



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: June 8, 2007
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Meeting Date: June 28, 2007

TO: Standing Committee on Planning and Environment

FROM: Chief Licence Inspector

SUBJECT: 1177 Melville Street - Wentworth Hotels Inc
Liquor Primary Liquor Licence

RECOMMENDATION

THAT Council, having considered the opinion of area residents and business operators of the community as determined by neighbourhood notifications, the proximity of residential developments, potential noise impacts and relevant Council policy as outlined in the Administrative Report dated June 8, 2007, entitled "1177 Melville Street - Wentworth Hotels Inc - Liquor Primary Liquor Licence", endorse the application by Wentworth Hotels Inc for a Liquor Primary liquor licence (Liquor Establishment Class 2) at 1177 Melville Street subject to:

- i. A maximum total capacity of 70 persons;
- ii. Standard Hours of operation limited to 11:00 a.m. to 1:00 a.m., Sunday to Thursday; and 11:00 a.m. to 2:00 a.m., Friday and Saturday; or
Extended Hours of operation limited to 9:00 a.m. to 2:00 a.m., Sunday to Thursday; and 9:00 a.m. to 3:00 a.m., Friday and Saturday; and
- iii. A signed Good Neighbour Agreement prior to business licence issuance.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS the foregoing.

COUNCIL POLICY

Council policy requires new Liquor Primary liquor licences to be subject to a Time-limited Development Permit, Good Neighbour Agreement, and public consultation.

On May 16, 2006, Council enacted amendments to the Business Premises Regulation of Hours By-law that implements the Hours of Liquor Service Policy for Liquor Primary establishments into by-law regulation.

On July 14, 2005, Council approved amendments to the Licence By-law to provide new definitions for businesses in which the primary function is the sale and consumption of alcohol on the premises (Standard Hours Liquor Establishment Classes 1 - 7) and endorsed policy and guidelines relating to their size and location.

On November 14, 2004, Council adopted the Hours of Liquor Service Policy that established a new model for regulating hours of liquor service for Liquor Primary establishments, based on an area approach and incorporating a two-tiered licensing system and impact reduction measures.

SUMMARY

Wentworth Hotels Inc, located at 1177 Melville Street is seeking a Council resolution endorsing their application for a 70 persons total capacity Liquor Primary liquor licence (Liquor Establishment Class 2) which include hours of licensing of 11:00 a.m. to 2:00 a.m. on weekdays and 11:00 a.m. to 3:00 a.m. on weekends.

The request from Wentworth Hotels Inc is consistent with Council's liquor policy for the area. The establishment will be a lobby lounge-style operation in a new, 128-room upscale, boutique-style hotel catering to business travellers, tourists, and local urban professionals. The anticipated date of occupancy is July 2007. The Fire Department requires an occupant load calculation for the licensed area prior to occupancy.

Response to the public consultation was limited. Of the 2,000 notices circulated, a total of 12 responses were received from area residents (4 in support and 8 in opposition).

Liquor establishments of this size and structure generally do not generate complaints or negative issues with the surrounding residents and business operators, as the licensed area will be contained in the hotel building. As a result, staff is in support of this application.

PURPOSE

Wentworth Hotels Inc is seeking Council resolution endorsing their application for a 70 persons total capacity Liquor Primary liquor licence (Liquor Establishment Class 2) at 1177 Melville Street.

BACKGROUND

Site History

The proposed location of this Liquor Primary liquor licence will be in a new high-end, tailored service-style hotel situated in the Downtown - Primarily Mixed-Use Area. The area surrounding this hotel includes Coal Harbour and Stanley Park with many local shops and trendy cafes along this waterfront corridor.

The applicant, Wentworth Hotels Inc will be engaging KOR Hotel Group as the third party operator for the hotel's food and beverage components. Based in Beverley Hills, California, KOR Hotel Group specializes in catering to the needs and desires of professionals in the prestigious and lucrative trendsetting "Vibe" industry (clientele from the music, film and fashion industry). The Vancouver base will be part of this collection of distinctive hotels offering innovated style, unique design and enhanced service.

This application for a 70 persons total capacity Liquor Primary liquor licence will cover the hotel lounge. In addition to the hotel-tourist clientele, the patronage of local residents and businesses travellers will form part of the customer base.

Application

The applicant is requesting a Council resolution endorsing their application for a 70 persons total capacity Liquor Primary liquor licence (Liquor Establishment Class 2) with hours of licensing between 11:00 a.m. to 2:00 a.m. on weekdays and 11:00 a.m. to 3:00 a.m. on weekdays.

The proposed licensed area will be enclosed within the hotel where the only point of entry is through the hotel lobby. The lounge is designed to provide an upscale, interesting and inviting atmosphere, an area for hotel guests to unwind and socialize. From time to time entertainment may be provided in the form of DJ music and possibly a one or two-person band with piano or acoustic guitars.

