

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0184-00

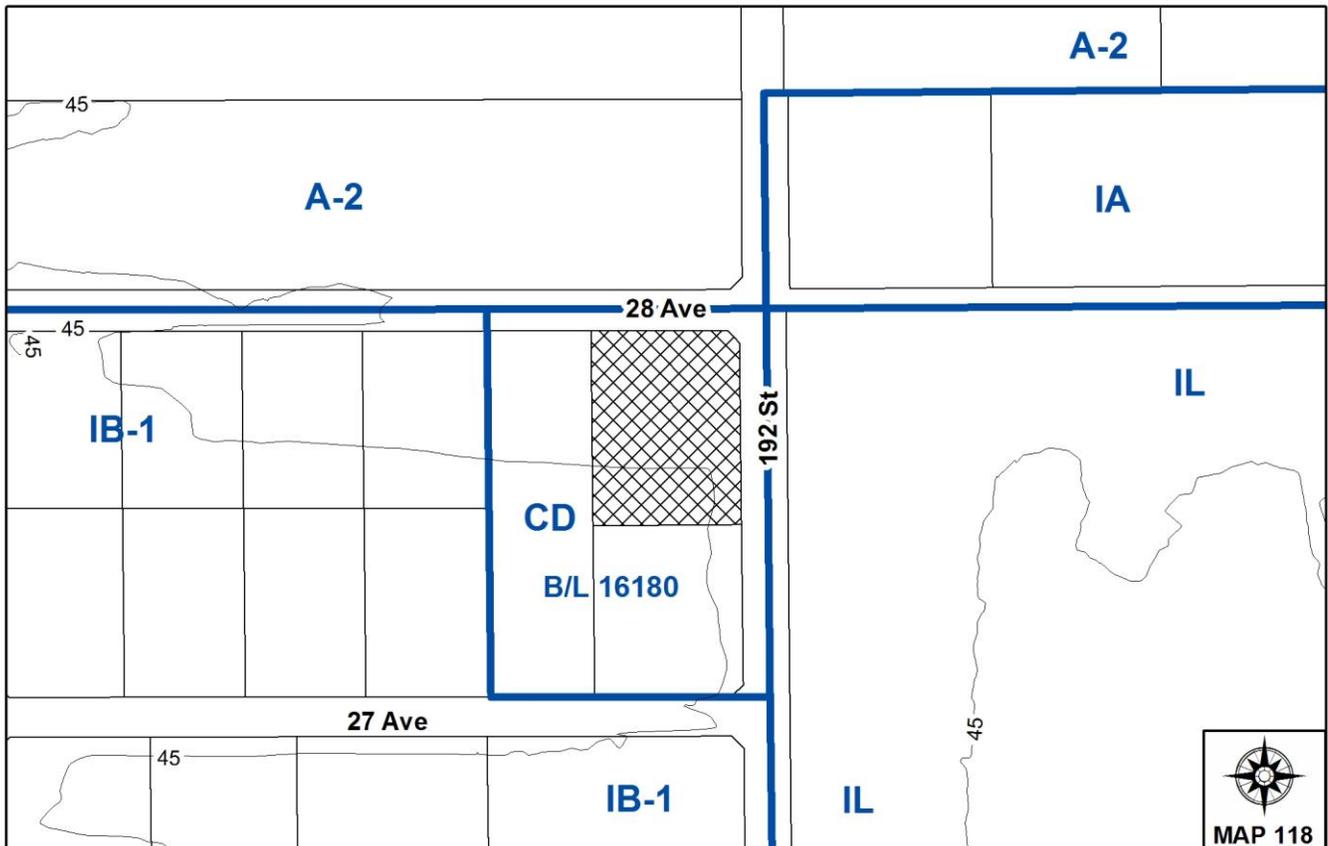
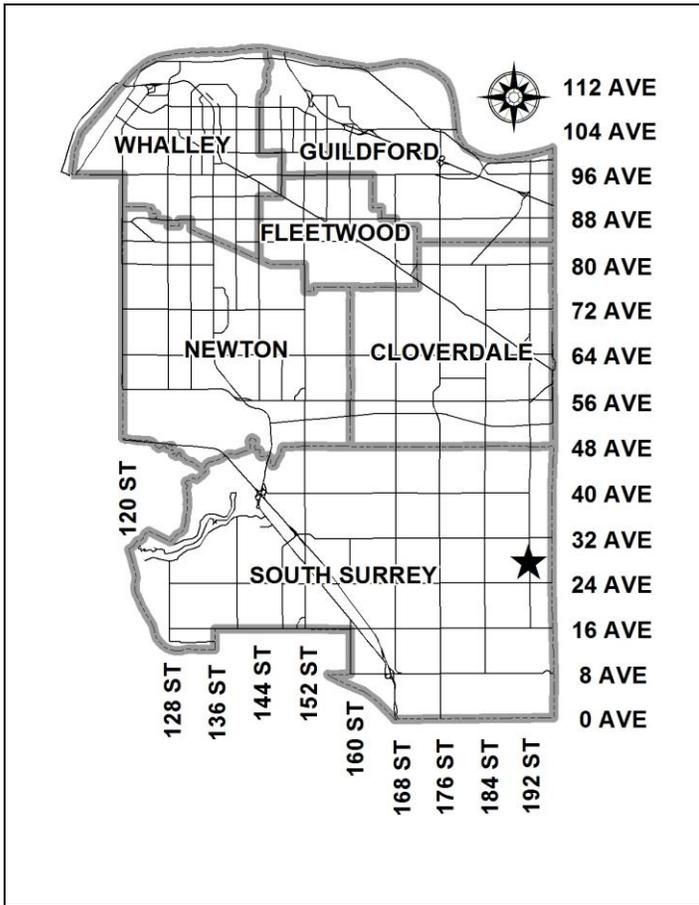
Planning Report Date: March 22, 2010

