



Corporate NO: R151

Report COUNCIL DATE: July 4, 2000

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **June 22, 2000**

FROM: **General Manager, Planning & Development** FILE: **0023-13680**

SUBJECT: **Regulating Exotic Performers in Neighbourhood Pubs**

RECOMMENDATION

It is recommended that:

1. the Surrey Business License By-law No. 13680 be amended as outlined in Appendix A to prohibit all types of entertainment involving exotic performers in any premise which is licensed under the Liquor Control and Licensing Act, R.S.B.C. 1996 Chap. 267 as a Neighbourhood Pub ("D" liquor license); and
2. the City Clerk be authorized to introduce the necessary amendment by-laws for the required readings.

BACKGROUND

At the Monday, May 15, 2000 Regular Council meeting, Council heard a delegation by Mr. Michael Gerstner who was in attendance with respect to a proposal to change the former Sirloiner Restaurant, which is located in a strip mall at 19475 Fraser Highway, into an upscale pub offering exotic adult entertainment.

From a land use perspective, entertainment involving exotic performers is not deemed compatible with the residential environment in which neighbourhood pubs are typically located. As such, Council directed staff to prepare a report for Council's consideration outlining proposed by-law amendments to prohibit exotic performers from neighbourhood pubs in Surrey.

DISCUSSION

- *Establishments Providing Exotic Adult Entertainment in Surrey*

Provincial regulations related to the Liquor Control and Licensing Act permit exotic performers in Hotels and Resorts ("A" liquor license), Cabarets ("C" liquor license) and Neighbourhood Pubs ("D" liquor

license).

At this time, no neighbourhood pubs in Surrey provide exotic adult entertainment. The four premises in Surrey of which the City is aware, which provide such entertainment are all licensed as Class “A” and/or Class “C” establishments (some hotels provide dance floors for night time entertainment, and therefore must hold both a Class A liquor license for a hotel and a Class C liquor license for a cabaret).

· *Regulating Exotic Adult Entertainment*

Section 50(1) of the Liquor Control and Licensing Act provides that a municipality may restrict or prohibit any or all types of entertainment permitted under the regulations pursuant to the Act.

The Liquor Control and Licensing Act regulations state that establishments licensed as Class D Neighbourhood Pubs are typically located in residential environments, are welcoming to neighbourhood residents, and are influenced by community values.

From a land use perspective, exotic adult entertainment is not deemed compatible with the residential environment in which Class D licensed establishments are typically located, nor is it consistent with the planning principles which act as a basis for permitting pubs in community commercial areas. As such, it is recommended that Surrey Business License By-law No. 13680 be amended as outlined in Appendix A to prohibit all types of entertainment involving exotic performers in any establishment which is licensed under the Liquor Control and Licensing Act as a Neighbourhood Pub (“D” liquor license).

CONCLUSION

From a land use perspective, entertainment involving exotic performers is not deemed compatible with a residential environment. It is, therefore, recommended that Surrey Business License By-law No. 13680 be amended as outlined in Appendix A to prohibit all types of entertainment involving exotic performers in any establishment which is licensed under the Liquor Control and Licensing Act as a Neighbourhood Pub (“D” liquor license). The proposed amendments have been found satisfactory by the Legal Services Division

Murray D. Dinwoodie

General Manager

Planning & Development Department

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