

City of Surrey
ADDITIONAL PLANNING COMMENTS
Application No.:
7922-0305-01
Planning Report Date: July 8, 2024

## PROPOSAL:

- Housing Agreement
to regulate the tenure of 91 non-market rental dwelling units in an approved 6 -storey apartment building.

LOCATION:
15145-20 Avenue
15077-20 Avenue

ZONING:
RM-30
OCP DESIGNATION: Multiple Residential and Urban
TCP DESIGNATION: Low-Rise Residential and Townhouse Residential


## RECOMMENDATION SUMMARY

- Council file Housing Agreement By-law No. 20782.
- A By-law be introduced authorizing Council to enter into a new Housing Agreement and the By-law be given First, Second and Third Reading.


## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.


## RATIONALE OF RECOMMENDATION

- At the January 29, 2024 Regular Council - Land Use Meeting, Council granted final planning approvals to Development Application No. 7922-0305-0o to permit the development of a 6storey apartment building containing 91 non-market rental residential units.
- The applicant entered into a Housing Agreement as part of Development Application No. 7922-0305-00 to secure the 91 non-market rental units for a period of 30 years. The Housing Agreement required $75 \%$ of units to be rented below market rates and $25 \%$ of units to be rented as supportive housing for individuals with disabilities.
- At the April 8, 2024 Regular Council - Public Hearing Meeting, Council approved the NonMarket Rental Housing Development Incentive, which includes contributions for Surrey Development Cost Charges and Community Amenity Contributions for eligible non-market rental housing projects.
- For the project to be eligible for the Non-Market Rental Housing Development Incentive, the term of the Housing Agreement needs to increase from 30 years to 60 years.
- The proposed amendment to the Housing Agreement will support the delivery of non-market rental housing in Surrey.


## RECOMMENDATION

The Planning \& Development Department recommends that:

1. Council file Housing Agreement By-law No. 20782; and
2. A By-law be introduced to enter into a Housing Agreement and be given First, Second and Third Reading.

## SITE CONTEXT \& BACKGROUND

- At the January 29, 2024 Regular Council - Land Use Meeting, Council granted Final Adoption to Heritage Bylaw Amendment No. 20780, Zoning Bylaw Amendment No. 20781, and Housing Agreement Bylaw No. 20782 and issued Development Permit No.7922-0305-oo and Development Variance Permit No. 7922-0305-oo to permit the development of a six storey apartment building with 91 non-market rental units and the re-alignment of the Semiahmoo Heritage Trail.
- Housing Agreement Bylaw No. 20782 (the "Existing Housing Agreement") was issued for a $30-$ year term, required $75 \%$ of the units be affordable rental that are rented at $10 \%$ below average market rent, and $25 \%$ of the dwelling units be used as supportive rental units that are occupied by at least one person with a disability and rented as an affordable rental unit.
- At the April 8, 2024 Regular Council - Public Hearing Meeting, Council approved the NonMarket Rental Housing Development Incentive, which includes grants for Surrey Development Cost Charges ("DCCs") and Community Amenity Contributions ("CACs") for eligible non-market rental housing projects.
- To be eligible for the Non-Market Rental Housing Development Incentive, projects must have a secured rental tenure for a minimum period of 60 years and must be either owned and operated by a public housing body or operated by a public housing body.
- The applicant is a non-profit housing society that has entered into an Operating Agreement with BC Housing to operate the non-market housing on the subject site. However, the Existing Housing Agreement was registered for a term of 30 years, making the project ineligible for the Non-Market Rental Housing Development Incentive.


## DEVELOPMENT PROPOSAL

## Planning Considerations

- The applicant is proposing to replace the Existing Housing Agreement with a new Housing Agreement to meet the eligibility criteria of the Non-Market Rental Housing Development Incentive.


## Proposed Housing Agreement Amendment

- The Non-Market Rental Housing Development Incentive is one of the Housing Accelerator Fund ("HAF") initiatives that has been introduced by the City. The Non-Market Rental Housing Development Incentive provides eligible non-market housing projects with grants for DCCs and CACs.
- The Non-Market Rental Housing Development Incentive was introduced after the project received final planning approvals on January 29, 2024, while the building permit was being processed.
- The applicant proposes to enter into a new Housing Agreement with the City, with a term of 60 years so that the project meets the eligibility criteria of the Non-Market Rental Housing Development Incentive.
- The new Housing Agreement will maintain the same rental requirements of the Existing Housing Agreement; $75 \%$ of the dwelling units will be affordable rental units and up to $25 \%$ of the units will be supportive rental units for individuals with a disability.
- No further changes to the Housing Agreement are proposed.
- Staff support the proposal to extend the term of the Housing Agreement from 30 to 60 years as shown in Appendix I, as it will support the delivery of non-market rental housing in Surrey.


## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:
Appendix I. Proposed Housing Agreement
Appendix II. Initial Planning Report No. 7922-0305-oo, dated October 3, 2022
approved by Shawn Low

Don Luymes
General Manager
Planning and Development
BD/ar

## CITY OF SURREY

## HOUSING AGREEMENT

THIS HOUSING AGREEMENT made the $\qquad$ day of $\qquad$ 2024. BETWEEN:

CITY OF SURREY, a municipal corporation having its offices at 13450 - 104 Avenue, Surrey, B.C. V3T 1V8
(the "City")
OF THE FIRST PART
AND:
PENINSULA ESTATES HOUSING SOCIETY, a non-profit society having its offices at 15306-24 Avenue, Surrey, B.C. V4A 2J1
(the "Developer")
OF THE SECOND PART
WHEREAS:
A. The Developer is the current Registered Owner of those certain lands and premises located in the City of Surrey, in the Province of British Columbia, legally described as:

Parcel Identifier: 032-214-740
Lot 1 Section 15 Township 1 New Westminster District Plan EPP104138
(the "Lands");
B. The Developer proposes to use a portion of the Lands for a 6-storey residential building containing a total of up to 91 Dwelling Units and associated servicing and landscaping (the "Development") as shown on Schedule "A";
C. Section 483 of the Local Government Act, R.S.B.C. 2015, Chapter 1, as amended, authorizes the City to enter into a housing agreement.

NOW THEREFORE in consideration of the premises herein and of the mutual covenants and agreements hereinafter set forth and contained herein and $\$ 1.00$ now paid by the City to the Developer (the receipt of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

## 1. DEFINED TERMS

1.1 In and for the purpose of this Agreement, in addition to the definitions on the first page of this document, the following terms shall have the following meanings:
(a) "Affordable Housing" means the provision of the Affordable Rental Units within the Development;
(b) "Affordable Rental Unit" means a Dwelling Unit within the Development that are to be used and occupied in accordance with Sections 2.1 and 2.2 of this Agreement;
(c) "Affordable Rental Unit Eligibility Criteria means the criteria to establish a household in need of affordable housing, as determined by the Peninsula Estates Housing Society from time to time;
(d) "Agreement" means this Housing Agreement and any amendments to or modifications of the same;
(e) "City" means the City of Surrey, a municipal corporation having its offices at 13450-104 Avenue, Surrey, B.C. V3T 1V8;
(f) "Developer" means Peninsula Estates Housing Society, a non-profit society having its offices at 15306-24 Avenue, Surrey, B.C. V4A 2J1;
(g) "Development" means the same as Recital B;
(h) "Development Lands" means the portion of the Lands as shown shaded in blue on Schedule "A" comprising approximately 4,815 square metres on which the Development will be constructed;
(i) "Dwelling Unit" means each of the approximately 91 self-contained residential dwelling units to be constructed within the Development;
(j) "Lands" means the same as Recital A;
(k) "Registered Owner" means, at any given time, the then registered owner, or if more than one registered owner, the then registered owners of the Lands;
(I) "Supportive Rental Unit" means a Dwelling Unit within the Development that are to be used and occupied in accordance with Sections 2.1 and 2.3 of this Agreement;
(m) "Supportive Rental Unit Eligibility Criteria" means the criteria to establish a person has a disability, as defined from time to time by the Peninsula Estates Housing Society; and
(n) "Term" means sixty (60) years, commencing on the first day of the month after the City issues an occupancy permit for the Development.
1.2 The captions, section numbers and article numbers appearing in this Agreement are inserted for convenience of reference and shall in no way define, limit, construe or describe the scope of intent of this Agreement or in any way affect this Agreement.
1.3 Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine and neuter gender and vice versa, and words importing persons shall include firms and corporations and vice versa.
1.4 Unless otherwise stated, a reference in this Agreement to a numbered or lettered article, section, paragraph or clause refers to the articles, section, paragraph or clause bearing that number or letter in this Agreement.
1.5 The words "hereof", "herein" and similar expressions used in any section, paragraph or clause of this Agreement shall relate to the whole of this Agreement and not to that section, paragraph or clause only unless otherwise expressly provided.

## 2. RESTRICTION ON OCCUPANCY OF DWELLING UNITS

2.1 During the Term, the Development on the Development Lands shall be operated as a rental building and at least $75 \%$ of the Dwelling Units shall be occupied and used as Affordable Rental Units and up to $25 \%$ of the Dwelling Units shall be occupied and used as Supportive Rental Units.
2.2 Each Affordable Rental Unit shall be occupied by households that meet the Affordable Rental Unit Eligibility Criteria and rent for each Dwelling Unit will be a minimum of $10 \%$ below the average market rent rate. The average market rent rate is determined by a market rent appraisal of similar units within the City of Surrey.
2.3 Each Supportive Rental Unit shall be occupied by at least one person that meets the Supportive Rental Unit Eligibility Criteria unless there are no eligible applicants that meet the Supportive Rental Eligibility Criteria, in which case the affected Supportive Rental Until may be rented as an Affordable Rental Unit.
2.4 The City may, from time to time, request the Registered Owner to provide written proof of compliance with sections 2.1, 2.2 and 2.3 and the Registered Owner agrees to provide, or cause an operator of the Lands to provide, the City with such proof in a form reasonably satisfactory to the City.
2.5 During the Term, the Development Lands shall not be stratified.
2.6 This Agreement shall automatically terminate at the end of the Term and the City shall remove notice of this Agreement from title to the Lands at such time.
2.7 The City and the Registered Owner agree that the restrictions on occupancy of the Dwelling Units set out in this Agreement shall not apply to the Lands other than the Development Lands.

## 3. ENFORCEMENT

3.1 If the Registered Owner fails to enforce compliance with the terms and conditions of Part 2, then it is specifically understood and agreed that the City will be entitled, but will not be obliged, to enforce the terms and conditions of Part 2.

## 4. LIABILITY

4.1 The Registered Owner will indemnify and save harmless the City and each of its selected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reasons of or arising out of failure of the Registered Owner to comply with the terms and conditions of this Agreement.
4.2 Provided the City is in compliance with the terms and conditions of this Agreement, the Registered Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Registered Owner now has or hereafter may have with respect to or by reasons of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

## 5. NOTICE

5.1 Any notices or other documents to be given or delivered pursuant to this Agreement will be addressed to the proper party as follows:
(a) As to the City:

City of Surrey
13450 - 104 Avenue
Surrey, BC V3T 1V8
Attention: General Manager, Planning and Development Department
(b) As to the Developer:

Peninsula Estates Housing Society
15306-24 Avenue
Surrey, BC V4A 2J1
Attention: Chief Executive Officer
or such other address as such party may direct. Any notice or other documents to be given or delivered pursuant to this Agreement will be sufficiently given or delivered if delivered to the particular party as its address set out or determined in accordance with this section and shall be deemed complete two (2) days after the day of delivery.
5.2 It is specifically agreed that for any notice or document to be validly given or delivered pursuant to this Agreement, such notice or document must be delivered and not mailed.

## 6. GENERAL

6.1 Nothing in this Agreement:
(a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the uses or subdivision of land; and
(b) relieves the Registered Owner from complying with any enactment, including the City's by-laws.
6.2 The Developer and the City acknowledge and agree that this Agreement is only intended to apply to the Development on the Development Lands and not any other portion of the Lands. The City covenants and agrees that concurrently with the registration of any subdivision plan (including an airspace subdivision plan, or a strata plans pursuant to the Strata Property Act) that creates a separate legal parcel or parcels for the Development Lands, the City will, without delay, execute in registrable form and deliver to the Developer for filing in the applicable land title office, a discharge of any notice of this Agreement from title to the parcel(s) so created that do not contain the Development or any portion thereof. Such discharge is to be prepared and registered at the sole cost of the Developer.
6.3 The Developer agrees to obtain from any prospective purchaser or other transferee of the Development an agreement to be bound by the terms of this Agreement. The Developer agrees that the Development will not be held by, or transferred to, more than two parties as Registered Owner without the written consent of the City.
6.4 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach
in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.
6.5 Time is of the essence of this Agreement.
6.6 This Agreement shall be construed in accordance with and governed by the laws of the Province of British Columbia.
6.7 If a court of competent jurisdiction finds that any part of this Agreement is invalid, illegal or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
6.8 Upon request by the City, the Registered Owner of the Lands will promptly do such acts and execute such documents as the City may reasonably require, in the opinion of the City, to give effect to this Agreement.
6.9 This is the entire Agreement between and among the parties concerning the subject matter of this Agreement and there are no warranties, representations, conditions or collateral agreements relating to this Agreement, except as included in this Agreement.
6.10 This Agreement may be enforced by prohibitory and mandatory court order of the Court. In any action to enforce this Agreement, the City shall be entitled to court costs on a solicitor and own client basis.
6.11 This Agreement shall enure to the benefit of and be binding upon the Registered Owner of the Lands and its successors and assigns and all parties claiming through them and this Agreement shall enure to the benefit of and be binding upon the City and its successors and assigns. This Agreement shall charge and run with the Lands.
6.12 The covenants of the Registered Owner contained herein shall be personal and be binding upon the Registered Owner only during its ownership of any interest in the Lands herein described.

IN WITNESS WHEREOF the City of Surrey and the Provider have executed this Agreement under seal of their duly authorized officers as of the references of this Agreement.

## CITY OF SURREY

By:
Authorized Signatory
Brenda Locke,
Mayor
City of Surrey
$B y:$
Authorized Signatory
Jennifer Ficocelli,
City Clerk
City of Surrey

## PENINSULA ESTATES HOUSING SOCIETY

By :


Authorized Signatory
Name: Doug Tennant
Title: Chief Executive Officer

Attachments: Appendix "A" - Site Plan

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City of Surrey

## PLANNING \& DEVELOPMENT REPORT

## Application No.: $\quad 7922-0305-00$

Planning Report Date: October 3, 2022

## PROPOSAL:

- Development Permit
- Development Variance Permit
- Housing Agreement
- Heritage Designation Bylaw Amendment
- Zoning Bylaw Amendment

To permit the development of a six-storey building with 91 non-market rental residential units.

| LOCATION: | $15077-20$ Avenue |
| :--- | :--- |
|  | $15153-20$ Avenue |
| ZONING: | RM-30 |
| OCP DESIGNATION: | Multiple Residential and Urban |
| TCP DESIGNATION: | Low-Rise Residential and <br>  Townhouse Residential |



## RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for:
- Amendments to Surrey Semiahmoo Trail Heritage Designation Bylaw, 2004, No. 15280, as amended; and
- Amendments to Schedule H of Surrey Zoning Bylaw, 1993, No. 12000, as amended.
- Approval to draft Development Permit for Form and Character.
- Approval for Development Variance Permit to proceed to Public Notification.
- By-law Introduction, First, Second and Third Reading for a Housing Agreement.


## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Proposing an amendment to Surrey Semiahmoo Trail Heritage Designation Bylaw, 2004, No. 15280, as amended, to facilitate the realignment of a portion of the Semiahmoo Trail.
- Proposing an amendment to Schedule H (Location of Semiahmoo Trail) of Surrey Zoning Bylaw, 1993, No. 12000, as amended, to facilitate the realignment of a portion of the Semiahmoo Trail.
- Proposing to increase the maximum height requirement of the Multiple Residential 30 Zone (RM-30).
- Proposing to decrease the minimum building setbacks of the RM-30 Zone for two buildings that are proposed to be retained.
- Proposing to reduce the minimum setback requirement from the Semiahmoo Trail for the building entry canopy along 151A Street.
- Proposing to reduce the minimum parking requirement.
- Proposing to reduce the indoor amenity space requirement and waive the cash-in-lieu contribution for the shortfall.


