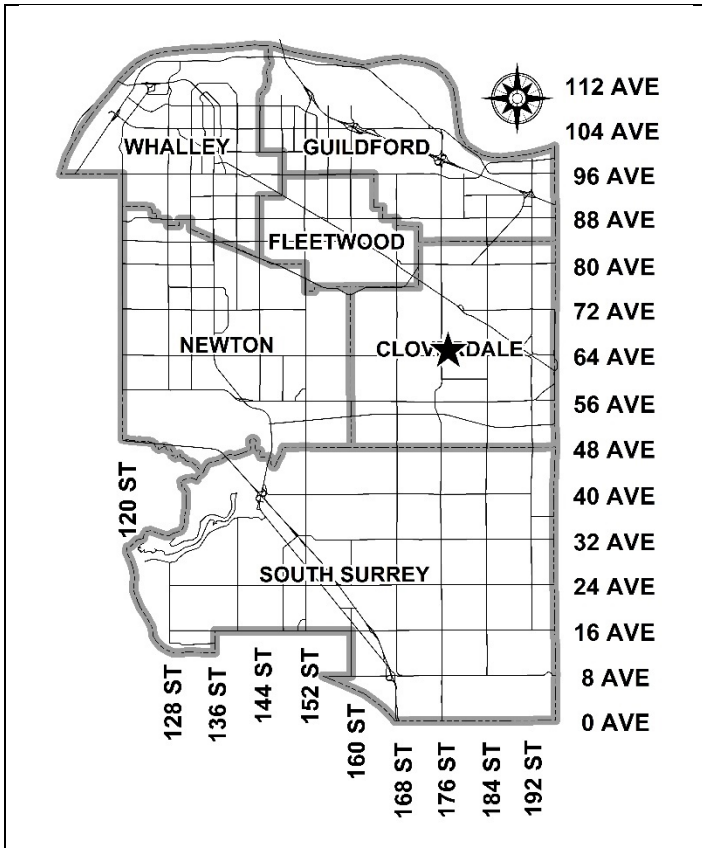


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**  
 Application No.: 7920-0195-00  
 Planning Report Date: December 7, 2020



**PROPOSAL:**

- Rezoning from IB to CD
- New Liquor Primary License

to allow liquor service within an existing hair salon.

**LOCATION:** 17696 - 65A Avenue

**ZONING:** IB

**OCP DESIGNATION:** Mixed Employment

**LAP DESIGNATION:** Industrial



## RECOMMENDATION SUMMARY

- Bylaw Introduction and set date for Public Hearing for Rezoning
- Set date for a Public Information Meeting in the form of a Public Hearing to solicit resident and business owners' opinions on the proposed liquor license

## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

## RATIONALE OF RECOMMENDATION

- The proposal complies with the Mixed Employment designation.
- The subject hair salon (The Warehouse Hair Co.) is a new business within the multi-tenant business park building on the subject site. They have been in operation for approximately 6 months.
- The owner of the hair salon is seeking a liquor primary license to offer liquor service as an ancillary service for customers. Requests for hair salons and barbershops to offer liquor service as an ancillary service to their customers is becoming more common in the Lower Mainland including one location in Surrey.
- The current IB Zoning permits personal service uses including hair salons and barbershops, as an accessory use to the principle industrial and commercial uses on the site but does not permit liquor primary licensed establishments. As such a rezoning is required to permit liquor service within the hair salon.
- A liquor primary license from the Provincial Liquor and Cannabis Regulation Branch (LCRB) is required for businesses such as hair salons or barbershops that want to offer liquor service as an additional service to patrons or have a liquor focused area.
- The proposed operating hours are in keeping with Council's policy on hours of operation for liquor primary licensed establishments.
- The RCMP and Fire Department have no concern with the proposal.
- Staff have received no comments in response to the development proposal sign or the pre-notification letters that were mailed out.
- The applicant will enter into a Good Neighbour Agreement to assist in mitigating any impact the liquor primary license may have on the surrounding businesses.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. Bylaw be introduced to rezone the subject site from "Business Park Zone (IB)" to "Comprehensive Development Zone (CD)" and a date be set for Public Hearing; and
2. A Public Information Meeting in the form of a Public Hearing be set to solicit opinions from area residents and businesses regarding the proposed liquor primary license with the following limitations:
  - (a) A proposed maximum occupant load of 25 persons; and
  - (b) The hours of operation for the liquor primary establishment are as follows:
    - 11:00 am to 10 pm Sunday through Saturday.
3. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) The applicant enter into a Good Neighbour Agreement with the City; and
  - (b) Approval from the Ministry of Transportation & Infrastructure.

## SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Multi-tenant industrial building	Mixed Employment	IB
North (Across 65A Avenue):	Multi-tenant industrial building	Mixed Employment	IB'
East:	Multi-tenant industrial building	Mixed Employment	IB
South :	Mixed use commercial shopping centre	Commercial	CD Bylaw No. 15727
West:	Mixed multi-tenant industrial buildings	Mixed Employment	IB

### Context & Background

- The subject site is located on the south side of 65A Avenue, east of Highway 15, in the Cloverdale Business Park.

- The site is designated “Mixed Employment” in the Official Community Plan (OCP) and is zoned “Business Park” (IB). The IB Zone permits personal service uses (including hair salon/barbershop) as well as uses that serve or sell liquor including eating establishments (food primary licensed establishments). The IB Zone does not permit liquor primary licensed businesses.

## **DEVELOPMENT PROPOSAL**

### **Planning Considerations**

- The subject hair salon (The Warehouse Hair Co.) is a new business within the multi-tenant business park building on the subject site. They have been in operation for approximately 6 months.
- The owner of the hair salon is seeking a liquor primary license to offer liquor service as an ancillary service for customers.
- Requests for hair salons and barbershops to offer liquor service as an ancillary service to their customers is becoming more common in the Lower Mainland including one location in Surrey.

### **PROPOSED REZONING**

- Liquor primary businesses are permitted in the majority of the City’s Commercial zones , but are not permitted in the Industrial zones (including the IB Zone). In order to allow an ancillary Liquor Primary license associated with the personal service (hair salon) use, the applicant has requested a rezoning from IB “Business Park Zone “ (IB) to a Comprehensive Development Zone (CD).
- The proposed CD Bylaw for the proposed development site identifies the uses, densities and setbacks proposed. The CD Bylaw will have provisions identical to the "Business Park Zone (IB)" but adds a liquor primary license ancillary to a personal service use.
- Under the proposed CD By-law, the liquor primary license must be ancillary to personal service use. If the personal service use is discontinued on the site, the ancillary liquor primary license can not be operated independently.

### **PROPOSED LIQUOR PRIMARY LICENSE**

- The applicant also requires a liquor primary license from the Provincial Liquor and Cannabis Regulation Branch (LCRB) in order to serve liquor as an added service for customers.
- The applicant proposes the following hours of operation for the liquor primary establishment: 11:00 a.m. to no later than 10:00 pm Sunday through Saturday.
- The hours of operation proposed by the applicant are compliant with the hours endorsed by Council through Corporate Report No. Loo3 in February 23, 2004, which provide parameters for the operation of liquor primary establishment in the City of Surrey. In the report, the following hours of operation are identified for a liquor primary license establishment:

- 11:00 a.m. to no later than 1:00 a.m. Sunday through Thursday and
- 11:00 a.m. to no later than 2:00 a.m. Friday and Saturday.
- The business currently opens at 9:00 am and the owners have requested to have liquor service available starting at 11:00 am in accordance with City Policy. The business closes at 9pm.
- As part of the Liquor Primary License application, the applicant will enter into a Good Neighbour Agreement with the City prior to Council consideration of support of the proposed liquor license.

