

NO: L001

COUNCIL DATE: February 7, 2011

REGULAR COUNCIL- LAND USE

TO: Mayor & Council **DATE: February 7, 2011**

FROM: General Manager, Planning and Development **FILE: 7909-0214-00**
General Manager, Engineering

SUBJECT: Rezoning and Development Permit Applications for Properties at
6670 - 138 Street and 13864 Hyland Road – Zoning Amendment Bylaw No. 17332 –
Revisions to the Site Plan and Conditions of Approval

RECOMMENDATION

The Planning and Development Department and Engineering Department recommend that Council:

- Receive this report as information;
- Rescind Resolution No. R10-2134 granting second reading to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17332 ("By-law No. 17332");
- Amend By-law No. 17332 to reflect the revised setbacks as discussed in this report and as documented in Appendix I;
- Grant second and third reading to By-law No. 17332, as amended;
- Approve the applicant's request to further reduce the amount of required indoor amenity space from 61 square metres (657 square feet) to 55 square metres (592 square feet) and to address the shortfall by means of a cash in lieu contribution in accordance with City policy;
- Authorize staff to draft Development Permit No. 7909-0214-00 in accordance with the revised drawings attached as Appendix II to this report; and
- Approve the following additional requirements to be satisfied prior to final adoption of By-law No. 17332:
 - (a) the applicant's Engineer is to submit a preliminary design and a cost estimate acceptable to the City for the ultimate widening of Hyland Road across the frontage of 13840 Hyland Road and 13864 Hyland Road; and
 - (b) the applicant is to provide security acceptable to the City, proportionate with their unit yield in comparison to the overall unit yield of the development area as described in this report for the widening of Hyland Road across the frontage of 13840 Hyland Road and 13864 Hyland Road.

BACKGROUND

The applicant proposes to rezone the properties at 6670 - 138 Street and 13864 Hyland Road to a Comprehensive Development (CD) Zone to permit the development of a 43-unit townhouse project. The proposal was presented to Council by way of a Planning report at the Regular Council Land Use meeting on December 13, 2010 and the related public hearing was held on January 10, 2011. During the public hearing, concerns were raised by the owners of the adjacent properties at 13840 Hyland Road and 6746 - 138 Street (see Appendix III) regarding the development potential of their properties as a result of the layout of the proposed development. Subsequently, Council did not give the related Zoning Amendment By-law third reading and adopted the following resolution (R11-69):

"Engineering to review the road concerns raised by residents during the Public Hearing relative to the Hyland Road and 138 Street intersections, and facilitate a discussion of all parties in relation to the site layout.

That Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17332 be referred back to staff for further review and report back as soon as possible".

Planning Issues

In accordance with Council's resolution, staff facilitated a series of meetings involving the applicant, the adjacent property owners (Mr. & Mrs. Johnson) and their consultant, to deal with the identified issues. As a result of the discussions, a number of modifications to the proposed development were made. The modifications involve adjustments to the site layout that require minor changes to the CD Zone and Development Permit. The following summarizes the changes as proposed:

- **Development Permit** - The site plan is being modified to include an internal road that follows the property boundary between the subject site and the adjacent properties at 13840 Hyland Road and 6746 - 138 Street. The townhouse units are being re-configured to accommodate this change to the internal road. The design of the townhouse units remains the same. Appendix II illustrates the referenced modifications to the Development Permit;
- **Indoor Amenity Space** - The proposed indoor amenity space is being reduced in area from 61 square metres (657 square feet) to 55 square metres (592 square feet) to accommodate the re-configuration of the internal road and townhouse units as referenced above. This slight reduction in indoor amenity space will not affect the provision of indoor amenity facilities for the proposed development. The applicant will be required to address the shortfall in indoor amenity space by way of a cash in lieu payment in accordance with City policy;
- **CD By-law** - To implement the modifications to the site plan as referenced above, the CD By-law is proposed to be amended to adjust the minimum setback requirements of some buildings. The setback adjustments are minor in nature and will have minimal impact. A summary of the changes is provided below:

	Original CD By-law	Revised CD By-law	Comments
Minimum Front Yard Setback (Hyland Road)	7.5 metres [25 feet] to the building face and 6.9 metres [22 feet] to porch	6.1 metres [20 feet] to the building face and 5.0 metres [16.4 feet] to the balcony	No anticipated impact on neighbouring properties. The streetscape will basically remain the same.
Minimum Rear Yard Setback	2.7 metres [8.9 feet] to the building face and 1.4 metres [4.6 feet] to the balcony	7.5 metres [25 feet]	Increased rear yard setback.
Minimum Side Yard Setbacks	<p>Side Yard #1 (West): 4.8 metres [15.7 feet];</p> <p>Side Yard #2 (East): 6.2 metres [20.3 feet] to the building face and 5.0 metres [16.7 feet] to the balcony and stair risers;</p> <p>Side Yard #3 (North): 7.5 metres [25 feet]; and</p> <p>Side Yard #4 (East): 7.5 metres [25 feet] to the building face and 6.9 metres [22 feet] to the deck.</p>	<p>Side Yard #1 (West): 2.8 metres [9 feet];</p> <p>Side Yard #2 (East): 3.7 metres [12 feet] to the building face and 2.1 metres [6.9 feet] to the balcony;</p> <p>Side Yard #3 (North): 7.5 metres [25 feet]; and</p> <p>Side Yard #4 (East): 4.4 metres [14.4 feet] to the building face and 3.8 metres [12.4 feet] to the balcony.</p>	<p>Side Yard #1 (West): reduced setback limited to the relocated indoor amenity building. The rest of the structures maintain the original CD By-law setback.</p> <p>Side Yard #2 (East): reduced setback limited to: the corner of two units in Buildings #2 and #4; and the rear yard of units in Building #7. It is noted that Building #7 is adjacent to an existing open space on the townhouse project to the east.</p> <p>Side Yard #3 (North): unchanged.</p> <p>Side Yard #4 (East): reduced setback limited to the sides of two units in Buildings #9 and #10. The setback area is adjacent to an existing school site.</p>

- **Easement** - To accommodate the reconfigured internal road as referenced above, 2.2 metres (7.2 feet) of the internal road will need to be located on the neighbouring properties at 13840 Hyland Road and 6746 - 138 Street. This will require the registration of a shared reciprocal access easement between the subject properties. The applicant has agreed to pay the full cost of constructing the internal road with appropriate fencing and a gateway.

The revisions to the setback provisions to the CD By-law can be made without the need for a public hearing.

The owners of neighbouring properties have advised that they are satisfied with the revised site plan and vehicular access to Hyland Road. They have agreed to grant the required 2.2 metre (7.2 feet) reciprocal access easement to facilitate the reconfigured internal road.

Engineering Issues

An analysis of the current geometry of the existing horizontal curve along Hyland Road east of 138 Street was undertaken. In addition, collision history data for this location was requested and received from ICBC.

Collision History at this Location on Hyland Road

Based on the data that has been provided by ICBC, staff has determined that there are, on average, two collisions per year at this location. This history of collisions on Hyland Road at this location is not considered high in comparison to other collector roads in the City of Surrey.

Analysis of the Pavement Geometry on Hyland Road

The horizontal curve on Hyland Road is designed with a 50 metre radius. A 30-km/h speed advisory sign is posted at either end of this curve, which reflects the safe travel speed through the curve consistent with Surrey's transportation standards.

The standard cross-section for a collector road such as Hyland Road includes a 12.2 metre width of pavement and curbs on each side. Currently, the pavement on this section of Hyland Road has a width of 6.2 metres. Although, the pavement is narrow in comparison to the standard cross-section, parking is not permitted on either side in this section of Hyland Road and, as such, the existing pavement width is considered acceptable. As development occurs along the south side of Hyland Road, additional road allowance width for Hyland Road will be dedicated and the pavement will be widened to the standard cross-section allowing some additional potential for on street parking.