## RATIONALE OF RECOMMENDATION

- The proposed development is comprised of $100 \%$ non-market rental units, which will provide much needed inclusive, supportive, and affordable housing for residents of South Surrey that reflects the diversity of the community. The targeted tenants for the building are families and individuals, such as seniors, students, people with disabilities, and front-line workers, who need quality affordable housing in the neighbourhood where they grew up or work.
- At the April 26, 2021, Regular Council - Public Hearing meeting, Council considered a similar Development Application (No. 7919-0306-oo) to the current proposal for the subject site. At that meeting, the application was referred back to staff to address the concerns raised during the Public Hearing regarding a number of aspects of the proposal.
- The applicant, Peninsula Estates Housing Society (PEHS), subsequently worked to address these issues and further engaged with residents in the surrounding neighbourhood who had raised concerns about the proposal.
- Additional Planning Comments on Development Application No. 7919-0306-oo were provided to Council at the June 28, 2021, Regular Council - Land Use meeting, which provided a summary of the additional consultation undertaken, described the revisions made to the proposal, summarized the correspondence received in support of and opposition to the development, and provided clarity on the proposed realignment of the Semiahmoo Trail. At that meeting, a new Public Hearing was scheduled for July 26, 2021.
- Following the Public Hearing on July 26, 2021, Council voted to deny the proposal and the application was subsequently closed.
- The current proposal is the same as the revised Development Application No. 7919-0306-oo that was considered at the June 28, 2021, Regular Council - Land Use meeting and the July 26, 2021, Regular Council - Public Hearing meeting.
- The Surrey Housing Needs Report was released in April 2022, which confirmed there is a significant demand for non-market, affordable housing in Surrey, with one-third of renter households in Surrey in core housing need, spending $30 \%$ or more of their gross household income on housing. More than one in ten renter households are in extreme core housing need, spending 50\% or more of their household income on housing.
- The proposal to construct a 91-unit, non-market, rental apartment building on a portion of the site complies with Policy No. O-61 (Rental Housing Redevelopment: Rental Replacement and Tenant Relocation Assistance). Seventeen (17) existing rental housing units on-site are proposed to be replaced with a higher than 1:1 replacement ratio. The rental units will be offered at below-market rental rates and will be secured with a Housing Agreement.
- The proposed Housing Agreement will secure $75 \%$ of the 91 dwelling units as affordable rental units and up to $25 \%$ of the dwelling units as supportive rental units for persons with disabilities for a period of thirty (30) years.
- The proposal complies with the Multiple Residential and Urban designations in the Official Community Plan (OCP) and the Low-Rise Residential and Townhouse Residential designations in the Semiahmoo Town Centre Plan (TCP).
- The proposal complies with the Development Permit requirements in the OCP for Form and Character.
- The segment of the Semiahmoo Trail that is proposed to be realigned as part of this development is not part of the historic alignment of the Trail. The proposed amendments to Surrey Semiahmoo Trail Heritage Designation Bylaw, 2004, No. 15280, as amended and Schedule H (Location of Semiahmoo Trail) of Surrey Zoning Bylaw, 1993, No. 12000, as amended will facilitate the realignment of this segment of the Semiahmoo Trail, which currently runs through the centre of the subject site on City-owned lot 15153-20 Avenue. The realignment of the Trail to the west side of 151A Street will provide for a more coherent and visible trail alignment that does not traverse through private property and would provide a better connection to the Trail head at the north end of 151 A Street.
- The site's current RM-30 Zoning allows for medium density, multiple unit residential buildings and ground-oriented multiple unit residential buildings, however, the maximum height permitted for a principal building is 13.0 metres. The proposed building will be 19.2 metres, or 6-storeys, requiring a variance to the allowable building height of the RM-30 Zone. The building is proposed to be located at the southeast corner of the site closest to the intersection of 20 Avenue and 151A Street, so the additional building height will not have a direct interface impact on neighbouring townhouse properties to the west or to the north.
- Due to the required road dedication along 151A Street to accommodate the realignment of the Semiahmoo Trail, two of the existing buildings proposed to be retained adjacent to 151A Street will no longer meet the minimum setback requirements of the RM-3o Zone. A variance is therefore required in order to retain those two buildings.
- The Zoning Bylaw requires a 10.0 metre building setback from the lot line of the Semiahmoo Trail for any new buildings constructed. The proposed building will meet the required setback; however, the entry canopy is proposed to have a reduced setback of 8.0 metres. This variance is minimal and is not anticipated to have an impact on the Trail.
- The Zoning Bylaw requires a total of 137 parking spaces for the proposed new apartment building to be provided on site. The applicant is proposing to provide a total of 83 parking spaces for the new building, at a ratio of o. 84 parking spaces per residential unit and o.o8 visitor parking spaces per residential unit. A parking study was prepared for the proposal that took into consideration factors affecting resident vehicle ownership, including the tenure of the units (rental vs. strata), the income level of the tenants, and the proximity to frequent transit. In this case, lower vehicle ownership is anticipated based on all of these factors, since the proposed development is non-market rental housing within 150 metres of the existing Frequent Transit Network (FTN) along 152 Street. In addition, the applicant has confirmed that the supportive housing units within the proposed development are to be occupied by persons with developmental disabilities, the majority of whom do not own a car or drive.
- The proposed development provides a public benefit through the creation of 91 new affordable housing units, including supportive units for persons with disabilities, and the realignment of a portion of the Semiahmoo Trail to a more prominent location. Under Development Application No. 7919-0306-00, a Partnering Agreement and Land Exchange Agreement were presented to Council in Corporate Report No. Ro51 at the March 8, 2021, Regular Council - Public Hearing meeting and received Council's approval. Given the current proposal is not substantively different than the previous proposal, the Partnering Agreement identified in Corporate Report No. Ro5ı will continue to regulate development on the site. An amendment to the Partnering Agreement to reflect the new application (No. 7922-0305-oo) will brought forward for consideration by Council for their review and approval, which will be done prior to the Public Hearing.


## RECOMMENDATION

The Planning \& Development Department recommends that:

1. A By-law be introduced to amend Surrey Semiahmoo Trail Heritage Designation Bylaw, 2004, No. 15280, as amended, as described in Appendix IX, and a date be set for Public Hearing.
2. A By-law be introduced to amend Schedule H (Location of Semiahmoo Trail) of Surrey Zoning Bylaw, 1993, No. 12000, as amended, as described in Appendix X, and a date be set for Public Hearing.
3. A By-law be introduced to enter into a Housing Agreement and be given First, Second and Third Reading.
4. Council authorize staff to draft Development Permit No. 7922-0305-oo including a comprehensive sign design package generally in accordance with the attached drawings (Appendix I).
5. Council approve Development Variance Permit No. 7922-0305-oo (Appendix VI) varying the following, to proceed to Public Notification:
(a) to vary the maximum building height of the RM-30 Zone allowed from 13.0 metres to 19.2 metres;
(b) to reduce the minimum Side Yard on Flanking Street (151A Street) setback from 7.5 metres to 3.5 metres for the existing apartment building and to 2.1 metres for the existing townhouse building;
(c) to reduce the minimum setback from the Semiahmoo Trail from 10.0 metres to 8.0 metres to the entry canopy along 151A Street;
(d) to reduce the minimum number of on site parking spaces from 137 parking spaces to 83 parking spaces; and
(e) to reduce the indoor amenity requirement of the RM-30 Zone from 279.0 square metres to 116.0 square metres.
6. Council instruct staff to resolve the following issues prior to final approval:
(a) ensure that all engineering requirements and issues including restrictive covenants, dedications, 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) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
(d) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
(e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
(f) the applicant enter into a Housing Agreement with the City to restrict $75 \%$ of the proposed 91 dwelling units to affordable rental units and up to $25 \%$ of the proposed dwelling units to supportive rental units for a period of thirty (30) years;
(g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
(h) registration of a Section 219 Restrictive Covenant requiring the applicant to pay all deferred financial contributions for Public Art, Affordable Housing, and/or Capital Projects Community Amenity Contributions for the development should the project be converted from affordable rental housing to market units at any point in the future, after expiry of the Housing Agreement; and
(i) registration of a Section 219 Restrictive Covenant for installation and maintenance of the landscape buffer for the Semiahmoo Trail.

## SITE CONTEXT \& BACKGROUND

| Direction | Existing Use | TCP Designation | Existing <br> Zone |
| :--- | :--- | :--- | :--- |
| Subject Site | Townhouses and one Low- <br> Rise Apartment Building |  <br> Townhouse Residential | RM-30 |
| North: | Townhouses | Urban (OCP) | RM-15 |
| East: | Townhouses | Urban (OCP) | RM-10 |
| South (Across <br> 20 Avenue): |  <br> Townhouses | Low-Rise Residential (4-6 Storeys) <br> \& Urban (OCP) | LUC 371 |
| West (Across <br> 151A Street): |  <br> Gas Station | Low-Rise Mixed Use (4-6 Storeys) | C-8 \& CG-2 |

## Context \& Background

- The subject site includes two properties in Semiahmoo Town Centre and is approximately 2.17 hectares in net area. One of the subject properties is the site of a non-market multifamily housing development with 52 existing townhouses and 18 existing apartment units operated by Peninsula Estates Housing Society (PEHS). The second property, which bisects the first, is a City-owned lot containing the Semiahmoo Trail, which is heritage designated.
- The properties are designated "Multiple Residential" and "Urban" in the Official Community Plan (ОСР) and "Low-Rise Residential" and "Townhouse Residential" in the Semiahmoo Town Centre Plan. The site is zoned "Multiple Residential 30 Zone (RM-30)".
- The site is located at the western edge of the Semiahmoo Town Centre Plan area.
- Peninsula Estates, originally developed in the early 1980 os, consists of 52 existing two- and three-bedroom ground-oriented townhouses and an 18 -unit apartment building, consisting of one-bedroom units, with at-grade parking. The property is owned and operated by Peninsula Estates Housing Society (PEHS), a non-profit housing society whose objective is the relief of poverty and to benefit the community. PEHS is an affordable and inclusive housing provider, that currently owns and operates 123 affordable rental homes across two housing projects in Surrey.
- At the April 26, 2021, Regular Council - Public Hearing meeting, Council considered a similar Development Application (No. 7919-0306-oo) to the current proposal for the subject site. At that meeting, the application was referred back to staff to address the concerns raised during the Public Hearing regarding a number of aspects of the proposal, such as the realignment of the Semiahmoo Trail, setback variances, building height, increased traffic, parking, and future plans for the site.
- The applicant subsequently worked to address these issues and further engaged with residents in the surrounding neighbourhood who had raised concerns about the proposal.
- Additional Planning Comments on Development Application No. 7919-0306-oo were provided to Council at the June 28, 2021, Regular Council - Land Use meeting, which provided a summary of the additional consultation undertaken, described the revisions made to the proposal, summarized the correspondence received in support of and opposition to the development, and provided clarity on the proposed realignment of the Semiahmoo Trail. At that meeting, a new Public Hearing was scheduled for July 26, 2021.
- Following the Public Hearing on July 26, 2021, Council voted to deny the proposal and the application was subsequently closed.
- The current proposal is the same as the revised Development Application No. 7919-0306-oo that was considered at the June 28, 2021, Regular Council - Land Use meeting and the July 26, 2021, Regular Council - Public Hearing meeting.
- The Surrey Housing Needs Report was released in April 2022, which confirmed there is a significant demand for non-market, affordable housing in Surrey, with one-third of renter households in Surrey in core housing need, spending 30\% or more of their gross household income on housing. More than one in ten renter households are in extreme core housing need, spending $50 \%$ or more of their household income on housing.
- A portion of the subject site, consisting of 17 of the existing 52 townhouses, is proposed to be redeveloped to accommodate 91 non-market rental apartment units, which will provide much needed inclusive, supportive, and affordable housing for residents of South Surrey that reflects the diversity of the community. The targeted tenants for the building are families and individuals, such as seniors, students, people with disabilities, and front-line workers, who need quality affordable housing in the neighbourhood where they grew up or work.
- The proposed redevelopment also provides an opportunity to realign the short portion of the Semiahmoo Trail that currently bisects the PEHS site. The realignment of this segment of the Trail to the west side of ${ }_{151}$ A Street will provide for a more coherent and visible trail alignment.
- In order to facilitate the realignment of the Semiahmoo Trail and the proposed development, the applicant had previously entered into a Partnering Agreement and Land Exchange Agreement with the City, whereby the City could provide certain types of assistance to the applicant in exchange for the applicant providing affordable and supportive rental housing units and realigning and constructing a segment of the Semiahmoo Trail.
- Under Development Application No. 7919-0306-oo, a Partnering Agreement and Land Exchange Agreement were presented to Council in Corporate Report No. Ro51 at the March 8, 2021, Regular Council - Public Hearing meeting and received Council's approval. Given the current proposal is not substantively different than the previous proposal, the Partnering Agreement identified in Corporate Report No. Ro5ı will continue to regulate development on the site. An amendment to the Partnering Agreement to reflect the new application (No. 7922-0305-oo) will brought forward for consideration by Council for their review and approval, which will be done prior to the Public Hearing.
- In conjunction with the proposal to redevelop a portion of the subject site, the applicant has provided their Tenant Relocation Policy and a Current Occupancy Summary in consideration of City Policy No. O-61.
- In addition to consideration of City Policy No. O-61, the applicant must comply with any Provincial requirements under the Residential Tenancy Act (RTA).
- The applicant has provided a concept for how the remainder of the site might be redeveloped in the future in up to four additional phases, with two additional apartment buildings on the western portion of the site and redeveloped townhouses on the eastern portion (Appendix XII).


## Need for Affordable and Inclusive Housing in Surrey

- The Surrey Housing Needs Report was released in April 2022, which confirmed there is a significant demand for non-market, affordable housing in Surrey.
- One-third of renter households in Surrey are in core housing need. They live in housing that is considered unaffordable, spending $30 \%$ or more of their gross household income on housing.
- More than one in ten renter households are in extreme core housing need, spending $50 \%$ or more of their household income on housing.
- As of 2019, there were over 2,500 applicants for non-market housing in Surrey on BC Housing's Housing Registry waitlist.
- BC Housing's Housing Registry waitlist data over time shows a steady increase in the number of applicants for non-market housing in Surrey, with the number of households on the Housing Registry growing by 93\% between 2013 and 2019. (Source: BC Housing July 2013, June 2014, June 2015, June 2016, June 2017, July 2018-2019).
- The waitlist growth in Surrey ( $93 \%$ ) surpasses the regional average across Metro Vancouver ( $39 \%$ ) or any of its comparable communities (Vancouver: 13\%; Richmond: 41\%; Burnaby:
$43 \%)$, demonstrating there is significant unmet demand in Surrey for non-market housing (Source: BC Housing, Metro Vancouver Housing Data Book).
- There is a lack of affordable and suitable housing in Surrey for:
o Persons with disabilities, including for those needing supportive housing;
o Seniors on limited, fixed incomes and with mobility issues;
o Young adults facing significant housing costs in relation to their incomes; and
o Refugees and recent immigrants, who are more likely to face discrimination in their housing search.
- The applicant has indicated that they have a waitlist of 256 people who are interested in living in the proposed building if it is approved and constructed. Of these, 130 people have indicated they have intellectual disabilities, while the other 126 people are from South Surrey and do not have disabilities.


## DEVELOPMENT PROPOSAL

## Planning Considerations

- The applicant has submitted a development application for a Form and Character Development Permit, a Heritage Designation Bylaw amendment, and Zoning Bylaw amendment, to relocate a portion of the Semiahmoo Trail, a subdivision (lot consolidation), and a Development Variance Permit to allow for the development of a 6-storey, 91-unit apartment building for affordable and supportive housing on the site.
- The proposed density of the overall site is 66.4 units per hectare ( 26.9 upa) and o.51 floor area ratio (FAR). The proposal complies with the "Low-Rise Residential" and "Townhouse Residential" designations in the Semiahmoo Town Centre Plan and the RM-3o Zoning of the site.
- The following table provides the development data:

|  | Proposed |  |  |
| :---: | :---: | :---: | :---: |
| Lot Area |  |  |  |
| Gross Site Area: Road Dedication: Net Site Area: | 2.24 hectares 0.07 hectares 2.17 hectares |  |  |
| Number of Lots: | 1 |  |  |
| Building Height: | 19.2 metres |  |  |
| Unit Density: | 66.4 uph (26.9 upa) |  |  |
| Floor Area Ratio (FAR): | 0. 51 FAR |  |  |
| Floor Area | Existing | Proposed | Total |
| Residential: <br> Commercial: Total: | $\begin{aligned} & \text { 4,977 sq. m. } \\ & \text { N/A } \\ & \text { 4,977 sq. m. } \end{aligned}$ | $\begin{aligned} & \text { 6,149 sq. m. } \\ & \text { N/A } \\ & \text { 6,149 sq. m. } \end{aligned}$ | $\begin{aligned} & \text { 11,126 sq. m. } \\ & \text { N/A } \\ & 11,126 \text { sq. m. } \end{aligned}$ |
| Residential Units: | Existing | Proposed | Total |
| Studio: 1-Bedroom: | $\begin{aligned} & \hline \mathrm{o} \\ & 18 \end{aligned}$ | $\begin{aligned} & 18 \\ & 42 \end{aligned}$ | $\begin{aligned} & 18 \\ & 60 \end{aligned}$ |


|  | Proposed |  |  |
| :--- | :--- | :--- | :--- |
| 2-Bedroom: | 26 | 24 | 50 |
| 3-Bedroom: | 9 | 7 | 16 |
| Total: | 53 | 91 | 144 |

## Referrals

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

School District:

Parks, Recreation \& Culture:

The School District has advised that there will be approximately 72 school-age children generated by this development, of which the School District has provided the following expected student enrollment.

