



ADMINISTRATIVE REPORT

Report Date: November 2, 2009  
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VanRIMS No.: 08-2000-20  
Meeting Date: November 19, 2009

TO: Standing Committee on City Services and Budget  
FROM: Chief Licence Inspector  
SUBJECT: 1895 Venables Street - Vancouver East Cultural Centre  
Amendment to Liquor Primary Liquor Licence (Cultural Centre)

**RECOMMENDATION**

THAT Council, having considered the proximity of residential developments, traffic patterns, road access, availability of parking, noise impacts and relevant city policy as outlined in the Administrative Report dated November 2, 2009, entitled "1895 Venables Street - Vancouver East Cultural Centre (The Clutch) Amendment to Liquor Primary Liquor Licence (Cultural Centre)", endorse the application by Vancouver East Cultural Centre for an increase in patron capacity for the Liquor Primary Liquor Licence (Licence #035887) from 77 seats to 146 seats due to renovations which included a larger lobby and the creation of a new café/lounge at The Clutch, 1895 Venables Street, subject to:

- i. Signing a Good Neighbour Agreement with the City prior to the issuance of the revised business licence; and
- ii. An amendment to the existing 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 licences 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, Vancouver East Cultural Centre is requesting a Council resolution endorsing their application for an increase in patron capacity to their existing Liquor Primary liquor licence from 77 seats to 146 seats via the expansion of the existing lobby and the creation of a new café/lounge (The Clutch) at 1895 Venables Street. The hours of operation would remain unchanged from the current operations (10 am to Midnight, Monday to Saturday and from 11 am to Midnight, Sunday).

### ***BACKGROUND***

#### ***Site History***

The Vancouver East Cultural Centre (The Clutch) has served the community for almost 100 years. First built as a church, the venerable building has flourished as an arts centre for the past 35 years. The project involved building a new three storey addition (completed in December 2008), which includes a studio theatre (The Vancity Culture Lab), dressing rooms, washrooms, an elevator, office space and service areas in the basement. The second part of the project was the renovation of the 100 year old historic theatre (completed July 2009) and includes upgrades to meet code and seismic requirements and increased public amenities including a larger lobby and the creation of a new café/lounge. The renovations were major, including replacing the roof and foundations and the refinishing and/or the rebuilding of all surfaces. The facility is built to LEEDS silver standards and is fully accessible for both performers and the public with restricted mobility. The current construction has been completed and there is a third phase of construction planned for the west side of the building that will commence when fundraising has been completed.

#### ***Application***

The applicant is requesting a Council resolution endorsing their application for an increase in person capacity to their existing Liquor Primary liquor licence from 77 seats to 146 seats via the expansion of the lobby area and the creation of a new café/lounge (The Clutch) at 1895 Venables Street (refer to Appendix B).

The hours of operation would remain unchanged from the current operations (10 am to Midnight, Monday to Saturday and from 11 am to Midnight, Sunday).

The overall maximum occupancy of the buildings has not increased from the original occupancy load and is based on the maximum occupancy of the two theatres. The changes requested to the existing liquor primary liquor licence reflect the applicants desire to better serve their patrons in their newly renovated facilities. The café/lounge occupies the space which was previously used as the Centre's offices at the front of the historic building. The applicants request to have the café/lounge licensed is to provide their patrons with a place to have a quiet bite to eat with a glass of wine before and after performances. The applicants

request to amend their existing licence is to ensure they can provide a beverage to the larger number of people who will now occupy their enlarged lobby space. The terms and conditions of when alcohol can be served within the centre are unchanged.

The applicant contends that their facility is highly regarded in the community and many people have stories about the meaningful experiences they have had at the Vancouver East Cultural Centre. The applicant appreciates how important the arts are in enriching people's lives and how essential it is for a healthy society to provide arts amenities to the citizens. The arts are especially important to society in difficult times such as these as they provide an outlet for people to enjoy themselves, engage in meaning discourse and imagine a brighter future. The applicant envisions the Vancouver East Cultural Centre as a living entity that embraces both performing and visual arts and provides a platform for artistic excellence and the development of emerging artists.