PROPOSAL:

- **Liquor Primary License**

in order to permit a Liquor Primary Establishment in a newly approved commercial complex in Campbell Heights.

LOCATION: 2735 - 192 Avenue
OWNER: C.S.V. Holdings
ZONING: CD (based on C-8)
OCP DESIGNATION: Industrial
LAP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

- Set date for a Public Information meeting in the form of a Public Hearing to solicit resident opinions on the proposed neighbourhood pub.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with NCP Designation.
- The proposed Liquor Primary establishment meets most of the location criteria for Neighbourhood Pubs and minimal community impact is anticipated.
- The site is designated as the only commercial node intended to serve businesses and employees in the Campbell Heights area, therefore, a neighbourhood pub is deemed an acceptable use.
- The applicant will enter into a Good Neighbour Agreement as a condition of receiving a business license for the proposed establishment.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a date for a Public Information meeting in the form of a Public Hearing be set to solicit opinions from area residents regarding the proposed neighbourhood pub.

REFERRALS

Engineering:	The Engineering Department has no objection to the project.
Surrey RCMP:	No comments (RCMP have reserved comment because the neighbourhood pub is not in operation, and therefore, they are not in a position to comment).
Surrey By-laws & Licensing Services:	No concerns.
Building Division	No concerns provided that: <ul style="list-style-type: none"> • The patio area is not completely enclosed (a pony wall is acceptable); and • Direct exiting from the patio to the outside is provided.

SITE CHARACTERISTICS

Existing Land Use: Vacant land.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Agricultural Use	Industrial / Commercial	A-2
East (Across 192 Street):	Park and Stormwater Management Facilities (Latimer Park).	Conservation and City Park	I-L
South (Across 27 Avenue):	Business / Industrial Park uses	Industrial / Technology Park or Business Park	IB-1
West:	Vacant	Industrial/Technology Park or Business Park	IB-1

DEVELOPMENT CONSIDERATIONS

Background and Site Context

- The subject site is currently vacant and is located at the southwest corner of 28 Avenue and 192 Street in the Campbell Heights area. The site is designated 'Industrial' in the Official Community Plan (OCP) and 'Commercial' in the Campbell Heights Local Area Plan (LAP). The subject site is identified in the LAP as the only Commercial node in Campbell Heights, and is intended to provide supportive commercial services to businesses and workers in the area.
- The site was rezoned and a Development Permit issued under project no. 7906-0201-00 to accommodate a commercial / industrial complex. This previous application also amended the LAP to reduce the commercial node and expand industrial uses.
- The proposed development concept and approved CD By-Law included several different components, including industrial buildings, free-standing commercial buildings (Block A), and a gas station complex (Block B). The site was also identified at that time for a possible Liquor Primary License (Neighbourhood Pub) and a Liquor Retail Store in Block A. It was understood then that a future approvals process would be required for a new Liquor Primary Establishment (Appendix II).
- The buildings on the site have not yet been constructed.
- The site was subdivided into three (3) lots, corresponding to the three zoning blocks in the approved CD Zone.

Proposal

- The applicant proposes a liquor primary license on the subject property at 2735 192 Street to allow the operation of a 447 sq.m (4,820 sq.ft) Neighbourhood Pub. The proposed indoor occupancy load is 250 seats with an outdoor (patio) occupancy load of 76 seats. The applicant proposes the Liquor Primary License to be operated in Building C, along with a Liquor Licensee Retail Store.
- The proposed Liquor Primary License establishment is intended to be run as a 'neighbourhood pub' style offering a casual dining option to serve the employees and businesses in Campbell Heights.
- It is noted that the applicant also proposes an attached liquor licensee retail store (LRS). A liquor store is a permitted use under the CD (By-law No. 16180) Zone as a retail use provided that it is in conjunction with a liquor primary licensed establishment. Should council support the proposed liquor primary establishment on the subject site, the LRS would be a permitted use and the Liquor Control and Licensing Branch (LCLB) would not require further local government approval to issue the liquor store license.

