

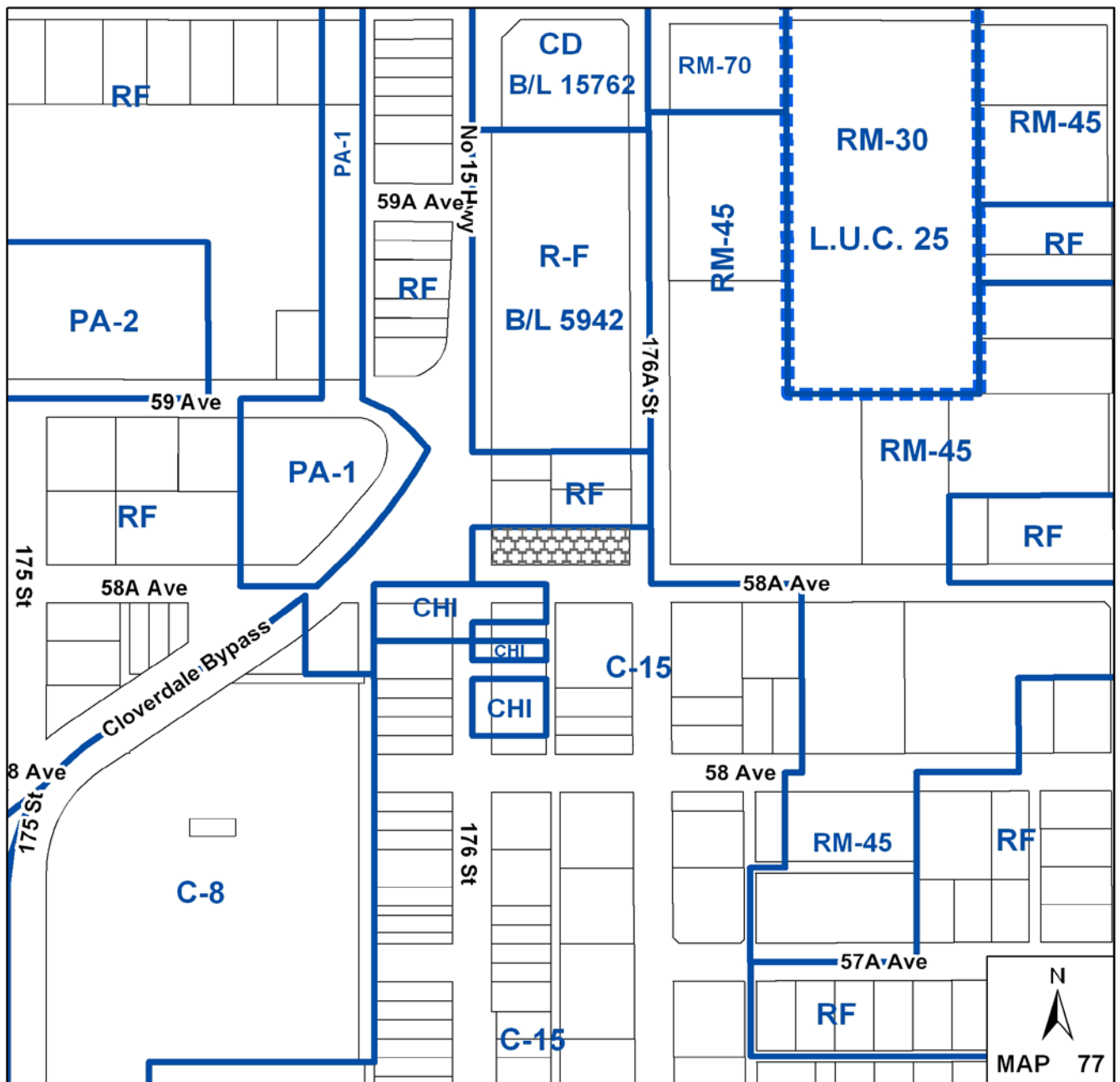
Proposal: Liquor Primary License Amendment to extend the hours of operation at the Cloverdale Station Pub.

Recommendation: Approval to Proceed

Location: 5855 - 176A Street **Zoning:** C-15

OCP Designation: Town Centre

NCP Designation: Town Centre **Owner:** BRP Investments Ltd.



