillor Hunt  
Seconded by Councillor Priddy

That Item 2(h) as follows be referred to staff to be amended in the context of the issues raised at the June 21, 2004 Regular Council Land Use meeting.

- (h) ensure appropriate arrangements are established to remove the existing vehicular access to Semiahmoo Trail either through the cul-de-sac to the north or through Lot 4.

RES.R04-1582

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Watts

That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15423" pass its first reading.

RES.R04-1583

Carried

The said By-law was then read for the second time.

It was Moved by Councillor Hunt  
Seconded by Councillor Watts

That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15423" pass its second reading.

RES.R04-1584

Carried

It was then Moved by Councillor Hunt  
Seconded by Councillor Watts

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15423" be held at the City Hall on July 5, 2004, at 7:00 p.m.

RES.R04-1585

Carried