Widening of the Hyland Road pavement along the frontage of 13840 Hyland Road is currently not possible as the existing road allowance is too narrow to accommodate such widening of the pavement. Staff is in discussion with the agent of the owner of 13840 Hyland Road to determine if the owner is prepared to provide the road dedication now; otherwise road dedication will be secured upon redevelopment of the subject property.

In consideration of the limited development area within the property at 13840 Hyland Road (i.e., most of the site is encumbered by a creek and related riparian area) and the length of frontage that this property has on Hyland Road, the development of the property will be difficult from an economic perspective due to the limited number of dwelling units that can be accommodated on the site. In circumstances such as this, in support of ensuring planned and orderly neighbourhood development, staff typically recommends that properties be consolidated so that costs of the offsite works (such as Hyland Road paving) are shared over a greater number of dwelling units so that development of all of the sites is viable.

On this basis, staff recommends that the costs associated with the widening of Hyland Road to a collector standard (less typical City contributions) along the combined frontages of 13840 Hyland Road and 13864 Hyland Road, be cost-shared between the subject properties based on the probable unit yield for each property. An estimate of such unit yield is provided in the following table:

Property	Maximum Projected Unit Yield	Cost Sharing Percentage Based on Maximum Unit Yield (Recommended Approach)	Cost Sharing Percentage Based on Frontage on Hyland Road
6670 - 138 Street and 13864 Hyland Road (7909-0214-00) (Alpha Beta Site)	43	72.8%	33.5%
13840 Hyland Road (Johnson Lot)	10 ^(a)	17%	66.5%
6746 - 138 Street (Johnson Lot)	6 ^(a)	10.2%	0%
Total	59	100%	100%

^(a) Based on Appendix II which illustrates an assumed 15-metre setback from top of bank, which requires DFO approval to generate these unit yields.

Applicant's (Alpha Beta's) Comments

The applicant has expressed strong concern with this cost-sharing recommendation and its increase to the project servicing costs related to the project proposed for the properties at 13864 - Hyland Road and 6670 - 138 Street. The email and attachments to the email, all of which are attached as Appendix IV to this report, are a communication from the applicant that document his concerns with the recommendation regarding Hyland Road cost sharing contained in this report and advises of an alternative proposal that he would find acceptable. Under the approach recommended in this report, staff estimates that the applicant will be responsible for approximately an additional \$120,000 of servicing costs on Hyland Road in addition to the costs of providing pavement widening across the frontage of 13864 Hyland Road. As documented in Appendix IV the applicant has advised that he is only prepared to contribute an additional \$25,000 toward the widening of Hyland Road outside of the frontage of 13864 Hyland Road and to pay for additional signage and pavement markings at the curve in Hyland Road to assist in improving the safety of this location.

Staff is of the view that it is not likely that the property at 13840 Hyland Road will redevelop in the absence of the cost-sharing formula recommended in this report and that outcome is not consistent with planned and orderly development.

Comment from the Agent for the Owner (the Johnsons) of 13840 Hyland Road

The agent (Hunter Laird) for the owners of 13840 Hyland Road and 6746 - 138 Street (Mr. and Mrs. Johnson) has raised a concern that the proposed cost-sharing formula (see Appendix V - letter dated February 3, 2011 and attachments) places too much of the costs on the Johnson's property. Although the agent acknowledges the fairness of the formula in principle, he believes the use of maximum projected unit yields on his clients' properties over estimates the costs that should be attributed to those properties.

Staff Response

Each of the parties (i.e., both Alpha Beta developments and the Johnsons) is expressing the view that they are being faced with bearing too much of the costs associated with the widening of Hyland Road. Staff hold the view that the proposed approach is a reasonable solution to the situation in a manner that supports the orderly development of the properties in the area.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Rescind Resolution No. R10-2134 granting second reading to By-law No. 17332;
- Amend By-law No. 17332 to reflect the revised setbacks as discussed in this report and as documented in Appendix I;
- Grant second and third reading to By-law No. 17332, as amended;
- Approve the applicant's request to further reduce the amount of required indoor amenity space from 61 square metres (657 square feet) to 55 square metres (592 square feet) and to address the shortfall by means of a cash in lieu contribution in accordance with City policy;
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Original signed by
Jean Lamontagne
General Manager,
Planning and Development

Original signed by
Vincent Lalonde, P. Eng.
General Manager, Engineering

SSL/CL/kms/saw

Attachments:

Appendix I	Revised CD Bylaw
Appendix II	Revised Site Plan
Appendix III	Air Photo of the Area in the Vicinity of 13864 Hyland Road
Appendix IV	Email from Alpha Beta Development, dated February 3, 2011
Appendix V	Letter from Hunter Laird, dated February 3, 2011

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend Surrey Zoning By-law, 1993, No. 12000, as amended

.....

THE CITY COUNCIL of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended, pursuant to the provisions of Section 903 of the Local Government Act, R.S.B.C. 1996 c. 323, as amended by changing the classification of the following parcels of land, presently shown upon the maps designated as the Zoning Maps and marked as Schedule "A" of Surrey Zoning By-law, 1993, No. 12000, as amended as follows:

- (a) FROM: SINGLE FAMILY RESIDENTIAL GROSS DENSITY ZONE (RF-G)
- TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 019-177-089
 Lot 2 South West Quarter Section 16 Township 2 New Westminster District Plan LMP
 21739
 6670-138 Street

- (b) FROM: SINGLE FAMILY RESIDENTIAL ZONE (RF)
- TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 008-349-894
 Lot 17 South West Quarter Section 16 Township 2 New Westminster District Plan
 2163
 13864- Hyland Road

(hereinafter both 1. (a) and (b) shall be referred to as the "Lands")

2. The following regulations shall apply to the *Lands*:

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of *family-oriented, low density, ground-oriented multiple unit residential buildings*, related *amenity spaces* and *open space*, which are to be developed in accordance with a *comprehensive design*.

The *Lands* are divided into Blocks A and B as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Gary Sundvick, B.C.L.S. on the 17th day of January, 2011.

B. Permitted Uses

1. Block A

(a) *Land and structures* shall be used for the following uses only, or for a combination of such uses, provided such combined uses are part of a *comprehensive design*:

i. *Ground-oriented multiple unit residential buildings.*

ii. *Child care centres*, provided that such centres:

i. Do not constitute a singular use on the *lot*; and

a. Do not exceed a total area of 3.0 square metres [32 square feet] per *dwelling unit*; and

2. Block B

The *Lands* shall be used only as *open space* for the protection of a riparian area.

C. Lot Area

Not applicable to this Zone.

D. Density

1. A maximum of 43 *dwelling units*.

2. (a) The *floor area ratio* shall not exceed 0.80;

(b) For the purpose of this Section, and notwithstanding the definition of *floor area ratio* in Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, all covered areas used for parking shall be included in the calculation of *floor area ratio*; and

(c) Indoor Amenity Space: The indoor *amenity space* required in Sub-section J.1(b) of this Zone is excluded from the calculation of *floor area ratio*.

E. Lot Coverage

The *lot coverage* shall not exceed 25%.

F. Yards and Setbacks

Notwithstanding the definition of *setbacks* in Surrey Zoning By-law, 1993, No. 12000, as amended, *buildings* and *structures* shall be sited in accordance with the following minimum *setbacks* from the *lot lines* as show in Schedule B which is attached hereto and forms part of this By-law:

1. *Front Yard* (Hyland Road): 6.1 metres [20 feet] to the *building* face and 5.0 metres [16.4 feet] to the balcony;
2. *Rear Yard* (South): 7.5 metres [25 feet];
3. *Side Yard #1* (West): 2.8 metres [9 feet];
4. *Side Yard #2* (East): 3.7 metres [12 feet] to the *building* face and 2.1 metres [6.9 feet] to the balcony;
5. *Side Yard #3* (North): 7.5 metres [25 feet]; and
6. *Side Yard #4* (East): 4.4 metres [14.4 feet] to the *building* face and 3.8 metres [12.4 feet] to the balcony.

G. Height of Buildings

Measurements to be determined as per Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended.

