



Corporate Report

NO: R020

COUNCIL DATE: February 2,

2004

REGULAR COUNCIL

TO: Mayor & Council DATE: January 28,
2004

FROM: General Manager,
Planning and
Development FILE: 6800-20
(Semiahmoo
Trail)

SUBJECT: Heritage Designation for Semiahmoo Trail

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Authorize the City Clerk to bring forward the Heritage Designation By-law, attached as Appendix I to this report, for the required readings and to set a date for the related public hearing, that will act to protect the majority of Semiahmoo Trail between the Nicomekl River and 20 Avenue; and
3. Authorize the Clerk to provide the necessary notification as required under the *Local Government Act*.

INTENT

The purpose of this report is to obtain Council approval to continue with a process toward establishing a heritage designation over additional segments of the Semiahmoo Trail, stretching between the Nicomekl River and 20 Avenue in South Surrey.

BACKGROUND

Semiahmoo Trail not only has historical, natural and cultural heritage value, it is significant in that it was the first heritage site in the City identified and protected, as such, by Council in 1978. Since 1978, nearly the entire length of the former wagon road in South Surrey has been secured for public use as a significant part of the linear park network in the area.

The significance of Semiahmoo Trail to the early history of regional transportation and to the settlement of Surrey, along with the wide public recognition of its unique natural and heritage value, makes this heritage site a suitable candidate for protection and ultimately for recognition as part of the Federal Historic Places Initiatives.

The Surrey Heritage Register and the Semiahmoo Trail Heritage Lands By-law, 1978, No. 5556 identify the section of the Semiahmoo Trail between 24 and 28 Avenues, as a heritage site (see Appendix II). Over time, the City has used the subdivision and development approval process to acquire further segments of the Semiahmoo Trail, between the Nicomekl River and 20 Avenue in South Surrey.

In September 2003, the Heritage Advisory Commission ("HAC") heard a delegation concerning the preservation of the Semiahmoo Trail. The HAC noted that not all segments of Semiahmoo Trail in South Surrey were on the Heritage Register or protected by a Heritage Designation By-law. After hearing the delegation, the HAC recommended to Council that:

"a heritage designation by-law be drafted for additional segments of the Trail that the Commission concludes are candidates for designation, once there is sufficient progress with Phase 3 of the Heritage Register".

At its Regular meeting on September 29, 2003, Council referred the recommendation of the HAC to staff to report back to Council on the matter.

On January 12, 2004, Council adopted a resolution to place the Semiahmoo Trail, from the Nicomekl River to 20 Avenue, on the City of Surrey Heritage Register. This was an initial step in the process of placing the Semiahmoo Trail on the National Heritage Register, which is part of a separate review being undertaken in conjunction with the Federal Historic Places Initiatives.

DISCUSSION

Protecting the Semiahmoo Trail from the Nicomekl River to 20 Avenue, under a Heritage Designation By-law, is consistent with the City's Heritage Management Plan and related Implementation Strategy. It is also consistent with the intent of the Federal Historic Places Initiative.

The proposed Heritage Designation By-law for Semiahmoo Trail is attached as Appendix I. It has been reviewed and accepted by the HAC, the Engineering Department and the Parks, Recreation and Culture Department.

Section 968 of the *Local Government Act* requires that a public hearing be held in relation to each heritage designation by-law, similar to the public hearing process for each rezoning by-law. Notice of the public hearing must be given to all persons having a registered interest in real property affected by the by-law and occupiers of the real property, such as utility companies with services under or crossing the property that is the subject of the by-law. Upon adoption of the by-law, the *Local Government Act* requires that notice be forwarded to the Land Title Office and the Minister responsible for the heritage

As part of the designation process, Section 968(5) of the *Local Government Act* requires that a report be prepared regarding the property being designated. The information attached as Appendix III to this report fulfils this requirement of the *Act*.

