UB-2(a)





POLICY REPORT LICENSING

Report Date: March 7, 2006 Author: Guy Gusdal Phone No.: 604.871.6461

RTS No.: 4700 VanRIMS No.: 11-4600-50 Meeting Date: April 6, 2006

TO: Standing Committee on City Services and Budgets

FROM: Chief License Inspector in consultation with the Medical Health Officer

and Director of Legal Services.

SUBJECT: Final Approval of the Extended Hours of Liquor Service Policy and the

Business Premises Regulation of Hours By-law for Standard Hours Liquor

Establishments and Extended Hours Liquor Establishments

RECOMMENDATION

A. THAT Council designate the business premises regulation of hours areas, generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix A, for the purpose of regulating hours of liquor service for standard hours liquor establishments and extended hours liquor establishments; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a Business Premises Regulation of Hours By-law amending by-law, generally as outlined in this report and in Appendix A, to establish the business premises regulation of hours areas, to regulate hours of liquor service for standard hours liquor establishments and extended hours liquor establishments, and to modernize the language of the By-law in order to accommodate the new provisions.

B. THAT Council, having satisfied the conditions for the previous support-inprinciple for the Extended Hours of Liquor Service Policy, approve the Extended Hours of Liquor Service policy generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix A; and FURTHER THAT Council designate the Vancouver International Jazz Festival and Vancouver Pride Festival as special events for the purposes of the special event extensions as outlined in the Hours of Liquor Service Policy in this report and in Appendix A;

AND FURTHER THAT Council instruct the Chief License Inspector to use the following guidelines when considering 'one day' extensions for the purposes of the special event extensions generally as outlined in the Hours of Liquor Service Policy in this report and in Appendix A:

- (a) the event is a grand opening, business opening anniversary, charity fundraiser, unique/rare live performance, significant date or other similar function.
- (b) single day extensions be limited to a maximum of 12 extensions per year per establishment with no more than two extensions in a single month, not including dates associated with an approved city festival, and
- (c) that letters of support be limited to 2 calendar months and a maximum of 21 days with an amended closing time.
- C. THAT Council approve additional noise level requirements, generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix B, for liquor establishments operating during the extended hours permitted under the Business Premises Regulation of Hours By-law; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a Noise Control By-law amending by-law, generally as outlined in this report and in Appendix B, to implement the additional noise level requirements.

D. THAT Council add a specific requirement for the acoustic reports required for extended hours liquor establishments, generally as described in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix C; and

FURTHER THAT Council authorize the Director of Legal Services to bring forward a License By-law amending by-law, generally as outlined in this report and in Appendix C, to add a requirement for the acoustic reports.

- E. THAT Council, having considered relevant Council policy and results of the public consultation from the following reports;
 - "Liquor Licensing Hours of Service Policy Review", dated September 21, 2004 and received for Information by Council on October 5, 2004,
 - "Liquor Licensing Hours of Service Policy Recommendations", dated October 7, 2004 and endorsed by Council on November 18, 2004 with revisions,
 - "Hours of Liquor Service Policy: Amendments to Davie Village including the Odessey at 1251 Howe Street", dated May 31, 2005 and endorsed by Council on June 16, 2005 with revisions, and
 - "Hours of Liquor Service Policy: Regulatory Impact Reduction Measures", dated August 30, 2005 and endorsed by Council on September 20, 2005 with revisions;

and the potential for noise and impacts on the surrounding community, approves the implementation plan generally as outlined in the Administrative Report dated March 7, 2006, entitled "Final Approval of the Extended Hours of Liquor Service Policy and the Business Premises Regulation of Hours By-law for Standard Hours Liquor Establishments and Extended Hours Liquor Establishments" and in Appendix D; and

FURTHER THAT Council endorses an amendment to the Liquor Primary liquor license of all establishments listed in Appendix D from their current liquor service hours of operation to the standard or extended liquor service hours approved for each licensee's respective Business Premises Regulation of Hours Area.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of A, B, C, D and E.

COUNCIL POLICY

On September 20, 2005, Council approved amendments to the License By-law to incorporate definitions for "extended hours" of liquor service and extended hours liquor establishment Classes 1 through 7. Council also approved License By-law amendments to introduce impact reduction measures to help mitigate the impact of liquor establishments on surrounding communities.

On June 30, 2005, Council approved amendments to the License By-law to provide new definitions, standard hours liquor establishment Classes 1 through 7, for businesses in which the primary function is the sale and consumption of alcohol on the premises and endorsed policy and guidelines relating to their size and location.

On June 16, 2005, Council approved amendments to the Hours of Liquor Service policy for the 1000 to 1200 blocks of Davie Street, including 1251 Howe Street (The Odyssey), to allow

extended hours of liquor service that are equivalent to those in the "primarily commercial" areas.

On November 18, 2004, Council adopted the Hours of Liquor Service Policy that establishes a new model for regulating hours of liquor service for liquor primary establishments and approved staff pursuit of a Cabinet amendment to the Business Premises Regulation of Hours By-law to add "liquor establishment" as a class of business.

In July 1998, Council adopted the "Business Premises Regulation of Hours By-law".

On November 4, 1997, Council requested the Province to amend the Vancouver Charter to enable the city to regulate the hours that a business may stay open, based on the geographic area in which the business is located.

SUMMARY

This report seeks to put in place the final stages of the Hours of Liquor Service Policy. There were a number of outstanding work items preventing the final implementation of the Hours of Liquor Service Policy approved by Council on November 18, 2004. This report recommends approval of the Business Premises Regulation of Hours By-law amendments that will permit control over the hours of operation of liquor establishments (Appendix A).

Staff are also recommending that the weekday extended closing hours and special event hours extensions in the primarily residential areas be modified from the original policy report. The current policy does not allow for any extended hours of liquor service in the primarily residential areas. Staff think it is reasonable to allow a 1 hour extension during the week to provide some benefits to the operator to help recoup the costs associated with the new License Bylaw impact reduction regulations.

In conjunction with the Business Premises Regulation of Hours By-law staff are recommending additional noise level requirements for establishments intending to operate during the extended hours of operation (Appendix B & C). These requirements should reduce the noise generated by the entertainment and sounds systems used in the liquor establishments. Some establishments may need to invest in building upgrades to meet the new Noise Control by-law requirements if the operators wish to obtain the extended hours business license but staff note that this possibility was stressed to all stakeholders throughout the development of the Hours of Liquor Service policy.

