

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7908-0102-00

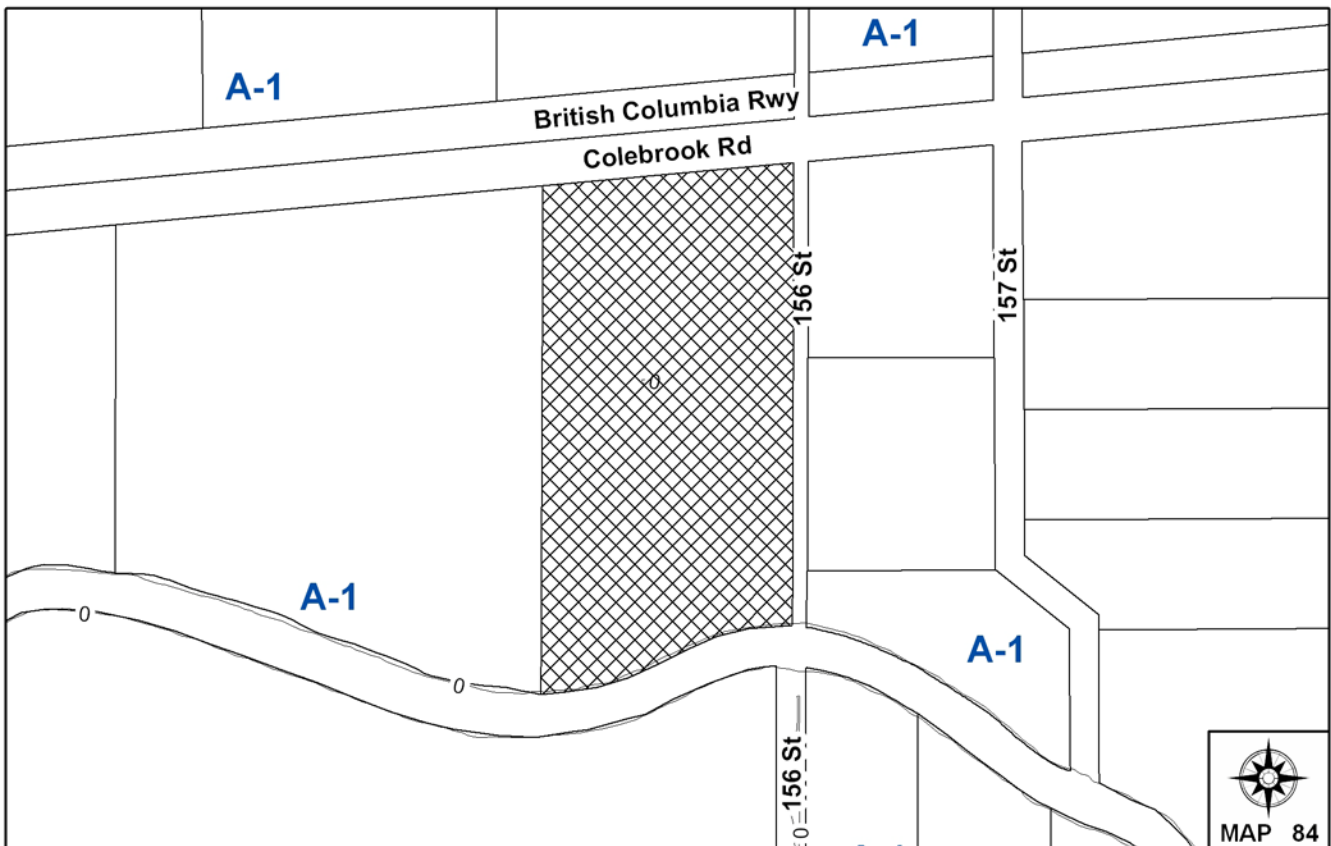
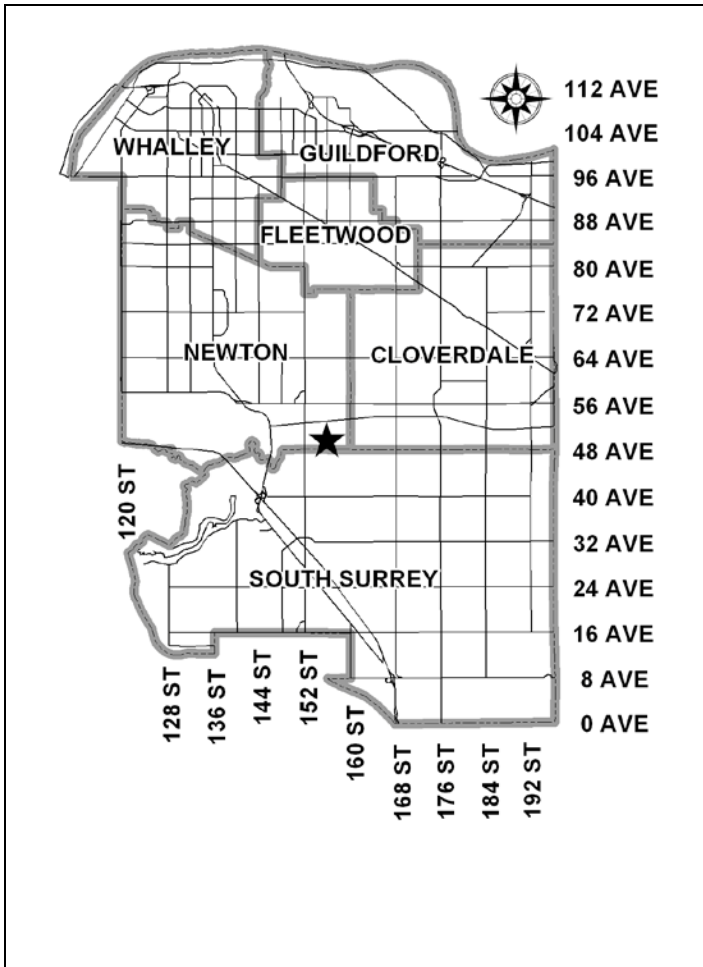
Planning Report Date: July 14, 2008

