

City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7908-0270-00

Planning Report Date: February 9, 2009

**PROPOSAL:**

- **Liquor License Amendment**

in order to allow the hours of operation for a food primary establishment to extend past midnight.

**LOCATION:**

2215 - 160 Street

**OWNER:**

Surrey South Shopping Centres Limited

**ZONING:**

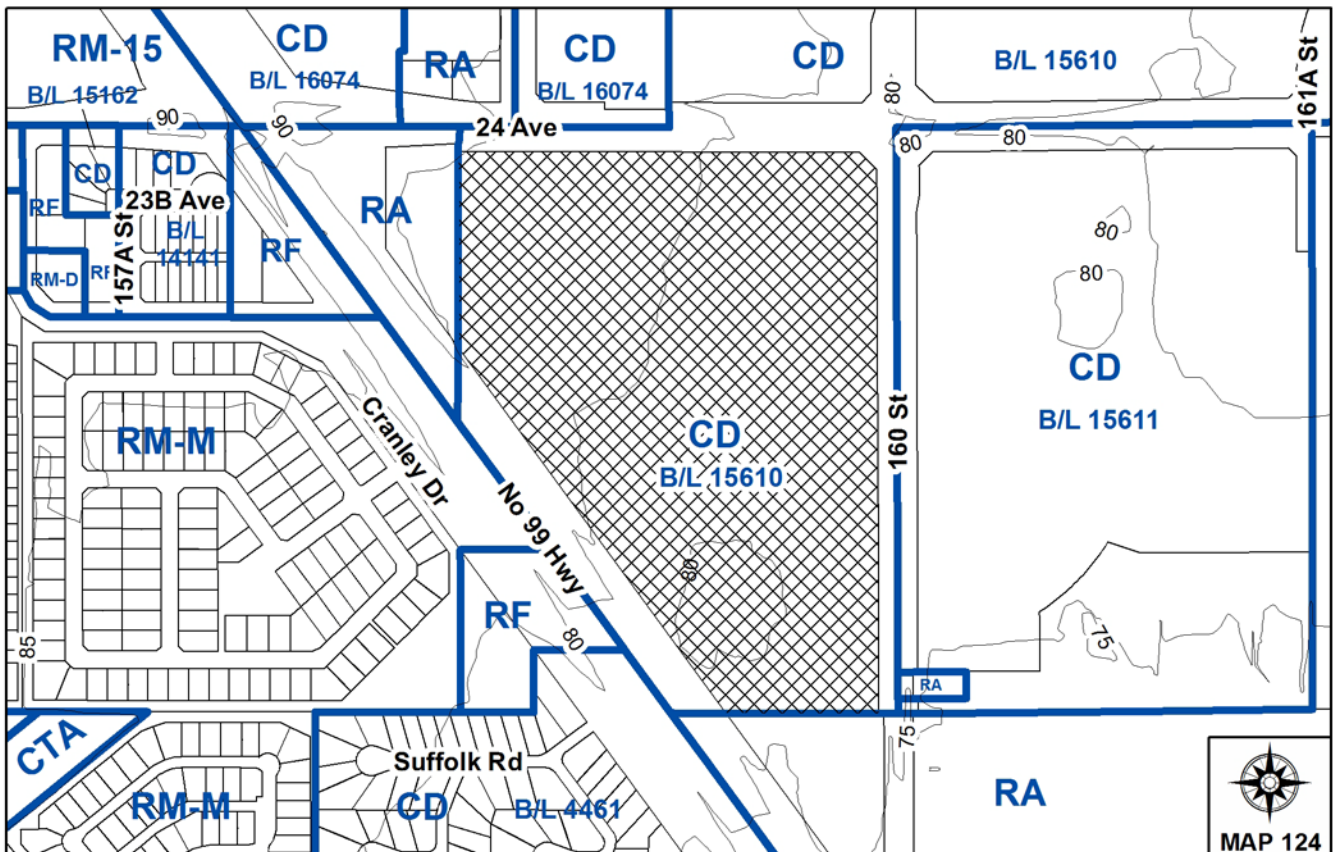
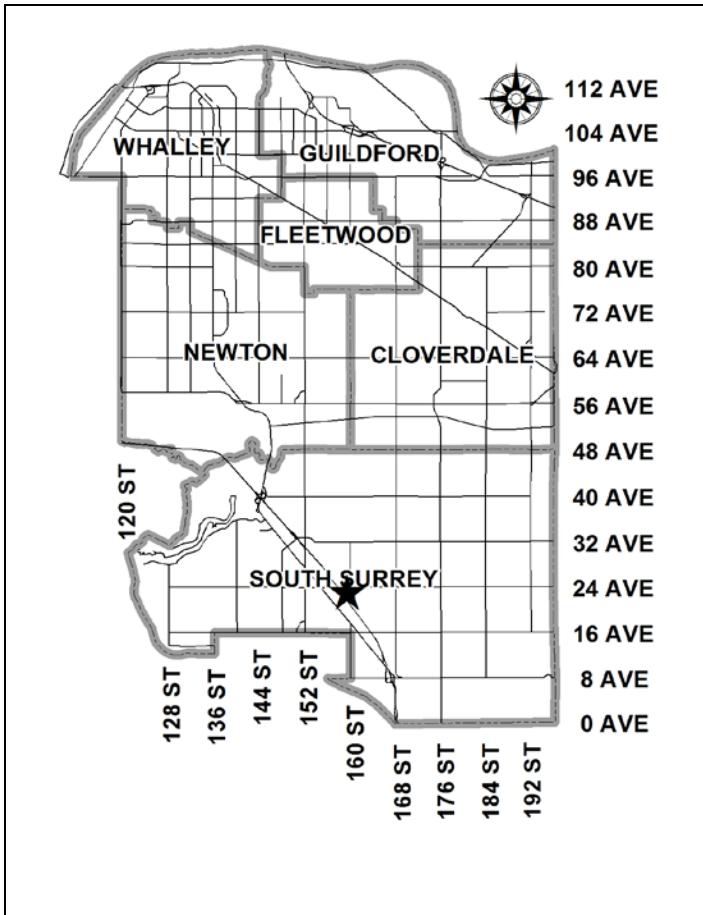
CD (By-law No. 15610)

