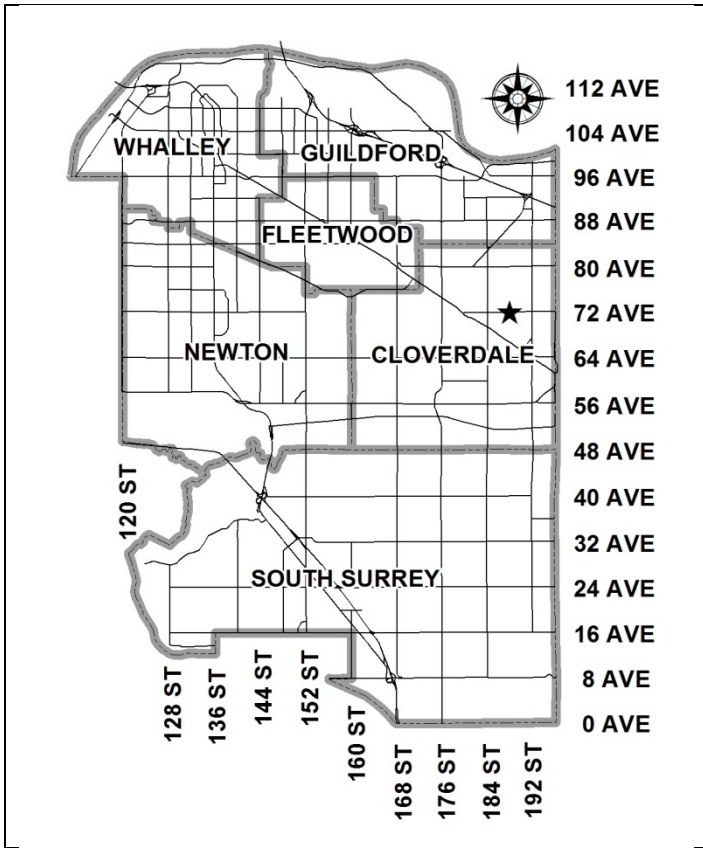


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0204-00

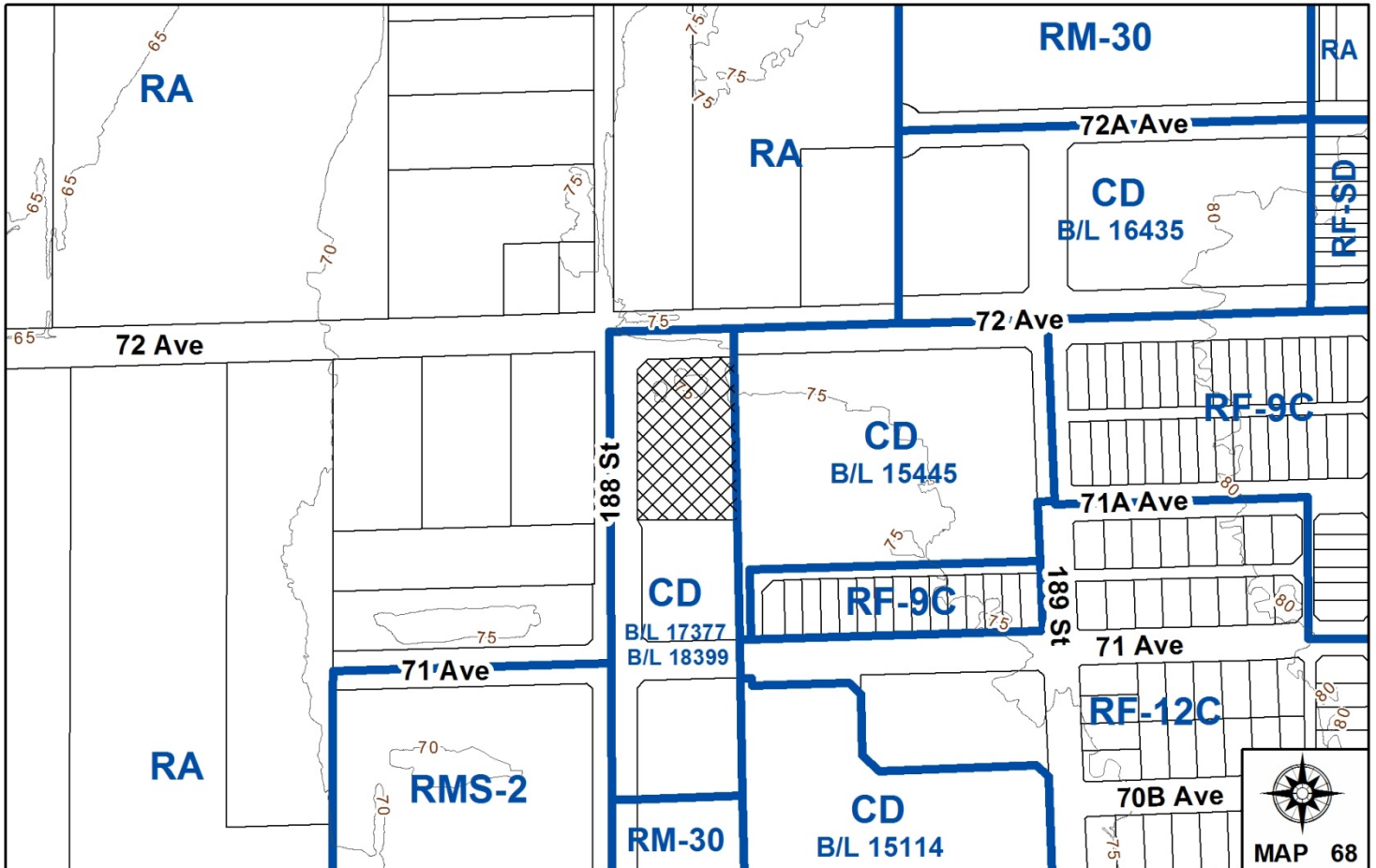
Planning Report Date: September 14, 2015



PROPOSAL:

- Amend CD By-law No. 17377, as amended by By-law No. 18399 to permit a licensee retail store (private liquor store) in a commercial building under construction.

LOCATION: 18810 - 72 Avenue
OWNER: Plaza 188 Holdings Ltd.
ZONING: CD By-law No. 17377, amended by By-law No. 18399
OCP DESIGNATION: Commercial
NCP DESIGNATION: Neighbourhood Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amending CD By-law No. 17377, as amended by By-law No. 18399.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Does not comply with City Policy No. O-59, Locational Guidelines for Private Liquor Stores (Licensee Retail Stores), as the subject site is located within 400 metres (1/4 mile) of public parks, a high school and an elementary school.

