

## ADMINISTRATIVE REPORT

Date: November 15, 2004  
Author/Local: Bill Boons/604.873.7678  
RTS No. 04619  
CC File No. 2605  
Meeting Date: December 2, 2004

TO: Planning and Environment Committee  
FROM: Director of Current Planning  
SUBJECT: 1181 Davie Street - Private Liquor Store  
Development Application Number DE408532

### CONSIDERATION

A. *THAT the Director of Planning be advised that Council would not favour approval of Development Application Number DE408532 for a Private Liquor Store (Type 1 - Beer Only) at 1181 Davie Street;*

*OR*

B. *THAT the Director of Planning be advised that Council would favour approval of Development Application Number DE408532 for a Private Liquor Store (Type 1 - Beer Only) at 1181 Davie Street.*

### GENERAL MANAGER'S COMMENTS

*The General Manager of Community Services submits the foregoing for CONSIDERATION.*

### COUNCIL POLICY

*On April 8, 2003, City Council adopted policies and guidelines for the review of Liquor Store applications in the City of Vancouver, including the following:*

- (i) submission of Liquor Control and Licensing Branch (LCLB) preliminary approval letter;**
- (ii) neighbourhood notification of affected neighbours;**
- (iii) that Development Permits be time-limited;**
- (iv) applications deemed controversial by the Director of Planning may be referred to Council for advice; and**
- (v) Liquor Stores to be separated by a minimum of 150 m from other Liquor Stores, and Schools (public and private), Churches, and Parks.**

***At the same time Council instructed the Director of Planning to favourably consider development applications for Liquor Stores selling beer and wine, or hard liquor to “only” those sites in the city currently approved as Liquor Stores.***

***On November 2, 2004, Council resolved that the Liquor Store Guidelines be amended as necessary to allow consideration of two categories of Liquor Store as follows:***

***Type 1 (Boutique) Stores:***

- 280 m<sup>2</sup> (3,000 sq. ft.) gross or less, that sells any combination of beer and wine.***
- Maximum of one (1) store to be considered in each identified Local Shopping Area (LSA) that currently have no liquor store of any type.***
- In Downtown and Central Broadway (where there are no identified LSAs) stores to be a minimum of 500 m from any Type 1 or Type 2 store.***

***Type 2 (Regular) Stores:***

- More than 280 m<sup>2</sup> (3,000 sq. ft.) gross, that sells any combination of beer, wine and spirits.***
- Only where Type 2 stores currently exist, but may be relocated within the same LSA or general commercial area.***

***A Type 1 or Type 2 (but not both) to replace each of the two recently closed liquor stores (Robson and Denman Streets, and Victoria Drive and East 49<sup>th</sup> Avenue, or close by) and in each of the two emerging neighbourhoods (Southeast False Creek and East Fraserlands).***

*Guidelines to also be amended to provide a separation of 150 m from family-oriented uses including elementary or secondary schools, community centres, neighbourhood houses, churches, and parks.*

## **SUMMARY**

In accordance with the Council resolution of November 2, 2004, this development application is being referred to Council for advice as the proposal does not comply to the new policies adopted by Council with regard to Type 1 stores located in a Local Shopping Area, and has generated some concerns in the community.

The Director of Planning is not inclined to support this proposal, however, before making a decision, the application is being referred to Council for advice.

## **PURPOSE**

This report seeks Council's advice on a development application to change the use of a portion of an existing building from Retail to private Liquor Store ( Type 1 - Beer only).

## **SITE DESCRIPTION AND CONTEXT**

The Liquor Store is proposed for a ground floor storefront on the north side of Davie Street in the block bounded by Bute Street to the west and Thurlow Street to the east. The site is zoned C-5. This commercial development includes an adjacent parking and loading area off the rear lane that would provide three (3) parking spaces and one (1) loading space. The site and surrounding zoning are shown on the attached Appendix 'A'.

Staff carried out a land use survey of the surrounding area, similar to that which would be done for a liquor licensed premises, as covered by Council Policy. The survey area contains a mix of commercial and residential uses. The site is located within Local Shopping Area "C" (Davie Street - Jervis to Burrard Streets). This Local Shopping Area already contains an existing Type 2 - Government Liquor Store (1155 Bute Street) and a Type 2 (more than 280 sq. m.) Wine Store (Marquis Wine Cellar - 1034 Davie Street) .

## **PROPOSED DEVELOPMENT**

The application seeks approval to change the use of approximately 170 m<sup>2</sup> (1,829 sq. ft.) of the ground floor of the existing Commercial building on this site to provide for a new private Liquor Store (Type 1- Beer only).