PROJECT TIMELINE

Completed Application Submission Date: November 22, 2005
Planning Report Date: March 27, 2006

PROPOSAL

The applicant is requesting an amendment to the hours of operation for the Cloverdale Station Pub from the current hours of 10:00 a.m. to 12:00 a.m. Monday through Saturday and 11:00 a.m. to 12:00 a.m. Sunday to the proposed hours of 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the following proposed amendments to the existing Liquor Primary License to proceed to Public Notification:
 - (a) to amend the hours of operation as follows:
 - Sunday through Thursday: from the current hours of 11:00 a.m. to 12:00 a.m. Sunday and 10:00 a.m. to 12:00 a.m. Monday through Thursday to the proposed hours of 11:00 a.m. to 1:00 a.m.; and
 - Friday and Saturday: from the current hours of 10:00 a.m. to 12:00 a.m. to the proposed hours of 11:00 a.m. to 2:00 a.m.

REFERRALS

Parks: No concerns (Appendix III).

By-laws & Licensing Services: No concerns (Appendix IV).

Surrey RCMP: No concerns (Appendix V).

SITE CHARACTERISTICS

- **Existing Land Use** Cloverdale Station Pub and liquor store.
- **East:** Across 176A Street, apartment building, zoned RM-45, designated Medium Density Residential in Cloverdale Town Centre Plan.
- **South:** Across 58A Avenue, City-owned parking lot, zoned C-15, and mixed commercial building, zoned CHI, both designated Town Centre Commercial in Cloverdale Town Centre Plan.
- **West:** Across 176 Street and the Cloverdale By-pass, church, zoned PA-1, designated Institutional in Cloverdale Town Centre Plan.
- **North:** Single family dwelling and a vacant lot, zoned RF, designated Town Centre Commercial in Cloverdale Town Centre Plan.

PLAN AND POLICY COMPLIANCE

- OCP Designation: Complies.
- NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject property is located within the Cloverdale Town Centre, designated Town Centre Commercial in the Cloverdale Town Centre Plan and zoned "Town Centre Commercial Zone (C-15)".
- A Development Permit to allow development of a neighbourhood pub and liquor store (Development Permit No. 7902-0368-00) was issued on April 7, 2003.
- A building has subsequently been constructed and the Cloverdale Station Pub and Liquor Store has been operating from this location since May, 2004.
- As a consequence of the new Provincial liquor licensing which requires local government input on liquor primary licenses as well as liquor primary license amendments, Council, in September 2003, approved Corporate Report No. R209 which prescribes the public consultation procedures for various types of liquor permit applications. In accordance with the procedures adopted by Council, an application to amend the hours of operation for a liquor-primary licensed establishment is processed similarly to a Development Variance Permit. Following consideration of the proposal by Council, and subject to Council's instructions, public notification letters describing the proposed liquor license amendment are sent to the owners and tenants of all properties located within 100 metres (300 ft.) of the site which is the subject of the application. A minimum three-week response period from the date of the letter is required before Council considers its recommendation to the General Manager, Liquor Control and Licensing Branch (LCLB).

- On February 23, 2004, Council approved recommendations in Corporate Report No. L003, adopting the following as a policy for considering operating hours for liquor-primary establishments in the City:
 - Sunday Through Thursday: 11:00 a.m. to no later than 1:00 a.m.;
 - Friday and Saturday: 11:00 a.m. to no later than 2:00 a.m.; and
 - Where special circumstances exist, operating hours may be further restricted.

Proposed Amendment to Liquor Primary License.

- The following table is a comparison between the existing hours of operation, the requested hours of operation, and Council policy for hours of operation of liquor primary establishments:

	Current Opening Hour	Proposed Opening Hour	Current Closing Hour	Proposed Closing Hour	Council Policy on Operating Hours
Sunday	11:00 a.m.	11:00 a.m. <i>(Same as Current and Policy)</i>	12:00 a.m.	1:00 a.m. <i>(1 hr later than Current but same as Policy)</i>	11:00 a.m. to 1:00 a.m.
Monday through Thursday	10:00 a.m.	11:00 a.m. <i>(1 hr later than Current but same as Policy)</i>	12:00 a.m.	1:00 a.m. <i>(1 hr later than Current but same as Policy)</i>	11:00 a.m. to 1:00 a.m.
Friday and Saturday	10:00 a.m.	11:00 a.m. <i>(1 hr later than Current but same as Policy)</i>	12:00 a.m.	2:00 a.m. <i>(2 hrs later than Current but same as Policy)</i>	11:00 a.m. to 2:00 a.m.