RATIONALE OF RECOMMENDATION

- The proposed private liquor store is complementary to the anticipated retail uses at this neighbourhood shopping centre, currently under construction.
- The site is over one (1) kilometre (1/2 mile) from any other liquor store.
- To respond to concerns about child-oriented facilities located in close proximity to the proposed private liquor store, the applicant has agreed to further amend the CD By-law regulating the site by removing child care centres as a permitted use.
- The Parks Recreation and Culture Department and the Cloverdale/Port Kells Community Policing Station have no concerns with the proposed private liquor store.
- Little opposition from the neighbourhood has been raised in response to the pre-notification process for the proposed CD By-law Amendment.
- The applicant has agreed to enter into a Good Neighbour Agreement to assist in mitigating any nuisance activities associated with the proposed liquor store.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. No. 17377, as amended by By-law No. 18399, and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) the applicant enter into a "Good Neighbour Agreement" for the proposed Licensee Retail Store (private liquor store).

REFERRALS

Engineering:	The Engineering Department has no objection to the project.
School District:	The proposed liquor store location is in close geographic proximity to Clayton Heights Secondary, sharing a street frontage on 188 Street, therefore increasing the potential for friction between these two uses.
Parks, Recreation & Culture:	No comments.
Surrey RCMP:	No concerns.
Surrey By-laws & Licensing Services:	No comments.

SITE CHARACTERISTICS

Existing Land Use: Neighbourhood shopping centre under construction.

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North (Across 72 Avenue):	Vacant lot and single family dwelling on residential acreage lots (under Development Application No. 7914-0014-00 for a mixed-use development, currently pre-Council)	Neighbourhood Commercial	RA

Direction	Existing Use	NCP Designation	Existing Zone
East:	Live-work townhouses and townhouses.	10-15 u.p.a. Special Residential and 15-25 u.p.a (Medium-High Density)	CD By-law No. 15445
South:	Live-work townhouses and townhouses.	22-45 u.p.a. (High Density)	CD By-law No. 17377, as amended by By-law No. 18399
West (Across 188 Street):	Single family dwelling on 1-acre lot	Mixed Use Commercial/Residential	RA

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located at 18810 – 72 Avenue on the south-east corner of 72 Avenue and 188 Street. The property is designated "Commercial" in the Official Community Plan (OCP), designated "Neighbourhood Commercial" in the East Clayton NCP and is zoned "Comprehensive Development Zone (CD)" (By-law No. 17377, as amended).
- CD By-law No. 17377, which regulates the site, was approved by Council on July 9, 2012, as part of Development Application No. 7905-0359-00. The CD By-law is divided into 3 blocks: Block A (the subject site) is for commercial uses, Block B (located at 18819 – 188 Street) is for live-work townhouses, and Block C (located at 18818 – 188 Street) is for townhouses.
- Block A of the current CD By-law No. 17377, as amended by By-law No. 18399, is comparable to the Neighbourhood Commercial Zone (C-5), which does not allow private liquor stores as a permitted use.
- On September 9, 2013, Council approved the recommendations in Corporate Report No. R172, regarding locational guidelines for private liquor stores, resulting in the approval of City Policy No. O-59 (see Appendix V).
- The subject site consists of one single-storey commercial building located along the west portion of the property facing 188 Street, and one two-storey commercial building along the north portion of the site facing 72 Avenue. The buildings are currently under construction, and the developer anticipates final occupancy by November 2015. The anticipated business mix includes doctor's office, pharmacy, pizza shop, chiropractor's office, and dental office. Other units are not yet leased.

Current Proposal

- The applicant is proposing an amendment to CD By-law No. 17377, as amended by By-law No. 18399, in order to permit a private stand-alone liquor store on the site. The proposed liquor store is intended to occupy two vacant commercial retail units (CRUs) in the 1-storey

building fronting 72 Avenue, and the combined CRU is approximately 237 square metres (2,551 sq.ft.) in size.

- The applicant is proposing to relocate an existing Licensee Retail Store (LRS) license from the Bear Creek Liquor Store at 13588 – 88 Avenue in Surrey.
- The subject site is located less than 400 metres (1/4 mile) from Wade Park, Clayton Park, Clayton Dog Off-Leash Park, Hazelgrove Park, Hazelgrove Elementary School, and Clayton Heights Secondary School.
- The parking requirements are unaffected as the proposed use is considered a retail use for the purposes of parking calculations.
- The applicant has submitted an operational letter for the rezoning application, which describes the intended hours of operation, the parking allocation for the store, and the applicant's intended approach regarding empty container returns, panhandling/loitering and service to minors (Appendix VIII).

CD By-law No. 17377 and Proposed Amendment

- CD By-law No. 17377 as amended, which regulates the site, was approved by Council on July 9, 2012 (Application No. 7905-0359-00).
- The CD By-law No. 17377 was based on the C-5 Zone. While the C-5 Zone allows neighbourhood pubs as a permitted use, CD By-law No. 17377, as amended, excluded neighbourhood pubs as a permitted use.
- All other uses listed in the C-5 Zone were included in CD By-law No. 17377 (Appendix VI).
- In 2015, CD By-law No. 17377 was amended by By-law No. 18399 to increase the floor area ratio (FAR) and lot coverage for the townhouses in Block C.
- The applicant is proposing to amend CD By-law No. 17377, as amended, in order to add a private liquor store as a permitted use within Block A (Appendix VII).
- Child care centres are a permitted use in CD By-law No. 17377, as amended. To respond to concerns about child-oriented facilities located in close proximity to the proposed private liquor store, the applicant has agreed to further amend the CD By-law by removing child care centres as a permitted use from Block A.
- No other changes are proposed to the existing CD By-law No. 17377, as amended.

PRE-NOTIFICATION

There were 320 pre-notification letters sent out on July 17, 2015 and a development proposal sign was erected on the site on July 27, 2015. Staff received one (1) telephone call and two (2) emails in response to the pre-notification letter, including a letter (attached) from the Cloverdale Community Association, with the following comments (staff comments in italics):

- Two residents expressed opposition to the proposed rezoning for a private liquor store, citing concerns about the proximity of two other liquor stores to this location and therefore no need for another liquor store and that another liquor store is not an appropriate use for this family-oriented neighbourhood.

(The LCLB requires that any new private liquor store be no closer than 1 kilometre from an existing private liquor store. The nearest private liquor store, Clayton Liquor Store, is located on the south side of Fraser Highway at 18710 Fraser Highway.)

- The Cloverdale Community Association has submitted a letter (Appendix IX) regarding the proposed CD By-law Amendment to accommodate a private liquor store and is generally supportive.

(The applicant is amenable to enter into a Good Neighbour Agreement to assist in addressing any concerns regarding the operation of the proposed private liquor store.)

