



CITY OF VANCOUVER

POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: June 4, 2009  
Contact: Rob Jenkins  
Contact No.: 604.873.7444  
RTS No.: 08129  
VanRIMS No.: 08-2000-20  
Meeting Date: June 18, 2009

TO: Standing Committee on Planning and Environment  
FROM: Director of Planning  
SUBJECT: 101 East 2nd Avenue - Proposed Liquor Store

***RECOMMENDATION***

The Director of Planning recommends:

- A. THAT the application by West Coast Liquor Company to rezone 101 East 2<sup>nd</sup> Avenue (PID 012-321-621 Lot 16, Blk 7, DL 200A, Plan 197) from M-2 (Industrial) District to a CD-1 (Comprehensive Development) District to allow a Liquor Store in an existing building be REFUSED.

***CONSIDERATION***

If Council does not support A, the Director of Planning submits for consideration:

- B. THAT the application by West Coast Liquor Company to rezone 101 East 2<sup>nd</sup> Avenue (PID 012-321-621 Lot 16, Blk 7, DL 200A, Plan 197) from M-2 (Industrial) District to a CD-1 (Comprehensive Development) District to allow a Liquor Store in an existing building be processed in the normal manner.

***GENERAL MANAGER'S COMMENTS***

The General Manager of Community Services RECOMMENDS A and, if Council does not support A, presents B for CONSIDERATION.

## COUNCIL POLICY

Relevant Council policies for this site include:

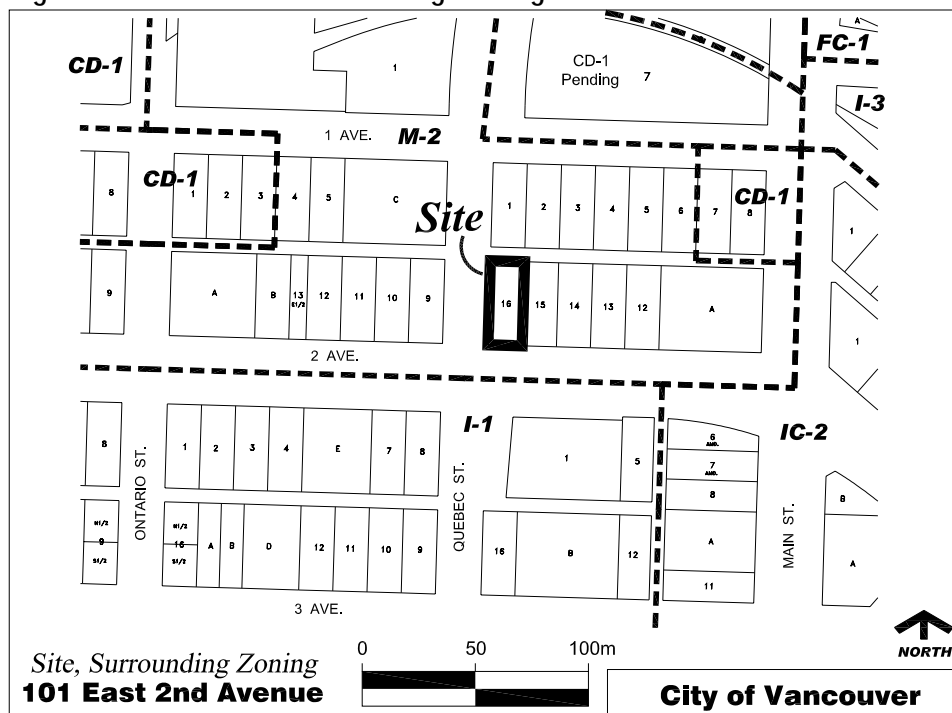
- Southeast False Creek Official Development Plan, enacted July 19, 2005 and last amended September 30, 2008
- CD-1 (454) – Olympic Village – enacted April 17, 2007 and last amended June 24, 2008
- Liquor Store Guidelines, adopted November 2, 2004 and last amended June 6, 2007

## PURPOSE AND SUMMARY

This report seeks Council's advice on an application by West Coast Liquor Company to rezone 101 East 2nd Avenue from M-2 (Industrial) District to a CD-1 (Comprehensive Development) District to permit a liquor store in an existing building.

The application conflicts with Council policy and the Director of Planning is recommending refusal. As a consideration, Council could direct staff to process the application in the normal manner and report back with a policy report for referral to public hearing.

Figure 1 – Site and Surrounding Zoning



## BACKGROUND

In the fall of 2008, the applicant inquired about establishing a liquor store in an existing 462 m<sup>2</sup> (4,975 sq. ft.) one-storey building at 101 East 2nd Avenue. The existing M-2 (industrial) zoning does not permit liquor store use, so a rezoning of the property to CD-1 designation would be required. Planning staff considered the rezoning request in light of existing policy and, in letters dated October 24, 2008 and February 11, 2009, advised the applicant that

rezoning to CD-1 for a liquor store was not supportable at this location because it conflicted with City policy.

**Figure 2 – Photo of the existing building at 101 East 2<sup>nd</sup> Avenue to be converted to liquor store**



The Southeast False Creek Official Development Plan (SEFC ODP) identifies the area around the Salt Building and the village plaza (the Village Centre) as the commercial core of the emerging neighbourhood. This area was rezoned to CD-1 in 2007 to include a grocery store, drug store and liquor store, as well as other retail and service uses. The grocery, drug and liquor stores are desirable anchor components for the commercial success of neighbourhood centres throughout the city. The Granville Entertainment Group has advised that they intend to lease 8,600 square feet of space in the Village Centre (i.e., 1633 Manitoba Street) for purposes of operating a liquor store (see Appendix A).