PROPOSAL:

- Winery Special Events Area Endorsement (Liquor License)

in order to permit an existing winery to host special events with a maximum capacity of 120 persons.

LOCATION: 15560 Colebrook Road
OWNER: C.R.F. Holdings Limited (Incorporation #130994)
ZONING: A-1
OCP DESIGNATION: Agricultural
NCP/LAP DESIGNATION: Agricultural



RECOMMENDATION SUMMARY

- Set date for a Public Information Meeting in the form of a Public Hearing to solicit resident opinions on a Winery Special Events Area Endorsement with a maximum capacity of 120 persons and allowable hours of operation from 11:00 a.m. to 11:00 p.m. daily.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- A farm-based winery is a permitted use under the A-1 Zone, for properties within the ALR.
- The Agricultural Land Commission (ALC) has confirmed that the proposed Winery Special Event Area Endorsement is a permitted use within the ALR as either an ancillary use to the farm-based winery or an agritourism related event.
- The proposed Winery Special Event Area Endorsement will support local agricultural uses and is not anticipated to generate significant impact as this is a large 5.7 hectare (14-acre) site in the agricultural area.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a date for Public Hearing be set to solicit opinions from area residents regarding a Winery Special Events Area Endorsement with a maximum capacity of 120 persons and allowable hours of operation from 11:00 a.m. to 11:00 p.m. daily.