DISCUSSION

Regulations, Policies and Site Evaluation

- In 2009, the Liquor Control and Licensing Branch (LCLB) implemented a number of policy changes. One of these policy changes included the elimination of the requirement that the operator of a Licensee Retail Store (LRS) (i.e. private liquor store) also own and operate a qualifying liquor primary establishment (i.e. neighbourhood pub).
- On October 1, 2012, to correspond with the LCLB's change in policy, Surrey Zoning By-law No. 12000 was amended to allow private liquor stores as a permitted use in the C-8 and C-15 Zones without having to be associated with a liquor primary licensed establishment (i.e. neighbourhood pub) on the same lot.
- The CD Zone that regulates the subject site is comparable to the C-5 Zone, which does not allow a private liquor store as a permitted use, and as such rezoning is required to accommodate a private liquor store on the subject site.
- The LCLB requires that there be a minimum of one kilometre (one-half mile) separation distance between existing or proposed private liquor stores, and that the proposed location be in compliance with the zoning requirements.

Disadvantages of the Proposed CD By-law Amendment

- The City of Surrey's Locational Guidelines for Private Liquor Stores (Policy No. O-59) requires that a private liquor store not be located within 400 metres (one-quarter mile) of a school, public children's park, public playground, public library or public recreation centre.
- The proposed liquor store location does not comply City Policy No. O-59, as it is located within 400 metres of Wade Park, Clayton Park, Clayton Dog Off-Leash Park, Hazelgrove Park, Hazelgrove Elementary School, and Clayton Heights Secondary School.

- The Surrey School District has expressed concern that the proposed location of the liquor store is in close proximity to Clayton Heights Secondary School, sharing a street frontage on 188 Street and may increase the potential for friction between these two uses.
- Two neighbourhood residents have indicated the area is already adequately served in terms of private liquor stores and do not support a new private liquor store in this family-oriented neighbourhood.

Advantages of the Proposed CD By-law Amendment

- The closest private liquor stores to the subject site are Clayton Liquor Store at 18710 Fraser Highway, and Berezan LRS Langley at 19665 Willowbrook Drive, Langley. The minimum one-kilometre separation between these stores and the subject site is satisfied.
- The Parks Recreation and Culture Department, Surrey By-laws and Licensing Services, and the Cloverdale/Port Kells Community Policing Station have no concerns with the proposed liquor store location.
- The proposed use is complementary to the anticipated retail uses at the shopping centre.
- To respond to concerns about child-oriented facilities located in close proximity to the proposed private liquor store, the applicant has agreed to further amend the CD By-law by removing child care centres as a permitted use.
- Although the subject site is within 400 metres (1/4 mile) of four parks, an elementary school and a secondary school, the closest park is 100 metres (300 ft.) from the subject site and the other park and school facilities are over 180 metres (590 ft.) from the subject site.
- The subject site is located at the southeast corner of 72 Avenue and 188 Street, and is designated "Neighbourhood Commercial" in the East Clayton NCP. The parcels located at the northeast, northwest and southwest corners of 72 Avenue and 188 Street are also designated for future commercial use in the East Clayton North of 72 Avenue NCP and the West Clayton NCP, respectively.
- As such, there is anticipated additional commercial development at the intersection of 72 Avenue and 188 Street. The "Community Commercial Zone (C-8)", which may be a more appropriate zone at this intersection, allows liquor stores as a permitted use.
- The Liquor Control and Licensing Branch (LCLB) has strict rules to prohibit the sale of alcohol to minors and monitors accordingly.
- The applicant has agreed to enter into a Good Neighbour Agreement to assist in mitigating any impact the proposed liquor store may have on the surrounding neighbourhood.
- Following the mailing of 320 pre-notification letters, only 2 negative responses were received.
- The Cloverdale Community Association is generally supportive.

CONCLUSION

- Although a private liquor store on the subject site does not fully comply with City Policy No. O-59 due to the proximity of parks and schools, the subject site is within a commercial node in East Clayton.
- The response from the 320 pre-notification letters mailed was not overwhelming; only 2 neighbourhood residents expressed concerns.
- Staff feel that on balance the advantages of the proposal outweigh the disadvantages and therefore recommend support of the proposed CD By-law Amendment to permit a private liquor store on the site.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan
Appendix III.	School District Comments
Appendix IV.	Location of subject site relative to nearest park, school, and private liquor store
Appendix V.	City Policy No. O-59
Appendix VI.	CD By-law No. 17377 and Amendment By-law No. 18399
Appendix VII.	Proposed CD By-law Amendment By-law
Appendix VIII.	Operational letter from the applicant
Appendix IX.	Letter from Cloverdale Community Association

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SAL/da

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KD 9/10/15 10:13 AM

Information for City Clerk

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

1. (a) Agent: Name: Rebecca Hardin
 Rising Tide Consultants Ltd.
 Address: 1130 - West Pender Street, Unit 1090
 Vancouver, BC V6E 4A4

 Tel: 604-669-2928

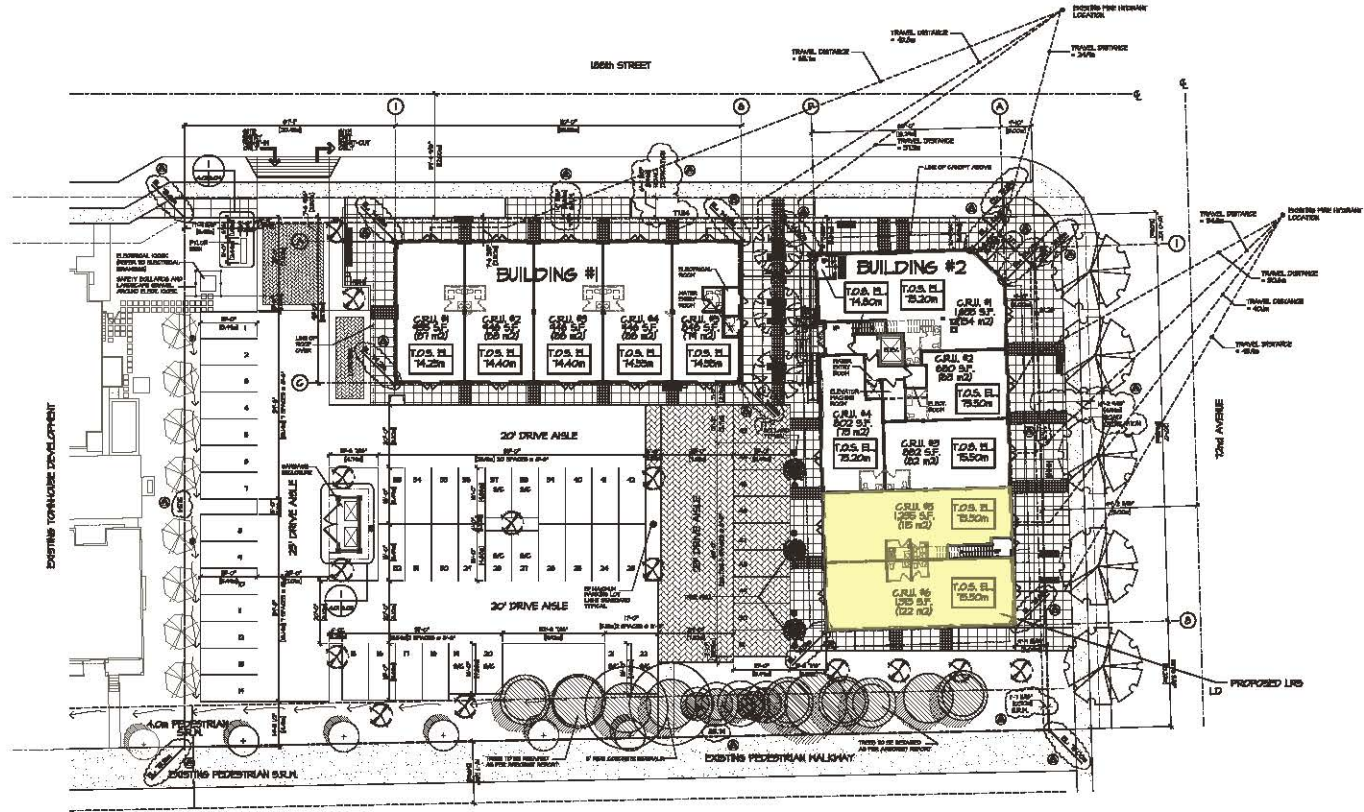
2. Properties involved in the Application

