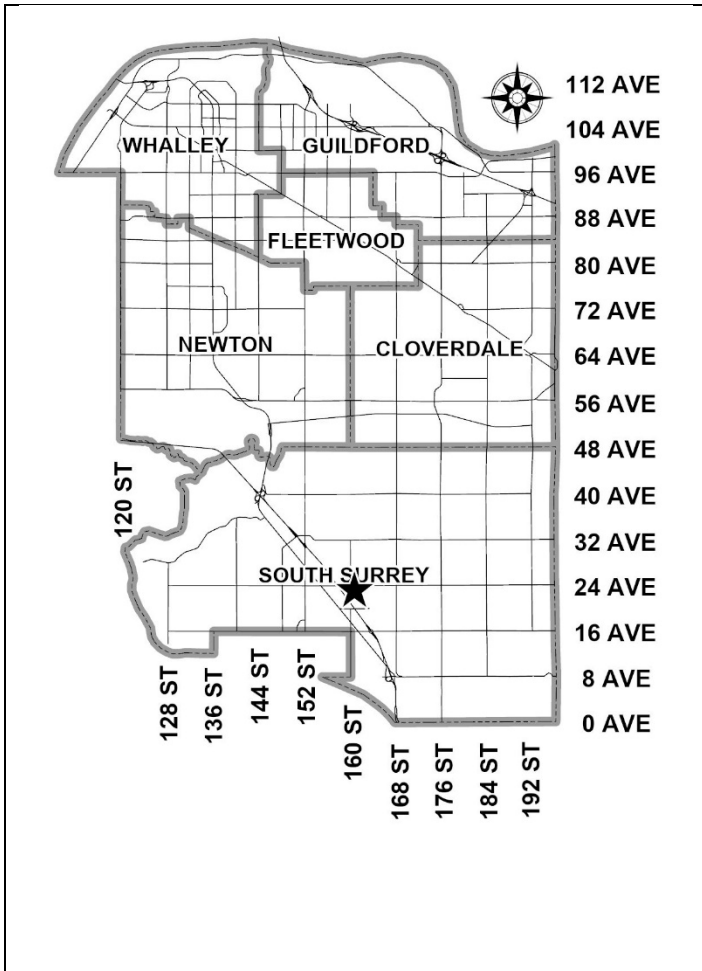


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7925-0020-00

Planning Report Date: March 10, 2025



PROPOSAL:

- Amend CD Bylaw No. 15611
- **Liquor and Cannabis Regulation Branch Recommendation**

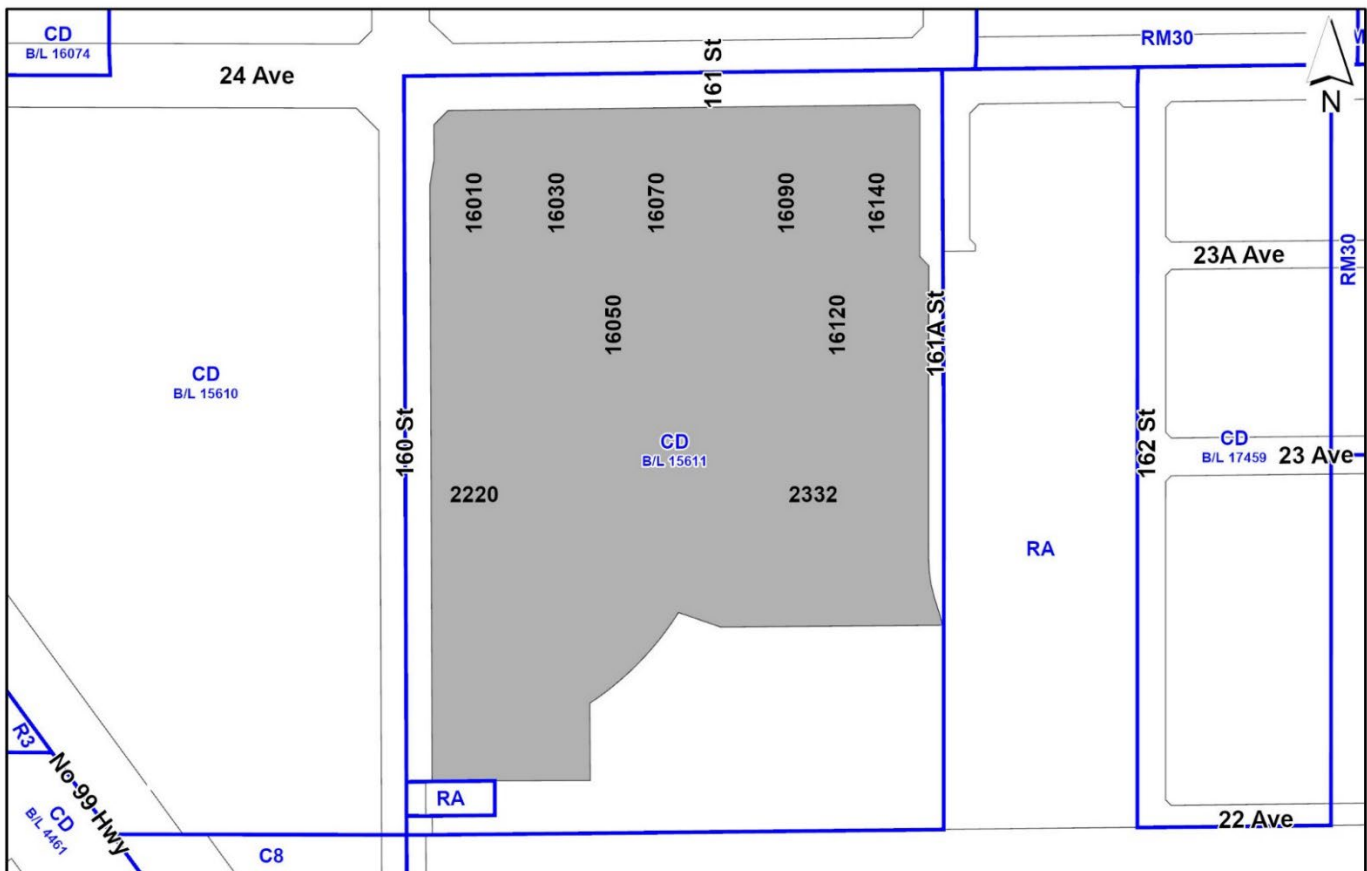
to permit a cannabis retail store in an existing commercial retail unit.

LOCATION: 2332 – 160 Street
 (2220 160 Street)
 (16010 24 Avenue)
 (16030 24 Avenue)
 (16050 24 Avenue)
 (16070 24 Avenue)
 (16090 24 Avenue)
 (16120 24 Avenue)
 (16140 24 Avenue)

ZONING: CD Bylaw No. 15611

OCP DESIGNATION: Commercial

HIGHWAY 99 CORRIDOR LOCAL AREA PLAN: Commercial & Buffers



RECOMMENDATION SUMMARY

- Bylaw Introduction and set date for Public Hearing for the proposed amendment to Comprehensive Development (CD) Bylaw No. 15611 and Liquor and Cannabis Regulation Branch (LCRB) recommendation on the proposed cannabis retail store license.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Commercial designation in the Official Community Plan (OCP).
- The proposed CD Bylaw amendment will allow for a cannabis retail store in an existing commercial retail unit.
- The proposed cannabis retail store and location was supported by Council at the November 4, 2024, Council meeting under Corporate Report No. 216, as one of the twelve successful applicants to proceed with an application. This selection was based on alignment with the City's Policy Framework and evaluation criteria for consideration of cannabis retail in the City (as outlined under Corporate Reports No. R216 and R055).
- The proposal would be one of two stores under consideration in South Surrey (the other being proposed at 15775 Croydon Drive). The proposal meets evaluation criteria in: locating on a property zoned for commercial uses; meeting minimum distance requirements (200 metres) from Public schools and provincially funded independent schools, City community and recreation centres, and other proposed cannabis retail or production locations within the City; demonstrating operator experience; demonstrating conformance with parking requirements after addition of the retail use; and satisfying visibility, design, and Crime Prevention Through Environmental Design (CPTED) considerations through preparation of security and lighting plans.
- The applicant has applied for license under the Provincial Liquor and Cannabis Regulation Branch (LCRB) and is currently under consideration for a Suitability Letter (Applicant Security Screening and Financial Integrity Check) from the LCRB.

RECOMMENDATION

The Planning & Development Department recommends that:

1. A By-law be introduced to amend "Comprehensive Development Zone (CD)" Bylaw No. 15611 and a date be set for Public Hearing.
2. A public input opportunity is provided along with the Public Hearing to solicit feedback from area residents and business owners regarding the proposed cannabis retail store license.
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) submission of finalized signage drawings to the satisfaction of the Planning and Development Department;
 - (b) execution of a Good Neighbour Agreement (GNA) between the applicant and the City to assist in mitigating any nuisance impacts the store may have on the surrounding area; and
 - (c) receipt of a Suitability Letter from the Provincial Liquor and Cannabis Regulation Branch (LCRB).
4. If supported after the Public Hearing, it is recommended that Council pass a resolution expressing support for the subject license to the Liquor and Cannabis Regulation Branch (LCRB).

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Commercial / shopping centre	Commercial	CD Bylaw No. 15611
North (Across 24 Avenue):	Commercial / shopping centre	Commercial	CD Bylaw No. 15610
East (Across 161A Street):	Vacant acreage residential	Multiple Residential	RA
South (Abutting):	Acreage residential	Residential Employment	RA
West (Across 160 Street):	Commercial / shopping centre	Commercial	CD Bylaw No. 15610

- Under Section 33(1) of the Cannabis Control and Licensing Act, the LCRB cannot issue a retail store license without receiving a positive recommendation regarding the application from the local government.
- After receipt of feedback on the subject proposal through a Public Hearing meeting, Mayor and Council may vote on forwarding a recommendation to the LCRB.

Cannabis Retail Policy Framework Alignment

- Under Corporate Report R055, a “Cannabis Retail in Surrey - Policy Framework and Application Process” a framework was established for consideration of the first cannabis retail stores in the City. The purpose of this framework was to balance resident demand for cannabis retail within City boundaries while mitigating neighbourhood impacts, ensuring conformance with City bylaws, and maintaining an appropriate number of stores.
- Under this framework, a number of criteria for ranking cannabis retail store proposals was developed. A Request for Expressions of Interest (RFEOI) process was conducted to solicit proposals from prospective cannabis retailers.
- Under Corporate Report No. R216, “Results of the Request for Expressions of Interest...Cannabis Retail”, twelve high-ranking RFEOI applications were selected to proceed to a rezoning application under this process (two for each of the City’s six town centres). The subject proposal is one of two stores that were selected in the Newton town centre area.
- The following is an evaluation of the application in relation to criteria under the Policy Framework.