REFERRALS

Engineering:	The Engineering Department has no objection to the project as outlined in Appendix III.
Surrey RCMP:	The RCMP reviewed the proposal and advised that they have no concerns.
Surrey By-laws & Licensing Services:	The By-law & Licensing Services Section reviewed the proposal and advised that they have no concerns.
Agricultural Advisory Committee:	The Agricultural Land Commission (ALC) has confirmed that the proposed winery special event area endorsement is a permitted use within the Agricultural Land Reserve (ALR) as either an ancillary use to a farm-based winery or an agritourism related event, and approval from the ALC is not required. As such, the proposal was forwarded to the Agricultural Advisory Committee (AAC) on July 10, 2008, for their information purposes only.

SITE CHARACTERISTICS

Existing Land Use: River's Bend winery.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
All surrounding directions from the site:	Agricultural land.	Agricultural	A-1

DEVELOPMENT CONSIDERATIONS

Background and Site Context

- The subject site is a 6 hectare (14-acre) parcel of property located on the south side of Colebrook Road, just east of 152 Street. The Serpentine River borders the site to the south. The site is currently zoned "General Agriculture Zone (A-1)", and is designated "Agricultural" in the Official Community Plan (OCP). The site is also within the Agricultural Land Reserve (ALR).
- The site is currently occupied by a licensed farm-based winery (River's Bend). A farm-based winery or cidery is a permitted use under the A-1 Zone, for properties within the ALR, provided that all conditions of the Agricultural Land Commission (ALC) Act/Regulations/Orders are met. The ALC allows a licensed winery or cidery as a farm use, provided that the wine or cider produced and offered for sale is made from farm product and;
 - At least 50% of that farm product is grown on the farm on which the winery or cidery is located, or
 - The farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3-year contract from a farm in British Columbia.
- The River's Bend Winery complies with the ALC conditions noted above.
- The River's Bend Winery currently has a winery license with the Liquor Control and Licensing Branch (LCLB). This license requires that River's Bend manufacture their own product and have enough equipment to produce at least 4,500 litres of wine each year, and entitles River's Bend Winery to:
 - Sell the product to restaurants, other licensed wineries, and licensee retail stores;
 - Operate an on-site retail wine shop; and
 - Offer customers samples of the product in designated areas of the winery.
- All of the wine sales and sampling at the River's Bend winery takes place within one designated building, which is located on the northern portion of the site close to Colebrook Road. This building houses a reception and display area, sampling station, sales office, bottling and labeling rooms, and some storage space. The building also has a large wrap-around covered patio, which overlooks the vineyard.

Proposed Winery Special Event Area Endorsement

- The owners of the River's Bend winery have applied to the Liquor Control and Licensing Branch (LCLB) for a Winery Special Events Area Endorsement Liquor License. The Special Event Area Endorsement, if approved, allows special events such as concerts, special meals or wedding receptions with the sale and service of wine to take place on various areas of the winery or winery grounds. Special event areas are intended to be event driven only and not an extension or alternative to a winery lounge.

- A winery special event area endorsement has the following terms and conditions:
 - Only wine and cider manufactured and bottled in British Columbia may be served/sold at the Special Event;
 - Minors are permitted if they are accompanied by a parent or guardian;
 - Food and non-alcoholic beverages must be available at reasonable price; and
 - The endorsement area must be owned or leased by the licensee.
- The proposed Special Event Area Endorsement at the River's Bend Winery would take place within the existing covered deck and winery building interior reception/display area only. No alternations to the existing building or site are proposed at this time. This constitutes a combined area of approximately 150 square metres (1,600 sq.ft.). The proposed total capacity is 60 persons outside on the deck and 60 persons inside in the reception/display area for a total of 120 persons (includes patrons and staff).
- The Special Events Area Endorsement will permit special events to take place between 11:00 am to 11:00 pm every day of the week, year-round.

Agricultural Land Commission (ALC)

- Staff contacted the Agricultural Land Commission (ALC), who confirmed that the proposed Winery Special Event Area Endorsement is considered a permitted use within the Agricultural Land Reserve (ALR) as either an ancillary use at a farm-based winery or an agritourism related event (or combination thereof). As such, approval from the ALC is not required.
- Staff also referred the proposal to the Agricultural Advisory Committee (AAC) on July 3, 2008, as an information item only.

