



ADMINISTRATIVE REPORT

Report Date: March 27, 2017
Contact: Sarah Hicks
Contact No.: 604.873.7546
RTS No.: 11983
VanRIMS No.: 08-2000-20
Meeting Date: May 17, 2017

TO: Standing Committee on City Finance and Services

FROM: General Manager of Development, Buildings and Licensing

SUBJECT: 3296 Fraser Street - 1080262 B.C. Ltd.
Liquor Primary Licence and Outdoor Patio Application
Liquor Establishment Class 2 - Pub

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 1080262 B.C. Ltd. (Glory Days) for a new Liquor Primary Licence (Liquor Establishment Class 2 - Pub) with a 24 person patio located at 3296 Fraser Street subject to:

- i. A maximum interior capacity of 118 persons and 24 person patio;
- ii. Standard Hours of operation, for the first six months, limited to 11 am to 12 am, Sunday to Thursday and 11 am to 1 am, Friday and Saturday; after which time Extended Hours of operation may be considered which are limited to 9 am to 1 am, Sunday to Thursday, and 9 am to 2 am, Friday and Saturday;
- iii. The outdoor patio ceasing all liquor service and vacated by 11 pm nightly;
- iv. No music or entertainment permitted on the patio;
- v. A time-limited Development Permit;
- vi. A Licence Agreement with an initial one-year term for the patio;
- vii. An acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- viii. Food service to be provided while the establishment is operating as well as on the patio when open; and
- ix. Signing a Good Neighbour Agreement with the City prior to business licence issuance.

REPORT SUMMARY

1080262 B.C. Ltd. (Glory Days) is requesting a Council resolution endorsing their application for a new 118 person Liquor Primary licence (Pub) and 24 person patio located in this newly constructed mixed-use development at 3296 Fraser Street.

Staff is recommending approval of this application subject to the conditions outlined in the recommendation noting that it is consistent with Council's liquor policy for size and location. The proposed establishment will operate as a neighbourhood pub with a full food and beverage menu. Food service will be a major component of the business which will provide a mitigating factor to liquor service and consumption. The requested hours of operation are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday. 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 license 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.

Hours of service - policy for this Non-Downtown Primarily Residential 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 no Class 2 Liquor Primary establishment shall be located within 500 meters of another Class 2 establishment. This policy only pertains to liquor primary establishments and not food primary establishments (restaurants).

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

Sidewalk patios adjacent to liquor establishments - On April 17, 2007, Council approved policy and guidelines that allow Liquor Primary liquor establishments to have sidewalk patios on private and public 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 percent of total seating capacity; and
- Public consultation.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The General Manager of Development, Buildings and Licensing recommends approval of the foregoing.

REPORT

Background/Context

The applicant, 1080262 B.C. Ltd. is requesting a Council resolution endorsing their application for a new 118 person Liquor Primary (Liquor Establishment Class 2 - Pub) licence with a 24 person patio located on the main floor of this newly constructed mixed-use development at 3296 Fraser Street (refer to Appendix A). The proposed establishment will operate as a neighbourhood pub with a full food and beverage menu. Food service will be a main component of the business which will provide a mitigating factor to the liquor service and consumption.

The proposed hours of operation are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday. The outdoor patio hours are 9 am to 11 pm, seven days a week. Entertainment will consist of recorded music, live music, televised sporting events and table games.

The applicant is also applying for a Family Food Service Endorsement to their Liquor Primary License which will allow minors, accompanied by a parent or guardian, to enter in all licensed areas until 10 pm when food service is available for families.

The applicant has been in the Food and Beverage industry since March 2000. The applicant currently owns and operates three other Food Primary establishments in Vancouver. All of these establishments are well run and have no enforcement history.

Strategic Analysis

Results of Neighbourhood Notification

A neighbourhood notification was conducted by circulating approximately 303 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 49 responses were received in response to the application; 16 opposed, 32 supported and one neutral.

