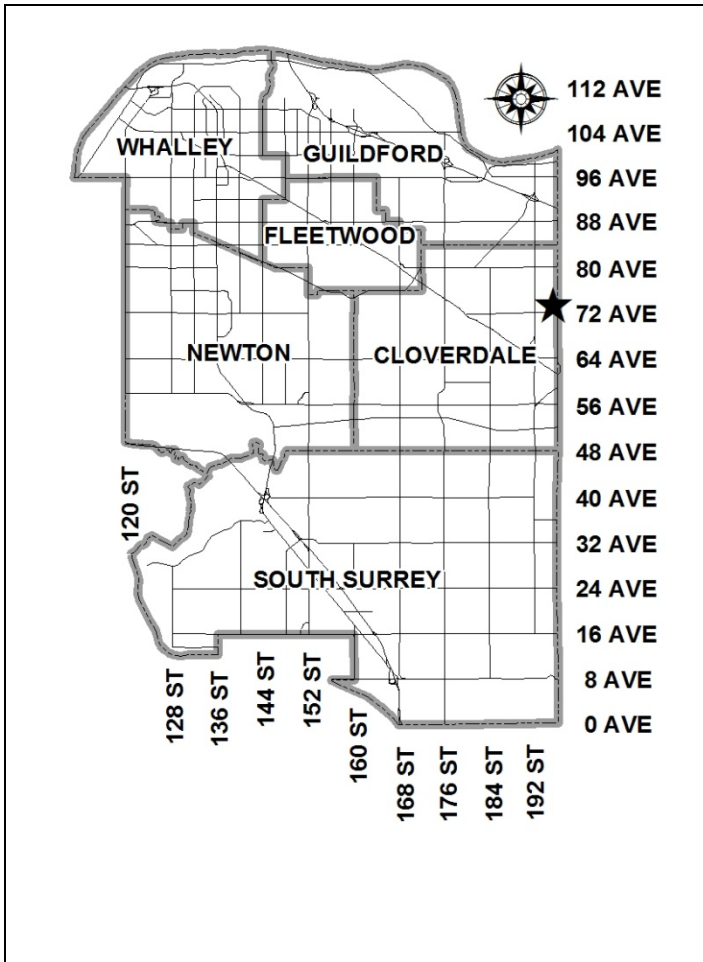


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0180-00

Planning Report Date: April 2, 2012

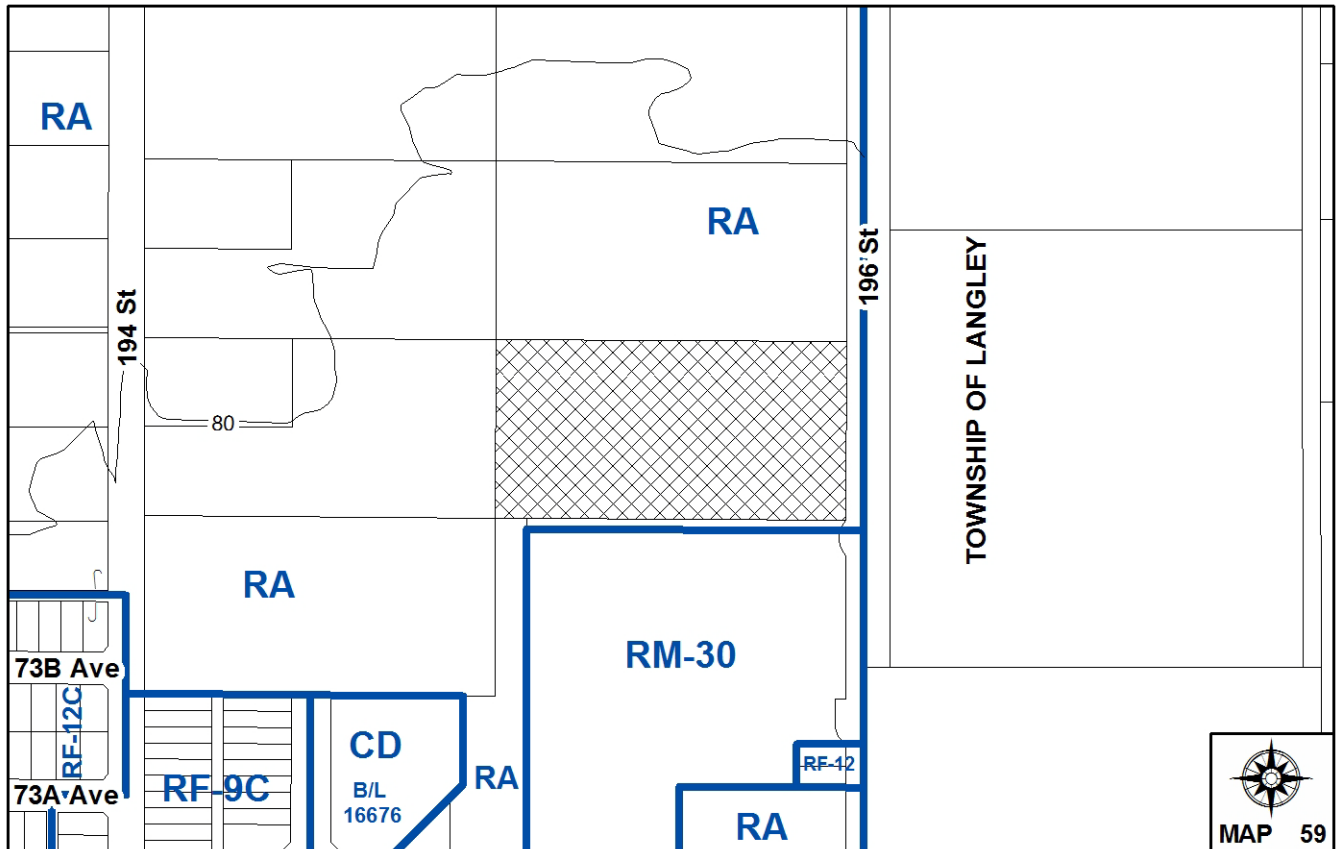


PROPOSAL:

- **OCP Amendment** from Suburban to Urban
- **NCP Amendment** to include the subject property within the NCP boundary and designate it as 22-45 upa (High Density)
- **Rezoning** from RA to RM-30
- **Development Permit**

in order to permit the development of 77 townhouse units.

LOCATION: 7405 - 196 Street
OWNER: Sunmark Ventures Ltd., Inc. No. 678924
ZONING: RA
OCP DESIGNATION: Suburban
NCP DESIGNATION: Outside the East Clayton NCP Extension – North of 72 Avenue



RECOMMENDATION SUMMARY

The Planning & Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires an OCP amendment from Suburban to Urban.
- Requires an amendment to the East Clayton Neighbourhood Concept Plan (NCP) Extension – North of 72 Avenue to include the subject property within the NCP plan area boundary and to designate it as 22 – 45 upa (High Density).
- The Official Community Plan (OCP) includes policies that promote an orderly, comprehensive and holistic approach to land development. OCP Policy A-4.3 requires that development within specified areas, such as Clayton, be contingent upon, and subject to, the preparation of an NCP specifying land use, density, infrastructure services including roads, public amenities and financing strategies. The site is beyond the NCP boundary.

RATIONALE OF RECOMMENDATION

- The subject site currently falls outside of the existing boundaries of the East Clayton NCP Extension – North of 72 Avenue (East Clayton – North NCP) area.
- The application should be withheld until an NCP process covering the land that is the subject of the application has advanced to Stage 1 approval.
- The Engineering Department has serious concerns with the application. The existing sanitary sewer and storm water management systems do not have the capacity to support additional development beyond the currently approved NCP boundaries.
