



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: March 28, 2006
Author: Bill Boons
Phone No.: 604.873.7678
RTS No.: 05802
VanRIMS No.: 11-3500-10
Meeting Date: May 4, 2006

TO: Standing Committee on Planning and Environment

FROM: Director of Current Planning

SUBJECT: 961 Denman Street - Private Liquor Store
Development Application Number DE409591

CONSIDERATION

A. THAT the Director of Planning be advised that Council would not favour approval of Development Application Number DE409591 for a Private Liquor Store (Type 1- Beer and Wine) at 961 Denman Street.

OR

B. THAT the Director of Planning be advised that Council would favour approval of Development Application Number DE409591 for a Private Liquor Store (Type 1- Beer and Wine) at 961 Denman 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 does not fully comply to the Liquor Store Guidelines, and some neighbourhood concerns have been raised. The Director of Planning is not 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 a portion 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 Denman Street between Nelson Street and Barclay Street. The site is zoned C-5 and currently contains an existing Neighbourhood Public House (Dover Arms Pub) and Financial Institution. 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 a Local Shopping Area (LSA "A" - Denman Street - Nelson to Robson; Robson Street - Denman to Cardero). This LSA already has one existing Liquor Store (Wine only) located at 1610 Robson Street (Divino Wines) which is approximately 376 m/1,100 ft. from this site. There is also an approval granted under DE406086 (not yet issued) for a new Government Liquor Store to be located within a re-development site at 1716 Robson Street (approximately 240 m/790 ft. from this site) The closest liquor store is a recently approved Wine Only store at 1030 Denman Street (within the Denman Place Mall) which is approximately 172 m/565 ft. from this site, and is located in LSA "B". (Denman Street - Nelson to Davie; Davie Street - Denman to Cardero). The closest existing Government Liquor Store is located at 1655 Davie Street which is also located in LSA "B" and is approximately 445 m/1,460 ft. from this site.

DISCUSSION

The applicant seeks approval to alter and change the use of a portion of the ground floor in this existing building to provide for a new private Liquor Store (Type 1- Beer and Wine). The liquor store would be in an area formerly occupied by the Pub and would have a total area of approximately 43 sq. m/460 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 9:00 a.m. to 11:00 p.m. seven days per week. 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) "A"

Denman Street - Nelson to Robson; Robson Street - Denman to Cardero. The Local Shopping Area in this portion of Denman/Robson streets already has one existing Liquor store (Wine only) at the Robson Market (1610 Robson Street). In addition a previous development approval (permits not yet finalized) has been granted for a new Government Liquor Store to be part of a re-development proposal at 1716 Robson Street. This site is currently awaiting soil remediation and it is unclear at this point when the new development would be completed.

Separation from Family-Oriented Uses

The location is within 150 m of an existing School (King George Secondary School) at 1755 Barclay Street and an existing Community Centre (West End Community Centre) at 870 Denman Street. There are no churches or parks within 150 metres of this site.

Parking/Loading provisions

The site contains a two-storey building having a Neighbourhood Public House and a Financial Institution. The site provides a total of twenty-seven (27) off-street parking spaces underground and two off-street loading spaces, all accessed from the lane. 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, 307 neighbouring property owners were notified of the proposal. The Director of Planning received eight (8) written responses, two (2) in favour, and six (6) expressing concerns with the proposal. The notification area is included in the attached Appendix "A" map. In addition the applicant distributed approximately 4,500 information brochures within the West End community advising of their application and seeking comments. In response the applicant received 59 positive responses, 8 negative responses, and 1 undecided.

A summary of the neighbourhood concerns is as follows:

- (i) liquor stores will attract "bad elements" and will make the street less safe.
- (ii) plenty of existing liquor outlets in the area, no need to add more liquor stores.

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

A summary of the positive comments received is as follows:

- (i) convenient for residents who do majority of shopping in the local area.
- (ii) will restore service lost to the community when Government Liquor Store on Robson Street closed.
- (iii) would be a good addition to the varied mix of local shops on Denman Street.