Policy Framework

- **Location:** This criterion is intended to site a limited number of cannabis retail stores in centralized commercial areas on established multi-tenant properties. The policy allows for up to two retail stores per Surrey town centre areas: Whalley/City Centre, Guildford, Fleetwood, Newton, South Surrey, and Cloverdale. Stores should be permitted only in areas designated City Centre, Town Centre, or Commercial in the OCP and on lots zoned “Neighbourhood Commercial Zone (C-5)”, “Community Commercial Zone (C-8)”, “Town Centre Commercial Zone (C-15)”, “Downtown Commercial Zone (C-35)”, or “Highway Commercial Industrial Zone (CHI)”.

The subject application is one of two stores being considered in the South Surrey area (the other being proposed at 15775 Croydon Drive). The subject property is regulated under CD By-law No. 15611 and falls within the Highway 99 Corridor Local Area Plan. This section of the Highway 99 Plan is a functional social and commercial centre for the surrounding neighbourhoods and is adjacent to the Semiahmoo Town Centre plan. The CD By-law is based on commercial shopping centre zones, which is in-keeping with the commercial zones identified under the criteria.

- **Separation Distances:** This criterion is intended to discourage a concentration and proximity between cannabis retail stores and site stores away from areas where minors may be unaccompanied. Proposed locations must be a minimum of 200-metres from the following sensitive uses, as measured from the front door of the premises to the nearest property line of the sensitive use: Public or Provincially funded Independent Schools; City Community Centres and Recreation Centres; and Existing Cannabis Retail or Production Locations within Surrey.

The subject site falls outside of a 200 metre buffer from any school or community centre. The subject property is adjacent to the other property under consideration for cannabis retail in the South Surrey area (15775 Croydon Drive), but the units themselves would be over 550 metres apart from one another.

- **Related experience of the operator:** This criterion is intended to ensure that the initial cannabis retail operators in the City have experience in cannabis retail or similar operations, are familiar with licensing and regulatory requirements under the LCRB (or other provincial branches and provincial regulatory environments).

The operator has had seven licensed cannabis retail stores under the Dutch Love name. The operator has also opened six retail pharmacies in the Lower Mainland and has overseen operations of 20 cannabis retail stores. Other Dutch Love locations have included stores in the City of Vancouver, City of Kelowna, and City of Toronto.

- **Parking and access plan:** This criterion is intended to ensure that the sites will have sufficient parking in conformance with the Zoning By-law after addition of the cannabis retail use and that egress from the parking lot is functional. This is to avoid scenarios where addition of the cannabis retail would exacerbate limited parking or result in impacts on local traffic.

The subject site currently permits retail and conforms to parking requirements under the Zoning By-law. The property derives access from 160 Street and 24 Avenue. Access to the store would be internal to the site, with no entrance from the sidewalk on 24 Avenue.

- **Visibility, lighting, design, and CPTED (crime prevention through environmental design) elements:** This criterion is intended to ensure that plans are in-place for exterior and internal lighting, alarms, surveillance cameras, sightlines into the storefront, and design elements intended to discourage potential impacts such as loitering and odour.

The applicant notes that interior and exterior cameras will be installed. A clear line of sight will be established for a clear view of the retail sales floor inside and outside of the premises. Products will be stored within a secure vault. All cannabis products will be received and sold in smell-proof containers packaged by licensed producers. Customers are prohibited from opening products in and around the premises and from loitering or smoking on site.

CD By-law

- Under Part 4 General Provisions of the Zoning By-law, "Cannabis Dispensary or Cannabis Production Facility" is identified as a restricted use that cannot be permitted under any Zone that does not provide for the cannabis use specifically. Addition of the cannabis retail use will be conducted through amendment of the existing CD zone.

- The applicant is proposing to amend "Comprehensive Development Zone (CD)" By-law No. 15611 to add cannabis retail as a permitted use. The Bylaw would permit "one cannabis retail store operating in-accordance with a cannabis retail store license issued under the Cannabis Control and Licensing Act, as amended". The retail store license is a category of license under the Act and the Cannabis Licensing Regulation, as amended, for the retail of commercial cannabis products and cannabis accessories for off-site use.
- The amendment would also include a special regulation to limit cannabis retail store area across the subject property to a maximum of 101 square metres (a moderate increase above the 90.58 square metres proposed for the subject store). This is intended to prevent concentration of cannabis retail uses on the subject site.
- No other changes to the permitted uses under this CD Bylaw are proposed. The CD Bylaw will continue to permit general retail, general and personal services, and offices. All form and density provisions (such as density, lot coverage, setbacks, and building height) are proposed to stay the same. No new building is proposed as part of this application.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on January 21, 2025, and the Development Proposal Signs were installed on January 29, 2025. Staff received 52 responses indicating objection from neighbouring residents.
 - Concerns raised by residents included concerns around public safety that may arise with a cannabis store located nearby, negative health impacts associated with use of marijuana (including impairment and public safety concerns), potential negative impact on the many children and young families that live in the immediate area, the potential negative impact on the character of the neighbourhood, potential impacts on nearby businesses that may not want to be associated with cannabis, and concerns about lower property values that may result.

With respect to concerns around public safety, it is noted that the applicant has prepared plans for security and lighting and a crime prevention through environmental design report by a National Institute of Crime Prevention certified practitioner. Other preventative measures include storage of all products behind a sealed vault, use of 24/7 security cameras at all exits and entrances, glass break and door contact sensors.

With respect to impacts on health with cannabis use or influence on children, it is noted that all cannabis retail stores restrict minors (under 19) from entrance. The proposed store would have a 2-piece ID check system and prominent signage at the entrance advising on this restriction. All products would be sealed and kept under display cabinets that obstruct visibility from the exterior of the store.

Loitering and smoking in and around the store would be prohibited. In accordance with LCRB requirements, retail operations must end by 11:00 pm. There is no consumption, recreation, or lounge component to the proposed retail store, and products are sold for consumption off-site (similar to a liquor store in operations). It is noted that the proposed unit is adjacent to multiple restaurants with outdoor patios that serve liquor.

With respect to adverse impacts on businesses, property values, perception of Grandview Corners, or traffic, the operator has advised on experience with other locations in similar prominent town centre or multi-tenant commercial areas: including locations on main streets in the Kitsilano and Marpole neighbourhoods of Vancouver and on a commercial complex in the Midtown neighbourhood of Kelowna.

The applicant is required to enter a good neighbour agreement with the City to safeguard proposed security and nuisance mitigation measures.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Architectural Drawings (Context, Site Plan, Floor Plan, Elevations, Signage)
- Appendix II. Corporate Report No. R216 “Results of the Request for Expressions of Interest...Cannabis Retail” dated October 30, 2024
- Appendix III. Redline CD Bylaw No. 15611

approved by Shawn Low

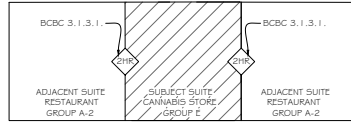
Ron Gill
Acting General Manager
Planning and Development

JK/cb

PROJECT DATA

ADDRESS: UNIT #125 | 16030 24TH AVE, SURREY
 LEGAL DESCRIPTION:
 PID: 026-497-212
 ZONING:
 ZONING: CD
 EXISTING USE: (GROUP A2) (3.1.2.1)
 PROPOSED USE: (GROUP E) (3.1.2.1)
 FAR: EXISTING FLOOR AREA: 975 S.F.
 ADDITIONAL FLOOR AREA: 0 S.F.
 GROSS TOTAL FLOOR AREA: 975 S.F.

