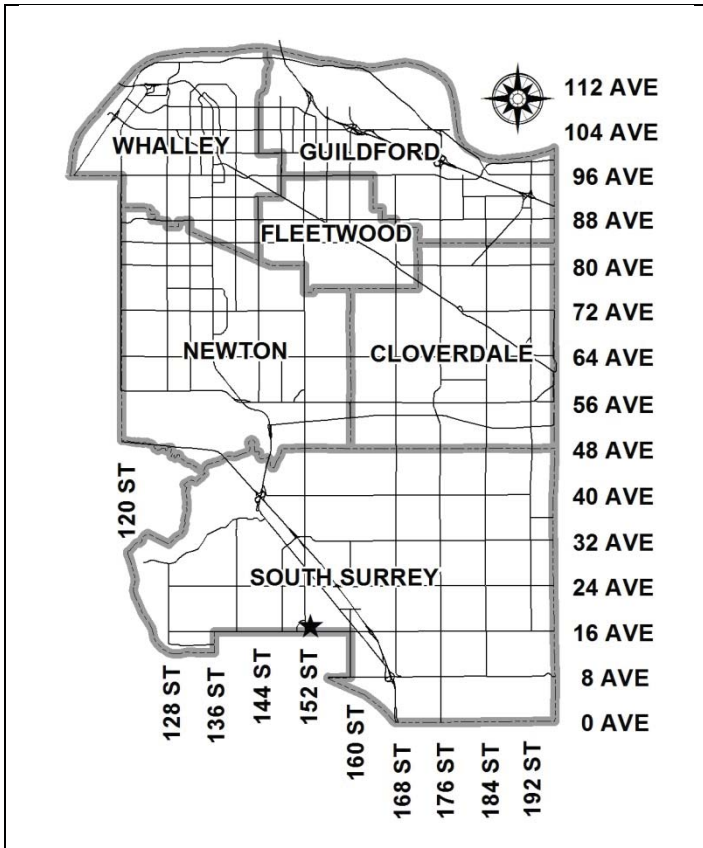


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7916-0364-00

Planning Report Date: November 21, 2016

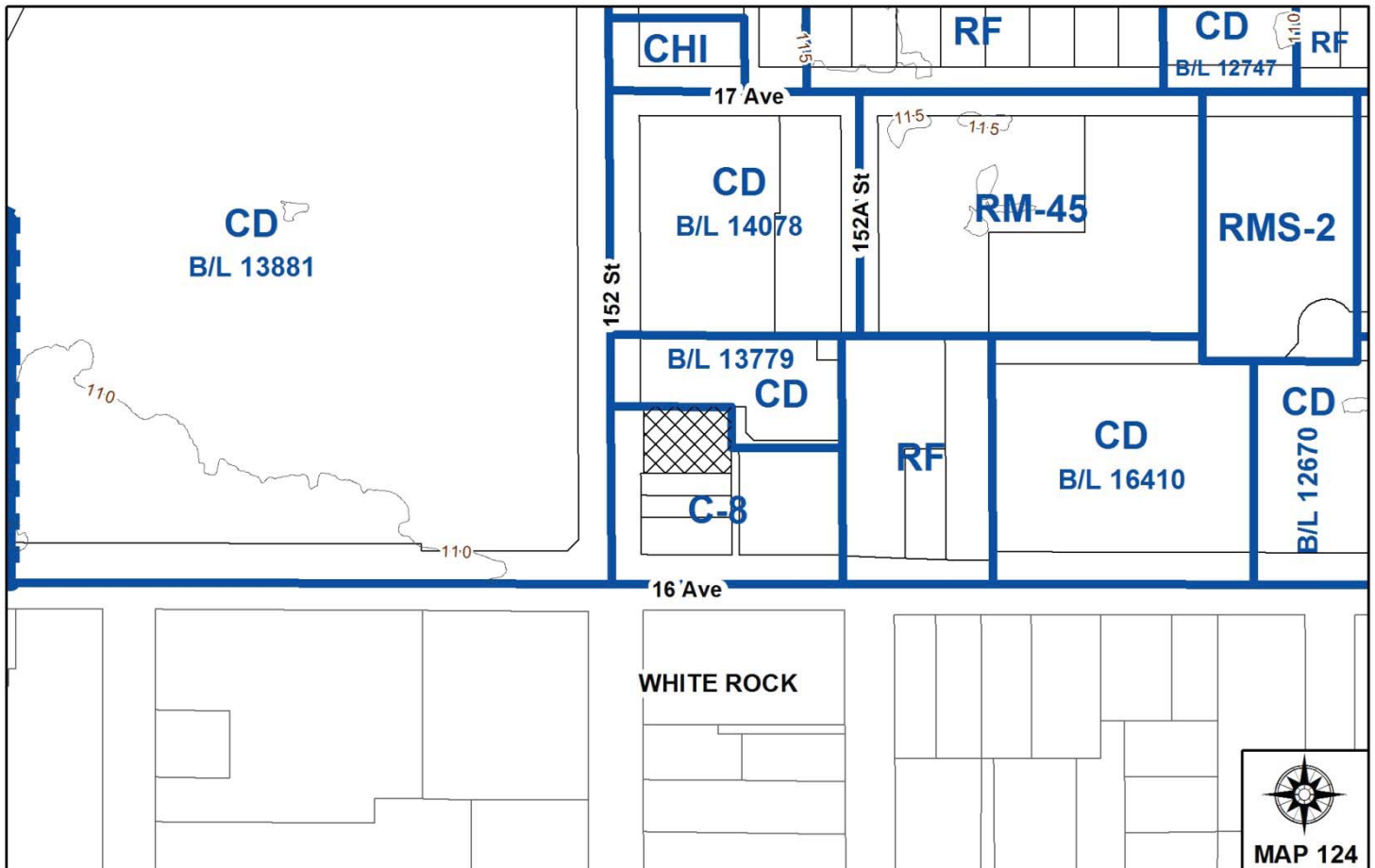


**PROPOSAL:**

- **Liquor License Amendment**

to permit the extension of the hours of operation for a liquor primary licensed establishment (Sawbuck's Neighbourhood Pub).

**LOCATION:** 1626 - 152 Street  
**OWNER:** Charterhouse Properties Ltd.  
**ZONING:** C-8  
**OCP DESIGNATION:** Town Centre  
**TOWN CENTRE PLAN DESIGNATION:** Town Centre



### RECOMMENDATION SUMMARY

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

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

### RATIONALE OF RECOMMENDATION

- The RCMP and By-laws & Licensing Division have expressed no concerns with the proposal.
- A liquor-primary establishment has operated on-site continually since 1994.
- The applicant volunteered to enter into a Good Neighbour Agreement with the City of Surrey to address any potential noise, disorder, and other behavioral issues associated directly or indirectly with the business and patrons of the business.
- A Corporate Report (L003) was forwarded to Council in February, 2004 which advocated that Council adopt a policy of allowing liquor-primary establishments to operate Sunday through Thursday from 11:00 a.m. to 1:00 a.m. and Friday to Saturday from 11:00 a.m. to 2:00 a.m. The hours of operation proposed for Sawbuck's Neighbourhood Pub are consistent with the hours of operation identified for liquor-primary establishments within the Corporate Report (L003).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the following proposed liquor primary license amendment to proceed to Public Notification:
  - (a) The extension of hours from 10:00 a.m. to 12:00 a.m. on Sunday and 11:00 a.m. to 2:00 a.m. on Friday and Saturday.
2. Council instruct staff to resolve the following issue prior to final approval:
  - (a) Execution of a Good Neighbour Agreement with the City to address any potential noise, disorder, and other behavioral issues associated directly or indirectly with the business and patrons of the business.