#### ***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 amendments/changes to a liquor licence application are subject to local government support.

#### ***Area Surrounding Premises***

The subject site is located in a CD-1(433) zoning district and for the purposes of liquor policy it is considered a primarily residential area. The surrounding area is a mixture of retail, private club (Wise Social and Athletic Club), restaurants, schools, park (Salsbury Park), residential (one-family dwelling/two-family dwelling/multiple dwelling) uses (refer to Appendix A).

There is one Liquor Establishment Class 7 (Wise Social and Athletic Club - 348 seats) located within a 1000' radius of the subject site. Also, there are four licensed restaurants within the area which hold Food Primary liquor licences.

#### ***RESULTS OF NOTIFICATION***

As there is no real change to the size of the facility or hours of operation and no history of enforcement issues, staff felt it was not necessary to conduct a neighbourhood notification for this application.

#### ***DISCUSSION***

##### ***Policy Issues***

The subject site is located in the Non-Downtown Primarily Residential Area. This application complies with Council Policy for Liquor Establishment Class 7 - Private Clubs.

##### ***Hours of Operation***

The hours of operation would remain unchanged from the current operations (10 am to Midnight, Monday to Saturday and from 11 am to Midnight, Sunday).

***Positive Application Attributes***

Very little is likely to change with respect to how the premise currently operates. Should Council support this application, then the applicant will simply have the ability to accommodate 146 patrons in the renovated lobby area and the new café/lounge.

Finally, an amendment to the development permit should provide adequate controls to ensure the land use/business remains compatible with the surrounding community.

***Negative Application Attributes***

The total patron capacity for the facility remains unchanged. As such, staff do not anticipate any negative impacts on the surrounding community as a result of this licence amendment.

***Enforcement History***

There are no enforcement issues associated with this liquor licensed establishment at this time.

***FINANCIAL IMPLICATIONS***

There are no financial implications.

***COMMENTS***

*The Police Department* has reviewed the application and have received no calls for service to this location that are in relation to the operation of The Cultch. There are no concerns with this application.

*The Development Services Department* has reviewed the application and notes that as there is no changes to the land use for this site, and no change to the hours of operation, a Development Permit is not required, however, if the application is approved, an amendment should be made to the Development Permit that originally approved this use, to reflect the increase in the number seats to accommodate the increased capacity of the Liquor Primary Licence.

*The Vancouver Fire Department* has reviewed the application and approved an Occupant Load for 41 persons (café/lounge) and 105 persons (lobby).

*The Social Development Department* has reviewed the application and has no comments at this time.

*The Heritage Planning Department* has reviewed the application and notes that it's simply conversion of area previously allocated to offices, for a wine bar, and lobby alterations. The wine bar is in an area that includes exterior windows, but as long as it does not affect any exterior elements or those noted in the Heritage By-law (i.e. "certain interior features consisting of cast iron balustrade, leaded windows, rose window tracery, wooden staircase") then it is fine. I assume that the "three storey addition to the main building that features additional washrooms and exits" is not part of any change proposed as part of this liquor licence, but rather it is a description of what was already approved by way of development permits.

*The Cultural Affairs Department* has reviewed the application and states that Cultural Services supports this application to increase the capacity from 77 seats to 146 seats. This