- (a) Civic Address: 18810 - 72 Avenue

- (b) Civic Address: 18810 - 72 Avenue
 Owner: Plaza 188 Holdings Ltd
 PID: 028-925-114
 Lot 1 Section 16 Township 8 New Westminster District Plan BCP51478

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to rezone the property.



SITE PLAN
 SCALE: 1/8" = 1'-0"

DISCIPLINE: ALL DRAWINGS ARE THE PROPERTY OF BARNETT DENBEK. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BARNETT DENBEK. CHECK REVISIONS AT 100% SCALE.		
NO.	DATE	DESCRIPTION
1	11/17/14	ISSUED FOR PERMIT
2	11/17/14	ISSUED FOR PERMIT
3	11/17/14	ISSUED FOR PERMIT
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CLIENT: PARADISE CONSTRUCTION LTD.
 PROJECT: COMMERCIAL DEVELOPMENT
 SHEET NO. 11 OF 12
 DATE: 11/17/14
 SCALE: 1/8" = 1'-0"
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 TITLE: SITE PLAN

barnett denbek
 UNIT 130,
 1200 120 STREET,
 VANCOUVER, B.C.
 V5W 1H8
 PHONE: (604) 687-7100
 FAX: (604) 687-7000
 EMAIL: info@barnettdenbek.com

SHEET NO. 011
 PROJECT NO. 12022
 SHEET NO. A-4.01
 DATE: 11/17/14



7/7/2015

Attention: Stephanie Long

City of Surrey
13450 – 104 Avenue
Surrey, BC
V3T 1V8

Dear Ms. Long,

RE: APPLICATION 15 0204 00

Thank you for the opportunity to provide written comment on file 15-0204-00 for an amendment to CD By-law No 17674 to permit a private liquor store.

The subject property, on the corner of 72 Ave and 188 St, is within 400m of Hazelgrove Elementary and Clayton Heights Secondary. The Surrey School District expresses general concern with any business selling or serving liquor (particularly around school hours) in close proximity to any of our schools.

The subject property and Hazelgrove Elementary are in close geographic proximity but are oriented to different streets, somewhat mitigating the friction in use with the elementary school. The proposed liquor store location is in closer geographic proximity to Clayton Heights Secondary, sharing a street frontage on 188 St, therefor increasing the potential for friction between these two uses.

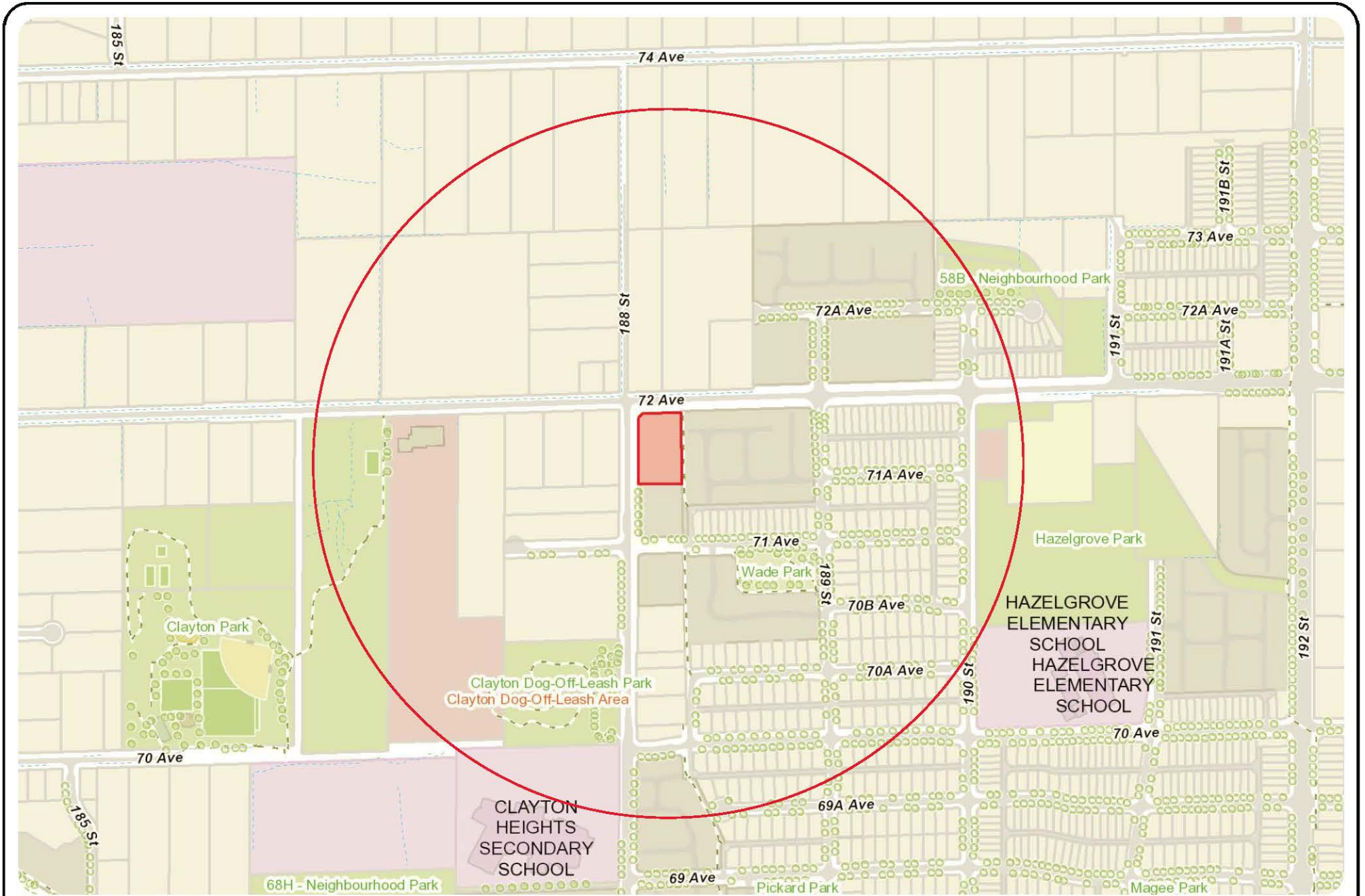
Thank you for the opportunity to comment on this application and we trust that our concerns will be considered as a part of this application.

