

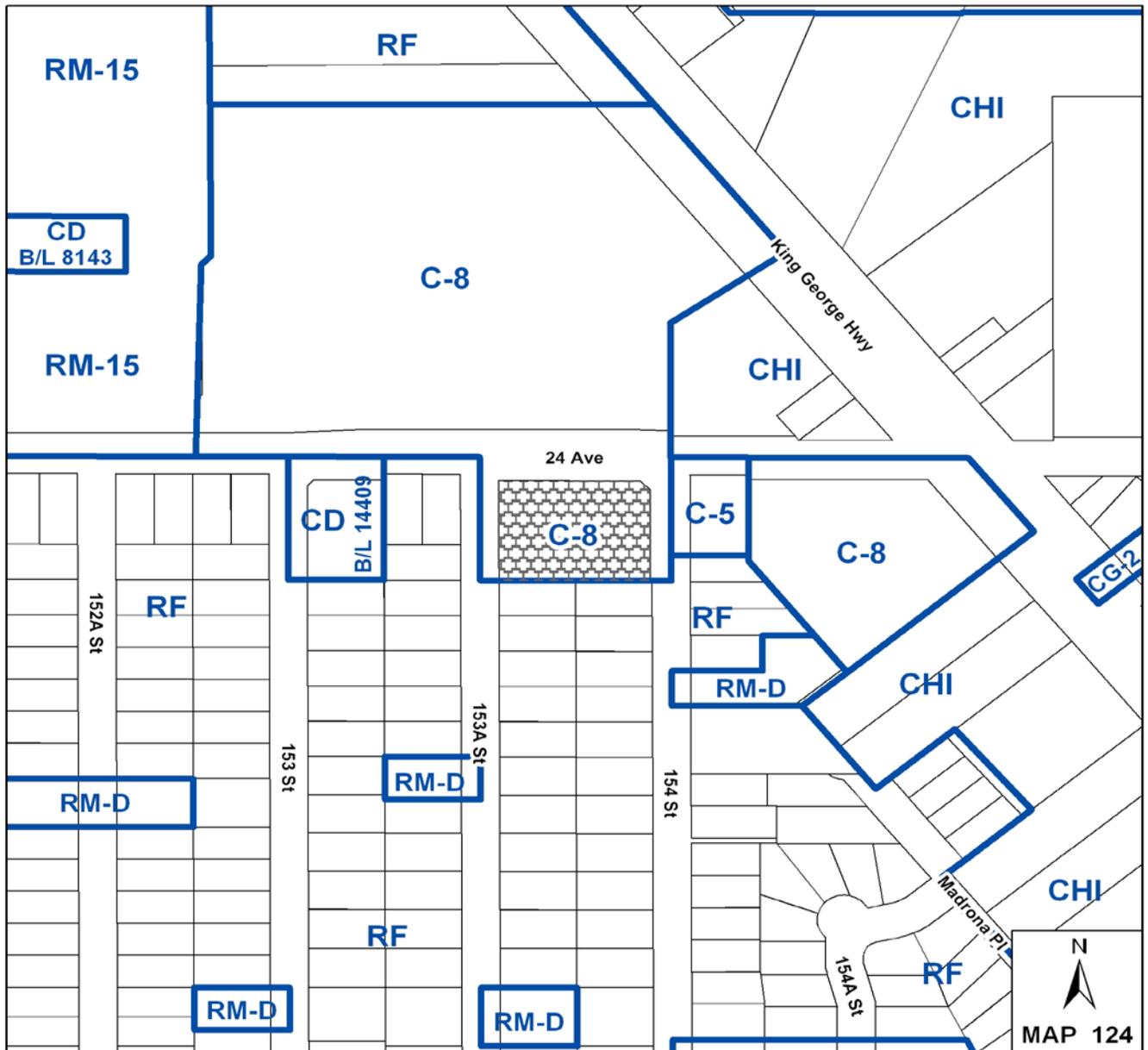
**Proposal:** Relocation of Liquor Primary License from 15355 - 24 Avenue to the subject site.

