



Supports Item No. 1
P&E Committee Agenda
January 21, 2010

ADMINISTRATIVE REPORT

Report Date: January 5, 2010
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Meeting Date: January 21, 2010

TO: Standing Committee on Planning and Environment
FROM: Chief Licence Inspector
SUBJECT: 800 Robson Street - University of British Columbia
Liquor Primary Liquor Licence Application (Liquor Establishment Class 5)

RECOMMENDATION

THAT Council, having considered the opinions of local area residents and business operators as determined by neighbourhood notifications, noise impacts and relevant Council policy as outlined in this Administrative Report dated January 5, 2010, entitled "800 Robson Street - University of British Columbia, Liquor Primary Liquor Licence Application (Liquor Establishment Class 5)", endorse the request by University of British Columbia for a 788 seat Liquor Primary liquor licence (Liquor Establishment Class 5) at 800 Robson Street subject to:

- i. Signing a Good Neighbour Agreement with the City prior to business licence issuance;
- ii. The use of the liquor licence limited to special events only, including seminars, conferences, special gatherings, receptions and corporate meetings; and
- iii. Standard hours of operation for the first six months are limited to 11 am to 1 am, weekdays and 11 am to 2 am on weekends; after which time the Extended hours of operation may be considered which are limited to 9 am to 2 am, weekdays and 9 am to 3 am weekends.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services recommends approval of 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 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, University of British Columbia, is requesting a Council resolution endorsing their application for a 788 seat Liquor Primary liquor licence for the purpose of seminars, corporate meetings, conferences and other special events at the University of British Columbia located at 800 Robson Street. This capacity will be distributed within four different areas of the site (See Appendix B).

BACKGROUND

Site History

University of British Columbia has been operating at 800 Robson Street since 2001 and is requesting a Liquor Primary liquor licence at this location in order to serve liquor on a limited basis for the purpose of hosting seminars, corporate meetings, conferences and other special events. Currently, the applicant is required to apply for a "Special Occasion Licence" for any event which offers liquor service.

As per the Community Use Agreement signed with the City of Vancouver in 2001, 12 free booking days of the Theatre are allocated for non-profit groups and/or community initiatives. UBC Robson Square sponsors room rentals and event services for a variety of UBC and community events each year.

Application

The applicant is requesting a Council resolution endorsing their application for a 788 seat Liquor Primary liquor licence (Liquor Establishment Class 5). The proposed hours of operation for the Liquor Primary liquor licence are 12 pm to 12 am, seven days a week. All events will be pre-booked.

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 premises are located in the CD-1 zoning district. The surrounding area is primarily office towers and a mixture of hotels, restaurants, retail and other commercial uses.

There is one Liquor Establishment Class 1 (50 seats), one Liquor Establishment Class 2 (150 seats), two Liquor Establishment Class 4 (692 total seats) and one Liquor Establishment Class 7 (325 seats) located within an 900' radius of the subject site. Also, there are 13 licensed restaurants within the area which hold Food Primary liquor licences.

RESULTS OF NOTIFICATION

A neighbourhood notification was conducted by circulating 600 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.

No responses were received from residents and businesses within the notification area and surrounding areas.

DISCUSSION

Policy Issues

The subject site is located in the Downtown Primarily-Mixed Use Area. The proposed Liquor Establishment Class 5 venue is greater than 100 metres away from another Liquor Establishment Class 5 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 hours of operation requested for the Liquor Primary liquor licence is 12 pm to 12 am, seven days a week which are within the parameters of the Standard hours permitted in the Downtown Primarily Mixed-Use Area.

Positive Application Attributes

The location of UBC Robson Square is a positive feature of the application. It is highly unlikely that any activities within the establishment would directly impact the surrounding area. The application complies with Council's liquor policy for Venue Size and Hours of Liquor Service. The private, controlled atmosphere of the venue and the limited focus on liquor service when provided are highly conducive to the operator's ability to self-police their premise.

Enforcement History

The applicant has no enforcement history.

FINANCIAL IMPLICATIONS

There are no financial implications.

COMMENTS

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

The Development Services Department has reviewed this application and note that this is a CD-1 site and this portion of the building is currently approved as Institutional use (UBC University). The current Development Permit for this site show that the intended liquor licence areas as shown on the floor plan are consistent with those areas intended and approved for public events. The introduction of a Liquor Primary liquor licence to be used in conjunction with these areas does not represent a change to the current approved land use for this site, and therefore, will not require a further Development Permit.

The Vancouver Fire Department has reviewed this application and note that the applicant has received approval for a maximum occupant load of 788 persons on September 2, 2009. See FI407116.

The Social Development Department has reviewed this application and has no comments.

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

Comments to Satisfy LCLB Resolution Requirements:

Location: as noted previously.

Person capacity and hours of operation: as outlined above.

