

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0013-00

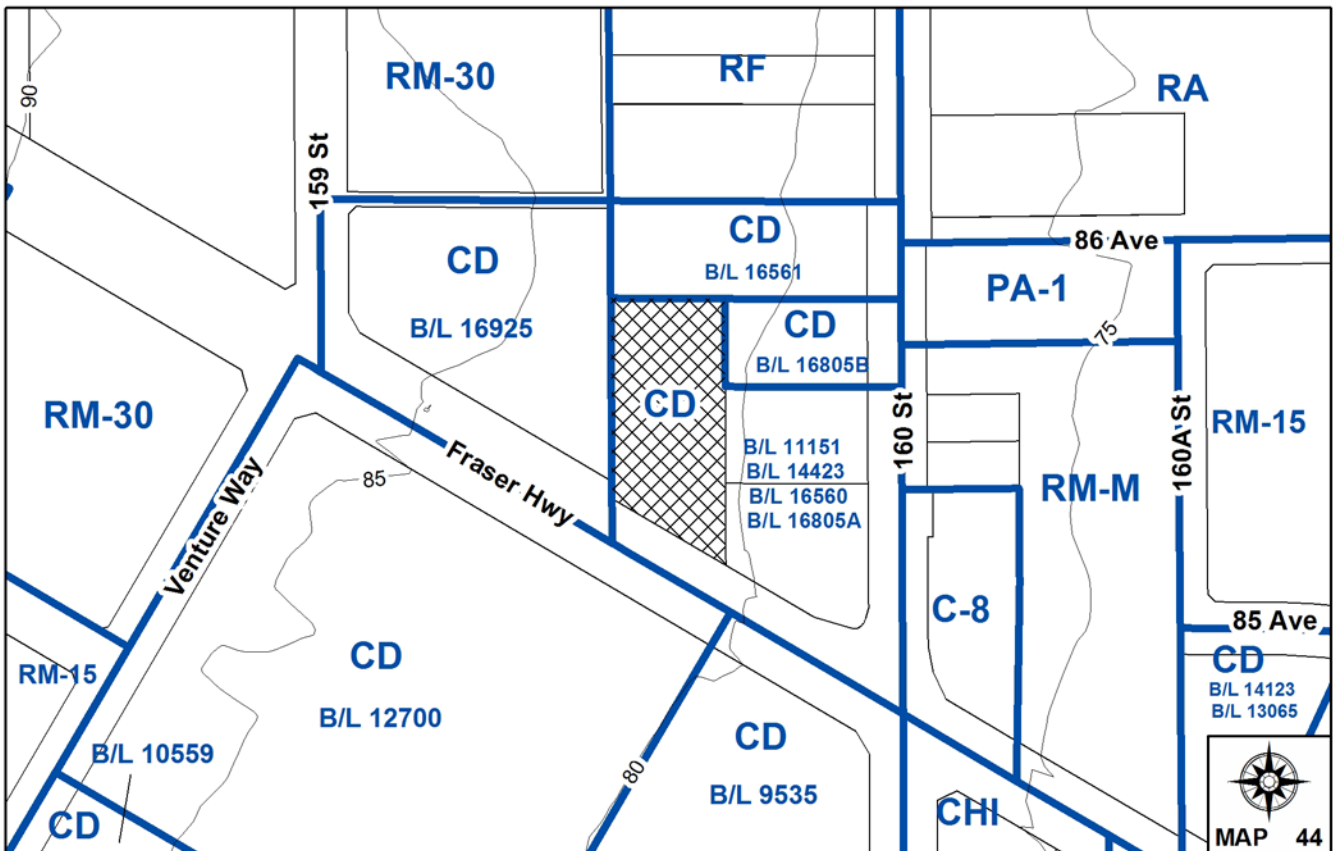
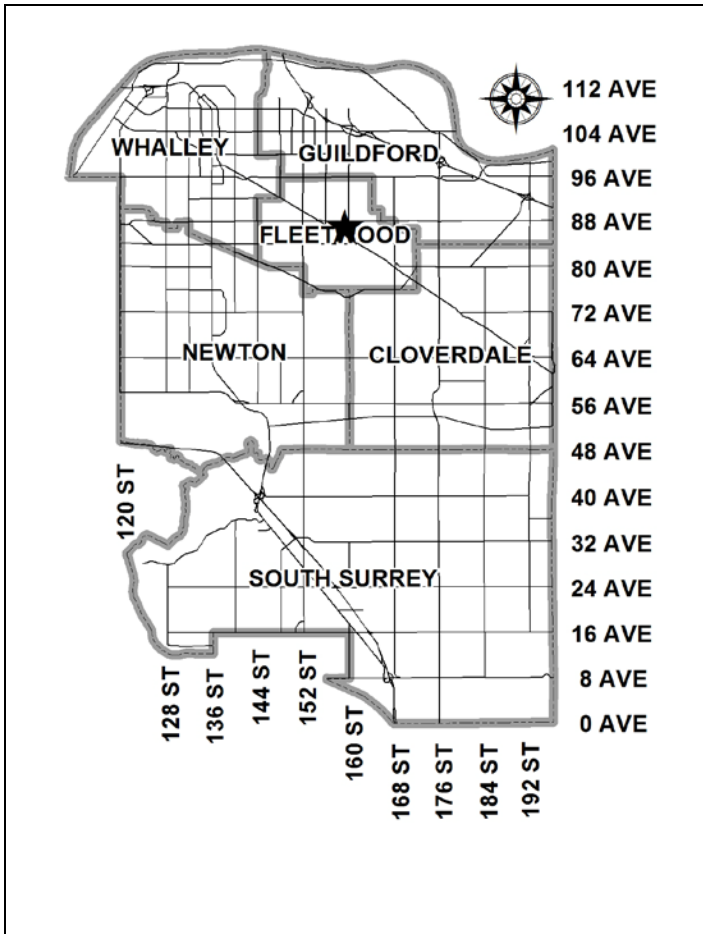
Planning Report Date: March 14, 2011

