



ADMINISTRATIVE REPORT

Report Date: March 2, 2010
Contact: Lucia Cumerlato
Contact No.: 604.871.6461
RTS No.: 08447
VanRIMS No.: 08-2000-20
Meeting Date: March 25, 2010

TO: Standing Committee on Planning and Environment
FROM: Chief Licence Inspector
SUBJECT: 901 Granville Street - Howe Holdings Ltd.
Relocation of Liquor Primary Liquor Licence Application

RECOMMENDATION

THAT Council, having considered the opinion of local area residents and business operators as determined by site sign, noise impacts and relevant Council policy as outlined in this Administrative Report dated March 2, 2010 entitled "901 Granville Street - Howe Holdings Ltd., Relocation of Liquor Primary Liquor Licence Application" endorse the request by Howe Holdings Ltd. to relocate their existing Liquor Primary liquor licence from their current site at 1273 Granville Street (The Piano Lounge) to their proposed site at 901 Granville Street, subject to:

- i. Standard hours of operation for the first six months are limited to 11 am to 2 am, seven days a week; after which time Extended hours of operation may be considered which are limited to 9 am to 3 am, seven days a week;
- ii. A maximum total capacity of 50 persons;
- iii. Acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- iv. Signing a Good Neighbour Agreement with the City prior to business licence issuance; and
- v. 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 new Liquor Primary liquor licences and relocation of Liquor Primary liquor licences 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, Howe Holdings Ltd., is requesting a Council resolution endorsing their application to relocate their Liquor Primary liquor licence from their current site at 1273 Granville Street (The Piano Lounge) to their proposed site at 901 Granville Street (refer to Appendix B).

BACKGROUND

Howe Holdings Ltd. operated a 16 seat liquor primary liquor licence for 15 years at the Travelodge Vancouver Centre Hotel located at 1304 Howe Street. Due to the sale and redevelopment of this site, Howe Holdings Ltd., applied to relocate their existing Liquor Primary liquor licence to 1273 Granville Street (Piano Lounge) and increase their patron capacity from 16 seats to 50 seats.

On June 26, 2008, Vancouver City Council passed a resolution for the application to relocate the Liquor Primary liquor licence at 1304 Howe Street to 1273 Granville Street and to increase the patron capacity from 16 seats to 50 seats.

Howe Holdings Ltd. is now seeking to relocate the Liquor Primary liquor licence (No. 158576) from 1273 Granville Street to 901 Granville Street due to the deteriorating conditions of the building at 1273 Granville Street and the extensive renovations which would be required to satisfy basic code issues.

The proposed site at 901 Granville Street has been operating as a Restaurant Class 1 with a Food Primary liquor licence since January 2002. They currently have an occupant load for 100 seats. If this application is approved, the establishment will operate a 50 seat pub (liquor primary) along with a 92 seat restaurant class 1 (food primary).

This is a City owned, three storey "SRA designated" mixed-use building containing a Subway on the main floor (722 Smithe), a Restaurant Class 1 on the main floor (901 Granville) and a "Single Room Occupancy Hotel" (716 Smithe) which occupies the 2nd and 3rd of this building. There are 41 sleeping units in this building.

Liquor Control and Licensing Branch (LCLB) Regulations and Policies

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

Area Surrounding Premises

The subject site is located in Downtown District (DD) Zoning District and for the purposes of liquor policy, it is considered to be located in the Downtown Primarily Commercial Area. The surrounding area is a mixture of retail, office, neighbourhood pubs, cabarets, restaurants, residential, social housing, hotels, and other commercial uses (refer to Appendix A).

There is one Liquor Establishment Class 1 (50 seats), three Liquor Establishment Class 2 (341 total seats), 10 Liquor Establishment Class 3 (2195 total seats), two Liquor Establishment Class 4 (761 total seats), one Liquor Establishment Class 5 (900 seats), one Liquor Establishment Class 7 - Private Club (325 seats) and 2 Venues (1360 total seats) located within a 1000' radius of the subject site (5932 total liquor seats). Also, two Liquor Retail Stores (900 Seymour Street and 1075 Hornby Street) and approximately 46 licensed restaurants are within the area.

DISCUSSION

Policy Issues

The subject site is located in the Downtown Primarily Commercial Use Area. The proposed Liquor Establishment Class 1 venue is greater than 50 metres away from another Liquor Establishment Class 1 venue. Since there are no liquor establishments in this class within 50 metres of the site, the proposed establishment complies with Council's liquor policy for venue size and location. The applicant contends that food service shall be an integral part of the business.