REFERRALS

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

Surrey RCMP: No concerns.

Surrey Fire Department: No concerns.

Surrey By-laws & Licensing Services: No concerns.

Building Division: No concerns.

SITE CHARACTERISTICS

Existing Land Use: Sawbuck's Neighbourhood Pub.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/Town Centre Designation</b>	<b>Existing Zone</b>
North:	Beer and Wine Store	Town Centre/ Town Centre	CD (By-law No. 13779)
East:	Commercial/ retail uses	Town Centre/ Town Centre	C-8
South:	Commercial/ retail uses	Town Centre/ Town Centre	C-8
West (Across 152 Street):	Semiahmoo Shopping Centre	Town Centre/ Town Centre	CD (By-law No. 13881)

DEVELOPMENT CONSIDERATIONSBackground

- The subject property is designated "Town Centre" in the Official Community Plan (OCP) as well as "Town Centre" in the Semiahmoo Town Centre Plan. The property is zoned "Community Commercial Zone (C-8)", which permits liquor-primary licensed establishments (neighbourhood pubs).

Current Proposal

- The current operator of Sawbuck's Neighbourhood Pub has applied to the Liquor Control and Licensing Branch for a Liquor Primary License Amendment to extend the hours of operation. At present, the liquor-primary establishment is permitted to operate from 11:00 a.m. to 1:00 a.m. Monday through Saturday and 11:00 a.m. to 12:00 a.m. on Sunday. The applicant proposes to operate from 11:00 a.m. to 1:00 a.m. on Monday through Thursday; 11:00 a.m. to 2:00 a.m. on Friday and Saturday; and 10:00 a.m. to 12:00 a.m. on Sunday. The applicant is essentially requesting to close one hour later on Friday and Saturday, and open one hour earlier on Sunday morning.

Current hours of operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11 a.m.	11 a.m.	11 a.m.	11 a.m.	11 a.m.	11 a.m.	11 a.m.
CLOSED	1 a.m.	1 a.m.	1 a.m.	1 a.m.	1 a.m.	1 a.m.	12 a.m.

Proposed hours of operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	11 a.m.	11 a.m.	11 a.m.	11 a.m.	11 a.m.	11 a.m.	10 a.m.
CLOSED	1 a.m.	1 a.m.	1 a.m.	1 a.m.	2 a.m.	2 a.m.	12 a.m.