28 Elementary students at H.T. Thrift Elementary School 28 Secondary students at Semiahmoo Secondary School
(Appendix III)
Note that the number of school-age children is greater than the expected enrollment due to students attending private schools, home school or different school districts.

The applicant has advised that the dwelling units in this project are expected to be constructed and ready for occupancy by Winter 2024.

Parks supports the relocation of the Semiahmoo Trail and notes that the applicant has done a good job of responding to staff requests for tree retention along the new alignment (151A Street). Staff will continue to collaborate with the applicant through detailed design to achieve the tree retention plan as proposed.

The closest active park is Meridian By The Sea Park and is 200 metres away, and the closest natural area is Semiahmoo Trail and is less than 100 metres away. Future parkland is proposed within 450 metres of the subject site as part of the Semiahmoo Town Centre Plan (TCP) .

Surrey Fire Department: No concerns.

Heritage Advisory
Commission (HAC)

Advisory Design Panel: Under the previous Development Application (No. 7919-0306-oo), the proposal was considered at the ADP meeting on November 5, 2020 and was supported. No substantive changes affecting the form and character of the building have been introduced since that time and, therefore, the application has not been referred back to the ADP. The applicant has resolved most of the outstanding items from the previous ADP review as outlined in the Development Permit section of this report. Any additional revisions will be completed prior to Council's consideration of Final Adoption of the rezoning by-law, to the satisfaction of the Planning and Development Department.

## Transportation Considerations

## Traffic Impacts

- This proposal was not required to submit a Traffic Impact Analysis (TIA) as it did not meet the Surrey Design Criteria Manual threshold of generating an additional 100 peak-hour trips.
- Based on the Institute of Traffic Engineers Trip Generation Manual, the proposal is anticipated to generate an additional approximately 51 trips in the peak hour (equating to approximately one vehicle every one to two minutes). This represents a $3 \%$ increase in peakhour traffic on 20 Avenue, which is considered minimal.
- To address neighbourhood concerns raised regarding safety at the intersections of 20 Avenue and 151A Street and of 20 Avenue and 152 Street, improvements as part of a City capital project are planned with extension of the eastbound left-turn bay at 20 Avenue and 152 Street, and restriction of 151 A Street to right-in/right-out only at 20 Avenue.
- To address neighbourhood concerns raised about current traffic performance, staff have conducted a comprehensive review of adjacent intersections for signal timing changes and any additional left turn phases. Based on industry standard criteria and consistent evaluation practice for all signalized intersections throughout the City, no further changes beyond the planned City capital improvements are warranted at this time.
- The applicant is proposing to realign and construct the Semiahmoo Trail to the west side of 151A Street and the north side of 20 Avenue, fronting the subject site. In order to accommodate the proposed alignment of the Semiahmoo Trail with tree retention, the applicant will be dedicating an additional approximately 5.6 metre width of road allowance on 151A Street.
- The applicant will also be required to construct a new crosswalk on 20 Avenue to accommodate pedestrians and cyclists on the Semiahmoo Trail travelling to and from the south side of 20 Avenue.
- Additional improvement and cycling facilities along 20 Avenue to the west and east of the site frontage are planned as City capital projects, as identified in the $10-$ Year Servicing Plan.


## Access

- Vehicle access to the underground parking for the proposed 91-unit apartment building is proposed via the existing access off 20 Avenue.
- Vehicle access to the existing units is proposed to be retained and will be from the existing accesses off 20 Avenue and the north end of ${ }_{151}$ A Street.


## Parking

- The proposed additional units require 137 parking spaces to be provided on site, per the Zoning Bylaw.
- The applicant is proposing to provide 83 parking spaces for the proposed additional units, equivalent to a ratio of 0.84 parking spaces per unit, plus 0.08 visitor parking spaces per unit.
- The applicant engaged a Transportation Consultant to advise on the parking requirements for the project. A parking study was prepared that took into consideration factors affecting resident vehicle ownership, including the tenure of the units (rental vs. strata), the income level of the tenants, and the proximity to frequent transit.
- The analysis concluded that lower vehicle ownership is anticipated for the proposed development based on non-market rental that is in close proximity (within 150 metres) of the existing Frequent Transit Network (FTN) service provided along 152 Street from the 321 and 351 routes.
- While the proposed rate of o. 84 stalls per unit for non-market rental is below the recently approved rate for Citywide Market Rental of 1.1 per unit, the $25 \%$ reduction is supportable in consideration of the long term non-market rental housing being provided.
- In addition, the applicant has confirmed that the supportive housing units within the proposed development, which will make up about $25 \%$ of the total units, are to be occupied by persons with developmental disabilities, the majority of whom do not own cars or drive. This is consistent with the $25 \%$ reduction to the Citywide Market Rental rate.


## Natural Area Considerations

- The applicant is proposing to retain a large proportion of the existing trees along 151 A Street within the proposed new alignment of the Semiahmoo Trail.
- In consideration of the Semiahmoo Trail Design Guidelines, the applicant will be required to provide a 7.5 metre wide landscape buffer adjacent to the new building on private property, to be secured through a Section 219 Restrictive Covenant. The landscape buffer will consist of primarily native trees and shrubs, as well as a split rail fence.
- If/when the applicant decides to proceed with any future phases, they will be required to extend the landscape buffer to the north on private property adjacent to 151A Street.


## Sustainability Considerations

- The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.
- In addition, the applicant has highlighted the following additional sustainable features:
o Targeting Step Code 3 for energy efficiency, which takes into consideration building envelope performance, mechanical efficiency and performance, reduced energy consumption, and indoor air quality;
o Passive heating and cooling have been incorporated into the building design where possible;
o Drought tolerant and low maintenance plant materials are proposed, as well as all soft landscape areas are to be irrigated using a high efficiency design-built system that uses a rain sensor to reduce water consumption;
o On site storm water infiltration and retention capacity will be improved through the amount of permeable surface in the public realm, on site planting, and the use of an intensive green roof system; and
o Bird-friendly design through provision of a continuous tree canopy utilizing native and adaptive, drought tolerant perennials, grasses, deciduous and evergreen trees, and shrubs with occasional edible fruits to attract birds and insects.


## School Capacity Considerations

- The School District has advised in their memo dated May 26, 2020, that the elementary school in the catchment area, H.T. Thrift Elementary School, is over capacity, but that the school's growth is leveling off.
- At this time, enrollment space at H.T. Thrift Elementary School is addressed through portables and will continue to be in the near future. There are no capital expansion projects planned for the school at this time.
- With the opening of Grandview Heights Secondary School in September 2021, the enrollment at Semiahmoo Secondary School has dropped and is now under capacity.


## POLICY \& BY-LAW CONSIDERATIONS

## Regional Growth Strategy

- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).


## Official Community Plan

## Land Use Designation

- The subject site is designated "Multiple Residential" and "Urban" in the Official Community Plan (OCP). The proposed development complies with the OCP designation.


## Themes/Policies

- The proposed development is consistent with the following OCP Themes and Policies:
o Growth Management
- Growth Priorities: Support compact and efficient land development that is consistent with the Metro Vancouver Regional Growth Strategy (RGS).
- Growth Priorities: Accommodate urban land development first in City Centre and Town Centre locations well-served by local services, infrastructure, and transit.
- Accommodating Higher Density: Direct residential and mixed-use development into Surrey's City Centre, Town Centres, along Frequent Transit Corridors and in approved Secondary Plan areas, at densities sufficient to encourage commercial development and transit service expansion.
- Sensitive Infill: Require redevelopment and infill development to contribute to neighbourhood walkability and to enhance public open spaces and greenspaces within existing neighbourhoods.
o Centres, Corridors and Neighbourhoods
- Healthy Neighbourhoods: Plan and design urban neighbourhoods with sufficient densities to support a high-quality transit system that is accessible to most residents.
o Society and Culture
- Affordable Housing: Work with government agencies, community groups and private developers to accommodate a full range of affordable and accessible housing that meets the needs of Surrey's diverse population.
- Non-Market Rental: Support non-market housing for a diversity of lowincome households, including mental health and addictions, youth, seniors, people with disabilities, women, low-income singles, families with children, urban Aboriginals and refugees.
- Non-Market Rental: Support the development of non-market housing through actions such as expediting applications, decreasing parking requirements, waiving development fees or charges, contributing land, etc.


## Secondary Plans

## Land Use Designation

- A portion of the subject site is designated "Low-Rise Residential" in the Semiahmoo Town Centre Plan (TCP), and the remainder is designated "Townhouse Residential".
- The proposed 6-storey apartment form and density are consistent with the "Low-Rise Residential" designation in the Semiahmoo Town Centre Plan (TCP).
- Although the Building Height Strategy designates this site for up to 5 storeys ( $6^{\text {th }}$ storey permitted with approximately 5 metre step back), one of the seven Housing Policies noted in the plan is to support additional density and variances to development parameters including building height for developments with a significant non-market housing component. The subject application is proposing $100 \%$ non-market rental housing.


## Themes/Objectives

- The proposed development is consistent with the following Planning Principles outlined in the Semiahmoo Town Centre Plan (TCP):
o Community Values
- Improve Connectivity: Provide more connections to support walking and cycling throughout the community.
- Provide a Range of Housing Types: Increase family-oriented and seniororiented apartments and townhouse housing stock with the Town Centre.
- Recognize Established Neighbourhood: Respect existing single-detached neighbourhoods and low-rise residential buildings that are planned to be retained long term.
o Smart Growth Objectives
- Accommodate Growth Sustainably: Focus growth into established urban centres to maximize the benefits of compact sustainable development.
- Foster Inclusivity: Support a diverse inter-cultural and inter-generational group of residents with varying incomes, needs, and abilities.
- Encourage Multi-Modal Travel: Shift the emphasis from automobile reliance to walking, cycling, and public transportation.


## Rental Housing Redevelopment Policy (City Policy No. O-61)

- On April 9, 2018, Council approved Corporate Report No. Ro66, which outlined City Policy No. O-61 (Rental Housing Redevelopment: Rental Replacement and Tenant Relocation Assistance Policy) as part of Surrey's Affordable Housing Strategy: A Focus on Rental Housing.
- The Surrey Affordable Housing Strategy includes specific strategies to prevent the loss of purpose-built rental housing and strengthen protection for tenants. The Rental Housing Redevelopment Policy (City Policy No. O-61) sets out requirements for redevelopment of purpose-built rental housing and provision of assistance to tenants when redevelopment occurs.
- The following illustrates the rental replacement requirements and the applicant's responses (staff comments in italics):
o Redevelopment of a purpose-built rental site requires replacement of the existing rental units within the new development.
- The applicant is proposing to construct a 6 -storey purpose-built rental building on the subject site.
(The proposed apartment building will provide a total of 91 new belowmarket rental units on the subject site, replacing 17 existing units).
o Replacement of purpose-built rental units shall include, at a minimum, the same number of total bedrooms as in the original development.
- The applicant is proposing to replace 14 two-bedroom townhouse units and three (3) three-bedroom townhouse units, totaling 37 bedrooms with a 6storey purpose-built rental building. The proposed new building will provide 91 below-market rental units with a total of 114 bedrooms. Additionally, there will be 18 studio units without a bedroom.
(The applicant is exceeding the 1:1 replacement requirement under City Policy No. O-61.)
o Replacement units are required to be "affordable rental" for low to moderate income households, rented as a maximum of $10 \%$ below current Canadian Market and Housing Corporation (CMHC) average rents for the applicable unit size in the City of Surrey. Current average rental rates for Surrey are provided in CMHC's Rental Market Report: Vancouver CMA, which is released annually in the fall.
- The applicant is proposing that a minimum of $75 \%$ of the dwelling units shall be affordable rental, rented at a minimum of $10 \%$ below the average market rent rate. The average market rent rate is to be determined by a market rent appraisal of similar units within the City of Surrey.
- Additionally, up to $25 \%$ of the dwelling units shall be used as supportive rental units, being occupied by at least one person with a disability. If there are no eligible applicants that meet the eligibility criteria, the supportive rental unit may be rented as an affordable rental unit.
(The affordable rental units will not meet the exact definition of "affordable rental" as per City Policy No. O-61. Rather than the affordable rental rate being based on $10 \%$ below current CMHC average rents, the affordable rental rate will be at least 10\% below average market rent based on an appraisal of similar units within the City. This meets the intent of the Policy.)
o Affordable rental replacement units shall be secured as rental with a Housing Agreement. In addition to tenure, the Housing Agreement shall specifically target households (low to moderate income households, with reference to BC Housing's Housing Income Limits), rental rates, and administration and management of the
units, and the requirement of annual reporting to the City on the operations of the affordable rental replacement units.
- The 91 proposed replacement rental units will be secured with a Housing Agreement for a term of 30 years.
- The Housing Agreement specifically targets low to moderate income households and persons with disabilities.
(The Housing Agreement is attached to this report as Appendix VIII.)
o The affordable rental replacement units must be managed by a non-profit organization, or a non-profit / social enterprise property management firm as approved by the City.
- The affordable and supportive rental replacement units will be operated by Peninsula Estates Housing Society, a non-profit society and affordable and inclusive housing provider.
o Replacement rental units shall be located on the same development site as the original units. In special cases, replacement units off-site may be considered, at a location in the same neighbourhood.
- The replacement rental units are proposed to be located on the same development site as the original 17 rental units that are proposed to be removed at 15077-20 Avenue (i.e. Peninsula Estates Housing Society).
o A proposal acceptable to the City shall be provided by the Proponent with the development application. The proposal shall outline how the Proponent's application meets the rental replacement requirements of the Policy.
- The applicant submitted a Tenant Relocation Policy as part of their development application.
(Staff reviewed the applicant's Tenant Relocation Policy and confirmed it adheres to the Tenant Relocation Assistance Requirements of City Policy No. O-61.)
- In accordance with Policy No. O-61, the applicant has taken the following actions:
o Provided a Current Occupancy Summary that includes the number of units proposed to be replaced, the number of bedrooms for each unit, the rental rates, the number of vacant units, demographic profiles, and length of tenancy;
o Hosted an Open House for tenants on October 28, 2019, to share with them the plans for the proposed development;
o Appointed a Tenant Relocation Coordinator to facilitate communications with the tenants throughout the development proposal process;
o Provided a copy of Peninsula Estates Housing Society's Tenant Relocation Policy, which outlines relocation assistance, right of first refusal, and financial compensation; and
o The applicant has confirmed that of the 17 units to be removed to accommodate the proposed development, five (5) units are currently vacant, eight (8) units are occupied by tenants who signed short-term leases with the knowledge that the units are proposed to be redeveloped, two (2) units are occupied by tenants who will be relocated to other units on site, and two (2) units are occupied by tenants who have been offered multiple units at another building operated by the same owner, but have not yet confirmed their intentions after they are required to vacate. The applicant's Tenant Relocation Coordinator continues to work with these tenants to find an acceptable solution.
- The applicant has generally adhered to the requirements in City Policy No. O-61, which includes providing a Tenant Assistance and Relocation Program for the affected residents. The required replacement units provided on site do not meet the exact definition of affordable rental as outlined in City Policy No. O-61, in that the rental units are not being provided at $10 \%$ below current Canadian Market and Housing Corporation (CMHC) average rents; however, the units will be provided at minimum $10 \%$ below the average rental rate as determined by a market rent appraisal of similar units within the City of Surrey.
- The proposal is deemed to comply with the intent of City Policy No. O-61 and therefore staff are supportive of the proposed development.


## Housing Agreement

- The proposed Housing Agreement will regulate the 91 dwelling units in the proposed 6-storey apartment building.
- Section 483 of the Local Government Act authorizes Local Governments to enter into Housing Agreements for affordable and special needs housing.
- Typically, Housing Agreements include the terms and conditions agreed to by the Local Government and the owner regarding:
o The form of tenure of the housing units;
o The occupancy of the housing units identified in the agreement (including their form of tenure and their availability to the classes of persons identified in the agreement);
o The administration of the units (including the means by which the units will be made available to intended occupants); and
o The rents and lease prices of units that may be charged and the rates at which these can be increased over time.
- The attached Housing Agreement (Appendix VIII) will be adopted by Bylaw and registered on title of the property. The agreement will restrict $75 \%$ of the proposed 91 dwelling units to
affordable rental units and up to $25 \%$ of the proposed dwelling units to supportive rental units for a period of thirty (30) years.
- The City may from time to time require that the owner of the building provide written proof of compliance with the Housing Agreement.
- The Housing Agreement Bylaw will be brought forward for final adoption concurrently with the issuance of the Development Permit and Development Variance Permit, once all of the outstanding conditions associated with the application are fulfilled.