1. *Principal buildings*: The *building height* shall not exceed 11 metres [36 feet].
2. *Accessory buildings and structures*:
 - (a) *Indoor amenity space buildings*: The *height* shall not exceed 11 metres [36 feet]; and
 - (b) *Other accessory buildings and structures*: The *height* shall not exceed 4.5 metres [15 feet].

H. Off-Street Parking

1. Resident, visitor and employee *parking spaces* shall be provided as stated in Table C. 6, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.
3. *Tandem parking* is permitted, subject to the following:
 - (a) *Parking spaces* provided as *tandem parking* must be enclosed and attached to each *dwelling unit*;
 - (b) *Parking spaces* provided as *tandem parking* must be held by the same owner; and
 - (c) Access to *parking spaces* provided as *tandem parking* is not permitted within 6 metres [20 feet] from *lot* entrances/exits.

I. Landscaping

1. All developed portions of the *lot* not covered by *buildings, structures* or paved areas shall be landscaped including the retention of mature trees. This *landscaping* shall be maintained.
2. Along the developed sides of the *lot* which abut a *highway*, a continuous *landscaping* strip of not less than 1.5 metres [5 feet] in width shall be provided within the *lot*.
3. The boulevard areas of *highways* abutting a *lot* shall be seeded or sodded with grass on the side of the *highway* abutting the *lot*, except at *driveways*.
4. Garbage containers and *passive recycling containers* shall be screened to a height of at least 2.5 metres [8 feet] by *buildings*, a *landscaping* screen, a solid decorative fence, or a combination thereof.

J. Special Regulations

1. *Amenity space* shall be provided on the *lot* as follows:
 - (a) Outdoor *amenity space*, in the amount of 3.0 square metres [32 square feet] per *dwelling unit*; and
 - (b) Indoor *amenity space*, in the amount of 3.0 square metres [32 square feet] per *dwelling unit*.
2. *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.

K. Subdivision

Lots created through subdivision in this Zone shall conform to the following minimum standards:

Lot Size	Lot Width	Lot Depth
9,500 sq.m. [2.3 acres]	30 metres [98 feet]	30 metres [98 feet]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000 as amended.

L. Other Regulations

In addition to all statutes, by-laws, orders, regulations or agreements, the following are applicable, however, in the event that there is a conflict with the provisions in this Comprehensive Development Zone and other provisions in Surrey Zoning By-law, 1993, No. 12000, as amended, the provisions in this Comprehensive Development Zone shall take precedence:

1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the RM-15 Zone as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking, of Surrey Zoning By-law, 1993, No. 12000, as amended.
5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.
8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2010, No. 17111, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-15 Zone.
9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.

10. Development permits may be required in accordance with the Surrey *Official Community Plan, 1996*, By-law No. 12900, as amended.
 11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, _____, No. _____."

READ A FIRST AND SECOND TIME on the _____ th day of _____, 20 .

PUBLIC HEARING HELD thereon on the _____ th day of _____, 20 .

READ A THIRD TIME ON THE _____ th day of _____, 20 .

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ th day of _____, 20 .

_____ MAYOR

_____ CLERK

BLOCK SURVEY PLAN TO ACCOMPANY CITY OF SURREY
 REZONING BYLAW NO. _____ OF LOT 17 PLAN 2163 AND
 PART OF LOT 2 PLAN LMP21739 BOTH OF SOUTH WEST
 QUARTER SECTION 16 TOWNSHIP 2 NEW WESTMINSTER DISTRICT



THE INTENDED PLOT SCALE OF THIS PLAN IS 864 mm
 IN WIDTH BY 560 mm IN HEIGHT (D SIZE) WHEN
 PLOTTED AT A SCALE OF 1:750.

INTEGRATED SURVEY AREA No. 1 (SURREY)
 NAD83 (CSRS)

ALL HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT
 THOSE SHOWN OTHERWISE, AND ALL VERTICAL
 GROUND-LEVEL DISTANCES BY COMBINED FACTOR, 0.99959765.

LEGEND

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
 GEODETIC CONTROL MONUMENTS 5928 AND 8747
 m2 DENOTES SQUARE METRES

NOTE:
 LOT DIMENSIONS ARE DERIVED FROM
 FIELD SURVEY



STREET 138th

SCHEDULE A

LMS628

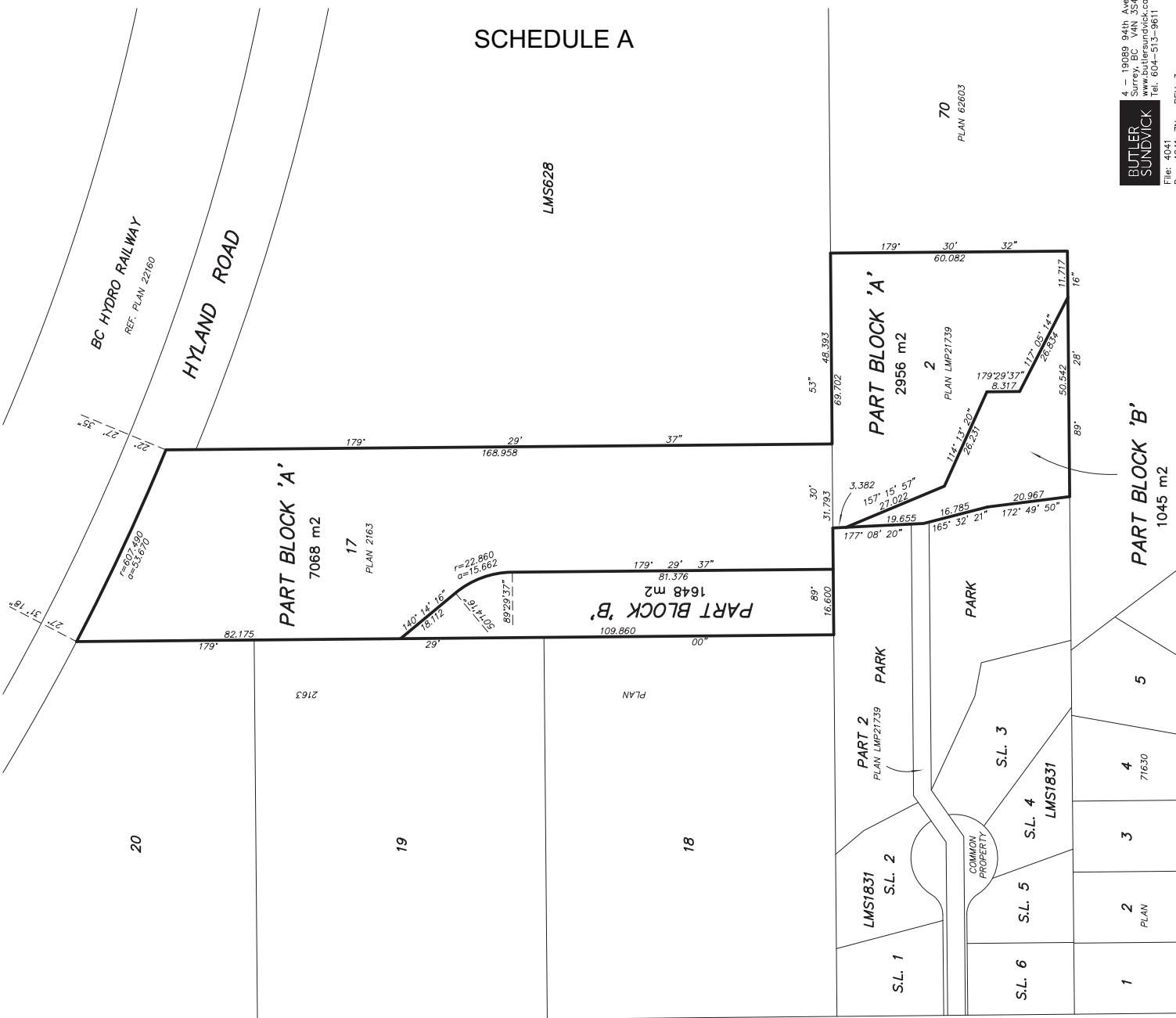


TABLE OF AREAS	
BLOCK 'A'	AREA (m2)
PART OF LOT 17 PLAN 2163	7,068
PART OF LOT 2 PLAN LMP21739	2,956
TOTAL	10,024
BLOCK 'B'	
PART OF LOT 17 PLAN 2163	1,648
PART OF LOT 2 PLAN LMP21739	1,045
TOTAL	2,693

CERTIFIED CORRECT
 THIS 17th DAY OF JANUARY, 2011.

