



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: December 20, 2006
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Meeting Date: February 1, 2007

TO: Standing Committee on Planning and Environment

FROM: Chief License Inspector

SUBJECT: 1630 West 15th Avenue - Vancouver Lawn Tennis & Badminton Club,
Liquor Primary Liquor License for Outdoor Patio Seating

RECOMMENDATION

THAT Council, having considered the opinion of area residents and business operators of the community as determined by neighbourhood notification, the proximity of residential developments, potential noise impacts and relevant Council policy as outlined in the Administrative Report dated January 2, 2007, entitled "1630 West 15th Avenue - Vancouver Lawn Tennis & Badminton Club, Liquor Primary Liquor License for Outdoor Patio Seating", endorse the application by Vancouver Lawn Tennis & Badminton Club for a Liquor Primary patio at the Vancouver Lawn Tennis & Badminton Club, 1630 West 15th Avenue subject to:

- i. A maximum capacity of 46 persons;
- ii. The signing of a Good Neighbour Agreement with the City; and
- iii. The patio ceasing all liquor service and vacated by 11:00 p.m.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

Council policy requires amendments to existing Liquor Primary liquor licenses to be subject to a Time-Limited Development Permit, Good Neighbour Agreement, and public consultation.

PURPOSE

Vancouver Lawn Tennis & Badminton Club is requesting a Council resolution endorsing their application for a 46 person seat Liquor Primary Outdoor Patio at 1630 West 15th Avenue.

BACKGROUND

Site History

The applicant has been operating at this location since 1914 and is open only to members and their guests.

Application

The applicant is requesting a Council resolution endorsing their application for a 46 (person) seat Liquor Primary Outdoor Patio at 1630 West 15th Avenue. The applicant advises that over the years, significant changes have been made to the Clubhouse with structural codes being followed throughout. As a result, the Club was made aware that their floor plans were not current with Liquor Control and Licensing Branch and the outdoor patios were not properly licensed. The Club is now in full compliance. The applicant is requesting hours of operation to match their liquor license, 11:00 a.m. to 1:00 a.m., Monday to Saturday and 11:00 a.m. to 12:00 a.m. on Sunday.

Liquor Control and Licensing Branch (LCLB) Regulations and Policies

Branch regulations allow liquor service between the hours of 9:00 a.m. to 4:00 a.m. seven days a week for Liquor Primary Licenses. All changes/amendments to the liquor license hours of service are subject to local government support. All previous Branch policy has been eliminated. The LCLB has no specific policy for patios.

Area Surrounding Premises

The subject premise is located in the CD-1 Zoning District. The surrounding area is primarily residential (a mixture of 1 Family Dwellings and Multiple Dwellings) and parks. There is only one Liquor Establishment Class 7 which belongs to the applicant (459 seats) and approximately 2 licensed restaurants located within a 1000' radius of the subject site.

RESULTS OF NOTIFICATION

A neighbourhood notification was conducted by circulating 300 notices in the survey area (see Appendix A). A site sign was erected advising the community of the application and where to send concerns or comments. One email was received in support of the application; nine emails and one telephone call was received in opposition.

Respondents in opposition of the application were most concerned with noise and the fact that the area is primarily residential. Most respondents also expressed concern about the

1:00 a.m. patio closing time in a residential area. A number of respondents also commented that they have experienced increased noise from the regular operation of the Club during the summer months for the past number of years and that some specific event nights are particularly rowdy (no particular dates were provided).

DISCUSSION

Staff have supported temporary extensions of the Club's liquor license to allow liquor service on the patio for the past two summers (2005 and 2006, from April to December). Staff are not aware of any issues resulting from these temporary approvals.

File research indicates 2 noise complaints in the past 3 years with the most recent relating to loud music coming from within the Club on New Year's Eve (December 31, 2004). Since that complaint, staff (Licenses and Inspections and Vancouver Coastal Health Authority) have worked with the operators to resolve the noise issues.

As a result, Staff have no issues with the proposed patio provided the patio is closed and vacated by 11:00 p.m. each night. The 11:00 p.m. closing should address the concerns that some area residents had with the applicant's proposed 1:00 a.m. closing time. Staff also recommends that the Club use this opportunity and the constructive criticism of their neighbours provided via this report's public consultation process to educate their members about responsible and suitable behaviour when leaving the Club grounds.

COMMENTS

The Police Department has reviewed the application and has no comment at this time.

The Development Services Department has reviewed the application and notes the site is zoned CD-1 (284) which specifically allows a tennis club use including ancillary activities such as dining room and associated patios. The subject patio has been previously approved as an outdoor dining area and does not require an additional development permit. It is noted that the original patio approval did not carry a time limitation as is our current practice for similar outdoor dining areas.

The Vancouver Coastal Health has reviewed and accepted the application.

The Housing Centre and The Social Planning Department have no comments at this time.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Given the proposed patio location and staff's recommended 11:00 p.m. closing time, staff do not anticipate any significant impacts from the operation of this patio. Therefore, staff are RECOMMENDING Council endorse the applicant's request for a 46 person Liquor Primary patio.

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