Finally, staff are recommending that the LCLB process the provincial liquor license amendments in bulk whenever possible (Appendix D).

PURPOSE

The purpose of this report is to confirm the boundaries of the business premises regulation of hours areas required to implement the Hours of Liquor Service policy, and to recommend preparation of the appropriate amending by-law. In addition this report recommends a minor revision to the Hours of Liquor Service policy, amendments to the Noise Control By-law to place more stringent regulations on liquor establishments operating during the extended hours and a complementing amendment to the acoustic requirement in the License By-law.

This report has a companion report titled "Business License fees for Extend Hours Liquor Establishments" and dated March 7, 2006.

BACKGROUND

On November 18, 2004, in response to Provincial liquor licensing reforms, a new model to regulate hours of liquor service throughout the City was adopted. This model is based on a two-tiered licensing system that is implemented on an area basis. There are three types of areas: "primarily commercial", "primarily mixed-use", and "primarily residential", each with their own hours of liquor service, that also vary between downtown and non-downtown locations.

A significant level of public consultation was conducted in the development of the Hours of Liquor Service Policy:

- 10 public information open-house meetings throughout the city (downtown and non-downtown);
- newspaper advertisements of all the open-house meetings in the local newspapers;
- press release of the policy development and public consultation process;
- flyer/brochures advertising the open houses and review distributed to the Libraries, Community Centres and most of the downtown liquor establishments;
- direct mail-outs to all Liquor Primary licensees in the city advising them of the review:
- GVTV information piece on the policy review and open-house meetings;
- dedicated webpage with on-line survey/questionnaire; and
- significant media coverage of the policy review, interim policy, open-house meetings and the Council Committee meeting to consider the policy (newspaper, web, television and radio).

The results of the public consultation were reported to Council on October 5, 2004. Staff felt the participation rate was low despite the high level of public consultation conducted. Respondents were divided in their support or non-support of extended hours. A common theme from respondents, regardless of their preference, was the expectation that the City must have the capability to deal with problem operators in an expedient manner, that impacts be minimized, and that citizens have a voice in their neighbourhoods.

While the general model was approved by Council, a number of actions needed to be completed prior to implementation:

- Review of the classification of Davie Village (including the Odyssey) and the 1000-1300 blocks of Granville Street (completed June 2005);
- Report to Council on recommended impact reduction measures (completed September 2005);
- Cabinet regulation to prescribe "liquor primary establishment" as a class of business [Cabinet approved December 9, 2005, refer to Appendix E for the Order in Council];
- Vancouver Charter amendment (upon further legal review, not required);
- Report to Council on new fee schedule [included in this report].

This report is a final step in implementing the Hours of Liquor Service policy, providing recommendations on final amendments and establishing the business premises areas for regulating hours of liquor service.

DISCUSSION

Hours of Liquor Service Policy Amendment Extended Hours for "Primarily Residential"

A primary intent of the Hours of Liquor Service Policy was to implement hours of liquor service that reflected the predominant land uses throughout the city while recognizing the need for reasonable hours of operation to facilitate the viability of liquor establishments and to improve entertainment opportunities for city residents and tourists.

Issues:

The approved "primarily residential" hours of liquor service (Downtown and Non-Downtown areas) do not provide any opportunity for weekday extended hours. This means that liquor establishments have only a total of 2 "extended" closing hours of operation from which to recoup the costs associated with meeting the License By-law criteria for obtaining the extended hours liquor establishment class of business license (1 hour on Friday & Saturday nights). Also, establishments, particularly those in the Downtown Granville South area, will be subject to a significant reduction in hours of operation on weekdays (2 hours each night Monday through Thursday).

Staff think that the approved-in-principle extended hours have not found the balance between potential neighbourhood impacts and reasonable industry hours of operation given the business license by-law requirements for the extended hours liquor establishment class of business license. As a result, staff propose to use this opportunity to correct this imbalance.

Proposed Solution:

Staff propose revisions to the extended hours and special events extension hours of the Hours of Liquor Service Policy. No revision is proposed for the standard hours of liquor service.

Proposed Revisions:

- 1. Downtown Primarily Residential:
 - add 1 hour to the Extended Hours weekday closing time, change from 12 Midnight to 1 am; and
 - allow 2 am closing on weekdays for Special Event Extensions.
- 2. Non-Downtown Primarily Mixed-Use:
 - add 1 hour to the Special Events Extensions weekday closing time, change from 1 am to 2 am.
- 3. Non-Downtown Primarily Residential:
 - add 1 hour to the Extended Hours weekday closing time, change from 12 Midnight to 1 am.

Table 1 summarizes the Hours of Liquor Service policy for the city and includes the revisions suggested in bold italics.

Table 1: Hours	of Liquor Service	Policy (with the	proposed amendments)
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AREAS	STANDARD HOURS	EXTENDED HOURS	SPECIAL EVENTS EXTENSION	
DOWNTOWN				
Primarily Commercial	11am-2am	9am-3am	9am-4am	
	7 days/wk	7 days/wk	7 days/wk	
Primarily Mixed-Use	11am-2am Weekends	9am-3am Weekends	9am-4am Weekends	
	11am-1am Weekdays	9am-2am Weekdays	9am-3am Weekdays	
Primarily Residential	11am-1 am Weekends	9am-2am Weekends	9am-3am Weekends	
	11am-12 am Weekdays	9am-1am Weekdays	9am-2am Weekdays	
NON-DOWNTOWN				
Primarily Commercial / Industrial	11am-2am	9am-3am	9am-3am	
	7 days/wk	7 days/wk	7 days/wk	
Primarily Mixed-Use	11am-1am Weekends	9am-2am Weekends	9am-3am Weekends	
	11am-12 am Weekdays	9am-1am Weekdays	9am- <i>2am</i> Weekdays	
Primarily Residential	11am-1am Weekends	9am-2am Weekends	9am-2am Weekends	
	11am-12 am Weekdays	9am-1am Weekdays	9am-1am Weekdays	
Downtown Eastside (DEOD)	11am-1am Weekends 11am-12 am Weekdays	n/a	9am-2am Weekends	
Note: Weekends = Friday and Saturday/ Weekdays = Sunday through Thursday				

Implications:

The proposed revisions may result in noise/nuisance impacts in the Non-downtown areas later than presently allowed. However, staff feel that the License By-law impact reduction measures, the Noise Control by-law amendments proposed in this report and the two-tiered business license system will provide adequate safeguards to ensure issues can be resolved in a timely fashion.

