

City of Surrey
PLANNING & DEVELOPMENT REPORT

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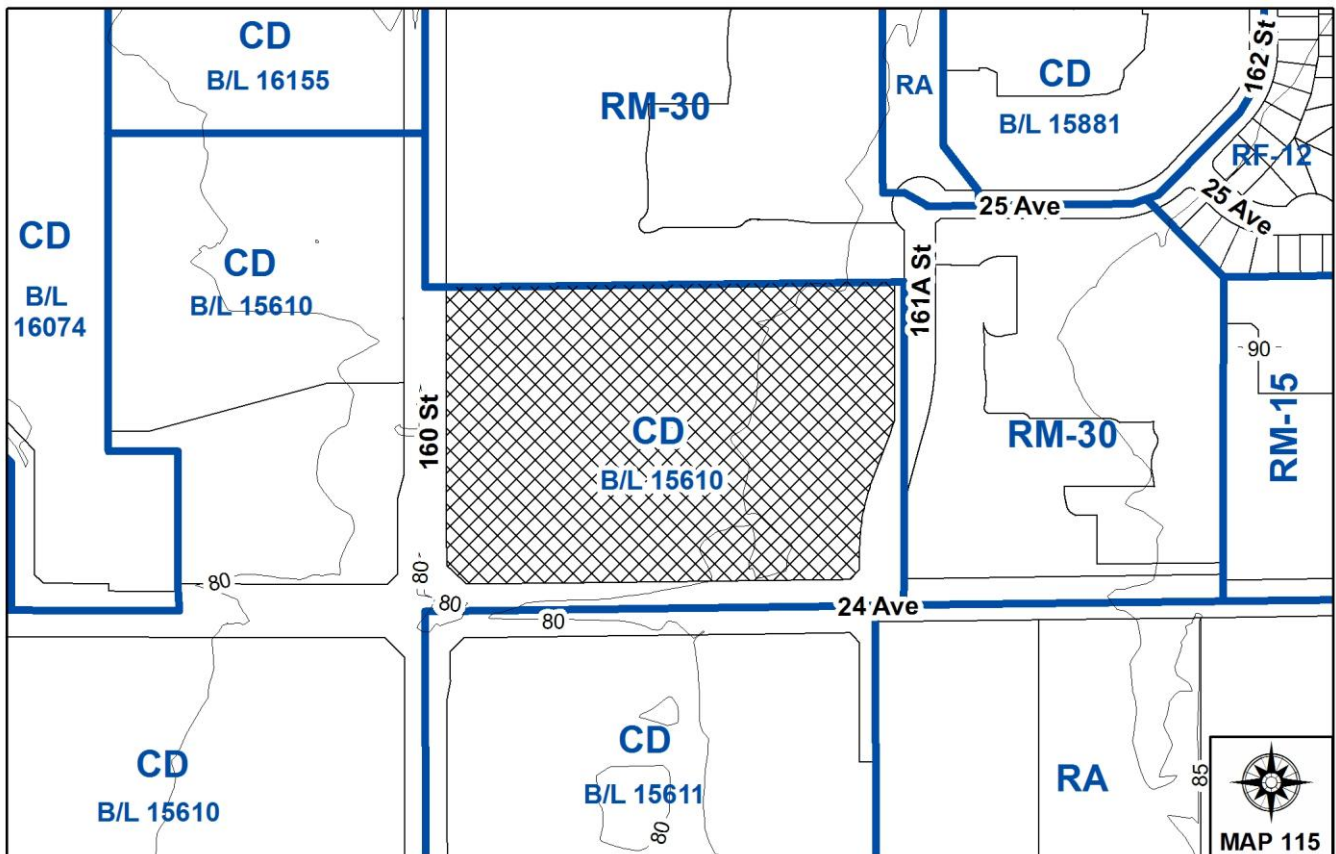
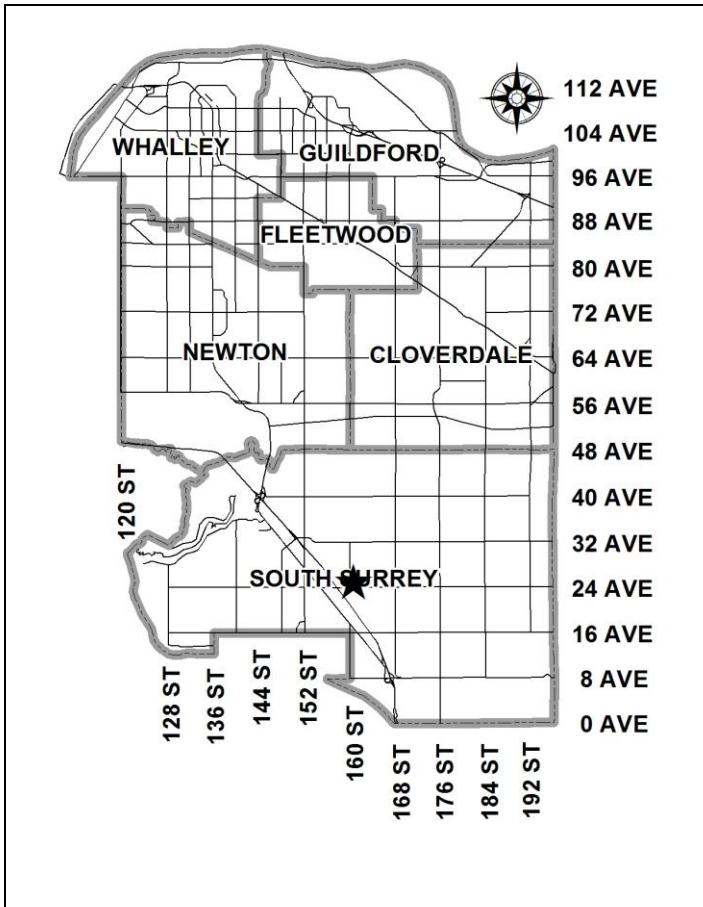
Planning Report Date: December 14, 2009