- The additional residents resulting from the proposed developments were not accounted for in the preparation of Parks, Recreation and Culture Department plans for this NCP area.
- It is difficult for the Surrey School District to plan for additional schools without a comprehensive NCP process being undertaken. The School District has not planned for student growth to the north of the current East Clayton boundaries and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time.
- The proposed development, if approved, would extend the NCP area without a thorough planning process, which includes community consultation.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied (Option A).

This report is being forwarded to Council in advance of a full application review process since the subject application involves a significant policy-related decision and it was not considered practical to undertake all of the work associated with refining and detailing the proposal until it is determined if Council is prepared to consider the related NCP policy amendment.

If Council is of the view that the relative merits of the application are sufficient to allow the application to proceed (Option B), the application should be referred back to staff to work with the applicant in completing the application as follows:

- submission of a detailed design package, including complete building elevations, floor plans, streetscape sections, lot grading information, colours/material scheme, landscape plan, and arborist assessment;
- detailed Engineering assessment to determine specific development requirements;
- completion of environmental, wildlife and watercourse assessments in accordance with ESA policies in the OCP (environmental); species at risk legislation as identified by the Ministry of Environment (wildlife); and the possibility of any protected watercourses as identified by DFO; and
- undertake a complete public consultation process as per typical NCP Amendment applications.

If Council decides there is merit in the application (Option B), a second Planning Report will be forwarded to Council once the completed application has been received and thoroughly reviewed by staff.

