



ADMINISTRATIVE REPORT

Report Date: September 8, 2010
Contact: Lucia Cumerlato
Contact No.: 604.871.6461
RTS No.: 08809
VanRIMS No.: 08-2000-20
Meeting Date: September 23, 2010

TO: Standing Committee on Planning and Environment
FROM: Chief Licence Inspector
SUBJECT: 3014 Granville Street - Ouisi Bistro Ltd
Liquor Primary Liquor Licence Application (Ouisi Bistro)

RECOMMENDATION

THAT Council, having considered the opinion of local area residents and business operators as determined by site signage, neighbourhood notifications, noise impacts and relevant Council policy as outlined in this Administrative Report dated September 8, 2010, entitled "3014 Granville Street - Ouisi Bistro Ltd., Liquor Primary Liquor Licence Application (Ouisi Bistro)", endorse the request by Ouisi Bistro Ltd., for a 48 person Liquor Primary liquor licence (Liquor Establishment Class 1) in conjunction with the existing Food Primary Liquor Licence (Licence #163000) at 3014 Granville Street (Ouisi Bistro), subject to:

- i. A maximum capacity of 48 persons;
- ii. Signing a Good Neighbour Agreement with the City prior to the issuance of the new business licence;
- iii. A Time-limited Development Permit; and
- iv. Standard hours of operation for the first three months are limited to 11 am to 1 am, weekends and 11 am to midnight, weekdays; after which time the Extended hours of operation may be considered which are limited to 9 am to 2 am, weekends and 9 am to 1 am, weekdays.

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, Ouisi Bistro Ltd., is requesting a Council resolution endorsing their application for a 48 person Liquor Primary liquor licence (Liquor Establishment Class 1 - Lounge) in conjunction with the existing Restaurant Class 1 via the conversion of seats from the existing 106 seat Food Primary liquor licence at Ouisi Bistro located at 3014 Granville Street. The applicant is requesting extended hours of operation from 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday.

BACKGROUND

Site History

Ouisi Bistro has been operating as a Restaurant Class 1 with a Food Primary liquor licence since October 1994 serving a diverse clientele authentic Cajun and Creole cuisine in a New Orleans inspired atmosphere. "The Ouisi" is a popular weekend brunch and pre-theatre dinner destination. The existing restaurant hours of operation are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday. The proposal is to convert 48 of the existing 106 seat Food Primary licensed seats to Liquor Primary.

The applicant currently operates one other liquor primary establishment in the city; The Fringe Café (3124 West Broadway) and will soon be opening a new restaurant (food primary), The Yard Café (8482 Granville Street).

Application

The applicant, Ouisi Bistro Ltd., is requesting a Council resolution endorsing their application for a 48 person Liquor Primary liquor licence (Liquor Establishment Class 1 - Lounge) in conjunction with the existing Restaurant Class 1 via the conversion of seats from the existing 106 seat Food Primary liquor licence at Ouisi Bistro located at 3014 Granville Street (refer to Appendix B).

The applicant is requesting extended hours of operation for the liquor primary which are from 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday. The existing restaurant hours of operation are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday. The existing 34 seat patio will remain licensed under the food primary liquor licence and the hours remain unchanged (9 am to 10 pm, seven days a week). These extended hours of operation may be considered once the three month trial period has elapsed and no issues/concerns arose during this time period. The hours of operation for the first three months will be the standard hours of liquor service. The applicant is proposing to

modify the existing establishment to include food primary and liquor primary licensed areas. The food primary area within the establishment will permit families with children to continue to enjoy the fine food and service that The Ouisi is known for. There will be no menu changes, décor changes or entertainment changes. The operations of the establishment will continue to be the same as what currently exists.

The proposed establishment will be a boutique style lounge featuring authentic Cajun and Creole Cuisine. The liquor selection will focus on selected bourbon and single malt whiskeys. The wine selections will be featured from around the world, but the focus will be British Columbia wines. There will be a full kitchen in the establishment to support a full menu to be paired with the wines and liquor.

The proposed liquor primary liquor licence will enable the establishment to provide enhanced service to the target market by permitting them to patronize the establishment without mandatory meal service that is required of all food primary establishments.