The revised policy will still result in a net reduction in hours of operation on weekdays for a number of the liquor establishments in the primarily residential areas of the city (both Downtown and Non-downtown). The one hour reduction in weekday closing times for these establishments should be noticed by area residents. Also, staff acknowledge that the 1 hour earlier weekday closing time will have a negative impact on the business operations of these establishments but note that this impact will be less than the current 2 hour reduction. This reduction in closing time may cause operators to re-evaluate the market focus of their businesses.

Business Premises Regulation of Hours By-law

Implementation of the Hours of Liquor Service Policy will be achieved through the Business Premises Regulation of Hours By-law authority. On November 18, 2004 Council approved approximate boundaries for the various policy areas (i.e. Downtown & Non-downtown Primarily Commercial/Mixed-use/Residential areas). In this report staff establish the definitive boundaries for each of the Business Premises Regulation of Hours Areas. In creating these boundaries staff have generally followed the existing Zoning District boundaries. Any variations from the Zoning District boundaries were usually attributed to natural or man-made barriers (eg. significant roadways, greenways, etc.). Please refer to Appendix A for the map, map number and the hours of operation for each license type in each of the proposed regulation areas.

Amendment of the Business Premises Regulation of Hours By-law will include a number of non-substantial housekeeping amendments in order to modernize the by-law and to accommodate the amendments referred to in this report.

Special Event Extension Policy Guidelines

The Hours of Liquor Service Policy allows for establishments to further extend their operating hours in conjunction with certain special events. Staff recommend that eligible city-wide festivals be limited to the festivals eligible under the current policy: Vancouver Jazz Festival and the Vancouver Pride Festival, both of which occur in the summer months. Staff are concerned with expanding the initial list of approved festivals because only request's from establishments with compliance and enforcement issues or problems that cause negative impacts on area residents would normally be refused (i.e. all others would be approved). A large number of approved city festivals would create a greater impact on the city's communities. However, as this is policy/guidelines it would be a relatively simple task for Council to add festivals in the future.

Staff also recommend that the Chief License Inspector be permitted to consider an additional 12 nights per year, with a maximum of 2 per month, for other festivals or special occasions (such as grand openings, business anniversaries, unique/significant live performances, charity fundraisers or other significant dates). This provision will assist staff in granting a limited number of extensions for small city festivals for specific establishments which are integral part of the festival (eg. host venue or key sponsor of the St. Patrick's Day festival and parade, or the Comedy Festival).

Furthermore, the Chief License Inspector's letter of support for the temporary amendment to the provincial liquor license should be limited to 2 calendar months with maximum of 21 closing hour changes. This will mitigate abuse of the temporary approval process and retain a high degree of control over the hours of operation that have the greatest potential to negatively impact area residents and city resources.

Special event extensions can be applied for by operators with either a Standard or Extended Hours Liquor Establishment Class business licenses. The eligible hours of operation for the extension will be limited by the policy for their area. The Chief License Inspector will consider a variety of factors prior to making a decision on each application (VPD comments, enforcement history, feedback/comments/complaints from area residents, etc.).

Approval for the special event extensions would be granted through the Liquor Control and Licensing Branch Temporary Amendment to Liquor License application process which requires comments from the Local Government.

Noise Control By-Law Amendments

A primary concern of residents raised through the public consultation for the Hours of Liquor Service policy were noise impacts from the existing establishments on the liveability of their homes. To address this issue staff feel that the Noise Control By-Law should be amended to place more stringent requirements on businesses intending to operate during the extended hours of operation. Staff note that throughout the creation of the Hours of Liquor Service policy all stakeholders were made aware of the desire and need to reduce noise impacts on the adjacent residents.

The Medical Health Officer consulted with members of the Acoustic Engineering industry to seek advice on possible changes to the Noise Control By-law that would reduce the noise impact of liquor establishments on adjacent residents, be measurable/quantifiable regulations and enforceable in an active urban community. Based on those discussion staff propose revisions to the Noise Control By-Law during extended hours of operation. In

addition, a License By-law amendment is proposed for those establishments that utilize sound and bass limiters on their sound systems to meet the acoustic criteria for extended hours designation, The system shall warn operators when the interior sound level is nearing (within 5 decibels) the interior maximum, as set forth in that establishment's approved acoustic report. Precise bylaw wording is included in Appendices B & C.

The following is a summary of the proposed Noise Control & License By-law Amendments during Extended Hours Liquor Establishment Class business licenses operating hours:

- new provision regarding dBC (leq) that will reduce the sound meter measurement average from 3 minutes to 1 minute and change the measurement location from "point of reception" (i.e. complainants home) to 3 metres from the exterior wall [Noise Control Bylaw];
- new provision regarding dBA (leq) that will reduce the sound meter measurement average from 3 minutes to 1 minute and change the measurement location from "point of reception" (i.e. complainants home) to 3 metres from the exterior wall [Noise Control Bylaw];
- add a requirement to allow, based on an approved acoustic report, for the installation of bass and sound-level limiting equipment and a warning system to advise operators when the sound levels approach the Noise Control Bylaw sound level requirements [License Bylaw].

The License By-law now requires that businesses applying for the extended hours liquor establishment class 2 to 7 business license must submit an Acoustical report certifying that the establishment meets Noise Control By-law requirements for the extended operating hours. Some establishments will have no difficulty meeting this new standard with little or no acoustic upgrades required.

However, other establishments may have significant difficulty meeting this new standard and will require substantial acoustic upgrades to their facilities. These operators will have to choose between completing the required upgrades necessary to operate at the extended hours or do nothing, operate at the standard hours for their area and apply for the occasional Special Event extension. In either scenario the surrounding community should benefit. An upgraded facility operating at extended hours will have a more acoustically sound building during all hours of operation; or the business will operate at standard hours that are likely less than the operators present hours of operation which will result in the noise associated with the bar ceasing at an earlier time.

The Medical Health Officer feels that the combination of the recommended amendments to the Noise Control By-law and the requirement for an acoustical report certifying compliance with the Noise By-law limits should afford enhanced protection to residential neighbours of extended hours liquor primary establishments. Since these proposed changes would not apply to the noise generated during the standard hours, the likelihood remains that residential neighbours of these facilities may still have cause for complaint. Experience with the extended hours provisions may provide some insight into whether these tighter acoustical provisions should be applied more broadly over time.