The proposed Heritage Designation By-law sets out:

- the lands being designated as Semiahmoo Trail and the manner in which components of the designated lands are being protected (Schedule "A" of the proposed by-law, with a conceptual map in Schedule "B");
- the terms and conditions to conserve Semiahmoo Trail and its surrounding physical environment, allowable routine maintenance and instances where a Heritage Alteration Permit is or is not required for alterations or works on the Semiahmoo Trail (Sections 5 through 11); and
- the repeal of the current Semiahmoo Trail Heritage Lands By-law, 1978, No. 5556 (Section 12).

The following documents the rationale for the main provisions of the proposed Heritage Designation By-law:

(i) Lands to be Designated

The land proposed to be designated as part of the by-law includes those parts of the Semiahmoo Trail under City ownership and are either:

- already designated or on the Heritage Register; or
 - on the original alignment of the Semiahmoo Trail; or
- which have a pedestrian environment, character and public perception that evoke a heritage-type trail.

Using these criteria, the vast majority of the Semiahmoo Trail, between the Nicomekl River and 20 Avenue, is proposed to be designated, as illustrated in Appendix II.

The heritage designation is being limited to those sections of the Semiahmoo Trail under City ownership, based on concern with the provisions in the *Local Government Act* that allow owners of land that is being designated to seek compensation. Some segments of the Semiahmoo Trail are privately owned, with pedestrian access being secured by rights-of-way or public access agreement. These lands now in private ownership may be suitable candidates for heritage designation in the future as the City, through land development application approvals, acquires them.

The following table and the map attached as Appendix II, describe the segments of the Trail that are recommended for designation:

| Segment of Trail | Compliance with Criteria | | | |
|---|--|---------------------------------|---|------------------------|
| | Designated or on the Heritage Register | Original alignment of the Trail | Evokes a heritage-type trail atmosphere | Land owned by the City |
| Elgin/Crescent Roads from the Nicomekl River to the Elgin school, including unconstructed road right of way behind the Elgin School | | ✓ | | ✓ |
| The lands acquired through "The Crescent" townhouse development site (Southwest corner of King George Highway and Crescent Road) | | ✓ | | ✓ |
| The lands between 34 and 32 Avenues, obtained through subdivision applications along the Trail, and the lands the City retained when the Trail in | | ✓ | | ✓ |

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| this area was stopped up and closed | | | | |
| The residential street named "Semiahmoo Trail" between 32 and 28 Avenues | | ✓ | | ✓ |
| The segment between 28 and 24 Avenues in Sunnyside Forest | ✓ | ✓ | | ✓ |
| The lands secured between 24 Avenue and 151A Street as part of the development of single family residential subdivisions or townhouse complexes | | | ✓ | ✓ |
| A path the City acquired when the Peninsula Estates townhouse site, at the northwest corner of 151A Street and 20 Avenue, was developed | | | ✓ | ✓ |

(ii) Protected Heritage Elements

The by-law is intended to protect those features associated with Semiahmoo Trail that convey its heritage value and character. The protected features include:

- **Land:** A total of 26 parcels of land, including parks, lots and road allowances are subject to protection. Part of the heritage character involves protecting and creating an environment that is open, natural and separate from adjacent buildings and urban activities, so that the heritage trail can be appreciated and enjoyed by trail users.
- **Semiahmoo Trail:** The physical path and associated structures, amenities, trees, fences and landscaping is being protected. The trail itself is the focal element of the protected lands. Its surface treatment, location and interfacing with the surroundings, together with fence treatment, plantings, signage and pedestrian amenities are to be sensitively treated to ensure the natural and cultural values and character of

the Trail are enhanced, maintained and conserved.

- **Pedestrian elements:** Crosswalk areas, whether or not they are paved to differentiate the pedestrian space from the road and the pedestrian bridge over 148 Street, are protected. The by-law also protects the locations where the Trail crosses City streets such that the continuity of the path system is maintained even though landscaping and surface treatment will change to more of an urban character through suitable transitions.

(iii) Terms and Conditions

The proposed Heritage Designation By-law only allows for actions that are compatible with the maintenance and enhancement of the heritage character of Semiahmoo Trail.

