



ADMINISTRATIVE REPORT

Report Date: March 29, 2016
Contact: Sarah Hicks
Contact No.: 604.873.7546
RTS No.: 11284
VanRIMS No.: 08-2000-20
Meeting Date: May 18, 2016

TO: Standing Committee on City Finance and Services

FROM: Deputy Chief Licence Inspector

SUBJECT: 2390 West 10th Avenue - Meraloma Club
New Liquor Primary Licence Application and Outdoor Patio
Liquor Establishment Class 7 - Private Club

RECOMMENDATION

THAT Council, having considered the opinion of local area residents and business operators as determined by neighbourhood notification, site sign, noise impacts and relevant Council policy as outlined in this Administrative Report, endorse the request by Meraloma Club for a 107 person Liquor Primary Club licence (Liquor Establishment Class 7 - Private Club) and a 114 person outdoor patio located at 2390 West 10th Avenue subject to:

- i. A maximum total capacity of 107 persons inside and 114 persons outside;
- ii. Hours of operation, limited to 4 pm to 11 pm, Monday to Thursday; 4 pm to 12 midnight, Friday; 11 am to 12 midnight, Saturday; and 11 am to 9 pm, Sunday;
- iii. The outdoor patio ceasing all liquor service and vacated by 10 pm, Monday to Saturday and 9 pm, Sunday;
- iv. No music or entertainment permitted on the patio;
- v. A Time-limited Development Permit;
- vi. An acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- vii. Food service to be provided while the establishment is operating as well as on the patio when open; and
- viii. Signing a Good Neighbour Agreement with the City prior to business licence issuance.

REPORT SUMMARY

The Meraloma Club is requesting a Council resolution endorsing their application for a new 107 person Liquor Primary Club licence with a 114 person outdoor patio (Liquor Establishment Class 7 - Private Club) located at 2390 West 10th Avenue.

Staff is recommending approval of this application subject to the conditions outlined in the Recommendation. The Clubhouse has long been part of the community and there will be little change with respect to how this establishment will operate as the establishment's focus will continue to be a recreational/athletic club and liquor service will be a secondary component. The Meraloma Club currently obtains Special Occasion Licences from the Liquor Control and Licensing Branch for events that are being held and have indicated that there is no intention to increase the number of events but having a Liquor Primary licence would allow the club flexibility in managing the operations and alleviate the need for a separate application for each event.

Given the long history of a recreational/athletic club at this location and the fact that the liquor licence would be for members and guests only with restricted operating hours, staff support this application noting it aligns with Council policy. The requirement for a Time-limited Development Permit, an acoustic report certifying that the establishment meets Noise Bylaw requirements and a Good Neighbour Agreement will also ensure the premise operates in a manner conducive to the surrounding area.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

City role in liquor licence applications - The Liquor Control and Licensing Branch of the Provincial Government has senior authority in approving liquor licence applications. Their regulations require local governments to provide a Council resolution on any liquor primary licence application unless the local government decides to opt out of the application review process. Council policy has been to provide comments on these applications.

Approval process/requirements - Council policy requires new Liquor Primary licences and changes to existing Liquor Primary licences be subject to a Time-limited Development Permit, Good Neighbour Agreement and public consultation.

Hours of service - policy for this Non-Downtown Primarily Residential Use area are:

Standard hours of liquor service:

- 11 am to 12 am, Sunday to Thursday;
- 11 am to 1 am, Friday and Saturday

Extended hours of liquor service:

- 9 am to 1 am, Sunday to Thursday;
- 9 am to 2 am, Friday and Saturday

Size and location of new establishments (Council July 14, 2005) - Council Policy states that Class 7 venues (Private Clubs) be allowed in all areas where "Club" is a permitted land use.

Sidewalk patios adjacent to liquor establishments - On April 17, 2007, Council approved policy and guidelines that allow Liquor Primary establishments to have sidewalk patios on both public and private property subject to:

- Food service being available to the patio;
- A food preparation area large enough to safely handle the capacity increase;
- Closing time of no later than 11 pm;
- Outdoor seating limited to 20% of total seating capacity; and
- Public consultation.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Community Services recommends approval of the foregoing.

REPORT

Background/Context

The applicant is requesting a Council Resolution endorsing the Meraloma Club's application for a new 107 person Liquor Primary Club licence with 114 person outdoor patio (Liquor Primary Class 7 - Private Club) located at 2390 West 10th Avenue (refer to Appendix A). The application requests licensing the main room, sitting room, dart room, president room and patio areas of their clubhouse with operating hours of:

- 4 pm to 11 pm, Monday to Thursday;
- 4 pm to 12 midnight, Friday;
- 11 am to 12 midnight, Saturday and
- 11 am to 9 pm, Sunday.