REFERRALS

Engineering: The Engineering Department has significant concerns with the project as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Heavily treed lot which lacks any buildings.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant land (heavily treed)	Suburban	RA
East (Across 196 Street):	Vacant land (within the Township of Langley)	N/A (within the Township of Langley)	N/A (within the Township of Langley)
South:	Townhouse site which will include future multi-use pathways along the site's northern and western (greenway) boundaries	OCP: Urban NCP: Public Open Space / Park and Multi-use pathway and 15 - 25 upa (Medium-High Density)	RM-30
West:	Suburban home on heavily treed lot	Suburban	RA

APPLICANT'S JUSTIFICATION FOR OCP AND NCP AMENDMENTS

- The applicant has provided the following rationale in support of their proposal (Note: staff comments are shown in italics):
 - The approved NCP for the East Clayton - North of 72 Avenue established an NCP boundary that was based on estimated limits for servicing capabilities. This boundary was established based on concept-level servicing analysis coupled with orthophoto topographic modelling. Furthermore, the establishment of the original NCP boundary was based on design criteria such as maximum depth of pipes (5.0 m (16 ft.)) and maximum depth of fill (1.2 m (4 ft.)) needed to achieve gravity servicing.
 - The NCP documentation identified the need for complete field topographical survey combined with detailed engineering design and site grading to confirm this boundary.
 - The NCP boundary was amended on two previous occasions (Surrey Projects 7905-0382-00 and 7910-0177-00). In both cases, the Planning Reports to Council were supportive of the proposed NCP extensions. The justification stated in the Planning Reports identified the fact that “a detailed topographical assessment” and the provision (by the applicant's consultant) of an “engineering analysis to demonstrate . . . that the site may be efficiently serviced within the guidelines of the NCP”.
 - The proposal has provided to staff the same information as was relied upon previously in their support of project Nos. 7905-0383-00 and 7910-0177-00.

Engineering

- In April 2011, McElhanney prepared an analysis and opinion regarding the serviceability of the subject site. This report was provided to the Planning and Engineering Departments in advance of an application being submitted.

- The conclusions of the Engineering analysis were based on detailed field topographical survey. As a result, McElhanney concluded that sufficient downstream capacity exists to service the site for the proposed use and in accordance with the City design parameters (depth of fill, depth of pipes) described within the NCP.

(The Engineering Department has serious concerns with the application. The existing sanitary sewer and storm water management systems do not have the capacity to support additional development beyond the currently approved NCP boundaries.)

- Development of the subject site along with the adjacent, western application will facilitate the dedication / construction of 74 Avenue. This road will provide an east-west connection that may be difficult for the City to achieve at 73 Avenue due to impacts on an existing parcel.

(The needs and design of the local road network have not been confirmed through a Neighbourhood Concept Plan process.)

- The ability to further extend servicing to the north was considered. Due to the depth of pipes and fill which are essentially at the design standard limitations on the subject site, there is no ability to extend servicing further to the north without exceeding design maximums (e.g. fill) or encountering downstream capacity constraints.

Planning

- The proposed development represents a logical extension of the current land use under construction to the south of the site.
- The proposal also allows for the logical extension of the north-south greenway identified in the General Land Use Plan for Clayton. This open space could be obtained by the City as a part of a 'community benefit' package associated with this application. Previous applications approved for NCP extensions did not include any extraordinary measures in this regard.
- A draft land use and road network plan has been submitted to staff for the purpose of demonstrating context for evaluating the proposal in terms of land use, open space and vehicle / pedestrian circulation.

(As with all of the applications that are proposed outside of currently planned (NCP) areas, appropriate land uses have not been identified through an NCP process.)

The determination of appropriate land uses, an efficient transportation network, requirements for engineering infrastructure and community facilities/amenities, in addition to local environmental considerations have not been thoroughly analyzed to fully reflect the future community's needs.)

- Based on verbal communications with the School District, the additional multifamily dwelling units are not likely going to trigger over-crowding issues upon completion of planned school facilities in the Clayton area.

(The School District has not planned for student growth to the north of current East Clayton boundaries and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time. It is difficult for the Surrey School District to plan for additional schools without a comprehensive NCP process being undertaken.)

- The proposal would be compliant with the sustainability standards as set out in the East Clayton NCP.

Environment

- The City of Surrey engaged an environmental consultant (Envirowest) to conduct a habitat assessment. Their report (2004) concluded that the site was at best rated “low” in terms of the presence of any red or blue listed species.
- The subject site is heavily treed, primarily with alder trees. This is a similar condition as was encountered to the south on a townhouse site now under construction at 19525-73 Avenue. The applicant anticipates having to provide a substantial contribution to the City’s Green fund as was the case for their townhouse development to the south.

(See Context section below for detailed information on environmental considerations. The subject site is heavily forested and has a Medium Environmental Sensitive Area (ESA) designation and is identified as an "Environmentally Sensitive Area" in the Clayton General Land Use Plan. The City’s recently completed Ecosystem Management Study (EMS) identifies the site as part of a Terrestrial Hub.

