



# Corporate Report

2003

NO: R199

COUNCIL DATE: September 15,

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## REGULAR COUNCIL

TO: Mayor & Council                      DATE: September 11,  
2003

FROM: General Manager,                      FILE: 4320-50  
Planning & Development                      3900-01

SUBJECT: Amendments to Existing CD By-laws to Regulate  
Private Liquor Stores and  
Amendments to the Zoning By-law to Add Parking  
Requirements for Liquor Stores

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## RECOMMENDATION

It is recommended that Council:

1. Receive this report as information;
2. Approve text amendments to CD By-law Nos. 8537, 8818 11578, 12282, 12835, and 13882, as documented in Appendices "A" through "F", attached to this report, to insert *liquor store* as a permitted use;
3. Approve text amendments to Surrey Zoning By-law, 1979, No. 5942, as amended and Surrey Zoning By-law, 1993, No. 12000, as amended, as documented in Appendices "G" and "H" , attached to this report, to clarify off-street parking requirements for liquor stores; and
4. Authorize the City Clerk to bring forward the necessary amendment by-laws for the required readings and to set a date for the related Public Hearing.

## INTENT

The purpose of this report is to obtain Council approval for text amendments to six existing Comprehensive Development (CD) Zones, under which existing liquor-primary establishments operate in Surrey and for text amendments to the Surrey Zoning By-laws to clarify off street parking requirements for liquor stores. The owners of these liquor-primary establishments, covered by the subject CD Zones, each have an application for a licensee retail store licence currently in-stream with the Liquor Control and Licensing Branch ("LCLB"). This report proposes that these six CD by-laws be amended to insert *liquor store* as a permitted use in accordance with the general direction set by Council, as a result of its consideration of Corporate Report No. R142 in June 2003.

## BACKGROUND

In response to on-going changes to provincial liquor licensing and distribution policies, Council instructed staff to prepare zoning by-law amendments which enhance the City's ability to control the location and number of licensee retail stores (i.e., private liquor stores). As per Council instructions, staff prepared Corporate Report No. R142 (attached as Appendix "I"), which Council considered at its June 23, 2003 Regular meeting. On July 21, 2003, Council adopted amendments to Surrey Zoning By-law, 1993, No. 12000 and Surrey Zoning By-law, 1979, No. 5942 (the "Zoning By-law") to control the location of licensee retail stores (i.e. "private liquor stores"). The amendments included a new definition for "*liquor store*". Based on the amendments to the zoning, liquor stores are only permitted in the Community Commercial Zone (C-8) and Town Centre Commercial Zone (C-15).

DISCUSSION

Up to April 2002, the BC government had placed a moratorium on new Licensee Retail Store ("LRS") applications with the LCLB. In April 2002, the moratorium on LRS applications was lifted and any owner of a liquor-primary licensed establishment who wanted to obtain a license to operate a licensee retail store had to make application by November 29, 2002, to be considered. A number of applications were made for locations in the City of Surrey. As a result, Council directed that staff develop a framework to regulate where these private liquor stores could be located. Corporate Report R142, which was considered by Council in June 2003, recommended changes to the Zoning By law to control the number and location of liquor stores in the City. These recommendations were adopted by Council and the related Zoning By-law amendments have also been adopted. Staff advised Council in Corporate Report No. R142 that staff would need to review the CD By-laws with a view to making amendments to those by laws, where appropriate, to make them consistent with the amendments that were made to the Zoning By-law to restrict the location of liquor stores in the City.

Staff has now completed such a review of the CD By-laws. Six liquor-primary establishments have applied for licensee retail store licenses, but are located in CD Zones. The Zoning By-law amendments recently approved by Council have "de facto" eliminated liquor stores as a permitted use in these CD Zones. However, these sites are ones where licensee retail stores should be permitted, based on the direction set by Council in relation to allowing a licensee retail store in combination with the existing liquor-primary establishment. Therefore, amendments to each of these six CD Zones are recommended, as documented Appendices "A" through "F". These amendments will allow a licensee retail store on the site covered by each of these CD Zones only in conjunction with a liquor-primary establishment. In each circumstance, the related liquor-primary establishment has already been through a Council approval process, being either a public hearing for an associated rezoning application or a public notification/hearing for a liquor permit application.

