

**Corporate** NO: R170**Report** COUNCIL DATE: July 16, 2001

<b>REGULAR COUNCIL</b>			
TO:	<b>Mayor &amp; Council</b>	DATE:	<b>July 5, 2001</b>
FROM:	<b>General Manager, Planning &amp; Development</b>	FILE:	<b>0065-012 2150-001</b>
SUBJECT:	<b>Parking Related to Increased Seating in Liquor-Licensed Establishments</b>		

**RECOMMENDATION**

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Instruct staff to examine, on a case-by-case basis in comparison to the City's current parking standards, the adequacy of parking related to applications by liquor licensed establishments for increased liquor licensed seating and to include the results of such examination in the report to Council on each such application.

**INTENT**

This report responds to Council's request of February 26, 2001 to provide information on the parking implications for the City, resulting from the change to the Liquor Control and Licensing Regulations which provide for an increase, under certain conditions, in seating capacity for certain liquor licensed establishments.

**BACKGROUND**

On May 31, 1999 Council received a Corporate Report, as information, on the progress of the Liquor Control and Licensing Regulations review that was initiated by the Province in November of 1998. This policy review has now resulted in changes to the Liquor Control and Licensing Regulations including the provision for increased seating capacity for hotel pubs and lounges, resort pubs and lounges, restoration pubs, marine pubs, neighbourhood pubs, cabarets and winery lounges. Under the new provincial policy, seating capacity in the above referenced liquor licensed establishments may now, or at any time in the future, be increased by 50% or up to the building occupancy capacity (maximum load) whichever is the lesser, subject to local government input.

Council, at the Monday, February 26, 2001 Council-in-Committee meeting, received a delegation from the British Columbia Liquor License & Retailer Association. The delegation discussed recent changes to the Liquor Control and Licensing Regulations and the City's involvement in the application/approval process. Following the delegation's presentation, Council requested that staff prepare a report on how the bulk applications for increased seating capacity received by the City from the Province would be processed and on the parking implications of the increased seating provisions in the new Liquor Control and Licensing Regulations. This report responds to Council's request for information on the parking implications.

The Liquor Control and Licensing Branch forwarded for Council's consideration, 24 applications for seating capacity increases from liquor licensed establishments which included 18 applications from neighbourhood pubs in the City. Council received Corporate Report No. R061 on March 26, 2001, which outlined the process that would be followed in processing these applications. A number of applications have recently been withdrawn. At this time there are 14 applications before the City, all of which are related to neighbourhood pubs. There are a total of 42 liquor-licensed establishments (includes cabarets and lounges) within the City. This number does not include liquor licensed eating establishments. Any application by a liquor licensed establishment to the Liquor Control and Licensing Branch for an increase to licensed seating capacity requires a resolution by Council as to whether or not the City supports the application. If Council does not support the application for increased seating capacity, in most circumstances, the application will not be approved by the Liquor Control and Licensing Branch.

## **DISCUSSION**

### **Surrey's Existing Parking Space Standard**

Surrey's current parking standard for liquor-licensed establishments is 10 parking spaces for every 100 sq. m. [1,075 sq.ft.] of gross floor area and is based on the demand that would be generated by the maximum occupancy load of the related building. This parking standard was adopted in 1999. Applications from liquor licensed establishments to increase licensed seating capacity, resulting from the recent revisions to the Liquor Control and Licensing Regulations, may need to address parking since previous City parking standards, in some instances, would have resulted in fewer parking spaces than the current standard requires.

Changes to the Liquor Control and Licensing Regulations allow liquor licensed establishments to increase their seating capacities by 50%, or up to the building occupancy capacity (maximum load), whichever is the lesser. The exact amount of increased seating that can be allowed under the new Provincial policy will depend on how close the current licensed seating capacity in each licensed establishment is to the building's occupancy capacity. In most cases, this will allow liquor licensed establishments including neighbourhood pubs to increase their seating capacity by 50%. The Provincial policy sets the building occupancy capacity as the absolute limit for seating occupancy in any building. As such, the application of the current parking standard, in determining adequacy of parking, is reasonable since it is based on the maximum occupancy capacity of the building.

Generally, there is no requirement for a Building Permit for a tenant improvement to accommodate the increase in licensed seating capacity as the building has received approval up to at least that occupancy limit through the original Building Permit. However, should a liquor licensed establishment wish to increase the building occupancy capacity (expand the building), a Building Permit would be required, at which time, all applicable By-law requirements, including parking, would need to be satisfied prior to the Building Permit being issued.

Based on the above, it is recommended that the adequacy of parking be examined on a case-by-case basis when the neighbourhood pub applications for increased seating are reviewed and that, for the purpose of checking the adequacy of parking spaces, the City's current parking standard be applied. It is further recommended that the results of this examination be reported to Council as part of the report on each of the subject applications.

### **Options for Addressing Increased Parking Requirements**

Where on-site parking for an establishment falls short of the parking required under the City's current parking standard, Council could consider withholding its endorsement of the application for additional seating unless the applicant demonstrated that it had provided sufficient parking spaces. The following options could be considered by the applicant in attempting to satisfy this requirement:

- provide additional parking off-site on a lot within 200 meters [655 ft] of the licensed establishment, as permitted in the Zoning By-law, which may include joint use parking agreements with other businesses where the parking demand is complementary to the demand created by the liquor licensed establishment; or
- proceed through the Development Variance Permit process, including the provision of justification for reduced parking and notification of the owners of the adjacent properties to determine if there are neighbourhood concerns regarding parking.

## CONCLUSION

A policy review by the Province's Liquor Control and Licensing Branch has resulted in revised Liquor Control and Licensing Regulations that allow increased licensed seating capacity for liquor licensed establishments, including neighbourhood pubs. It is recommended that staff be instructed to examine the adequacy of on-site parking for applications for increased liquor licensed seating and that the current parking standard of 10 parking spaces per 100/sq. m [1,075 sq.ft.] of gross floor area be applied. It is further recommended that the results of this review be reported to Council as part of the report

on each such application for increased seating. Where existing on-site parking is deficient, Council could consider withholding its endorsement of the application subject to the applicant demonstrating that parking demand has been adequately addressed.

Murray D. Dinwoodie  
General Manager

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