Liquor Control and Licensing Branch (LCLB) Regulations and Policies

Branch regulations allow the licensing of liquor establishments with a Liquor Primary liquor licence and liquor service between the hours of 9:00 a.m. to 4:00 a.m., seven days a week. The liquor licence capacity for a new establishment is based on the building capacity for the premise as determined by local authority. Any new liquor licence application is subject to local government support.

Area Surrounding Premises

The subject site is located in the Downtown (DD) - sub-area F Zoning District. The site is a new hotel structure situated at the corner of Bute and Melville Streets. The surrounding area is a mixture of office and retail commercial, restaurant and hotel uses. There is a significant number of residential towers with more high-rise developments currently being constructed (refer to Appendix A). There are no liquor establishments within a 500' radius (surveyed area) of the subject site; however, the Komi Sushi Japanese Restaurant located at 1100 Melville Street holds a Food Primary liquor licence.

RESULTS OF NOTIFICATION

A neighbourhood notification was conducted by circulating 2,000 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. A total of 12 responses were received from residents within the notification area and 1 response from outside the notification area but within the Downtown District. Of the responses received, 4 telephone calls were in support of the application citing the proposed application would benefit the area since the neighbourhood lacks this type of establishment. A total of 10 comments (3 emails and 7 telephone calls) were received in opposition to the application. The primary reason cited by those in opposition was the proposed closing hours of 3:00 a.m., including concerns over increased noise, safety, security and nuisance issues for the community.

DISCUSSION

POLICY

Venue Size and Location

The subject site is located in the Downtown - Primarily Mixed-Use Area. New Liquor Establishments of the smaller type (Class 2) within the Downtown District would not be restricted by location, but must maintain a 100 metre distancing requirement from another Liquor Establishment Class 2 venue. Since there are no Liquor Establishments in this class within 100 metres of the site, the proposed establishment complies with Council's liquor policy for venue size and location.

Hours of Operation

The applicant is requesting hours of operation within the parameters of the Extended Hours permitted in the Downtown - Primarily Mixed-Use Area. Maximum permitted extended hours for the area are 9:00 a.m. to 2 a.m., Sunday to Thursday, and 9:00 a.m. to 3:00 a.m., Friday and Saturday. The applicant has requested 11:00 a.m. to 2:00 a.m., Sunday to Thursday, and 11:00 a.m. to 3:00 a.m., Friday and Saturday.

Affirmative Proposal Aspects

Small liquor establishments of this size generally do not create significant negative issues for area residents and business operators. Staff support this type of Liquor Primary hotel lounge which opens directly into the hotel lobby without a primary exit to the street. The application complies with Council's liquor policy for venue size and location, and hours of liquor service.

There are benefits with respect to filling community needs and desires for this service. The applicant has indicated a commitment to charities/events and contributions such as the Celtic Fest Vancouver Society, BC Children's Hospital, Arts Umbrella Association, Post Polio Awareness to name a few.

Negative Proposal Aspects

There is a certain acceptable level of noise associated with living in a downtown, socially and culturally busy area. Approval of the establishment may result in increased noise and other nuisances for area residents and business operators, as commented by respondents to the public consultation, although small lobby-style Liquor Primary establishments generally do not create neighbourhood impacts. Noise control measures must be implemented and maintained

to reduce potential impact on area residents and business operators, and satisfy the requirements of the Noise Control By-law.

COMMENTS

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

The Development Services Department has reviewed the application and notes the site is zoned Downtown District (DD).

The existing space is approved as hotel use. Neighbourhood Public House is a conditionally allowable use within the DD Official Development Plan and would be considered customarily ancillary to a hotel use. Provided that the pub remains ancillary to the existing hotel and can be accessed only through the hotel, a development permit application is not required for this proposal.

The Environmental Health Department has reviewed the application and has no comments at this time.

The Central Area Planning Department has reviewed the application and support the proposed liquor licence noting that the proposed licence is contained within a hotel and the proposed bar small in size.

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

Comments to Satisfy LCLB Resolution Requirements:

Location: as noted previously.

Proximity of the establishment to other social or recreational and public buildings: Staff is not concerned about the proximity of this establishment to social, recreational or public buildings.

Person capacity and hours of operation: as outlined above.

Market Analysis: The City of Vancouver has no authority to regulate an operator's clientele/target market. As a result, commenting or basing a decision on Market Analysis is an unproductive use of staff time.

Traffic, noise, parking and zoning: Review, compliance and mitigation of these issues will be conducted during the Development Permit application process, provided Council supports the application and allows it to proceed to the permitting system.