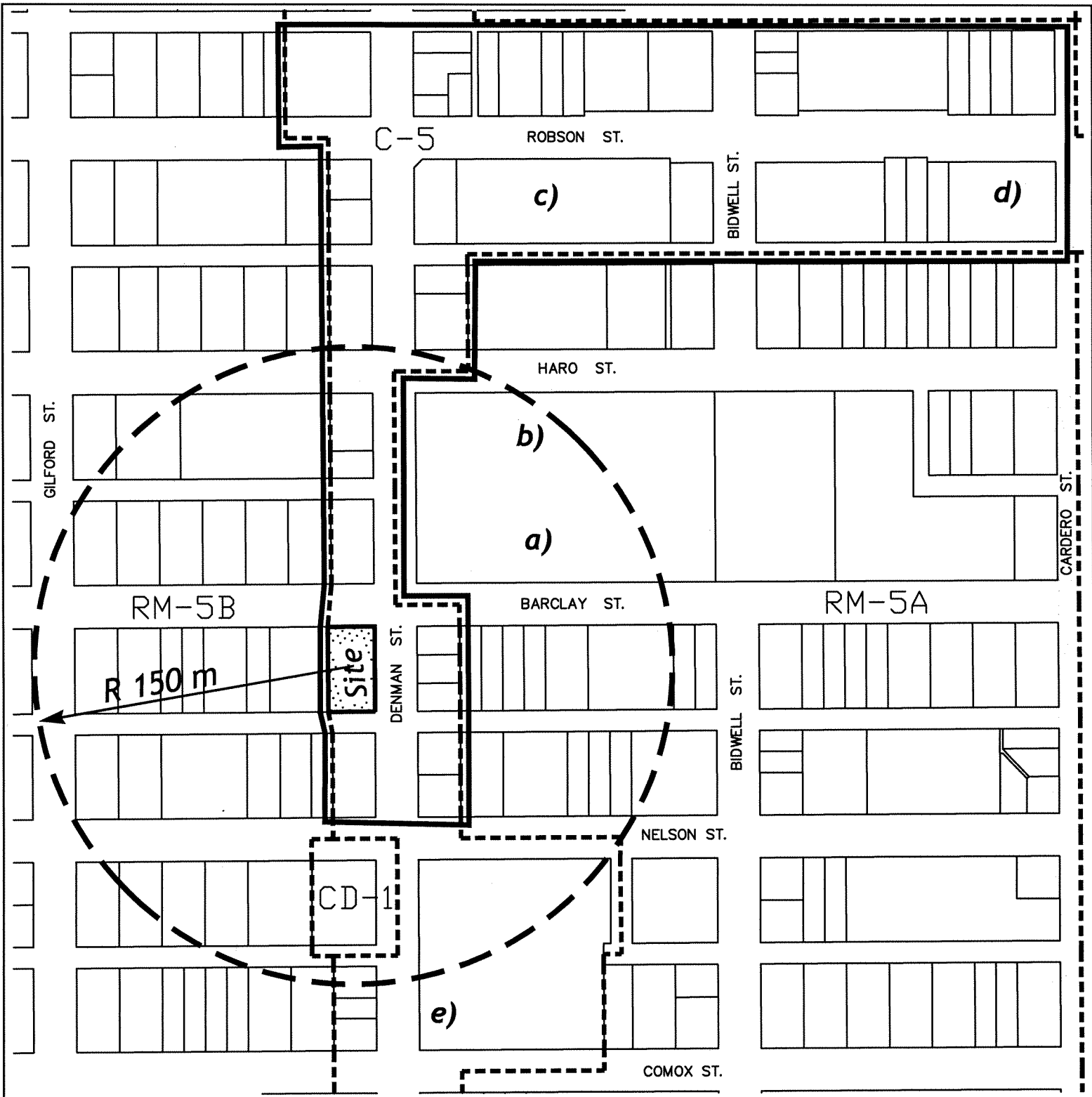
POLICE DEPARTMENT COMMENTS

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, and the number of stores located within any Local Shopping Area. The proposal has also generated some concerns in the neighbourhood. Given the number of liquor stores in the area, and the conflicts with the Council approved guidelines, the Director of Planning is not inclined to support the proposal, but is seeking any advice which Council may wish to provide.