FFR TABLE



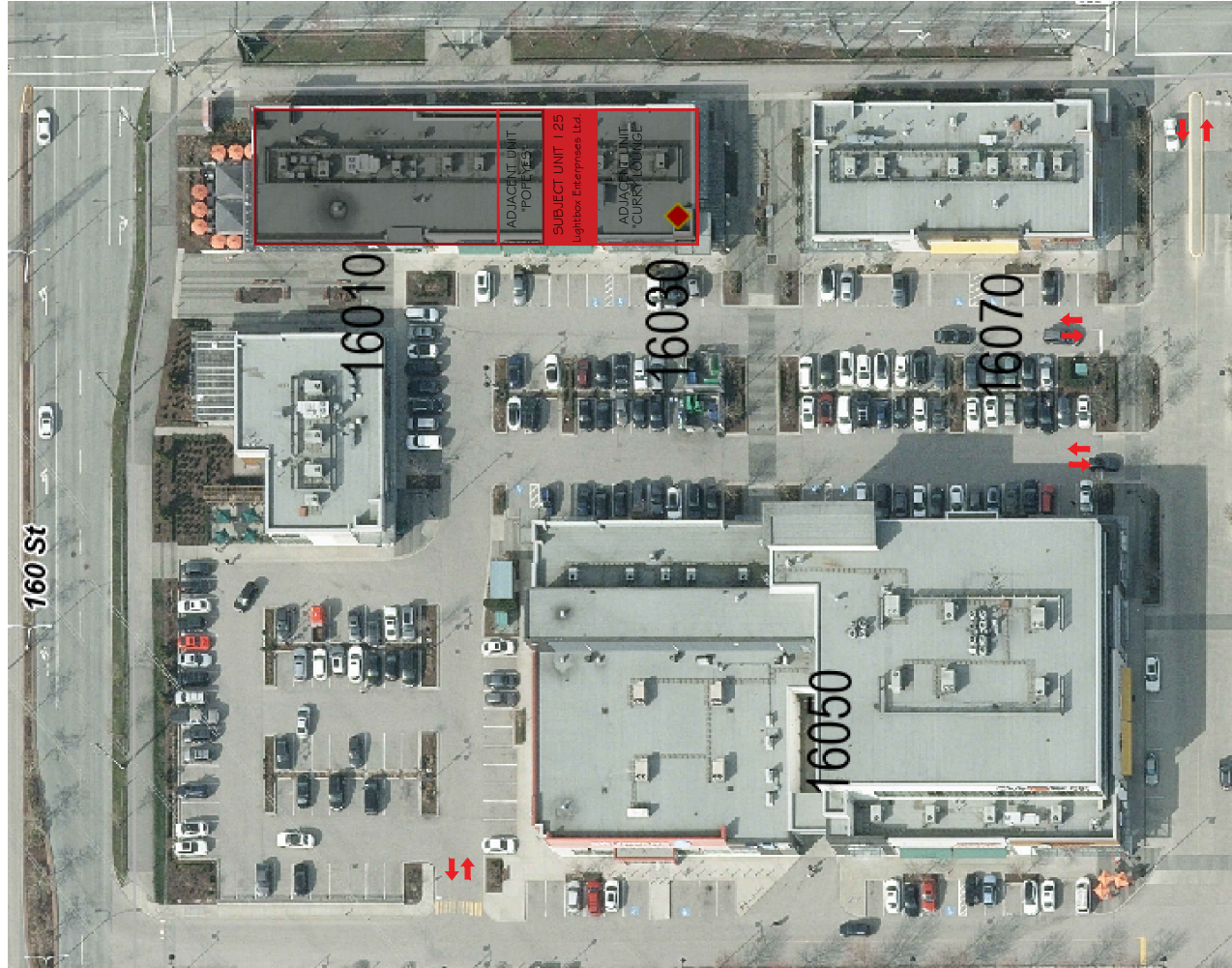
CODE ANALYSIS

BUILDING CLASSIFICATION: GROUP E, UP TO 2 STOREY, NON-SRPINKLERED MAJOR OCCUPANCY DIVIDED BY BCBC 2024 SUBJECT SUITE MAJOR OCCUPANCY - GROUP E
 FR.R. 4 SEPARATION: BCBC 2024
 CONSTRUCTION COMBUSTIBILITY: NON-COMB
 FLOOR: NA
 MEZZANINE: NA
 COLUMNS / LOADBEARING WALL: 45 MIN OR NON-COMB
 ROOF: NA
 SUITE TO SUITE FIRE SEPARATION: 0 HR
 EXIT AREA LIMIT = 2,152 S.F. (200 SM) - REF T 3.4.2.1.(A)
 SUITE AREA 975 S.F. (90.58 SM), (2) EXIT IS REQUIRED # 2 PROVIDED
 (1) EXIT TRAVEL DISTANCE LIMIT = 82.02' (25 M) - REF T 3.4.2.1.(A)
 PROVIDED MAXIMUM TRAVEL DISTANCE - TO EXIT 01 = 31.5' (9.6M)
 PROVIDED MAXIMUM TRAVEL DISTANCE - TO EXIT 02 = 37.5' (11.43M)
 (2) EXITS ARE PROVIDED
 (1) MEANS OF EGRESS EXIT LIMIT = 2,152 S.F. (200 SM)
 (1) MEANS OF EGRESS DISTANCE LIMIT = 82.02' (25 M)
 (1) MEANS OF EGRESS IS REQUIRED PER ROOM # 2 PROVIDED
 MEANS OF EGRESS: (1) MEANS OF EGRESS EXIT LIMIT = 2,152 S.F. (200 SM)
 OCCUPANCY: 24 PEOPLE TOTAL

CHRISTOPHE VAISSADE
 BUILDING DESIGNER
 T: 604.614.6627
 E: cvaiss@cvdesigns.ca
 WWW.CVDESIGNS.CA

UNIT #125 - 16030
 24th AVE
 SURREY, BC

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REV.	DATE	REMARKS

CLIENT: Lightbox Enterprises Ltd.
PROJECT: UNIT #125 - 16030 24th AVE, SURREY, BC
CONTENT: KEY PLAN AND ZONING ANALYSIS

DATE: NOV 2024
SCALE: 1/8" = 1'-0"
PROJECT No.:
SHEET No.: A-1.1
REVISION:

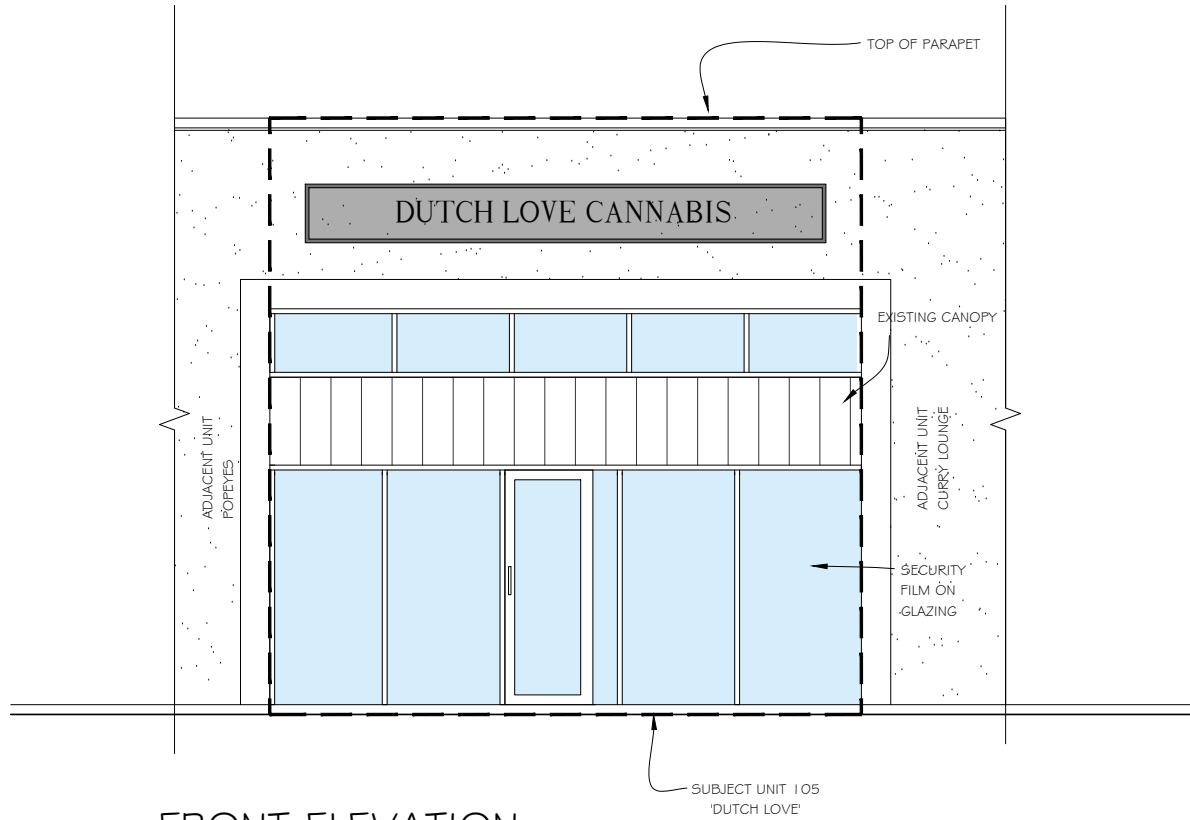




CHRISTOPHE VAISSADE
BUILDING DESIGNER
T: 604.614.6527
E: chr@cvdesigns.ca
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UNIT # 125
16030 24th AVE
SURREY, BC

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FRONT ELEVATION

REV.	DATE	REMARKS
	NOV 15, 2024	REVISED FOR PERMIT

CLIENT:	Lightbox Enterprises Ltd.
PROJECT:	125 - 16030 24TH AVE, SURREY BC
CONTENT:	ELEVATION

DATE:	NOV 2024
SCALE:	1/2" = 1'-0"
PROJECT No.:	
SHEET No.:	A3.1
REVISION:	

THESE DRAWINGS HAVE BEEN PREPARED IN ACCORDANCE WITH THE BCBC 2024



LEGEND

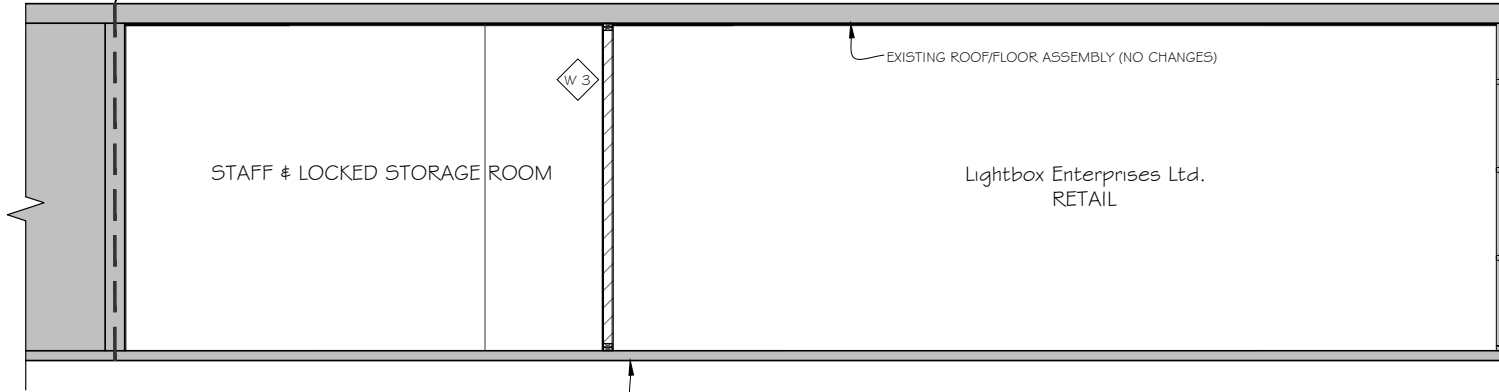
ALL EXISTING FIXTURES & ITS FEATURES TO BE REMAIN AS IS.

LINE OF EXISTING DIMISING WALL FIRE RATED AS PER BRITISH COLUMBIA BUILDING CODE 2024

U/S OF CEILING

11'-2"

TOP OF FINISHED FLOOR



SECTION A - A

(NO CHANGES TO EXISTING)

W 3 INTERIOR WALL CONSTRUCTION

1/2" GYPSUM BOARD
2X4 @ 16" o.c. STUDS
OR
2X6 @ 16" o.c. STUDS
1/2" GYPSUM BOARD



CHRISTOPHE VAISSADE
BUILDING DESIGNER
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UNIT # 125
16030 24th AVE
SURREY, BC

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REV.	DATE	REMARKS
	NOV. 18, 2024	ISSUE FOR PERMITS

CLIENT:	Lightbox Enterprises Ltd.
PROJECT:	125 - 16030 24TH AVE, SURREY BC
CONTENT:	SECTION

DATE:	NOV 2024
SCALE:	1/2" = 1'-0"
PROJECT No.:	
SHEET No.:	A4.1
REVISION:	

THESE DRAWINGS HAVE BEEN PREPARED IN ACCORDANCE WITH THE BCBC 2024





Mock-up

influence
signs and graphics

- 8337 Eastlake Dr. Unit 120
- info@influencesigns.com
- influencesigns.com
- 604 . 565 . 7446

PROOF
VERSION: # 3

Client: Lightbox
Enterprises Ltd.