The Liquor Store Guidelines (2004) offer direction for the approval of new liquor stores. Section 3.4 of the Guidelines states that one liquor store may locate in Southeast False Creek and that that location would be in a commercial area identified and approved through the area planning process. The 2007 rezoning of the Olympic Village approved the commercial core of Southeast False Creek as being that described above.

The applicant was advised to seek retail space in the Village Centre for their liquor store. Instead, they inquired about whether they could proceed with a rezoning application for the 2nd Avenue and Quebec Street site despite the staff advice. Staff are obligated to take in applications, even if a proposal conflicts with City policy. When this occurs, the procedure is to seek direction from Council before processing the application. Typically Council is given the option to refuse the application or to instruct staff to process it.

Figure 3 – Proposed liquor store locations in Southeast False Creek



### *DISCUSSION*

An application to rezone 101 East 2nd Avenue was received April 15, 2009. The applicant indicates that they have received Approval-in-Principle from the Provincial Liquor Control and Licensing Branch (LCLB) for a liquor store at this location subject to City approval of zoning for a liquor store use at this location. (The City regulates land use and the Province regulates liquor retail licences.)

Despite the City's Liquor Store Guidelines, should Council be inclined to support more than one liquor store in Southeast False Creek, staff note that the Province's Liquor Licensing Policy limits the distance between liquor stores to 500 m. If a store were approved for 101 East 2nd Avenue, then it is unlikely that the LCLB would approve a second store licence in the Village Centre as it is about 400 m away from 2nd Avenue and Quebec Street. The neighbourhood centre for Southeast False Creek could be missing one of its key anchors if the Province were to not approve a licence for the Village Centre.

Given its impact on the likelihood of the Council-endorsed liquor store use ever being realized in the Village Centre, staff feel that the application for 101 East 2nd Avenue should not be further considered. Refusal is recommended. (A public hearing is not required for Council to refuse a rezoning application.) In accordance with standard practice, the applicant would receive a partial refund of their rezoning application fee – less the City's costs in bringing forward this report.

Should Council choose the option of instructing staff to process the application, it does not mean that the application is approved. It would proceed through a departmental review and

public notification, and then to a rezoning referral report. Council could then choose to refer the application to a public hearing or refuse it. After the hearing, it would be refused or approved.

#### *FINANCIAL IMPLICATIONS*

Approval of the report's recommendation or consideration will have no financial implications with respect to the City's operating expenditures, fees or staffing.

#### *CONCLUSION*

Under existing policy only one liquor store may establish in the SEFC neighbourhood. A liquor store has already been included as a permitted use in the Village Centre (Olympic Village) CD-1 zoning, but has not opened yet. If the City were to rezone for a second liquor store use at 101 East 2nd Avenue, City and Provincial policy would not allow the Village Centre liquor store to proceed. The preferred location for SEFC's one and only liquor store is the Village Centre, where the SEFC ODP seeks to create a vibrant commercial core.

For these reasons, the Director of Planning recommends that the application for 101 East 2nd Avenue be refused. In the event that Council wishes to consider the application, staff can be directed to process it in the normal manner and report back for referral to a public hearing.

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Legacy Liquor Store Ltd.  
512 – 929 Granville Street, Vancouver, B.C.

Mr. Bill Aujla  
City of Vancouver  
453 West 12<sup>th</sup> Avenue  
Vancouver, B.C. V5Y 1V4

Via email: [bill.aujla@vancouver.ca](mailto:bill.aujla@vancouver.ca)

Dear Mr. Aujla:

I am writing to oppose the application for a Liquor Retail Store (LRS) to be located at 101 East 2nd Avenue, Vancouver, B.C. This site does not appear to be well suited for an LRS as it is located in a quasi commercial/industrial area with no consumer oriented retail businesses in the vicinity. While the corner is an extremely busy intersection (in both directions) there is a lack of street parking and minimal parking in the rear. Additional traffic manoeuvring into and out of the lane as well as the potential for illegal street parking/standing can only increase the potential for accidents and potentially serious injury in this busy intersection.

On the other hand, there is an ideal site for an LRS in Millennium's nearby Olympic Village. This site is contained within the designated retail shopping area of the Village which will be home to complimentary businesses including a large grocery store, a large brand-name drugstore as well as smaller retail outlets. The LRS is a perfect fit and provides the area-residents with a complete shopping experience designed to meet their daily needs. While there is ample underground parking, it is anticipated that there will also be significant foot traffic patronizing these 'local' businesses. Having the key suppliers in one convenient area is much more efficient and 'greener' than having the LRS located outside of this shopping area.

For the record, Legacy Liquor Store Ltd. (Legacy) has entered into a Lease Agreement with Millennium South East False Creek Properties Ltd. (Millennium) to lease approximately 8,600 square feet of retail space located at 1633 Manitoba Street in the Olympic Village for the purpose of operating a full-service, upscale LRS. Legacy made application to relocate its license to 1633 Manitoba pursuant to the terms of the lease and this application could not be processed by the Liquor Control and Licensing Branch because the application at 101 East 2nd Avenue falls within 0.5 km of the Olympic Village and therefore contravenes Section 4.4.5 of the Liquor Licensing Policy Manual.

At this point, I would encourage the City to deny the application at 101 East 2nd Avenue in order to permit an LRS to operate within the Olympic Village in accordance with the original plans and vision of both the developer, Millennium and the City. Making the Olympic Village a more complete place to live and shop can only enhance the success of this vital project for the City.

Thank you for your consideration.

Ron Orr  
Chief Financial Officer  
Granville Entertainment Group