* * * * *



- a) 1755 Barclay, King George Secondary School
- b) 870 Denman, West End Community Centre
- c) 1716 Robson, Proposed Development Site to Contain Type 2 Govt. Liquor Store
- d) 1610 Robson, Existing Retail Wine Only Store
- e) 1030 Denman, Existing Retail Wine Only Store (Denman Place Mall)

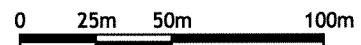
- Notification Boundary
- Local Shopping Area "A"
- Zoning Boundary

Site: 961 Denman St
DE 409591

Date: 2006 March 8

City of Vancouver Planning Department

Scale:



**Dover Arms Neighbourhood Public House Ltd.
961 Denman Street
Vancouver, BC
V6G 2M3**

November 1, 2005

VIA FAX: (604) 873-7060

ORIGINAL VIA COURIER

The City of Vancouver
Development Services Department
453 West 12th Avenue
Vancouver, BC V5Y 1V4

Attention: Bill Boons, Manager, Processing Centre-Development

Dear Mr. Boons:

RE: Dover Arms Neighbourhood Pub – 961 Denman Street, Vancouver
Licensee Retail Store (LRS) Application

As you are aware, we are represented by Dennis Coates of Mair Jensen Blair with respect to the above-noted LRS application. This proposed LRS has already received preliminary approval from the Liquor Control and Licensing Branch (“LCLB”) and is now before the City of Vancouver for its support and approval.

Although Mr. Coates has already provided you with a description of the proposed LRS, we are writing at this time to provide more detail regarding our LRS proposal, which we hope will answer our neighbourhood’s questions and alleviate any potential concerns.

We have owned and operated the Dover Arms Pub for 26 years and have always taken pride in our neighbourhood and involve our business in the local community. We have continually strived to provide a service to our community while maintaining a good relationship with the surrounding residents and businesses. We enjoy their patronage and hope to better satisfy their needs by providing this store for their convenience.

Hours of Operation

The proposed store hours of operation are 9:00 a.m. to 11:00 p.m., seven days per week. These hours are within the approved LCLB hours of sale, and are consistent with most other stores within the province of British Columbia.

Product Range

The proposed store is intended to sell beer and wine, including ciders and coolers, but no spirits (hard liquor). The Dover Arms Pub liquor licence already has an “off-sales” endorsement, granting it the privilege to sell beer and wine. The LRS would simply provide a better selection of product and a more organized, efficient and convenient point of sale for its customers.

Size of Store

This proposed LRS is intended to be a Type 1 store, which are all less than 3,000 square feet. In fact, the floor plan currently before the City depicts a 458 square foot store, which is substantially smaller than the 3,000 square foot maximum, and is also very small in comparison to many other stores. This LRS will be located in a portion of what is currently pub space.

Customer Parking

There is on-street parking outside of the pub and proposed liquor store. There is also on-site parking in the basement, including 10 spaces dedicated to the Dover Arms Pub and Liquor Store and, overall, 27 spaces available to customers of this particular building.

The West End is very much a pedestrian oriented section of the City of Vancouver and, in turn, the smaller neighbourhoods within the West End are even more pedestrian oriented – specific to each unique neighbourhood. With that in mind, it is anticipated that this proposed LRS and the slight shift it will bring to an already well established business, will have a negligible impact on parking, if any. We are, however, cognizant that parking or the lack thereof may impact a neighbourhood and we wish to avoid any possible parking issues. We estimate that short term parking for five cars is sufficient to accommodate the clientele at a small liquor store and we would, therefore, intend to designate five of the present 10 parking spots for that purpose. We would also point out that there will normally only be one employee working in the store, or two at the most.