Date: 01/22/2025

Colours:

Address:
Unit 125, 16030
24th avenue

Design By: INFLUENCE



Proofing is 100% the customer's responsibility. Any changes made after approval may result in additional charges



INTER-OFFICE MEMO

Regular Council - Public Hearing
Item G. CR216
Monday November 4, 2024

TO: **City Clerk**

FROM: **Acting General Manager, Planning & Development**

DATE: **November 4, 2024** FILE: **1220-050-2024-013**

RE: **Administrative Error – Corporate Report No. R216; 2024**
Results of the Request for Expressions of Interest No. 1220-050-2024-013
Cannabis Retail

Council will consider Corporate Report No. R216 “Results of the Request for Expressions of Interest No. 1220-050-2024-013 Cannabis Retail” at the November 4, 2024, Regular Council – Public Hearing meeting.

After finalizing the report, staff have identified an administrative error in the selection process for the Cloverdale community. The application from 1371511 BC Ltd. “137 Brands” with a proposed location at 17608 56 Avenue has been confirmed ineligible due to its location within 200 metres of a publicly funded high school (Cloverdale Learning Centre at 5658 176 Street).

By virtue of its ineligibility, “137 Brands” will be replaced by the other eligible applicant in the Cloverdale community, which is the application by L & M Business Consulting Limited “UEM Cannabis”, with a proposed location at #100 – 5828 176 Street.

Please update the table on Page 2 of the report by replacing 131511 BC Ltd. “137 Brands” at 17608 56 Avenue with L & M Business Consulting Limited “UEM Cannabis” at #100 – 5828 176 Street.

A handwritten signature in black ink, appearing to read "Ron Gill".

Ron Gill, MA, MCIP, RPP
Acting General Manager, Planning & Development

Cc City Manager
General Manager, Corporate Services
Manager, Procurement & Payables

DISCUSSION

The administrative screening eliminated six applications on the basis of an incomplete submission submitted within the RFEOI period (two applications), zoning or *Surrey Official Community Plan Bylaw, No. 18020, 2013* (“OCP”) designations not compliant with the RFEOI requirements (three applications), or locations that did not adhere to minimum separation distances from schools or community recreation centres as set out in the RFEOI (one application).

The remaining applications were deemed eligible for the second stage evaluation and were reviewed in detail by an evaluation team made up of three senior staff members: the Acting General Manager, Planning & Development, the General Manager, Corporate Services, and the Special Projects Manager (the “Evaluation Team”), with the process overseen by the Manager, Procurement Services. Consistent with Council’s approved selection framework, the Evaluation Team selected up to two applications in each community that best met the intent and criteria set out in the RFEOI document.

The results of this selection process identified the following successful applications in each of the communities:

Community	Business	Proposed Location
Whalley/City Centre	Lightbox Enterprises Ltd. dba “ Dutch Love Cannabis ”	#201-13650 102 Avenue
	Local Surrey Holdings Co. “ Local Cannabis ”	10449 King George Boulevard
Newton	1268236 BC Ltd. dba “ Imagine Cannabis ”	#502-7380 King George Boulevard
	1181168 BC Ltd. dba “ Surrey Cannabis Connection ”	12499 88 Avenue
South Surrey	Burb Cannabis Corp. “ Burb Cannabis ”	#108-15775 Croydon Drive
	Lightbox Enterprises Ltd. dba “ Dutch Love Cannabis ”	#125-16030 24 Avenue
Fleetwood	1486965 BC Ltd. dba “ Inspired Cannabis ”	#103-9014 152 Street
	1181168 BC Ltd. dba “ Surrey Cannabis Connection ”	15148 Fraser Highway
Cloverdale	<u>L & M Business Consulting Limited</u> <u>“UEM Cannabis”</u> 1371511 BC Ltd. <u>“137 Brands”</u>	<u>#100-5828 176 Street</u> <u>17608 56 Avenue</u>
	Queensborough Cannabis Co. Ltd “ Queensborough Cannabis ”	19581 Fraser Highway
Guildford	1486965 BC Ltd. dba “ Inspired Cannabis ”	10383 150 Street
	1268236 BC Ltd. dba “ Imagine Cannabis ”	#5-10330 152 Street

NO: R216

COUNCIL DATE: November 4, 2024

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **October 30, 2024**

FROM: **Acting General Manager, Planning & Development** FILE: **1220-050-2024-013**
General Manager, Corporate Services

SUBJECT: **Results of the Request for Expressions of Interest No. 1220-050-2024-013**
Cannabis Retail

RECOMMENDATION

The Planning & Development Department and the Corporate Services Department recommend that Council:

1. Receive this report for information; and
2. Direct staff initiate rezoning applications on behalf of the eight successful applicants at twelve locations to permit Cannabis Retail on the proposed sites, for Council's consideration.

INTENT

The intent of this report is to inform Council of the successful applicants to the Request for Expressions of Interest No. 1220-050-2024-013 for Cannabis Retail.

BACKGROUND

At its Regular Council Public Hearing on April 8, 2024, Council approved the recommendations of Corporate Report No. R055; 2024 (attached as Appendix "I"), which set out a framework for approving a limited number of cannabis retail stores through a Request for Expressions of Interest ("RFEOI") process.

An RFEOI was issued on July 19, 2024, and closed on September 19, 2024. Thirty-one submissions were received over a two-month period. The Council-approved framework has set a limit of up to two cannabis retail stores in each of the City's six communities in the initial approval round.

As set out in Corporate Report No. R055; 2024 and the RFEOI document (attached as Appendix "II"), staff conducted a two-stage review and evaluation of the submissions received comprised of an initial administrative screening and a subsequent evaluation of the eligible applications that passed the initial administrative screening.

DISCUSSION

The administrative screening eliminated six applications on the basis of an incomplete submission submitted within the RFEOI period (two applications), zoning or *Surrey Official Community Plan Bylaw, No. 18020, 2013* (“OCP”) designations not compliant with the RFEOI requirements (three applications), or locations that did not adhere to minimum separation distances from schools or community recreation centres as set out in the RFEOI (one application).

The remaining applications were deemed eligible for the second stage evaluation and were reviewed in detail by an evaluation team made up of three senior staff members: the Acting General Manager, Planning & Development, the General Manager, Corporate Services, and the Special Projects Manager (the “Evaluation Team”), with the process overseen by the Manager, Procurement Services. Consistent with Council’s approved selection framework, the Evaluation Team selected up to two applications in each community that best met the intent and criteria set out in the RFEOI document.

The results of this selection process identified the following successful applications in each of the communities:

Community	Business	Proposed Location
Whalley/City Centre	Lightbox Enterprises Ltd. dba “Dutch Love Cannabis”	#201-13650 102 Avenue
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	Lightbox Enterprises Ltd. dba “Dutch Love Cannabis”	#125-16030 24 Avenue
Fleetwood	1486965 BC Ltd. dba “Inspired Cannabis”	#103-9014 152 Street
	1181168 BC Ltd. dba “Surrey Cannabis Connection”	15148 Fraser Highway
Cloverdale	1371511 BC Ltd. “137 Brands”	17608 56 Avenue
	Queensborough Cannabis Co. Ltd “Queensborough Cannabis”	19581 Fraser Highway
Guildford	1486965 BC Ltd. dba “Inspired Cannabis”	10383 150 Street
	1268236 BC Ltd. dba “Imagine Cannabis”	#5-10330 152 Street

In summary, the selection committee has identified eight reputable companies as the successful applicants for 12 retail locations. The Council-approved framework allowed for an inclusive, robust, and fair selection process that provided applicants of varied experiences and backgrounds an opportunity to be considered.

If Council approves the recommendations in this report, staff intends to initiate a site-specific rezoning application on behalf of each of the selected applicants to permit the cannabis retail use at their proposed location, for Council's consideration; the selected RFEOI applicants will still be required to pay applicable fees. The rezoning process will take the form of a text amendment to *Surrey Zoning By-law, No. 12000, 1993* (the "Zoning By-law"), and will include a public hearing on each proposed location. Final approval of rezoning is conditional on receiving provincial licensing approval and confirmation from the Liquor and Cannabis Regulation Branch ("LCRB") that the proponent is in good standing.

If rezoning of a property to permit a cannabis retail use is approved, proponents would need to obtain a business license from the City, along with any other permits that may be required for a specific location to operate the intended use (sign permit, tenant improvement building permit, development permit).

Legal Services Review

This report has been reviewed by Legal Services.

CONCLUSION

The RFEOI seeking qualified proponents to operate a limited number of cannabis retail stores within each community in Surrey resulted in two applications in each of the six Surrey communities that have been identified by the Evaluation Team as most successful in meeting the objectives of the City, as set out in the RFEOI.

If Council endorses the recommendations of this report, staff will initiate rezoning applications on behalf of the successful proponents to permit a cannabis retail store in the proposed location; the selected RFEOI applicants will still need to pay applicable fees. The rezoning process will include a public hearing and conditions of approval that include licensing through the LCRB.

Original signed by
Ron Gill, MA, MCIP, RPP
Acting General Manager, Planning & Development

Original signed by
Joey Jatinder Singh Brar
General Manager, Corporate Services

Appendix "I" Corporate Report No. R055; 2024
Appendix "II" Request for Expressions of Interest No. 1220-050-2024-013

CORPORATE REPORT

NO: R055

COUNCIL DATE: April 8, 2024

REGULAR COUNCIL

TO: Mayor & Council DATE: April 4, 2024

FROM: General Manager, Planning & Development FILE: 3900-20
General Manager, Corporate Services

SUBJECT: Cannabis Retail in Surrey - Policy Framework and Application Process

RECOMMENDATION

The Planning & Development Department and the Corporate Services Department recommend that Council:

1. Receive this report for information; and
2. Endorse the policy framework and application process for regulating cannabis retail stores, attached as Appendix "I" and as generally described in this report.