FINANCIAL IMPLICATIONS

The financial implications and cost recovery options are discussed in the companion report titled "Business License fees for Extend Hours Liquor Establishments".

Staff expect that there will be additional monitoring and enforcement work for Property Use Branch Inspectors and Environmental Health Officers but cannot provide a specific estimate at this time. Staff will report back if additional resources are required.

SOCIAL IMPLICATIONS

The Director of Social Planning supports the regulation of hours by area and the proposed noise control measures, noting the need to monitor the effects of extended hours and special event extensions on neighbours, with regard to noise and to public nuisance and public safety. While extended and special event hours may provide benefits to businesses and communities, increased access to alcohol is also a serious social issue, given the extent of alcohol-related harms in the community. In 2003 in B.C., for example, 185 people died from all illicit drugs while 1789 people died from alcohol-related causes. Impact reduction measures are an important part of a balanced alcohol policy. Given the slow response of senior governments to improving alcohol treatment, recovery, and other services, it is particularly important that municipal governments and industry take measures within their power to mitigate harms, keeping in mind the larger social context.

IMPLEMENTATION PLAN

If Council approves all the components of this report staff anticipate implementing the policy in April 2006. Staff envision the remainder of 2006 as a transition year from current system to the new policy and the two tiered license system. The learning curve for staff, industry and the public will be significant. Staff will need to provide industry with interpretations of the new regulations, expectations for compliance and a schedule for meeting compliance. Industry will need to learn the new License By-law impact reduction measures/regulations, Noise Control By-law amendments and put the necessary resources in place to meet the compliance schedule. As staff and the industry work to shift the city's liquor establishments over to the new system the public will need patience to accept the inevitable growing pains of that conversion process.

As a result of the extensive public consultation completed as part of the Hours of Liquor Service Policy review, the authority to apply the hours policy in by-law form and the two tiered business license system, staff support 'batch' processing of the LCLB's amendments to the Liquor Primary liquor licenses to bring these licenses into sync with the Business Premises Regulation of Hours By-law. Batch processing provides the most efficient means to implement the Hours of Liquor Service Policy. Furthermore, staff are confident that the combination of the two tiered business license and the Business Premises Regulation of Hours By-law will address resident's concern that the city have the ability to resolve late night noise issues in a timely manner.

Staff expect that many of the new license by-law regulations will be easily compiled with, except the requirement to obtain an Acoustic report certifying compliance with the new Noise Control By-law requirements. As a result, staff do not anticipate withholding the

issuance of extended hours liquor establishment class 1 - 7 business licenses for 2006 pending compliance with the by-law. However, it is anticipate that in 2007 extended hours liquor establishment business licenses may be held or suspended if operators do not comply with all the License By-law requirements.

Staff support the batch processing of Liquor Primary liquor license amendments of all the establishments as indicated in Appendix D of this report. Appendix D lists the name and address of all Liquor Primary establishments in the city separated into their respective Business Premises Regulation of Hours area, the associated hours of operation by business license type and the map for each area (maps shown in Appendix A).

Staff shall continue to work with LCLB staff to ensure a smooth transition to the hours of liquor service policy throughout the city.

CONCLUSION

This report recommends Council's endorsement of four separate but related pieces of work associated with the final steps to implementation of the Hours of Liquor Service policy:

- confirmation of the boundaries of the business premises regulation of hours areas and preparation of the appropriate amending by-law;
- a minor revision to the Hours of Liquor Service policy;
- amendments to the Noise Control By-law to place more stringent regulations on liquor establishments operating during the extended hours; and
- a complementing amendment to the acoustic requirement in the License By-law.

Successful completion of this phase will bring a degree of certainty with respect to hours of liquor service for the city's bars and nightclubs into the foreseeable future.

Staff will report back later this year if there is a need to increase Licenses & Inspections staff resources to adequately monitor these businesses and new regulations.

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Table 2 - Business Premises Hours of Regulation Areas & Details

MAP 1 Standard Hours: 11 am - 2 am, 7 days/week Downtown - Primarily Commercial Extended Hours: 9 am - 3 am, 7 days/week Granville Street -**Entertainment District** Central Business District Davie Village (1000 - 1200 Blks) Map 1 Downtown Regulation Areas Primarily Commercial Areas Liquor Primary Locations

Downtown - Primarily Mixed-Use

- Gastown (HA-2 zone)
- Yaletown (HA-3 zone)
- West End Commercial Streets (Davie/ Denman/ Robson)