The City of Vancouver hours of service policy for this Non-Downtown Primarily Residential area allows for standard hours of liquor service from 11 am to 1 am, weekends and 11 am to midnight, weekdays. If certain criteria are satisfied, the operator can extend their hours of liquor service to their proposed hours of 9 am to 2 am, weekends and 9 am to 1 am, weekdays. The applicant feels that there is a strong demand for this type of establishment in the area which will also provide quality food and beverage service in this unique style environment and that the gathering of people will help build the community and encourage socializing on a local level.

This will be the only liquor primary establishment in the Vancouver area focussing Cajun and Creole culture. There are also limited venues in the city for live jazz and blues. The applicant anticipates that this establishment will become a destination for lovers of jazz and Cajun/Creole culture in the lower mainland. It is also anticipated that the establishment will continue to develop partnerships with the Vancouver International Jazz festival. The applicant feels that a liquor primary licence will enhance the development of hospitality and tourism in the area.

Liquor Control and Licensing Branch (LCLB) Regulations and Policies

Branch regulations allow liquor service between the hours of 9 am to 4 am 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 the C-3A Zoning District (Commercial District) and for the purposes of liquor policy it is considered a non-downtown primarily residential area. The approved use of this space is a Restaurant Class 1. The surrounding area is a mixture of retail, office, health care office, residential (market and non-market), church, seniors centre and restaurant uses (refer to Appendix A).

There is one Liquor Establishment Class 7-Private Club (The University Women's Club of Vancouver - 586 seats) located within a 600' radius of the subject site. There are also seven licensed restaurants within the area which hold Food Primary liquor licences.

RESULTS OF NOTIFICATION

A neighbourhood notification was conducted by circulating 800 notices in the survey area (refer to Appendix A). A site sign was erected advising the community of the application and where to send concerns or comments. A total of nine responses were received within the notification area supporting the application. These responses were from residents living in the area. Five responses supporting the application were also received from outside the notification area. A total of 13 responses were received within the notification area opposing the application. These responses were from residents who felt that the approval of such an application will increase noise and nuisance for the area. Five responses opposing the application were also received but contained incomplete contact information.

A letter of support was also received from the Executive Director of the South Granville Business Improvement Society supporting the Ouisi Bistro application (refer to Appendix C).

DISCUSSION

Policy Issues

The subject site is located in the Non-Downtown Primarily Residential area. The proposed Liquor Establishment – Class 1 venue is greater than 500 metres away from another Liquor Establishment Class – 1 venue. Since there are no liquor establishments in this class within 500 metres of the site, the proposed establishment complies with Council’s liquor policy for venue size and location. The applicant contends this establishment will provide a social gathering place for people who appreciate cajun/creole cuisine as well as the various libations these cultures offer. In addition, this proposal will provide a liquor primary licensed establishment for the South Granville Street neighbourhood.

Hours of Operation

The hours of operation requested for the Liquor Primary liquor licence are 9 am to 1 am, Sunday to Thursday and 9 am to 2 am, Friday and Saturday which are within the parameters of the Extended hours permitted in the Non- Downtown Primarily Residential Area.

Positive Application Attributes

- Very little is likely to change with respect to how the premise currently operates (food service will remain a component of the business which will provide a mitigating factor to the liquor service; authentic Cajun and Creole cuisine will remain the primary focus throughout the premise during operating hours, seven days a week);
- Should Council support the Liquor Primary application, then the applicant will simply have more flexibility to serve and accommodate those clients who only wish to consume alcohol;
- The application complies with Council’s liquor policy for venue size and location;
- The applicant has a positive track record with the operation of this existing restaurant and the operation of another liquor primary establishment (The Fringe Café); and
- A time-limited development permit should provide adequate controls to ensure the land use/business remains compatible with the surrounding community.

Negative Proposal Aspects

There is a possibility that the proposed establishment may increase street related nuisance activity for the area. Strong management and sound operational practices should limit this type of activity from having a negative impact on the surrounding community.

Enforcement History

The applicant has no enforcement history.

FINANCIAL IMPLICATIONS

There are no financial implications.