## Zoning By-law

- The applicant proposes to redevelop a portion of the site under the current "Multiple Residential 30 Zone (RM-30)".
- The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law, including the "Multiple Residential 30 Zone (RM-30)" and parking requirements.

| RM-30 Zone (Part 22) | Permitted and/or Required | Proposed |
| :---: | :---: | :---: |
| Unit Density: | 75 uph (30 upa) | 66.4 uph (26.9 upa) |
| Floor Area Ratio: | 1.00 FAR | 0.51 FAR |
| Lot Coverage: | 45\% | 22\% |
| Yards and Setbacks |  |  |
| Front Yard (South, 20 Avenue): <br> Rear Yard (North): <br> Side Yard (East, 151A Street): <br> Side Yard (West): | $\begin{aligned} & 7.5 \mathrm{~m} \\ & 7.5 \mathrm{~m} \\ & 7.5 \mathrm{~m} \\ & 7.5 \mathrm{~m} \\ & \hline \end{aligned}$ | $\begin{aligned} & 7.5 \mathrm{~m} \\ & 117.2 \mathrm{~m} \\ & 10.0 \mathrm{~m} \\ & 66.0 \mathrm{~m} \end{aligned}$ |
| Height of Buildings |  |  |
| Principal buildings: | 13.0 m | 19.2 m |
| Amenity Space |  |  |
| Indoor Amenity: Outdoor Amenity: | $\begin{aligned} & 279 \text { sq. m. } \\ & 279 \text { sq. m. } \end{aligned}$ | $116 \text { sq. m. }$ $574 \text { sq. m. }$ |
| Parking (Part 5) | Required | Proposed |
| Number of Stalls |  |  |
| Residential: <br> Residential Visitor: <br> Total: | $\begin{array}{\|l\|} \hline 119 \\ 18 \\ 137 \\ \hline \end{array}$ | $\begin{array}{\|l\|} \hline 76 \\ 7 \\ 83 \\ \hline \end{array}$ |
| Bicycle Spaces |  |  |
| Residential Secure Parking: Residential Visitor: | $\begin{array}{\|l\|} \hline 109 \\ 6 \\ \hline \end{array}$ | $\begin{array}{\|l\|} \hline 135 \\ 8 \\ \hline \end{array}$ |

Height, Setback, Parking, and Indoor Amenity Space Variances

- The applicant is requesting the following variances:

0 to vary the maximum building height of the RM-30 Zone allowed from 13.0 metres to 19.2 metres;

0 to reduce the minimum Side Yard on Flanking Street (151A Street) setback from 7.5 metres to 3.5 metres for the existing apartment building and to 2.1 metres for the existing townhouse building.
o to reduce the minimum setback from the Semiahmoo Trail from 10.0 metres to 8.0 metres to the entry canopy along 151 A Avenue.

0 to reduce the minimum number of on-site parking spaces from 137 parking spaces to 83 parking spaces; and
o to reduce the indoor amenity space requirement and waive the cash-in-lieu contribution for the shortfall.

- The proposed variance to the maximum building height will allow the applicant to redevelop a portion of their site without the need to rezone the property, as the proposal is still within the maximum allowable density for the site. The new 6 -storey building is proposed to be located at the southeast corner of the site at the intersection of 20 Avenue and 151A Street, so the additional building height will not have a direct interface impact on neighbouring townhouse properties to the west or north. The proposed 6 -storey form is also supported by Housing Policy 6 in the approved Semiahmoo Town Centre Plan: Support additional density and variances to development parameters including building height for developments with a significant non-market housing component.
- The proposed variance to reduce the minimum Side Yard Flanking Street ( 151 A Street) setback will allow two of the existing buildings to be retained after the required road dedication to accommodate the proposed new alignment of the Semiahmoo Trail. If these buildings were to be redeveloped in the future, the new buildings would be required to meet the minimum Side Yard on Flanking Street setback applicable at that time.
- The proposed reduction of the minimum setback of the building entry canopy to the Semiahmoo Trail is a minimal and is not anticipated to have an impact on the Trail.
- The applicant provided a parking study to support the proposed reduction in parking on site, which cites factors affecting resident vehicle ownership, including the tenure of the units (rental vs. strata), the income level of the tenants, and the proximity to frequent transit. The parking study concludes that: rental units tend to have lower vehicle ownership compared to strata units; non-market housing tends to have considerably lower vehicle ownership rates than market housing; and accessibility to alternate modes of travel (i.e., frequent transit) reduces vehicle ownership. The proposed 91-unit apartment building will contain all nonmarket rental units and is within 150 metres of the existing Frequent Transit Network (FTN) along 152 Street. In addition, the proposed parking rate is similar to the existing parking rate provided for the other residential dwelling units on the subject site of $o .89$ stalls per dwelling unit.
- The proposed development provides a public benefit through the creation of 91 new affordable housing units, including some supportive units for persons with disabilities, and the realignment of a portion of the Semiahmoo Trail to a more prominent location. The applicant is proposing to enter into a Partnering Agreement with the City. The Partnering Agreement outlines the potential types of assistance the City may provide to the applicant, including waiving of the cash-in-lieu contribution for the shortfall in indoor amenity space, in exchange for the applicant providing the affordable and supportive rental units and realigning and constructing the portion of the Semiahmoo Trail to the west side of 151A Street.
- Staff support the requested variances to proceed for consideration.


## Semiahmoo Trail Realignment

- The applicant is proposing to realign a segment of the Semiahmoo Trail from the City-owned lot at 15153-20 Avenue to the west side of the 151A Street road allowance. This requires an amendment to Surrey Semiahmoo Trail Heritage Designation Bylaw, 2004, No. 15280, as amended (Appendix IX), as well as to Schedule H (Location of Semiahmoo Trail) of Surrey Zoning Bylaw, 1993, No. 12000, as amended (Appendix X).
- The Semiahmoo Trail is a late nineteenth century historic trail/wagon road that is valued as an early and important transportation route through Surrey. Today the Trail consists of linear parks and City streets that extend from the Nicomekl River through to 20 Avenue and is protected by heritage designation bylaw.
- The segment of the Trail proposed to be realigned as part of this development is not part of the historic alignment of the Trail. The historic alignment of the Trail, which itself varied over the decades from the late 1800 s to early 1900s, extended from 24 Avenue further east, crossing 152 Street north of the subject site (Appendix XI).
- In 1982, at the time the subject site was developed into the Peninsula Estates townhouses that currently occupy the site, a lot was created (15153-20 Avenue) that bisects the site, which was designated as an extension of the Semiahmoo Trail.
- The proposed realignment under the current application would move the Trail slightly further east than its current alignment, which would be closer to the historic alignment, while at the same time providing for a more visible and coherent route that does not traverse through private property.
- The proposed alignment would provide a better connection to the Trail head at the north end of ${ }_{151}$ A Street and would prevent Trail users having to cross through the Highgrove 2 townhouse complex to the north of Peninsula Estates.
- The applicant has worked closely with staff on a plan to retain 19 of the 24 trees along the proposed new alignment of the Semiahmoo Trail, by meandering the pathway and taking special measures to protect the critical root zones of those trees proposed to be retained.
- In order to facilitate the realignment of the Semiahmoo Trail and the proposed development, the applicant is proposing to enter into a Partnering Agreement and Land Exchange Agreement with the City, whereby the City may provide certain types of assistance to the applicant in exchange for the applicant providing affordable and supportive rental housing units, in accordance with the Housing Agreement, and realigning and constructing a segment of the Semiahmoo Trail along the west side of 151A Street. The Partnering Agreement and Land Exchange Agreement will be presented to Council for their consideration at a future Council meeting and are a condition of final approval of the proposal.
- As part of the Heritage Designation Bylaw amendment process, Section 612(5) of the Local Government Act requires that a report be prepared regarding the property being designated as heritage. The information attached as Appendix $V$ to this report fulfils this requirement of the Act.
- A Heritage Alteration Permit will be required prior to the construction of the proposed realignment of the Trail. The proposed landscaping for the new alignment of the Trail will be further reviewed by staff and the Heritage Advisory Commission (HAC) prior to final approvals.


## Capital Projects Community Amenity Contributions (CACs)

- On December 16, 2019, Council approved the City's Community Amenity Contribution and Density Bonus Program Update (Corporate Report No. R224; 2019). The intent of that report was to introduce a new City-wide Community Amenity Contribution (CAC) and updated Density Bonus Policy to offset the impacts of growth from development and to provide additional funding for community capital projects identified in the City's Annual Five-Year Capital Financial Plan.
- As the proposed development consists entirely of non-market affordable housing units, neither Tier 1 nor Tier 2 Capital Project Community Amenity Contributions are required for this development.


## Affordable Housing Strategy

- On April 9, 2018, Council approved the City's Affordable Housing Strategy (Corporate Report No. Ro66; 2018) requiring that all new rezoning applications for residential development contribute $\$ 1$, ooo per unit to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing projects.
- Since all of the proposed units of the subject development are non-market affordable housing units, no contribution is required.
- The proposed development is in line with the four main strategies of the City's Affordable Housing Strategy:
o Prevent the loss of purpose-built rental housing;
o Strengthen protection for tenants;
o Encourage the development of new purpose-built rental housing; and
o Increase the supply of affordable housing.


## Public Art Policy

- Typically, an applicant is required to provide public art, or register a Restrictive Covenant agreeing to provide cash-in-lieu, at a rate of $0.5 \%$ of construction value, to adequately address the City's needs with respect to public art, in accordance with the City's Public Art Policy requirements. Since all of the proposed units are non-market affordable housing units, this contribution is not required.


## PUBLIC ENGAGEMENT

- Pre-notification letters were sent on September 29, 2022, and the Development Proposal Signs will be installed on October 4, 2022.
- Given the need to develop more affordable housing options in Surrey, the subject application is being forwarded for introduction to Council prior to staff having received feedback from neighbouring residents on the proposal. However, as noted previously, the subject application is the same as the revised Development Application No. 7919-0306-oo that was considered at the June 28, 2021, Regular Council - Land Use meeting and the July 26, 2021, Regular Council - Public Hearing meeting, for which staff received over 100 pieces of correspondence (100 in support and 6 with concerns).
- Additionally, Council heard from 54 residents (54 in support and 8 with concerns) at the Public Hearing on July 26, 2021.
- If Council is to grant first and second readings to the proposed bylaw amendments, the Public Hearing for the subject proposal is anticipated to be scheduled for November 21, 2022, the next Regular Council - Public Hearing meeting date. This will provide time for staff and the feedback to be gathered from area residents on the application through the notification process. Staff will provide Council with an update on the public engagement responses prior to the Public Hearing meeting.


## DEVELOPMENT PERMITS

## Form and Character Development Permit Requirement

- The proposed development is subject to a Development Permit for Form and Character.
- The proposed development generally complies with the Form and Character Development Permit guidelines in the OCP and the Urban Design Concept in the Semiahmoo Town Centre Plan.
- The applicant is proposing a 6 -storey apartment building containing 91 affordable housing units, consisting of 18 studio units, 42 one-bedroom units, 24 two-bedroom units, and 7 threebedroom units. The units range in size from 35 square metres to 95 square metres.
- The proposed building follows the style of west coast contemporary architecture, with simple massing forms, ample windows, and deep flat-roof overhangs. The architecture incorporates a muted material palette of white and grey tones with cedar-colour siding and soffits accents. The overall architecture is compatible with the surrounding context of the community.
- The main lobby is intentionally flush with surrounding grades to create an accessible entry and circulation in and around the building to amenity areas and the corner feature plaza, without the need for stairs.
- The southeast corner of the building visually emphasizes its limited height to anchor the street corner and define the corner plaza. The east building elevation visually flows towards the Semiahmoo Trail with a one-storey high, entry canopy to invite amenity activities alongside the Trail.
- The applicant has worked with staff to reduce the appearance of the 6 -storey massing by pronouncing the first two storeys with the appearance of a series of ground-oriented townhouses, responding to the existing streetscape scale. Each ground unit along the street is individually expressed with a deep 2 -storey portico, framing each unit front entryway.
- The rest of the 20 Avenue frontage is mostly delineated with the appearance of a smaller 4 -storey form, where the mid-roof line and lighter cladding colours highlight the legible features of the building through repetitive leaned archways and shouldering the building with a pronounced roofline at the $4^{\text {th }}$ storey.
- Using darker cladding as a backdrop, the upper storeys have been established to appear recessed from the lower 4 -storey forms to allow the building to read more strongly at that scale. The horizontal scale of the building has been made smaller with the undulating façade planes and dividing up the expanses of different cladding materials.
- The proposed development is located at the southeast corner of the site, adjacent to the intersection of 20 Avenue and 151A Street. The proposed realigned segment of the Semiahmoo Trail will connect with an existing segment of the Trail at the northeast corner of the subject site, then proceed south within the western portion of the 151A Street road allowance, fronting the new proposed building, and then turning east at 20 Avenue to a mid-block crossing that aligns with the continuation of the Trail on the south side of 20 Avenue.
- The applicant has worked closely with staff on the realignment of the Semiahmoo Trail and the design of the public realm. The plan for the realigned segment of the Semiahmoo Trail retains a high proportion of the existing mature trees, introduces a publicly accessible Semiahmoo Corner Plaza at the corner of 20 Avenue and 151A Street, and integrates specialty paving, custom site furnishings, lighting, split rail fencing, and interpretive signage and vertical/inground trail entry elements.
- The applicant is proposing building signage, signage marking the Semiahmoo Trail, and signage marking the Semiahmoo Trail Plaza at the corner of 20 Avenue and 151A Street.

0 The building signage is proposed as stainless steel letters, embedded into sandblasted concrete with a recessed LED light. One sign is proposed along the 20 Avenue frontage and one along the 151A frontage, integrated with the split rail fence.
o For the Semiahmoo Trail, two signs are proposed at either end of the corner feature plaza (one at the south end of 151 A Street and one at the east end of 20 Avenue) that incorporate a stainless steel vertical entry feature with the trail name and history and a stainless steel sheet embedded into the asphalt with the trail name. Additional signs consisting of just the stainless steel sheet with the trail name embedded into the asphalt are proposed for the north end of the realigned segment of Trail, on either side of the existing vehicular access on 151A Street, and at the point mid-block on 20 Avenue where the Trail crosses to the south side of the street.
o The signage for the Semiahmoo Trail Plaza is proposed to be a stainless steel insert with the plaza name attached to a heavy timber bench made from reclaimed Western Red Cedar logs. The lettering will match the proposed building signage.

- Under the previous Development Application (No. 7919-0306-oo), the proposal was considered at the ADP meeting on November 5, 2020 and was supported. No substantive changes effecting the form and character of the building have been introduced since that time and, therefore, the application has not been referred back to the ADP.
- The applicant has worked to address the majority of ADP's comments (Appendix VII). Any outstanding post-ADP comments will be completed to the satisfaction of the City Architect prior to issuance of the Development Permit.


## Landscaping

- The proposed landscaping consists of both on site landscaping and off-site landscaping associated with the realignment of the Semiahmoo Trail.
- The on site landscaping consists of an outdoor amenity area with several spaces that can be used independently or for larger group gatherings, as well as a landscape buffer for the Semiahmoo Trail, which will include a split rail fence on private property.
- The on site landscaping will include 81 new trees, consisting of Saskatoon serviceberry, American green ash, and Japanese flowering cherry, as well as shrubs, groundcovers, perennials, and ferns. Hardscaping and site furnishings will also be provided.
- The Semiahmoo Trail, which will be located within the western portion of the 151A Street road allowance, will be paved as it will also function as a sidewalk. The pathway will meander in order to allow for the retention of a number of existing mature trees along 151A Street.
- Additional planting on either side of the pathway is proposed, consisting of native species such as salal, Oregon grape, nootka rose, and snowberry, subject to approval by Engineering and Trees and Landscaping.
- Heavy timber benches are proposed at several points along the Trail, as well as trail signage.
- The proposed landscaping of the Semiahmoo Trail, including signage, is to be further reviewed by staff and the Heritage Advisory Commission (HAP) and will require a Heritage Alteration Permit prior to construction.


## Indoor Amenity

- The proposed indoor amenity space is located on the ground floor at the eastern end of the building, adjacent to the outdoor amenity space.
- The indoor amenity space consists of a kitchen space and amenity lounge with a TV/fireplace gathering area, a reading nook, and several other small seating areas.
- A shared laundry room is also located on the ground floor next to the indoor amenity space but is not included in the indoor amenity space calculation. Shared laundry is not considered to be an amenity according to the Zoning Bylaw definition, which states that amenity space must be specifically designed for use by all its residents for cultural, social and recreational activities.
- Based on the requirements of the RM-30 Zone, the applicant would be required to provide 279 square metres of indoor amenity space to serve the residents of the proposed 91 dwelling units. The applicant has proposed a variance to reduce the amount of indoor amenity space they are required to provide to 116 square metres.
- The applicant would normally be required to provide a cash-in-lieu contribution to satisfy the indoor amenity space requirement at the rate in effect at the time of Development Permit issuance, however, the applicant is seeking to waive this requirement as outlined in the variance section of this report. The rationale for requesting the waiving of this contribution is that the applicant is providing the affordable and supportive rental units in accordance with the proposed Housing Agreement for a period of thirty (30) years, as well as realigning and constructing a portion of the Semiahmoo Trail along the west side of 151A Street.