Liquor License Amendment Procedural Requirements

- In accordance with the process adopted by Council on September 29, 2003 (Corporate Report No. R209), an application to amend the hours of operation for a liquor-primary establishment is required to proceed through a process similar to a Development Variance Permit application.
- In addition, the applicant is required to erect a Development Proposal Sign on-site and Pre-notification Letters are mailed to property owners located within 100 metres (300 ft.) of the subject property in order to solicit public input on the Liquor License Amendment application.

Standard Hours of Operation for Liquor-Primary Establishments

- Council adopted a policy toward liquor-primary establishment amendment applications under Corporate Report L003 (February, 2004) which established the following hours of operation:
  - o Sunday through Thursday from 11:00 a.m. to 1:00 a.m.; and

- Friday and Saturday from 11:00 a.m. to 2:00 a.m.
- Therefore, the hours of operation proposed by the applicant are generally consistent with the policy adopted by Council, except for the proposal to open one hour earlier on Sunday morning.

#### Liquor License Approval Procedure

- The Liquor Control and Licensing Branch (LCLB) requires the applicant to obtain the opinion of local government officials before a liquor-primary amendment application is considered for approval. In addition, the LCLB requires that Council provide comments on how the site meets the following criteria which ensures adequate consideration has been given to the application:

#### Potential for noise if the application is approved

- The liquor-primary establishment is located within a retail complex. The adjacent buildings are occupied primarily by commercial businesses.
- The closest residential development is located at 1685-152A Street, approximately 45 metres (148 ft.) from the liquor-primary establishment. However, these residences are in close proximity to the parking lot uses by patrons of Sawbuck's Neighbourhood Pub. These residences are screened from the parking lot by a fence and landscaping in excess of a 1.82 metre (6 ft.) in height.
- It is not anticipated that the proposed extended hours will generate additional noise complaints from the surrounding neighbourhood. However, it is acknowledged that the proposed extension of the hours of operation by one hour on Friday and Saturday could result in any after business hours disturbances also being extended further in to the early morning hours.

#### The impact on the community if the application is approved

- The proposal to expand the existing liquor service hours will not result in a change in the occupancy load and, therefore, should not result in added noise or negatively impact the surrounding neighbourhood.
- A liquor-primary establishment has operated on-site since 1994. The RCMP and By-laws & Licensing Division have no concerns with the proposal.

#### Will the amendment result in the establishment operating contrary to its primary purpose?

- The primary purpose of Sawbuck's Neighbourhood Pub is a liquor-primary establishment (i.e. neighbourhood pub). It is not anticipated that changing the hours of operation would result in the business operating in a manner that is contrary to the liquor-primary license.

Good Neighbour Agreement (Policy No. M-25)

- In accordance with Good Neighbour Agreement Policy (No. M-25), City staff require operators of liquor-primary establishments to enter into a Good Neighbour Agreement which provides a formal and defined role for the proprietor in the prevention of, as well as response to, negative issues that may arise from the business operation. Subject to approval from the Liquor Control and Licensing Branch, the applicant is required to enter into a Good Neighbour Agreement that is attached to the Business License and ensures minimal impact on the surrounding community.

PRE-NOTIFICATION

A Development Proposal Sign was installed on-site and Pre-notification Letters were mailed on October 6, 2016 to solicit the opinions of residents within 100 metres (300 ft.) of the property. Staff received five (5) emails and phone calls expressing the following concerns:

- Several residents of the apartments located at 1685 - 152A Street and 15270 - 17 Avenue expressed concerns related to the noise levels emanating from the parking lot behind Sawbuck's Pub after business hours. At present it is common to hear loud conversations, arguments, and vehicles leaving the parking lot, long after the pub has closed. Extending the hours of operation by one hour on Friday and Saturday would result in these disturbances being extended further in to the early morning hours.

*(The extended hours of operation are not expected to increase the noise related disturbances associated with the establishment. However, it is acknowledged that extending the hours of operations by 1 hour on Friday and Saturday also extends the period of afterhours disturbances by one hour. The owner has agreed to enter into a Good Neighbour Agreement with the City).*

CONCLUSION

- The applicant has volunteered to enter into a Good Neighbour Agreement with the City of Surrey.
- City staff recommend the application proceed to Public Notification to solicit additional comments from the neighbourhood.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I. Lot Owners and Action Summary

*original signed by Ron Hintsche*

Jean Lamontagne  
General Manager  
Planning and Development

RJG/da

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent:      Name:                      Rod Egerton  
   Sawbucks Pub  
   Address:                      1626 - 152 Street  
   Surrey, BC V4A 4N2
  
2.      Properties involved in the Application
  - (a)      Civic Address:                      1626 - 152 Street
  
  - (b)      Civic Address:                      1626 - 152 Street  
   Owner:                                      Charterhouse Properties Ltd  
   PID:    025-930-290  
   Lot A Section 14 Township 1 New Westminster District Plan BCP10927
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Proceed with Public Notification to solicit public opinion with respect to a liquor license amendment.