The outdoor patio hours will close at 10 pm, Monday to Saturday and 9 pm on Sunday. No entertainment is permitted on the patio and food and beverage service will be provided.

The Meraloma Club is a private recreational/athletic club founded in 1923 for members and their guests offering a variety of field sports such as rugby, soccer, field hockey, cricket and fast pitch. Currently there are 795 members. In approximately 1966, the Meraloma Club began using the Connaught Park clubhouse and has had a lease with The Board of Parks and Recreation since 1975. By 1979 the Meraloma Club assumed responsibility for entire building including repairs, maintenance, caretaking duties and maintaining the building's Heritage status.

At the Board of Parks and Recreation meeting on March 23, 2015, the lease with the Meraloma Club was renewed for a 10 year period commencing June 1, 2012. At the same meeting, the Park Board also adopted the following:

“THAT the Park Board approve an application by the Vancouver Meralomas to the Liquor Control Board to obtain a Private Members liquor licence” .

Currently the Meraloma Club applies for up to 10 Special Occasion Licences each year from the Liquor Control and Licensing Branch for special events held at the establishment (i.e. club anniversaries, reunions, or large softball tournament). The Meraloma Club has no intention to increase the number of events from their current situation. Liquor service will only be offered during special events and for members on training days and/or game days. If members are not using the clubhouse, the clubhouse will not be open.

Strategic Analysis

Staff support the proposed application based on the following analysis.

Council Policy

Council Policy allows for Liquor Establishment Class 7 venues (Private Clubs) be allowed in all areas where “Club” is a permitted land use. The Clubhouse building is considered to be an accessory use to the Community Centre and Connaught Park and was re-affirmed by the Director of Planning in 1997.

City’s policy limits outdoor patio seating to 20% of the total seating capacity of the liquor primary establishment. For this application, a 21 person patio would be permitted to comply with this policy. The applicant is requesting approval for a 114 person patio. Council has endorsed previous applications where staff have assessed that potential risks are minimal.

Staff support the request for the 114 person patio as the patio will be used seasonally and only during events open only to members and their guests. As well, the time-limited Development Permit and the 10 pm closing time Monday to Saturday and 9 pm close on Sunday for the patio should also address any potential problems.

Results of Neighbourhood Notification

A neighbourhood notification was conducted by circulating approximately 171 notices in the survey area (refer to Appendix B). A site sign was erected advising the community of the application and where to send concerns or comments. Staff allowed three weeks for the community to respond with concerns or support for the application. A total of 149 responses were received in response to the application.

The results of the notification are summarized as follows:

	Within 750' radius of subject site	Outside 750' radius of subject site	No contact information	Total
Support	11	53	42	106
Opposed	33	4	6	43

A petition containing 44 signatures was also received in opposition of the application.

Respondents opposing the application expressed concerns with increased nuisance issues for the community including:

- Noise;
- Traffic and parking issues;
- Drunk behaviour and disturbances with members congregating in the park and when leaving the clubhouse;
- Safety and vandalism; and
- That the clubhouse will be operate as a nightclub/bar, seven days a week.

Respondents also commented that they felt that the initial proposed hours (9 am to 12 midnight, seven days a week and outdoor patio hours of 9 am to 11 pm, seven days a week) were not appropriate in a residential area with a community centre and schools nearby. Many agreed that they enjoyed watching the games and that the Vancouver Meralomas have been an integral part of the community for many years. Some respondents were also not opposed to the frequency of Special Occasion Licensed events that the Meraloma Club currently holds.

There were concerns expressed as well that the total capacity (107 inside and 114 outside) proposed was too many but it should be noted that when the patio closes, the total capacity inside will remain at 107, not a combination of the interior and patio capacity.

As result of the feedback received from the notification, the applicant organized and held an open house with residents of the community. A total of 11 people attended the open house and concerns surrounding the application were raised and discussed.

After reviewing to the concerns of the community, the applicant amended the application with the following hours:

- 4 pm to 11 pm, Monday to Thursday;
- 4 pm to 12 midnight, Friday;
- 11 am to 12 midnight, Saturday;
- 11 am to 9 pm, Sunday.

The outdoor patio would have hours restricted to 10 pm, Monday to Saturday and 9 pm, Sunday. Liquor service will only be offered during events and for members on training days and/or game days. If members are not using the clubhouse, the

clubhouse will not be open. The clubhouse will be assessable to members and their guests only.

Both Kitsilano Secondary School and Fraser Academy, which are situated within the notification area, have submitted letters of support (refer to Appendix C) for the application.