The results of the notification are summarized as follows:

	Within 500' radius of subject site	Outside 500' radius of subject site	No contact information	Total
Support	13	9	10	32
Opposed	10	3	3	16
Neutral	-	-	1	1

Respondents opposing the application are most concerned with increased nuisance issues for the community including:

- Noise/loud music;
- Proposed hours of operation;
- Venue size and parking concerns for residents in the area;
- Drunk behaviour and disturbances with patrons congregating in front and when leaving the establishment; and
- Increased traffic for the area.

Respondents also commented that they felt that the proposed Extended Hours were not appropriate in an area with many residential units.

Location of Establishment

The establishment is located within the C-2 Zoning District and the predominant land uses in the immediate vicinity are commercial and residential uses. For the purpose of Liquor Policy, the establishment is considered to be located in the Non-Downtown Primarily Residential area. The surrounding area is a mixture of residential, retail, restaurant, church, park, office and other commercial uses (refer to Appendix B).

There are no Class 2 Liquor Establishments within a 500 metre radius of the proposed site which meets Council policy for size and location for new establishments.

Person Capacity and Hours of Operation

The Vancouver Fire Department has reviewed the application and approved an interior occupant load of 118 persons and 24 persons on the outdoor patio (see Appendix A).

The hours of operation requested for the Liquor Primary licence are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday which are within the parameters of the Extended Hours permitted in the Downtown Primarily Residential area. For the first six months of operation, the applicant will be required to operate under the Standard Hours permitted in the Downtown Primarily Residential area which are 11 am to 12 am, Sunday to Thursday and 11 am to 1 am, Friday and Saturday. The proposed patio must cease all liquor service and vacate by 11 pm nightly.

The six month restriction on the business operation will provide an evaluation period for staff and the business to address any potential issues.

Noise

The proposal for a Liquor Primary licence and outdoor patio at this location will require a time-limited Development Permit and a licence agreement with the Engineering Department. The review process for this type of approval will involve an assessment of neighbourhood impacts, including compatibility with surrounding uses, hours of operation, 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 By-Law. This should aid in mitigating potential negative community impacts due to noise.

Impact on the Community

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. The applicant is also applying for the Family Food Service endorsement which will allow minors in the licensed area until 10 pm while accompanied by a parent or guardian when meal service is available for families.

As part of the standard Zoning review process, an assessment is conducted to ensure the proposed use meets requirements in the Parking By-law. Parking availability can include a mix of parking spaces within the one level underground parking constructed at the site, as well as street parking within the neighbourhood.

The Police Department has reviewed the application and have no concerns with this application.