**Liquor-Primary Licensed Establishments Zoned CD, which have applied for Licensee Retail Store**

The following is a description of each of the properties covered by the CD Zones that this report recommends be amended to allow a licensee retail store as a permitted use:

1.	<b>Tudor Inn – 187-176 Street. Zoned CD By law No. 8537</b>	CD By-law No 8537 was adopted in 1986. The current use of the site is the Tudor Inn. Hotels are permitted to have a liquor-primary establishment (public house) as a permitted use.

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2.	<b>Brownsville Bar Marine Pub – 11940 Old Yale Road. Zoned CD By-law No. 8818</b>	CD By-law No. 8818, covering this site was adopted in 1986. This CD zone includes marine pubs as a permitted use.

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3.	<b>Brewster's Liquor Emporium – 7380 King George Highway. Zoned CD By law No. 11578</b>	CD By-law No. 11578 was adopted in 1993 and includes neighbourhood pub as a permitted use. A neighbourhood pub is located in a former restaurant in the shopping mall on the site. Council has reviewed the liquor-primary application and the liquor permit was approved by Council on April 28, 2003. Since the time of application, the name of this establishment has been changed from the former Arnoldo's Liquor Emporium to Brewster's Liquor Emporium.

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4.	<b>Big Ridge Brew Brewing Company – 15133 Highway No. 10. Zoned CD By-law No. 12282</b>	CD By-law No. 12282, for the commercial site at the corner of Highway No. 10 and 152 Street, adopted in 1995, includes neighbourhood pubs as a permitted use. The current use of the site is the Panorama Village shopping centre, a multi-tenant shopping development, which includes the Big Ridge Brewing Company, a liquor-primary establishment.

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5.	<b>Samz Pub 19580 - 56 Avenue Zoned CD By-law No. 12835</b>	CD By-law No. 12835 for this site was adopted in 1997 and includes neighbourhood pub as a permitted use. The site is currently occupied by Samz Pub, a neighbourhood pub.

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6.	<b>Central City Brew Pub– Zoned CD By law No. 13882</b>	The CD By-law No. 13882 for this site, that is home to the Central City Tower, was adopted in 1999 and includes neighbourhood pubs as a permitted use. The Central City Brew Pub is currently under construction in the northeast corner of the ground floor of the Central City building.

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**Proposed Revisions to CD By-laws**

Appendices "A" through "F" outline the recommended amendments to the above-referenced CD By-laws. In each case, the amendments are limited to the inclusion of *liquor store* as a permitted use in the text of the by-law and minor re-numbering of the permitted use section of each by-law.

**Proposed Text Amendments Related to Off-Street Parking Requirements for Liquor Stores**

The Zoning By-law amendments completed in July 2003, in addressing issues related to private liquor stores, did not specifically include Off-Street Parking requirements for liquor store uses.

To rectify this deficiency, it is recommended that Part V – Off-Street Parking in Surrey Zoning By-law, 1979, No. 5942 be amended to include *liquor store* under Section D.9 relating to "Other Retail Establishments". This will require that liquor stores provide 3 spaces per 100 square metres of floor area with a minimum of 4 parking spaces to be provided for each store. This is the same requirement as for other retail stores uses as has been the case for liquor stores until the recent by-law amendments.

The proposed amendment to Surrey Zoning By-law, 1993, No. 12000, as amended is to insert a new line in Table C.2: Parking Requirements under Commercial Uses to include liquor stores. With this amendment the off street parking requirement for a liquor store will be the same as for other retail store uses as has been the case for liquor stores until the recent by-law amendments.