Location of Establishment

The subject site is located in the RS-7 (One Family Dwelling) Zoning District and for the purposes of liquor policy, it is considered to be located in the Non-Downtown Primarily Residential Use area. Council Policy allows for Liquor Establishment Class 7 venues (Private Clubs) be allowed in all areas where "Club" is a permitted land use. The Clubhouse building is considered to be an accessory use to the Community Centre and Connaught Park and was re-affirmed by the Director of Planning in 1997.

Proximity to other social or recreational facilities and to other Liquor Primary Establishments

The surrounding area is mainly residential with a Community Centre (Kitsilano Community Centre), high school (Kitsilano Secondary School) and a private school (Fraser Academy) located within the 750' radius of the notification area (refer to Appendix A). Two Liquor Primary establishments (one Class 1 and one Class 2) are located nearby and out of the notification area.

A full breakdown of City's Liquor Primary Establishment classification system is included in Appendix D.

Person Capacity and Hours of Operation

The Vancouver Fire Department has reviewed the application and approved an interior occupant load of 107 persons and 114 persons on the outdoor patio (see Appendix A).

The applicant's proposed hours of operation as outlined above, falls under the allowable hours of liquor service for Standard Hours for this Non-Downtown Primarily Residential area. The 114 person outdoor patio will operate until 10 pm, every day except for Sunday when the hours of operation will close at 9 pm. No entertainment or music will be permitted on the patio and food and beverage service on the patio will be provided.

Noise

The proposal for a Liquor Primary Club licence and outdoor patio at this location will require a Time-limited Development Permit. The review process for this type of approval will involve an assessment of neighbourhood impacts, including compatibility with surrounding uses, hours of operation, an on-site loading strategy, social and policing impacts and noise control.

The applicant will be required to submit and adhere to an acoustic report which stipulates the sound levels permitted inside the establishment in order to comply with the Noise Control Bylaw. This should aid in mitigating potential negative community impacts due to noise.

Impact on the Community

There are very few issues/complaints with liquor licences in establishments of this type (Private Clubs). The Meraloma Club has operated at this location since approximately 1966 and there has been no enforcement history associated with this establishment. The Vancouver Police Department has reviewed the application and have no concerns with this application.

The Time-limited Development Permit will provide ongoing reviews to ensure the land use/business remains compatible with the surrounding community. In addition, the Good Neighbour Agreement will set out the City expectations that the business needs to be responsive in dealing with any issues and responsible for creating a positive relationship with the community.

Financial

There are no financial implications.