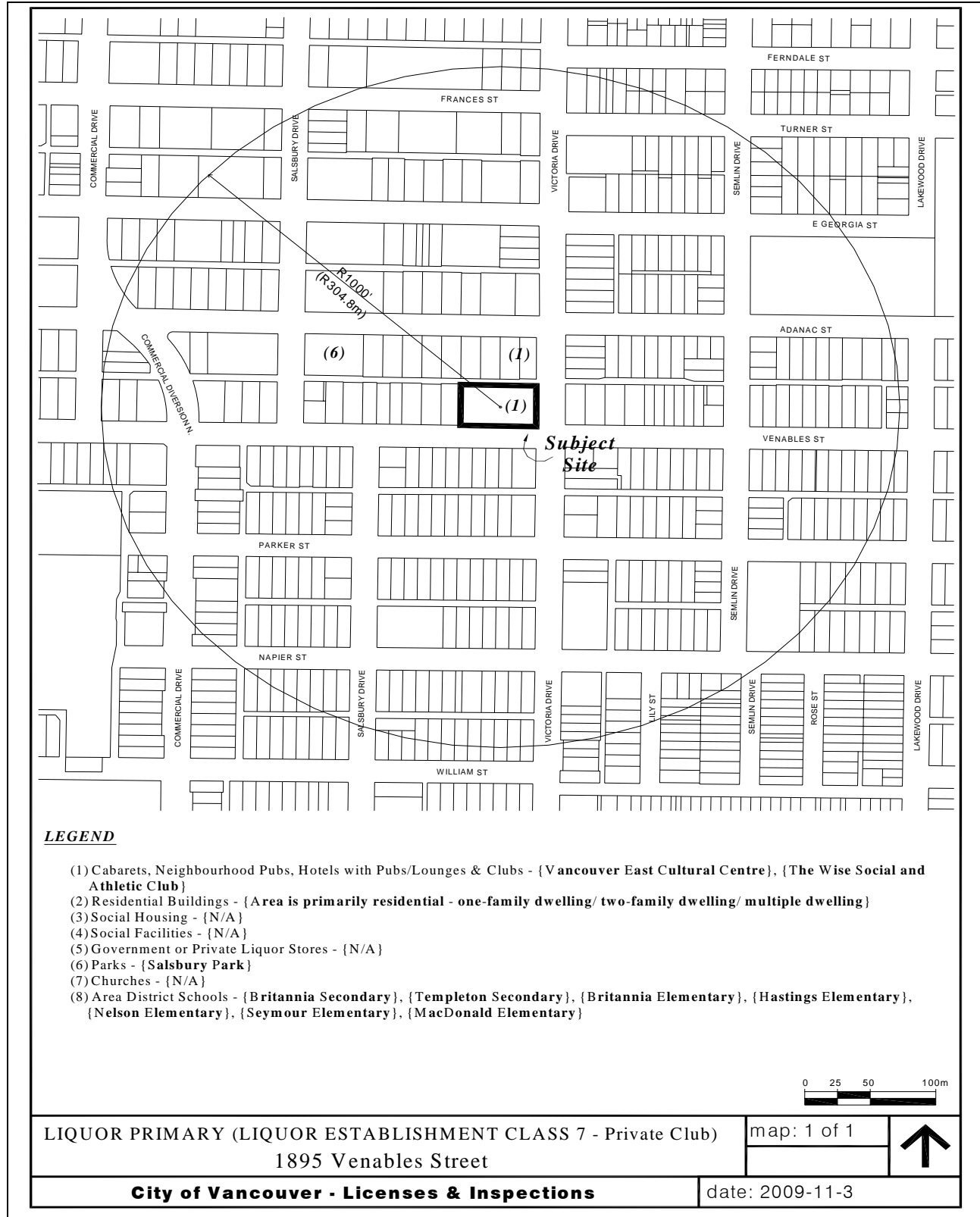
cultural venue has provided more than three decades of much needed performance space, and continues to do so in its upgraded facility.