PROPOSAL:

- **Liquor License Amendment**

in order to permit a dance floor in an existing liquor primary establishment.

LOCATION: 16051 - 24 Avenue
OWNER: Surrey South Shopping Centres Limited, Inc. No. A63002
ZONING: CD (By-law No. 15610)
OCP DESIGNATION: Commercial
LAP DESIGNATION: Commercial



RECOMMENDATION SUMMARY

- Approval of the proposed liquor license amendment to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The owner of the Liquor Primary Establishment located within Unit 10 – 16051 – 24 Avenue in the northeast quadrant of the Grandview Corners Shopping Centre (The ULounge) requests a liquor license amendment to permit a dance floor.

RATIONALE OF RECOMMENDATION

- The existing "no dance floor" restriction was agreed to by the owner and imposed by Council during the approval process for the Liquor Primary (LP) Establishment due to neighbours' concerns.
- The applicant has been operating for over a year and has expressed a desire to have a dance floor within the establishment in order to respond to the requests of his clients.
- The Surrey By-laws & Licensing Services Section and the Surrey RCMP have expressed no concerns with the specific proposal to add a dance floor and staff has received no responses to the pre-notification letters or the development proposal sign. Staff therefore recommend that Council approve the proposed liquor primary liquor license amendment to allow a dance floor to proceed to Public Notification.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the following amendment to the liquor primary license for the Liquor Primary Establishment at Unit 10 – 16051 – 24 Avenue (The ULounge) to proceed to Public Notification:
 - (a) to permit a dance floor.

REFERRALS

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

Surrey RCMP: No concerns.

Surrey By-laws & Licensing Services: No concerns.

SITE CHARACTERISTICS

Existing Land Use: Neighbourhood pub (the ULounge).

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Townhouses.	Multiple Residential/ 20-30 upa Medium-High Density	RM-30
East (Across 161A Street):	Townhouses.	Multiple Residential/ 20-30 upa Medium-High Density	RM-30
South (Across 24 Avenue):	Future Real Canadian Superstore and gas bar.	Commercial/Commercial	CD (BY-law No. 15611)
West (Across 160 Street):	Home Depot store and retail commercial.	Commercial/Commercial	CD (BY-law No. 15610)

DEVELOPMENT CONSIDERATIONSBackground

- At the May 28, 2007 Regular Council – Public Hearing Meeting, Council considered an application from the ULounge for a new liquor primary license in one of the commercial units within the Grandview Corners Shopping Centre (Unit 10 – 16051 24 Avenue) (see location map attached in Appendix I). At that meeting, several area residents expressed concerns regarding the proposed

liquor primary establishment. The nature of the concerns related predominantly to the proximity of the establishment to the Southridge School.