GARY SUNDVICK
 GARY SUNDVICK B.C.L.S.

BLOCK SURVEY PLAN TO ACCOMPANY CITY OF SURREY
 REZONING BYLAW NO. _____ OF LOT 17 PLAN 2163 AND
 PART OF LOT 2 PLAN LMP21739 BOTH OF SOUTH WEST
 QUARTER SECTION 16 TOWNSHIP 2 NEW WESTMINSTER DISTRICT



THE INTENDED PLOT SCALE OF THIS PLAN IS 864 mm
 IN WIDTH BY 560 mm IN HEIGHT (D SIZE) WHEN
 PLOTTED AT A SCALE OF 1:750.

INTEGRATED SURVEY AREA No. 1 (SURREY)
 NAD83 (CSRS)

ALL HORIZONTAL GROUND-LEVEL DISTANCES EXCEPT
 WHERE OTHERWISE NOTED, TO COMPUTE GRID DISTANCES, MULTIPLY
 GROUND-LEVEL DISTANCES BY COMBINED FACTOR, 0.999999765.

LEGEND

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
 GEODETIC CONTROL MONUMENTS 5928 AND 8747

m² DENOTES SQUARE METRES

NOTE:
 LOT DIMENSIONS ARE DERIVED FROM
 FIELD SURVEY



STREET 138th

SCHEDULE B

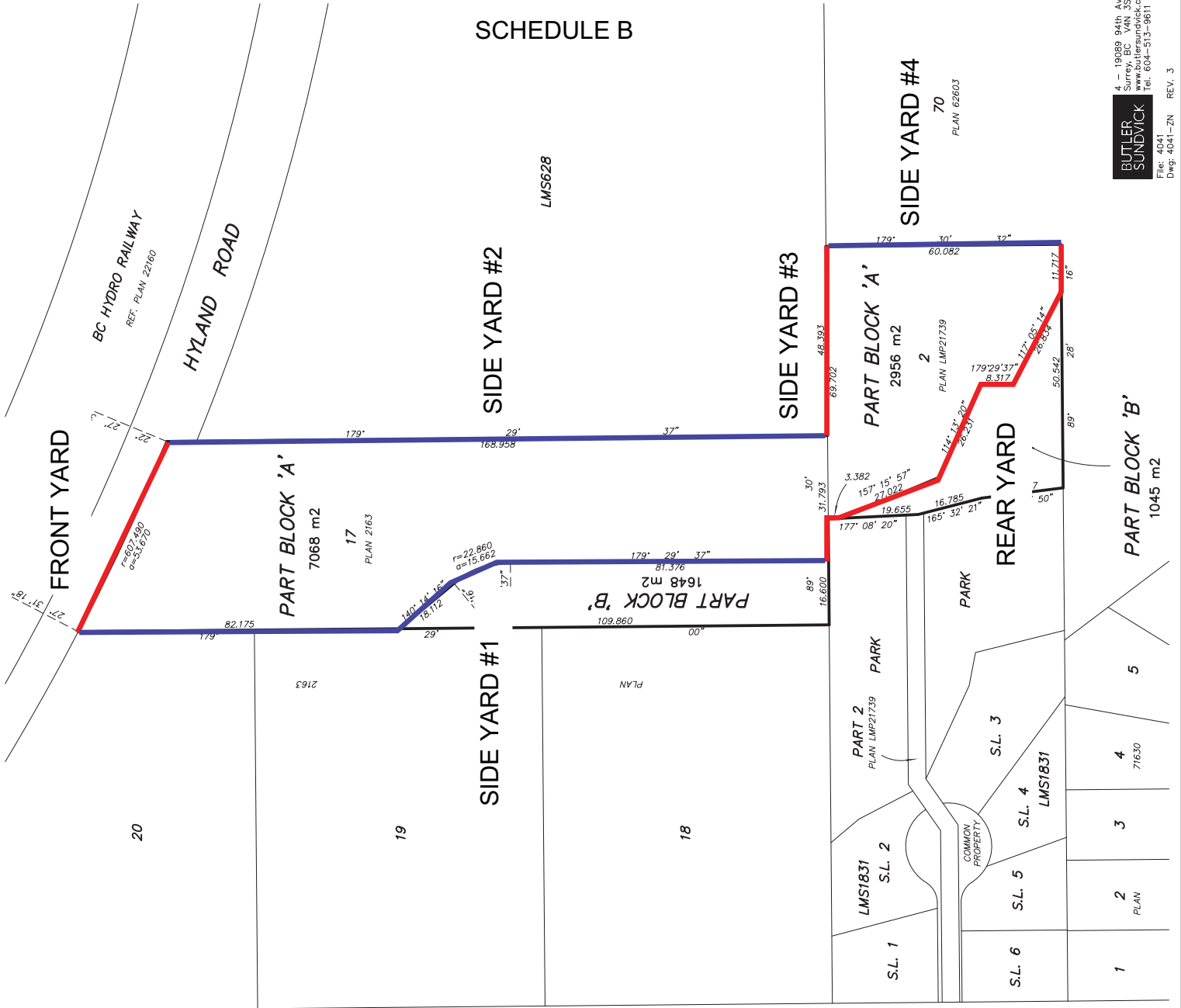


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TOTAL	2,693

CERTIFIED CORRECT
 THIS 17th DAY OF JANUARY, 2011.

GARY SUNDVICK
 GARY SUNDVICK B.C.L.S.