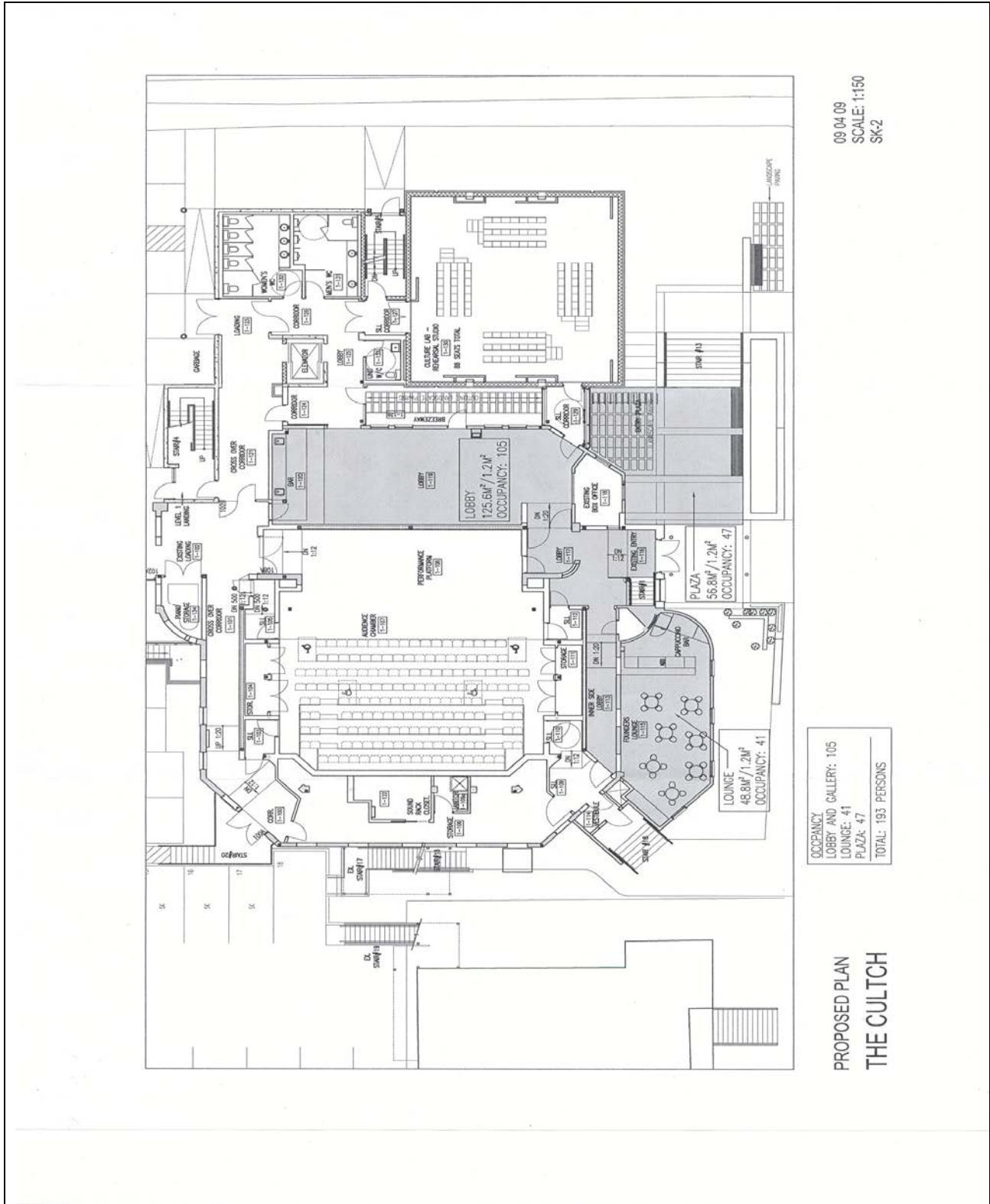
*The Central Area Planning Department* has reviewed the application and has no comments at this time.

***CONCLUSION***

Staff are recommending Council endorse the applicant's request for a capacity increase from 77 seats to 146 seats via the expansion of the lobby area (105 persons) and the creation of a new café/lounge (41 persons) for the Vancouver East Cultural Centre (The Clutch) at 1895 Venables Street subject to the conditions outlined in Recommendation A. Staff are generally not concerned with this size of the capacity increase request and there has been no enforcement issues with this establishment. Staff does not foresee any issues with the applicants' proposed amendment and recommends approval of the application to provide liquor service in the lobby and café/lounge.

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 SCALE: 1:150  
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OCCUPANCY	LOBBY AND GALLERY: 105
LOUNGE: 41	
PLAZA: 47	
<b>TOTAL: 193 PERSONS</b>	

PROPOSED PLAN  
 THE CLUTCH