INTENT

The intent of this report is to seek Council's endorsement of the cannabis retail policy framework and application process in Surrey, following feedback from Council on Corporate Report No. R137; 2023 at the Regular Council Public Hearing meeting of July 24, 2023 and subsequent outreach with cannabis retail industry representatives and the public.

BACKGROUND

On July 24, 2023, through Corporate Report No. R137; 2023 (attached as Appendix "II"), staff proposed a framework that would initially limit the number of store locations to one in each of Surrey's six Town Centres (City Centre, Guildford, Fleetwood, Newton, Cloverdale, and Semiahmoo) as designated in *Surrey Official Community Plan Bylaw, 2013, No. 18020* (the "OCP"), with a priority given to City-owned sites. The proposed process also contemplated that a competitive process would then be held to select a business operator, with the selected property and business owner being brought to Council for consideration. Additionally, it was proposed that in those Town Centres where a City-owned property is not found, a privately owned property would be determined through a competitive process and brought forward for Council consideration.

Council referred the report back to staff, specifically to review the location of stores and the use of City-owned property for the intended purpose, and to consult with the cannabis retail sector.

Staff subsequently reviewed and revised the proposed policy and have made revisions based on additional best practice review and feedback following community engagement.

Community and Stakeholder Engagement

Staff hosted a cannabis retail stakeholder workshop in October 2023 to gain insights from the retail industry and to better understand current best practices. Staff also undertook additional research into current cannabis retail approaches of regional municipalities. Findings from the stakeholder workshop and best practice research was used to refine the proposed policy framework.

In January 2024, the City launched a public engagement campaign to gather public feedback on the proposed cannabis retail policy framework. The campaign included a project website and public survey. In total, 4,169 surveys were completed with 96% of respondents from Surrey. The results were supportive of retail cannabis in Surrey with 68% of respondents supporting 12 or more stores City-wide. Additionally, 51% of respondents reported they would be likely to visit future cannabis retail stores in Surrey. A comprehensive engagement summary is attached as Appendix "III".

DISCUSSION

Proposed Policy Framework

Locational Requirements

The policy allows for up to two retail stores per Surrey community – Whalley/City Centre, Guildford, Fleetwood, Newton, South Surrey, and Cloverdale – to be permitted only in areas designated City Centre, Town Centre, or Commercial in the OCP and on lots zoned C-5 Neighbourhood Commercial Zone, C-8 Community Commercial Zone, C-15 Town Centre Commercial Zone, C-35 Downtown Commercial Zone, or CHI Highway Commercial Industrial Zone.

Separation Distances

Any proposed locations must be a minimum of 200-metres from the following sensitive uses, as measured from the front door of the store to the nearest property line of the sensitive use location:

- Public or Provincially funded Independent Schools;
- City Community Centres and Recreation Centres; and
- Existing Cannabis Retail or Production Locations within Surrey.

Application Process

The City will have a 60 day application window to receive applications in one or more community areas at a time. A Request for Expressions of Interest ("RFEOI") will be used to solicit applications which staff will review and evaluate based on established criteria.

Pre-screening

Complete applications will be pre-screened to ensure that they meet basic requirements around the OCP designation, current zoning, and separation requirements, as well as having valid

ownership or a lease agreement for the proposed location with a letter of permission from the owner/strata. Applicants will also be required to show proof of an application for a license from the Liquor and Cannabis Regulation Branch (“LCRB”).

Evaluation

Applications that respond to the City’s RFEOI and that pass the pre-screening will then be ranked, taking into consideration the following:

- General compliance with the submission requirements of the RFEOI
- Location
- Separation distances
- Related experience of the operator
- Parking and access plan
- Visibility, lighting, and Crime Prevention Through Environmental Design elements
- Signage and façade design

Selection

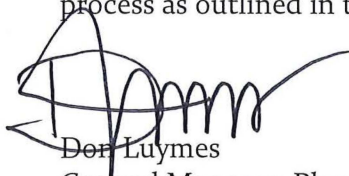
The RFEOI process will result in up to two applications per community advancing to Council for consideration of site-specific rezoning, including a public hearing. Various requirements may then be needed ahead of retail operations including, but not limited to, a suitability letter from the provincial licensing authority, a valid license from the LCRB, a valid license from the City, and any required building permits for tenant improvements, development permit and/or sign permit.

Next Steps

Pending approval by Council of this report, staff will prepare the RFEOI documents and seek to open the application window in Q2 of 2024.

CONCLUSION

Following an initial review by Council and a consultation session with the cannabis retail industry and general public, staff seek Council’s endorsement of the policy framework and application process as outlined in this report.



Don Luymes
General Manager, Planning & Development



Joey Brant
General Manager, Corporate Services

- Appendix “I” Policy Framework and Application Process
- Appendix “II” Corporate Report No. R137; 2023
- Appendix “III” Public Engagement Summary



REQUEST FOR EXPRESSIONS OF INTEREST AND STATEMENTS OF QUALIFICATIONS

Title: RETAIL SALES OF CANNABIS AND CANNABIS RELATED
PRODUCTS

Reference No.: 1220-050-2024-013

(General Services)

Issue Date: July 19, 2024

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REQUEST FOR EXPRESSIONS OF INTEREST AND STATEMENTS OF QUALIFICATIONS

1. INTRODUCTION

1.1 Purpose

The purpose of this Request for Expressions of Interest / Statements of Qualifications (the “**RFEOI/SOQ**”) is to invite submissions (the “**Submission**”) from interested and qualified individuals and/or organizations (each a “**Respondent**”) indicating their interest in and qualifications to undertake the retail sale of cannabis and cannabis related products within City boundaries.

The City may at any time and at its sole discretion decide to cancel this process for any reason.

1.2 Eligibility

The RFEOI/SOQ is open to any interested party, including teams composed of individuals and/or firms.

1.3 Context and Background

The Government of Canada (“Canada”) introduced and approved Bill C-45 legislation that legalized the production, processing, sale, and use of recreational cannabis in Canada.

The Province of British Columbia, through the Liquor and Cannabis Regulation Branch (“LCRB”), is responsible for the procurement and wholesale distribution of recreational cannabis to local retailers.

Canada and the Province of British Columbia, through the LCRB have established a regulatory framework (the “**Regulatory Framework**”) authorizing the retail sales of cannabis and cannabis related products. This Regulatory Framework establishes a number of guiding principles. These guiding principles are available to view on the Province of British Columbia, LCRB website at <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>

The City has established a framework for regulating cannabis retail stores that initially limits the number of store locations to up to two retail stores per Surrey community – Whalley/City Centre, Guildford, Fleetwood, Newton, South Surrey, and Cloverdale – to be permitted only in areas designated City Centre, Town Centre, or Commercial in the OCP and on lots zoned C-5 Neighborhood Commercial Zone, C-8 Community Commercial Zone, C-15 Town Centre Commercial Zone, C-35 Downtown Commercial Zone, or CHI Highway Commercial Industrial Zone in the Zoning By-law.

1.4 Objective and Purpose

The City recognizes that there is a desire by some of the City’s residents to be able to purchase cannabis and cannabis related products from local retail businesses.

The City also recognizes that there are other considerations to providing the retail sales of cannabis and cannabis related products for use within the City's boundaries. Those considerations include, but are not limited to the following:

- (a) Determining the number of locations, if any, where the retail sale of cannabis products should be permitted within City boundaries;
- (b) Determining the appropriate location(s), if any, where the retail sale of cannabis products should be permitted within the City boundaries;
- (c) Identifying and addressing the neighborhood impacts of permitting in a particular location with the City's boundaries the retail sale of cannabis and cannabis related products;
- (d) Bylaw enforcement and administrative costs associated with:
 - Ensuring that the retail sale of cannabis and cannabis related products are for sale in particular locations and in compliance with the Regulatory Framework and all applicable City bylaws; and
 - Addressing nuisance issues relating to public use of cannabis.

To address these challenges, the City has implemented a policy framework that must be applied in determining the location(s), where the retail sale of cannabis products can occur within the boundaries of the City (the "**Policy Framework**"). In this regard, the retail sale of cannabis products must not be located within:

A minimum of 200-metres from the following sensitive uses, as measured from the front door of the store to the nearest property line of the sensitive use location:

- Public or Provincially funded Independent Schools;
- City Community Centres and Recreation Centres; and
- Existing cannabis retail or production locations within Surrey

The City Council-approved Policy Framework is found in [Corporate Report No. R055; 2024](#) linked from the City of Surrey website.

1.5 Definitions

In this RFEOI/SOQ the following definitions shall apply:

- (a) "**BC Bid Website**" means www.bcbid.gov.bc.ca;
- (b) "**City**" means the City of Surrey;
- (c) "**City Representative**" has the meaning set out in Section 2.3;
- (d) "**City Website**" means www.surrey.ca;
- (e) "**Date**" has the meaning set out in Section 2.2;
- (f) "**Evaluation Team**" means the team appointed by the City;
- (g) "**Preferred Respondent(s)**" means the Respondent(s) selected by the Evaluation Team;

- (h) **“Respondents”** (individually the “Respondent”) means an entity that submits a Submission in response to the RFEOI/SOQ issued by the City;
- (i) **“RFEOI/SOQ”** means this Request for Expression of Interest and Statements of Qualifications;
- (j) **“Submission”** means a submission submitted in response to this RFEOI/SOQ.

2. INSTRUCTIONS TO RESPONDENTS

2.1 Address for Submission Delivery

The Respondent should submit the Submission **electronically** in a single PDF file which must be received by the City by email at: purchasing@surrey.ca

Confirmation of receipt of email will be issued. Submissions that cannot be opened or viewed may be rejected. A Respondent bears all risk that the City’s receiving equipment functions properly so that the City receives the Submission.

Note: The maximum file size the City can receive is 10Mb. If sending large email attachments, Respondents should phone [604-590-7274] to confirm receipt.

2.2 Date

The City would prefer to receive Submissions on or before September 17, 2024. (the **“Date”**)

2.3 Inquiries

All inquiries related to this RFEOI/SOQ should be directed in writing to the person named below (the **“City Representative”**). Information obtained from any person or source other than the City Representative may not be relied upon.

Name: Sunny Kaila, Manager, Procurement Services
Email: purchasing@surrey.ca
Reference No.: 1220-050-2024-013

Inquiries should be made no later than seven (7) business days before the Date. The City reserves the right not to respond to inquiries made within seven (7) business days of the Date. Inquiries and responses will be recorded and may be distributed to all Respondents at the discretion of the City.