## Outdoor Amenity

- Based on the City's Zoning Bylaw requirement, the applicant is required to provide 279 square metres of outdoor amenity space to serve the residents of the proposed 91 dwelling units. The applicant is currently providing 574 square metres of outdoor amenity space, which exceeds the minimum required.
- The outdoor amenity space is located to the north and east of the proposed building and includes a flexible use open lawn area, community garden plots and tool shed, outdoor seating areas, a BBQ area and outdoor dining area, and a dog run.


## Outstanding Items

- There are no Urban Design issues that remain outstanding that affect the overall character or quality of the project, however, the applicant is required to work with staff on finalizing the details for architectural elements.
- The applicant has been advised of this and has agreed to resolve these details prior to Final Approval of the Development Permit, should the application be supported by Council.


## TREES

- Florian Fisch, ISA Certified Arborist of Durante Kreuk Ltd. prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

| Tree Species | Existing | Remove | Retain |
| :---: | :---: | :---: | :---: |
| Deciduous Trees(excluding Alder and Cottonwood Trees) |  |  |  |
| Japanese Maple | 1 | 0 | 1 |
| London Plane | 8 | 2 | 6 |
| Mountain Ash | 1 | 1 | O |
| Oak | 2 | 2 | O |
| Pin Oak | 2 | 2 | 0 |
| Portuguese Laurel | 3 | 3 | 0 |
| Western Mountain Ash | 1 | 1 | 0 |
| Coniferous Trees |  |  |  |
| Atlas Cedar | 4 | 2 | 2 |
| Douglas Fir | 10 | 8 | 2 |
| Western Red Cedar | 9 | 8 | 1 |
| Total (excluding Alder and Cottonwood Trees) | 41 | 29 | 12 |
| Total Replacement Trees Proposed (excluding Boulevard Street Trees) |  | 89 |  |
| Total Retained and Replacement Trees |  | 101 |  |
| Contribution to the Green City Program |  | N/A |  |

- The Arborist Assessment states that there are a total of 41 mature trees on the site, none of which are Alder and Cottonwood trees. It was determined that 12 trees can be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 58 replacement trees on the site. The applicant is proposing 89 replacement trees, exceeding City requirements.
- In addition to the replacement trees, boulevard street trees will be planted on 20 Avenue. This will be determined by the Engineering Department during the servicing design review process.
- The new trees on the site will consist of a variety of trees including Saskatoon Serviceberry, American Green Ash, and Japanese Flowering Cherry.
- In summary, a total of 101 trees are proposed to be retained or replaced on the site with no contribution to the Green City Program required.


## INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:
Appendix I. Proposed Subdivision Layout, Site Plan, Building Elevations, Landscape Plans and Perspective
Appendix II. Engineering Summary
Appendix III. School District Comments
Appendix IV. Summary of Tree Survey and Tree Preservation
Appendix V. Heritage Designation Bylaw Amendment Memo
Appendix VI. Development Variance Permit No. 7922-0305-oo
Appendix VII. ADP Comments and Response (Previous Application No. 7919-0306-oo)
Appendix VIII. Proposed Housing Agreement
Appendix IX. Proposed Amendment to Surrey Semiahmoo Trail Heritage Designation Bylaw
Appendix X. Updated Maps for Schedule H of Surrey Zoning Bylaw
Appendix XI. Historic Semiahmoo Trail Map
Appendix XII. Proposed Future Phases Plan
approved by Shawn Low

Jeff Arason
Acting General Manager
Planning and Development
CB/cm

SUBDIVISION PLAN OF LOT 20 EXCEPT: PART SUBDIVIDED BY PLAN 65109, PLAN 63490 AND LOT 21, PLAN 65109, BOTH WITHIN SECTION 15, TOWNSHIP 1, NEW WESTMINSTER DISTRICT BCGS 926.006




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(CITY OF SURREY)

## 485 Uniti <br> Issue 7 - Development Permit Resubmission <br> Thursday, June 3, 2021

City of Surrey, BC
15135 20th Avenue
contact list

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(1) South Perspective (View from 20th Avenue)

(2) North-East Perspective

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(1) North Perspective

(2) East Perspective (View from 151A St.)

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## Simple Site <br> Plan <br>  <br> A-1.300



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(1) South Elevation (20th Avenue)


(1) North Elevation


(2) East Elevation (151A St)

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20th Avenue


TO: Manager, Area Planning \& Development

- South Surrey Division

Planning and Development Department
FROM: Development Services Manager, Engineering Department
DATE: September 28, 2022 PROJECT FILE: 7822-0305-00
RE: $\quad$ Engineering Requirements
Location: 1507720 Ave

## SUBDIVISION

## Property and Right-of-Way Requirements

- Dedicate 3 mx 3 m corner cut at 151A Street and 20 Avenue.
- Dedicate varying widths of 2.56 m to 5.56 m along 151A Street for Semiahmoo Trail.


## Works and Services

- Construct 20 Avenue between 1515320 Avenue and 151A Street with Multi-Use Pathway.
- Construct crosswalk on 20 Avenue, aligned with existing Semiahmoo Trail.
- Construct 4.0 m MUP along west side of 151A Street as per Semiahmoo Trail Design Guidelines.
- Provide storm water calculation to confirm system capacity; upgrade system as required.
- Provide onsite sustainable drainage mitigation measures to meet the Fergus Creek Integrated Stormwater Management Plan recommendations.
- Provide water quality treatment for all on-lot surface parking and drive aisle areas.
- Construct an adequately-sized service connection with meter and backflow preventer for the proposed development.
- Provide sanitary flow calculations up to Metro Vancouver trunk sewer to confirm downstream system capacity; upgrade system as required.
- Pay cash-in-lieu for future sanitary sewer along the 20 Avenue frontage.
- Construct adequately-sized storm and sanitary connections for the proposed development; connection to the existing sanitary sewer to be at the south west corner of the site.

A Servicing Agreement is required prior to Subdivision.

## DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Permit/ Development Variance Permit except for the requirements mentioned above.


Jeff Pang, P.Eng.
Development Services Manager
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September 29, 2022

## Planning

## THE IMPACT ON SCHOOLS

APPLICATION \#: 22030500

## SUMMARY

The proposed 91 lowrise units
are estimated to have the following impact
on the following schools:

Projected enrolment at Surrey School District for this development:

| Elementary Students: <br> Secondary Students: | 28 |
| :--- | :---: |


| September 2021 Enrolment/School Capacity | 28 |
| :--- | :--- |
| H.T. Thrift Elementary |  |
| Enrolment (K/1-7): |  |
| Operating Capacity (K/1-7) | $33 \mathrm{~K}+275$ |
|  | $19 \mathrm{~K}+233$ |
| Semiahmoo Secondary |  |
| Enrolment (8-12): |  |
| Capacity (8-12): | 1440 |


| Projected population of school-age children for this development: | 72 |
| :--- | :--- |

Population : The projected population of children aged 0-19 Impacted by the development. Enrolment: The number of students projected to attend the Surrey School District ONLY.

School Enrolment Projections and Planning Update:
The following tables illustrate the enrolment projections (with current/approved ministry
capacity) for the elementary and secondary schools serving the proposed development.

As of September 2021, there were three portables being used for enrolling classrooms. The 10 year enrolment projections show this school growth is leveling off. Portables will be used to manage enrolment growth over the next several years. There are no capital expansion projects planned for the school at this time.

Due to the opening of the new Grandview Heights 1500 capacity high school in September 2021, enrolment at Semiahmoo has dropped because the realignment of feeder schools have now come into effect.

## H.T. Thrift Elementary



Semiahmoo Secondary


* Nominal Capacity is estimated by multiplying the number of enrolling spaces by 25 students. Maximum operating capacity is estimated by multipying the number of enrolling spaces by 27 students.


## Tree Preservation Summary

Surrey Project No: Unknown
Address: 15135 20th Avenue, Surrey, BC
Registered Arborist: Florian Fisch PN 7921A

| On-Site Trees | Number of Trees |
| :---: | :---: |
| Protected Trees Indentified (on-site and shared trees, including trees within boulevards and proposed streets and lanes, but excluding trees in proposed open space or riparian areas) | 41 |
| Protected Trees to be Removed | 29 |
| Protected Trees to be Retained (excluding trees within proposed open space or riparian areas) | 12 |
| Total Replacement Trees Required: <br> Alder \& Cottonwood Trees Requiring 1 to 1 Replacement Ration $\qquad$ $0 \times$ one $(1)=0$ <br> All other Trees Requiring 2 to 1 Replacement Ratio $29 \times \text { two }(2)=58$ | 58 |
| Replacement Trees Proposed | 58 |
| Replacement Trees in Deficit | 0 |
| Protected Trees to be Retained in Proposed [Open Space / Riparian Areas] | 0 |


| Off-Site Trees | Number of Trees |
| :---: | :---: |
| Protected Off-Site Trees to be Removed | 0 |
| Total Replacement Trees Required: <br> Alder \& Cottonwood Trees Requiring 1 to 1 Replacement Ration $\qquad$ $0 \times$ one (1) $=0$ <br> All other Trees Requiring 2 to 1 Replacement Ratio $\qquad$ $0 \times$ two (2) = 0 | 0 |
| Replacement Trees Proposed | 0 |
| Replacement Trees in Deficit | 0 |



Figure 4: City of Surrey Trees Preservation Summary Form

### 5.0 TREE PROTECTION MEASURES TYPICAL

### 5.1 Core measures for successful Tree Protection

The key to successful tree retention is minimizing any root loss and crown loss. Further, minimizing possible sites for decay caused by large pruning wounds or other damage to the live cambium/bark is essential as well. Equally important is the conservation of the growing conditions and soil composition. Maintaining the air flow and water table within the soil may be of higher or lesser importance based on tree species. Avoiding compaction and minimizing grade changes within the critical root zone are essential to maintain the above. Excavation within the critical root zone shall be avoided all together. It is important to understand that tree roots are typically very shallow. Generally the majority of the roots can be found within the top 0.6 m to 0.9 m (2' to $3^{\prime}$ ) of soil.



## Supplemental Information to Satisfy the Requirements of Section 612 of the Local Government Act

The southern portion of Section 7 (as referenced in Heritage Designation Bylaw, 2004, No. 15280) of the Semiahmoo Trail is being realigned in coordination with development application number 7922-0305-00. The realignment of the Trail includes the removal of heritage designation from the southern portion of Section 7 of the Semiahmoo Trail, and the addition of the road allowance on the west side of ${ }_{151}$ A Street, north of 20 Avenue, to Heritage Designation Bylaw, 2004, No. 15280 (figure 1).


Figure 1 Map depicting the portion of Semiahmoo Trail to have heritage designation removed, and the road allowance that will be included in Heritage Designation Bylaw, 2004, No. 15280.

The current alignment of this segment of the Semiahmoo Trail crosses through a townhouse complex and is not apparent that it is public trail. This segment of the Trail does not comply with the Landscape Buffer requirements in the Semiahmoo Trail Design Guidelines, including setbacks, landscaping or split-rail fencing. The southern portion of Section 7 of the Semiahmoo Trail proposed to be removed was added to the Semiahmoo Trail in the 1980s; it does not follow the original alignment of the Trail. The realignment of the southern portion of Section 7 of the Semiahmoo Trail will make the Trail more inviting and accessible to the public. It will also more closely meet the Landscape Buffer requirements of the Semiahmoo Trail Design Guidelines. The proposed alignment of the Trail is the City's preferred alignment, as referenced in the Semiahmoo Town Centre Stage 1 Plan land use concept.

The following information relates to Semiahmoo Trail, protected by Heritage Designation Bylaw, 2004, No. 15280, to satisfy the requirements of Section 612 of the Local Government Act.

## Heritage Value or Character of the Property

Semiahmoo Trail is a late nineteenth century historic trail/wagon road, today consisting of linear parks and City streets. It runs from the Nicomekl River, south to 20th Avenue, through forested, rural and developed areas of the Semiahmoo Peninsula. The 1872 trail passed from the border with the United States, at Blaine, Washington (then named Semiahmoo), through Surrey to where it joined the Yale Wagon Road (Old Yale Road), south of Hjorth Road (104 Avenue) in Whalley. The portions that most closely follow the original alignment include the stretch in South Surrey, north of 24 Avenue to the Nicomekl River crossing at Elgin, then continuing northward in the agricultural area on the current alignment of King George Boulevard (including an unconstructed portion east of the flyover) and up Woodward Hill on what is now 144A Street, south of Highway No. 10 in the Panorama Ridge Area.

The Semiahmoo Trail is valued as an early and important transportation route through Surrey, demonstrating how early settlers travelled in Surrey. The Semiahmoo Trail began as a series of early trails between the Fraser River in the north and the United States border at Blaine (Semiahmoo), Washington in the south.

The Trail is significant as a representation of the different modes of transportation used by Surrey's early settlers and the difficulty of local travel and historic trail-building in the area. Known as the "Semiahmoo Trail" or the "Semiahmoo Wagon Road", the Trail was used as early as 1858. The British Columbia provincial government widened the Trail in 1872 to accommodate wagons as part of a network of roads to formalize a route between Blaine, Washington (Semiahmoo) and Fort Langley. The Semiahmoo Trail name dates to this period.

Today, the Semiahmoo Trail is valued as a linear park and recreational trail in South Surrey. It has remained largely unpaved and provides residents with a quiet and peaceful place to walk and interact with wildlife.

Key elements, that define the heritage character of the Semiahmoo Trail, include its:

- unpaved walking and biking trail, still largely a graded trail;
- natural, green corridor that provides habitat to a variety of indigenous plants, trees and fauna;
- sense of enclosure provided by the plant and tree material along the Trail; and
- natural setting.


## Compatibility with Official Community Plan and other Community Planning Objectives

Semiahmoo Trail was the first property to be protected by heritage designation in the City of Surrey. It was designated in 1978 through Heritage Designation Bylaw, 2004, No. 15280. The heritage significance of Semiahmoo Trail is recognized in the City's Official Community Plan and Zoning By-law. Consistent policies have been in place with the objective of securing, preserving, and enhancing Surrey's heritage. These include:

- Official Community Plan 2041 vision element Beautiful- The protection of natural and cultural heritage elements including significant trees, landscaping, heritage sites and buildings.
- Official Community Plan policy B5.1 - Incorporate the protection and enhancement of the overall quality of Surrey's "Sense of Place" and natural heritage into the preparation of land use plans, public works projects and the review of development proposals.
- Official Community Plan policy B2.16-Create a distinct character for each of Surrey's Town Centres, consistent with its community context, by building on existing natural and cultural assets. Enhance each of Surrey's Town Centre's distinctiveness by promoting, preserving, and enhancing unique characteristics such as architectural styles, built and natural heritage, cultural heritage social gathering spaces, places of worship, landmark buildings and landscapes or signs.
- Official Community Plan policy F8.15-Retain historically and culturally significant view corridors, focal points, trails, viewpoints, landmarks, and vistas at a city-wide and neighbourhood level.
- Semiahmoo Town Centre Stage 1 Plan, land use concept depicting the alignment of Semiahmoo Trail along 151A Street north of 20 Avenue.


## Compatibility with Lawful Uses of the Property and Adjacent Lands

The site proposed for addition to the Semiahmoo Trail is located in Semiahmoo Town Centre. The site connects to the existing Semiahmoo Trail to the north. The Trail is bounded by residential uses to the west, with predominately commercial uses to the east. The alignment of Semiahmoo Trail along 151A Street will provide a natural and recreational resource for the community and function as the sidewalk along the west side of 151A Street, north of 20 Avenue. The proposed alignment of the Semiahmoo Trail along 151A Street, north of 20 Avenue is consistent with Semiahmoo Town Centre Stage 1 Plan.

## Conditions and Economic Viability of Property

The proposed designation involves City-owned lands. No privately owned lands are subject to this Heritage Designation By-law.

Need for Financial or Other Support

Semiahmoo Trail is maintained by the City. The Semiahmoo Trail is not eligible for financial support under the Heritage Sites Financial Assistance By-law.

