



ADMINISTRATIVE REPORT

Report Date: March 18, 2011  
Contact: Lucia Cumerlato  
Contact No.: 604.871.6461  
RTS No.: 09103  
VanRIMS No.: 08-2000-20  
Meeting Date: April 7, 2011

TO: Standing Committee on Planning and Environment

FROM: Chief Licence Inspector

SUBJECT: 888 West Cordova Street - Terminal City Club Inc.  
Liquor Primary Liquor Licence Outdoor Patio Application for an Increase in Capacity (Lions Pub)

**RECOMMENDATION**

THAT Council, having considered the opinion of area residents and business operators of the community as determined by site sign, the proximity of residential developments, potential noise impacts and relevant Council policy as outlined in the Administrative Report dated March 18, 2011, entitled "888 West Cordova Street - Terminal City Club Inc., Liquor Primary Liquor Licence Outdoor Patio Application for an Increase in Capacity (Lions Pub)", endorse the application by Terminal City Club Inc., for an increase in capacity of the Liquor Primary patio (on private property) at the Lions Pub, 888 West Cordova Street subject to:

- i. A maximum capacity of 50 seats;
- ii. The signing of a Good Neighbour Agreement with the City;
- iii. The patio ceasing all liquor service and vacated by 11 pm;
- iv. No music permitted on the patio;
- v. A Time Limited Development Permit for the patio; and
- vi. Food service to be provided while the patio is open.

**GENERAL MANAGER'S COMMENTS**

The General Manager of Community Services RECOMMENDS approval of the foregoing.

**COUNCIL POLICY**

On April 17, 2007, Council approved policy and guidelines that Liquor Primary liquor establishments be permitted to have sidewalk patios on public property subject to the current Council-approved sidewalk patio guidelines for restaurants and subject to additional restrictions which would apply to liquor primary patios on both public and private property.

These restrictions included food service (Provincial Food Premises Operating permit from Vancouver Coastal Health), including consideration as to whether the food preparation area is large enough to safely handle the 20% increase, closing time of no later than 11 pm, outdoor seating limited to 20% of total seating capacity, no sidewalk patios adjacent to liquor establishments in the 700, 800 and 900 blocks of Granville Street and public consultation.

Outdoor patios on public property (City streets) are permitted through licence agreements subject to meeting Council-approved guidelines, including the requirement that the business be licensed as a limited service food establishment or restaurant.

Outdoor patios on private property adjacent to liquor primary establishments require amendments to existing Liquor Primary liquor licences that are subject to a Time-Limited Development Permit, Good Neighbour Agreement, and public consultation.

### ***PURPOSE***

Terminal City Club Inc. is requesting a Council resolution endorsing their application for an amendment to the existing Liquor Primary liquor licence to increase the seating capacity of the outdoor patio from 38 to 50 persons, located on private property, at 888 West Cordova Street.

### ***BACKGROUND***

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

The applicant has been operating at this location since March 2000 catering to the population of the business community and the tourists visiting our city. On July 24, 2003 the applicant received Fire Department approval for a 38 person outdoor patio Liquor Primary liquor license. This application would allow the establishment to increase their patio seating to serve the need of their patrons and community.

#### ***Application***

The applicant is requesting a Council resolution endorsing their application for an amendment to the existing Liquor Primary liquor licence to increase the seating capacity of the outdoor patio from 38 to 50 persons, located on private property, at 888 West Cordova Street (Lions Pub) with licensed hours from 9 am to 11 pm, seven days a week. Access to and from the patio will be through the existing pub.

The applicant feels that this patio extension would enhance the entrance to the establishment by having a patio on either side of the entrance thereby balancing the look of the establishment and making it inviting for their customers. The applicant also feels that the addition of this patio will further enhance the overall look of West Cordova Street streetscape.

#### ***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. All changes/amendments to the liquor licence hours of service are subject to local government support. The LCLB has no specific policy for patios.

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

The subject site is located in Downtown District - Sub-Area B (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 primarily a commercial district with the convention facilities, hotels and offices being the predominant land uses. For example, the area contains a mixture of hotels and office towers, restaurants, and retail businesses. The area is an extension of the central business district and an important precinct for visitors, businesses, employees, shoppers and local residents (see Appendix A).

Within a 500' radius of the subject site, there is one Liquor Establishment Class 2 (95 seats + 18 patio seats), one Liquor Establishment Class 3 (220 seats), two Liquor Establishment Class 7 - Private Club (1689 seats + 57 patio seats) and approximately eight licensed restaurants (Food Primary Licence) within the area.

### ***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.

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

### ***DISCUSSION***

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

The current Council policy for outdoor patios states that the total number of seats for the patio be limited to 20 percent of the total seating capacity for the liquor primary establishment. As such, this policy would allow for a 26 person patio, however the applicant is requesting approval for a 50 person patio. The applicant currently has approval for a 38 person patio which is located on private property and set back from West Cordova Street (See Appendix B). While this request does not comply with the current Council policy, staff's rationale for supporting the request is as follows:

- The patio is located in an area of the City which is mainly comprised of commercial uses, and thus it will not have an impact on residential uses,
- the patio itself is well set back from the street and even with this expansion, there is more than adequate room on the private property and no impact on the street
- the patio appears to have been a "good neighbour" and during the public notification process, no concerns were expressed with respect to the outdoor patio,
- To date, Staff have had no concerns or issues with the operation of the existing outdoor patio;
- Food Service will remain a component of the business, which will provide a mitigating factor to the liquor service, and it is staff's assessment that the food preparation area is large enough to safely handle the increased patio capacity
- The time-limited development permit and 11 pm closing time should address any potential problems related to the seating capacity.