Respondents finding discrepancies or omissions in the RFEOI/SOQ documentation or having doubts as to the meaning or intent of any provision should immediately notify the City Representative. If the City determines that an amendment is required to this

RFEOI/SOQ, the City Representative will issue an addendum in accordance with Section 2.4. No oral conversation will affect or modify the terms of this RFEOI/SOQ nor be relied upon by any Respondent.

2.4 Addenda

If the City determines that an amendment is required to this RFEOI/SOQ, the City Representative will issue a written addendum by posting it on the BC Bid Website at www.bcbid.gov.bc.ca (the “BC Bid Website”) and the City Website at www.surrey.ca (the “City Website”) “(collectively, the “Websites”), and upon posting, any addenda will form part of this RFEOI/SOQ. It is the responsibility of Respondents to check the Websites for addenda. The only way this RFEOI/SOQ may be added to, or amended in any way, is by a formal written addendum. No other communication, whether written or oral, from any person will affect or modify the terms of this RFEOI/SOQ or may be relied upon by any Respondent. By delivery of a Submission, the Respondent is deemed to have received, accepted and understood the entire RFEOI/SOQ, including any and all addenda.

2.5 Status Inquiries

All inquiries related to the status of this RFEOI/SOQ, including whether or not a Respondent has been selected, should be directed to the City Website and not to the City Representative.

The City anticipates to respond back to all Respondents within four to six weeks following the close of this RFEOI/SOQ period, this will ultimately depend on the number of Submissions received and the availability of the City’s Evaluation Team members.

3. SUBMISSION FORM AND CONTENTS

3.1 Relevant Experience

Due to the nature of the proposed Services, the Respondent’s experience should include examples of successful operations of a similar nature. The operation of the retail outlets is expected to be of the highest calibre, providing access to regulated products in a manner that is an asset to the community.

3.2 Qualifications and Experience

Relevant Experience would include:

- Experience with successfully operating the retail sales of cannabis and cannabis related products;
- Experience of a similar nature related to regulated retail sales operations;
- Collaboration and working closely with owners and key stakeholders to ensure effective service delivery; and

- Proven ability to understand operations needs, identify space requirements and limitations, and configure and design improvements to reflect regulated retail sales objectives.

3.3 Form and Contents of Submission

Respondents should carefully review the evaluation criteria when preparing their Submission to ensure they receive full consideration during the evaluation.

A Submission should include:

- (a) **Table of Contents:** Respondent's responses should include a table of contents listing the individual sections of the Submission and their corresponding page number.
- (b) **Letter of Introduction:** Submission responses should include a description of the Respondent's capabilities and approach and provide a brief synopsis of the highlights of the Submission and overall benefits of the Submission to the City.
- (c) Respondents are expected to include, as a minimum, the information below in their Submission:

Executive Summary and Operator Experience:

- Provide a brief description of your company and its history as it relates to the retail sale of cannabis and cannabis related products.
- Business location(s), years in business, and number of employees.
- Locations and number of years in operation of each cannabis dispensary that is currently operated by the Respondent.
- Location and number of years in operation of other businesses that are currently operated by the Respondent.
- Brief description of the Company's competitive advantage or unique approach to the Services of this RFEOI/SOQ.

Proposed Site Location

- The civic address and unit number (where appropriate) of the proposed cannabis retail location.
- The current OCP designation and zoning district of the proposed cannabis retail location.
- Proof (in an acceptable form as deemed by the City) that Respondent has valid ownership/lease of the proposed cannabis retail location and letter of permission from owner/strata.
- Proof (in an acceptable form as deemed by the City) of an application for a Cannabis Retail Store Licence to the Liquor and Cannabis Regulation Branch (LCRB).

Site Plan

A suitable site plan drawn to an appropriate scale (with dimensions) that clearly shows the following information:

- The entire property of the proposed cannabis retail operations, showing existing buildings, parking, access/egress (driveways), loading, and landscape areas;
- A floor plan of the proposed retail unit drawn to an appropriate scale (with dimensions) that clearly shows doors, windows, retail sales areas, and storage areas; and
- Building elevations and/or renderings that clearly show:
 - Front façade and main entrance design, including proposed building materials; and
 - Signage, including proposed signage type, location(s), dimensions, materials, colour, and text.
- Parking
 - Indication on the site plan of location and number of dedicated off-street parking stalls.
 - Access/egress from parking (driveways).

Security and Lighting Plan

- A lighting plan showing existing and proposed exterior premises and interior lighting levels.
- Proposed locations of alarms and security surveillance cameras.
- Demonstrate that the security surveillance video shall be maintained for a minimum of thirty (30) business days and shall be made available in compliance with legal requirements. (Note: The video system for security cameras must be located in a locked, tamper-proof compartment. A professionally monitored robbery alarm system shall be installed and maintained in good working order.).
- Other CPTED considerations, including visibility and sightlines around the retail premises.

Mitigation of Potential Impacts

A description of the methods by which the Respondent would mitigate any potentially adverse impacts, such as, but not limited to, the following:

- Odour absorbing ventilation including exhaust systems; and
- Loitering and other undesirable behaviour around the premises.

Upon submitting a Submission to this RFEOI/SOQ, Respondents consent to the City checking and verifying any information provided. References may be contacted.

The City reserves the right to request Respondents to submit additional information as may be required to complete or evaluate the Submissions.

3.4 Signature

The Submission should be signed by a person authorized to sign on behalf of the Respondent and include the following:

- (a) If the Respondent is a corporation then the full name of the corporation should be included, together with the names of authorized signatories. The Submission should be executed by all of the authorized signatories or by one or more of them provided that a copy of the corporate resolution authorizing those persons to execute the Submission on behalf of the corporation is submitted;
- (b) If the Respondent is a partnership or joint venture then the name of the partnership or joint venture and the name of each partner or joint venturer should be included, and each partner or joint venturer should sign personally (or, if one or more person(s) have signing authority for the partnership or joint venture, the partnership or joint venture should provide evidence to the satisfaction of the City that the person(s) signing have signing authority for the partnership or joint venture). If a partner or joint venturer is a corporation then such corporation should sign as indicated in subsection (a) above; or
- (c) If the Respondent is an individual, including a sole proprietorship, the name of the individual should be included.

4. EVALUATION AND SELECTION

4.1 Evaluation Team

The evaluation of Submissions will be undertaken on behalf of the City by the Evaluation Team. The Evaluation Team may consult with others, including City staff members, third party consultants, and references, as the Evaluation Team may, in its discretion, decide is required. The Evaluation Team will give a written recommendation for the selection of a Preferred Respondent or Preferred Respondents to the City. Such discussions will not in any way create a binding contract between the City and any such Respondents.

The City will make the final decision regarding any Respondent or terminate the RFEOI/SOQ process at its sole discretion. The City will then advise all Respondents and the selected Respondent (if one is chosen) in writing of the City's decision.

The Evaluation Team will be responsible for verifying the factual information in the Submission, including names, addresses and other information on the Respondent and employees of the proposed retail operator.

The Evaluation Team will provide commentary on the adequacy of security measures that are described in the Submission, e.g., the security and lighting plan, the site and floor plan, and other relevant aspects of the Submission.

4.2 Evaluation and Scoring of Respondents

In the evaluation and scoring of Respondents, the City will consider the information submitted in the RFEOI/SOQ including interviews and presentations (if any) with respect to the evaluation criteria set forth below. The result of the evaluation will be a comparative scoring of Respondents per the approved policy framework.

The relative steps of the evaluation review for this RFEOI/SOQ are as follows:

Step 1: Administrative Screening Review (Pass / Fail)

Respondents are required to complete the Submission response information requested in this RFEOI/SOQ. After the City receives the Submission, the Administrative Screening Review will begin, using the criteria below:

- Completeness of Submission, noting any comments, additions, deletions, etc., that conflict with the RFEOI/SOQ document.
- Compliance with:
 - the retail sale of cannabis and cannabis related products for sale in a particular location is in compliance with the Regulatory Framework and all applicable City bylaws;
 - each proposed retail site complies with:
 - the current zoning requirements of (C-5, C-8, C-15, C-35, CHI); and
 - OCP designations as outlined in the approved Policy Framework¹.
 - Separation Distances (refer to Section 1.4 – Objectives and Purpose for additional information);
 - Proof that Respondent has valid ownership/lease of proposed location and letter of permission from owner/strata; and
 - Proof of an application for a Cannabis Retail Store Licence to the Liquor and Cannabis Regulation Branch (LCRB).

Step 2: Completion of the Administrative Screening Review

Upon completion of the initial Submission evaluation, the City will reject any Submission that fails to meet any of the criteria above.

Step 3: Determination of Eligible Respondents

Any Submission that is not rejected upon the completion of the initial review will be deemed an eligible Submission and will be considered for the final evaluation phase of the solicitation process. At the conclusion of the initial Submission reviews, the City will notify each Respondent of the status of their Submission. All Submissions that pass the initial Submission review will be submitted to the Evaluation Team for the final Submission evaluation.

¹For additional information, refer to the City of Surrey's webtool developed to search for sites at: <https://giswebportal.surrey.ca/portal/apps/webappviewer/index.html?id=233589a1a4754cf1a4e25e8e22ed652f>

Step 4: Final Evaluation Process

The final evaluation process will include selection from the eligible Submission of the Respondents. The City's objective is to grant business license approval to the Respondent or Respondents that represent the best quality Submissions as determined by the Evaluation Team, such approval being subject to Council's rezoning decision.

Each of the final evaluation criteria below will be used in ranking and determining the quality of Submissions. Submissions will be evaluated according to each final evaluation criterion.

The final evaluation process may include a two-stage approach comprising and evaluation of the written Submission and preliminary ranking to develop a shortlist of Respondents that will continue to the final stage of oral interviews, site visits, and reference checks.

All Respondents will be notified of the shortlist; however, the preliminary ranking at that time will not be disclosed.