# DEVELOPMENT VARIANCE PERMIT 

NO.: 7922-0305-00
Issued To:
Address of Owner:

Issued To:
Address of Owner:
(collectively referred to as the "Owner")

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 003-334-562
Lot 20 Except: Part Subdivided by Plan 65109, Section 15 Township 1 New Westminster District Plan 63490

15077-20 Avenue<br>Parcel Identifier: 003-527-646<br>Lot 21 Section 15 Township 1 New Westminster District Plan 65109

15153-20 Avenue
(the "Land")
3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:
(b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:
4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
(a) In Section G. Height of Buildings of Part 22 Multiple Residential 30 Zone (RM-30), the maximum height of a principal building is increased from 13.0 metres to 19.2 metres for the proposed 6-storey apartment building.
(b) In Section F. Yards and Setbacks of Part 22 Multiple Residential 30 Zone (RM-30), the minimum Side Yard on Flanking Street setback (east) is reduced from 7.5 metres to 3.5 metres for the existing apartment building and 2.1 metres for the existing townhouse building.
(c) In Section E. 26 of Part 4 General Provisions, the minimum setback from the lot line of the Semiahmoo Trail, for buildings and structures constructed after the effective date of the by-law, is reduced from 10.0 metres to 8.0 metres to the entry canopy along 151A Street.
(d) In Table C. 1 of Part 5 Off-Street Parking and Loading/Unloading, the minimum number of required off-street parking spaces for the proposed 6-storey apartment building is reduced from 137 spaces to 83 spaces.
(e) In Section J. Special Regulations, Sub-Section 1(c) of Part 22 Multiple Residential 30 Zone ( $\mathrm{RM}-30$ ), the indoor amenity space requirement is reduced from 279.0 square metres to 116.0 square metres.
5. This development variance permit applies to only that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 . ISSUED THIS DAY OF , 20 .

Mayor - Doug McCallum

City Clerk - Jennifer Ficocelli


ARCHITECTURE INC.

$2330-200$ Glanulle Street ampociner, BC, VEC 194

 mis.

## UNTI

## 85 Uniti - Harmony

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Site Plan -
Proposed


A-1.400

| Project: | Peninsula Estates |
| :--- | :--- |
| Civic Address: | $1513520^{\text {th }}$ Avenue, Surrey, BC |
|  |  |
| Project Number: | 19485 <br> Date: |
| March 31, 2021 |  |
| Pages: | 10 |

MEMO
UNITI c/o Catalyst Community
Developments Society
90-452 Carrall Street, Vancouver
BC V6B 6E3
778.238.7826
helen@catalystcommdev.org

Hi Helen,
As requested, please refer to Integra Architecture's responses below as they pertain to the ADP and City of Surrey Comments; Advisory Design Panel - Minutes and email from Christa Brown dated November 19, 2020 and updated to ADP comments responses and City staff comments as of March 30, 2021 - with text from the minutes reproduced and responded to in red text below:

## KEY POINTS:

1. Consider reducing the depth of the amenity (east) overhang and/or raising the elevation of the east canopy. Ensure Level 1 amenity receives quality daylighting.

IA - We have revised the canopy as follows:

1. to increase the overhang depth selectively
2. but introduce skylights to provide significantly more daylighting and incorporate lighting and
3. create visual interest from above and below - decorating the roof from above and creating an enjoyable place to site congregate under protection cover
4. we also simplified the entry and consolidated the two roof overhangs into one large roof that covers the indoor amenity that also responds to the design panel commentary unifying and decluttering the entry to make it more identifiable.

Refer to drawing(s); A-2.103 Floor Plan - Level 1, A-4.200 Materials
2. Consider increasing physical connectivity between the indoor and outdoor amenity spaces along east edge of the amenity.

IA - This has been reviewed and changes have been made to address this comment:

1. glazing has been increased for visual connections
2. landscape elements have additionally been provided to programme the space for gathering
3. a structural rhythm and layout have been increased
4. skylights have been incorporated to provide daylighting and interest
5. The columns have been pulled out towards the east and the overhang has been extended to increase movement and activity in this location - as noted above.

Refer to drawing(s); A-2.103 Floor Plan - Level 1
3. Recommend further development of the landscape. Consider how people want to be in and use the spaces such as movable furniture.

DKL - This area was reviewed, and additional seating has been provided. Moveable furniture shown for graphic purposed only. Moveable furniture to be supplied by owner - this also relates to the improvements discussed above.

Refer to L1.1.
4. Consider developing a more organic planting pattern along Semiahmoo Trail.

DKL - The planting areas along the Trail have been reconfigured into organic forms.
5. Consider softening the contrast between the concrete piers and the wood rail fencing.

DKL - In order to soften the effect most concrete posts replaced with rough timber posts and fence rails are split rail timbers in keeping with the Trail split rail fence. The main entry / signage component has included split rail and post details to connect to the split rail concept.
Please refer to L3.1 and L3.2.
6. Suggest providing more bike parking at grade.

IA - The project is already satisfying the minimum visitor bike parking requirement of 6 stalls and providing 8 aboveground visitor spaces. This is sufficient bike parking for the owner/operator.

Refer to drawing(s); A-0.101 Data Sheet
7. Recommend simplifying the form of the townhouse entries.

IA - As the townhouse entries are already simple in form- we propose to simplify the entry to the building and adding simpler materials and less material detailing. We resolved the complicated form at the roof overhang intersection that further simplifies and allows the interior walkway fronting the townhouses to be more inviting.
8. Consider reviewing the upper-level darker panels, such as using a lighter colour.

IA - We propose to revise the colour to a lighter-toned dark grey. Benjamin Moore 2134 Mountain Iron has been used on many projects and to further soften the contrast between building elements in the upper levels as requested.

Refer to drawing(s); A-4.100 South Elevation
9. Consider providing screening if mechanical equipment is installed on rooftop.

IA - Mechanical screening will be installed on rooftop as per design guidelines.
Refer to drawing(s); A-2.109 Floor Plan - Roof
10. Recommend providing space for parcel drop-off.

IA - This will be reviewed and addressed through further coordination with delivery planner in next steps.
11. Recommend that the pinch point at parkade drive aisle is addressed.

IA - Bunt and Associates have provided a swept path analysis to confirm that the parkade drive aisle is sufficient for access and maneuverability.

See document 15135 20 $^{\text {th }}$ Ave_JitneySweptPath_V01 2020.12 .02 provided in the current submission.
12. Suggest adding trees to the area framing the north side of the parkade
ramp.
DKL - Trees have been added on the north side of the parkade entry ramp. Refer to L1.1 and L1.3.
13. Recommend further development of the garden plot planters.

DKL - Garden plots have moved to allow access from all sides. Refer to L1.1.
14. Recommend providing auto-operators at all main doors.

IA - Acknowledged. This will be included at all main doors.
15. Recommend providing $5 \%$ suites accessible including balconies.

IA - Acknowledged. The drawings have been noted for further coordination required in later stages to ensure construction and design of balconies to comply with this recommendation. All balconies in the accessible, adaptable and the universal suites will be designed to be accessible - note this will require special detailing at the exterior threshold which will endeavour to make easy transitions from the interior to the exterior. The units will not meet the exact requirements of accessibility to the BC Building code but meet the criteria for adaptable and the universal suites which we are required to do. The units will also meet the needs of the intended residents.

Refer to drawing(s); A-4.200 Floor Plans
16. Recommend providing emergency call button in parkade lobbies.

IA - Acknowledged. This will be included.

## SITE:

17. The planning is measured and clear.

IA - Acknowledged.
18. Consider incorporating co-working and makerspace as part of programming.

IA - Acknowledged. This has been reviewed and it could not be accommodated as it was not financially feasible.
19. Consider bicycle parking.

IA - Acknowledged. Bike parking has been provided as per City of Surrey bylaw requirements and meets the needs of the owner / operator.
20. The entrance at parkade is constrained.

IA - Acknowledged. Bunt and Associates have provided a swept path analysis to confirm that the parkade drive aisle is sufficient for access and maneuverability.
21. Suggest that at the base of ramp from street to $P 1$, ensuring that there is a maneuverability assessment completed. Form and Character

IA - Acknowledged. Bunt and Associates have provided a swept path analysis to confirm that the parkade drive aisle is sufficient for access and maneuverability.
22. The overhang on east side at level 2 is too large. Recommend ensuring that level one amenity space gets as much natural light as possible with an overhang present.

IA - We have revised the canopy as follows:
5. to increase the overhang depth selectively
6. but introduce skylights to provide significantly more daylighting and incorporate lighting and
7. create visual interest from above and below - decorating the roof from above and creating an enjoyable place to site congregate under protection cover
8. we also simplified the entry and consolidated the two roof overhangs into one large roof that covers the indoor amenity that also responds to the design panel commentary unifying and decluttering the entry to make it more identifiable.

Refer to drawing(s); A-2.103 Floor Plan - Level 1, A-4.200 Materials
23. Consider opening up the east canopy. Consider raising the overhang and increasing the glass area.

IA - We have revised the canopy as follows:
9. to increase the overhang depth selectively
10. but introduce skylights to provide significantly more daylighting and incorporate lighting and
11. create visual interest from above and below - decorating the roof from above and creating an enjoyable place to site congregate under protection cover
12. we also simplified the entry and consolidated the two roof overhangs into one large roof that covers the indoor amenity that also responds to the design panel commentary unifying and decluttering the entry to make it more identifiable.

Refer to drawing(s); A-2.103 Floor Plan - Level 1, A-4.200 Materials
24. The massing is broken up well for the elevation expression.

IA - Acknowledged
25. The two storeys to four storeys to six storeys transition works well. The articulation of the stepping is effective.

IA - Acknowledged
26. Consider reviewing the upper-level darker panels, such as using a lighter colour.

IA - We propose to revise the colour to a lighter-toned dark grey. Benjamin Moore 2134 Mountain Iron has been used on many projects and to further soften the contrast between building elements in the upper levels as requested.

Refer to drawing(s); A-4.100 South Elevation
27. Suggest ensuring there is enough contrast in the appearance of the wood.

IA - Acknowledged. We propose to change the back wall of the townhouse forms to provide better contrast in these locations.

Refer to drawing(s); A-4.000 Elevations, A-4.200 Materials
28. Recommend particular consideration to the fiber cement panel detailing.

IA - Acknowledged. Consideration will be taken when detailing the fibre cement panels and will be further resolved as we progress through the design.
29. Consider screening mechanical equipment on the rooftop.

IA - Mechanical screening will be installed on rooftop as per design guidelines.
Refer to drawing(s); A-2.109 Floor Plan - Roof
30. The colour palettes were supported.

IA - Acknowledged

## LANDSCAPE:

31. Consider additional seating options for the outdoor amenity.

DKL - Additional seating provided. Moveable furniture shown for graphic purposed only. Moveable furniture to be supplied by owner. Refer to L1.1.
32. Concerns were expressed on the termination of the trail.

DKL - Acknowledged. Trail terminates at a point where it connects across $20^{\text {th }}$ Ave. A signalized crossing by the City of Surrey is recommended.
33. Consider organic styling planting following the path to allow for transparency and integration.

DKL - Provided. Refer to L1.3. Planting pattern has been changed to a more organic form.
34. The integration of wood fence with the columns feels harsh, consider further design development on the wood and concrete columns.

DKL - Provided. Refer to L3.1 and L3.2. See item 5 above.
35. The garden plots seem pushed up against the edge, consider how this gets utilized.

DKL - The garden plots have moved to allow access from all sides. Refer to L1.1
36. Consider population parkade ramp edge with additional shrub planting.

DKL - Trees have been added to the parkade ramp edge. Refer to L1.1 and L1.3.
CPTED:
37. No specific issues were identified.

## SUSTAINABILITY:

38. No specific issues were identified.

## ACCESSIBILITY:

39. Consider $5 \%$ of units be wheelchair accessible including the balconies.

IA - Acknowledged. The drawings have been noted for further coordination required in later stages to ensure construction and design of balconies to comply with this recommendation. All balconies in the accessible, adaptable and the universal suites will be designed to be accessible - note this will require special detailing at the exterior threshold which will endeavour to make easy transitions from the interior to the exterior. The units will not meet the exact requirements of accessibility to the BC Building code but meet the criteria for adaptable and the universal suites which we are required to do. The units will also meet the needs of the intended residents.

Refer to drawing(s); A-4.200 Floor Plans
40. Recommend no reduction in designated disabled parking stalls.

IA - Acknowledged. We are currently satisfying the required number of disabled parking stalls and do not intend of reducing any.
41. Recommend that the entrance door be power operated.

IA - Acknowledged. The entrance door will be power operated.
42. Consider emergency call buttons in the parking lobbies.

IA - Acknowledged. This will be included.

## CITY OF SURREY

## HOUSING AGREEMENT

THIS AGREEMENT made the $\qquad$ day of $\qquad$ , 2022

BETWEEN:
CITY OF SURREY, a municipal corporation having its offices at 13450 - 104 Avenue, Surrey, B.C. V3T 1V8
(the "City")
OF THE FIRST PART
AND:
PENINSULA ESTATES HOUSING SOCIETY, a non-profit society having its offices at 15306-24 Avenue, Surrey, B.C. V4A 2J1
(the "Developer")
OF THE SECOND PART
WHEREAS:
A. The Developer is the current Registered Owner of those certain lands and premises located in the City of Surrey, in the Province of British Columbia, legally described as:

Parcel Identifier: 003-334-562
Lot 20 Except: Part Subdivided by Plan 65109, Section 15 Township 1 New Westminster District Plan 63490
(the "Lands");
B. The Developer proposes to use a portion of the Lands for a 6-storey residential building containing a total of up to 91 Dwelling Units and associated servicing and landscaping (the "Development") as shown on Appendix A;
C. Section 483 of the Local Government Act, R.S.B.C. 2015, Chapter 1, as amended, authorizes the City to enter into a housing agreement.

NOW THEREFORE in consideration of the premises herein and of the mutual covenants and agreements hereinafter set forth and contained herein and $\$ 1.00$ now paid by the City to the Developer (the receipt of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

## 1. DEFINED TERMS

1.1 In and for the purpose of this Agreement, in addition to the definitions on the first page of this document, the following terms shall have the following meanings:
(a) "Affordable Housing" means the provision of the Affordable Rental Units within the Development;
(b) "Affordable Rental Unit" means a Dwelling Unit within the Development that are to be used and occupied in accordance with Sections 2.1 and 2.2 of this Agreement;
(c) "Affordable Rental Unit Eligibility Criteria" means a household in need of affordable housing, as determined by the Peninsula Estates Housing Society;
(d) "Agreement" means this Housing Agreement and any amendments to or modifications of the same;
(e) "City" means the City of Surrey, a municipal corporation having its offices at 13450 - 104 Avenue, Surrey, B.C. V3T 1V8;
(f) "Developer" means Peninsula Estates Housing Society, a non-profit society having its offices at 15306-24 Avenue, Surrey, B.C. V4A 2J1;
(g) "Development" means the same as Recital B;
(h) "Development Lands" means the portion of the Lands as shown shaded in blue on Appendix A comprising approximately 4,815 square metres on which the Development will be constructed;
(i) "Dwelling Unit" means each of the approximately 91 self-contained residential dwelling units to be constructed within the Development;
(j) "Lands" means the same as Recital A;
(k) "Registered Owner" means, at any given time, the then registered owner, or if more than one registered owner, the then registered owners of the Lands;
(I) "Supportive Rental Unit" means a Dwelling Unit within the Development that are to be used and occupied in accordance with Sections 2.1 and 2.3 of this Agreement;
(m) "Supportive Rental Unit Eligibility Criteria" means a person with a disability, as defined from time to time by the Peninsula Estates Housing Society; and
(n) "Term" means thirty (30) years, commencing on the first day of the month after the City issues an occupancy permit for the Development.
1.2 The captions, section numbers and article numbers appearing in this Agreement are inserted for convenience of reference and shall in no way define, limit, construe or describe the scope of intent of this Agreement or in any way affect this Agreement.
1.3 Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine and neuter gender and vice versa, and words importing persons shall include firms and corporations and vice versa.
1.4 Unless otherwise stated, a reference in this Agreement to a numbered or lettered article, section, paragraph or clause refers to the articles, section, paragraph or clause bearing that number or letter in this Agreement.
1.5 The words "hereof", "herein" and similar expressions used in any section, paragraph or clause of this Agreement shall relate to the whole of this Agreement and not to that section, paragraph or clause only unless otherwise expressly provided.
2. RESTRICTION ON OCCUPANCY OF DWELLING UNITS
2.1 During the Term, the Development on the Development Lands shall be operated as a rental building and at least $75 \%$ of the Dwelling Units shall be occupied and used as Affordable Rental Units and up to $25 \%$ of the Dwelling Units shall be occupied and used as Supportive Rental Units.
2.2 Each Affordable Rental Unit shall be occupied by households that meet the Affordable Rental Unit Eligibility Criteria and rent for each Dwelling Unit will be a minimum of 10\% below the average market rent rate. The average market rent rate is determined by a market rent appraisal of similar units within the City of Surrey.
2.3 Each Supportive Rental Unit shall be occupied by at least one person that meets the Supportive Rental Unit Eligibility Criteria unless there are no eligible applicants that meet the Supportive Rental Eligibility Criteria, in which case the affected Supportive Rental Until may be rented as an Affordable Rental Unit.
2.4 The City may, from time to time, request the Registered Owner to provide written proof of compliance with sections 2.1, 2.2 and 2.3 and the Registered Owner agrees to provide, or cause an operator of the Lands to provide, the City with such proof in a form reasonably satisfactory to the City.
2.5 During the Term, the Development Lands shall not be stratified.
2.6 This Agreement shall automatically terminate at the end of the Term and the City shall remove notice of this Agreement from title to the Lands at such time.
2.7 The City and the Registered Owner agree that the restrictions on occupancy of the Dwelling Units set out in this Agreement shall not apply to other buildings located on the Lands.