Kind Regards,

A handwritten signature in blue ink that reads "Emily Watson".

Emily Watson
Manager, Demographics and Facilities Planning

LEADERSHIP IN LEARNING



Enter Map Description

Scale: 1:6,000

The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca



Map created on: 06/07/2015

Policies & Guidelines

Liquor Applications & Licensed Premises

LOCATIONAL CRITERIA FOR LIQUOR-PRIMARY ESTABLISHMENTS (NEIGHBOURHOOD PUB)

1. Neighbourhood public houses should:
 - (a) be close to but not surrounded by a residential area. The higher the residential density of the development the better the opportunity to develop a locally supported community facility. Densities of one house to the acre or less are in general not adequate for this purpose. Small, established rural communities would be an exception to this. It is desirable to locate a pub in the centre of a neighbourhood yet not surrounded entirely by houses. Where possible, a central location is preferred, if the pub can be located adjacent to other adult community facilities.
 - (b) be adjacent to or in local commercial nodes. Neighbourhood commercial areas designated for convenience and local shopping needs form an excellent node for community facilities. Local stores, grocery stores, service station and so on are areas where traffic and noise are presently generated and often these uses continue throughout evening hours. Therefore, it makes sense to locate another local community facility in or adjacent to such area.
 - (c) not be on a provincial highway. Because of highway speeds, the lack of parking and other restrictions, no pub should be located on a major highway. Accessibility is enhanced by locating on through collector roads adjacent to major arterials. Easy access is obtained without disturbing local residential roads.
 - (d) not be close to children's facilities. No pub should be located within 400 metres of a school, a children's park or playground. Some concern has been expressed by members of the community that exposing children to neighbourhood pub use is not a desirable influence.
2. Neighbourhood public houses can be:
 - (a) adjacent or in industrial areas. Industrial areas which are adjacent to urban residential areas form good locations for neighbourhood pubs. In this way there is a supporting residential community for evening use and also a facility for use by the industrial work force. Additional noise and traffic generated by pub use can be easily absorbed in an industrial area.
 - (b) adjacent to agricultural areas. On the fringes of some urban residential areas there are areas of agricultural use. In certain areas such locations could provide a supporting residential population for a neighbourhood pub. Traffic and noise problems would be reduced in these fringe areas if some of the traffic would be dissipated through the agricultural areas.

- (c) at minor intersections. Neighbourhood pubs can be located at minor intersection for easy traffic dispersal. Location in the middle of a block containing non-residential land use is also recommended.

(Council Resolution No. X-369, December 3, 1979)

HOURS OF OPERATION FOR LIQUOR-PRIMARY ESTABLISHMENTS

Sunday through Thursday: 11:00 a.m. to no later than 1:00 a.m.; and

Friday and Saturday: 11:00 a.m. to no later than 2:00 a.m.

However, where special circumstances exist, operating hours may be further restricted.

(Council Resolution R04-0386, February 23, 2004)

HOURS OF OPERATION OF AN OUTDOOR PATIO

Where an outdoor patio of a licensed establishment is located within 100 metres of a residential area, the permitted hours of operation of the outdoor patio are between 11:00 a.m. to 10:00 p.m. every day of the week.

(Section 53(4) of Surrey Business License By-law, 1999, No. 13680, as amended)

GOOD NEIGHBOUR AGREEMENT

Every proprietor of a Licensed Premise (Liquor Primary) and of a Licensed Premise (Food Primary) that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional, must enter into a good neighbour agreement with the City, the RCMP and Surrey Fire Services as a condition of receiving a new business license or amending an existing business license.

(Section 53(5) of Surrey Business License By-law, 1999, No. 13680, Amendment By-law, 2007, No. 16386)

LOCATIONAL GUIDELINES FOR PRIVATE LIQUOR STORES (LICENSEE RETAIL STORES)

Policy Guidelines

The following locational guidelines for private liquor stores (licensee retail stores) will be used as part of the analysis of determining the suitability of a site for a private liquor store when such a use is pursued through a rezoning application process.

1. Private liquor stores should not be located:
 - 1.1 Within 1 kilometre (0.6 mile) of another private liquor store; or
 - 1.2 Within 400 metres (1/4 mile) of a school, a public children's park, a public children's playground, a public library or a public recreation centre;

2. Where a private liquor store is proposed to be relocated within 400 metres of its current location, the new location for the private liquor store should be no closer to a school, a public children's park, a public children's playground, a public library or a public recreation centre than it was at its former location.

(Council Resolution R13-1895, September 9, 2013, Council Policy No. O-59)

SURREY LIQUOR LICENSING PROCESS

The *Liquor Control and Licensing Act* requires Local Government input on the following types of Liquor License applications:

1. Liquor-Primary Licenses
2. Liquor License Amendments as follows:
 - (a) Addition of a patio to a liquor-primary license or a lounge endorsement;
 - (b) Addition of patron participation entertainment to a food-primary license;
 - (c) Extension of hours of liquor service past midnight for a food-primary license;
 - (d) Extension of hours of a liquor-primary license or manufacturer's license endorsement; or
 - (e) Increase in person capacity of a liquor-primary license or manufacturer's license endorsement.

Applicants who apply to the Liquor Control and Licensing Branch (LCLB) for any Liquor License that requires Local Government input must submit a Liquor Permit Application to the Planning and Development Department.

Applications for a Liquor-Primary License

Applicants will be required to erect a Development Proposal sign on the site, which is the subject of the application in accordance with Council Policy O-8.

Within three weeks of the submission of the Liquor Application, the Planning and Development Department will send a pre-notification letter to all owners of properties within 100 metres (300 ft.) of the site, which is the subject of the application.

Council will hold a Public Hearing to obtain public input regarding the application. Staff of the Legislative Services Department will send a Public Hearing notification letter to all owners of properties and tenants of properties located within 100 metres (300 ft.) of the site which is the subject of the application and will advertise the Public Hearing in 2 consecutive editions of a local newspaper in a process similar to that used for rezoning applications.

Applications for a Liquor License Amendment

Applicants will be required to erect a Development Proposal sign on the site, which is the subject of the application in accordance with Council Policy O-8.