**SUMMARY**



The amendments to the Zoning By-law, given final adoption by Council on July 21, 2003, act to control the location of licensee retail stores (private liquor stores) in the City. This report addresses amendments to related CD By-laws that are consistent with the recent amendments to the Zoning By-law, focussed on regulating the location of liquor stores in the City. It is recommended that Council approve amendments to six CD By laws as documented in Appendices "A" through "F", attached to this report. It is also recommended that Council approve amendments to the City's Zoning By-laws as

documented in Appendices "G" and "H" that will establish off-street parking requirements for liquor stores. It is further recommended that Council instruct the City Clerk to bring forward the necessary amendment by-laws for the required readings and to set the date for the related public hearing.

Murray Dinwoodie  
General Manager  
Planning and Development

BK/kms/saw

- Appendix "A" - Proposed Amendment to CD By-law No. 8537
- Appendix "B" - Proposed Amendment to CD By-law No. 8818
- Appendix "C"- Proposed Amendment to CD By-law No. 11578
- Appendix "D" - Proposed Amendment to CD By-law No. 12282
- Appendix "E" - Proposed Amendment to CD By-law No. 12835
- Appendix "F" - Proposed Amendment to CD By-law No. 13882
- Appendix "G" – Proposed Amendment to Zoning By-law 5942
- Appendix "H" – Proposed Amendment to Zoning By-law 12000
- Appendix "I" – Corporate Report No. R142

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Appendix "A"

Proposed Amendments to  
Part 1 of Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1986, No. 8537  
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The following amendments are proposed to Part 1 of Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1986, No. 8537:

That Section 1.B.(a) be amended by inserting the following:

- "7. *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "B"

Proposed Amendments to  
Surrey Zoning By-law, 1979, No. 5842, Amendment By-law, 1986, No. 8818

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The following amendments are proposed to Surrey Zoning By-law, 1979, No. 5842, Amendment By-law, 1986, No. 8818:

That Section 1.B) be amended by inserting the following:

- "4) *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "C"

Proposed Amendments to  
Surrey Zoning By-law 1979, No. 5942, Amendment By-law, 1992, No. 11578

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The following amendments are proposed to Surrey Zoning By-law 1979, No. 5942, Amendment By-law, 1992, No. 11578:

That Section 2.B.(a) be amended by deleting "Liquor stores and tobacconists" and inserting the following:

- "- *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "D"

Proposed Amendments to  
Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1994, No. 12282

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The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1994, No. 12282:

That Section 2.B.1. be amended by inserting the following Subsection (f) and renumbering the subsequent Subsections accordingly:

- "(f) *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "E"

Proposed Amendments to  
Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1996, No. 12835

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The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1996, No. 12835:

That Section 2.B. be amended by inserting the following:

"3. *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "F"

Proposed Amendments to  
Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13882

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The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13882:

That Section 2.B. be amended by inserting the following Subsection 6. and renumbering the subsequent Subsections accordingly:

"6. *Liquor store*, permitted only in conjunction with a "liquor primary" licensed establishment, with a valid license issued under the regulations to the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267. s. 84, as amended".

Appendix "G"

Proposed Amendments to  
Surrey Zoning By-law, 1979, No. 5942, as amended

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The following amendments are proposed to Surrey Zoning By-law, 1979, No. 5942, as amended:

That Section D.9.(b) of Part V – Off-Street Parking be deleted and replaced with the following:

"(b) Other establishments, including *liquor store* .....Three (3) spaces for each one hundred (100) square metres of gross floor area provided that a minimum of four (4) spaces are provided for each store".

Appendix "H"

Proposed Amendments to  
Surrey Zoning By-law, 1993, No. 12000, as amended

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The following amendments are proposed to Surrey Zoning By-law, 1993, No. 12000, as amended:

That the following be inserted in Table C.2: Parking Requirements for Commercial Uses of Part 5 – Parking and Loading/Unloading after *Golf Driving Ranges*:

<i>Liquor Store</i>	See Retail Uses.
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