4.3 Evaluation Criteria

The Evaluation Team will compare and evaluate all Submissions to determine the Respondent's strengths and ability to provide the Services in order to determine the Submission (or Submissions) which is/are most advantageous to the City using the following criteria:

- Location (20 points)
 - o OCP designation:
 - Town Centre/City Centre preferred.
 - o Overall desirability.
- Separation distances (10 points)
 - o Minimum 200m from sensitive uses:
 - Public or provincially funded independent schools.
 - City community centres and recreation centres.
 - Existing cannabis retail or production locations within Surrey.
- Related experience of the operator (25 points)
 - o Seeking established business models within cannabis retail and/or within a business regulated in a similar manner.
 - o Number of stores and length of time in operation:
 - Cannabis dispensaries;
 - BCLCRB regulated businesses;
 - Pharmacies regulated by College of Pharmacists of BC;
 - Other related businesses that are subject to a similar regulatory environment;
 - Related but non-regulated businesses.

- Parking and access plan (10 points)
 - o Number of parking spots.
 - o Desirability of access/egress from parking lot.

- Visibility, lighting, design, and CPTED elements (10 points)

The Evaluation Team will evaluate each of the above criteria in alignment with the approved Policy Framework. The City will determine the highest scored finalist and notify all finalists in writing of its determination.

In evaluating each of the criteria, the Evaluation Team will identify significant and minor strengths and weaknesses from the Submissions.

The City and its officials, employees, agents, consultants and advisors will not be liable to any Respondents, or any firm, corporation or individual member of a Respondent, for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any matter whatsoever, incurred by the Respondent, or any firm, corporation or individual member of a Respondent, in preparing and submitting a Submission or any other activity related to or arising out of this RFEOI/SOQ.

Staff may inform applicants of the results of the RFEOI/SOQ selection process, and up to two applications per community would then advance to Council for consideration of site-specific rezoning, including a public hearing. Various requirements may then be needed ahead of retail operations, including (but not limited to) a suitability letter from the provincial licensing authority, a valid license from the LCRB, a valid business license from the City, and any required building permit for tenant improvements, development permit, and/or sign permit.

4.4 Evaluation Process

To assist in the evaluation of Submissions, the Evaluation Team may, in its sole and absolute discretion, but is not required to:

- (a) conduct reference checks relevant to the project and background investigations of the Respondent, and any subcontractors proposed in the Submission, with internal and/or external sources, and consider and rely on any relevant information received from the references and from any background investigations in the evaluation of Submissions;

- (b) seek clarification or additional information from any, some, or all Respondents with respect to their Submission, and consider and rely on such supplementary information in the evaluation of Submissions;

- (c) request interviews/presentations with any, some, or all Respondents to clarify any questions or considerations based on the information included in Submissions, and

consider and rely on any supplementary information received from interviews/presentations in the evaluation of Submissions; and

- (d) seek confirmation that the inclusion of any personal information about an individual in a Submission has been consented to by that individual.

The Evaluation Team is not obligated to complete detailed evaluations of all Submissions and may, after completing a preliminary review of all Submissions, identify and drop from any detailed evaluation any Respondent which, when compared to the other Respondents, the Evaluation Team judges, in its sole discretion, to not be in contention to be selected as the Preferred Respondent.

4.5 Litigation

In addition to any other provision of this RFEOI/SOQ, the City may, in its absolute discretion, reject a Submission if the Respondent, or any officer or director of the Respondent submitting the Submission, is or has been engaged directly or indirectly in a legal action against the City, its elected or appointed officers, representatives, or employees in relation to any matter, or if the City has initiated legal action.

In determining whether or not to reject a Submission under this section, the City will consider whether the litigation is likely to affect the Respondent's ability to work with the City, its consultants, and its representatives, and whether the City's experience with the Respondent indicates that there is a risk the City will incur increased staff and legal costs if the RFEOI/SOQ is awarded to the Respondent.

5. GENERAL CONDITIONS

5.1 No City Obligation

This RFEOI/SOQ is simply an invitation for Submissions for the convenience of all parties. It is not a tender or a request for proposals and does not commit the City in any way to pre-qualify a Respondent(s), and the City reserves the complete right to at any time reject all Submissions, and to terminate this RFEOI/SOQ process.

It shall be at the discretion of the City to accept or reject responses from any Respondent who elects to submit a Submission.

The City reserves the right to not accept any Submission and to reissue this prequalification at the sole discretion of the City.

5.2 Respondent's Expenses

Respondents are solely responsible for their own expenses in preparing and submitting a Submission, and for any meetings, negotiations, or discussions with the City or its representatives, consultants, and advisors, relating to or arising from this RFEOI/SOQ.

The City and its representatives, agents, consultants, and advisors will not be liable to any Respondent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Respondent in preparing and submitting a Submission, or participating in subsequent proposal requests, negotiations, or other activity related to or arising out of this RFEOI/SOQ.

5.3 No Agreement

By submitting a Submission and participating in the process as outlined in this RFEOI/SOQ, Respondents expressly agree that no contract of any kind is formed under, or arises from, this RFEOI/SOQ, prior to the signing of a formal written agreement(s) by all parties.

5.4 Conflict of Interest

A Respondent shall disclose in its Submission any actual or potential conflicts of interest and existing business relationships it may have with the City, its elected or appointed officials, or employees. The City may rely on such disclosure.

5.5 Solicitation of Council Members and City Staff

Respondents and their agents will not contact any member of the City Council or City staff with respect to this RFEOI/SOQ, other than the City Representative, at any time prior to the award of an agreement or the cancellation of this RFEOI/SOQ, which could be viewed as one Respondent attempting to seek an unfair advantage over other Respondents.

5.6 Confidentiality

All Submissions become the property of the City and will not be returned to the Respondent. All Submissions will be held in confidence by the City unless otherwise required by law. Respondents should be aware the City is a "public body" defined by and subject to the *Freedom of Information and Protection of Privacy Act* of British Columbia.

6. CITY DISCLAIMER

- (a) The information in this RFEOI/SOQ and any further supporting documentation is provided for reference purposes only. It is the responsibility of interested parties to confirm the accuracy and applicability of this information. All costs related to updating or acquiring additional information shall be born solely by the Respondent. The information contained in this RFEOI/SOQ has been prepared, in part, on information provided by others, and such information is believed to be accurate and reliable. However, by its receipt of this RFEOI/SOQ, each Respondent remises, releases, and forever discharges the City and its representatives (including staff and consultants and other professional advisors) from any and all claims which such person has, have, or may hereafter have arising out of any information contained herein. Any party who intends to submit a

response to this RFEOI/SOQ is specifically invited to independently verify the accuracy of the information contained herein.

- (b) The City shall not be obligated to review or accept any Submission and may reject any or all Submissions without giving reasons therefore.
- (c) All negotiations and discussions with Respondents are on a “without prejudice” basis and cannot be construed as an agreement, unless expressly approved by City Council and a written agreement is signed by the City.
- (d) The City may negotiate with any one or more of the Respondents without having any duty or obligation to advise or allow any other Respondents to vary their Submission or otherwise negotiate with the City.
- (e) The City may enter into discussions to clarify issues related to any Submission. If at any time the City reasonably forms the opinion that a mutually acceptable agreement is not likely to be reached, the City may give notice terminating discussions, but is under no obligation to do so.
- (f) The City does not authorize any other person or agency to represent the Project on its behalf without the prior written approval of the City.

7. Disclaimer

Despite anything contained herein, the Respondent agrees that it shall take all necessary steps to confirm the accuracy of this RFEOI/SOQ and agrees that the City shall have no liability whatsoever in respect of any losses or damages of any kind howsoever arising in relation to this RFEOI/SOQ.

- END OF PAGE -

CITY OF SURREY

BY-LAW NO. 15611

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

As amended by Bylaw No: 17768, 04/08/13; 18518, 12/11/16

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THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

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: 008-004-862
Lot 1 Section 13 Township 1 New Westminster District Plan 75135

16134 - 24 Avenue

Parcel Identifier: 011-508-922
Lot 2 Section 13 Township 1 New Westminster District Plan 77446

16106 - 24 Avenue

Parcel Identifier: 011-508-949
Lot 3 Section 13 Township 1 New Westminster District Plan 77446

2340 - 161 Street

Parcel Identifier: 011-508-957
Lot 4 Section 13 Township 1 New Westminster District Plan 77446

2316 - 161 Street

Parcel Identifier: 011-508-981
Lot 5 Section 13 Township 1 New Westminster District Plan 77446

2290 - 161 Street

Parcel Identifier: 011-509-015
Lot 6 Section 13 Township 1 New Westminster District Plan 77446

2284 - 161 Street

Portion of Parcel Identifier: 011-101-601
Lot 1 Except: Parcel "A" (Explanatory Plan 15461); Section 13 Township 1 New Westminster District Plan 5524

(Portion of 2342 - 160 Street)

Portion of 161 Street Road Right-of-Way Dedicated on Plan 77446

As shown in heavy outline on Schedule "A" attached hereto and forming part of this by-law, certified correct by P.G. Isaak B.C.L.S. on the 19th day of October, 2004, containing 10.337 hectares and called Block D

FROM: ONE-ACRE RESIDENTIAL ZONE (RA)
TO: COMPREHENSIVE DEVELOPMENT ZONE (CD)

Portion of Parcel Identifier: 011-101-601
Lot 1 Except: Parcel "A" (Explanatory Plan 15461); Section 13 Township 1 New Westminster District Plan 5524

(Portion of 2342 - 160 Street)

As shown in heavy outline on Schedule "A" attached hereto and forming part of this by-law certified correct by P.G. Isaak B.C.L.S. on the 19th day of October, 2004, containing 0.414 hectare and called Block E.

(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 large format commercial buildings and a gas bar with car wash along with small-scale commercial buildings in a *comprehensive design*.

The *Lands* are divided into Blocks D and E as shown on Schedule "A" which is attached hereto and forms part of this By-law.

B. Permitted Uses

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

1. Block D

- (a) The following uses are permitted provided that only one (1) individual business shall have a *gross floor area* of more than 4,645 square meters [50,000 sq.ft.):
 - i. *Retail stores, including one cannabis retail store on the Lands, subject to Section D.(b) and operating in-accordance with a cannabis retail store licence under the Cannabis Control and Licensing Act, as amended;*
 - ii. *excluding adult entertainment stores, secondhand stores and pawnshops;*
 - iii. *Personal service uses excluding body rub parlours;*
 - iv. *General service uses excluding funeral parlours;*
 - v. *Beverage container return centres provided that the use is confined to an enclosed building;*
 - vi. *Eating establishments excluding drive-through restaurants;*
 - vii. *Neighbourhood pubs;*
 - viii. *Liquor Store, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, s. 84, as amended;*
 - ix. *Office uses excluding social escort services and methadone clinics;*
 - x. *Parking facilities;*
 - xi. *Automotive service uses of vehicles less than 5,000 kilograms [11,023 lbs] G.V.W.;*
 - xii. *Indoor recreational facilities;*
 - xiii. *Entertainment uses excluding arcades and adult entertainment stores;*
 - xiv. *Community services;*
 - xv. *Child care centres; and*

xvi. Building and garden supply store.

