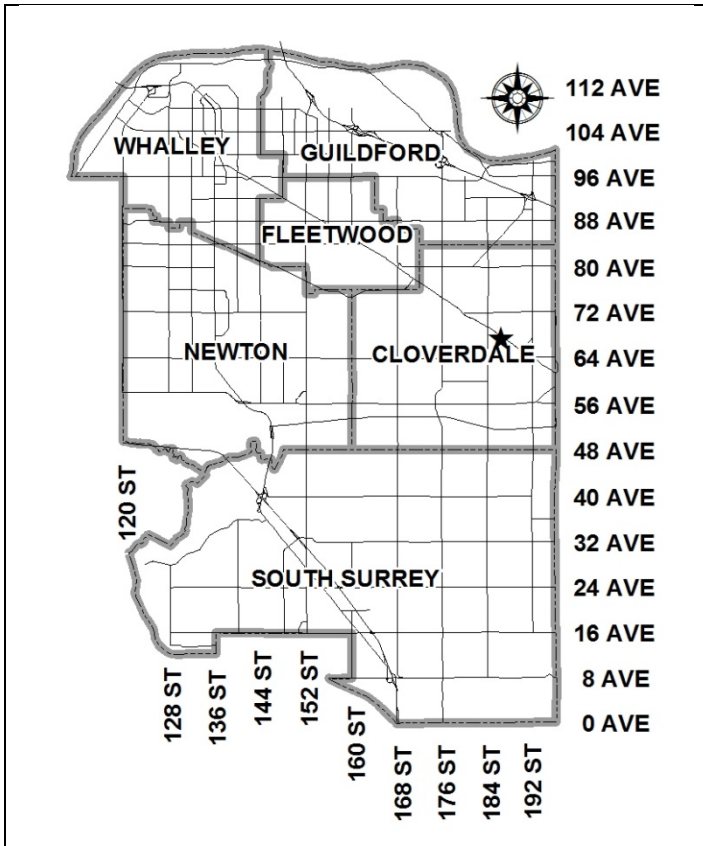


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7914-0129-00

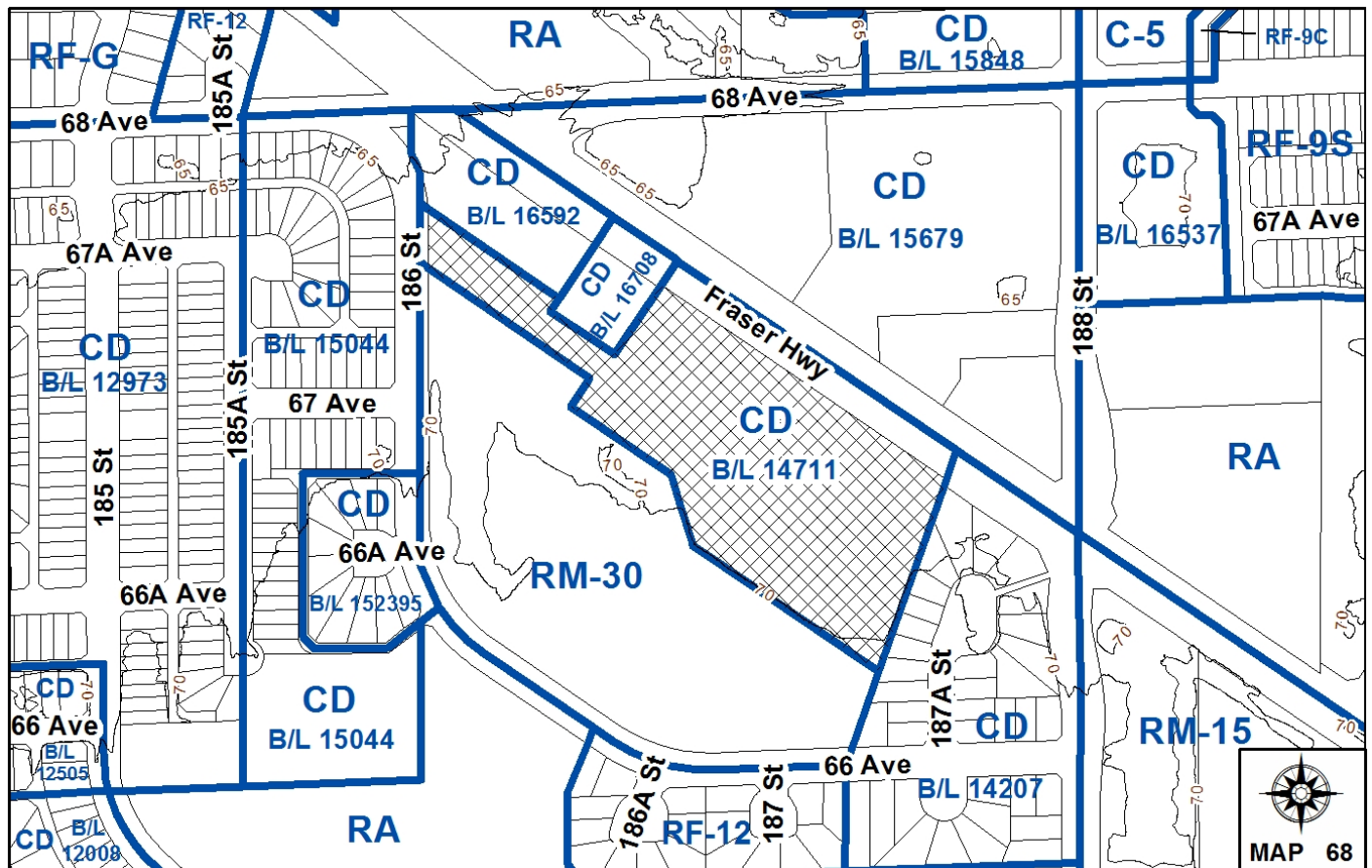
Planning Report Date: June 23, 2014



**PROPOSAL:**

- Amend CD By-law No. 14711 in order to permit a private liquor store in Hillcrest Village Shopping Centre.

**LOCATION:** 18682 - Fraser Highway  
**OWNER:** Trademark Property Group Ltd.  
**ZONING:** CD By-law No. 14711  
**OCP DESIGNATION:** Commercial  
**NCP DESIGNATION:** Commercial



### RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amending CD By-law No. 14711.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

### RATIONALE OF RECOMMENDATION

- Complies with the Commercial designation in the OCP.
- The proposed use is complementary to the existing retail uses at the shopping centre, and is consistent with the allowable uses within the C-8 and C-15 Zones.
- The proposed liquor store has operated in the neighbourhood for a number of years in Clayton Crossing Shopping Centre. The liquor store is proposed to be relocated across Fraser Highway to the Hillcrest Village Shopping Centre. As such the proposal will not result in a second private liquor store in the area.
- The School District, 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 relocation.

RECOMMENDATION

The Planning & Development Department recommends that a By-law be introduced to amend Comprehensive Development By-law No. 14711 and a date be set for Public Hearing.

REFERRALS

Engineering:	The Engineering Department has no objection to the project as outlined in Appendix III.
School District:	The School District does not have any objection to the proposal.
Parks, Recreation & Culture:	Parks, Recreation and Culture has indicated that they have no concerns with the proposal.
Cloverdale/Port Kells Community Policing Station:	The Cloverdale/Port Kells Community Policing Station has indicated that they have no concerns with the proposal.
Surrey By-laws & Licensing Services:	Surrey By-laws & Licensing Services does not have any objection to the proposal.
Liquor Control and Licensing Branch (LCLB):	The LCLB has received a request from the Licensee Retail Store (private liquor store) operator for a transfer of location. The LCLB will not provide final approval of the transfer until the amended zoning is in place.