**OCP DESIGNATION:**

Commercial

**NCP DESIGNATION:**

Commercial (Highway 99 Plan)



RECOMMENDATION SUMMARY

- Approval for the proposed liquor license amendment to extend the hours of operation to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with City Policy for hours of operation for liquor license establishments.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the following proposed food primary liquor license amendment to proceed to Public Notification as follows:
  - (a) The extension of hours from Sunday to Thursday 11:00 a.m. to 1:00 a.m. and Friday to Saturday 11:00 a.m. to 2:00 a.m.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

Surrey RCMP: Surrey RCMP have no comment or concerns since the restaurant has not yet opened.

Surrey By-laws & Licensing Services: No concerns. An application for a business license has been submitted and is under review.

SITE CHARACTERISTICS

Existing Land Use: Commercial/retail.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP Designation</b>	<b>Existing Zone</b>
North:	Commercial/retail (Wal Mart and other large format stores) buildings on the same site.	Commercial	CD (By-law No. 15610)
East (Across 160 Street):	Commercial/retail (large format stores) uses, including a future Superstore building.	Commercial	CD (By-law No. 15611)
South:	Single family residential but under application for 2 retail commercial buildings (Project No. 7908-0154-00)	Commercial	RA
West (Across Highway No. 99):	Highway 99 runs along the westerly property line. Further west, across the highway, are manufactured homes parks zoned CD and RM-M.	Urban	CD and RM-M

## DEVELOPMENT CONSIDERATIONS

### Background and Proposal

- The subject site, Unit 50, 2215 - 160 Street, is located on the east side of Highway No. 99, sharing the property with the South Surrey Wal-Mart located in the south- west quadrant of the Grandview Corner's shopping area. This project, completed under Project No. 7904-0112-00, sought the development of a retail shopping centre. This shopping centre, anchored by the Wal-Mart, is presently under development with most of the businesses either being in operation or nearing operation.
- Original Joe's, a restaurant business, is one of the tenants of the south-west quadrant of the Grandview Corner's Shopping Centre. The building is under construction. Original Joe's currently has operations throughout both British Columbia, Alberta, and Saskatchewan. This is their first Surrey location.
- The subject building is located on the southern edge of 2215 - 160 Street abutting 160 Street; the unit fronts the parking lot (Appendix II).
- Based on the building permit submission, the proposed "Occupant Load" or maximum capacity for the restaurant is 113 people for both customers and staff, with an additional capacity for 20 seasonal patio seats.

### Liquor Control Requirements and Standard Hours of Operation

- The LCLB has established procedures for new Food Primary Liquor Licenses including maximum operating hours. Any proposal to extend hours beyond midnight must be approved by local government.
- The subject establishment, Original Joe's Restaurant, has applied to the Liquor Control and Licensing Branch of the British Columbia (LCLB) for a Food Primary Liquor License that would:
  - Permit the establishment to operate during the standard permitted hours (between 10:00 am and 12:00 am, Monday through Sunday); and
  - Amend the standard permitted hours to the following:
    - Sunday to Thursday 11:00 am to 1:00 am
    - Friday to Saturday 11:00 am to 2:00 am
- As per the procedural requirements of LCLB, the approval of operating hours past midnight requires Council approval, through a Liquor License Amendment application.
- This application differs from the standard amendment to the Food Primary License in that this is a new location (under construction and scheduled to open in the coming months); as such, the issuance and approval for an extension of hours for liquor service are being considered concurrently by the LCLB.