COMMENTS

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

The Development Services Department has reviewed the application and notes this application falls within the C-3A zoning district. The current approved use of this building is Retail and Restaurant Class 1. The proposal to convert a portion of the Restaurant area (Food Primary) to a Neighbourhood Public House use (Liquor Establishment Class 1 - Lounge) will require a Development Permit application.

The review process for this type of approval would 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 would be reviewed in accordance with the provisions of the Neighbourhood Public House Guidelines adopted by City Council.

The Vancouver Fire Department has reviewed the application and note that The Ouisi Bistro has been approved for an occupant load of 48 interior seats as per FI408136 and stamped floor plan of August 31, 2010 (refer to Appendix B).

The Social Development Department has reviewed the application and have no comments.

The Central Area Planning Department has reviewed the application and have 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 has considered traffic, noise, parking and zoning matters. Staff has no concerns with traffic and zoning at this time. The zoning is C-3A (Commercial District) 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 are six off-street parking spaces on this site and one loading bay.

CONCLUSION

Staff are recommending Council endorse the applicant's request for a 48 person 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 even though authentic Cajun and Creole cuisine will remain the primary focus throughout the premise. The applicant also has a positive track record with the operation of this existing restaurant. 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

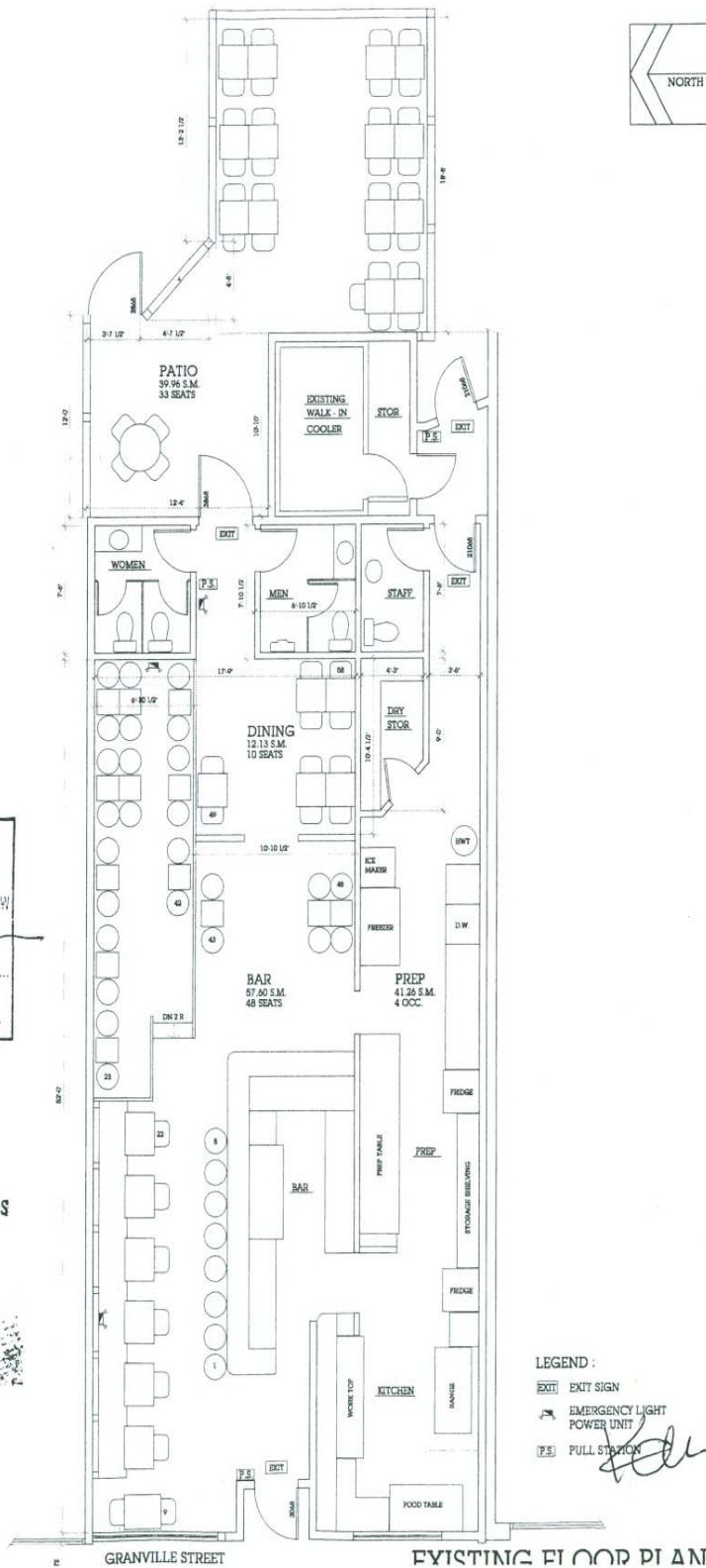
- (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges - {N/A}
- (2) Government or Private Liquor Stores - {N/A}
- (3) Social Housing/ Facilities - {N/A}
- (4) Residential buildings
- (5) Parks - {N/A}
- (6) Churches - {Holy Trinity} {Pentecostal Tabernacle}
- (7) Schools - {N/A}
- (8) Social/Private Clubs - {N/A}