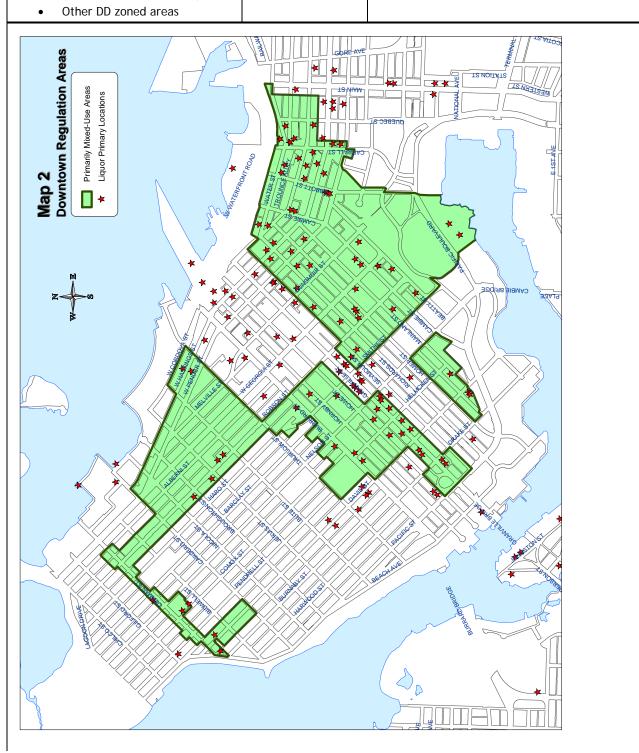
MAP 2

Standard Hours: 11 am - 2 am Weekends,

11 am - 1 am Weekdays

Extended Hours: 9 am - 3 am Weekends

9 am - 2 am Weekdays



Downtown - Primarily Residential

- Downtown South
- False Creek North
- Coal Harbour
- West End Residential

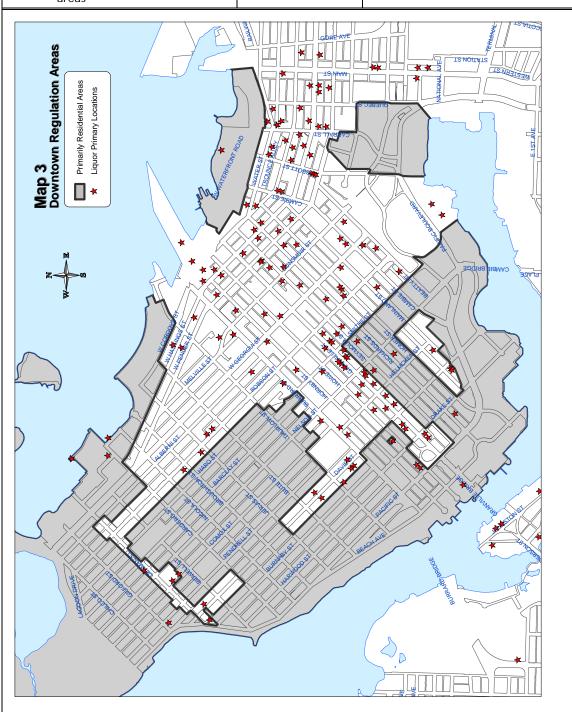
 All remaining areas not noted in the Commercial & Mix-use areas MAP 3

Standard Hours: 11 am -1 am Weekends,

11 am -12 am Weekdays

Extended Hours: 9 am-2 am Weekends

9 am - 1 am Weekdays

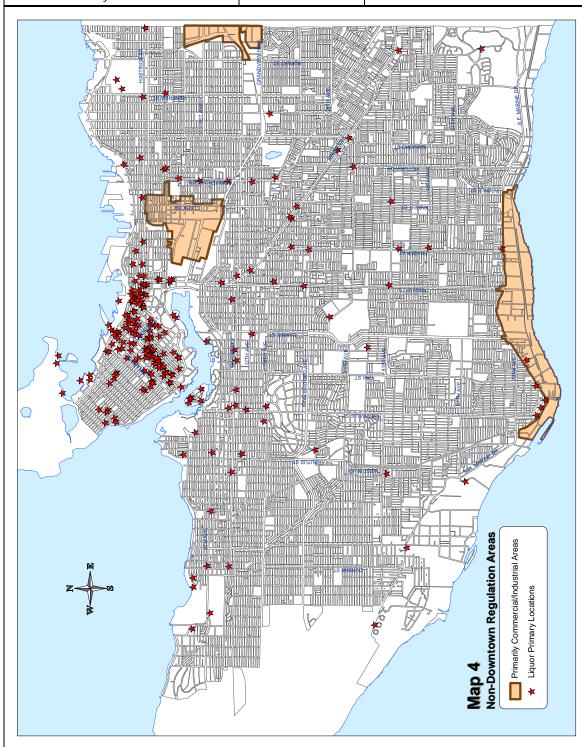


Non-Downtown - Primarily Commercial/Industrial

- SW Marine Drive
- Terminal/Clark
- Boundary/Grandview

MAP 4

Standard Hours: 11 am to 2 am, 7 days/week Extended Hours: 9 am to 3 am, 7 days/week



Non-Downtown - Primarily Mixed-Use

- Hastings/Strathcona
- Commercial Drive
- Broadway/Main/Kingsway
- Chinatown
- 4th Avenue/Granville Island

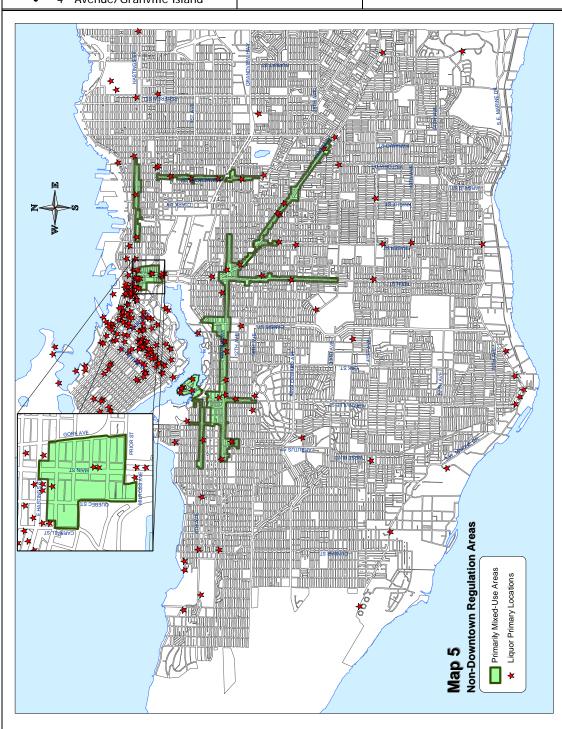
MAP 5

Standard Hours: 11 am - 1 am Weekends,

11 am - 12 am Weekdays

Extended Hours: 9 am - 2 am Weekends

9 am - 1 am Weekdays



Non-Downtown - Primarily Residential

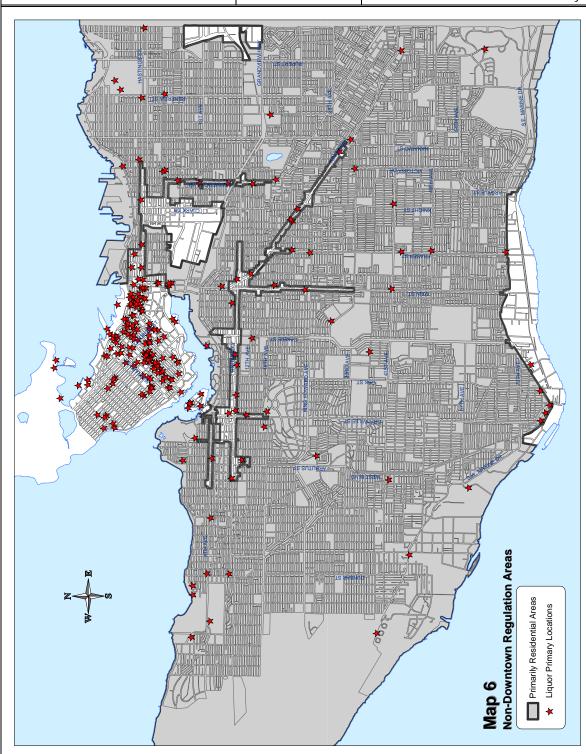
 All remaining areas not noted in the Commercial & Mixed-use areas MAP 6