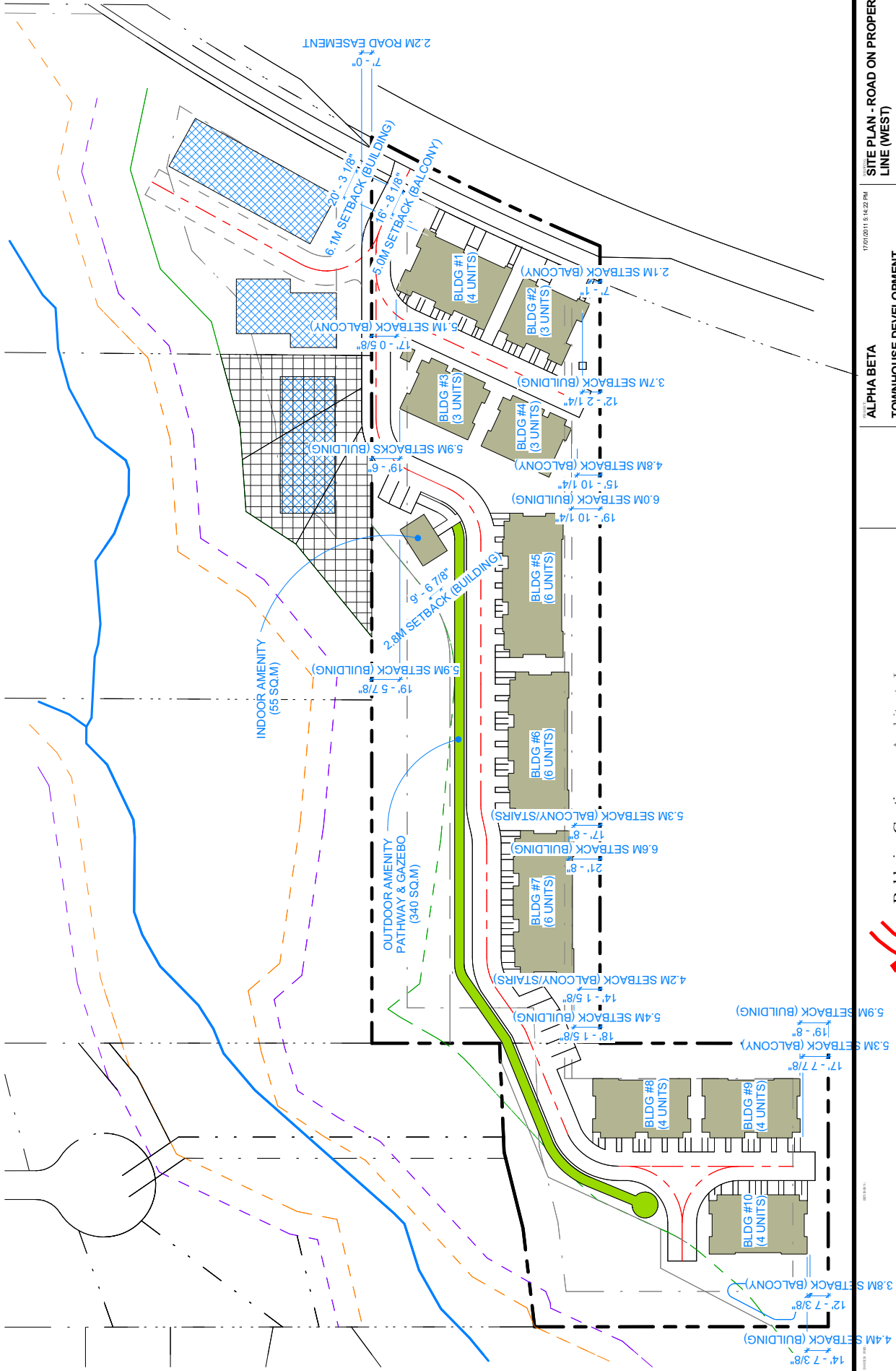

Alpha Beta
Townhouse Development
13864 Hyland Road
Surrey, BC

29009
 17/01/2011 5:36:48 PM
 SITE PLAN - ROAD ON PROPERTY
 LINE (WEST)

1:750
 A.B., S.B. Author AC206
 REVISED PER PLAN 10/20/2010 10:20:04

Boldwing Continuum Architects Inc.
 7357-117 St., Suite 300
 Surrey, BC Canada V3V 1A4
 Phone: 604-591-4444
 Email: office@boldwingcontinuum.com

10/20/2010
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ALPHA BETA
TOWNHOUSE DEVELOPMENT
13864 HYLAND ROAD
SURREY, BC

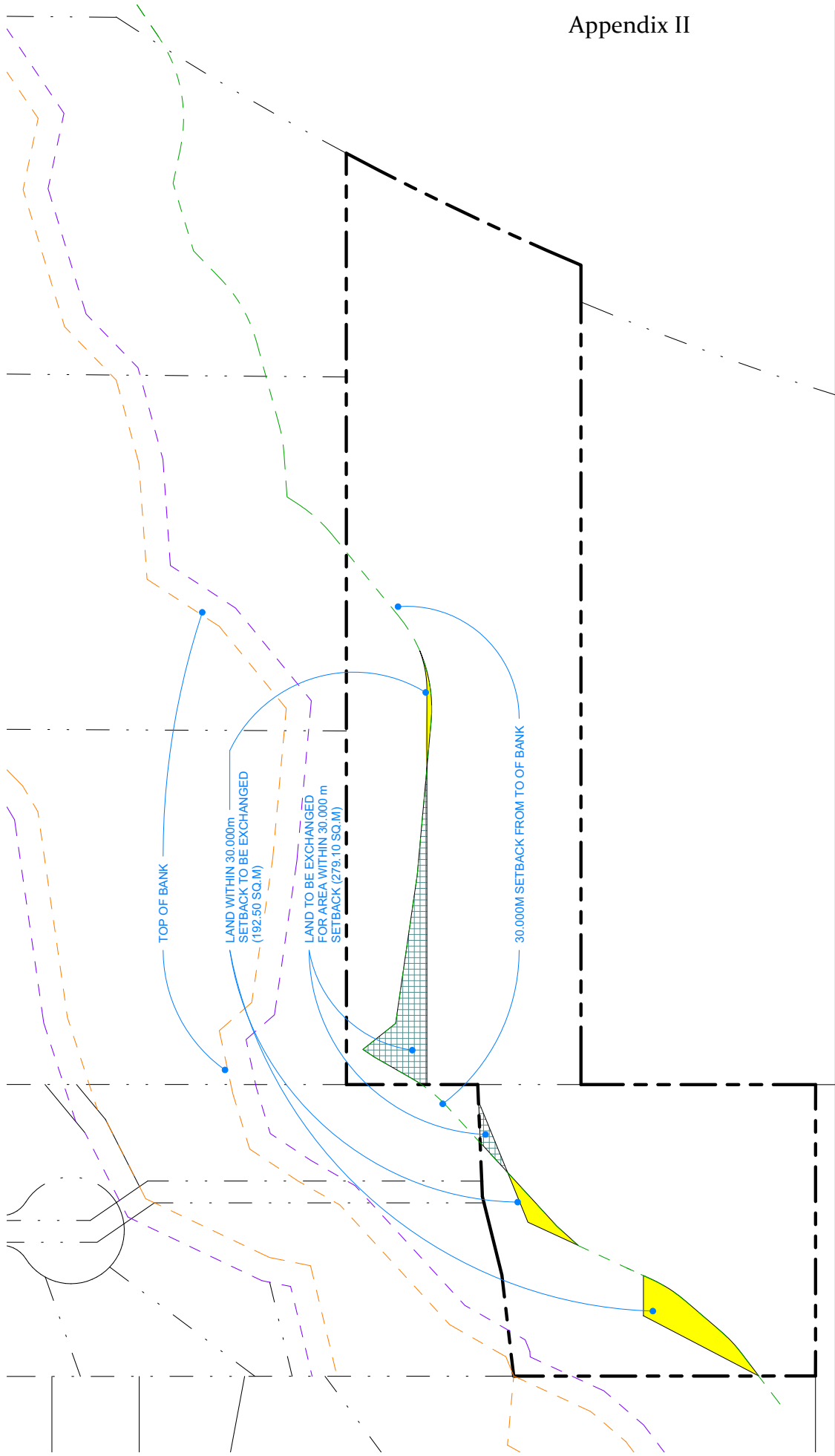
Boldwing Continuum Architects Inc.
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ALPHA BETA
TOWNHOUSE DEVELOPMENT
13864 HYLAND ROAD
SURREY, BC