Construction or moving of buildings and driveways along Semiahmoo Trail, Crescent Road or Elgin Road and building or excavating on the protected lands are only allowed if approved by Council through a Heritage Alteration Permit. The by-law provides for the Semiahmoo Trail and the City lands surrounding it, to be managed by the Parks, Recreation and Culture Department in accordance with their Natural Areas Strategic Management Plan. Alterations that are necessary for the operation and maintenance of City roads that cross the Trail and for utility companies to access and maintain underground or overhead services, are accommodated within the by-law.

The Heritage Designation By-law also establishes requirements and standards for the transition between Semiahmoo Trail and adjacent lands that are being subdivided or developed. The "Semiahmoo Trail Design Standards" were reviewed and supported by the HAC at its meeting on December 17, 2003. This includes split rail fences only, natural surfacing for the Trail and any access trails, access gates and indigenous plantings.

The Heritage Designation By-law allows for normal maintenance, tree removal in accordance with the Tree Preservation Bylaw and the construction of crosswalks using materials to differentiate the pedestrian space along the side of a road or where the Trail crosses a road.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the City Clerk to bring forward for the required readings for the Heritage Designation Bylaw that is attached as Appendix I to this report that will act to protect the majority of Semiahmoo Trail between the Nicomekl River and 20 Avenue. It is further recommended that Council set a date for the related public hearing and authorize the City Clerk to undertake the necessary notifications as required in the *Local Government Act*.

Murray Dinwoodie
General Manager
Planning and Development

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Appendices

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| Appendix I | Heritage Designation By-law |
| Appendix II | Map of Semiahmoo Trail Showing Segments Designated or Recommended to be Designated |
| Appendix III | Supplemental Information Under Section 968 of the <i>Local Government Act</i> |

CITY OF SURREY

BY-LAW NO. _____

A Heritage Designation By-law

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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, re-enacted 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 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, _____, No. _____.

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 on land anywhere on the Property.

EXEMPTIONS FROM APPROVAL FOR ALTERATIONS

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, provided any disturbance to Semiahmoo Trail or its landscaping is corrected to the satisfaction of the City; and
- (h) 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 _____ th day of _____, 20 .

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

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

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

_____ MAYOR

_____ CLERK

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SCHEDULE "A"

PART ONE: REAL PROPERTY WITH HERITAGE VALUE OR HERITAGE CHARACTER

| <u>LEGAL DESCRIPTION</u> | <u>DESIGNATED FEATURE</u> |
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| <p><u>1</u></p> <p>All that portion of road, otherwise known as Semiahmoo Trail or Elgin Road, lying in District Lots (DL) 165 & 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,</p> | <ul style="list-style-type: none"> • 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. |

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| and centreline definition of road shown on Reference Plan 2238. | |
| <p><u>2</u></p> <p>All that portion of Crescent Road lying in District Lot (DL) 165 Group (Gp.) 2 New Westminster District (NWD) described as follows:</p> <p>Commencing at the most easterly corner of Lot 14 DL 165 Gp. 2 NWD Plan 6951.</p> <p>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.</p> <p>Thence southeasterly to the most northerly corner of Parcel 'C' Bylaw Plan 47850.</p> <p>Thence southwesterly to the most westerly corner of said Parcel 'C' Bylaw Plan 47850.</p> <p>Thence northwesterly to the point of commencement.</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>3</u></p> <p>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.</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>4</u></p> <p>Lot 5 District Lot 165 Group 2 New Westminster District Plan LMP43334</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>5</u></p> <p>All that portion of 34 Avenue lying in District Lot (DL) 165 Group (Gp.) 2 New Westminster District (NWD)</p> | <ul style="list-style-type: none"> • The land where the pedestrian trail crosses the travelled portion of |