**Recommendation:** Approval to Proceed

**Location:** 15388 - 24 Avenue      **Zoning:** C-8

**OCP Designation:** Commercial

**LAP Designation:** Commercial      **Owner:** Peninsula Business Centre Ltd.



## PROJECT TIMELINE

Completed Application Submission Date: December 21, 2005  
Planning Report Date: April 24, 2006  
Additional Planning Comments: May 29, 2006

## PROPOSAL

The applicant is proposing:

- relocation of a liquor primary license from 15355 - 24 Avenue to the subject site

in order to permit the development of a neighbourhood pub with an attached liquor store.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a date for Public Hearing be set to solicit opinions from area residents regarding the proposed liquor primary license (neighbourhood pub) relocation.
2. Council authorize staff to prepare a resolution for Council's consideration after the Public Hearing. This resolution will indicate whether Council, after due consideration of the results of the Public Hearing, is in favour of the liquor primary license (neighbourhood pub) relocation, and if so, recommend to the Liquor Control & Licensing Branch (LCLB) any specific licensing conditions suggested by Council.

## SITE CHARACTERISTICS

- **Existing Land Use** Commercial building currently under construction.
- **East:** Across 154 Street, existing commercial building, zoned C-5, designated Commercial in the OCP.
- **South:** Existing single family homes, zoned RF, designated Urban in the OCP.
- **West:** Across 153A Street, existing single family homes, zoned RF, designated Urban in the OCP.
- **North:** Across 24 Avenue, Peninsula Village Shopping Centre, zoned C-8, designated Commercial in the OCP.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

## DEVELOPMENT CONSIDERATIONS

### Background

- At the April 24, 2006, Regular Council – Land Use Meeting, Development Application No. 7905-0398-00 was presented to Council. The proposal was to rezone the subject site (15388 - 24 Avenue) from C-8 to CD in order to permit the development of a stand-alone liquor store (Appendix IV).
- Under the C-8 Zone a liquor store is permitted only in conjunction with a liquor-primary licensed establishment. "In conjunction" is confirmed to mean only "physically connected to, or on the same lot as a, liquor-primary licensed establishment". Since there is currently no liquor primary licensed establishment on the subject site, a rezoning to a Comprehensive Development (CD) Zone was proposed to permit the liquor store to be a standalone establishment.
- The original Planning Report presented to Council on April 24, 2006, recommended that the application be denied.
- At the April 24, 2006, Regular Council – Land Use Meeting, the owner of the site, who is also the owner of Hampton's Pub, which is located across the street from the subject site at 15355 – 24 Avenue in the Peninsula Village Shopping Centre, indicated to Council that he would be willing to relocate Hampton's Pub to the subject site so that the proposed liquor store would be "in conjunction" with a liquor primary licensed establishment and therefore meet the provisions of the C-8 Zone. He clarified that the proposal is for a 26 seat pub.
- After considering the owners proposal, Council referred the application to staff to bring forward appropriate actions for Council's consideration to relocate the existing liquor primary establishment from 15355 - 24 Avenue to the subject site.

### Proposed Pub Relocation

- As previously suggested to Council, the applicant now proposes to relocate the existing liquor primary license from 15355- 24 Avenue to the subject site in order to permit development of a neighbourhood pub "in conjunction" with a liquor store.
- It is noted that as a precautionary measure, the applicant made application with the Liquor Control & Licensing Branch (LCLB) to relocate the Liquor Primary License from 15355 – 24 Avenue to the subject site (15388 – 24 Avenue) on October 11, 2005. Under the policies and processes of LCLB, an establishment can relocate to a new location in the immediate vicinity (as in the case of this relocation), subject to written confirmation from local government staff as to whether they have any objection to the proposed relocation.

