



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: January 29, 2008
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VanRIMS No.: 11-4600-23
Meeting Date: February 14, 2008

TO: Standing Committee on City Services and Budgets

FROM: Chief License Inspector

SUBJECT: 602 Dunsmuir Street - St. Regis Investments Ltd.,
Liquor Primary Liquor License Application for an Increase in Patron Capacity

RECOMMENDATION

THAT Council, having considered the proximity of residential developments, noise impacts and relevant city policy as outlined in this report titled 602 Dunsmuir Street - St. Regis Investments Ltd., Liquor Primary Liquor License Application for an Increase in Patron Capacity, dated January 29, 2008, endorse the request by St. Regis Investments Ltd. for an increase in patron capacity for the Liquor Primary Liquor License (License #024634) from 227 seats to 258 seats at The St. Regis Hotel, 602 Dunsmuir Street, subject to:

- i. Adhering to clean air practices;
- ii. Signing a Good Neighbour Agreement with the City; and
- iii. A Time-limited Development Permit.

GENERAL MANAGER'S COMMENTS

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

COUNCIL POLICY

Council Policy requires that amendments to existing Liquor Primary licenses be subject to public consultation and Good Neighbour Agreements.

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 the city bars into by-law regulation.

On July 14, 2005, Council approved policy and guidelines relating to the size and location for new liquor establishments or for capacity increases to existing liquor establishments.

On November 18, 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.

PURPOSE

The applicant, St. Regis Investments Ltd., is requesting a Council resolution endorsing their application for an increase in patron capacity to their existing Liquor Primary liquor license from 227 seats to 258 seats (Liquor Establishment Class 3) via the reconfiguration of the service bar in the upper portion of the licensed area and a small alcove in the lower licensed area at the St. Regis Hotel located at 602 Dunsmuir Street.

BACKGROUND

St. Regis Investments Ltd. has been operating at this location since 1996. There is currently a Liquor Primary (License #024634) that functions as "Jesters Grill and Tap Room". Their current licensed area is for 227 seats.

The applicant is intending to carry out renovations to the licensed space which will result in a seating capacity change. The applicant was proposing to add a smoking room and to reconfigure the service bar in the upper portion of the licensed area which would result in a net increase in occupant load of 9 seats and a small alcove in the lower area which results in a net increase of 22 seats for a total of 31 seats. The new health regulations will prohibit smoking rooms and therefore the new area would be used for general seating.

The current Liquor Control Licensing Branch regulations stipulate that the liquor capacity must be the same as the fire capacity. The proposed renovations would result in an automatic capacity increase as the applicant is unable to apply for a lesser liquor capacity.

The applicant feels that this small increase in seating will have no impact on the local area as the St. Regis Hotel is in the Downtown area which is made up of primarily commercial uses.

Area Surrounding Premises

The subject premises are located in the Downtown (DD) Zoning District. This particular site is zone CD-1 (414). The surrounding area is a mixture of retail, office and restaurant uses. The site immediately across the street to the north has been redeveloped to permit a mixed use retail / office building. There are three residential hotels, one rooming house and the Salvation Army Central Residence within the area. The closest government liquor store is located at 555 West Hastings Street.

DISCUSSION

Policy Issues

The capacity increase does not result in a change to the establishment's business license class (i.e.: the business remains a Liquor Establishment - Class 3). Therefore, the distancing policy between similar establishments does not become a factor for consideration.

Positive Application Attributes

The applicant contends the approval will have no impact on the local area as the increase in the number of seats (31) is not significant. Staff have advised the applicant of the recent amendments to the Health By-law No. 9535 which restricts smoking in all customer service areas and away from all entrances, windows and incoming air vents. These amendments will prohibit the addition of a smoking room in the establishment.

Negative Application Attributes

An increase in seating capacity may result in added noise and nuisance issues for the surrounding community. However, given the small increase relative to the number of seats in the area, Staff do not feel the additional noise and nuisances will be significant.

Enforcement History

There do not appear to be any outstanding enforcement issues associated with this liquor licensed establishment at this time.

FINANCIAL IMPLICATIONS

There are no financial implications.

RESULTS OF NOTIFICATION

A neighbourhood notification was not conducted for this application. Staff felt it was not necessary since the establishment has been operating at this location since 1996 and there have been no enforcement issues associated with this liquor licensed establishment. It was also felt that this small increase in seating (32 seats) would not create an impact on the surrounding area.

COMMENTS

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

The Environmental Health Department has reviewed the application and does not support the application. The Health By-law was recently amended and now prohibits smoking rooms in liquor primary establishments.

The Vancouver Fire Department has reviewed the application and comments that the applicant must apply for a new F/D occupant load permit as per VFBL 1999. The applicant must update the Fire Safety Plan which is to be approved by the Fire Dept. prior to occupancy.

CONCLUSION

Staff recommend that Council endorse the applicant's request for a capacity increase from 227 seats to 258 seats at 602 Dunsmuir Street subject to the conditions outlined in Recommendation A. Staff are generally not concerned with this size of the capacity increase request. Staff feel the requirement for a Development Permit will ensure the space operates in a manner conducive to the surrounding area.

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