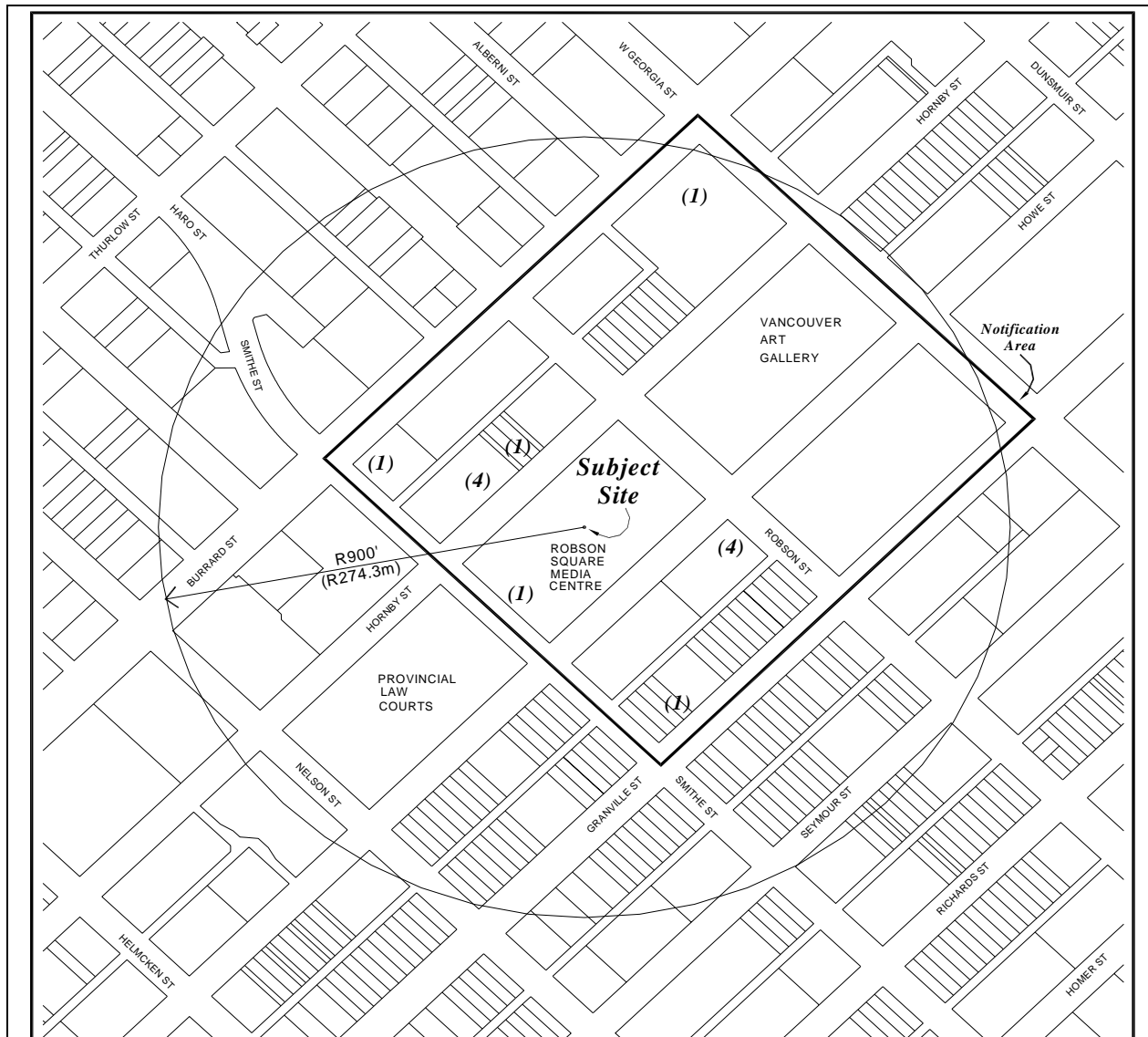
Market Analysis: The City of Vancouver has no authority to regulate an operator's clientele/target market. As a result, commenting or basing a decision on Market Analysis is an unproductive use of staff time.

Traffic, noise, parking and zoning: staff have considered traffic, noise, parking and zoning matters. Staff have no concerns with traffic, noise, parking and zoning at this time.

CONCLUSION

Staff are recommending Council endorse the applicant's request for a 788 seat Liquor Primary (Liquor Establishment Class 5) liquor licence subject to the conditions outlined in Recommendation A. The location of the establishment and the limited use of the liquor licence to be used for special events only should limit any negative impacts in the surrounding community. Based on the fact that there is no opposition from area residents and businesses, the positive aspects of the proposed use and the very low potential for noise or negative impact on the community, staff are recommending Council approve this request.

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LEGEND

- (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges - {Law Courts Inn}, {Wedgewood Hotel}, {Winking Judge Pub}, {Fairmont Hotel Vancouver - The Lobby Bar}, {Venue Night Club}
- (2) Government or Private Liquor Stores - {N/A}
- (3) Social Housing/ Facilities - {N/A}
- (4) Residential Strata buildings
- (5) Parks - {N/A}
- (6) Churches - {N/A}
- (7) Schools - {N/A}
- (8) Social/Private Clubs - {N/A}



<p>LIQUOR PRIMARY (LIQUOR ESTABLISHMENT CLASS 5) 800 Robson Street - UBC Robson Square</p>	<p>map: 1 of 1</p>	
<p>City of Vancouver - Licenses & Inspections</p>	<p>date: 2010-01-05</p>	