SITE CHARACTERISTICS

Existing Land Use: Hillcrest Village Shopping Centre.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North (Across Fraser Highway):	Clayton Crossing Shopping Centre	Commercial in the OCP	CD (By-law No. 15679)
East:	Small single family lots.	Single Family Residential in NCP	CD (By-law No. 14207)
South:	Townhouses	Townhouse/Cluster (30 upa) in NCP	RM-30
West (Across 186 Street):	Small single family lots	Single Family Residential in NCP	CD (By-law No. 15044)

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject site is located at 18682 - Fraser Highway. Hillcrest Village Shopping Centre is located on the subject site, and was approved by Council on July 26, 2004 under Development Application No. 7900-0245-00.
- Hillcrest Village is an approximately 2.7-hectare (6.6-ac.) shopping centre offering services such as a drug store, grocery store, restaurant and other retail businesses. The overall retail square footage of Hillcrest Village is approximately 6,423 square metres (69,138 sq.ft.).
- The subject site is designated Commercial in the Official Community Plan (OCP), Commercial in the North Cloverdale East Neighbourhood Concept Plan (NCP) and is zoned "Comprehensive Development Zone (CD)" (By-law No. 14711) (see Appendix IV).

### Current Proposal

- The applicant (Trademark Property Group, owner of Hillcrest Village Shopping Centre) is proposing an amendment to CD By-law No. 14711, in order to permit a private stand-alone liquor store on the site.
- The owner of an existing liquor store is proposing to relocate their operation from its current location at Unit 102, 18789 - Fraser Highway in the Clayton Crossing Shopping Centre, which is immediately to the north, to a unit within the subject site. The owner has submitted the application to the provincial Liquor Control and Licensing Branch (LCLB) for a transfer of location.
- The proposed liquor store is to be located in a unit formerly occupied by a Pharmasave and will be approximately 526 square metres (5,662 sq.ft.) in size.
- In 2009, the LCLB implemented a number of changes in policy. One of these policy changes included the elimination of the requirement that a Licensee Retail Store (LRS) (i.e. private liquor store) also own and operate a qualifying liquor primary establishment.
- 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).
- The requested amendment to the CD By-law would bring the existing shopping centre into conformity with the "Community Commercial Zone (C-8)" and "Town Centre Commercial Zone (C-15)" zoned shopping centres in Surrey, which allow private liquor stores as an outright permitted, stand-alone use.
- The LCLB requires that there be a minimum one-kilometre (one-half mile) separating distance between existing or proposed private liquor stores, and that the proposed location be in compliance with the zoning requirements. With the proposed relocation from the Clayton Crossing Shopping Centre, there will be no other existing liquor store within one kilometre of the proposed liquor store.

- Government-operated liquor stores are permitted wherever retail stores are allowed.
- The City of Surrey's *Locational Guidelines for Private Liquor Stores* require 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. However, where a private liquor store is proposed to be relocated within 400 metres of its current location, the new location should be no closer to the above-mentioned facilities than at its former location.
- The proposed new liquor store location will be closer to, and within 400 metres of, Hillcrest Park and Hillcrest Elementary School than its current location (see Appendix II). However, the Surrey School Board, Parks Recreation and Culture and Surrey By-laws & Licensing Services have all indicated that they have no concerns with the proposed new location of the liquor store.
- The parking requirements are unaffected as the proposed use is considered a retail use for the purposes of parking calculations.

#### CD By-law Amendment

- CD By-law No. 14711, which regulates the site, was approved by Council in 2004. The CD By-law was based on the C-8 Zone that was in place at the time and included drive-through restaurants and drive-through banks (see Appendix IV).
- The proposed CD By-law amendment will add a private liquor store as a permitted use on the site (Appendix V). No other changes are proposed to the existing CD By-law No. 14711.

#### PRE-NOTIFICATION

Pre-notification letters were sent out on May 28, 2014. Staff received two responses to the pre-notification letter and development proposal sign.

- One resident left a message expressing some concern about the proposed amendment to permit a liquor store, as there is an existing liquor store across Fraser Highway in Clayton Crossing Shopping Centre. They also want to ensure there are a variety of storefronts.

*(Staff did not have an opportunity to speak with this resident. However, as noted above, the liquor store is relocating from Clayton Crossing across Fraser Highway to Hillcrest Village. A private liquor store is a complementary use to other retail services, including grocery stores on the Hillcrest Village Shopping Centre site.)*

- A second resident expressed their strong opposition to the proposed amendment via email and through a subsequent phone call. The caller questioned why a liquor store should be permitted here, as there is an existing liquor store in Clayton Crossing Shopping Centre. The caller also noted issues related to noise and graffiti attributed to the existing pub and liquor store in Clayton Crossing. The resident is also concerned that the existing pub has plans to expand.