## 3. ENFORCEMENT

3.1 If the Registered Owner fails to enforce compliance with the terms and conditions of Part 2 , then it is specifically understood and agreed that the City will be entitled, but will not be obliged, to enforce the terms and conditions of Part 2.

## 4. LIABILITY

4.1 The Registered Owner will indemnify and save harmless the City and each of its selected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reasons of or arising out of failure of the Registered Owner to comply with the terms and conditions of this Agreement.
4.2 Provided the City is in compliance with the terms and conditions of this Agreement, the Registered Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Registered Owner now has or hereafter may have with respect to or by reasons of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

## 5. NOTICE

5.1 Any notices or other documents to be given or delivered pursuant to this Agreement will be addressed to the proper party as follows:
(a) As to the City:

City of Surrey
13450-104 Avenue
Surrey, BC V3T 1V8
Attention: General Manager, Planning and Development Department
(b) As to the Developer:

Peninsula Estates Housing Society
15306-24 Avenue
Surrey, BC V4A 2J1
Attention: Chief Executive Officer
or such other address as such party may direct. Any notice or other documents to be given or delivered pursuant to this Agreement will be sufficiently given or delivered if delivered to the particular party as its address set out or determined in accordance with this section and shall be deemed complete two (2) days after the day of delivery.
5.2 It is specifically agreed that for any notice or document to be validly given or delivered pursuant to this Agreement, such notice or document must be delivered and not mailed.

## 6. GENERAL

6.1 Nothing in this Agreement:
(a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the uses or subdivision of land; and
(b) relieves the Registered Owner from complying with any enactment, including the City's by-laws.
6.2 The Developer and the City acknowledge and agree that this Agreement is only intended to apply to the Development on the Development Lands and not any other portion of the Lands. The City covenants and agrees that concurrently with the registration of any subdivision plan (including an airspace subdivision plan, or a strata plans pursuant to the Strata Property Act) that creates a separate legal parcel or parcels for the Development Lands, the City will, without delay, execute in registrable form and deliver to the Developer for filing in the applicable land title office, a discharge of any notice of this Agreement from title to the parcel(s) so created that do not contain the Development or any portion thereof. Such discharge is to be prepared and registered at the sole cost of the Developer.
6.3 The Developer agrees to obtain from any prospective purchaser or other transferee of the Development an agreement to be bound by the terms of this Agreement. The Developer agrees that the Development will not be held by, or transferred to, more than two parties as Registered Owner without the written consent of the City.
6.4 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.
6.5 Time is of the essence of this Agreement.
6.6 This Agreement shall be construed in accordance with and governed by the laws of the Province of British Columbia.
6.7 If a court of competent jurisdiction finds that any part of this Agreement is invalid, illegal or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
6.8 Upon request by the City, the Registered Owner of the Lands will promptly do such acts and execute such documents as the City may reasonably require, in the opinion of the City, to give effect to this Agreement.
6.9 This is the entire Agreement between and among the parties concerning the subject matter of this Agreement and there are no warranties, representations, conditions or collateral agreements relating to this Agreement, except as included in this Agreement.
6.10 This Agreement may be enforced by prohibitory and mandatory court order of the Court. In any action to enforce this Agreement, the City shall be entitled to court costs on a solicitor and own client basis.
6.11 This Agreement shall enure to the benefit of and be binding upon the Registered Owner of the Lands and its successors and assigns and all parties claiming through them and this Agreement shall enure to the benefit of and be binding upon the City and its successors and assigns. This Agreement shall charge and run with the Lands.
6.12 The covenants of the Registered Owner contained herein shall be personal and be binding upon the Registered Owner only during its ownership of any interest in the Lands herein described.

IN WITNESS WHEREOF the City of Surrey and the Developer have executed this Agreement under seal of their duly authorized officers as of the references of this Agreement.

## CITY OF SURREY

By its authorized signatories:

## Doug McCallum <br> Mayor

Jennifer Ficocelli
City Clerk

## PENINSULA ESTATES HOUSING SOCIETY

By its authorized signatories:

Name:
Title:

Name:
Title:

Attachments: Appendix A - Site Plan


## A

## Integra

ARCHITECTURE INC. $2330-200$ Ganulle Street

Vanoowner, BC. VEC. 184 Vawnouser. BC, V6C 154
www integra-arch. com
Telephone: 6046884208 $5=$ $\sim^{N}$

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## UNTT

485 Uniti - Harmony



THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

## WHEREAS:

A. The Council (the "Council") of the City of Surrey (the "City") may by by-law, pursuant to Part 27 of the Local Government Act, R.S.B.C. 1996, Chapter 323, as amended, reenacted or consolidated from time to time and any successor statute (the "Local Government Act"), protect a heritage property by by-law; and
B. Council considers that Semiahmoo Trail, as shown in Schedules "A" and "B" of this By-law (the "Semiahmoo Trail"), has significant cultural, historical and heritage value and character and is a prominent and valued heritage property in the City; and
C. The City has previously included portions of the Semiahmoo Trail on the Surrey Heritage Register; and
D. Semiahmoo Trail involves lands that are (1) owned by the City; (2) used as parklands that are in a natural state; (3) along unconstructed roads or constructed roads that are characterized by narrow twisting pavement with grass edges and no concrete curbs; and (4) constructed roads that provide for pedestrian crossing that interrupt the natural character of the trail; and
E. The natural and heritage character of Semiahmoo Trail is best preserved by allowing utilities and services to be located only in, on or over the paved portions of Semiahmoo Trail;

F The segment of Semiahmoo Trail between 28 and 32 Avenues is intended to be converted in the long-term to pedestrian-only use with no vehicular access from adjoining lots; and
F. All persons having a registered interest or occupying the lands forming Semiahmoo Trail have been notified about this designation; and
G. The City has defined the extent and form of conservation necessary to protect the natural and cultural heritage values and character of Semiahmoo Trail in order that it may be appreciated and enjoyed by present and future generations; and
H. The natural areas and parklands will be managed as set out in the Natural Areas Strategic Management Plan or successor plans of the City, primarily to preserve and, where possible, restore the natural and cultural values and character of the Semiahmoo Trail;

NOW THEREFORE IN OPEN MEETING ASSEMBLED, THE COUNCIL ENACTS AS FOLLOWS:

## TITLE

1. This By-law may be cited for all purposes as "Surrey Semiahmoo Trail Heritage Designation By-law, 2004, No. 15280."

## INTERPRETATION

2. In this By-law, any grammatical form of the term "alter" and the terms "approval", "heritage character", "heritage designation bylaw", "heritage property", "heritage value", "owner" and "real property" have the meaning given to them in Local Government Act.
3. For the purposes of this bylaw, the General Manager of Planning and Development or his designate is responsible for determining whether an action to be undertaken to the protected property under this bylaw is prohibited under Section 6 of this bylaw or whether a heritage alteration permit is required under Section 7 of this bylaw. The General Manager of Parks, Recreation and Culture or the General Manager of

Engineering or their respective designates, in consultation with the General Manager of Planning and Development, are responsible for determining the actions that can be undertaken under Section 7 of this bylaw for lands that are owned or under the control of the City without the need for a heritage alteration permit.

## DESIGNATION

4. The features of the real property described in Schedule "A" to this By-law (the "Property") and shown for convenience in "The Map of Designated Segments of Semiahmoo Trail" attached as Schedule "B" to this By-law, referred to as the Semiahmoo Trail, is designated as protected under Section 967 of the Local Government Act.
5. Designation protection of the Property shall restrict the owner from making alterations to the Property without first obtaining approval from the City.

## PROHIBITION

6. Except as expressly permitted and defined in Sections 7 and 8 or as authorized under a heritage alteration permit issued by the City, no person shall undertake any of the following actions, nor cause or permit any of the following actions to be undertaken in relation to the Property protected under this By-law:
(a) construct a building or structure;
(b) construct a driveway along Semiahmoo Trail between 28 Avenue and 32 Avenue, Elgin Road and Crescent Road;
(c) move a building or structure onto the Property;
(d) alter, remove or take an action that would damage the Property; or
(e) alter, excavate or build anywhere on the Property, including alter, excavate or build utilities and services in the ground, on the surface or above the surface.
7. The following types of alterations may be made to the Property without the owner having to obtain a heritage alteration permit from the City:
(a) construction or alteration of the pedestrian walking area of Semiahmoo Trail and paths leading to the trail, provided that the surfacing materials do not involve paving or like hard surfaces, except in the case of crosswalks or structures to allow Semiahmoo Trail to cross a road or a natural feature;
(b) planting of trees, shrubs and other landscaping that are indigenous to the area and determined by the City to be suitable and consistent with the heritage character of Semiahmoo Trail;
(c) where Semiahmoo Trail crosses roads, the trees, shrubs, other landscaping, pedestrian amenities, curbs, sidewalks, light standards, and like works and services along that road boulevard may be continued provided a transition to the pedestrian trail and the landscaping is provided;
(d) removal of trees and plants as approved by a permit under the Tree Preservation By-law No. 12880, as amended or its successor by-laws or regulatory provisions;
(e) split rail fences determined by the City to be suitable and consistent with the heritage character of Semiahmoo Trail;
(f) use of special surface treatment to define the pedestrian space in a road, determined by the City to be suitable and consistent with the heritage character of Semiahmoo Trail;
(g) paving and maintenance of existing roads crossing Semiahmoo Trail;
(h) construction and maintenance of utilities located within the road right-of-way of the following portions of the Property:

| (i) | 24 Avenue |
| :--- | :--- |
| (ii) | 28 Avenue |
| (iii) | 32 Avenue |
| (iv) | 34 Avenue; and |
| (v) | 148 Street |

provided any disturbance to Semiahmoo Trail, including, but not limited to any special pedestrian crossing treatment, amenities or landscaping, is corrected to the satisfaction of the City; and normal maintenance of Semiahmoo Trail and the lands, including the fences, trees and vegetation.
8. For the purpose of Section 7, "normal maintenance" means the use of surfacing materials that are consistent with those in use for the portion of the pedestrian trail being maintained, pruning and hazard tree abatement that conforms with arboriculture practices approved and in use by the City, planting and re-planting of trees, landscaping and vegetation that are indigenous and in keeping with the heritage character of Semiahmoo Trail, replacement of sod by native undergrowth, and other works to be done to the standards and safety requirements set by the City governing the construction and maintenance of Semiahmoo Trail.
9. Notwithstanding the exemption of Section 7, a building permit may be required for buildings or structures in accordance with Surrey Building By-law, 1987, No. 9011, as amended or its successor by-law.

## HERITAGE ALTERATION PERMITS

10. Where a heritage alteration permit is required under this By-law for a proposed action in relation to the Property, application shall be made to the City of Surrey Planning and Development Department in the manner and on the form prescribed and the applicant shall pay the fee imposed by the City for such a permit. A heritage alteration permit will be referred to the Heritage Advisory Commission for review and comment before permit issuance.
11. City Council, or its delegated authority, is hereby authorized to:
(a) issue a heritage alteration permit for situations in which the proposed action would be consistent with the heritage protection provided for the Property under this By-law;
(b) withhold the issuance of a heritage alteration permit for an action which would not be consistent with the heritage protection provided for the Property under this By-law;
(c) establish and impose terms, requirements and conditions on the issuance of a heritage alteration permit, including securities for required works and landscaping, that are considered to be consistent with the purpose of the heritage protection of the Property provided under this By-law; and
(d) determine whether the terms, requirements and conditions of a heritage alteration permit have been met.

## REPEAL OF PREVIOUS BY-LAW

12. Semiahmoo Trail Heritage Designation By-law, 1978, No. 5556, as amended, is hereby repealed in its entirety.

READ A FIRST AND SECOND TIME on the 2nd day of February, 2004.
PUBLIC HEARING HELD thereon on the 23rd day of February, 2004.
READ A THIRD TIME ON THE 23rd day of February, 2004.
RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 22nd day of March, 2004.
$\qquad$
$\qquad$ CLERK

## SCHEDULE "A"

## PART ONE: REAL PROPERTY WITH HERITAGE VALUE OR HERITAGE CHARACTER

| LEGAL DESCRIPTION |
| :--- |
| $\frac{1}{\text { All that portion of road, otherwise known as Semiahmoo }}$ |
|  |
| 166 Group (Gp.) 2 and Timber Lots 16, 17 \& 18 Section |
| (Sec.) 28 Township (Tp.) 1 New Westminster District |
| (NWD) between a line joining the most easterly corner of |
| 0.042 Acre portion shown on Reference Plan 2238 and |
| the most northerly corner of Lot 22 Sec. 28 Tp. 1 NWD |
| Plan 57887 on the south side of the Nicomekl River, and |
| a line joining the most easterly corner of Lot 14 DL 165 |
| Gp. 2 NWD Plan 6951 and the most southerly corner of |
| Part of Lot 1 DL 165 Gp. 2 NWD Plan 6951 Shown red |
| on Bylaw Plan 53604 on the northerly side of Crescent |
| Road, said portion of Semiahmoo Trail dedicated road by |
| Plan 6951, Plan 51854, July 1922 centreline definition of |
| travelled road shown on Reference Plans 5155, 6195, and |
| centreline definition of road shown on Reference Plan |
| 2238. |

DESIGNATED FEATURE

- The strip of land between the abutting lots and the travelled portion of the road where Semiahmoo Trail is located, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, Trail signage and fences in the strip along the road.
- The land where the pedestrian trail crosses the travelled portion of any road.
$\underline{2}$
All that portion of Crescent Road lying in District Lot (DL) 165 Group (Gp.) 2 New Westminster District (NWD) described as follows:

Commencing at the most easterly corner of Lot 14 DL 165 Gp. 2 NWD Plan 6951.

Thence northeasterly to the most southerly corner of Part of Lot 1 DL 165 Gp. 2 NWD Plan 6951 Shown red on Bylaw Plan 53604.

Thence southeasterly to the most northerly corner of Parcel 'C’ Bylaw Plan 47850.

Thence southwesterly to the most westerly corner of said Parcel ‘C’ Bylaw Plan 47850.

Thence northwesterly to the point of commencement.