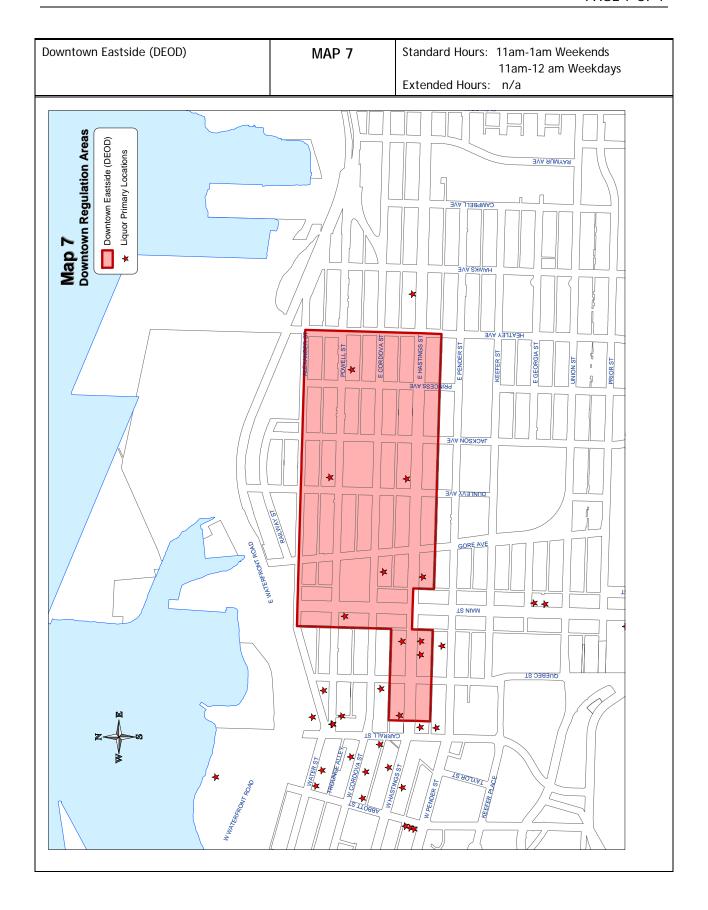
Standard Hours: 11 am-1 am Weekends,

11 am-12 am Weekdays

Extended Hours: 9 am - 2 am Weekends

9 am - 1 am Weekdays





The following amendments are proposed to the Noise Control By-law:

"11D. In addition to the requirements of section 11, a person in an extended hours liquor establishment, as defined under the License By-law, must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous bass noise or bass sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified of not, the level of which exceeds a rating of 65 dBC (Leq) when measured on an approved sound meter for a period of one minute at a distance of three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground."

"11E. In addition to the requirements of sections 11 and 11D, a person in an extended hours liquor establishment, as defined under the License By-law, must not make, cause, or permit to be made or caused, during extended hours, continuous or non-continuous sound of a radio, television, player or other sound playback device, public address system, or any other music or voice amplification equipment, musical instrument, whether recorded or live, whether amplified or not, the level of which exceeds 3 decibels (Leq) dBA above the background noise on an approved sound meter when measured for a period of one minute at a distance of, three metres from an exterior wall of the building in which that liquor establishment is situate, and at least 1.2 metres above the ground."

Any consequential amendments to add definitions or re-number sections.

Amendments to Section 19.2A (7) of the License By-Law 4450 to replace the existing provision with the following:

"The licensee of an extended hours liquor establishment, except for an extended hours liquor establishment - class 1, must:

- (a) submit, with the application for a license, an acoustical report, prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise or sound levels in the liquor establishment will comply with the noise or sound level requirements of the Noise Control By-law that apply to the liquor establishment; and
- (b) if the acoustical report requires the installation of bass and sound-level limiting equipment on sound systems, set such equipment to warn the licensee when the sound levels of such sound systems are within five decibels (dBA or dBC) of the limits set out in sections 11D and 11E of the Noise Control By-law."

Table 3 - Business Premises Hours of Regulation Areas & Details

Downtown - Primarily Commercial

- Granville Street Entertainment District
- **Central Business District**
- Davie Village (1000 1200 Blks)

MAP

Standard Hours: 11 am - 2 am, 7 days/week Extended Hours: 9 am - 3 am, 7 days/week Special Events: 9 am - 4 am, 7 days/week

Business Name

Aqua 1066 Lounge BCIT (Downtown Campus) Bentall Centre Athletic Club Brandi's Show Lounge

Celebrities Clarence Hotel Club 686 Bar & Lounge Commodore Ballroom Commodore Pub Days Inn Vancouver Fountainhead Pub Four Seasons Hotel Hotel Vancouver

Hyatt Regency Vancouver Hotel

Jolly Tax Payer Law Courts Inn Lennox Pub Caprice Nightclub Metropolitan Hotel Numbers

Oasis Pub (Vancouver) Pan Pacific Vancouver Hotel

Parkhill Hotel Piccadilly Hotel Plaza Cabaret PumpJack Pub Roxy Cabaret Skybar St. Regis Hotel

Hy's Gotham's Steakhouse

Sutton Place Hotel Terminal City Club Terminal City Club The Fairmont Waterfront

The Odyssey The Orpheum Tokyo Lounge Tom Lee Music Hall

Tonic Bar Vancouver Club Vogue Theatre

Business Address

1066 West Hastings Street 555 Seymour Street 1055 Dunsmuir Street #600 - 595 Hornby Street 1022 Davie Street 608 West Pender Street 686 West Hastings Street 868 Granville Street 870 Granville Street 921 West Pender Street 1025 Davie Street 791 West Georgia Street 900 West Georgia Street

655 Burrard Street 828 West Hastings

5th Floor - 800 Smithe Street

800 Granville Street 965 Granville Street 645 Howe Street 1042 Davie Street 1240 Thurlow Street #300 - 999 Canada Place 1160 Davie Street 622 West Pender Street 881 Granville Street 1167 Davie Street 932 Granville Street 670 Smithe Street 608 Dunsmuir Street 615 Seymour Street 845 Burrard Street 837 West Hasting Street 888 West Cordova Street