According to the City’s EMS study, 64% of the site is covered with evergreen vegetation. The site is additionally noted as part of the interior forest in the DRAFT Integrated Stormwater Management Study (ISMP) which provides a significant value for both forest habitat and watershed functions).

DEVELOPMENT CONSIDERATIONS

Background

- On June 27, 2005, the East Clayton NCP Extension – North of 72 Avenue (East Clayton – North NCP) was approved by Council. The plan area is bounded by 188 Street to the west, 72 Avenue to the south, and 196 Street to the east. The northerly boundary of the NCP area was established as the limit to which gravity sanitary sewers could be installed to service the land north of 72 Avenue while satisfying the following criteria:
 - the maximum depth of sewer lines being no more than 5.0 metres (16 feet) below the finished grade;
 - the maximum depth of imported fill on any lot in the area being no more than 1.2 metres (4 feet);
 - sewer trunk servicing capacity must be available to allow full development in the East Clayton NCP areas, including the Aloha Estates neighbourhood south of 72 Avenue and east of 192 Street;
 - satisfaction of all other criteria in the City of Surrey Subdivision and Development By-law; and

- the interface between the developed land and the adjacent suburban/rural land to the north being designed with a suitable buffer.

Context of Current Application

- The 1.40-hectare (3.46 ac) subject property is located at 7405-196 Street outside the existing East Clayton – North NCP boundary. The site is currently zoned One-Acre Residential (RA) and designated suburban in the Official Community Plan.
- The subject application is one of four applications that the City has recently received for outside the East Clayton NCP boundary (Appendix IV). Additional applications could be anticipated if any of these four application is supported.
- As in each of the above-referenced applications, the applicants for the subject site are proposing to develop their site in advance of an NCP being prepared for the area. As these applications are outside of an existing NCP area, each application will require an Official Community Plan ("OCP") amendment to redesignate the land from "Suburban" to "Urban" and an amendment to the East Clayton – North NCP to include the land within the NCP area.
- Under the subject application, the applicant is seeking to designate the subject site as 22-45 upa (High Density) within the East Clayton- North NCP. In addition, the applicant is proposing to rezone the site from One-Acre Residential Zone (RA) to Multiple Residential 30 Zone (RM-30) in order to construct 77 townhouse units.
- The subject site is heavily forested and has a Medium Environmental Sensitive Area (ESA) designation and is identified as an "Environmentally Sensitive Area" in the Clayton General Land Use Plan. The City's recently completed Ecosystem Management Study (EMS) identifies the site as part of a Terrestrial Hub (which also includes the adjacent property to the west, under Application No. 7911-0282-00 also proposing inclusion in the East Clayton – North NCP).
- The East Clayton North East Terrestrial Hub is 66 hectares (163 Ac.) in size and has an "Ecological Significance Score" of 70 out of 100. According to the City of Surrey EMS site assessment, approximately 64% of the site is covered with Evergreen vegetation (36% deciduous).
- The EMS is now being used to inform community planning processes to help identify areas that are suitable for development and similarly areas that should be preserved or enhanced as part of comprehensive planning processes. As noted, a community planning process has yet to be completed for this area.
- The DRAFT Clayton Integrated Stormwater Management Plan (ISMP) which is being used to inform the West Clayton NCP processes has identified the importance of portions of the subject property for providing forest habitat and supporting local watershed functions. The subject property forms a portion of an Interior Forest, one of only two such areas within the Clayton ISMP area.
- The applicant has disputed the environmental significance of the property and has provided related reports for previous applications that have been completed in the area, including one directly to the south of the subject property at 19525-73 Avenue.

PRE-NOTIFICATION

Pre-notification letters have not been sent for this application. Should Council direct staff to allow the application to proceed, pre-notification letters will be sent out at that time.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Staff have not consulted with any persons, organizations or authorities with respect to the proposed OCP amendment. Should Council direct staff to allow the application to proceed, staff will undertake the necessary consultation.

PROJECT EVALUATION AND DISCUSSION

- As discussed above, the applicants are seeking to include their site within the East Clayton NCP Extension – North of 72 Avenue (East Clayton North NCP). To date, two land development applications have been approved that were immediately outside the boundary of the East Clayton North NCP (Application Nos. 7905-0382-00 and 7910-0177-00). In each case, the applicant was able to demonstrate how their development could proceed within the criteria established by the NCP (as described on Page 4 of this report).
- The current application is unable to satisfy the criteria for the following reasons:
 - The existing sanitary sewer and storm water management systems do not have the capacity to support additional development beyond the currently approved NCP boundaries.
 - The additional residents resulting from the proposed development were not accounted for in the preparation of Parks, Recreation and Culture Department plans for this NCP area.
 - The School District has not planned for student growth to the north of current East Clayton boundaries and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time. It is difficult for the Surrey School District to plan for additional schools without a comprehensive NCP process being undertaken.
- The Official Community Plan (OCP) includes policies that promote an orderly, comprehensive and holistic approach to land development. OCP Policy A-4.3 requires that development within specified areas, such as Clayton, be contingent upon, and subject to, the preparation of an NCP specifying land use, density, infrastructure services including roads, public amenities and financing strategies.
- The proposed development in effect extends the NCP area without a thorough planning process, which includes community consultation, and does not meet the criteria established within the NCP.