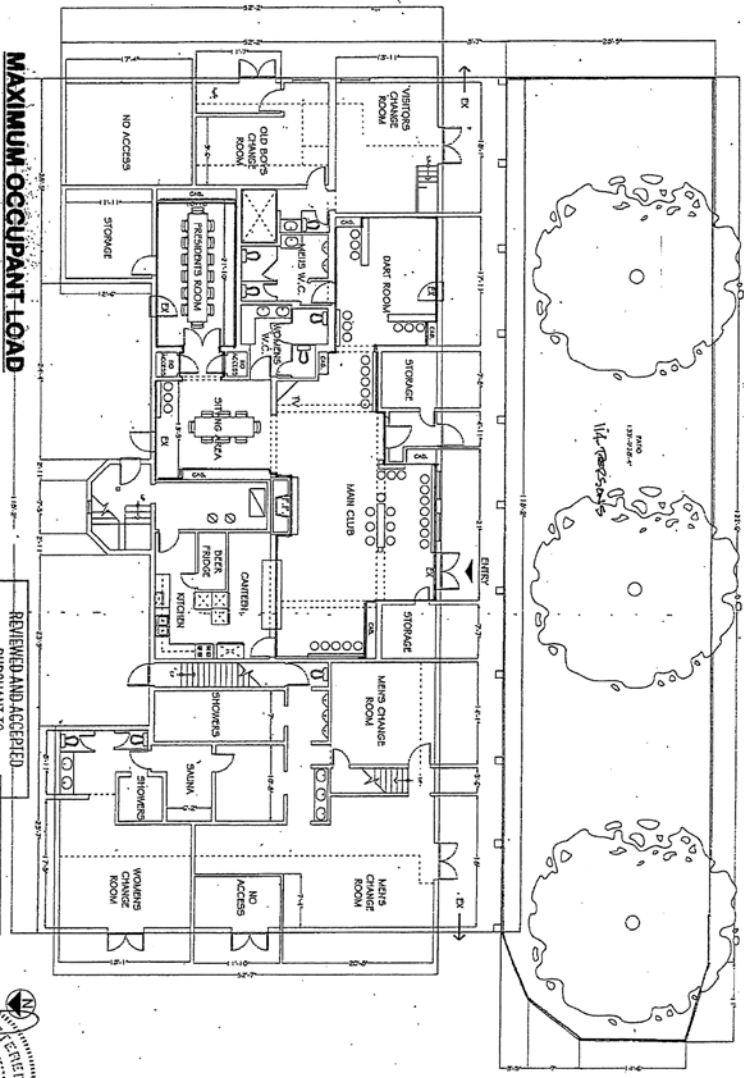
CONCLUSION

Staff are recommending Council endorse the applicant's request for a new 107 person Liquor Primary Club licence with a 114 person outdoor patio subject to the conditions outlined in the Recommendation.

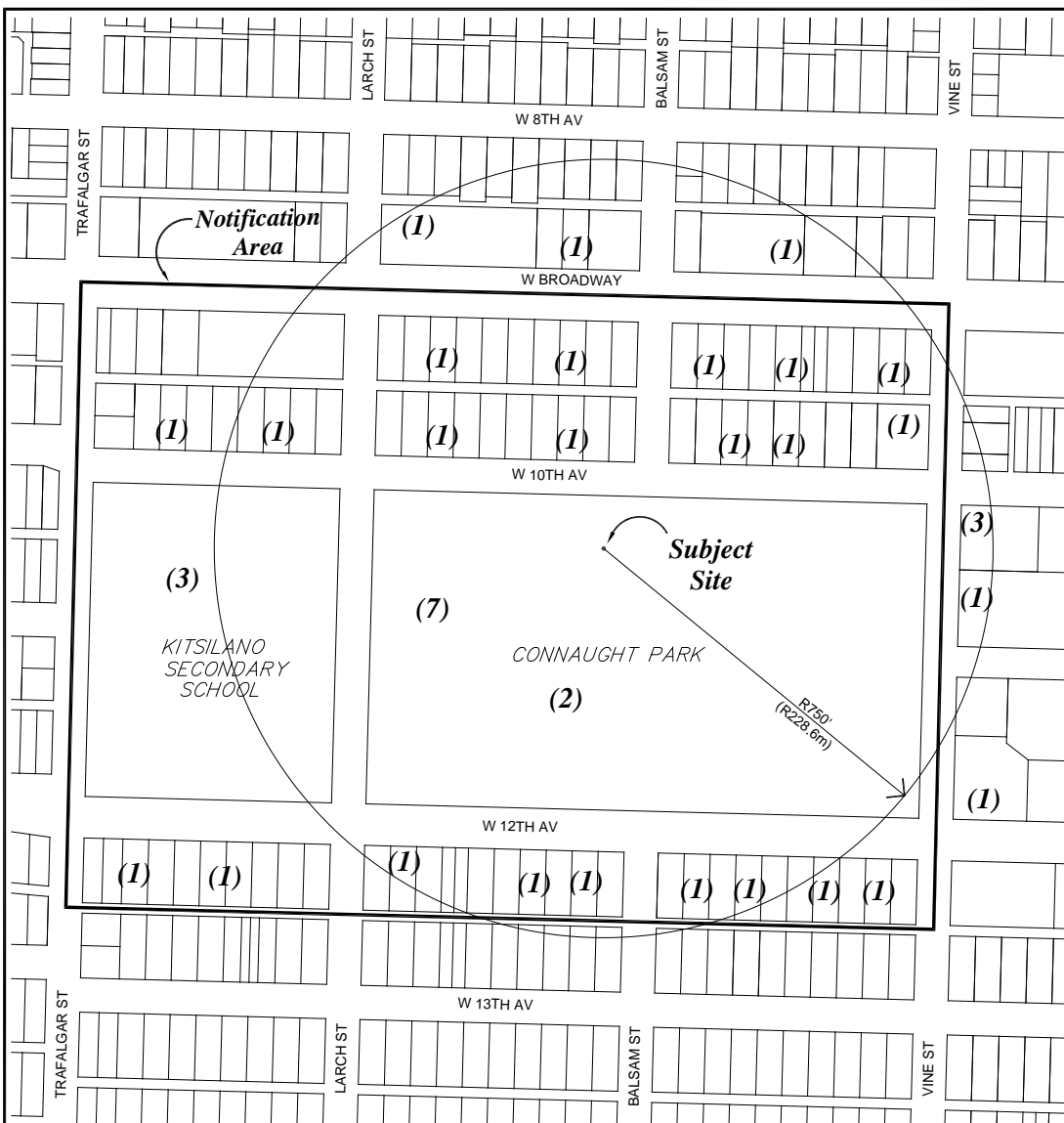
The Meraloma Club has been a long standing member of the community and there will be little change with how this establishment will operate as the establishment's focus will continue to be a recreational/athletic club and liquor service will be a secondary component. The liquor licence will be for members and guests only with restricted operating hours and will be used for training days and/or game days and during specific special events. The requirement for a Time-limited Development Permit, an acoustic report certifying that the establishment meets Noise Bylaw requirements and a Good Neighbour Agreement will also ensure the premise operates in a manner conducive to the surrounding area.