The 900 block of Granville Street is in the heart of the Entertainment District. At present, while Liquor Primary establishments are a permitted use in the 900 block of Granville Street, City policy requires that there be an associated public benefit such as social housing or heritage retention. It should be noted that there is existing social housing being provided in this building which is operated by the City's Non-Market Operations.

Hours of Operation

The hours of operation requested for the Liquor Primary liquor licence is 9 am to 2 am, Sunday to Thursday and 9 am to 3 am, Friday and Saturday which are within the parameters of the Extended Hours permitted in the Downtown Primarily Commercial Area. The applicant will be required to operate within the Standard Hours of operation for the first six months which are limited to 11 am to 2 am, seven days a week after which time the Extended Hours of operation may be considered.

Positive Application Attributes

Small liquor establishments of this size generally do not create significant negative issues for area residents and businesses. Should Council support the Liquor Primary application, then the applicant will simply have more flexibility to serve and accommodate those clients that only wish to consume alcohol. The application complies with Council's liquor policy for Venue Size and Hours of Liquor Service. The fact that food service shall remain a component of the business will provide a mitigating factor to the liquor service and consumption.

The time-limited Development Permit should provide adequate controls to ensure the land use/business remains compatible with the surrounding community.

Negative Application Attributes

Approval of the establishment may result in increased street noise and other related nuisance behaviour for area residents and business operators.

Enforcement History

The applicant has no enforcement history.

FINANCIAL IMPLICATIONS

There are no financial implications.

RESULTS OF NOTIFICATION

A site sign was erected on the site advising the area residents and businesses of the application and where to send concerns or comments. Staff allowed three weeks for the community to respond with concerns or support for the application.

One petition with 14 signatures was received from tenants of the social housing complex (SRO) which is located directly above this establishment. Concerns were expressed over increased noise, hours of operation and the fact that there are enough liquor primary establishments on Granville Street.

Staff felt it was not necessary to conduct a neighbourhood notification for this application due to the small number of liquor seats and the fact that these are existing liquor seats which were approved by Council on June 26, 2008 and are being relocated a short distance away.

COMMENTS

The Police Department has reviewed the application and notes that the 50 Liquor Primary seats have already been approved by the previous Council. The application for the relocation of the 50 seats is supported with the following conditions:

- That the premises operate under standard hours for the first 6 months
- That food service and the kitchen remain open during operating hours.

The Development Services Department has reviewed the application and notes that this site is located in Sub-area K1 of the Downtown District (DD) zoning. The approved use of the building is Restaurant Class 1 and Rooming House. A proposal for a Liquor Primary - Liquor Establishment Class 1, which falls under the land use designation of Neighbourhood Public House, will require a Development Permit.

The review process for this type of approval will involve an assessment of neighbourhood impacts, including compatibility with surrounding uses, hours of operation, social and policing impacts and noise control. As well, this application will be reviewed in accordance with the provisions of the Neighbourhood Public House Guidelines adopted by City Council.

The Vancouver Fire Department has reviewed this application and advises that an Occupant Load Certificate has been issued for a maximum capacity of 50 persons.

The Social Development Department has reviewed the application and note that the proposed site is on the main floor of the 41 unit Gresham Hotel, operated by the City's Non-Market Operations. The 50 liquor seats would be in addition to the 92 restaurant seats, potentially increasing the noise in the upper floor of this older building.

As noted, this is a mainly commercial area with some residential buildings, including close to 1300 social housing units in the broader 3 block area. The building is also in the Entertainment District which is intended to be a lively area.

Should Council endorse this recommended relocation, it is suggested that the noise levels in the Gresham be considered prior to any request for extending hours of operation and/or Development Permit time period.

The Central Area Planning Department has reviewed the application and supports this proposal with the understanding that the licensing of the business will include a food primary and a liquor primary license. It is important that Granville Street be known to the public as a great place to shop, have a meal, enjoy music, as well as enjoy a drink with friends. Staff note that the applicant has reassured staff that it is their intent that the business will function as a restaurant, with a smaller lounge where patrons can have a drink without food.

Comments to Satisfy LCLB Resolution Requirements:

Location: as noted previously.

Person capacity and hours of operation: as outlined above.