The applicant's submission includes a declaration that the liquor store would be used for the sale of "beer only" and has indicated proposed hours of operation of the store to be 9:00 am to 11:00 pm, seven days per week. The applicant's operational proposal is attached as Appendix 'B'.

The applicant is the current operator of the Pumpjack Pub which currently has an "off-sales" component, and which is located just east of the proposed store at 1167 Davie Street.

The proposed Type 1- Liquor Store has been assessed against the applicable provisions of the Zoning and Development By-law and the Parking By-law. Staff have also reviewed the application against the guidelines Council amended on November 2, 2004, for the review of these types of applications involving Liquor Stores. The following summarizes the results of the review process:

#### **Local Shopping Area (LSA) "C" - Davie Street - Jervis to Burrard Streets)**

This LSA already contains an existing Type 2 - Government Liquor Store (1155 Bute Street) and a Type 2 (more than 280 m<sup>2</sup>) Wine Store (Marquis Wine Cellar - 1034 Davie Street).

#### **Separation from Family - Oriented Uses**

The location is not within 150 m of any elementary or secondary schools, community centres, neighbourhood houses, churches, or parks.

#### **Parking/Loading Provisions**

The existing site is non-conforming to the current off-street parking requirements of the Parking By-law, however the proposed change of use does not increase the on-site parking or loading requirement and the existing building does provide three (3) parking and one (1) loading space accessed from the rear lane. The applicant has submitted with his operational plan, a summary of how and where the beer deliveries would be made, such that the delivery trucks would not utilize the surrounding streets, or block the lane during their delivery procedures.

Simplified plans, including a floor plan and site plan of the location, are included in Appendix 'C'.

**Notification** - As part of the review of this development application, 85 neighbouring property owners were notified of the proposal. The Director of Planning received 5 individual letters expressing concerns with the proposal. The notification area is included in the attached Appendix 'A' map.

A summary of the neighbourhood objections is as follows:

- (i) concerns expressed about the negative impact of such a use: citing existing problems with transients in the area, and the expectation this will cause more noise, loitering, and safety issues; and
- (iii) existing Government Liquor Store close by: no need for another liquor outlet.

### **POLICE DEPARTMENT COMMENTS**

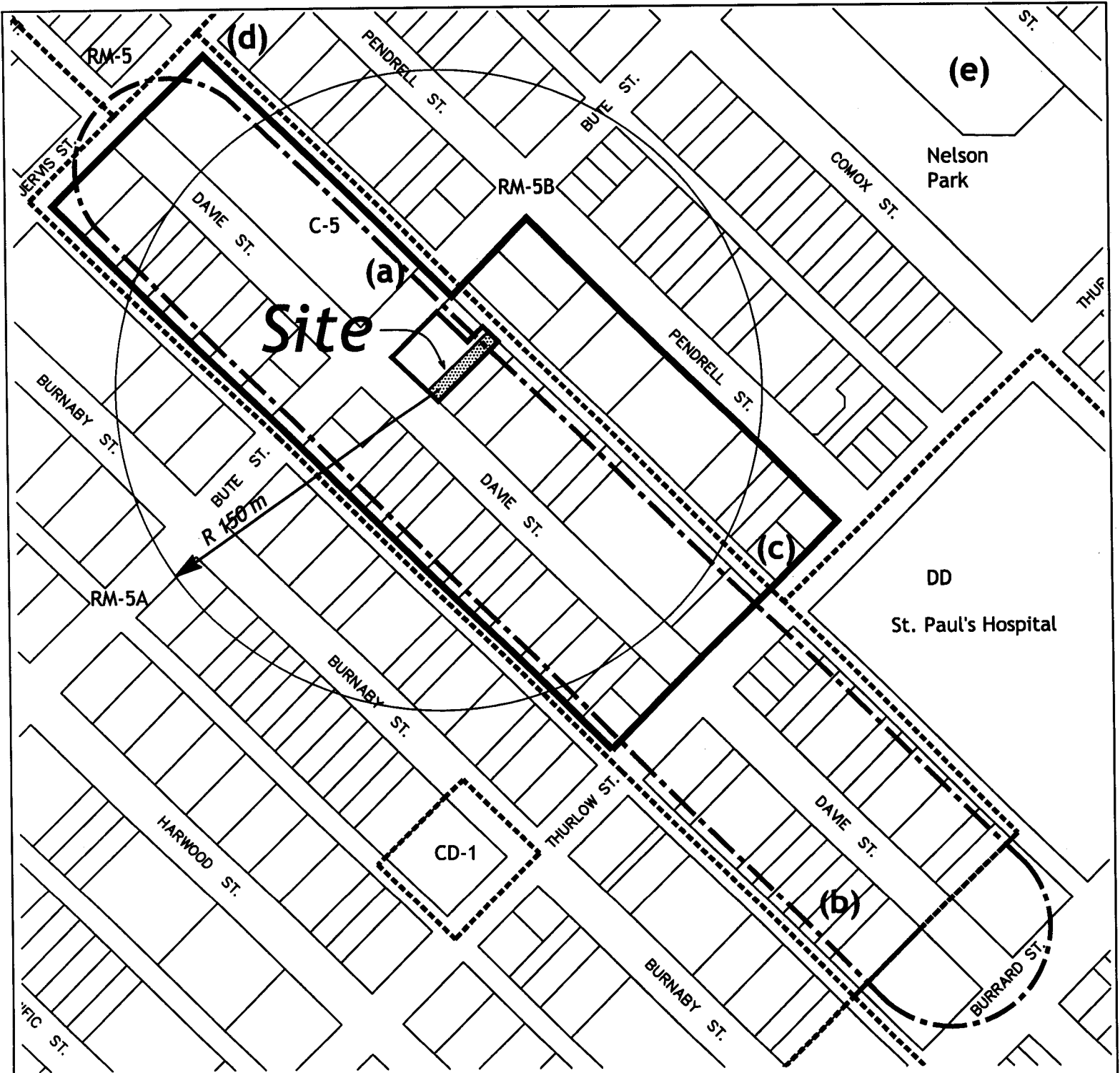
The Vancouver Police Department has reviewed this application and has not expressed concerns.