900 Canada Place 1251 Howe Street 865 Seymour Street 350 - 1050 Alberni Street 929 Granville Street 919 Granville Street 915 West Hastings Street 918 Granville Street

Downtown - Primarily Mixed-Use Standard Hours: 11 am - 2 am Weekends, MAP 11 am - 1 am Weekdays Gastown (HA-2 zone) Extended Hours: 9 am - 3 am Weekends Yaletown (HA-3 zone) 9 am - 2 am Weekdays West End Commercial Streets (Davie/ Denman/Robson) 9 am - 4 am Weekends Special Events: 9 am - 3 am Weekdays Other DD zoned areas **Business Name Business Address** 674 Seymour Street Au Bar Barclay Hotel 1348 Robson Street 1222 Hamilton Street BarNone **BC Marine Association** 573 Homer Street Blarney Stone 216 Carrall Street 1795 Beach Avenue **Boathouse** Blue Horizon Hotel 1225 Robson Street Bosman's Motor Hotel 1060 Howe Street British Columbia Regiment (DCO) 620 Beatty Street 1100 Burrard Street **Burrard Motor Inn** Cambie 340 340 Cambie Street Cambie Hotel 300 Cambie Street Cecil Hotel 1336 Granville Street Centre in Vancouver for Performing Arts 777 Homer Street Century Plaza Hotel 1015 Burrard Street Chateau Granville 1100 Granville Street Cherry Bay Beach Club 7 Alexander Street Club 212 212 Carrall Street Club 23 West 23 West Cordova Street Coast Plaza at Stanley Park (2 licenses) 1733 Comox Street Columbia Hotel 303 Columbia Street Delta Vancouver Suite Hotel 550 West Hastings Street Denman Fitness Company 1731 Comox Street Dix Barbeque and Brewery 871 Beatty Street Dominon Hotel (Vancouver) 210 Abbott Street Doolin's 678 Nelson Street Dover Arms 961 Denman Street **Dufferin Hotel** 900 Seymour Street Empire Landmark Hotel & Conference Centre 1400 Robson Street Evergreen Fitness Club 1285 West Pender Street 330 West Georgia Street Fox and Fiddle Georgian Court Hotel 755 Beatty Street Ginger 62 1219 Granville Street **Grand Union Hotel** 74 West Hastings Street Greater Vancouver Media Association 695 Cambie Street Hildon Hotel 50 West Cordova Street Holiday Inn (Howe Street) 1110 Howe Street Hollywood North Cabaret 856 Seymour Street 1180 Granville Street Howard Johnson Hotel (Crush) Kingston Hotel 755 Richards Street 6 Powell Street Loft Six Lotus Hotel (Honey Lounge) 455 Abbott Street Lotus Hotel (Lotus Sound Lounge) 455 Abbott Street Lotus Hotel (Milk Pub) 455 Abbott Street Marble Arch Hotel 518 Richards Street Metropole Hotel 320 Abbott Street Ms. T's 339 West Pender Street O'Douls's Hotel 1300 Robson Street Opus Hotel 322 Davie Street

1277 Robson Street

37 West Hastings Street

Pacific Palisades Hotel

Palace Hotel (Vancouver)

Business Name Business Address (Map 2 continued) Pennsylvania Hotel 412 Carrall Street 750 Pacific Boulevard Queen Elizabeth Theatre and Vancouver Playhouse 649 Cambie Street Railway Mens Club 579 Dunsmuir Street Rainier Hotel 315 Carrall Street Ramada Limited Downtown Vancouver 435 West Pender Street Rosie's on Robson 838 Hamilton Street Royal Hotel (Vancouver) 1029 Granville Street Sandman Inn (The Shark Club) 180 West Georgia Street Sandman Inn 180 West Georgia Sands Motor Hotel 1755 Davie Street Sheraton Vancouver Wall Centre Hotel 1088 Burrard Street Shine 364 Water Street Simon Fraser University at Harbour Centre 515 West Hastings Street Sonar 66 Water Street Steamworks 375 Water Street Stone Temple Cabaret 1082 Granville Street 1114 Alberni Street Studio 55 Sugar & Sugar 99 Powell Street The Buffalo Club 1161 Granville Street The Cellar 1006 Granville Street The Morrissev 1227 Granville Street The Red Room 398 Richards Street Travelodge Vancouver 1304 Howe Street Vancouver Marriott Pinnacle Hotel 1128 West Hastings Street Vancouver Renaissance Hotel 1133 West Hastings Street Wedgewood Hotel 845 Hornby Street West Hotel 488 Carrall Street Westin Grand Hotel 433 Robson Street Westin Grand Hotel (Voda) 783 Homer Street Yale Hotel (Vancouver) 1300 Granville Street

Downtown -	Primaril	ly Residenti:	al
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- Downtown South
- False Creek North
- Coal Harbour
- West End Residential
- All remaining areas not noted in the Commercial & Mix-use areas

MAP

Standard Hours: 11 am -1 am Weekends,

11 am -12 am Weekdays

Extended Hours: 9 am-2 am Weekends

9 am - 1 am Weekdays

Special Events: 9 am - 3 am Weekends

9 am - 2 am Weekdays

Business Name

Atlantis Club Brockton Clubhouse Executive Inn HMCS Discovery Lift Bar Grill View

Live Bait Yacht & Marine Pub

Penthouse

Quality Inn Downtown (Vancouver)

Yaletown Brewing Co. Pub & Restaurant

Yuk-Yuk's Comedy Club

Richard's on Richards

Sylvia Hotel

Vancouver Rowing Club Westin Bayshore Hotel

Business Address

1111 Mainland Street

750 Pacific Boulevard

1320 Richards Street 1151 Stanley Park Drive 1379 Howe Street 1200 Stanley Park Drive 333 Menchions Mews 1583 Coal Harbour Quay 1019 Seymour Street 1335 Howe Street 1036 Richards Street 1154 Gilford Street 450 Stanley Park Drive 1601 Bayshore Drive