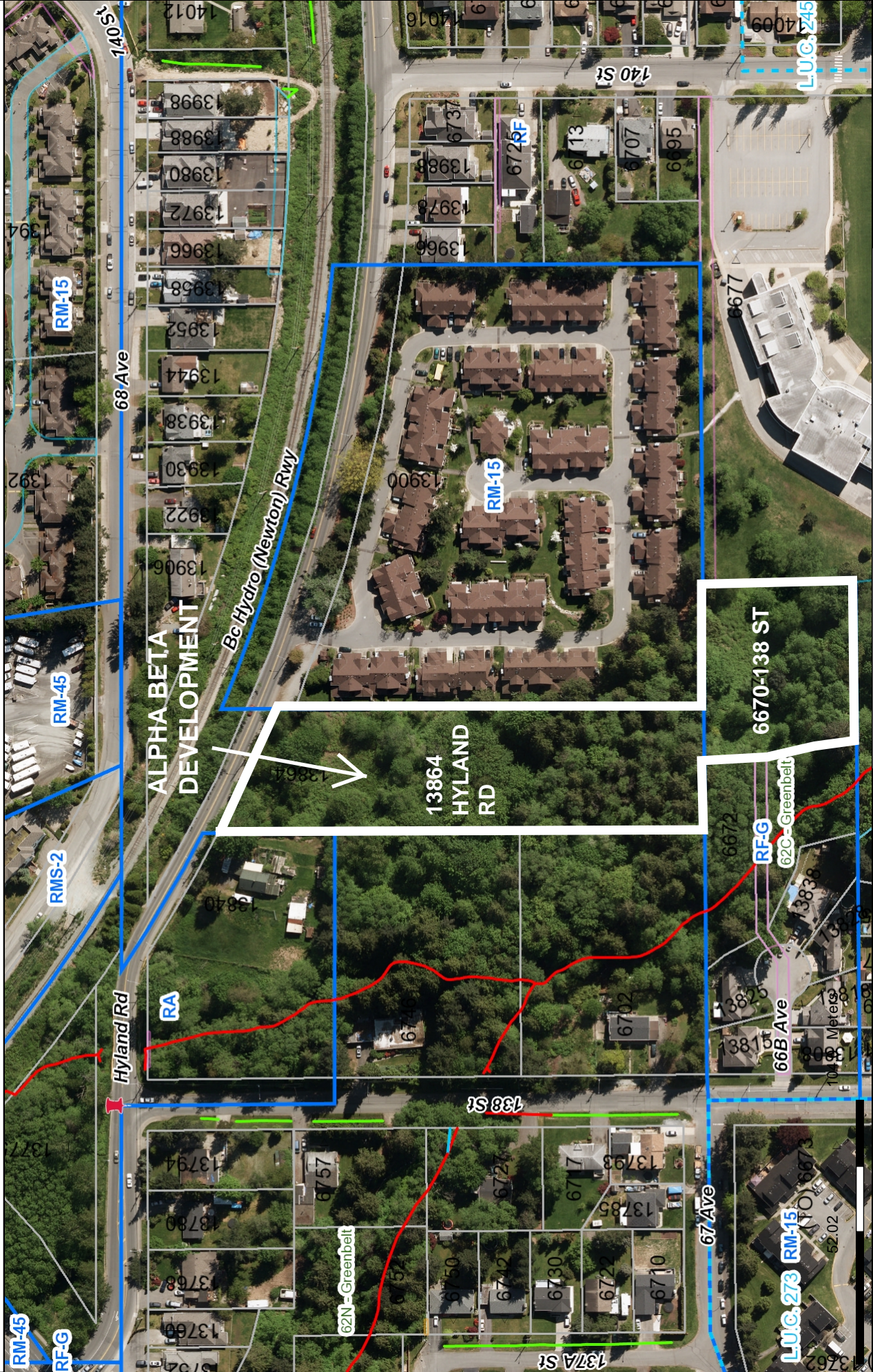
29009
 1:750
 A.B., S.B. Autho**AC209**
ARCHITECTS INC. 102-2030 2030 ST. JAMES ST. VANCOUVER, BC V6P 1K1

Boldwing Continuum Architects Inc.
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 Surrey, BC Canada V3W 1A4
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 Email: office@boldwingcontinuum.com

17/07/2011 6:48:18 PM

SITE PLAN - GREENBELT EXCHANGE (REVISED)

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AREA IN THE VICINITY OF 13864- HYLAND RD & 6670-138 ST (ALPHA BETA DEVELOPMENT)

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Scale: 1 : 2,048

Map created on: Thursday, 09 December 2010

From: Riad Yassin [mailto:riad@abdev.ca]
Sent: February-03-11 5:20 PM
To: Dinwoodie, Murray
Cc: Mike Kompter; Arthur Buse; Riad Yassin
Subject: FW:

ALPHA BETA HYLAND ST.

Dear Mr. Murray Dinwoodie

Further to meetings with city of Surrey, please consider my concerns and requests as it relates to our project.

Our Civil consultant has prepared a key plan which reflects the required works to meet the city of Surrey (works and services bylaw) which everyone is in agreement.

Then the council referred the project back to staff to address two issues as spelled out in the attached council recommendation

These two points include:

- 1- Deal with the Hyland Road and 138 street intersection safety concern, and
- 2- Facilitate a discussion with all parties, namely the neighbour (Mr. and Mrs. Johnson) who also represents the SPCA property at the corner

We had a meeting with Mr. and Mrs. Johnson, their son in law, Clarence Areynchuk (representing the Johnsons), Nicolas Lai, Catherina Lisiak, and Arthur Buse. At this

Meeting all parties agreed to the following terms:

- 1- Site plan be revised to provide an acceptable access to the Johnsons rear portion of their property.
- 2- Alpha Beta would construct the internal joint access road as per the attached plan.
- 3- Allow site servicing connections to the Johnson and SPCA rear portion of their property through our property.
- 4- Alpha Beta will construct the services
- 5- Alpha Beta will construct a fence and a gate along the property line.
- 6- Alpha Beta await and deal with Surrey on the Hyland and 138 Street intersection

Our lawyer has sent the legal documentation (cross access agreement to the Johnsons and the representative of the SPCA property.

City Planning Dept. has agreed to the above and the City Planning has signed off. We further understand the city planning dept. is only waiting for city Engineering Dept to sign off.

On Tuesday, we met with Sam Lau regarding the email attached. (city recommendation for cost sharing) We don't support the recommendations

We wish to express our concern on this matter before Surrey makes a final decision.

We are willing to provide the advisory signage and enhanced pavement markings along Hyland Road in and around the development property. However, we don't accept the

request to extend any roadwork beyond our property frontage (as this should be completed by the future developer of the property as is common with development in Surrey)

Based on the council recommendation(copy attached) we feel that we can contribute to the improvement of the intersection at Hyland and 138 and we are willing to contribute up to \$25,000 to address this issue.

We feel the extra concessions made above plus the \$25,000 contribution for the intersection improvements meet and exceed the council requirement and request the recommendation **For cost sharing** be deleted and replaced with the terms provided above.

We respectfully request your consideration on this request.

Please feel free to contact me if you have any question or request further clarification

Riad Yassin

Alpha Beta Developments Ltd.