Delivery and Loading of Product

There is presently a loading dock behind the Dover Arms Pub, which is used for all of the tenants of the building, including the pub, and would also be used for the liquor store. Product deliveries for the pub are on Wednesdays between 10:00 a.m. and 5:00 p.m., and that schedule will remain the same for the proposed LRS. Because the pub is already ordering and receiving product to be sold at its “off-sales” counter, the size of the liquor orders being delivered will only increase slightly with the addition of the LRS.

As mentioned above, the current delivery schedule will be maintained, the same size of trucks will make the deliveries, with the only difference being a minimal increase in the size of the orders. The loading bay and large commercial parking stall immediately beside it allow for a large five-tonne van to back in and load or unload, as the case may be. There is currently no disruption to traffic within the lane, or to any other residences or businesses in the area, and we expect that there will continue to be no disruptions, given the small change to the size of order being delivered.

In addition, the Dover Arms intends to provide for bottle returns next to the loading in the back of the building. An automated can crusher will be in operation, so that the cans can be dealt with in a systematic and non-intrusive manner. With the location of the loading dock, it is not anticipated that the bottle returns will create any issues relative to the operation of the commercial tenants in this area, the residents in the area, or other traffic in the alley. We are hoping to restrict the bottle returns to daytime hours, unless the City of Vancouver has a policy to the contrary.

Social Factors

We acknowledge the fact that there is one school and a community centre within the vicinity. As stated above, the Dover Arms Pub has been operated at this location for 26 years and has not had issues in the past in terms of a negative community impact, or issues with minors. The pub staff are trained to conduct diligent ID checks to ensure that minors are not allowed into the establishment and, therefore cannot purchase alcohol. The LRS staff will also be trained to diligently conduct ID checks to ensure that no minors are sold liquor.

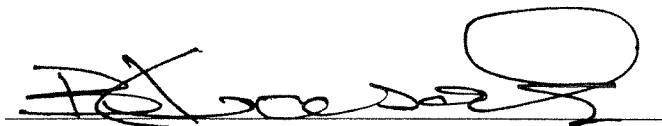
The Dover Arms Pub wants to ensure that it has an operational strategy for the LRS that will provide an enhanced retail service and, at the same time, maintain its harmonious relationship with both the commercial and residential neighbourhoods.

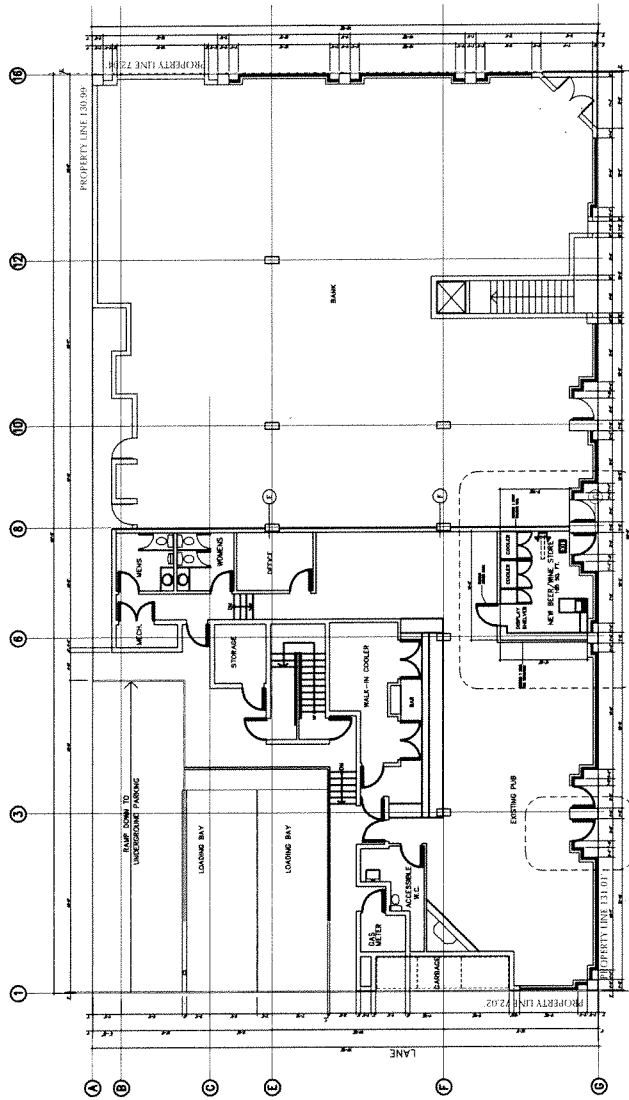
We hope that our local community is looking forward to having this added convenience and we are grateful for the opportunity to provide it.