- The Planning and Development Department is currently preparing two NCPs for the West Clayton community, located to the west of 188 Street. It is expected that the Stage 1 Land Use Concept (covering both neighbourhood plans) will be completed in 2012, with Stage 2 for the first neighbourhood completed approximately a year later. The remaining Stage 2 report for the second neighbourhood would then be completed. There are no current plans to initiate NCP processes for lands ~~west~~ east of 188 Street, which would cover the subject applications.
- As noted above, the subject property is part of an area with significant environmental value. The extent of which will need to be determined as part of a future community planning process to ensure that areas with significant environmental value are available for retention.

OPTIONAL COURSES OF ACTION

The following is a summary of the optional courses of action for consideration, and the benefits and concerns of each approach.

- Option A: Denial

Pros:

- Withholding the processing of this development application until an NCP process covering the land subject to this application has advanced to Stage 1 approval supports existing City policy related to contiguous, coordinated development that equitably and efficiently utilizes the available land base.
- This action supports the public expectations related to the East Clayton Extension – North of 72 Avenue area regarding the northern-most limit of development.
- In addition, a denial will send a clear message that development applications will not be supported in a greenfield area until an NCP has been developed for the area. The NCP process allows for a comprehensive review of all of the land use considerations, servicing needs and financial ramifications before development proceeds in the area to ensure that the neighbourhood provides a high quality of life, that impacts are addressed and that costs are equitably shared.
- Allows time to adequately evaluate the environmental significance of the area through an NCP process.
- In this circumstance, a denial is consistent with the objectives within the City's Sustainability Charter related to planned and orderly development.

Cons:

- The applicant will not be able to proceed with development as proposed and will be required to wait for the completion of a community planning process for the area.
- Option B: Refer back to staff and work with the applicant to allow the application to proceed. Process application beyond the East Clayton NCP Extension – North of 72 Avenue boundary

Pros:

- New opportunities for additional housing in Surrey would be created, which may help to influence housing affordability in the area.
- Allowing the proposed development to proceed will result in the City collecting additional NCP amenity fees for the neighbourhood.

Cons:

- Proceeding with the development in advance of an NCP sets a precedent for other landowners who are also looking to develop their land prior to completion of an NCP.
- Engineering services, such as sanitary sewers and storm sewers, will require expensive upgrades to accommodate the related developments. These costs will likely exceed the financial ability afforded by the scale of the application. This will lead to frustration on the part of the applicant and will put pressure on the City to compromise design standards to make the development viable, which would lead to problems for the City over time.
- Parks and other amenities will be over-subscribed due to the additional development that was not anticipated in the development of the East Clayton NCPs.
- As the subject site has been identified as a Medium Environmentally Sensitive Area (ESA) and as a "Terrestrial Hub" (EMS), the proposed development could potentially have significant and detrimental environmental impacts. Any proposed development requires a thorough assessment.
- Schools in the area will experience increased pressure on their capacity by virtue of this unanticipated growth in the student population in the area.

CONCLUSION

- The Planning & Development and Engineering Departments recommend Option A, which is to deny the application.
- If Council is of the view that the relative merits of the application are sufficient to allow the application to proceed (Option B), the application should be referred back to staff to work with the applicant in completing the application as follows:
 - submission of a detailed design package, including complete building elevations, floor plans, streetscape sections, lot grading information, colours/material scheme, landscape plan, and arborist assessment;
 - detailed Engineering assessment to determine specific development requirements;
 - completion of environmental, wildlife and watercourse assessments in accordance with ESA policies in the OCP (environmental); species at risk legislation as identified by the Ministry of Environment (wildlife); and the possibility of any protected watercourses as identified by DFO; and

- undertake a complete public consultation process as per typical NCP amendment applications.
- If Council decides there is merit in the applications (Option B), a second Planning Report will be forwarded to Council once the completed application has been received and thoroughly reviewed by staff.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Proposed Subdivision and Proposed Site Plan
Appendix III.	Engineering Summary
Appendix IV.	Map of Current Applications beyond NCP Boundary