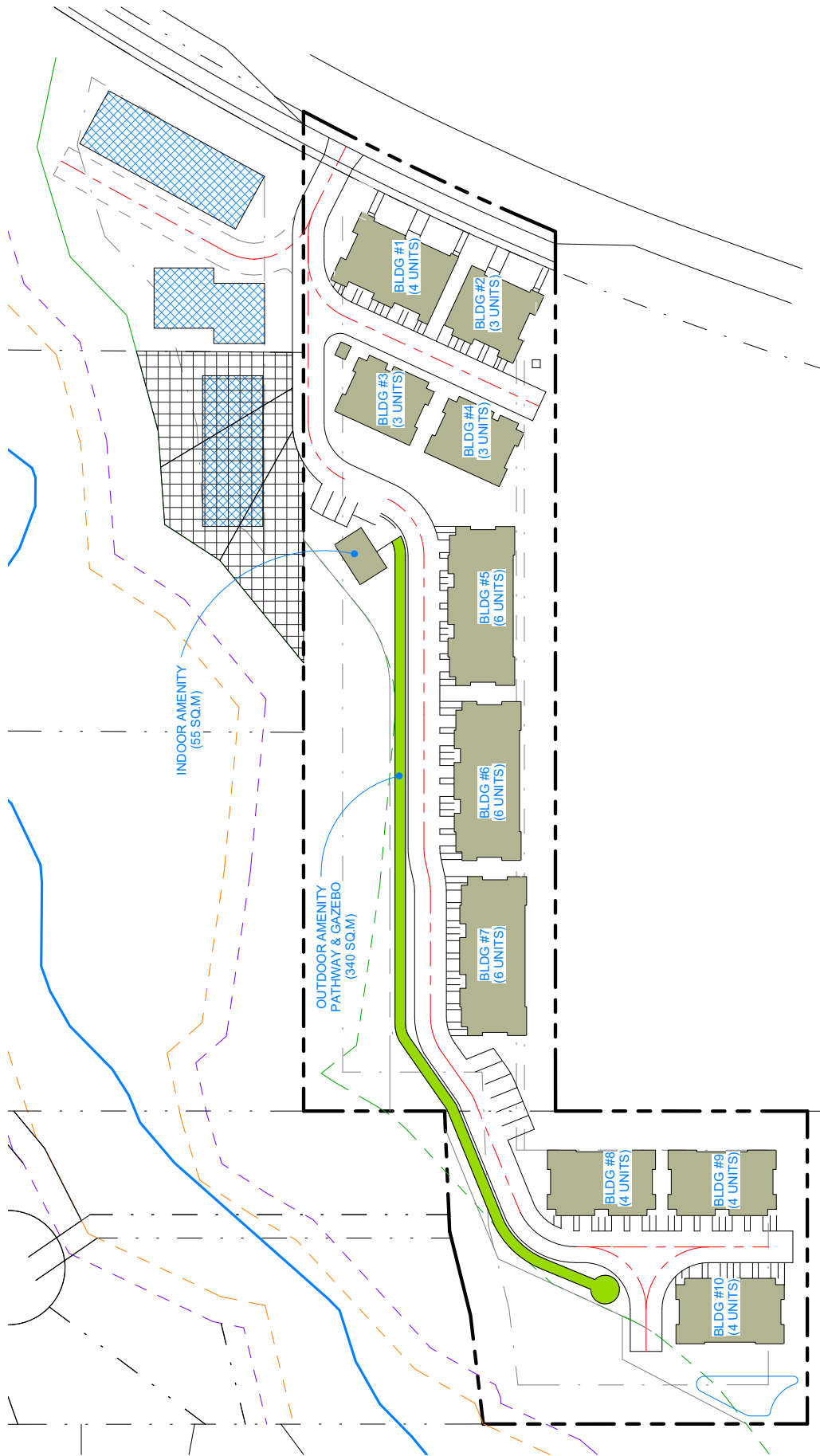
918 - 1030 West Georgia St

Vancouver B.C. V6E 2Y3

Office: 604 662 7900

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Email: Riad@abdev.ca



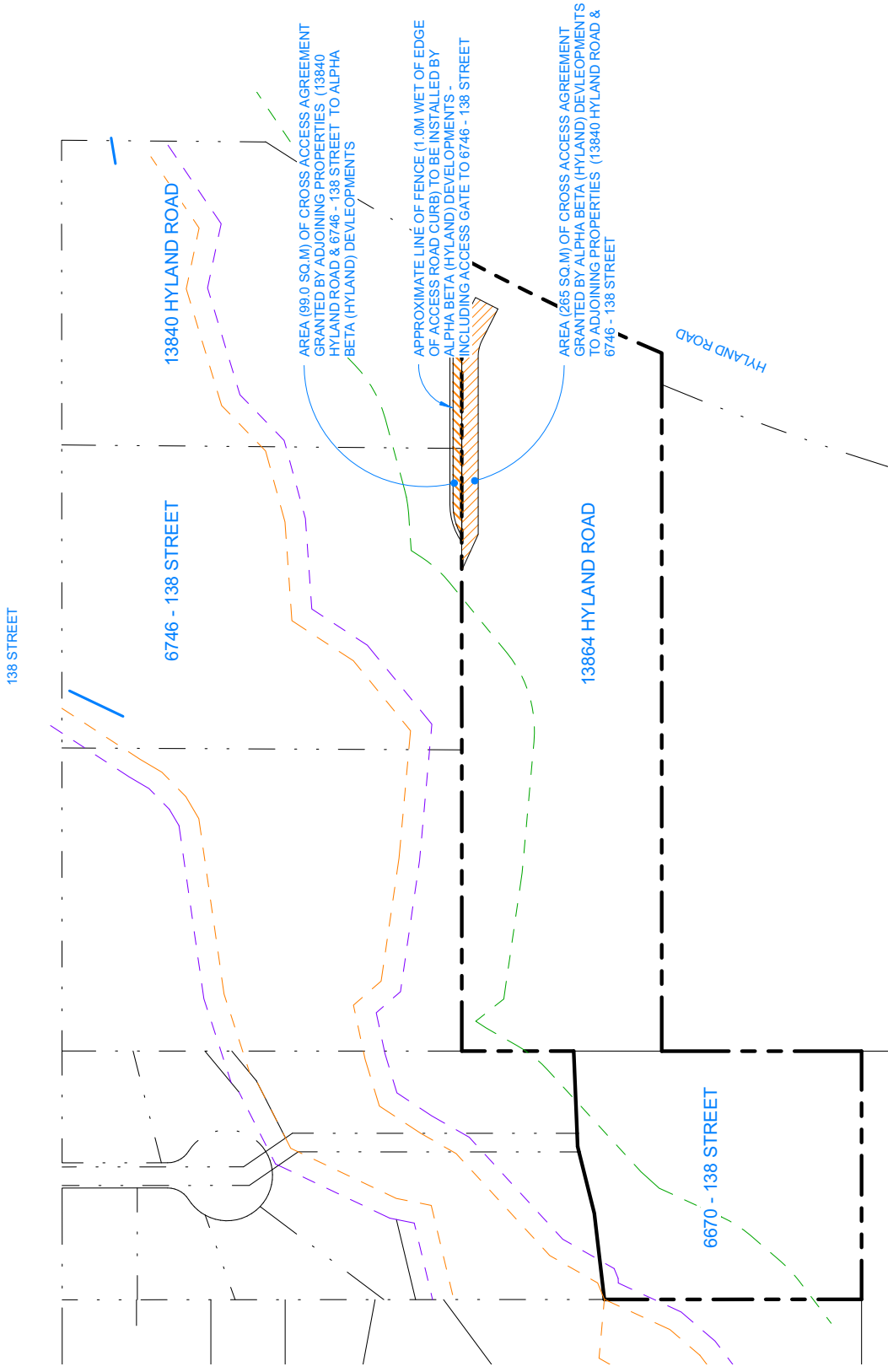

Alpha Beta
Townhouse Development
13864 Hyland Road
Surrey, BC

29009
 17/01/2011 5:36:48 PM
 SITE PLAN - ROAD ON PROPERTY
 LINE (WEST)

Scale: 1:750
 A.B., S.B. Author: AC206
 REVISED PER PLAN 102009-230204

Boldwing Continuum Architects Inc.
 7357-137 St., Suite 300
 Surrey, BC Canada V3V 1A4
 Phone: 604-273-8888
 Email: office@boldwingcontinuum.com

10/11/11
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17/01/2011 2:02:29 PM

PROJECT: ALPHA BETA

TOWNHOUSE DEVELOPMENT

13864 HYLAND ROAD

SURREY, BC

DATE: 17/01/2011 2:02:29 PM

SCALE: 1:1000

PROJECT NO: A.B. - S.B. Author: AC208

DATE: 17/01/2011 2:02:29 PM

PROJECT NO: A.B. - S.B. Author: AC208

DATE: 17/01/2011 2:02:29 PM

PROJECT NO: A.B. - S.B. Author: AC208

DATE: 17/01/2011 2:02:29 PM

PROJECT NO: A.B. - S.B. Author: AC208

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REGULAR COUNCIL - PUBLIC HEARING MINUTES
MONDAY, JANUARY 10, 2011

H. BY-LAWS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17332"
7909-0214-00 - Alpha Beta (Hyland Properties) Ltd.,
c/o Alpha Beta Developments Ltd. (Riad Yassin)
RF and RF-G to CD (BL 12000) - 6670 - 138 Street and 13864 Hyland Road - to
permit the development of 43 townhouse units.

Approved by Council: December 13, 2010

Engineering to review the road concerns raised by residents during the Public Hearing relative to the Hyland Road and 138 Street intersection, and facilitate a discussion of all parties.

It was

Moved by Councillor Villeneuve

Seconded by Councillor Martin

That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2010, No. 17332" be referred back to staff for further review and
report back as soon as possible.

RES.R11-69

Carried

Appendix V



Hunter Laird
ENGINEERING LTD.