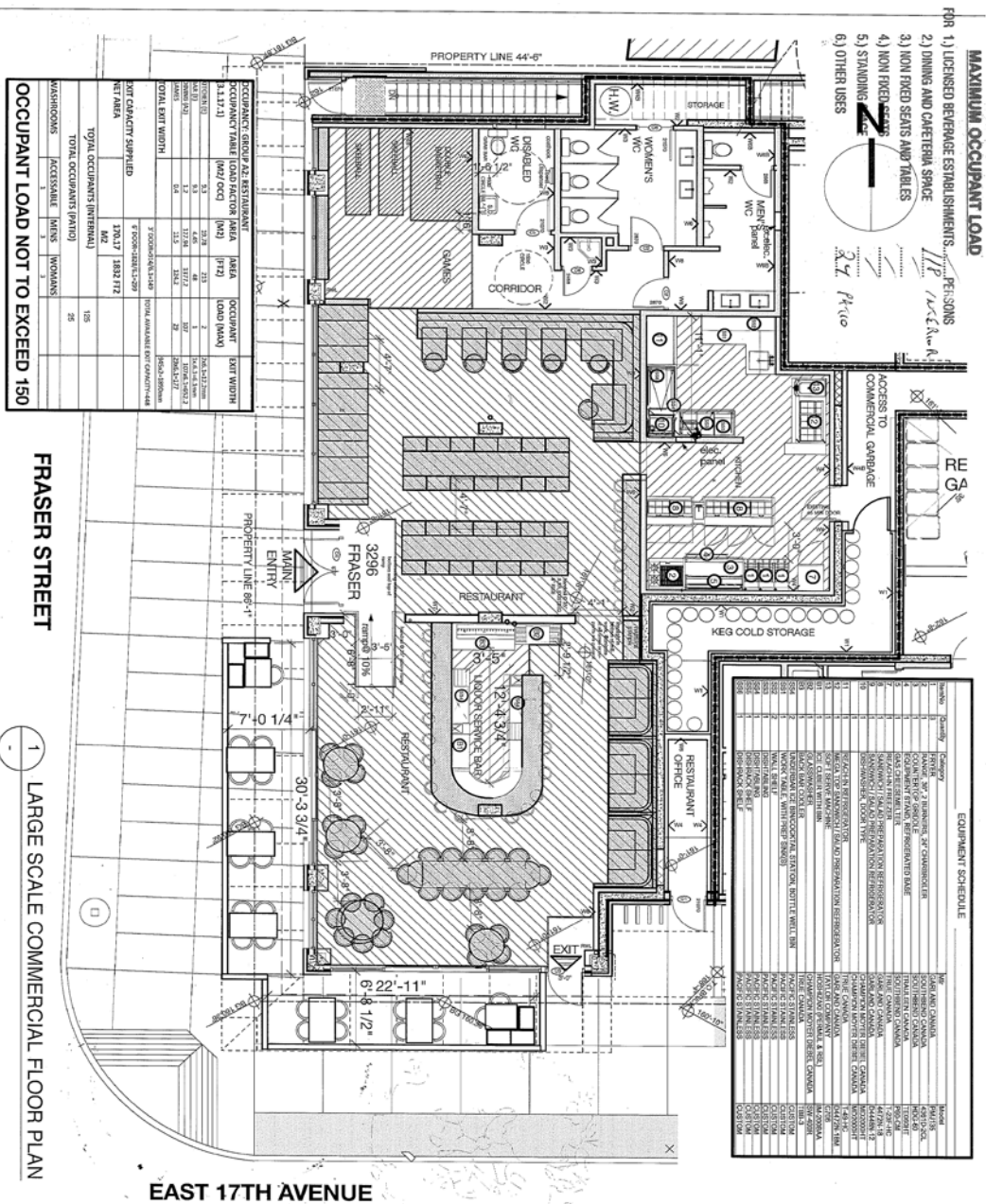
Implications/Related Issues/Risk (if applicable)

Financial

There are no financial implications.

CONCLUSION

Staff are recommending Council endorse the applicant's request for a 118 person Liquor Primary licence with a 24 person patio at this location subject to the conditions outlined in the recommendation. The application meets current Council policy regarding size and distance from other establishments. The requirement for a Development Permit and Good Neighbour Agreement as a well as submission of an acoustic report will ensure the premise operates in a manner conducive to the surrounding area. Food service will be a strong component of the business which will provide a mitigating factor to the liquor service and consumption.



cornerstone architecture
 2220 West Broadway, Suite 200
 Vancouver, BC V6K 2E8
 TEL: 604.681.8888

PROPOSED/IN PROGRESS
 RESTAURANT TO
 THE B.C. FIRE SERVICES ACT
 AND THE VANCOUVER FIRE (SC-41W)

APR 13 2017

HEAD/Project Lead (Professional)
 THIS IS NOT A PERMIT

PROPOSED RESTAURANT
 3296 FRASER
 VANCOUVER B.C.

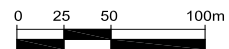
LEVEL 1
 LARGE SCALE
 COMM
 FLOOR PLAN

DATE: APRIL 13, 2017
 PROJECT NO.: 1619 A-002



LEGEND

- 1) Church
- 2) Park
- 3) Residential
- 4) Medical clinics
- 5) School {n/a}
- 6) Social/Private Clubs {n/a}
- 7) Liquor Primary Establishments {n/a}



LIQUOR ESTABLISHMENT 3296 Fraser Street - Glory Days	map: 1 of 1
City of Vancouver - Licenses & Inspections	date: 2017-04-07