#### On-Site Parking:

- There are currently 47 parking spaces provided on-site for the tenants and customers, which exceeds the 45 required parking spaces under Part 5 of the Zoning Bylaw. As the proposed liquor primary license is ancillary to the personal service use, no additional parking spaces are required.

#### Liquor Licensing Approval Procedure

- The Liquor and Cannabis Regulation Branch (LCRB) requires that the applicant secure local government endorsement before a liquor primary application can be considered for approval by the LCRB.
- The LCRB requires that Council comment on how the site satisfies a specified list of criteria to ensure that adequate consideration has been given to the application by the local government. The analysis of the criteria for this site is provided as follows:

##### **(a) The location of the establishment**

- The City's long-standing locational guidelines for liquor primary establishments are as follows:
  - Select a site close to a residential area but not surrounded by a residential area,
  - Select a site that is adjacent to or in a local commercial node;
  - Do not select a site on a provincial highway; and
  - Locate further than 400 metres (1,310 ft.) from a school, children's park, or playground.
- The existing hair salon is located within a business park bounded by Highway 15 to the west, 64 Avenue on the south, BC Hydro corridor to the north and a single family residential neighbourhood to the east. The hair salon is one of several business operating within the multi-tenant commercial building.
- There are no schools, children's parks, or playground within 400 metres of the subject site.
- The property is not located on a provincial highway;

however, it is 150 metres east of Highway 15.

(b) **The proximity of the establishment to social or recreational facilities and public buildings**

- As noted above, there are no schools, children's parks, or playgrounds within 400 metres of the subject site. The subject site is 190 metres north of the Bill Reid Amphitheater located at the south east corner of Highway 15

(c) **The person capacity and hours of liquor service of the establishment**

- The applicant is proposing the following hours of operation for the liquor primary licensed establishment:
  - 11:00 a.m. to no later than 10:00 p.m. Sunday through Saturday.
  - The proposed hours of operation are compliant with the hours endorsed by Council through Corporate Report No. L003, as noted above.
- The establishment will maintain a maximum occupant load of 25 persons.

(d) **The number and market focus or clientele of liquor primary licensed establishments within a reasonable distance of the proposed location**

- According to the locational criteria established by the City, a new liquor primary license should not be located within 1.6 kilometres (1 mile) of an existing liquor primary license. The subject property is approximately 1.7 kilometers north of the Cloverdale Town Centre, which has The Henry Public House, and Clydesdale Hotel and Rusty's Pub.
- The above-noted liquor primary establishments are neighbourhood pubs where liquor service is the primary business function. The Warehouse Hair Co. is primarily a personal service use, and the liquor primary license is only intended to provide the ability to serve liquor as an added service for clients. Liquor will not be served or sold to the general public. These businesses are not intended to serve the same clientele.

(e) **The impact of noise on the community in the immediate vicinity of the establishment**

- The closest residences are 400 metres to the east and are separated from the business park.
- It is anticipated that there will be minimal impact on the surrounding area resulting from the proposed liquor primary license, as the

principle use is hair salon, and liquor will only be an added service for clients.

(f) **The impact on the community if the application is approved**

- It is expected that, if the liquor primary license application is approved, there will be little community impact given the nature of the proposed business.
- The RCMP and Fire Department have no concerns with the proposed liquor primary license.
- The applicant will sign a Good Neighbour Agreement that will help to prevent negative issues, including noise, litter and untidiness.

### Referrals

Engineering: The Engineering Department has no comments regarding this proposal

Surrey RCMP: No concerns

Surrey Fire Department: No concerns

### PUBLIC ENGAGEMENT

- Pre-notification letters were sent on November 9, 2020 and the Development Proposal Signs were installed on November 10, 2020. Staff received no responses from neighbouring property owners or tenants.
- The Cloverdale Business Association and the Cloverdale Community Association were mailed the pre-notification letter, and neither entity provided any comments with respect to the proposal

### INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

*approved by Ron Gill*

Jean Lamontagne  
General Manager  
Planning and Development

LAP/cm