- In response to the concerns, the owner of the ULounge agreed to a "no dance floor" restriction on his business license and on the liquor primary license. Based on this agreement, Council recommended the issuance of a liquor primary license at Unit 10 – 16051 24 Avenue, subject to the following conditions:

"RES. R07-1614

.....Surrey City Council recommends the issuance of the license subject to the following conditions:

- 1. A maximum capacity of 200 persons indoor and 95 persons outdoor;*
- 2. Hours of operation to be 11:00 am to 1:00 am Sunday to Thursday, and 11:00 am to 2:00 am Friday and Saturday;*
- 3. The license be restricted to Unit VJ2 (now Unit 10 – 16051 24 Avenue); and*
- 4. Restricted to "no dance floor".*

- In accordance with Council's resolution, a "no dance floor" restriction was placed on both the Provincial liquor primary license and on the City of Surrey business license for the ULounge. The establishment has been in operation with this restriction for over a year.

Proposal

- At the September 14, 2009 Council-In-Committee Meeting, the owner of the ULounge appeared as a delegation before Council and requested that Council remove the "no dance floor" restriction from their liquor primary license and business license. The owner indicated that having a designated dance floor would address the needs of his clientele. Council requested that staff report back to Council on the request.
- City Staff contacted the Liquor Control and Licensing Branch ("LCLB") to determine the process required to remove the existing no-dance floor restriction from the Provincial liquor primary liquor license. The LCLB advised that since the "no dance floor" restriction was imposed by Surrey Council through resolution, a Council resolution is recommended to remove this requirement from the liquor license.
- At the October 19, 2009 Regular Council – Land Use Meeting, Council considered a Corporate Report (No. L005) from Staff recommending a procedural approach to address the request by the owner of the ULounge to remove the "no dance floor" restriction from the ULounge liquor primary license. In the report, staff recommended that, since the liquor primary license for the ULounge is already in existence, the City's established Liquor License Amendment process be followed to address the request. Through this process, the appropriate public notification processes could be undertaken, after which Council could consider passing a resolution, including any conditions that Council views necessary, regarding the removal of the "no dance floor" restriction from the license. Council received the report and the staff recommendations, and directed the City Clerk to forward a copy of the report to the owner of the ULounge.
- On October 26, 2009 the owner of the ULounge submitted the subject liquor license amendment application to request removal of the "no dance floor" restriction from their liquor primary license and business license.

Internal and external referrals

- In accordance with the established Liquor License Amendment process, staff referred the application to the Surrey By-laws & Licensing Services Department and to the Surrey RCMP and neither had concerns with the proposed elimination of the 'no dance floor' restriction from the liquor primary liquor license and business license for the ULounge.

PRE-NOTIFICATION

- Pre-notification letters were sent to all properties within 100 metres (300 ft.) of the subject site on November 13, 2009 and a development proposal sign was erected on the property. Staff received no response.

Evaluation and Recommendation

- The inclusion of a dance floor is not regulated by LCLB in Liquor Primary Establishments unless the local government explicitly requires such a restriction. As no responses were received from the pre-notification, there appears to be no further public concerns with the dance floor on this site. Therefore, staff recommend that the proposal proceed to Public Notification.
- The pre-notification boundary used to advise neighbouring property owners of the proposal for a dance floor on the liquor primary liquor license and business license for the ULounge is the same boundary as was used to advise neighbouring property owners of the original liquor primary liquor license application for the ULounge.
- After the required 3-week notification period, Council could consider the responses received, and decided on whether to pass a resolution regarding the requested removal of the "no dance floor" restriction from the liquor primary liquor license and business license for the ULounge. A copy of this resolution could then be forwarded by staff to the General Manager, LCLB and to the Manager, By-laws & Licensing Services for appropriate action.

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. | ULounge Liquor Primary Establishment Location Map |

Jean Lamontagne
General Manager
Planning and Development

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DEVELOPMENT DATA SHEET

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

Required Development Data	Minimum Required / Maximum Allowed	Shopping Centre
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		49,248 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	31%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front	3.0 m	3.0 m
Rear	3.0 m	3.0 m
Side #1 (North)	13.5 m	13.5 m
Side #2 (South)	3.0 m	3.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	12 m	5 m – 9.1 m
Accessory	4.5 m	
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail	15,759 m ²	15,315 m ²
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA	15,759 m ²	15,315 m ²

** 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)	0.32	0.31
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	458	647
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		
Number of disabled stalls	6	17
Number of small cars		42
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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