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SML/kms

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Information for City Clerk

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

1. (a) Agent: Name: James Pernu
 McElhanney Consulting Services Ltd.
 Address: 13160 - 88 Avenue
 Surrey, B.C. V3W 3K3

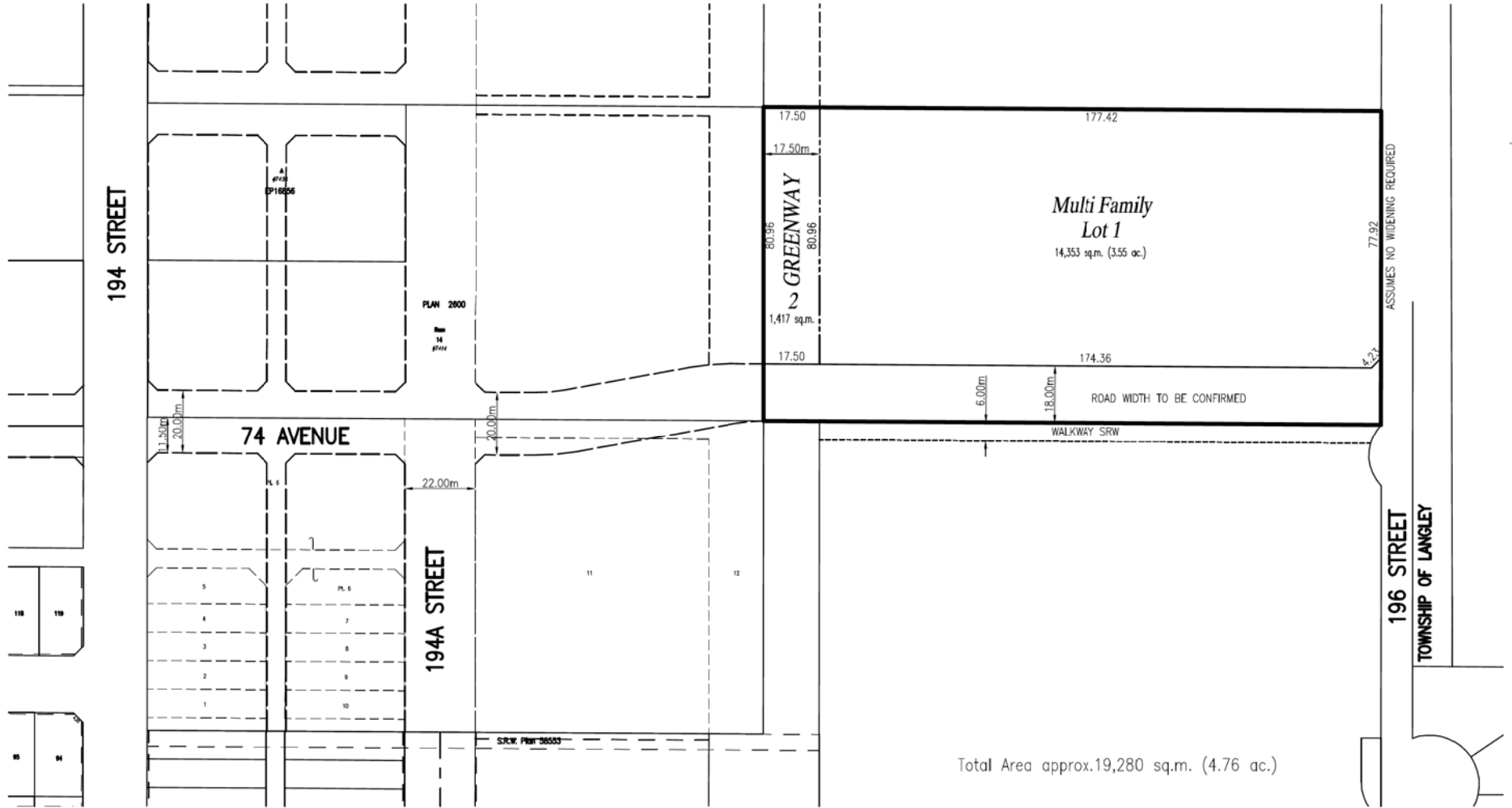
 Tel: 604-596-0391

2. Properties involved in the Application
 - (a) Civic Address: 7405 - 196 Street

 - (b) Civic Address: 7405 - 196 Street
 Owner: Sunmark Ventures Ltd., Inc. No. 678924
 PID: 003-568-954
 Lot 7 Section 22 Township 8 New Westminster District Plan 2600

3. Summary of Actions for City Clerk's Office

This drawing and design is the property of McElhanney Consulting Services Ltd. and shall not be used, reused or reproduced without the consent of the said company. McElhanney Consulting Services Ltd. will not be held responsible for the improper or unauthorized use of this drawing and design.