PROPOSAL:

- **Amend CD By-law No. 11151 as amended**
 (based on C-8)

in order to allow additional uses on a commercial property.

LOCATION: 15953 Fraser Highway
OWNER: o895414 B.C. Ltd., Inc. No. o895414
ZONING: CD By-law No. 11151, as amended
OCP DESIGNATION: Town Centre
TCP DESIGNATION: Community Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for Amending CD By-law No. 11151, as amended by By-law Nos. 14423, 16560 and 16805A.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- The addition of "Personal Service Uses" on the subject property is consistent with the type of uses currently within the existing shopping centre and permitted on several commercial sites in the area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 11151, as amended by By-law Nos. 14423, 16560 and 16805A, and a date be set for Public Hearing.

REFERRALS

Engineering: The Engineering Department has no objection to the project (Appendix III).

SITE CHARACTERISTICS

Existing Land Use: Retail shopping centre.

Adjacent Area:

Direction	Existing Use	TCP Designation	Existing Zone
North:	Two-storey multi-tenant commercial retail building.	Community Commercial	CD (By-law No. 16561)
Further North:	Single family dwellings on over-sized lots.	Community Commercial	RF
East:	Commercial retail buildings and gas station.	Community Commercial	CD (By-law Nos. 11151, as amended, and 16805B)
South (Across Fraser Highway):	Retail shopping centre.	Highway Commercial and Community Commercial	CD (By-law Nos. 12700 and 9535)
West:	Recently constructed retail shopping centre (Application No. 7905-0123-00).	Highway Commercial	CD (By-law No. 16925)

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 15953 Fraser Highway near the northwest corner of Fraser Highway and 160 Street. The property is zoned Comprehensive Development (CD By-law No. 11151, as amended), designated Town Centre in the Official Community Plan (OCP) and Community Commercial in the Fleetwood Town Centre Plan. There currently are two (2) multi-tenant commercial buildings located on the subject site.

Background

- The subject property was developed as part of a larger retail commercial shopping centre, which includes the four (4) abutting properties to the north and east.
- On June 15, 1992, Council approved the rezoning of the five (5) properties to CD By-law No. 11151 to permit development of the shopping centre. Each of the five (5) properties were specified a block number in the By-law. The subject property is Block 5 (Appendix IV).
- CD By-law No. 11151 was subsequently amended three (3) times as follows:

CD By-law No. 11151 Amendments			
Council Approval Date	Development Application No.	Amendment By-law No.	Approved Amendment
June 18, 2001	7901-0123-00	14423	Added office uses as a permitted use to the subject property (Block 5) only
February 11, 2008	7907-0338-00	16560	Removed Block 4 from the CD By-law
November 24, 2008	7908-0206-00	16805A	Removed Block 3 from the CD By-law

- As a result of the amendments, only Blocks 1, 2 and 5 (subject property) are still regulated under the original CD By-law No. 11151, as amended. Blocks 3 and 4 are regulated under CD By-law Nos. 16805B and 16561, respectively.