(b) One *dwelling unit* per *lot* provided that the *dwelling unit* is:

i. Contained within the *principal building*; and

ii. Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*.

2. Block E

(a) *Gasoline station* provided that:

i. *Alternative fuel infrastructure* shall be available on the same *lot*; and

ii. Where self-service hoses are available, at least two (2) of the total number of fueling stations available on the *lot* shall be full-serve.

(b) *Accessory uses* including the following:

i. *Automotive service uses* limited to car wash facilities;

ii. *Retail stores* limited to the following:

a. *Convenience store* provided that the total sales and display area open to the public is not more than 65 square metres [700 sq.ft.]; and

b. Sale of automotive accessories.

C. **Lot Area**

Not applicable to this Zone.

D. **Density**

(a) The maximum *floor area ratio* which shall exclude the *gross floor area* used or intended to be used for *parking facilities*, shall not exceed the following:

i. Block D – 0.54; and

ii. Block E – 0.10.

(b) Notwithstanding Sub-Section B.1. above, the *gross floor area* permissible for a *cannabis retail store* must not exceed 131 square metres.

E. **Lot Coverage**

The maximum *lot coverage* which shall exclude the *gross floor area* used or intended to be used for *parking facilities* for Block D shall be 52% and for Block E shall be 50%.

F. Yards and Setbacks

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

1. Block D

- (a) *Front Yard* (24 Avenue) – 3.0 metres [10 feet]*;
- (b) *Rear Yard* (South) - 5.0 metres [16.4 feet];
- (c) *Side Yard* (East) -13.5 metres [45 feet]; and
- (d) *Side Yard on Flanking Street* (160 Street) – 5.5 metres [18 feet]*.

* The minimum *front yard* and *side yard on flanking street setbacks* shall be increased to 7.5 metres [25 ft.] if the *height* of the *building* fronting the said *yards* on the *lot* exceeds 8 metres [26 ft.].

2. Block E

<i>Setback Use</i>	<i>Front Yard</i>	<i>Rear Yard</i>	<i>Side Yard</i>	<i>Side Yard on Flanking Street</i>
<i>Principal and Accessory Buildings and Structures</i>	12.0 m. [40 ft.]	4.0 m. [13 ft.]	4.0 m. [13 ft.]	12.0 m. [40 ft.]
<i>Pump Islands and Kiosk</i>	4.5 m. [15 ft.]	4.0 m. [13 ft.]	4.0 m. [13 ft.]	4.5 m. [15 ft.]
<i>Canopies</i>	4.5 m. [15 ft.]	2.0 m. [7 ft.]	2.0 m. [7 ft.]	4.5 m. [15 ft.]

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 D

- (a) *Principal buildings:* The *building height* shall not exceed 12 metres [40 feet].

(b) Accessory buildings and structures: The *building height* shall not exceed 4.5 metres [15 feet].

2. Block E

(a) Principal building and Pump Island Canopies: The *building height* shall not exceed 6.0 metres [20 feet].

(b) Accessory buildings and structures: The *building height* shall not exceed 4.0 metres [13 feet].

H. Off-Street Parking

1. Part 5 Off-Street Parking and Loading/Unloading of Surrey Zoning By-law, 1993, No. 12000, as amended applies except as otherwise provided in this Section H.
2. Surface parking for the permitted uses listed under Section B.1 of this Zone shall be limited to a maximum of 3.0 *parking spaces* for every 100 square metres of *gross floor area* excluding the *gross floor area* used or intended to be used for *parking facilities* on the *lot*. Any *parking spaces* over this limit may be provided below *buildings*, in *parking structures*, or on roof tops.
3. *Tandem parking* may be permitted for company fleet *vehicles*.
4. Overnight outside parking or storage of recreational *vehicles*, *campers*, boats or *house trailers* shall not 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. A continuous *landscaping strip* of not less than 10.0 metres [33 ft.] in width shall be provided along all *lot lines* separating the developed portion of the *lot* from any residential *lot* except, for the south *lot line* for Block D, a continuous *landscaping strip* of not less than 3.0 metres [10 ft.] in width shall be provided.
3. Along the developed sides of the *lot* which abut a *highway*, a continuous landscaping strip of not less than 3.0 metres [10 ft.] in width shall be provided within the *lot*.
4. 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*.

5. 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 and a solid decorative 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*.
6. 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.
7. 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 the 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 to any *residential lot*.
2. The following provision with respect to outdoor storage or display of any goods, materials or supplies shall apply to each Block:
 - (a) Block D
 - (i) Outdoor storage or display of any goods, materials or supplies is permitted provided that:
 - a. Such area is ancillary to a *retail store* having a *gross floor area* of more than 4,645 square metres [50,000 sq.ft.];
 - b. The total area shall not exceed a maximum of 8% of the *gross floor area* of the associated *retail store*;
 - c. The outdoor storage and display area must be attached to and integrated with the *retail store building* and enclosed by a decorative metal fence of not less than 2.5 metres [8 ft.] in height that is architecturally consistent with the *retail store building*; and
 - d. The outdoor storage or display area shall not be located within 30 metres [100 ft.] of any *highway*.

(b) Block E

The outdoor storage or display of any goods, materials or supplies is specifically prohibited in this Block.

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>
56,658 sq. m [14.0 acres]	150 metres [492 ft.]	200 metres [656 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-8 Zone (Block D) and CG-2 Zone (Block E) 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, 2012, No. 17539, as amended, and the development cost charges shall be based on the C-8 Zone (Block D) and CG-2 Zone (Block E).
 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, 2004, No. 15611."

READ A FIRST TIME on the 13th day of December, 2004.

READ A SECOND TIME on the 13th day of December, 2004.

PUBLIC HEARING HELD thereon on the 19th day of January, 2005.

READ A THIRD TIME ON THE 19th day of January, 2005.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 25th day of July, 2005.

_____ MAYOR

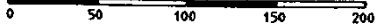
_____ CLERK

SCHEDULE A

COMPILED PLAN TO ACCOMPANY
CITY OF SURREY REZONING
BYLAW NUMBER 15611 OF
PORTIONS OF SECTION 13, TOWNSHIP 1
NEW WESTMINSTER DISTRICT

BCGS 92G-007

SCALE 1: 2500



DESCRIPTION	AREA
BLOCK D	
LOT 1 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 75135	0.4047 ha
LOT 2 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 77446	0.4047 ha
LOT 3 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 77446	0.4644 ha
LOT 4 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 77446	0.4644 ha
LOT 5 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 77446	1.855 ha
LOT 6 SECTION 13 TOWNSHIP 1 N.W.D. PLAN 77446	0.2429 ha
ROAD TO BE CLOSED	0.1875 ha
PART OF LOT 1 EXCEPT: PARCEL 'A' (EXPL. PLAN 15461) SECTION 13, TOWNSHIP 1, N.W.D. PLAN 5524	6.312 ha
BLOCK E	
PART OF LOT 1 EXCEPT: PARCEL 'A' (EXPL. PLAN 15461) SECTION 13, TOWNSHIP 1, N.W.D. PLAN 5524	0.4139 ha

Isaak, Osman
& Associates
B. C. LAND SURVEYORS
20609 LOGAN AVENUE
LANGLEY B.C. V3A-7R3
TEL: 604-533-2411
FILE: 14103-05. PRO

THIS PLAN LIES WITHIN THE GREATER VANCOUVER REGIONAL DISTRICT

REM. S. 1/2 OF
S. 1/2 OF E. 1/2 OF
L.S. 1

A
PLAN 12102

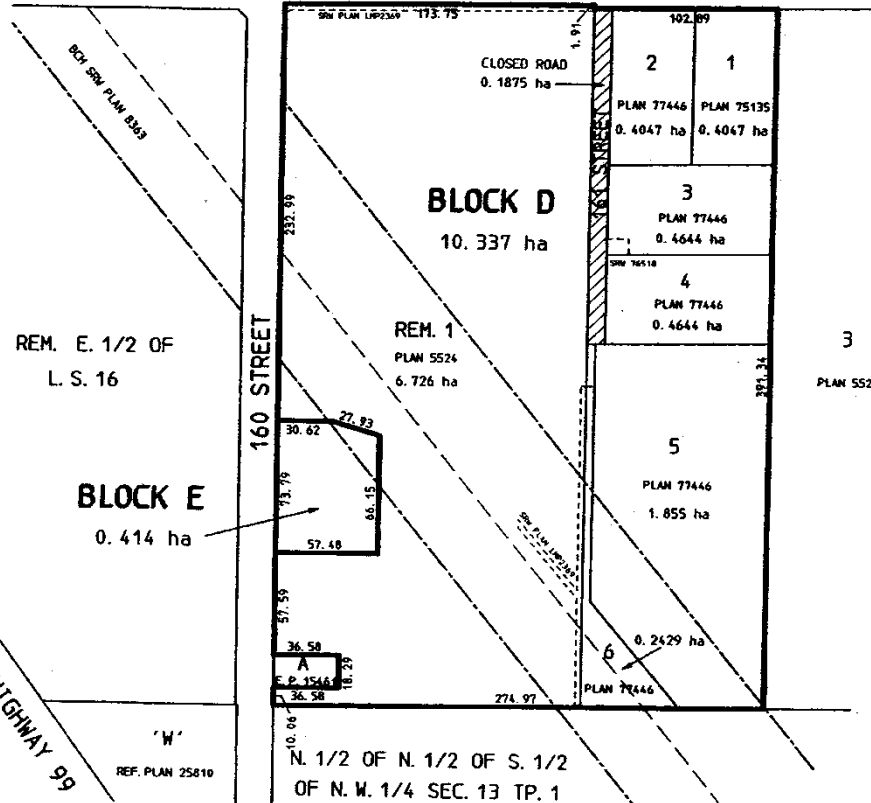
2
PLAN 9700

W. 1/2 OF E. 1/2
OF L.S. 4

31
PLAN 63803



24 AVENUE



CERTIFIED CORRECT WITH LAND TITLE
OFFICE RECORDS, DATED THIS 19TH DAY
OF OCTOBER, 2004

[Signature]
P. G. ISAAC BCLS