



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: February 10, 2006
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RTS No.: 05650
VanRIMS No.: 11-3500-10
Meeting Date: March 2, 2006

TO: Standing Committee on Planning and Environment
FROM: Director of Current Planning
SUBJECT: **6169 Fraser Street - Private Liquor Store
Development Application Number DE409667**

CONSIDERATION

A. THAT the Director of Planning be advised that Council would not favour approval of Development Application Number DE409667 for a Private Liquor Store (Type 1- Beer and Wine) at 6169 Fraser Street.

OR

B. THAT the Director of Planning be advised that Council would favour approval of Development Application Number DE409667 for a Private Liquor Store (Type 1- Beer and Wine) at 6169 Fraser Street.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

On April 8, 2003, 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 m² (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 has 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 m² (3,000 sq. ft.) gross, that sells any combination of beer, wine, or 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 49th 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 has generated significant concerns in the community. In addition, the location does not fully comply to the Liquor Store Guidelines with regard to separation from family-oriented uses.

The Director of Planning is inclined to support the proposal, however, before making a final 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 the ground level of an existing two-storey building on this site to provide for a new private Liquor Store (Type 1- Beer and Wine).

SITE DESCRIPTION AND CONTEXT

The Liquor Store is proposed for the ground level in this existing two-storey building located on the west side of Fraser Street, between East 45th and East 46th Avenue. The upper floor contains three residential dwelling units. The site is zoned C-2. 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. Public parking spaces are available under an existing Collective Parking agreement, to the west of the site, across the lane. The site is located within a Local Shopping Area (Fraser Street - 41st Avenue to 51st Avenue). The closest existing Liquor Stores are a private Beer and Wine Store at 1445 East 41st Avenue which is approximately 1 kilometre (0.62 miles) away from this site. The closest existing Government Liquor Stores are approximately 2 kilometres (1.24 miles) away at 28th and Main Street, and 39th Avenue and Cambie Streets.

DISCUSSION

The applicant seeks approval to alter and change the use of the ground floor in this existing building to provide for a new private Liquor Store (Type 1- Beer and Wine) having a total area of approximately 195 square metres (2,100 sq. ft.).

The applicant's submission includes a declaration that the liquor store would be used for the sale of beer and wine products and has indicated proposed hours of operation of the store to be 9:30 a.m. to 11:00 p.m. Monday to Saturday and from 11:00 a.m to 6:00 p.m. on Sundays. The applicant's operational letter is attached as Appendix "B".

The 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 Areas (LSA) No. 22- Fraser Street, both sides, 41st Avenue to 51st Avenue

The Local Shopping Area in this portion of Fraser Street is located between 41st Avenue and 51st Avenue. The proposed location is within these boundaries and no other Liquor Store exists within this Local Shopping Area.

Separation from Family-Oriented Uses

The location is within 150 m of an existing School (South Hill Education Centre) at 6012 Fraser Street and an existing Church (Lord's Love Church) at 645 East 47th Avenue. There is also another Church just outside the 150 m separation (Martin Luther Evangelical Lutheran Church) at 505 East 46th Avenue, and a Secondary School (John Oliver Secondary) and Park (South Memorial Park) about two blocks away.

Parking/Loading provisions

The site contains a two-storey building containing commercial space on the ground floor and three (3) residential units on the second storey. The site provides a total of three (3) off-street parking spaces and one (1) off-street loading space. The site is also able to take advantage of the nearby Collective Parking spaces located across the lane to the west. This site can utilize a total of 4 spaces within that Collective Parking area, and combined with the on site spaces provided, does comply to the requirements of the Parking By-law. The applicant has submitted with his operational letter, a summary of how and where the liquor product deliveries would be made, such that the trucks would not utilize surrounding streets, or block the lane, during the delivery procedures.

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

Notification

As part of the review of this development application, 197 neighbouring property owners were notified of the proposal. The Director of Planning received 47 individual letters expressing concerns with the proposal including a letter from the Vancouver School Board. 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 impacts of such a use: citing expectations this will cause more noise, traffic, loitering and safety issues.
- (ii) plenty of existing liquor outlets in the area, no need to add more liquor stores in this area.

- (iii) concerns about the nearby Schools and potential negative impact on the children in the area.