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| <p>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.</p> | <p>any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges.</p> <ul style="list-style-type: none"> • 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. |
| <p><u>6</u> 2095 square metres of Park lying in District Lot 165 Group 2 New Westminster District dedicated by Plan LMP 54581</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>7</u> 3025 square metre portion of Park lying in District Lot 165 Group 2 New Westminster District dedicated by Plan BCP 6322</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>8</u> Parcel "1" District Lot 165 Group 2 New Westminster District Reference Plan 68255</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>9</u> 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</p> | <ul style="list-style-type: none"> • The land and the features associated with the Semiahmoo Trail using this former road allowance, including the pedestrian trail, |

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| <p>32421, and shown as Parcel 'A' and Parcel 'B' on Bylaw Plan 47853.</p> | <p>whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences.</p> |
| <p><u>10</u> All that portion of 32 Avenue lying in District Lot (DL) 155 Group (Gp.) 2 and Section (Sec.) 22 Township (Tp.) 1 New Westminster District (NWD) described as follows:</p> <p>Commencing at the most easterly corner of Lot 46 DL 155 Gp. 2 NWD Plan 46806.</p> <p>Thence easterly to the southwest corner of Lot 37 DL 155 Gp. 2 NWD Plan 32421.</p> <p>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.</p> <p>Thence westerly to the northeast corner of Lot 30 Sec. 22 Tp. 1 NWD Plan 11234.</p> <p>Thence northwesterly to the point of commencement.</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>11</u> 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.</p> | <ul style="list-style-type: none"> • 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. • 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 |

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| | amenities, pedestrian bridges and fences. |
| <p><u>12</u></p> <p>All that portion of 28 Avenue and 148 Street lying in Section (Sec.) 22 Township (Tp.) 1 New Westminster District (NWD) described as follows;</p> <p>Commencing at the southeast corner of Lot 1 Sec. 22 Tp. 1 NWD Plan 18943.</p> <p>Thence northerly to the most southerly corner of Lot 15 Sec. 22 Tp. 1 NWD Plan BCP3807.</p> <p>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).</p> <p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Thence easterly and following along said southerly boundary of Lot 1 Plan 18943 to the point of commencement.</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>13</u></p> <p>All that portion of Lot 'C' (BE64641) Except: Part dedicated Road on Plan LMP21087 Section (Sec.) 22 Township (Tp.) 1 New Westminster</p> | <ul style="list-style-type: none"> • The land and the features associated with the Semiahmoo Trail, including the pedestrian |

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| <p>District Plan 1642 described as follows:</p> <p>Commencing at the most northerly corner of said Lot 'C' (BE64641). Thence southerly and following along the westerly boundary of said Lot 'C' (BE64641) for a distance of 32.000 metres. 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). Thence northwesterly and following along said southerly boundary of Parcel '2' (Bylaw Plan LMP21086) to the point of commencement.</p> | <p>trail, whether paved or naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences.</p> |
| <p><u>14</u> Parcel '2' (Bylaw Plan LMP 21086) Section 22 Township 1 New Westminster District Dedicated Road on Plan 1642</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>15</u> Lot 2 Section 22 Township 1 Plan LMP 24051 New Westminster District</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>16</u> 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;</p> <p>Commencing at the southwest corner of Lot 2 Sec. 22 Tp. 1 NWD Plan LMP24051. Thence easterly and following along the southerly boundary of said</p> | <ul style="list-style-type: none"> • 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. |

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| <p>Lot 2 Plan LMP24051 to the southeast corner of said Lot 2 Plan LMP24051.</p> <p>Thence southeasterly to the southwest corner of Strata Plan NW2988.</p> <p>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.</p> <p>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.</p> <p>Thence southerly and following along the westerly boundary of said Lot 2 Plan 11181 for a distance of 2.134 metres.</p> <p>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.</p> <p>Thence northwesterly to the southeast corner of 0.0779 hectare portion of Park lying in Section 22 Township 1 New Westminster District dedicated by Plan LMP2138.</p> <p>Thence northwesterly to the point of commencement.</p> | |
| <p><u>17</u> Lot 23 except: part subdivided by Plan 84492; Section 15, Township 1 New Westminster District Plan 69917</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>18</u> 0.1291 hectare portion of Park lying in Section 15 Township 1 New Westminster District dedicated by Plan 72921.</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>19</u></p> | <ul style="list-style-type: none"> • The land where the |

All that portion of 23'A' Avenue lying in Section (Sec.) 15 Township (Tp.) 1 New Westminster District (NWD) described as follows;

Commencing at the southeast corner of Lot 18 Sec. 15 Tp. 1 NWD Plan 69917.