Winery Special Event Area Endorsement Approval Procedure

- The LCLB application process for a Winery Special Event Area Endorsement incorporates local government input in a manner similar to that of a new Liquor Primary license. Local governments are required to take into account the following criteria when providing comments and making recommendations with respect to whether the endorsement area should be approved:
 - The location of the special event area;
 - The proximity of the special event area to other social or recreational facilities and public buildings;
 - The person capacity of the special event area;
 - The hours of liquor service of the special event area;
 - Traffic, noise, parking and zoning; and
 - The impact on the community if the application is approved.

(a) The location of the special event area

- The City does not have established locational guidelines for Winery Special Event Area Endorsements. In addition, the long-standing locational guidelines for neighbourhood pubs (now known as liquor primary establishments) are not applicable to wineries. The locational guidelines for neighbourhood pubs are as follows:

- Select a site close to a residential area but not surrounded by a residential area;
 - Select a site that is adjacent to or in a local commercial node;
 - Do not select a site on a provincial highway; and
 - Locate further than 400 metres (1,310 ft.) from a school, children's park or playground.
- A winery is necessarily located in an agricultural area, where grapes for wine making are produced. It is not logical to also require that they be located in a commercial node surrounded by a residential area. The River's Bend winery will serve a variety of neighborhoods as an agro-tourism destination. The site is not located on a provincial highway, and is not within close proximity of any school, children's park, or playground.
 - The subject proposal will allow the River's Bend winery to promote and sell their wine at various special events. It is not intended to be an establishment that will compete with liquor primary establishments for business. However, of note, the only existing liquor primary establishment in the vicinity of the site is the Big Ridge Brewing Company (15127 – Panorama Drive), which is 1.2 kilometres (0.75 mile) from the site. This separation distance is just under the 1.6 kilometre (1 mile) minimum distance between neighbourhood pubs required under the City's locational criteria.

(b) The proximity of the special event area to social or recreational facilities and public buildings

- The site is not within the vicinity of any social or recreational facilities or public buildings.

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

- The applicant proposes a total occupant load of 120 persons (60 indoors and 60 outdoors) including patrons and staff. The applicant retained Edward Yip, P.Eng., (Earthbitat Engineering Inc.) to confirm this proposed capacity could be accommodated based on a preliminary building code and fire code analysis of the existing building and outdoor deck area. Prior to receiving final approval from LCLB for the proposed Special Event Area Endorsement, the applicant will be required to submit a Building Permit application to the City to confirm compliance with the BC Building Code 2006 and Surrey Zoning By-law No. 12000 with respect to the proposed assembly occupancy.
- The applicant has requested hours of operation of 11:00 am to 11:00 pm Monday to Sunday, year-round, for both the interior and the outdoor covered deck areas. The proposed hours are well within Council's policy on hours of operation for liquor primary establishments (11:00 a.m. to 1:00 a.m. Sunday to Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday) and are also far less than the maximum hours of operation possible under the LCLB regulations (9:00 a.m. to 4:00 a.m. daily). The proposed hours are also reasonable given the location of the proposed special event area endorsement on a large agricultural property with the nearest dwelling being more than 200 metres (650 ft.) away.