Liquor Licensing Approval Procedure

- On December 2, 2002, the Government of British Columbia enacted new regulations with respect to liquor licensing. Under the new procedures, the applicant initially contacts the LCLB. Once the LCLB determines the application is complete, and the establishment and the applicant are eligible for licensing, a summary report is prepared by the LCLB and forwarded to the local government. The LCLB requires that the applicant secure Local Government endorsement before the application can be considered for approval by the LCLB.
- The LCLB requires that Council comment on how the site satisfies a specified list of criteria to ensure that adequate consideration has been given to the application by the local government. The analysis of the specific 'criteria' for this site is provided as follows:
 - a. The Location of the Establishment
 - The City's long-standing locational guidelines for liquor primary establishments 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.
 - The site meets all but one of the locational guidelines for neighbourhood pubs. Specifically, the site is not located in proximity to residential neighbourhoods. While there are some residential dwellings associated with agricultural land in the area, there is no significant concentration of residents.
 - The area is designated as a commercial area in the Campbell Heights LAP.
 - The site is not on a Provincial Highway.
 - The site is further than 400 metres (1,310 ft.) from any school.
 - b. The proximity of the establishment to social or recreational facilities and public buildings
 - The nearest recreation space is Latimer Park, which is to the east of the proposed site. There are no other social facilities or public buildings in proximity to the proposed establishment.
 - c. The person capacity and hours of liquor service of the establishment
 - The proposed establishment would have indoor seating for approximately 250 persons and an outdoor patio with could potentially seat 76 persons, for a total occupant load of 326 persons.
 - The applicant has requested the following hours of operation for both the interior and the outdoor patios:
 - i. 11:00 am to 12:00 am – Sunday through Wednesday
 - ii. 11:00 am to 1:00 am –Thursday through Saturday

- The proposed hours are consistent with Council's policy on hours of operation for liquor primary establishments.
 - City policy normally requires reduced hours of operation for outdoor patios within 100 metres (330 ft) of a residential area to protect neighbourhood residences. In these locations, an outdoor patio must close by 10:00 pm every day of the week. However, given that there are no residential developments in proximity to the proposed establishment, this restriction is not required.
- d. The number and market focus or clientele of liquor primary licensed establishments within a reasonable distance of the proposed location
- The applicants intent is to provide a casual dining atmosphere for the professional crowd consisting largely of the workforce associated with the Campbell Heights Industrial / Business park area (generally 25 and older age range).
 - The applicants have advised that aside from the usual lottery activities (Keno etc.), TV Sets, and music appropriate for a Neighbourhood Pub, there will be little emphasis on entertainment.
- e. Traffic, Noise, Parking and Zoning
- The proposed establishment is located in a commercial / business park area of the large Campbell Heights Industrial area. Access to the site is available from both 28th Avenue and 192nd Street. There is extensive parking within the commercial complex to serve potential clients.
 - The site has more than 80 parking stalls associated with the commercial component of the development.
 - The establishment is located on the Northeast Corner of the subject site, adjacent to the intersection of 28 Avenue and 192 Street in a future commercial and business park node.
- f. Population, population density, and population trends
- The most recent census data identifies the following:
 - i. Within 0.8 km 156 persons;
 - ii. Within 1.2 km 1,193 persons; and
 - iii. Within 2.0 km 9,070 persons
- g. The impact on the community if the application is approved
- The proposed liquor primary establishment is intended to cater to the professional crowd consisting primarily of area workers and those visiting the area for business purposes. There is little expected community impact if the application is approved.

Good Neighbour Agreement

- It is standard City Policy to require that a Good Neighbour Agreement be tied to the Liquor Primary business license. The essence of this agreement is that the establishment is responsible for the conduct of its customers and guests.
- The applicant would be required to enter into a Good Neighbour Agreement as a condition of receiving a business license for the proposed establishment.

PRE-NOTIFICATION

In accordance with Council Policy, pre-notification letters were sent to the surrounding neighbourhood in October 2009. Additionally, a development sign was erected on the property. As a result of the notification process, staff received several comments of support for the proposal.

These supportive comments came from both local residents and business operations who expressed a desire for a local serving establishment in closer proximity to their homes and places of work.

There were no comments opposed to the proposal.

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. Previously approved Building Elevations and Perspective (Development Permit No. 7906-0201-00)
- Appendix III. Proposed Building Floor Plans for Liquor Primary Establishment

Jean Lamontagne
General Manager
Planning and Development

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