Current Proposal

- The owners of the subject property (Block 5) have applied to further amend CD By-law No. 11151. The applicant proposes to add 'Personal Service Uses' (e.g. esthetician) as a permitted use on the subject property. The proposed amendment will specifically exclude body rub parlours and tattoo parlours.
- The applicant is proposing the amendment due to the fact that a nail and beauty salon is seeking to lease one of the vacant commercial / retail units on the subject property.

Proposed CD By-law Amendment (Appendix IV)

- The applicant proposes to amend CD By-law No. 11151, as amended by By-law Nos. 14423, 16560, and 16805A by adding "Personal Service Uses excluding body rub parlours and tattoo parlours" to the list of permitted uses on the subject property (Block 5).
- The proposed 'Personal Service Uses' maintain the intent of the current CD By-law to accommodate and regulate a commercial retail development. It also complements the existing uses on the subject property.
- The proposed CD By-law amendment will provide consistent zoning with the neighbouring properties. Blocks 3 and 4 of the shopping centre permit 'Personal Service Uses', while it is allowed in a limited capacity on Block 1.
- The newly constructed commercial retail development to the west, approved by Council on October 5, 2009 under Development Application No. 7905-0123-00, and the large shopping centre to the south across Fraser Highway, approved by Council on December 11, 1995 under Development Application No. 7994-0409-00, also permit 'Personal Service Uses'.

- All other aspects of CD By-law No. 11151, as amended by By-law Nos. 14423, 16560, and 16805A, will remain unchanged.

PRE-NOTIFICATION

A pre-notification letter was sent out on February 11, 2011, and staff have received four (4) telephone calls from area residents and business owners.

- Two (2) of the callers were seeking additional information and had no concerns with the proposed rezoning.
- The third caller owns a nail salon in the area and was concerned that the proposed rezoning to allow Personal Service Uses on the subject property would result in lost business due to increased competition.

(The proposed CD By-law amendment will add a use that is consistent with similar commercial retail developments in the area. The subject property is regulated under CD By-law No. 11151, as amended, which was approved in 1992 and is considered dated, as similar commercial developments allow Personal Service Uses.)

- The last caller expressed concerns regarding the interpretation of Personal Service Uses, and questioned the uses that would be permitted.

(Staff recommended that the caller identify uses that may be of concern, and work with the applicant to consider the exclusion of those uses. As a result, in addition to body rub parlours, tattoo parlours have specially been excluded and the applicant wishes to proceed as proposed. The caller has advised staff that a list of specific Personal Service Uses is preferable; however, the applicant wants the same flexibility as other commercial sites which permit Personal Services Uses.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Aerial Photo of Subject Site
Appendix III.	Proposed Amendment to CD By-law No. 11151, as amended
Appendix IV.	Original Block Plan

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

DN/kms

Information for City Clerk

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

1. (a) Agent: Name: Brenda Bolwyn, Touchstone Property Management Ltd.
 Address: 4585 Canada Way
 Burnaby, BC
 V5G 4L6
 Tel: 604-630-5586

2. Properties involved in the Application

- (a) Civic Address: 15953 Fraser Highway
- (b) Civic Address: 15953 Fraser Highway
 Owner: 0895414 B.C. Ltd., Inc. No. 0895414
 Director Information:
 Hans Seok Choi