### **CONCLUSION**

The proposal meets the technical requirements of the Zoning and Development By-law and the Parking By-law, but is contrary to Council-approved guidelines on the limitation of the number of liquor stores in any particular Local Shopping Area .

On the basis that the proposal does not comply to current Council policy for review of liquor stores in the city, the Director of Planning is inclined to not support the proposal, but before making a final decision, is seeking any advice that Council may wish to provide.

\* \* \* \* \*



- a) Existing Govt. Liquor Store, 1155 Bute St
- b) Existing Wine Store, 1034 Dave St.
- c) Central Presbyterian Church
- d) St. Paul's Anglican Church

- e) Roberts Annex Elementary School
- ..... Zoning Boundary
- Notification Boundary
- ..... Local Shopping Area

Site: 1181 Davie St DE 408532

City of Vancouver Planning Department

Date: 2004 November 9  
 Scale: 1:2,500



## PROPOSED BOUTIQUE LIQUOR RETAIL STORE AT 1181 DAVIE STREET

The PumpJack Pub is proposing to open a boutique cold beer liquor store at 1181 Davie Street. The proposed hours of operation will be from 9:00 a.m. to 11 p.m. 7 days of the week with focus on serving the immediate local neighbourhood.

The Boutique store will provide niche marketing of speciality products to the neighbourhood community in the vicinity of Davie Street. The current Bute street liquor store provides service to 9 p.m. on Fridays only with service to 6 p.m. on all other days and no service is available on Sundays or Holidays. The proposed boutique store would provide not only additional product choices but also extended shopping hours.

Given the City of Vancouver's current position, the main focus of this boutique store will be primarily the sale of a variety of cold beers in an upscale premise incorporating the natural brick currently in the premises with wood floors and walls making the boutique style shopping very warm and inviting.

The total available space is 1,600 square feet and the actual retail space for the display and purchase of product will be less than 1,000 square feet. This boutique venue will be operated by the owners of The PumpJack Pub who also brought to the West End community The Fountainhead Pub [the group continues to hold a major interest in the Fountainhead].