- The applicant had originally requested 10:00 a.m. opening to 2:00 a.m. opening and closing hours, seven days per week, however, the request was modified to be in accordance with Council Policy.
- The LCLB requests that Council comment on how the subject site satisfies a specific list of criteria. The analysis of the criteria for this site is provided as follows:
 - Potential for noise
 - The Cloverdale Station Pub is currently open until midnight seven days a week. According to correspondence from the RCMP and By-laws & Licensing Services, there have been complaints from residents of the apartment building across 176A Street of noisy patrons exiting this establishment and noise emanating from the parking lots. The RCMP and By-law Enforcement and Licensing officers do not have any record of complaints since September 2005. The proposed amendment is in compliance with Council's policy for hours of operation. The applicant has advised, in writing, that the pub management will continue to monitor and address any noise complaints.

- The impact on the community
 - The premises have operated as a neighbourhood pub at this location for over two years. Based on comments from the RCMP and By-law & Licensing Services, past complaints about noisy patrons leaving the pub and noise from the parking lot have been resolved. The offering of later closing hours on the weekend will keep the business competitive with other liquor primary facilities, and limit the movement of patrons to other locations which currently have 2:00 a.m. closing times.
- Will the amendment result in the establishment being operated in a manner that is contrary to its primary purpose?
 - The main purpose of the existing business is to provide liquor service in conjunction with food service. The amendment to the hours of operation will not change the overall market focus, and therefore will not result in the establishment being operated in a manner that is contrary to its primary purpose.

PRE-NOTIFICATION

The applicant has installed a Development Proposal Sign on the property to identify the proposed change of operating hours.

Pre-notification letters were sent on December 13, 2005. Two letters and 6 telephone calls were received, expressing the following concerns:

- There will be additional noise generated with later closing hours.

(The applicant advised that he has met with some of the surrounding residents as a result of complaints concerning noise. The pub has reduced the number of live bands from one every two weeks to approximately 6 per year. The policy of the pub is to shut off all the outside patio speakers at 9:00 p.m. and close down the patio at 10:00 p.m., during the summer hours. They have also required that the doors leading to the outside patio be closed. The pub owner advised that he has not heard any complaints from the adjoining property owners since they implemented these changes.)

- Rowdiness and property damage.

(The pub owner has also met with adjoining business owners to discuss activities that were occurring across from their site on the City-owned parking lot on the south side of 58A Avenue and on the lane. There were occurrences of vandalism, paint tagging of vehicles, broken glass in the parking lot and cars and people loitering at all hours of the night.

Realty Services was apprised and additional lighting was installed in the parking lot in October 2005, which the pub owner advises has reduced loitering and vandalism. The RCMP have also increased the patrols of the area, and the constable on duty also attends the pub and liquor store to monitor activity. The pub has also hired a security firm since January 2005 to monitor both of the exit doors on the busier evenings.)

- Squealing of tires

(With the increased police presence, the pub owner advises that the squealing of tires has not been happening as frequently. The pub owner has suggested that to slow the traffic down and increase the vehicle safety, the intersection should be a full four-way stop intersection. At this time, cars speed along this portion of 176A Street as this intersection is only a two-way stop sign.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Parks and Recreation Comments
Appendix IV.	By-law Enforcement & Licensing Comments
Appendix V.	RCMP Comments

Murray Dinwoodie
General Manager
Planning and Development

LAP/kms

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Information for City Clerk

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

1. (a) Agent: Name: Cloverdale Station Neighbourhood Pub
 Address: 5855 - 176A Street
 Surrey, B.C. V3S 4H4
 Tel: 604-575-3955

2. Properties involved in the Application

- (a) Civic Address: 5855 - 176A Street
- (b) Civic Address: 5855 - 176A Street
 Owner: BRP Investments Ltd.
 PID: 025-491-831
 Lot A Section 8 Township 8 New Westminster District Plan BCP1278

3. Summary of Actions for City Clerk's Office

Liquor Applications

- (a) Proceed with Public Notification to solicit public opinion with respect to a liquor license amendment.

CONTOUR MAP FOR SUBJECT SITE