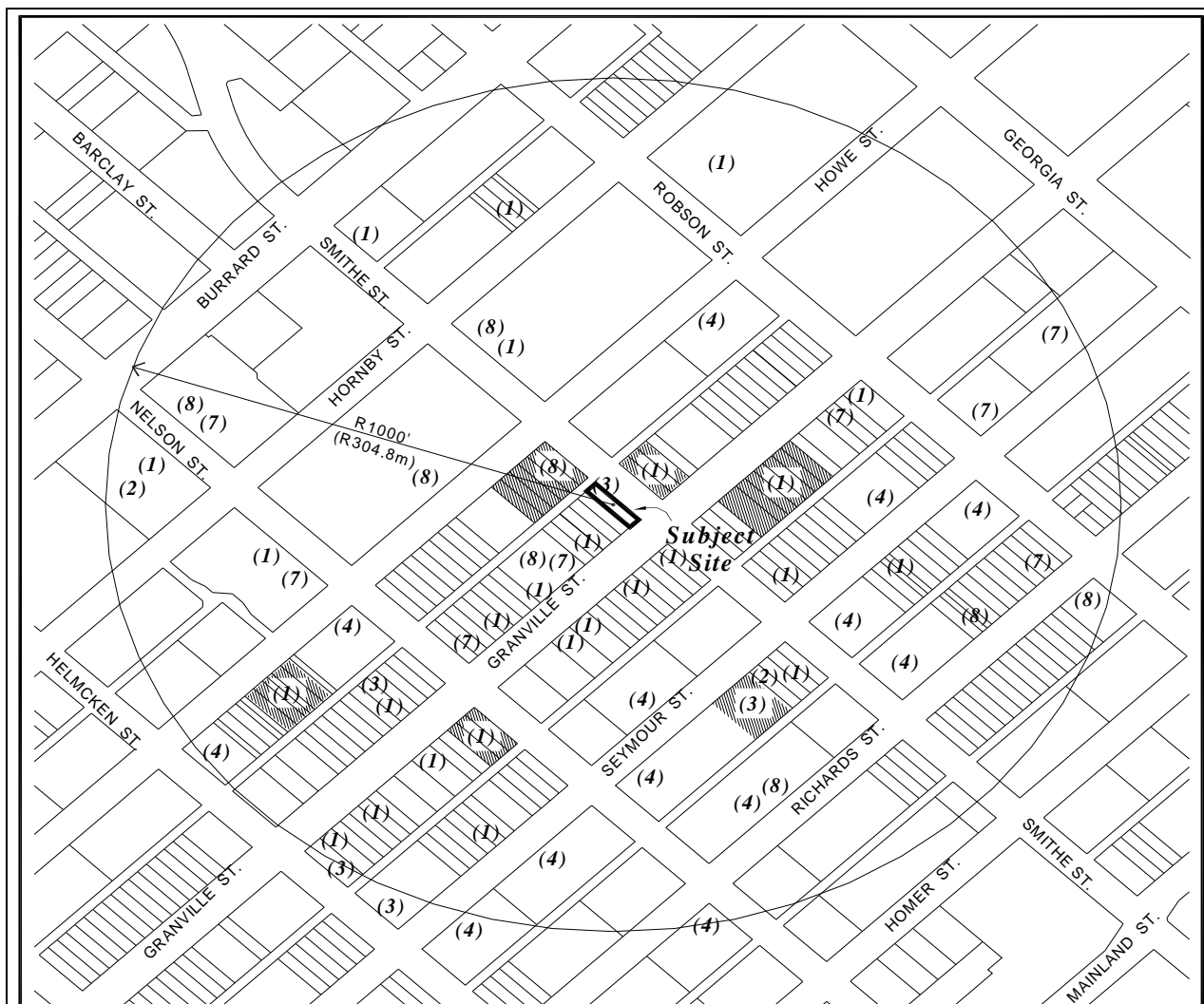
Market Analysis: The City of Vancouver has no authority to regulate an operator's clientele/target market. As a result, commenting or basing a decision on Market Analysis is an unproductive use of staff time.

Traffic, noise, parking and zoning: staff has considered traffic, noise, parking and zoning matters. Staff has no concerns with traffic and zoning at this time. The zoning is DD (Downtown) which considers "lounge/pub" use a "conditional" use within this zone. The traffic and zoning matters will be considered further as part of the Development Permit process. With respect to parking, there is no parking on this site.