Applications for Liquor License Amendments will be processed following the same procedures used for Development Variance Permits except that public notification letters regarding such applications will be forwarded by staff of the Legislative Services Department to the owners of properties and tenants of properties located within 100 metres (300 ft.) of the site which is the subject of the application and the letters will state that all comments must be submitted in writing to the City within 3 weeks of the date of the Public Notification letter.

(Council Resolution R03-2634, September 29, 2003)

CITY OF SURREY

BY-LAW NO. 17377

Amended by Bylaw No. 18399

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

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

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

FROM: ONE-ACRE RESIDENTIAL ZONE (RA)

TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Parcel Identifier: 004-459-652
Parcel "A" (J146245E) Lot 3 Section 16 Township 8 New Westminster District Plan 4502

18808 – 72 Avenue

(hereinafter referred to as the "*Lands*")

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

A. Intent

This Comprehensive Development Zone is intended to accommodate and regulate the development of a neighbourhood scale shopping node and low impact retail, office or service uses as an optional use, within medium *density*, *ground-oriented multiple residential buildings* and related *amenity spaces* which are to be developed in accordance with a *comprehensive design*, where *density* bonus is provided.

The *Lands* are divided into Blocks A, B and C as shown on the Survey Plan attached hereto and forming part of this By-law as Schedule A, certified correct by Gene Paul Nikula, B.C.L.S. on the 8th day of March 2011.

B. Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. Block A

- (a) The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 370 square metres [4,000 sq.ft.]:
- i. *Retail stores* excluding *adult entertainment stores*, auction houses and *secondhand stores* and *pawnshops*.
 - ii. *Personal service uses* limited to the following:
 - a. Barbershops;
 - b. Beauty parlours;
 - c. Cleaning and repair of clothing; and
 - d. Shoe repair shops;
 - iii. *Eating establishments* excluding *drive-through restaurants*;
 - iv. Office uses excluding *social escort services* and *methadone clinics*
 - v. *General service uses* excluding funeral parlours, *drive-through banks* and *vehicle rentals*;
 - vi. *Indoor recreational facilities*;
 - vii. *Community services*; and
 - viii. *Child care centres*.

2. Block B

- (a) *Ground-oriented multiple unit residential buildings*;
- (b) The following uses may be permitted only in association with the uses permitted under Sub-section B.2 (a) for *dwelling units* adjacent 188 Street only, provided that the floor area occupied by non-residential uses does not exceed 30% of the floor area of the *dwelling unit* including *basement*, garage or carport and further provided that such uses shall not be a singular use on the *lot* and shall be operated by the occupant of the said *dwelling unit*:
- i. *Personal service uses* limited to the following:
 - a. Barbershops;
 - b. Beauty parlours;
 - c. Cleaning and repair of clothing; and

- d. Shoe repair shops;
- ii. Office uses excluding *social escort services* and *methadone clinics*;
- iii. *General service* uses excluding the following:
 - a. Funeral parlours;
 - b. Banks and *drive-through banks*;
 - c. Veterinary clinics; and
 - d. *Adult educational institutions*;
- iv. *Retail stores* excluding the following:
 - a. *Adult entertainment stores*;
 - b. *Secondhand stores* and *pawnshops*;
 - c. *Convenience stores*;
 - d. *Retail warehouses*; and
 - e. Flea markets.

3. Block C

- (a) *Ground-oriented multiple unit residential buildings.*

C. Lot Area

Not applicable to this Zone.

D. Density

1. Block A

The *density* shall not exceed a *floor area ratio* of 0.1 or a *building* area of 300 square metres [3,230 sq.ft.] whichever is smaller. The *floor area ratio* may be increased to a maximum *floor area ratio* of 0.45 if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.

2. Block B

- (a) The *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *density* may be increased to that prescribed in Sub-section D.2(b) of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
- (b)
 - i. The *floor area ratio* shall not exceed 0.90; and
 - ii. The *unit density* shall not exceed 63 *dwelling units* per hectare [25 u.p.a.].

3. Block C

- (a) The *unit density* shall not exceed 2.5 *dwelling units* per hectare [1 u.p.a.]. The maximum *density* may be increased to that prescribed in Sub-section D.3(b) of this Zone if amenities are provided in accordance with Schedule G of Surrey Zoning By-law, 1993, No. 12000, as amended.
- (b)
 - i. The *floor area ratio* shall not exceed 0.80; and
 - ii. The *unit density* shall not exceed 55 *dwelling units* per hectare [22 u.p.a.].

E. Lot Coverage

Block A: The *lot coverage* shall not exceed 28%.

Block B: The *lot coverage* shall not exceed 47%.

Block C: The *lot coverage* shall not exceed 37%.

F. Yards and Setbacks

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

1. Block A

Buildings and *structures* shall be sited in accordance with the following minimum *setbacks*:

- (a) *Front Yard* (North): 2.9 metres [10 ft.] to the *building* face except 0.30 metre [1 ft.] to the *building* face at the northwest corner of the *Lands* and 0.8 metres [3 ft.) to the roof;
- (b) *Rear Yard* (South): 7.5 metres [25 ft.];
- (c) *Side Yard* (East): 7.5 metres [25 ft.]; and

- (d) *Side Yard on a Flanking Street (West)*: 1.9 metres [6 ft.]; and 0.0 metre [0 ft.] to the roof.

2. Block B

Buildings and structures shall be sited in accordance with the following minimum *setbacks*:

- (a) *Front Yard (South)*: 3.4 metres [11 ft.] to the *building* face; and 2.5 metres [8 ft.] to the *balcony*;
- (b) *Rear Yard (North)*: 3.6 metres [12 ft.];
- (c) *Side Yard (East)*: 7.5 metres [25 ft.] to the *building* face; and 6.9 metres [23 ft.] to the *balcony*; and
- (d) *Side Yard on a Flanking Street (West)*: 2.4 metres [8 ft.].

3. Block C

- (a) *Buildings and structures* shall be sited in accordance with the following minimum *setbacks*:

- i. *Front Yard (North)*: 3.3 metres [11 ft.]; except 2.5 metres [8 ft.] to the *building* face and 0.9 metres [3 ft.] to the *balcony* at the northwest corner of the *lands*;
- ii. *Rear Yard (South)*: 2.9 metres [10 ft.];
- iii. *Side Yard (East)*: 7.5 metres [25 ft.] to the *building* face; and 6.8 metres [22 ft.] to the *balcony*; and
- iv. *Side Yard on a Flanking Street (West)*: 4.7 metres [15 ft.] to the *building* face; and 2.9 metres [10 ft.] to the *balcony*.

- (b) Notwithstanding Sub-section E.17(b) of Part 4 General Provisions of Surrey Zoning By-law, 1993, No. 12000, as amended, a maximum of 10 risers may encroach into the *building setback* area.