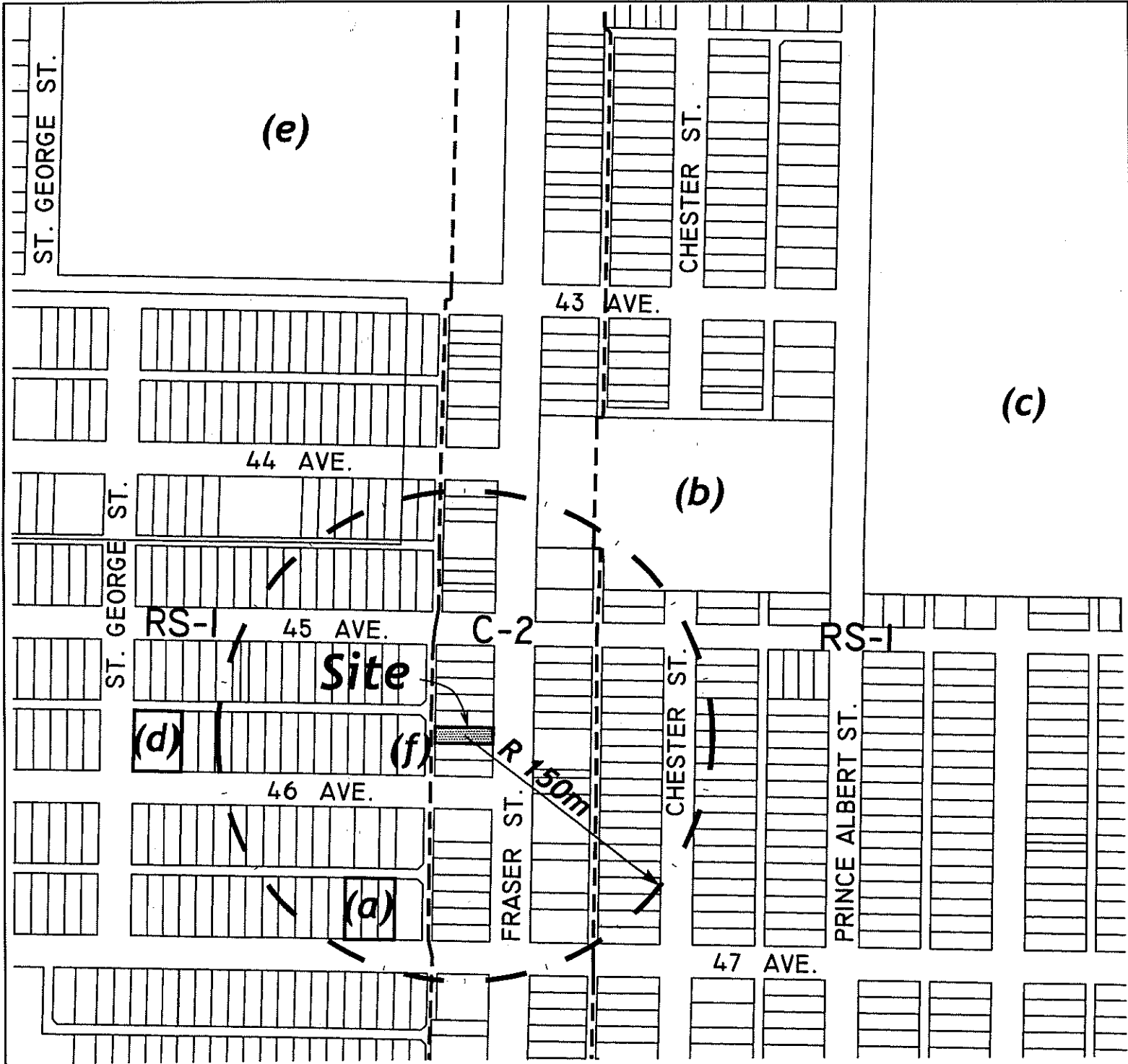
POLICE DEPARTMENT COMMENTS

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

CONCLUSION

The proposal meets the technical requirements of the Zoning and Development By-law and the Parking By-law, but does not fully meet the requirements in the Council-approved guidelines for separation from family-oriented uses. The site is located within an accepted Local Shopping Area and would be the only store within that LSA. However, the proposal has generated a significant level of community concern in the neighbourhood. The Director of Planning is inclined to support the proposal, but is seeking any advice which Council may wish to provide.

* * * * *



- a) Lord's Love Church Society
- b) South Hill School
- c) Memorial Park
- d) Martin Luther Evangelical Church
- e) John Oliver Secondary School
- f) Collective Parking Area (43rd to 49th Ave)

— Notification Area

- - - - - Zoning Boundary

Site: 6171 Fraser St, DE 409667

Date: 2006 January 26

Scale:

0 25m 50m 100m

City of Vancouver Planning Department



September 15, 2005

636608 B. C. Ltd
DBD Biltmore Hotel
395 Kingsway St.
Vancouver, B.C
V5T 3J7

The Director of Planning
City of Vancouver
453 West 12th Avenue
Vancouver, B.C
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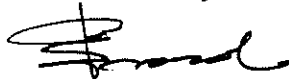
Dear Sir

Re: 6171 Fraser Street (New Liquor Store-Type 1)

With this letter we would like to advise you that there will be approx. 4 full time and 2 part time staff will be employed in this new liquor store. The operating hours will be from 9.30 am to 11.00 pm from Monday to Saturday and from 11.00am to 6.00 pm on Sunday.

There are 3 parking stalls provided on the site plus there is Community parking lots from 42nd Avenue to 49th Avenue where the customers will be able to park. There is one required loading bay of 10'x34' provided on the site for delivery truck with access from the existing 20" wide lane. The size of the delivery truck is approx 8'-6"x32'-0"and the delivery will be made twice a week by Breweries. There is a provision for garbage container and recycle container on the paved area.

Yours Truly



Jay Prasad
(for owner)