- The strip of land between the abutting lots and the travelled portion of the road where Semiahmoo Trail is located, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage and fences in the strip along the road.
- The land where the pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges.

| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 3 <br> All that portion of road, otherwise known as Semiahmoo Trail, lying in District Lot (DL) 165 Group (Gp.) 2 New Westminster District (NWD) dedicated by Plan 6951 and shown as Parcel 'C' on Bylaw Plan 47850. | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 4 <br> Lot 5 District Lot 165 Group 2 New Westminster District Plan LMP43334 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, Trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 5 <br> All that portion of 34 Avenue lying in District Lot (DL) 165 Group (Gp.) 2 New Westminster District (NWD) comprised of Parcel 'A' (Bylaw Plan LMP1248) North West 120 Feet (Explanatory Plan 13846) Lot 5 DL 165 Gp. 2 NWD Plan 6951 and that portion of Parcel 'B' (Bylaw Plan LMP1248) Except portions in Plan LMP54581 Lot 5 DL 165 Gp. 2 NWD Plan 6951 lying southwest of a line joining the most easterly corner of said Parcel 'A' (Bylaw Plan LMP1248) and the northwest corner of Lot 1 DL 165 Gp. 2 NWD Plan LMP54581. | - The land where the pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges. <br> - For the areas other than the travelled portion of the road, the land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 6 <br> 2095 square metres of Park lying in District Lot 165 Group 2 New Westminster District dedicated by Plan LMP 54581 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 7 <br> 3025 square metre portion of Park lying in District Lot 165 Group 2 New Westminster District dedicated by Plan BCP 6322 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 8 <br> Parcel "1" District Lot 165 Group 2 New Westminster District Reference Plan 68255 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 9 <br> All that portion of road, otherwise known as Semiahmoo Trail, lying in District Lot (DL) 155 Group (Gp.) 2 New Westminster District (NWD) dedicated by Plan 23453, Plan 32421, and shown as Parcel ' A ' and Parcel ' B ' on Bylaw Plan 47853. | - The land and the features associated with the Semiahmoo Trail using this former road allowance, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 10 <br> All that portion of 32 Avenue lying in District Lot (DL) 155 Group (Gp.) 2 and Section (Sec.) 22 Township (Tp.) <br> 1 New Westminster District (NWD) described as | - The land where the pedestrian trail crosses the travelled portion of any road, whether |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| follows: <br> Commencing at the most easterly corner of Lot 46 DL 155 Gp. 2 NWD Plan 46806. <br> Thence easterly to the southwest corner of Lot 37 DL 155 Gp. 2 NWD Plan 32421. <br> Thence southeasterly to the northwest corner of Lot 21 Except: Firstly: The East 587 Feet, Secondly: Part south and west of Blaine Elgin Road Sec. 22 Tp. 1 NWD Plan 1266. <br> Thence westerly to the northeast corner of Lot 30 Sec. 22 Tp. 1 NWD Plan 11234. <br> Thence northwesterly to the point of commencement. | or not marked, including crosswalk areas, special pavement or pedestrian bridges. |
| 11 <br> All that portion of road, otherwise known as Semiahmoo Trail, lying in Section (Sec.) 22 Township (Tp.) 1 New Westminster District (NWD) between a line joining the northeast corner of Lot 30 Sec. 22 Tp. 1 NWD Plan 11234 and the northwest corner of Lot 21 Except: Firstly: The East 587 Feet, Secondly: Part south and west of Blaine Elgin Road Sec. 22 Tp. 1 NWD Plan 1266 at 32 Avenue, and a line joining the most easterly corner of Lot 1 Sec. 22 Tp. 1 NWD Plan 18943 and the most southerly corner of Lot 15 Sec. 22 Tp. 1 NWD Plan BCP3807 at 148 Street, said portion of Semiahmoo Trail dedicated road by Plan 1266 and redefined by posting plan E24292, Plan 77571, Plan 83977 and Plan LMP7047. | - In the short term, the narrow and curving road commonly referred to as "Semiahmoo Trail" from 32 Avenue to 28 Avenue, the natural and grassed boulevard areas and driveway access. <br> - In the long term, when driveway access for the most part is eliminated through development or redevelopment allowing the land to be converted into a pedestrian trail, the designation will extend to the land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 12 <br> All that portion of 28 Avenue and 148 Street lying in Section (Sec.) 22 Township (Tp.) 1 New Westminster District (NWD) described as follows; <br> Commencing at the southeast corner of Lot 1 Sec 22 Tp . 1 NWD Plan 18943. <br> Thence northerly to the most southerly corner of Lot 15 Sec. 22 Tp. 1 NWD Plan BCP3807. <br> Thence southeasterly to a point on the northerly boundary of Parcel '2' (Bylaw Plan LMP21086) Sec. 22 Tp. 1 NWD dedicated Road on Plan 1642 said point being 4.255 metres easterly from the northwest corner of said Parcel '2' (Bylaw Plan LMP21086). <br> Thence westerly and following along said northerly boundary of Parcel '2' (Bylaw Plan LMP21086) for a distance of 4.255 metres to said northwest corner of Parcel '2' (Bylaw Plan LMP21086). <br> Thence southerly and following along the westerly boundary of said Parcel '2' (Bylaw Plan LMP21086) and the westerly boundary of Lot ' C ' (BE64641) Except: Part dedicated Road on Plan LMP21087 Sec. 22 Tp. 1 NWD Plan 1642 for a distance of 57.295 metres. <br> Thence westerly and parallel to said 4.255 metre portion of northerly boundary Parcel '2' (Bylaw Plan LMP21086) to intersection with the easterly boundary of Lot 1 Sec. 22 Tp. 1 NWD Plan 83184. <br> Thence northerly and following along said easterly boundary of Lot 1 Plan 83184 and its northerly production thereof to intersection with the southerly boundary of said Lot 1 Plan 18943. <br> Thence easterly and following along said southerly boundary of Lot 1 Plan 18943 to the point of commencement. | - The land where the pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 13 <br> All that portion of Lot 'C' (BE64641) Except: Part dedicated Road on Plan LMP21087 Section (Sec.) 22 Township (Tp.) 1 New Westminster District Plan 1642 described as follows: <br> Commencing at the most northerly corner of said Lot 'C' (BE64641). <br> Thence southerly and following along the westerly boundary of said Lot ' $C$ ' (BE64641) for a distance of 32.000 metres. <br> Thence easterly and parallel to the northerly boundary of Parcel '2' (Bylaw Plan LMP21086) Sec. 22 Tp. 1 NWD dedicated Road on Plan 1642 to intersection with the southerly boundary of said Parcel '2' (Bylaw Plan LMP21086). <br> Thence northwesterly and following along said southerly boundary of Parcel '2' (Bylaw Plan LMP21086) to the point of commencement. | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 14 Parcel '2' (Bylaw Plan LMP 21086) Section 22 Township 1 New Westminster District Dedicated Road on Plan 1642 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 15 <br> Lot 2 Section 22 Township 1 Plan LMP 24051 New Westminster District | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 16 <br> All that portion of 24 Avenue lying in Section (Sec.) 15 and Section (Sec.) 22 Township (Tp.) 1 New Westminster District (NWD) described as follows; <br> Commencing at the southwest corner of Lot 2 Sec. 22 Tp . 1 NWD Plan LMP24051. <br> Thence easterly and following along the southerly boundary of said Lot 2 Plan LMP24051 to the southeast corner of said Lot 2 Plan LMP24051. <br> Thence southeasterly to the southwest corner of Strata Plan NW2988. <br> Thence southeasterly to a point on the northerly boundary of Lot 2 Sec. 15 Tp. 1 NWD Plan 11181, said point being 10.000 metres easterly from the northwest corner of said Lot 2 Plan 11181. <br> Thence westerly and following along the said northerly boundary of Lot 2 Plan 11181 for a distance of 10.000 metres to the said northwest corner of Lot 2 Plan 11181. <br> Thence southerly and following along the westerly boundary of said Lot 2 Plan 11181 for a distance of 2.134 metres. <br> Thence westerly and following along the most northerly boundary of Lot 23 Except: Part subdivided by Plan 84492 Sec. 15 Tp. 1 NWD Plan 69917 to the northeast corner of Lot 22 Legal Subdivision 16 Sec. 15 Tp. 1 NWD Plan 69917. <br> Thence northwesterly to the southeast corner of 0.0779 hectare portion of Park lying in Section 22 <br> Township 1 New Westminster District dedicated by Plan LMP2138. <br> Thence northwesterly to the point of commencement. | - The land where the pedestrian Trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges. |
| 17 <br> Lot 23 except: part subdivided by Plan 84492; Section 15, Township 1 New Westminster District Plan 69917 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 18 <br> 0.1291 hectare portion of Park lying in Section 15 Township 1 New Westminster District dedicated by Plan 72921. | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| $\underline{19}$ <br> All that portion of 23'A'Avenue lying in Section (Sec.) 15 Township (Tp.) 1 New Westminster District (NWD) described as follows; <br> Commencing at the southeast corner of Lot 18 Sec 15 Tp. 1 NWD Plan 69917. <br> Thence easterly and following along the southerly boundary of that portion of Lot 23 Except: Part subdivided by Plan 84492 Sec. 15 Tp. 1 NWD Plan 69917 lying north of said 23'A'Avenue to the southwest corner of 400 square metre portion of Park lying in Sec. 15 Tp. 1 New Westminster District dedicated by Plan 72921. <br> Thence easterly and following along the southerly boundary of said 400 square metre portion of Park dedicated by Plan 72921 to the southeast corner of said 400 square metre portion of Park dedicated by Plan 72921. <br> Thence southerly to the northeast corner of 890.9 square metre portion of Park lying in Sec. 15 Tp .1 New Westminster District dedicated by Plan 72921. <br> Thence westerly and following along the northerly boundary of said 890.9 square metre portion of Park dedicated by Plan 72921 to the northwest corner of said 890.9 square metre portion of Park dedicated by Plan 72921. <br> Thence westerly and following along the northerly boundary of that portion of Lot 23 Except: Part subdivided by Plan 84492 Sec. 15 Tp. 1 NWD Plan 69917 lying south of said 23 'A' Avenue to the northeast corner of Lot 17 Legal Subdivision 16 Sec. 15 Tp .1 NWD Plan 69917. <br> Thence northerly to the point of commencement. | - The land where the pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| $\underline{20}$ <br> Lot 18 Section 15 Township 1 New Westminster District Plan 59913 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, Trail signage, pedestrian amenities, pedestrian bridges and fences. |
| $\underline{21}$ <br> Lot 2 Section 15 Township 1 New Westminster District Plan 84492 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| $\underline{22}$ <br> Lot 2 Section 15 Township 1 New Westminster District Plan LMP6723 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, Trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 23 <br> All that portion of 22 Avenue lying in Section (Sec.) 15 Township (Tp.) 1 New Westminster District (NWD) described as follows: <br> Commencing at the southwest corner of Lot 2 Sec .15 Tp . 1 NWD Plan 84492. <br> Thence easterly and following along the southerly boundary of said Lot 2 Plan 84492 to the southwest corner of Lot 2 Sec. 15 Tp. 1 NWD Plan LMP6723. <br> Thence easterly and following along the southerly boundary of said Lot 2 Plan LMP6723 to the southeast corner of said Lot 2 Plan LMP6723. <br> Thence southeasterly to the northeast corner of Lot 3 Sec. 15 Tp. 1 NWD Plan LMP30364. <br> Thence westerly and following along the northerly boundary of said Lot 3 Plan LMP30364 to the northwest corner of said Lot 3 Plan LMP30364. <br> Thence northwesterly to the point of commencement. | - The land where the pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges. |
| $\underline{24}$ <br> Lot 3 Section 15 Township 1 New Westminster District Plan LMP30364 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| $\underline{25}$ <br> Lot 12 Section 15 Township 1 New Westminster District Plan LMP31524 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| $\underline{26}$ <br> Lot 21 Section 15 Township 1 New Westminster District Plan 65109 | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| 27 <br> That portion of Lot 2 District Lots 155 and 165 Group 2 New Westminster District Plan BCP13127, which is described as follows: <br> Commencing at the north easterly corner of Lot 3 District Lot 155 Group 2 New Westminster District Plan BCP13127, the said point of commencement also being the most westerly corner of the said Lot 2 , <br> Thence southerly and following in the westerly limit of said Lot 2 on a bearing of $167^{\circ} 39^{\prime} 44^{\prime \prime}$ for a distance of 43.556 metres, <br> Thence continuing in the said westerly limit on a bearing of $155^{\circ} 47^{\prime} 22^{\prime \prime}$ for a distance of 76.452 metres; <br> Thence north easterly and following in the southerly limit of said Lot 2 on a bearing of $45^{\circ} 31^{\prime} 09^{\prime \prime}$ for a distance of 13.009 metres, <br> Thence northerly and following in the easterly limit of said Lot 2 on a bearing of $340^{\circ} 06^{\prime} 27^{\prime \prime}$ for a distance of 49.786 metres, <br> Thence northerly and continuing in the said easterly limit on a bearing of $333^{\circ} 16^{\prime} 02^{\prime \prime}$ for a distance of 22.644 metres, <br> Thence northerly and continuing in the said easterly limit on a bearing of $341^{\circ} 49^{\prime} 42^{\prime \prime}$ for a distance of 11.087 metres, <br> Thence northerly and continuing in the said easterly limit on a bearing of $346^{\circ} 46^{\prime} 31^{\prime \prime}$ for a distance of 10.739 metres, | - The land and the features associated with Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |

$\left.\begin{array}{|l|l|}\hline \text { LEGAL DESCRIPTION } & \text { DESIGNATED FEATURE } \\ \hline \begin{array}{l}\text { Thence easterly and following in the southerly limit of } \\ \text { said Lot } 2 \text { on a bearing } 90^{\circ} 25^{\prime} 03^{\prime \prime} \text { for a distance of } 29.488 \\ \text { metres, }\end{array} & \\ \begin{array}{l}\text { Thence northerly on a bearing } 0^{\circ} 24^{\prime} 13 \text { " for a distance of } \\ 15.031 \text { metres more or less to the northerly limit of said } \\ \text { Lot 2, }\end{array} & \\ \begin{array}{l}\text { Thence westerly and following in the northerly limit of } \\ \text { said Lot } 2 \text { on a bearing of 270 } \\ 46.495 \text { metres more or less to the point of } \\ \text { commencement, }\end{array} & \begin{array}{l}\text { The said portion containing } 0.209 \text { hectares more or less. }\end{array} \\ \hline \begin{array}{l}\text { 28 } \\ \text { Lot } 3 \text { District Lot } 155 \text { Group } 2 \text { New Westminster District } \\ \text { Plan BCP 13127 }\end{array} & \begin{array}{l}\text { The land and the features } \\ \text { associated with Semiahmoo } \\ \text { Trail, including the pedestrian } \\ \text { trail, whether paved or } \\ \text { naturally surfaced, and the }\end{array} \\ \text { landscaping, trees, trail } \\ \text { signage, pedestrian amenities, } \\ \text { pedestrian bridges and fences. }\end{array}\right\}$

| LEGAL DESCRIPTION | DESIGNATED FEATURE |
| :---: | :---: |
| 30 <br> All that portion of road, otherwise known as Elgin Road Diversion, lying in Timber Lot 18 NE $1 / 4$ Section (Sec.) 18 Township (Tp.) 1 New Westminster District (NWD), shown as Parcel 'A' and Parcel 'B' on Plan With Bylaw Filed 16400. | - The land and the features associated with Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. <br> - The requirements contained in the "Surrey Municipal Heritage Site Designation Bylaw, 1983, No. 7716" as may be amended or replaced from time to time, to preserve the country road character. |
| 31 <br> All that portion of 22 Avenue lying in Section (Sec.) 15 Township (Tp.) 1 New Westminster District (NWD) described as follows: <br> Commencing at the southeast corner of Lot 2 Sec .15 Tp . 1 NWD Plan LMP6723. <br> Thence easterly and following along the southerly boundary of Strata Plan LMS997 Sec. 15 Tp. 1 NWD for a distance of 22.2 metres. <br> Thence southwesterly for a distance of 12.3 metres more or less, to a point on the northerly boundary of Strata Plan LMS3719 Sec. 15 Tp. 1 NWD said point being 12.643 metres easterly from the northwesterly corner of said Strata Plan LMS3719. <br> Thence westerly and following along the said northerly boundary of Strata Plan LMS3719 a distance of 12.643 metres to the said northwesterly corner of Strata Plan LMS3719. <br> Thence northwesterly to the point of commencement. | - The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |


| LEGAL DESCRIPTION |
| :--- |
| $\underline{32}$ |
| All that portion of 22 Avenue lying in Section (Sec.) 15 |
| Township (Tp.) 1 New Westminster District (NWD) |
| described as follows: |
| Commencing at the southwest corner of Lot 2 Sec. 15 Tp. | 1 NWD Plan 84492.

Thence southeasterly to the northwesterly corner of Lot 3 Sec. 15 Tp. 1 NWD Plan LMP30364.

Thence westerly and following along the northerly boundary of Strata Plan LMS2514 Sec. 15 Tp. 1 NWD to the northwesterly corner of said Strata Plan LMS2514.

Thence westerly and following along the northerly boundary of Lot 5 Sec. 15 Tp. 1 NWD Plan LMP26301 to the northwesterly corner of said Lot 5 .

Thence southwesterly on a line between the said northwesterly corner of Lot 5 Plan LMP26301 and the northeasterly corner of Lot 41 Sec. 15 Tp .1 NWD Plan 79714 for a distance of 8.8 metres.

Thence northwesterly to intersection with the northerly production of the easterly boundary of said Lot 41 Plan 79714.

Thence northerly and following along the said northerly production of the easterly boundary of Lot 41 Plan 79714 for a distance of 4.7 metres more or less to intersection with the southerly boundary of Lot 24 Sec. 15 Tp .1 NWD Plan 69917.

Thence easterly and following along the said southerly boundary of Lot 24 Plan 69917 for a distance of 110 metres more or less to the point of commencement.
33
All that portion of 151A Street shown as road on Plan EPP104138

DESIGNATED FEATURE

- The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, including the Significant Tree identified in Schedule 'B' of the Tree Preservation By-law, 1996, No. 12880 identified as tree \#103, trail signage, pedestrian amenities, pedestrian bridges and fences.

The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences.

Schedule "B"

## MAPS OF THE DESIGNATED SEGMENTS OF SEMIAHMOO TRAIL (Key Мар)

Delete


Add


NOTE: Where there is a discrepancy between the maps in this Schedule "B" and the lands described in Schedule "A", the description in Schedule "A" shall apply.

MAPS OF THE DESIGNATED SEGMENTS OF SEMIAHMOO TRAIL (Section 1: Map 1 of 7 Maps)





## MAPS OF THE DESIGNATED SEGMENTS OF SEMIAHMOO TRAIL

(Section 5: Map 5 of 7 Maps)



MAPS OF THE DESIGNATED SEGMENTS OF SEMIAHMOO TRAIL (Section 7: Map 7 of 7 Maps)
Delete






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ARCHITECTURE INC. $2330-200$ Ganalle Street
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## UNTT

485 Unitit - Harmony


Future
Phasing Plan
(Building)



$2330-200$ Glanulle Street | Vancouver. BC. VEC 184 |
| :--- |
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