Total Area approx. 19,280 sq.m. (4.76 ac.)

McElhanney
 McElhanney Consulting Services Ltd.
 13160-88TH AVENUE PHONE (604) 596-0391
 SURREY, B.C. FAX (604) 596-8853

- NOTES:**
- PRELIMINARY LAYOUT ONLY, SUBJECT TO APPROVAL.
 - AREAS AND DIMENSIONS ARE SUBJECT TO DETAILED SURVEY AND CALCULATION, AND MAY VARY.
 - NOT TO BE USED FOR LEGAL TRANSACTIONS.

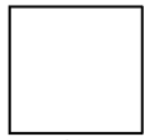
**SKETCH 1 -
 NORTH**

Scale: 1:1250
 Date: JULY 28, 2011
 Job No.: 2111-02486-3

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REV#	DATE	BY	ISSUE



DESIGN	DATE	SCALE
1:2	1405	1" = 30'-0"

CLIENT: SANMARK DEVELOPMENTS LTD.
 PROJECT: RM-30 TOWNHOUSE DEVELOPMENT
 1405 196 STREET, SURREY
 SHEET CONTAINS: CONCEPTUAL SITE PLAN AND DEVELOPMENT DATA

barnett dembok
 ARCHITECTS INC.

UNIT 135,
 7536 130 STREET,
 SURREY, B.C.
 V3W 1H8

PHONE: (604) 597-7100
 FAX: (604) 597-2099
 EMAIL: mail@barnett.com

CLIENT NO.	SHEET NO.
608	AC-10
PROJECT NO.	REV. NO.
1102	

DEVELOPMENT DATA

ZONING : RM-30
 SITE AREA : 150,686 S.F. 3.451 AC 1.40 HA
 DENSITY : 22.3 U.P.A. 55.0 U.P.H.A. (77 UNITS)
 F.A.R. :
 ALLOWABLE : 0.90
 PROVIDED : 0.83 (125,518 S.F.)
 SITE COVERAGE : 41.3% (62,261 S.F.)
 AMENITY :
 REQUIRED:
 OUTDOOR : 3,248 S.F.
 INDOOR : 2,500 S.F.
 PROVIDED:
 OUTDOOR : 3,248 S.F.
 INDOOR : 2,500 S.F.

PARKING :
 REQUIRED: 2 / UNIT VISITORS PARKING 154 SPACES
 TOTAL 164.4 SPACES
 PROVIDED: 2 / UNIT VISITORS PARKING 19 SPACES
 TOTAL 173 SPACES

UNIT BREAKDOWN
 UNIT A 2 BEDROOM 1,401 X 2 UNITS = 2,802 S.F.
 UNIT AI 2 BEDROOM 1,401 X 1 UNIT = 1,401 S.F.
 UNIT B 3 BEDROOM 1,412 X 13 UNITS = 18,356 S.F.
 UNIT C 3 BEDROOM 1,434 X 13 UNITS = 20,707 S.F.
 UNIT DI 3 BEDROOM 1,555 X 12 UNITS = 18,660 S.F.
 UNIT EI 3 BEDROOM 1,578 X 12 UNITS = 18,936 S.F.
 UNIT FI 3 BEDROOM 1,444 X 24 UNITS = 46,656 S.F.
 TOTAL 77 UNITS = 125,518 S.F.



CONCEPTUAL SITE PLAN
 SCALE: 1" = 30'-0"



INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **March 27, 2012** PROJECT FILE: **7811-0180-00**

RE: **Engineering Requirements
Location: 7405 196 Street**

OCP AMENDMENT/NCP AMENDMENT

The following issues are to be addressed as a condition of the OCP Amendment/NCP Amendment:

- This property falls outside the existing boundary of the East Clayton Neighbourhood Concept Plan (NCP) areas. Development will not be supported by Engineering until an NCP process covering the land that is subject of the application has advanced to Stage 1 approval.

REZONE/SUBDIVISION***Property and Right-of-Way Requirements***

- Provide dedication and/or statutory rights-of-way as per the stage 1 NCP approval.

Works and Services

- Construct roadworks and utilities as per the stage 1 NCP approval.