(d) Traffic, Noise, Parking and Zoning

- The City's Transportation Engineer reviewed the proposed winery special event area endorsement and confirmed that the anticipated traffic volumes can be accommodated on Colebrook Road. The corner of Colebrook Road and 152 Street was recently upgraded to a signalized intersection, which will allow for better traffic flow and safer turning movements.
- Noise impacts from the proposed winery special event area endorsement are anticipated to be minimal for the following reasons:
 - Sale and service of wine and cider will be confined to the reception/display building and outdoor covered patio area only;
 - The subject site is a 14-acre site within an agricultural area; with the nearest neighbouring dwelling being approximately 200 metres (650 ft.) away; and
 - The sale and service of wine and cider at the special events will cease at 11:00 pm.
- The Surrey Zoning By-law No. 12000 on-site parking requirements for farm-based wineries are as follows:
 - 1 parking space for every 100 square metres (1,075 sq.ft.) of wine processing gross floor area;
 - A minimum of 3 parking spaces for retail use; and
 - A minimum of 3 parking spaces for food and beverage service lounge.
- Under the above parking requirements, the River's Bend winery is required to provide approximately 18 on-site parking stalls. However, these on-site parking requirements do not take into consideration the proposed special event area use. For this purpose, the most appropriate rate under the Zoning By-law is the parking rate required for eating establishment, which is 10 parking spaces for every 100 square metres (1,075 sq.ft.) of gross floor area. Based on the size of the special event area, this equates to an additional 16 required on site stalls.
- The applicant has provided a site plan indicating that the required 34 parking stalls can easily be accommodated on-site either within their 2 large gravel parking areas located around the reception/display building, or along their entry driveway which extends approximately 170 metres (560 ft.) into their site.

(e) The impact on the community if the application is approved

- The River's Bend winery provides eco-tourism opportunities for residents throughout Surrey as well as outside visitors. The proposed winery special event area endorsement will allow River's Bend to hold special events and serve their wine products without having to apply for individual special occasions licenses. There is little expected community impact if the application is approved. Comments from the City's By-laws & Licensing Department and the RCMP have indicated no concerns with the proposal.

- Similar to the process used for new liquor primary licenses, staff recommends that Council hold a Public Information Meeting in the form of a Public Hearing to solicit resident opinions on the proposed Winery Special Events Area Endorsement, if any.

PRE-NOTIFICATION

- Pre-notification letters were sent on April 28, 2008 and a development proposal sign were erected on the property fronting Colebrook Road. Staff received no responses to the pre-notification letters or development proposal sign.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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| Appendix I. | Lot Owners, Action Summary and Project Data Sheets |
| Appendix II. | River's Bend Winery Site Plan and Building Floor Plan |
| Appendix III. | Engineering Summary |

Jean Lamontagne
General Manager
Planning and Development

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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: Annette Faessler
 Address: 5151 - 157 Street
 Surrey, BC
 V3S 0L2
 Tel: 604-576-6153

2. Properties involved in the Application

- (a) Civic Address: 15560 Colebrook Road
- (b) Civic Address: 15560 Colebrook Road
 Owner: C.R.F. Holdings Limited (Incorporation #130994)
 PID: 008-608-130
 Parcel "One" (Reference Plan 2820) of the West Half Section 2 Township 2
 Lying South of the Right of Way of the Victoria Terminal Railway and Ferry
 Company and North of the Serpentine River New Westminster District

3. Summary of Actions for City Clerk's Office

Liquor Applications

- (a) That a date be set for a Public Hearing to solicit public opinion with respect to a Winery
 Special Events Area Endorsement with a maximum capacity of 120 persons and
 allowable hours of operation from 11:00 a.m. to 11:00 p.m.

DEVELOPMENT DATA SHEET

Zoning: A-1

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		14.26 ac
LOT COVERAGE (in % of net lot area)	n/a	n/a
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	12 m	16 m
Rear	12 m	110 m
Side #1 (East)	13.5 m	9 m
Side #2 (West)	13.5 m	120 m
BUILDING HEIGHT (in metres/storeys)		
Single Family Dwellings	9 m	n/a
Other Buildings and Structures	12 m	12 m
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	n/a	n/a

** 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)	n/a	n/a
AMENITY SPACE (area in square metres)	n/a	n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Vine Processing	12	12
Retail	3	3
Food and Beverage Service	3	3
Special Event Area	16	16
Total Number of Parking Spaces	34	34
Number of disabled stalls	1	1
Number of small cars		
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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