*(Staff advised the resident that the proposed amendment will permit the existing liquor store to relocate from Clayton Crossing to Hillcrest Village, and will not result in a second private liquor store in the neighbourhood. Staff also noted that any expansion of the existing neighbourhood pub in Clayton Crossing will be required to undergo a separate public process, and must also seek authorization to expand from the LCLB.)*

#### DESIGN PROPOSAL AND REVIEW

- The applicant only plans to make a slight modification to the existing building previously occupied by Pharmasave, with respect to changes in signage.
- As the changes to the exterior of the existing building are minor, they will be dealt with under a sign permit application by the Building Division.

#### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Site Plan of Shopping Centre with Location of Proposed Private Liquor Store
Appendix III.	Engineering Summary
Appendix IV.	CD By-law No. 14711
Appendix V.	Proposed CD By-law Amendment By-law

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

CA/da

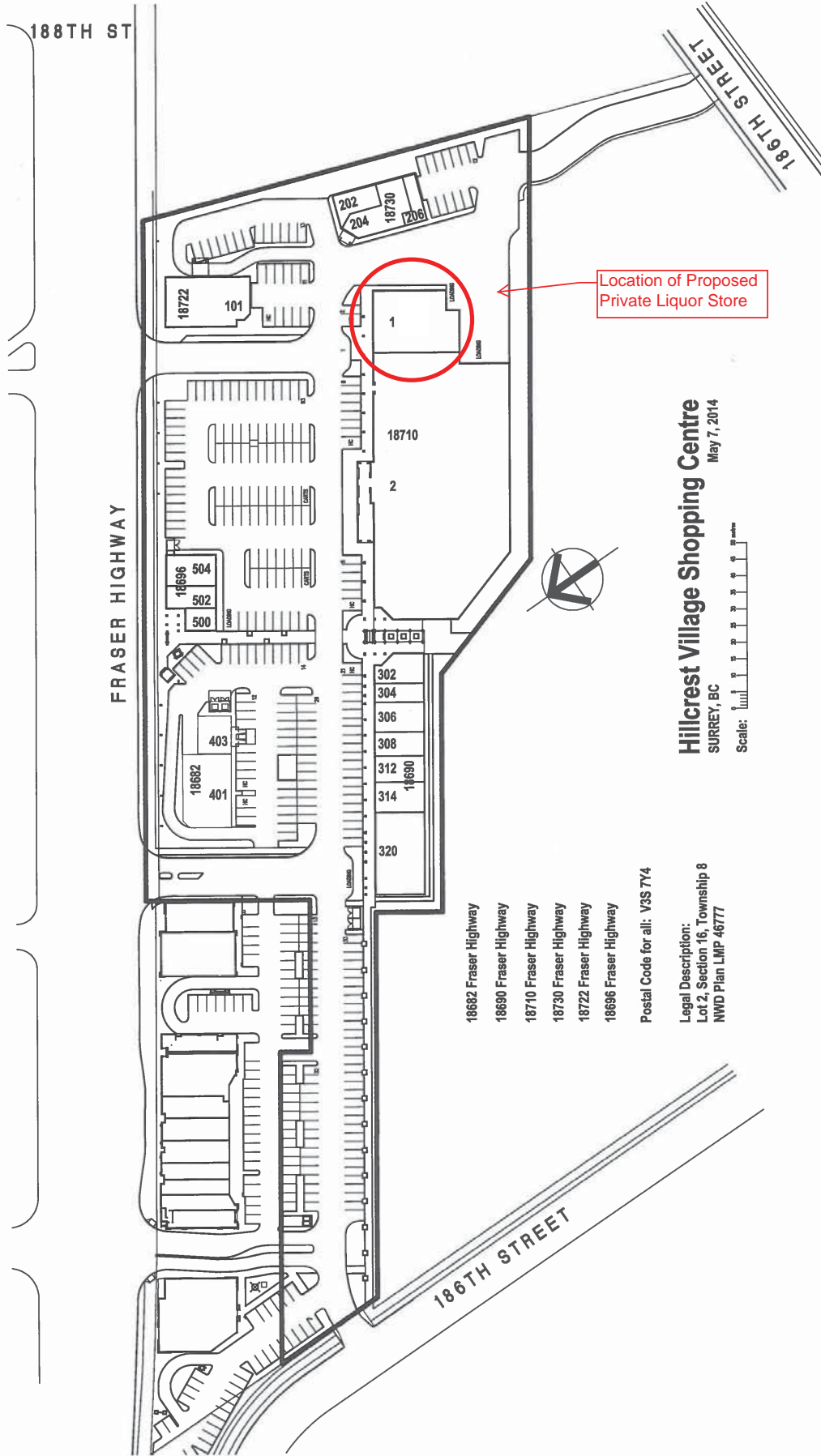
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Information for City Clerk