LICOR ESTABLISHMENT CLASS - LOUNGE
3014 Granville Street - Ouisi Bistro

map: 1 of 1





REVIEWED AND ACCEPTED
PURSUANT TO
THE B.C. FIRE SERVICES ACT
AND THE VANCOUVER FIRE BY-LAW
AUG 31 2010
L. SZIKLAI
ACM / Deputy Chief, Fire Prevention
THIS IS NOT A PERMIT

MAXIMUM OCCUPANT LOAD
 LICENSED BUSINESS ESTABLISHMENTS 40 PERSONS
 DINING AND CATERING SPACE 10
 NON FIXED SEATS AND TABLES
 NON FIXED SEATS
 STANDING SPACE
 OTHER USES PATIO 33

LEGEND:
 EXIT EXIT SIGN
 EMERGENCY LIGHT POWER UNIT
 P.S. PULL STATION

LOT 3 & 4, BLOCK 451
D.L. 526, PLAN 1276

DRAWN
DATE AUG 24 2010
SCALE AS NOTED



June 9, 2010

Mayor Gregor Robertson & Members of Council
City of Vancouver
453 West 12th Avenue
Vancouver, BC V5Y 1V4

Re: Liquor License Application – Ouisi Bistro 3014 Granville Street

It has been brought to our attention that the Ouisi Bistro has made an application to modify their existing establishment to include food primary and liquor primary licensed areas.

The Ouisi Bistro has been part of the South Granville community since 1994 and its owner, Rob Clarke participated in the early efforts to establish the South Granville Business Improvement Association in 1999. The restaurant has won numerous awards for its cajun/creole cuisine and is a favourite spot for pre-Stanley Theatre dining.

South Granville is a commercial district that views itself as a neighbourhood first and foremost. The Ouisi Bistro has eagerly participated in our efforts to preserve that sense of community and to promote the area as a location for a sophisticated demographic.

One of our challenges on South Granville is that there are no liquor primaries in the immediate vicinity that cater to the more mature demographic who might like to enjoy a glass of wine before or after a theatre performance without the necessity of ordering food. In this regard, we believe the proposed licensing would enhance our neighbourhood's offerings without dramatically changing the atmosphere of the area. The addition of a liquor primary licensed area at this establishment will permit the operator to provide a wider variety of hospitality options that are being demanded by regular patrons and the theatre going public. We as an Association welcome those options.

The South Granville BIA has been advised that the rear patio area would operate under the current hours of operation which addresses our only apprehension about potential noise in consideration of our residential neighbours. Even if the patio was included in the application, the clientele that frequents the Bistro would not likely be of concern from a noise perspective.

Please accept this letter as our endorsement of the request to modify the Ouisi Bistro to include food primary and liquor primary licensed areas. If you have any questions that we may be able to assist with, please do not hesitate to call on us.

Respectfully,

A handwritten signature in cursive script that reads "Sharon Townsend".

Sharon Townsend
Executive Director
South Granville BIA

cc. Rob Clarke, Ouisi Bistro