No Officer Information Filed

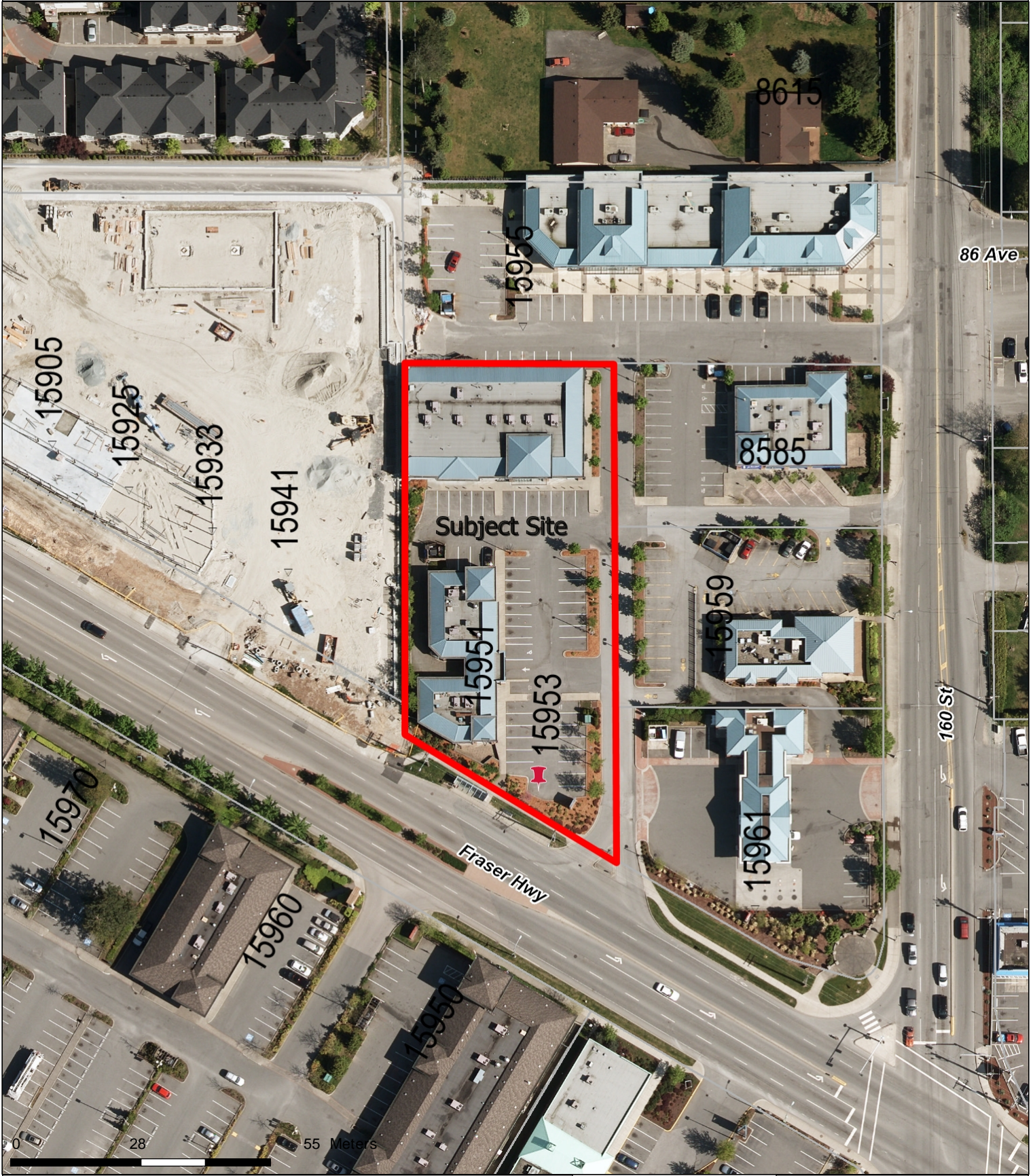
PID: 014-525-640
Lot 1 Section 26 Township 2 New Westminster District Plan 81868

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the CD By-law.



Development Application No. 7911-0013-00



Subject Site

Fraser Hwy

86 Ave

160 St



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.

Enter Map Description



Scale: 1:1,091

Map created on: Tuesday, 01 March 2011

CITY OF SURREY

BY-LAW NO. _____

A by-law to amend Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1991, No. 11151, Amendment By-law, 2001, No. 14423, Amendment By-law, 2008, No. 16560, Amendment By-law, 2008, No. 16805A

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

- 1. Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1991, No. 11151, Amendment By-law, 2001, No. 14423, Amendment By-law, 2008, No. 16560, Amendment By-law, 2008, No. 16805A is hereby further amended as follows:

Section 1.(b) Permitted Uses Blocks 2 & 5 Sub-section 1. Service Commercial Uses is amended by inserting a new sub-section:

"2.(a) Block 5 only: Personal service uses excluding body rub parlours and tattoo parlours."

- 2. This By-law shall be cited for all purposes as Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1991, No. 11151, Amendment By-law, 2001, No. 14423, Amendment By-law, 2008, No. 16560, Amendment By-law, 2008, No. 16805A, Amendment By-law, 2011, No. _____."

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

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

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

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

_____ MAYOR

_____ CLERK