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

1. (a) Agent:      Name:                  Trademark Ventures Ltd.  
                     Address:              6245 - 136 Street, Suite 200  
   Surrey, BC V3X 1H3  
  
                     Tel:                      604-590-1155
  
2.      Properties involved in the Application
  - (a)      Civic Address:              18682 - Fraser Hwy
  
  - (b)      Civic Address:              18682 - Fraser Hwy  
            Owner:                      Trademark Property Group Ltd.  
            PID:                            024-830-828  
            Lot 2 Section 16 Township 8 New Westminster District Plan LMP 46777
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to amend CD By-law No. 14711.

Hillcrest Village Shopping Centre



Location of Proposed Private Liquor Store

Hillcrest Village Shopping Centre  
SURREY, BC  
May 7, 2014

Scale: 1" = 100'

- 18682 Fraser Highway
- 18690 Fraser Highway
- 18710 Fraser Highway
- 18730 Fraser Highway
- 18722 Fraser Highway
- 18696 Fraser Highway

Postal Code for all: V3S 7Y4

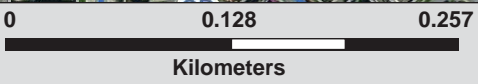
Legal Description:  
Lot 2, Section 16, Township 8  
NWD Plan LMP 46777





Approx. 400m from proposed liquor store

Proposed location of private liquor store



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: 4,279

Map created on: June-11-14

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

FROM: **Development Services Manager, Engineering Department**

DATE: **June 3, 2014**

PROJECT FILE: **7814-0129-00**

---

RE: **Engineering Requirements (Commercial/Industrial)  
Location: 18682 Fraser Hwy**

**REZONE**

There are no engineering requirements relative to the Rezone.



Rémi Dubé, P.Eng.  
Development Services Manager

sk

CITY OF SURREY

BY-LAW NO. 14711

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: DRIVE-IN THEATRE ZONE (P-D) (BY-LAW NO. 5942) AND  
 SUBURBAN RESIDENTIAL ZONE (RS) (BY-LAW NO. 5942)  
 TO: COMPREHENSIVE DEVELOPMENT ZONE (CD) (BY-LAW NO. 12000)

Parcel Identifier: 024-830-828  
 Lot 2 Section 16 Township 8 New Westminster District Plan LMP 46777

(6760 - 186 Street)

(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 community shopping centre with drive-through establishments.

**B. Permitted Uses**

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

- 1. *Retail stores* excluding the following:
  - (a) *Adult entertainment stores*; and
  - (b) *Secondhand stores* and *pawnshops*.

2. *Personal service uses* excluding *body rub parlours*.
3. *General service uses* including *drive-through bank* and excluding funeral parlours.
4. *Eating establishments* including *drive-through restaurants*.
5. Office uses excluding the following:
  - (a) *Social escort services*; and
  - (b) *Methadone clinics*.
6. *Indoor recreational facilities*.
7. *Entertainment uses* excluding *arcades* and *adult entertainment stores*.
8. *Assembly halls*.
9. *Neighbourhood pubs*.
10. *Community services*.
11. *Child care centres*.
12. One *dwelling unit* per *lot* provided that the *dwelling unit* is:
  - (a) Contained within the *principal building*; and
  - (b) Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.