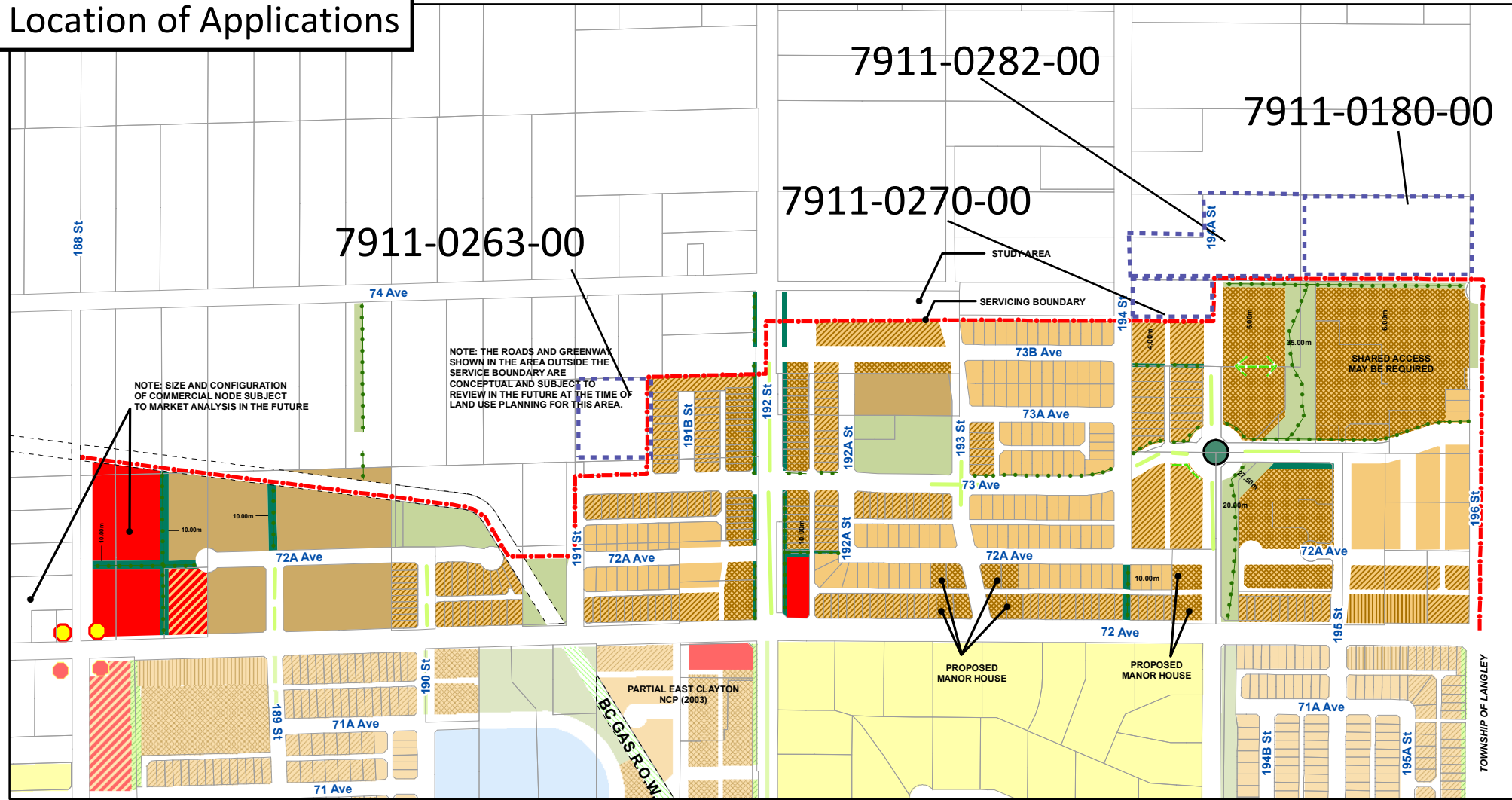
DEVELOPMENT PERMIT/DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Permit/Development Variance Permit.

Bob Ambardar, P.Eng.
Development Project Engineer

SSA

Location of Applications



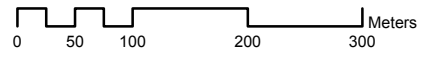
- 6-10 u.p.a. (Low Density)
- 22-45 u.p.a. (High Density)
- 10-15 u.p.a. Special Residential
- Neighbourhood Commercial
- 10-15 u.p.a. (Medium Density)
- Commercial / Residential
- 15-25 u.p.a. (Medium-High Density)
- Special Treatment of Street, Traffic Calming

- Public Open Space / Park
- Special Setback, Landscaping Buffers or Corridors (Landscaping Areas on Private Property)
- Urban Landmark
- Multi-Use Pathway on Public Land or on Private Property with a Public Use Right-of-Way
- Pedestrian Corridor on Private Property (Internal)

EAST CLAYTON NCP EXTENSION - NORTH OF 72 AVENUE LAND USE PLAN

CITY OF SURREY - PLANNING & DEVELOPMENT DEPARTMENT

Approved By Council on June 27, 2005
Amended 14 Dec 2011



Printed: March 8, 2009

This map is provided as general reference only. The City of Surrey makes no warranties, express or implied, as to the fitness of the information for any purpose, or to the results obtained by individuals using the information and is not responsible for any action taken in reliance on the information contained herein.