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

G. Height of Buildings

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

1. Block A

- (a) *Principal buildings*: The *building height* shall not exceed 9.3 metres [31 feet].

- (b) Accessory buildings and structures: The *building height* shall not exceed 4 metres [13 feet].

2. Blocks B and C

- (a) Principal buildings: The *building height* shall not exceed 13 metres [43 feet].

- (b) Accessory buildings and structures:

- i. Indoor *amenity space buildings*: The *building height* shall not exceed 11 metres [36 ft.]; and
- ii. Other *accessory buildings and structures*: The *building height* shall not exceed 4.5 metres [15 feet].

H. **Off-Street Parking**

1. Block A

- (a) Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.

- (b) *Tandem parking* may be permitted for company fleet *vehicles*.

2. Blocks B and C

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

- (b) All required resident *parking spaces* shall be provided as *underground parking* or as *parking within building envelope*.

- (c) *Tandem parking* is permitted, subject to the following:

- i. *Dwelling units* with *parking spaces* provided as *tandem parking* are permitted directly adjacent to an arterial roadway only if there is an internal access to the parking area;
- ii. *Parking spaces* provided as *tandem parking* must be enclosed and attached to each *dwelling unit*; and
- ii. *Parking spaces* provided as *tandem parking* must be held by the same owner.

I. Landscaping

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

J. Special Regulations

1. Block A
 - (a) Garbage containers and *passive recycling containers* shall not be located within any required *setback*;
 - (b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone; and
 - (c) *Child care centres* shall be located on the *lot* such that these centres have direct access to an *open space* and play area within the *lot*.
2. Blocks B and C
 - (a) *Amenity space* shall be provided on the *lot* as follows:
 - i. Outdoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit* and shall not be located within the required *setbacks*; and
 - ii. Indoor *amenity space*, in the amount of 3.0 square metres [32 sq.ft.] per *dwelling unit*.
 - (b) *Child care centres* shall be located on the *lot* such that these centres:

- i. Are accessed from a *highway*, independent from the access to the residential uses permitted in Section B of this Zone; and
- ii. Have direct access to an *open space* and play area within the *lot*.

K. Subdivision

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

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
3,050 sq. m. [0.75 acre]	50 metres [164 ft]	69 metres [226 ft.]

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

L. Other Regulations

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

- 1. Definitions are as set out in Part 1 Definitions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 2. Prior to any use, the *Lands* must be serviced as set out in Part 2 Uses Limited, of Surrey Zoning By-law, 1993, No. 12000, as amended and in accordance with the servicing requirements for the C-5 Zone for Block A and the RM-30 Zone for Blocks B and C as set forth in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- 3. General provisions are as set out in Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 4. Additional off-street parking requirements are as set out in Part 5 Off-Street Parking, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 5. Sign regulations are as set out in Surrey Sign By-law, 1999, No. 13656, as amended.
- 6. Special *building setbacks* are as set out in Part 7 Special Building Setbacks, of Surrey Zoning By-law, 1993, No. 12000, as amended.
- 7. *Building* permits shall be subject to the Surrey Building By-law, 1987, No. 9011, as amended.

8. *Building* permits shall be subject to Surrey Development Cost Charge By-law, 2011, No. 17330, as may be amended or replaced from time to time, and the development cost charges shall be based on the RM-30 Zone for the residential portion and the C-5 Zone for the commercial portion.
 9. Surrey Tree Protection By-law, 2006, No. 16100, as amended.
 10. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
 11. Provincial licensing of *child care centres* is regulated by the Community Care and Assisted Living Act R.S.B.C. 2002. c. 75, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17377."

READ A FIRST AND SECOND TIME on the 14th day of March, 2011.

PUBLIC HEARING HELD thereon on the 4th day of April, 2011.

READ A THIRD TIME AS AMENDED ON THE 9th day of July, 2012.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 9th day of July, 2012.

_____ MAYOR

_____ CLERK

**SURVEY PLAN TO ACCOMPANY CITY OF SURREY
BYLAW NO. 17377 OVER PARTS OF PARCEL "A"
(J146245E) LOT 3 SECTION 16 TOWNSHIP 8
NEW WESTMINSTER DISTRICT PLAN 4502**

FOR THE PURPOSE OF REZONING
B.C.G.S. 92G017
CITY OF SURREY

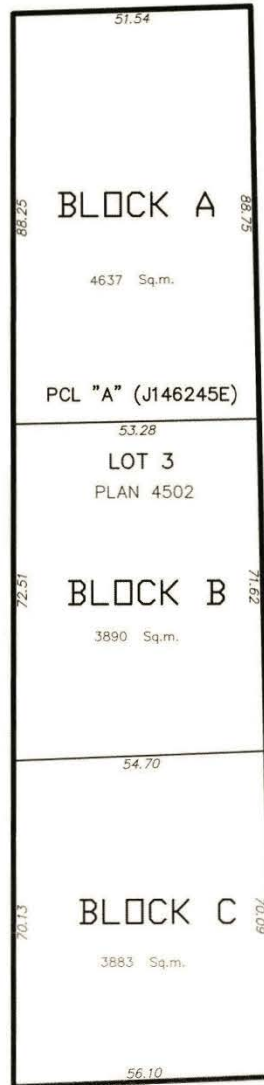
LEGEND

SCALE
1:1250

*-property dimensions are derived
from Land Title Office records*

BOOK OF REFERENCE

ZONE	LEGAL DESCRIPTION	TOTAL AREA
BLOCK A	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	4637m ²
BLOCK B	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	3890m ²
BLOCK C	PART PCL "A" (J146245E) LOT 3 SEC 16 TP 8 NWD PLAN 4502	3883m ²



Certified correct according to LTD records
This 08th day of March 2011

Gene Paul Mikula
SEAL
GENE PAUL MIKULA B.C.L.S. 803
COMMISSION NO. 1830

**THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED**

© COPYRIGHT
DHALIWAL AND ASSOCIATES
LAND SURVEYING INC.
121-13140 80th Avenue
Surrey, B.C. V3W 3B2
Phone: 604 501-6188
Fax: 604 501-6189
File: 1103001-201.DWG

CITY OF SURREY

BY-LAW NO. 18399

A bylaw to amend "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2011, No. 17377"
.....

The Council of the City of Surrey ENACTS AS FOLLOWS:

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law 2011, No. 17377" is hereby amended as follows:
 - (a) Part 2, Section D. Density is amended by deleting the number "0.80" in Sub-section D.3.(b)i. and replacing it with the number "0.86".
 - (b) Part 2, Section E. Lot Coverage is amended by deleting the number "37%" for Block C and replacing it with "41%".
 - (c) Part 2, Section H. Off-Street Parking is amended by inserting a new Sub-section H.2(d) immediately following Sub-section H.2(c) as follows:
 - "(d) Notwithstanding Sub-sections 2.(b) and 2(c)ii., one unenclosed *parking space* in a *tandem parking* arrangement is permitted for a maximum of 50% of the *dwelling units* in Block C."
2. This Bylaw shall be cited for purposes as "Surrey Zoning Bylaw, 1993, No. 12000, Amendment Bylaw 2011, No. 17377, Amendment Bylaw, 2015, No. 18399"

PASSED FIRST READING on the 12th day of January, 2015.