Non-Downtown - Primarily Commercial/Industrial	MAP	Standard Hours: 11 am to 2 am, 7 days/week Extended Hours: 9 am to 3 am, 7 days/week Special Events: 9 am to 3 am, 7 days/week
Business Name Fraser Arms Hotel Marpole Curling Club Metro Theatre Centre Wild Coyote		Business Address 1450 SW Marine Drive 8730 Heather Street 1370 SW Marine Drive 1312 SW Marine Drive
Non-Downtown - Primarily Mixed-Use	мар 5	Standard Hours: 11 am - 1 am Weekends, 11 am - 12 am Weekdays Extended Hours: 9 am - 2 am Weekends 9 am - 1 am Weekdays Special Events: 9 am - 3 am Weekends 9 am - 2 am Weekdays
Business Name Army, Navy & Air Force Veteran Army, Navy & Air Force Veteran Arts Club of Vancouver Theatre Arts Club Revue Theatre Astoria Hotel Avanti's Pub Barcode Nightclub and Lounge Biltmore Hotel (2 licenses) Bimini Neighbourhood Pub Bridges British Ex-Servicemen's Associat Cedar Cottage Pub False Creek Yacht Club Granville Island Hotel (Dockside Holiday Inn Vancouver Centre Howard Johnson Plaza Hotel Joey's Global Grill (Kitsilano) Lola Cabaret Ming's Dining Complex Planet Uranus Lounge Polish Veteran's Hall Portuguese Club of Vancouver Ramada Vancouver Centre Royal Canadian Legion, Branch I Tobys Pub & Grill Waldorf Hotel Waterfront Theatre	s in Canada #29 Building tion Brewing Co.)	
Non-Downtown - Primarily Residential • All remaining areas not noted in the Commercial & Mixed-use areas	мар 6	Standard Hours: 11 am-1 am Weekends, 11 am-12 am Weekdays Extended Hours: 9 am - 2 am Weekends 9 am - 1 am Weekdays Special Events: 9 am - 2 am Weekends 9 am - 1 am Weekdays
Business Name 15th Field Artillery Regiment A N Z A Clubrooms		Business Address 2025 West 11 th Avenue 3 West 8 th Avenue

Business Name

Al Ritrovo Restaurant American Hotel Arbutus Club

Army, Navy & Air Force Veterans in Canada #26 Army, Navy & Air Force Veterans in Canada #68

Brickhouse at Hogan's Alley

Cambrian Hall

Coast Vancouver Airport Hotel

Cobalt Hotel Columbus Centre

Darby D Dawes Neighbourhood Public House

Eldorado Motor Hotel Elephant Walk Freemasons Hall

Hastings Park Racecourse Holiday Inn Express Vancouver

Hot Jazz Society Hycroft Italian Centre Ivanhoe Hotel

Jeremiah's Neighbourhood Pub Jericho Garrison Combined Mess

Jericho Sailing Centre Jericho Tennis Club Marine Drive Golf Club Missions To Seamen

Oscar's Pub

Pacific National Exhibition

Pacific Hotel

Penny Lane Neighbourhood Pub

Plaza 500

Point Grey Golf and Country Club

Polish Community Centre

Princeton Hotel Quality Inn Airport

Ramada Hotel & Suites (Vancouver) Royal Canadian Legion, Branch No. 16 Royal Canadian Legion, Branch No. 30 Royal Canadian Legion, Branch No. 142 Royal Canadian Legion, Branch No. 176 Royal Canadian Mounted Police "E" Division

Royal Vancouver Yacht Club Seaforth Highlanders of Canada Shaughnessy Golf and Country Club

Societa Molisana Society

Stamps Landing Neighbourhood Pub

Stanley Theatre Sunset Grill

United Croats of Canada Vancouver Alpen Club

Vancouver Canadians Baseball Club

Vancouver Curling Club Vancouver East Cultural Centre

Vancouver Lawn Tennis and Badminton Club Vancouver Masonic Temple Association

Vancouver Racquets Club

Village Pub

The WISE Social and Athletic Club

Business Address (Map 6 continued)

2010 Franklin Street 928 Main Street 2001 Nanton Avenue 5896 Fraser Street

400 - 3624 Fraser Street(718 E. 20th Ave)

730 Main Street 215 East 17th Avenue 1041 SW Marine Drive 917 Main Street 8337 Granville Street 2001 MacDonald Street 2330 Kingsway 1445 East 41st Avenue

1495 West 8th Avenue 2901 East Hastings Street 2889 East Hastings Street 2120 Main Street

1489 McRae Avenue 3085 Slocan Street 1038 Main Street 3681 West 4th Avenue 4050 West 4th Avenue 1300 Discovery Street 3837 Point Grey Road 7425 Yew Street

401 East Waterfront Road 3684 East Hastings Street 2901 East Hastings Street

700 Main Street 5688 Main Street 500 West 12th Avenue 3350 SW Marine Drive 4015 Fraser Street 1901 Powell Street 725 SE Marine Drive 5757 Battison 727 East 49th Avenue 2177 West 42nd Avenue

3679 West Broadway 1407 Laburnum Street 657 West 37th Avenue 3811 Point Grey Road (950 Stanley Park Dr.)

1650 Burrard Street 4300 SW Marine Drive 848 Renfrew Street 610 Stamp's Landing 2750 Granville Street 2204 York Avenue 3250 Commercial Drive 4875 Victoria Drive 4601 Ontario Street 4460 Dinmont Avenue 1895 Venables Street

1630 W 15th Avenue 1495 West 8th Avenue 4867 Ontario Street 7725 Champlain Crescent 1882 Adanac Street

Downtown Eastside (DEOD)	MAP 7	Standard Hours: 11am-1am Weekends 11am-12 am Weekdays Extended Hours: n/a Special Events: 9 am - 2 am Weekends 9 am - 12 am Weekdays	
Business Name		Business Address	
Balmoral Hotel (Vancouver)	159 East Hastings Street		
Dodson Pub	25 East Hastings Street		
Drake Hotel	606 Powell Street		
Empress Hotel	235 East Hastings Street		
Firehall Theatre	280 East Cordova Street		
Marr Hotel and Pub		401 Powell Street	
New Brandiz Pub	122 East Hastings Street		
No. 5 Orange Street Hotel	203 Main Street		
Patricia Hotel	403 East Hastings Street		
Regent Hotel	160 East Hastings Street		
Savoy Hotel		258 East Hastings Street	

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

896

, Approved and Ordered

DEC - 9 2005

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that section 2 of the Classes of Business Premises Regulation, B.C. Reg. 33/99, is amended by adding the following paragraphs:

- (o) extended hours liquor establishments, including class 1 to 7 extended hours liquor establishments;
- (p) standard hours liquor establishments, including class 1 to 7 standard hours liquor establishments.