CONCLUSION

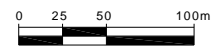
Staff are recommending Council endorse the applicant's request for a 50 seat Liquor Primary liquor licence subject to the conditions outlined in Recommendation A. Should Council support the Liquor Primary application, then the applicant will simply have more flexibility to serve and accommodate those clients that only wish to consume alcohol. This application meets current Council policy regarding location, size and distance from other establishments. The size of the establishment should limit any negative impacts in the surrounding community. The requirement for a Development Permit and Good Neighbour Agreement will ensure the premise operates in a manner conducive to the surrounding area. The location and seating capacity for this establishment is a positive feature of the application.

* * * * *



LEGEND

- | | |
|---|---|
| (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges - | |
| {Caprice Nightclub}, | {The Cellar}, |
| {Ceili's Irish Pub & Restaurant}, | {The Commodore Ballroom}, |
| {Doolin's Irish Pub}, | {The Law Courts Inn}, |
| {Hollywood North Cabaret}, | {The Lennox Pub}, |
| {Joseph Richards}, | {Tom Lee Music}, |
| {Orpheum Concert Hall}, | {Tonic Bar}, |
| {Penthouse}, | {The Royal}, |
| {Relish the Lounge}, | {Venue}, |
| {Republic}, | {Uva Wine Bar}, |
| {Roxy Cabaret}, | {Wedgewood Hotel}, |
| {Winking Judge Pub} | {Sheraton Vancouver Wall Centre - Cracked Ice/Bar One Lounge} |
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- | |
|--|
| (2) Government or Private Liquor Stores - {Viti Wine & Lagers}, {Sheraton Vancouver Fine Spirits} |
| (3) Social Housing/ Facilities - {Non-market Housing - SRA/SRO, Co-op}, {BC Housing, Societies}/ {Clinics} |
| (4) Residential Strata buildings |
| (5) Parks - {N/A} |
| (6) Churches - {N/A} |
| (7) Schools - {Private - Business & Trade, ESL Instruction} |
| (8) Social/Private Clubs - {Non-profit groups/ Community Associations} |



LIQUOR PRIMARY (LIQUOR ESTABLISHMENT CLASS 1)
901 Granville Street - Howe Holdings Ltd.

map: 1 of 1



City of Vancouver - Licenses & Inspections

date: 2010-02-08

OCCUPANT LOAD CALCULATIONS

OFFICE FLOOR AREA: 18021 sq ft (1665 sq m)

NET FLOOR AREA: 18021 sq ft (1665 sq m)

OCCUPANT LOAD BY NETWORK: 150 occupants

TOTAL EXIT WIDTH: 5' 9" x 2' 10" = 11' 7" (3.42m)

OCCUPANT LOAD BY EXIT WIDTH: 5.22 people per foot (17.1 people per meter)

NET WORK OCCUPANT LOAD: 150 total occupants, determined by exit width

PAID OCCUPANT LOAD: 150 occupants

PROJECT LOCATION

LEGAL ADDRESS: 6075 174th BLDG CT, PLAINFIELD, NJ 07068 (STANDS) (P)

CIVIC ADDRESS: 174th STREET, PLAINFIELD, NJ 07068 (STANDS) (P)

PROJECT ADDRESS: 174th STREET, PLAINFIELD, NJ 07068 (STANDS) (P)

SPECIFIC ADDRESS: 174th STREET, PLAINFIELD, NJ 07068 (STANDS) (P)

PROJECT INFORMATION

LOT SIZE: 8100 sq ft (751.557 sq m) (15.24m x 536.50m)

ZONING: C-2000 (Community Center (C))

EXISTING BUILDING: Existing 2nd Floor Addition, 2nd Floor Addition, 3rd Floor Addition

FLOOR PLAN 1st Floor (P)

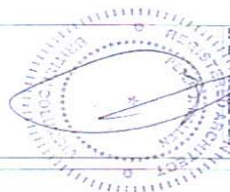
REQUIRED AND ACCEPTED FOR PLACEMENT BY THE B.C. LIFE SAFETY ACT AND THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRY

DATE: JAN 29, 2010

BY: [Signature]

FOR: [Signature]

- FOR 1) UNLICENSED BEVERAGE ESTABLISHMENTS 10 PERCHES
- 2) DRINKING AND GATHERING SPACE 77
- 3) ROW FIRM SEATS AND TABLES
- 4) ROW FIRM SEATS
- 5) STANDING SPACE 84/10
- 6) OTHER USES 84/10



MALLEN ARCHITECTURE

CINEMA (PHASE II)
174th STREET
PLAINFIELD, NJ

OLC-01