Yours very truly,

DOVER ARMS NEIGHBOURHOOD PUBLIC HOUSE LTD.

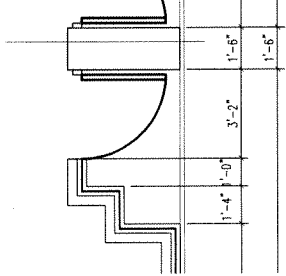
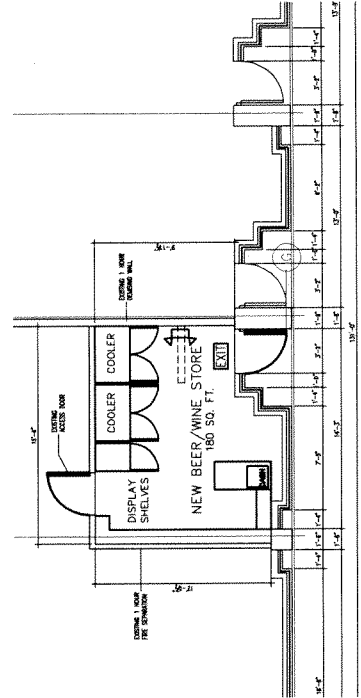
Per:





SITE DATA
 ZONE: C-5 DISTRICT
 AREA OF LIQUOR STORE: 180.00 SQ. FT.
 EXISTING BUILDING: 11,350.2 SQ. FT.
 TOTAL BUILDING: 11,530.2 SQ. FT.
PARKING AND LOADING
 PARKING PROVIDED: 27 SPACES
 LOADING PROVIDED: 2 BAYS

ELECTRICAL LEGEND
 EXIT LIGHT
 EMERGENCY BATTERY PACK C/P LAMPS
WALL TYPE LEGEND
 EXISTING EXTERIOR WALLS AND EXISTING INTERIOR PARTITIONS TO REMAIN
 EXISTING INTERIOR PARTITIONS TO BE REMOVED
 NEW WALLS



TITLE: SITE / FLOOR PLANS PROJECT: PROPOSED WINE & BEER STORE 961 DENMAN STREET, VANCOUVER, B. C. DOVER ARMS PUB	SCALE: SHOWN DATE: April 2005 ORDER:
	SCALE: SHOWN DATE: April 2005 ORDER:
CHALLENGE: DOUGLAS L. MASSIE ARCHITECT (604) 264-1496 <small>Member, Professional Institute of Architects of British Columbia</small> Suite 603 - 1300 West 34th Ave., Vancouver, B.C. V6P 4K5	15037
SHEET: 1 REPLACE EXISTING ACCESS DOOR	DATE: MAY 8, 05
LEVELS: LOT C BLOCK 68 D.L. 185 PLAN WAP 23217 PID # 017 204 348 ZONING: C-5	COPYRIGHT RESTRICTION: THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED THEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.