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.

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.

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.

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.

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.

Thence northerly to the point of commencement.

pedestrian trail crosses the travelled portion of any road, whether or not marked, including crosswalk areas, special pavement or pedestrian bridges.

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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

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| | fences. |
| <p><u>21</u> Lot 2 Section 15 Township 1 New Westminster District Plan 84492</p> | <ul style="list-style-type: none"> 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. |
| <p><u>22</u> Lot 2 Section 15 Township 1 New Westminster District Plan LMP6723</p> | <ul style="list-style-type: none"> 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. |
| <p><u>23</u> All that portion of 22 Avenue lying in Section (Sec.) 15 Township (Tp.) 1 New Westminster District (NWD) described as follows:</p> <p>Commencing at the southwest corner of Lot 2 Sec. 15 Tp. 1 NWD Plan 84492.</p> <p>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.</p> <p>Thence easterly and following along the southerly boundary of said Lot 2 Plan LMP6723 to the southeast corner of said Lot 2 Plan LMP6723.</p> <p>Thence southeasterly to the northeast corner of Lot 3 Sec. 15 Tp. 1 NWD Plan LMP30364.</p> <p>Thence westerly and following along the northerly boundary of said Lot 3 Plan LMP30364 to the northwest corner of said Lot 3 Plan LMP30364.</p> <p>Thence northwesterly to the point of commencement.</p> | <ul style="list-style-type: none"> 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. |
| <p><u>24</u> Lot 3 Section 15 Township 1 New Westminster District Plan LMP30364</p> | <ul style="list-style-type: none"> The land and the features associated with the Semiahmoo Trail, including the pedestrian trail, whether paved or |

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| | naturally surfaced, and the landscaping, trees, trail signage, pedestrian amenities, pedestrian bridges and fences. |
| <p><u>25</u> Lot 12 Section 15 Township 1 New Westminster District Plan LMP31524</p> | <ul style="list-style-type: none"> • 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. |
| <p><u>26</u> Lot 21 Section 15 Township 1 New Westminster District Plan 65109</p> | <ul style="list-style-type: none"> • 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"

MAP OF DESIGNATED SEGMENTS OF SEMIAHMOO TRAIL

Map of Semiahmoo Trail Showing Segments Designated or Recommended to be Designated **Appendix II**



Note: Solid arrows indicate privately owned segments with pedestrian passage that are not included in this designation bylaw; hollow arrows identify general areas to be secured for expansion of the Semiahmoo Trail as part of subdivision or development proposals.

Appendix III

Supplemental Information to Satisfy the Requirements of Section 968 of the *Local Government Act*

The following information relates to the lands known as Semiahmoo Trail proposed for heritage designation:

Heritage Value or Character of the Property

The heritage value of the Semiahmoo Trail is based on:

- (i) its historical significance to the early history of Surrey; and

- (ii) only a portion of the Semiahmoo Trail in Surrey remains and is capable of being conserved to reflect its natural state in its original location.

As early as 1861, Semiahmoo Trail was established by European settlers as a travel route in the region, including a stretch in Surrey from the current Canada – US border through to Brownsville on the Fraser River. It interconnects Vancouver, New Westminster, a number of historic communities in Surrey, such as Brownsville on the Fraser River and Elgin on the Nicomekl River, with communities in Washington State. As the use of the Trail increased due the influx of settlers and gold prospectors to British Columbia and points further north, the Province upgraded the Trail to a Wagon Road in 1879.

Over the years, some portions of the original Semiahmoo Trail were abandoned, while other portions were upgraded to build King George Highway. In 1962, Highway 99 became the main though route between Vancouver, Surrey and Washington State.