- The relocation of the Liquor Primary License to the subject location would mean that the liquor license at the existing Peninsula Village Shopping Centre location would be terminated. The day that the relocation is finalized at the Liquor Control and Licensing Branch (final inspection has occurred, LCLB headquarters is notified that the establishment passed final inspection and paper work is finalized) is the day that the liquor license would no longer be valid at the previous location. The applicant has suggested that he will likely convert the existing location into a restaurant.
- The proposed relocated pub will be approximately 100 square metres (1,076 sq.ft.) in size and will have a capacity of 26 persons, which is significantly less than the 118 person (98 inside & 20 on the patio) capacity of the existing Hampton's Pub location. The applicant has suggested that this reduced capacity is acceptable from a business perspective as long as the liquor store is able to be constructed.
- The proposed neighbourhood pub will generate a requirement for 10 additional parking stalls on the subject site. Based on the proposed uses provided by the applicant, the total parking requirement for the site will be 40 stalls for retail uses (including the liquor store), 30 stalls for office uses, and 10 stalls for the pub; totaling 80 required stalls. Since a Development Variance Permit (DVP) was already approved to reduce the number of required on site parking stalls from 80 to 76 stalls (File No. 7903-0293-00) a further variance for parking is not required to accommodate the pub.

#### Public Consultation Options

- In order to formulate a position on the proposed Liquor Primary License relocation, staff offer the following 3 alternative options:
  1. Council authorize staff to provide written confirmation to the General Manager of the LCLB that local government has no objections to the proposed relocation of the Liquor Primary License. This option is possible because LCLB does not require a public process for the proposed relocation nor do they require a formal Council resolution if the relocation is to a new location in the immediate vicinity (i.e. next door or across the street).
  2. Council use the Public Notification process typically used for Development Variance Permit (DVP) applications to notify property owners located within 100 metres (330 ft.) of the subject site of the proposed relocation of the Liquor Primary License. This is the same process as used for Liquor License Amendments including capacity increases and changes in hours of operation.
  3. Council hold a Public Hearing to solicit opinions from area residents regarding the proposed relocation of the Liquor Primary License (neighbourhood pub). Council can authorize staff to prepare a resolution for Council's consideration after the Public Hearing. This is the same process as used for new Liquor Primary Licenses.

- Staff recommends that Council follow Option #3 and hold a Public Hearing to solicit opinions from area residents. The rationale for following this option are as follows:
  - Although the LCLB does not require a public process for this relocation, it is anticipated that the proposal may generate some concerns from neighbouring residents. During the pre-notification for the initial rezoning application, staff received some concerns from the area residents about the impact a liquor store would have on their neighbourhood.
  - Although the subject site is located directly across the street (24 Avenue) from the existing pub location, the surrounding land use contexts are different between the two sites. The subject site is adjacent to an established RF Zoned residential neighbourhood to the south. The impact of the relocated pub on this residential neighbourhood will likely be greater than the existing location, which is in a shopping centre and across an arterial road.
  - The proposal to relocate the existing liquor license to a new location is equivalent to establishing a new liquor primary license. Therefore it is more appropriate to follow the established process for new liquor primary establishments than to follow the process used for an amendment to an existing liquor primary license where the location is not proposed to be changed (i.e. a capacity increase or a change in hours application).

#### 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.	Proposed Neighbourhood Pub Floor Plan
Appendix IV.	Original Planning Report to Council dated April 24, 2006 without Appendices

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Acting General Manager  
Planning and Development

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## DEVELOPMENT DATA SHEET

**Existing Zoning: C-8**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		4,824.43 m <sup>2</sup>
Road Widening area		249.96 m <sup>2</sup>
Undevelopable area		
Net Total		4,574.47 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front		2 m
Rear		2 m
Side #1 (North)		2 m (1 <sup>st</sup> floor) 0.3 m (2 <sup>nd</sup> floor)
Side #2 (South)		
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal		10.1 m
Accessory		
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		1,322.05 m <sup>2</sup>
Office		1,481.77 m <sup>2</sup>
Total		2,908.52 m <sup>2</sup>
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		2,908.52 m <sup>2</sup>

*\* If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

## Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		0.64
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		76
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls		1
Number of small cars		15
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
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CONTOUR MAP FOR SUBJECT SITE