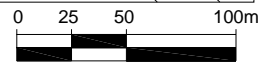
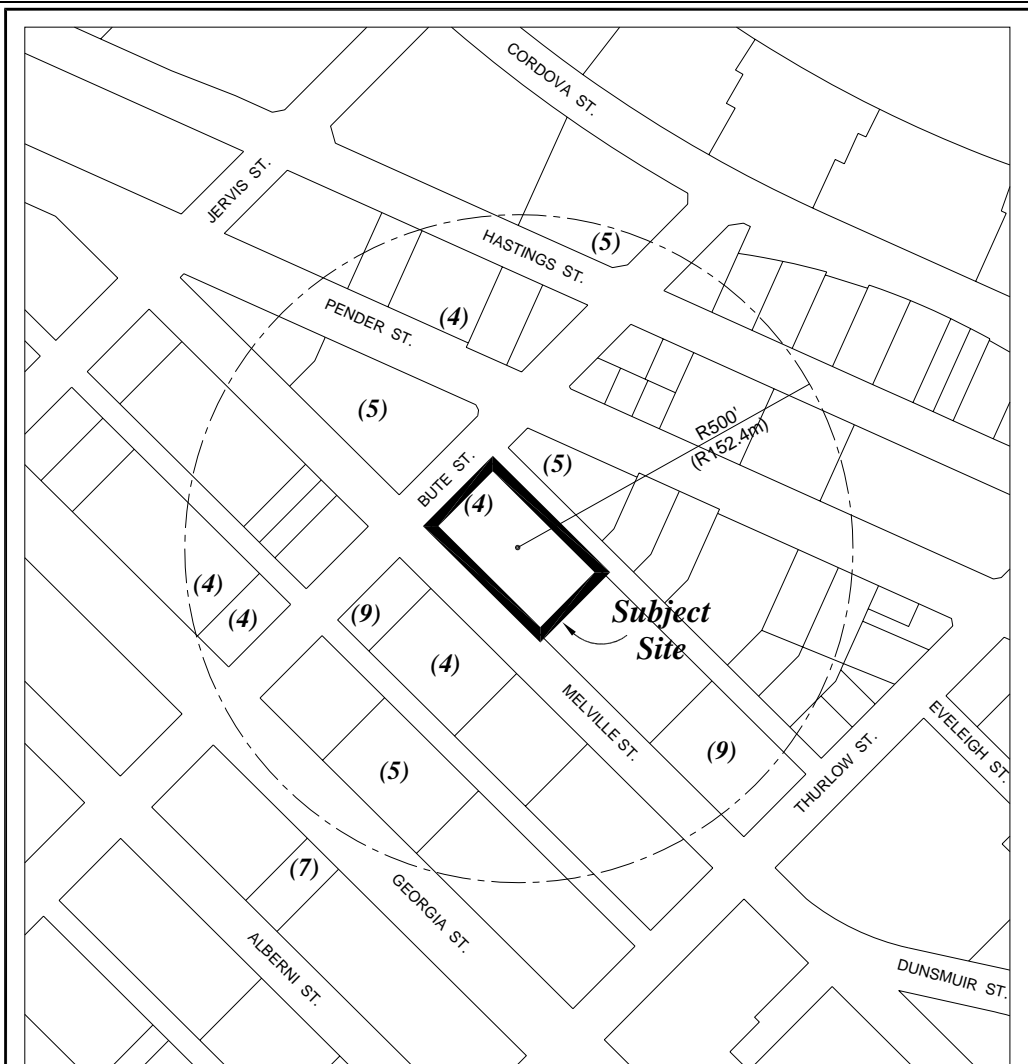
FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Given the location, venue size, hours of operation, and general support of the commenting departments, staff does not anticipate any negative impact from the operation of this Liquor Primary liquor licence. Staff acknowledges the concerns of the area residents but notes that the conditions noted in the recommendation should adequately address concerns. Therefore, staff RECOMMEND Council endorse the applicant's request for a 70 persons total capacity Liquor Primary liquor licence at 1177 Melville Street.

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LEGEND

- (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges, N/A
- (2) Government or Private Liquor Stores, N/A
- (3) Social/Private Clubs (If easily visible/distinguishable), N/A
- (4) Closest Residential Building/Units (Including Subject Site)-
1247 W Hastings St., 1228 W Hastings St., 1189 Melville St.,
1166 Melville St., 1239 W Georgia St., 1201 W Georgia St.
- (5) Large Residential Developments-
1205 W Hastings St., 1277 Melville St., 1211 Melville St.,
1188 W Pender St., 1153 W Georgia St.
- (6) Parks N/A
- (7) Churches-
- (8) Other Social Facilities (Clinics, Rehabs, Hospitals, etc.) N/A
- (9) School-
1111 Melville St. #150, 1190 Melville St. (Level 3), 1190 Melville St. (Ground Level)

LIQUOR PRIMARY (LIQUOR ESTABLISHMENT CLASS 2)
1177 Melville Street

map: 1 of 1



City of Vancouver - Licenses & Inspections

date: June 2007