FILE REGISTRY COPY
7809-0214-00
FEB 03 2011
SF

TO	BY	DATE
SCL	SF	

ENGINEERING DEPT

February 3, 2011
File No. 6369

City of Surrey
Engineering Department
14245 - 56th Avenue
Surrey BC V3X 3A2

Attention: Mr. Sam Lau, P.Eng.

Dear Sir:

Re: Hyland Road
(7809-0214-00)

Thank you for providing me with your breakdown of the percentages you have determined should apply to the different parcels that would benefit from the upgrading of Hyland Road. In principal, I acknowledge the fairness of the formula that distributes the costs and will reiterate my recommendation to Mr and Mrs Johnson that they provide the statutory right of way. I want to point out a discrepancy in the formula that I believe needs to be addressed. You have used maximum "potential" yields on #6746 and #13840 yet you are using the "actual" yield on the Alpha Beta site. In reality, based on the site planning analysis I have done, the Johnson's two parcels are likely to only yield 8 new units. Three at the back of #6746 and five from #13840. If actual yields are used, this would alter your formula. If you wish to do the formula on maximum potential units possible on each site, then the Alpha Beta site would permit a yield of 15 upa or 47 units. I took this information from the rezoning report present to Council.

I am of the opinion that the actual yield achieved should be used when collecting payments from the owners. I also believe that the Johnson's home, on 138th Street, should not be included in the formula. Finally, the contributions from each property should only be collected when the land develops. The Johnson's should not be obligated to pay anything if the City's requirements for development of their lands prove to be too costly to justify development of either or both of their parcels. They should not be charged for upgrades if they only have one home on each parcel as currently allowed. It is additioral new development that is generating the need for this road widening and upgrading. For that reason, it would not be fair to add these costs to their property taxes. A latecomer would, however, be a reasonable approach.

Yours very truly,
HUNTER LAIRD ENGINEERING LTD.

Clarence Arychuk
Senior Planner

cc: Mr. and Mrs. Johnson
cc: Hunter Laird Engineering Ltd.
Attn: Victor Werchohlad

CIVIL ENGINEERS-PLANNERS-SURVEYORS

Hunter Laird Eng. Ltd.

From: Lau, Sam [SLau@surrey.ca]
Sent: Wednesday, February 02, 2011 5:02 PM
To: admin@hunterlaird.com
Subject: RE: 13840 Hyland Rd (as related to 09-0214)

Appendix V

Further to Victor's request on how the % were determined.

Property	Maximum Unit Yields	Cost-Sharing Percentage Based on Maximum Unit Yields
6670 - 138 Street and 13864 Hyland Road (7909-0214-00)	43	72.8%
13840 Hyland Road	10 ^(a)	17%
6746 - 138 Street	6 ^(a)	10.2%
Total	59	100%

(a) Based on Appendix II which illustrates an assumed 15-metre setback from top of bank, which requires DFO approval in order to generate these unit yields.

From: Lau, Sam
Sent: 2011-Feb-02 1:07 PM
To: Clarence Arychuk (admin@hunterlaird.com)
Subject: 13840 Hyland Rd (as related to 09-0214)

Clarence,

Further to your Jan 27/11 fax, this is to confirm that a statutory right-of-way (SRW) matching the future road dedication requirements along the Hyland Rd frontage is acceptable. However, a Restrictive Covenant may be required to identify conditions when road dedication will be required (e.g. building permit, subdivision, rezone, etc.).

If the SRW is granted, then it is our expectation that Alpha Beta will construct this portion of Hyland Rd. The cost, less any City contribution, will be cost-shared as follows: Alpha Beta = 72.8%, 13840 Hyland Rd = 17%, and 6746 - 138 St = 10.2%. The City will likely front-end the cost for 13840 Hyland Rd and 6746 - 138 St, which will either be added to the property taxes spread over time or late-comered.

If the SRW is not granted, then Alpha Beta will pay their contribution and Mr. Johnson will be required to construct in the future.

Pls review and advise.

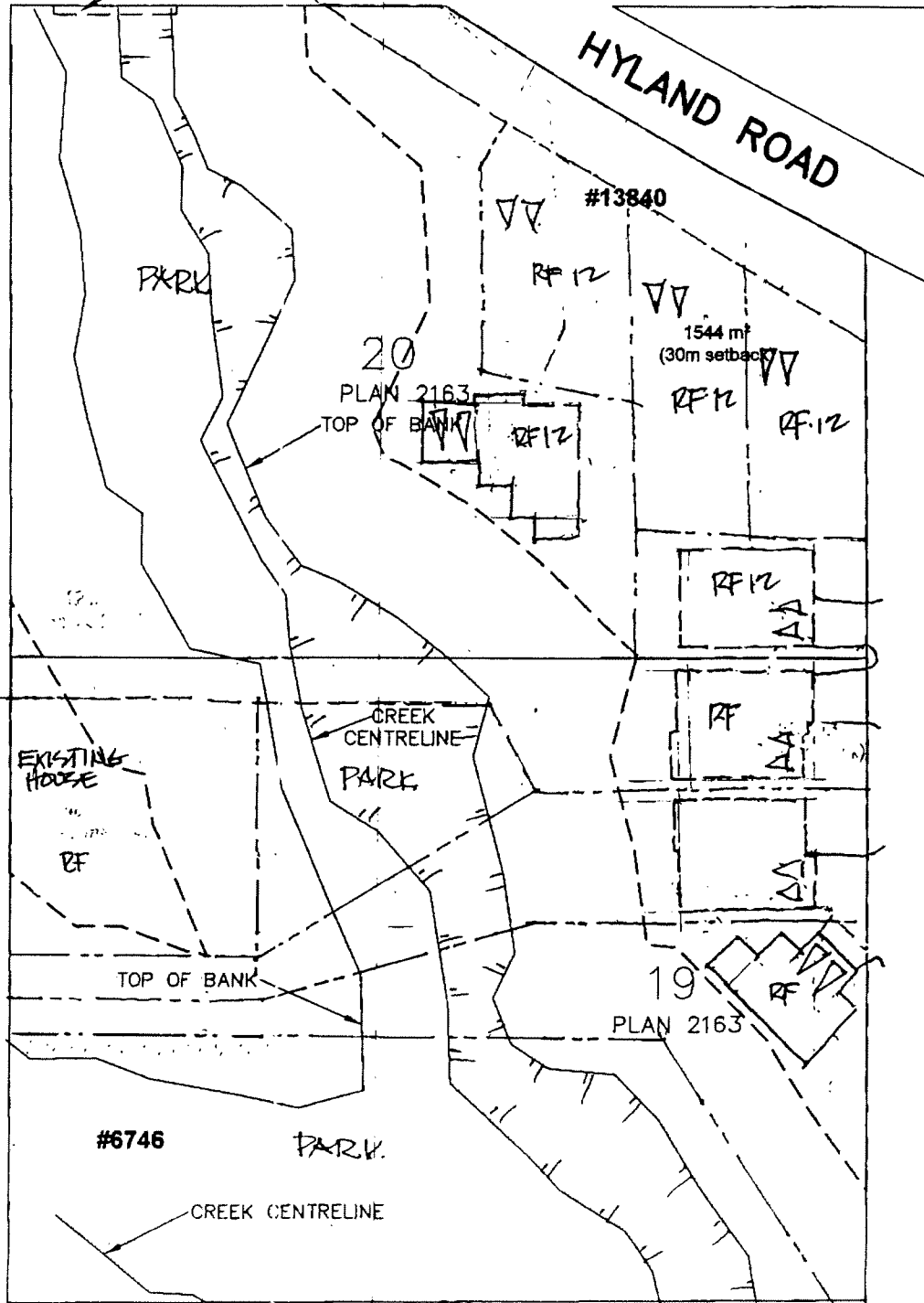
Sam

68th AVENUE

STATUTORY RIGHT OF WAY PLAN 57808

HYLAND ROAD

138th STREET



• PRELIMINARY SUBDIVISION CONCEPTS.