* * * * *

- FOR 1.) LICENSED BEVERAGE ESTABLISHMENTS, NOT PERSONS
 2.) DINING AND CAFETERIA SPACE
 3.) NON FIXED SEATS AND TABLES
 4.) NON FIXED SEATS
 5.) STANDING SPACE
 6.) OTHER USES PATIO 114 PERSONS



<p>Meraloma RFC Clubhouse Connaught Park 2390 W 10TH AVE, VANCOUVER BC</p>	
<p>DATE: 14 MARCH 2016 TIME: 11:00 AM DRAWN BY: AOI</p>	<p>PROJECT: Floor Plan</p>



LEGEND

- 1) Residential Buildings
- 2) Parks - {**Connaught Park**}
- 3) Schools - {**Kitsilano High School, Fraser Academy**}
- 4) Liquor Primary establishments - {**N/A**}
- 5) Government or Private Liquor Stores - {**N/A**}
- 6) Medical Clinics - {**N/A**}
- 7) Social/Private Clubs/Community Centre - {**Kitsilano Community Centre**}
- 8) Churches - {**N/A**}



LIQUOR PRIMARY (LIQUOR ESTABLISHMENT CLASS 7) - Private Club
2390 West 10th Avenue – Meraloma Club

map: 1 of 1





Thursday, February 9, 2016

Ms Cathy Joe
City of Vancouver
453 West 12 Avenue
Vancouver, BC V5Y 1V4

Dear Ms Joe,

Re: Meraloma Club License Application

The Meraloma Club is a long-standing contributing member of the Kitsilano community surrounding Connaught Park. As community members adjacent to the park, it is our experience that Club members consistently conduct themselves in a considerate and respectful manner.

The Club provides open and varied sports programs for community members ages 6 through 60 plus, from several of which, Fraser Academy students and families have benefitted.

Furthermore, the Club regularly picks up garbage in and around the park. Even more importantly, members clean up dog feces left on park playing fields by careless pet owners from surrounding residences! This is an important service to the community that largely goes unnoticed because it is conducted early in the day before most residents in the neighborhood are even awake.

The Club assures us that it does not intend to change its operating habits. On this basis, Fraser Academy has no trouble supporting its application for a permanent liquor license.

Yours truly,

A handwritten signature in dark red ink, appearing to read 'Maureen Steltman'.

Maureen Steltman
Head of School

cc Connie Brown, Treasurer, the Meralma Club



KITSILANO SECONDARY SCHOOL

2706 Trafalgar Street
Vancouver, B.C. V6K 2J6
Telephone: 604 713-8961 • Fax: 604 713-8960

2016 March 1

Ms Cathy Joe
City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4

Dear Ms Joe,

Re: Meraloma Club License Application

The Meraloma Club has long been a part of the Kitsilano community that surrounds Connaught Park. I am always impressed by the way that members of the Meraloma Club behave in the community. Their considerate and respectful manner is appreciated by everyone.

The club provides a variety of sports programs for community members of all ages, from youth to senior, from several of which, Kitsilano Secondary students and families have benefitted.

It is appreciated by the community that Meraloma Club members regularly pick up garbage in and around the park. This is an important service to the community that largely goes unnoticed because it conducted early in the day before most residents in the neighbourhood are awake.

Kitsilano Secondary is happy to support the Meralomas in their application for a private liquor license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Burnham'. The signature is written in a cursive, flowing style with a period at the end.

Jim Burnham
Principal
Kitsilano Secondary

City of Vancouver Liquor Primary Licence Classification

Liquor Establishment	Downtown	Non-Downtown
Class 1 - seating capacity up to 65	Not within 50m of another Class 1	Not within 500m of another Establishment of the same Class
Class 2 - seating capacity up to 150	Not within 100m of another Establishment of the same Class	
Class 3 - seating capacity up to 300		
Class 4 - seating capacity up to 500		
Class 5 - seating capacity up to 950	Not within 500m of another Class 5	Not within 750m of another Class 5
Class 6 - seating capacity exceeds 950	Not within 750m of another Class 6	Not within 1km of another Class 6