**C. Lot Area**

Not applicable to this Zone.

**D. Density**

The *floor area ratio* shall not exceed 0.50.

**E. Lot Coverage**

The maximum *lot coverage* shall be 35%.

**F. Yards and Setbacks**

*Principal and accessory buildings* shall be sited in accordance with the following setbacks:

1. West - 5.0 metres [17 feet];
2. East - 7.5 metres [25 feet];
3. North - 6.0 metres [20 feet];
4. Southwest - 5.0 metres [17 feet] extending from the southwest corner of the *lot* along the south *lot line* for 72 metres [236 ft.]; and
5. Southeast - 6.0 metres [20 ft.] along the south *lot line* except along that area described in Sub-section F.(4).

#### **G. Height of Buildings**

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

1. *Principal buildings:* The *building height* shall not exceed 12 metres [40 feet].
2. *Accessory buildings and structures:* The *building height* shall not exceed 4.5 metres [15 feet].

#### **H. Off-Street Parking**

1. Refer to Table C.2, Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended.
2. *Tandem parking* may be permitted.

#### **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. Except in those portions where a *building* abuts the *lot line*, screen planting at least 1.5 metres [5 ft.] high in a strip at least 1.5 metres [5 ft.]

wide combined with a fence at least 1.5 metres [5 ft.] high shall be provided along all *lot lines* separating the developed portion of the *lot* from any *residential lot*.

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.
6. Open display or storage shall be completely screened to a height of at least 2.5 metres [8 ft.] by *buildings* and/or solid decorative fence and/or substantial *landscaping* strips of not less than 1.5 metres [5 ft.] in width. No display or storage of material shall be piled up to a height of 2.5 metres [8 ft.] within 5 metres [16 ft.] of the said screens and in no case shall these materials be piled up to a height of more than 3.5 metres [11.5 ft.].

**J. Special Regulations**

1. Garbage containers and *passive recycling containers* shall not be located within any required *setback* adjacent any *residential lot*.
2. The outdoor storage or display of any goods, materials or supplies is specifically prohibited, notwithstanding any other provision in this Zone.
3. *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*.
4. *Lands* and *structures* shall be used for the uses permitted in this Zone only if such uses do not emit noise in excess of 70 dB measured at any point on any boundary of the *lot* on which the use is located, provided that where a *lot* abuts a *lot* other than an *industrial lot* the noise level shall not exceed 60 dB.

**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>
2,000 sq. m [0.5 acre]	30 metres [100 ft.]	30 metres [100 ft.]

Dimensions shall be measured in accordance with Section E.21, Part 4 General Provisions, of the 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-8 Zone as set forth in 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 Parking and Loading/Unloading, 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, and the Surrey Development Cost Charge By-law, 1993, No. 11951, as amended, and the development cost charges shall be based on the C-8 Zone.
  8. Surrey Tree Preservation By-law, 1996, No. 12880, as amended.
  9. Development permits may be required in accordance with the Surrey *Official Community Plan*, 1996, By-law No. 12900, as amended.
  10. Provincial licensing of *child care centres* is regulated by the Community Care Facility Act R.S.B.C. 1996. c. 60, as amended, and the Regulations pursuant thereto including without limitation B.C. Reg 319/89/213.
  11. Provincial licensing of *neighbourhood pubs* is regulated by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.
3. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14711."

READ A FIRST AND SECOND TIME on the 13th day of May, 2002.

PUBLIC HEARING HELD thereon on the 28th day of May, 2002.

READ A THIRD TIME ON THE 28th day of May, 2002.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 26th day of July, 2004.

\_\_\_\_\_ MAYOR  
\_\_\_\_\_ CLERK

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CITY OF SURREY

BY-LAW NO. \_\_\_\_\_

A by-law to amend "Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2002, No. 14711"

.....

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, 2002, No. 14711" is hereby amended as follows:

Part 2, Section B. Permitted Uses is amended by inserting a new Sub-section 2.B.13 immediately following Sub-section 2.B.12 as follows:

"13. *Liquor store.*"

- 2. This By-law shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14711, Amendment By-law, 2014, 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

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