### Proposed City Liquor License Amendment Requirements

- In accordance with the process adopted by Council on September 29, 2003 (Corporate Report No. R209), an application to amend the hours of operation for a liquor license establishment proceeds through a process similar to that of a Development Variance Permit process. A Development Proposal sign is required to be installed on the property to identify the proposed changes to the operating hours. Although there is no formal Council Policy on the extension of hours for liquor service in food primary establishments, the same requirements are applied as per Liquor Primary establishments.
- As previously noted, although the subject establishment is a restaurant (i.e. Food Primary), the Planning Department utilizes the City's policy regarding maximum hours of operation for liquor primary establishments as a guide to evaluate the extension of hours for Food Primary establishments. This policy was adopted through Corporate Report No. L003 (February 2004) and stipulates the following hours:
  - Sunday to Thursday 11:00 am – 1:00 am
  - Friday to Saturday 11:00 am – 2:00 am

### Proposed Hours for Original Joe's Restaurants

- The hours proposed by the applicant comply with the City Policy.
- A survey of the existing food primary liquor licenses was undertaken as a basis to compare the proposed hours of the proposed restaurant. Some comparable restaurant hours in the vicinity include:
  1. Milestone's Restaurant (3085 - 152 Street)
    - 9:00 am – 12:00 am daily
  2. Cactus Club Restaurant (3033 152 Street)
    - Monday to Wednesday 11:00 am – 1:00 am
    - Thursday to Saturday 11:00 am – 1:30 am
    - Sunday 11:00 am – 12:00 am

The Cactus Club received a Liquor License amendment to allow longer hours of operation as part of Project 7906-0408-00
  3. The Keg Steakhouse (15180 32 Avenue)
    - Sunday to Thursday 4:30 pm – 10:00 pm
    - Friday to Saturday 4:30 pm – 11:00 pm
- While these restaurants are not in the immediate vicinity of the proposed Original Joe's Restaurant, they do represent similar styles of restaurant. The hours proposed by the applicant meet the existing City policy related to liquor service.
- There are presently no similar types of restaurants in or around the subject site with the exception of the U-Lounge (liquor primary) - Project No. 7907-0064-00 which is located in the northeast quadrant of the Grandview Corners shopping centre, approximately 500 metres away.

## Evaluation

- The LCLB requires that Council consider a specific list of criteria when an amendment to an existing, or pending, license is proposed. This includes the following:

### *Potential for Noise Impact*

- The requested amendment to the hours of operation is not expected to generate noise impact on adjacent area. This is because of the location of the restaurant is within a large shopping area, in proximity to Highway No. 99.
- The site is a distant from the closest major residential uses, which are located on the west side of Highway No. 99 (single family), and approximately 300 metres to the east of the subject site (future multiple family residential – in the Grandview Heights NCP # 2 area).
- The outdoor patio is proposed to be located on the north side of the building, abutting both the parking lot and 160 Street.
- The proposed restaurant is relatively close (250 metres) to the trailer parks on the west side. However, this location is separated by Highway No. 99.

### *Impact on the Community*

- It is not expected that the proposed amendment will have any adverse impact on the community due to the proposed location, design, and future surrounding development.

## PRE-NOTIFICATION

- A Pre-Notification letter was sent on January 6, 2009 to solicit the opinions of residents within 100 metres of the subject site.
- Staff have received no comments or concerns from the public as a result of the Development Proposal sign posted on the property on November 17, 2008 and the Pre-notification letter.

## CONCLUSION

- The Planning and Development department has no concerns with the proposal to extend the hours of operation of Original Joe's Restaurant to the following:
  - Sunday to Thursday 11:00 am – 1:00 am
  - Friday to Saturday 11:00 am – 2:00 am
- The above mentioned closing hours of liquor service, as per City Policy, can be supported due to the proposed location of the restaurant within a larger shopping area with minimal expected impacts on future residential development.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, Action Summary and Project Data Sheets and Survey Plan
- Appendix II. Proposed Subdivision Layout, Site Plan, Building Elevations Landscape Plans and Perspective

Jean Lamontagne  
General Manager  
Planning and Development

GM/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:                      Terrie Aylesworth  
                         Address:                      2525 Cambie Street  
    Vancouver, BC  
    V5Z 3Y6  
    Tel:                              778-887-7607
  
2.      Properties involved in the Application
  - (a)      Civic Address:                      2215 - 160 Street
  
  - (b)      Civic Address:                      2215 - 160 Street  
                         Owner:                              Surrey South Shopping Centres Limited, Inc. No.  
    A-63002  
                         PID:                                      026-585-588  
                         Lot A Section 14 Township 1 New Westminster District Plan BCP22198
  
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.



## DEVELOPMENT DATA SHEET

**Existing Zoning: CD (By-law No. 15610)**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total		88,100 m <sup>2</sup>
Future development area		26,768 m <sup>2</sup>
Undevelopable area		7,009 m <sup>2</sup>
Net Total		54,323 m <sup>2</sup>
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	max. 50%	37%
Paved & Hard Surfaced Areas		50%
Total Site Coverage		87%
<b>SETBACKS</b> ( in metres)		
Front (24 Avenue)	7.5 m	21.7 m
Rear (South)	7.5 m	176.9 m
Side #1 (East) (160 Street)	7.5 m	97.4 m
Side #2 (West)	4.0 m	60.9 m
Side #3 (Highway No. 99)	18.0 m	34.3 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	12 m	9 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>		20,303 m <sup>2</sup>
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	21,729 m <sup>2</sup>	20,303 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)	0.40	0.37
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	609	917
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	609	917
Number of disabled stalls	10	22
Number of small cars	152	65
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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