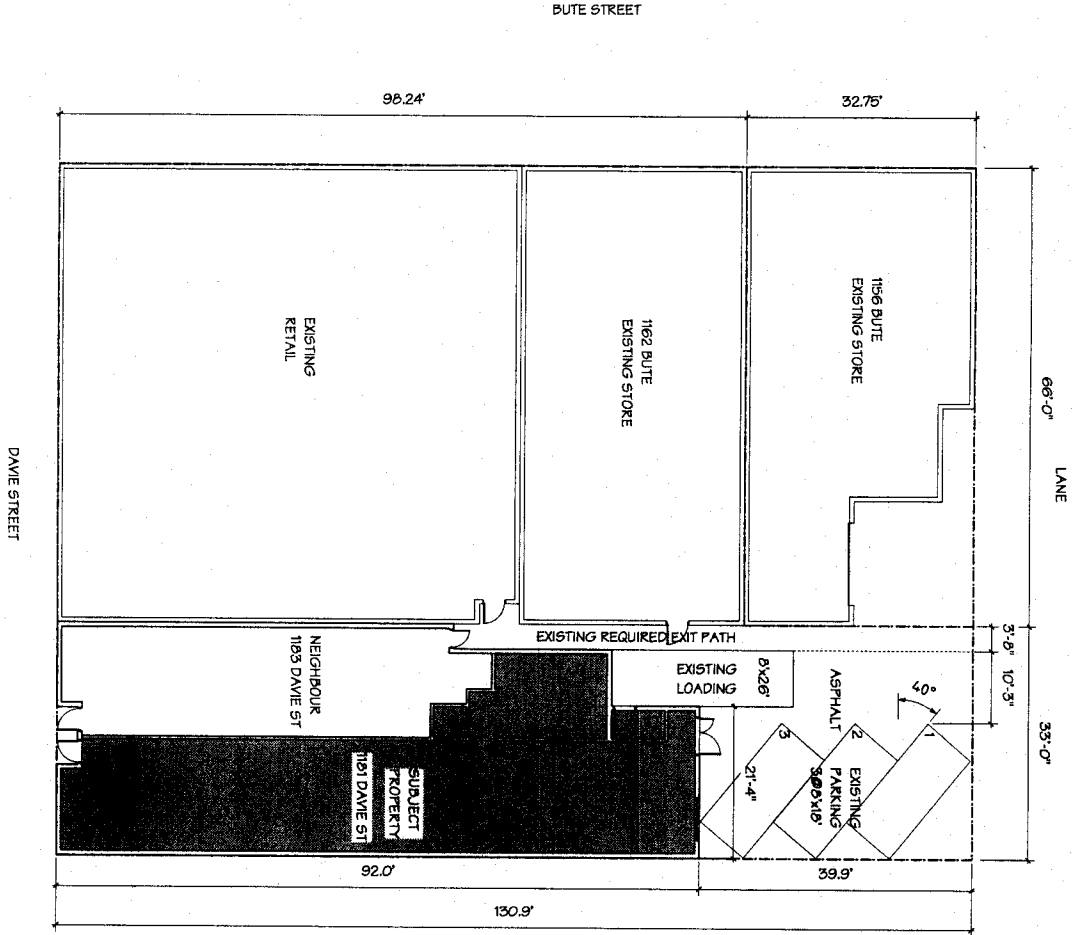
The owners of The PumpJack Pub are conscious of their community involvement and its needs. The owners believe in being full partners with both the business community and residences. Through the Fountainhead and PumpJack pubs, these two business give both direct and indirectly through fundraisings, sponsorships, and partnerships to many organizations in the West End, as well as the community at large of which just a few include: The West End Seniors Network, The West End Soft Ball Association, Cops for Cancer (a camp providing summer activities for children under 13 suffering with cancer), Doctor Peter Centre, The Community Police Office, The Central Presbyterian Church Breakfast Program, The Rogue Football Team, The Vancouver Gay Volley Ball Association, are Members on the Nelson Park Study Committee, McLaren Housing Society, Out on Screen Film Festival, as well a numerous other community groups that assisted year round by allowing them use of the premises for fundraising activities.

The pub currently receives deliveries of its liquor products twice a week and deliveries to the boutique liquor store will be made on the same time and days as when the present deliveries are made and by the same delivery carrier. Thus there would be no increase in traffic to the laneway. Bottle returns will be stored inside the premises as is done for the pub and again, will be picked up at the same time as the current pick up for the pub and by the same bottle return company. Once again, no additional traffic will added to the laneway.

The PumpJack Pub has taken the initiative to begin to green the laneway area and will continue to do so at that location as well as the new proposed location in discussion and dialogue with the neighbours and the community.



SITE PLAN  
SCALE: 1/8" = 1'-0"



COMMUNITY SERVICE GROUP  
DEVELOPMENT SERVICES  
OCT 25 2004  
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<p>City of Vancouver Planning Department 1100 Burrard Street Vancouver, BC V6X 1C8 Tel: 604-681-3800 Fax: 604-681-3801 www.vancouver.ca</p>	<p>May 2004 1181 DAVE ST 1183 DAVE ST 1162 BUTE ST 1156 BUTE ST</p>	<p>Site Plan 1181 DAVE ST 1183 DAVE ST 1162 BUTE ST 1156 BUTE ST</p>	<p>Author: J. BOYD Date: MAY 17 2004 Checked: J. BOYD</p>	<p>Project No: 2004-0001 Drawing No: 1181 DAVE ST</p>	<p>City of Vancouver Planning Department 1100 Burrard Street Vancouver, BC V6X 1C8 Tel: 604-681-3800 Fax: 604-681-3801 www.vancouver.ca</p>
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