PASSED SECOND READING on the 12th day of January, 2015.

PUBLIC HEARING HELD thereon on the 2nd day of February, 2015.

PASSED THIRD READING ON THE 13th day of April, 2015.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 13th day of April, 2015.





MAYOR

CLERK

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2011, No. 17377, Amendment By-law, 2015, No. 18399,
Amendment By-law, _____, No. _____"

.....

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

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17377, Amendment By-law, 2015, No. 18399" is hereby amended as follows:
 - (a) Section B. Permitted Uses is amended by deleting Sub-section B.1.(a)viii. and inserting new Sub-section B.1(a)viii. immediately following Sub-section 1.(a)vii. as follows:

"viii. *Liquor store.*"
 - (b) Section J. Special Regulations is amended by deleting Section J.1 and replacing it with the following:
 1. Block A
 - (a) Garbage containers and *passive recycling containers* shall not be located within any required *setback*; and
 - (b) The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
 - (c) Section L. Other Regulations is amended by deleting Section L.11.

2. This By-law shall be cited for purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law 2011, No. 17377, Amendment By-law, 2015, No. 18399, Amendment By-law, _____, No. _____."

PASSED FIRST AND SECOND READING on the _____ th day of _____, 20 .

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

PASSED THIRD READING 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



March 5, 2015

VIA EMAIL

Ms. Stephanie Long
Planner,
Planning and Development Department
City of Surrey
13450 104th Ave,
Surrey BC V3T 1V8

Dear Ms. Long,

Re: Operational Letter for zoning application
At: 16780 & 16788 64th Ave, Surrey, BC
Zoning Applicant: 581947 BC Ltd on behalf of tenant for unit

Please find below a Operational Management Plan to address the particular concerns identified by neighbours within the notification process.

The applicant is proposing to build out the current unoccupied unit, to reflect an up market liquor store that will focus on craft, domestic and imported beer wine and spirits. It is the applicants intent to provide a level of distinct service that will focus on the Indo-Canadian culture and their product demand. By way of diversifying product mix, offering education on product and a continual drive to show support for locally produced and truly Canadian made items, the applicant feels their liquor store will be a benefit to the local community.

The applicant is committed to ongoing local community support and building a positive cooperative relationship with both local businesses and residence to facilitate the success of their establishment. Please find below, further clarification with respect to the concerns raised by initial local community input mailer:

Hours of Operation

This will remain the same from 9am - 11pm, seven days per week. These hours are legislated by the Liquor Control and Licensing Branch and are currently the hours of the existing store.

Size of Store

The store will be a standard liquor store size which is approximately 2500 sqft.

Parking

The site has multiple options for customer parking. Currently, patrons of the liquor store can park within the plaza as there are an abundance of stalls with availability. Additionally, the liquor store wishes to promote a healthy community, and will support and drive business with local walking shoppers by way of offering reusable bags.

Empty Containers

The applicant intends continue with its current policy of accepting the minimum amount of empties required, (two dozen maximum) under the Environmental Management Act. Additionally, the applicant intends to limit the hours of acceptance from 1 - 2pm per day. Anyone wishing to return items outside of this time, will be directed to a *Bottle Depot Station* within the local community. As the business model of this establishment is to maintain a unique and distinct feel from that of its local competitors, it's the applicants intent to not encourage returns at this location, but to promote patrons to take empties to a return station.

Panhandling / Loitering

The proposed site of the LRS is to be located on private property and it is surrounded by parking area. Ownership has a strict policy to not permit loitering or panhandling of any kind on the premises. Should such an instance occur, the property owners have policies and procedures in place for the tenants to contact the property management company and security to avoid such issues.

Additionally, it is the intent of the applicant to build a liquor store that has a product focus on select wines, spirits and accompanied by craft beer. The demographic that tends to shop at this type of establishment, is that of urban / local residences that have a average to moderate income, seeking hard to obtain, unique and award winning items. Based upon research and industry trends, individuals who tend to loiter, and / or panhandle are seeking a value types of product to maximize their dollars. These individuals tend to shop at the local government liquor stores, and stores that focus on value pricing.

Service to Minors

The Liquor Control and Licensing Branch has extremely strict rules with respect to service to minors. Extremely large fines and potential license cancellation are consequences to licensees should instance(s) occur. It is the applicants intent to ensure these rules are strictly followed and maintained, through the employ of their professional, experienced and mature management team. The applicant will continue to focus on staff training, including performance reviews and communication of expectations. This, combined with adherence to the Serving it Right Regulations mandated by the Province of British Columbia will prevent service to minors.

In closing, the operators of this store have a longstanding history within the community. Their operational style continually focuses on customer service, team member development and community support. It should be the expectation of the City of Vancouver that this operational style will continue, and that the new site of the Denman Wine and Spirits Liquor Store will soon be a business pillar of the West End.

If you require any additional information or have any questions, please do not hesitate to contact me.

Yours truly,

Rebecca Hardin

Rebecca Hardin
Vice President of Licensing & Operations

1620 - 1130 West Pender Street, Vancouver, BC V6E 4A4 **Office:** 604.669.2928 **Fax:** 604.669.2920

www.risingtideconsultants.ca info@risingtideconsultants.ca



Cloverdale Community Association

Website: www.cloverdalecommunity.org

Email address: info@cloverdalecommunity.org

August 31, 2015

Stephanie Long
City of Surrey
Planning and Development Department
13450-104 Avenue
Surrey BC V3T 1V8

Re: 18810-72 Avenue / File: 7915-0204-00

Dear Ms Long:

The Cloverdale Community Association (CCA) has received the preliminary notice for the above noted file number.

While the applicant is barely meeting the liquor license guidelines for establishing a private liquor store in the City of Surrey, we would like to raise the following concerns and provide some suggestions:

1. The City of Surrey must verify that the applicant meets all Federal, Provincial and Municipal bylaws/policies and continues to adhere to them at all times.
2. Since there is a public high school nearby, we would like the City of Surrey to have the RCMP monitor this liquor store to ensure that the operator and/or its employees do not sell any liquor/tobacco/lottery tickets etc. to minors.
3. We ask that the applicant operate the liquor store in a safe and respectful manner and operates no later than the time specified as per local laws to avoid the disruption of the peace and enjoyment for the surrounding residents living nearby.

If the above issues are addressed, the CCA has no objections regarding this proposal.

As always, we expect our comments will be added to the report and file for council to review.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Bola".

Mike Bola
President
Cloverdale Community Association
604-318-0381

Cc: Board of Directors