Those portions of the Trail that were not abandoned are used as local streets, such as "Semiahmoo Road" in the Whalley community south of Old Yale Road, 144A Street in Newton between King George Highway and Highway No. 10 and "Semiahmoo Trail" in South Surrey between 28 and 32 Avenues.

Some abandoned portions of the Trail, particularly in the area north of 24 Avenue, have been kept in a natural state by the City or by private landowners. The segment of the Trail on City lands between 26 and 32 Avenues was the City's first designated heritage site. In 1978, the Semiahmoo Trail Heritage Lands By-law, 1978, No. 5556 was adopted by Council under the former *Heritage Conservation Act*.

Compatibility with Official Community Plan and other Community Planning Objectives

Semiahmoo Trail constitutes one of the City's most significant heritage elements and the only heritage trail on the Surrey Heritage Register. Consistent policies have been in place with the objective of securing, preserving and enhancing the Trail as a pedestrian open space in the community. These include:

- Official Community Plan policy G-2.1 related to the protection of "sites and landscapes or natural and cultural features";
- The 1986 Official Community Plan, in which Council recognized the heritage value of old trails, with specific reference to Semiahmoo Trail, stating that "old trails be preserved upon subdivision and incorporated into linear recreation networks";
- The Semiahmoo Town Centre Plan (December 1991) places emphasis on the significance of Semiahmoo Trail as an integrated part of the open space concept for the Town Centre and the surrounding residential neighbourhoods;
- Council established standards forming part of a 1991 townhouse application (6789 0379 00) as the guidelines for all projects abutting the Semiahmoo Trail. These guidelines ensure that the Trail can be conserved and adjacent areas developed, by using suitable buffers and transitions (e.g. fences, additional setbacks and natural buffers);
- Council adopted a resolution in 1994 supporting the concept of minimizing, with the goal of eliminating, vehicle traffic on the road portion of the Semiahmoo Trail between 28 and 32 Avenues; and
- The King George Highway Corridor Study that was adopted in 1995 identifies the objective of consolidating the Trail and protecting and enhancing its edges with appropriate density transitions in combination with undisturbed areas.

Compatibility with Lawful Uses of the Property and Adjacent Lands

All the lands proposed for designation are owned by the City, are designated parkland or are City roads. The use of the lands for public purposes is compatible with the land's public ownership. Where the area proposed for designation includes road crossings, the designation provides for the continuation of functions, including vehicle movements, utility corridors and necessary maintenance. Where the designation follows a road, access to individual lots abutting the road is allowed so long as alternative access is not available, which would allow driveways from the Trail to be closed and/or the road to be closed to vehicular movement.

Adjacent lands may be affected along the edge of the Trail. Upon subdivision and development, the City will generally require that the lands abutting the Trail be dedicated for park to increase the linear open space containing the Trail. Guidelines have been established governing the edges including: the design and location of fences along the Trail; suitable landscaping transitions and buffers; restrictive covenant areas to protect plantings and landscaping; additional setbacks for buildings abutting the trail; a larger minimum size for lots abutting the trail; the front orientation of buildings; requirement

for lane access to abutting development; and restrictions on vehicle driveways or pedestrian gates.

Conditions and Economic Viability of Property

The proposed designation involves City-owned lands that are to be kept in a natural state. No privately owned lands are subject to this Heritage Designation By-law. Any services that cross the Trail, either underground, on the surface or overhead will not be affected by the designation. Utility operators will continue to have the same responsibilities and privileges regarding their utility services where the Trail crosses a road.

Need for Financial or Other Support

Semiahmoo Trail is maintained by the City as parkland or as part of the local residential street network. The park portions are managed by the Parks, Recreation and Culture Department on operating funds allocated for park maintenance. It is also subject to the Natural Areas Strategic Management Plan which forms the basis for determining the standards for works and the expenditures necessary to conserve Semiahmoo Trail. Financial support under the Heritage Sites Financial Assistance By-law is not expected to apply to the Semiahmoo Trail.

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