### ***FINANCIAL IMPLICATIONS***

There are no financial implications.

### **COMMENTS**

*The Police Department* has reviewed the application and have no concerns.

*The Vancouver Fire Department* has reviewed the application and note that the approved occupant load for the patio is 50 persons.

*The Central Area Planning Department* has reviewed this application and support this proposal noting that patios are a valued amenity in commercial areas.

*The Development Services Department* has reviewed this application and note the zoning for this property is DD (Downtown District), sub-area B. The approved use of this building is Retail, Office, Club, Hotel, Neighbourhood Public House and associated outdoor patio seating (38 seats) and residential.

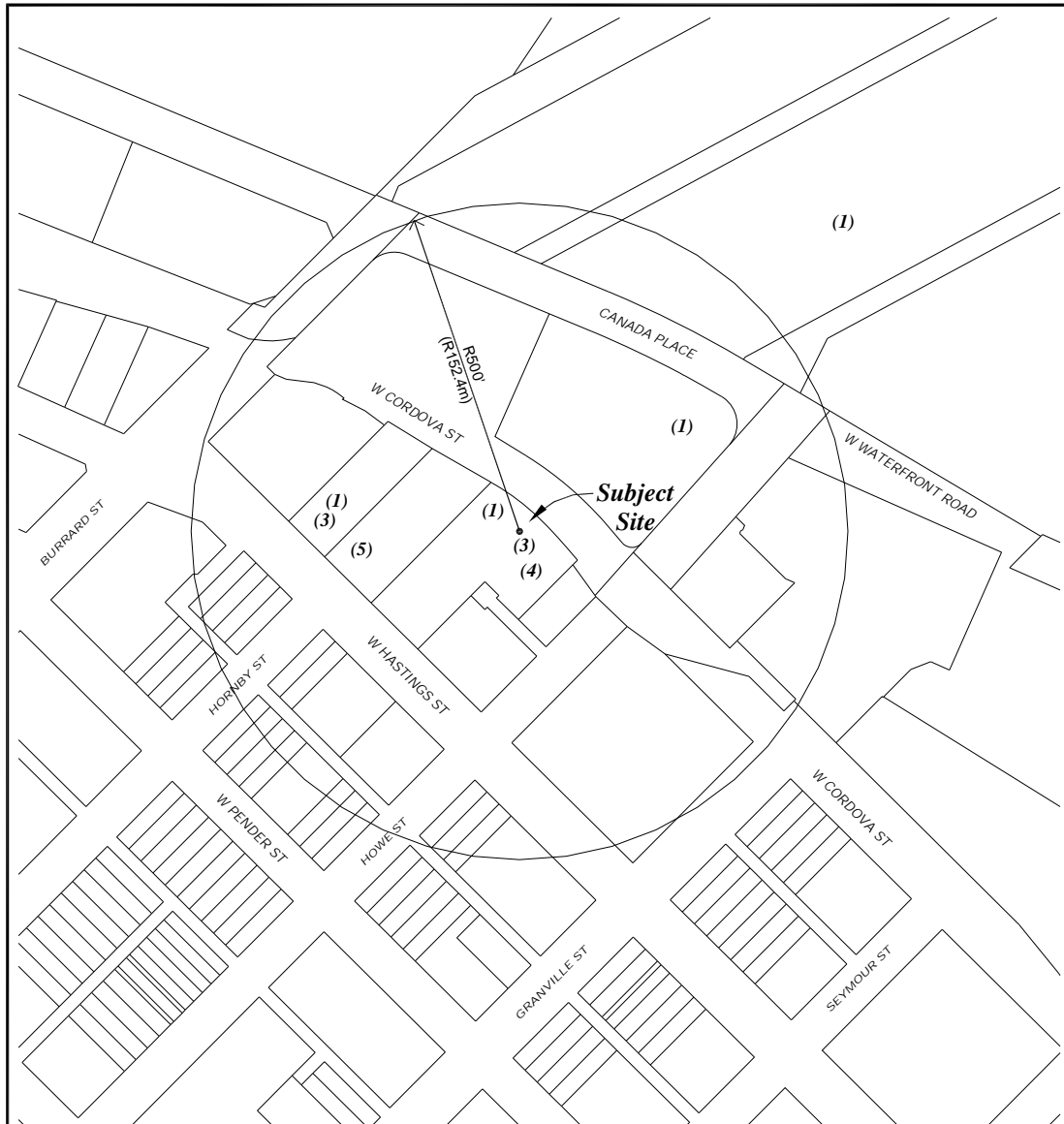
The proposal to increase in the number of outdoor patio seats operating in conjunction with the Neighbourhood Public House will require a Development Permit application. The review process for this type of approval will involve an assessment of neighbourhood impacts, including compatibility with surrounding uses, hours of operation, social and policing impacts and noise control. As well, this application will be reviewed in accordance with the applicable provisions of the Neighbourhood Public House Guidelines adopted by City Council.

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

### **CONCLUSION**

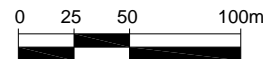
Staff are RECOMMENDING Council endorse the applicant's request for an increase in capacity from 38 to 50 persons Liquor Primary patio located on private property at 888 West Cordova Street (Lions Pub) subject to the conditions outlined in the Recommendation. Staff acknowledge that this application does not meet Council policy for outdoor patios, however given that there have been no concerns to date with the operation of this patio, and no concerns raised through the public notification process, staff do not anticipate any significant impacts from the operation of this patio. In addition staff note that this patio is located in an area of the city which is mainly comprised of commercial uses. As such, there should be no impact on residential properties.

\* \* \* \* \*



**LEGEND**

- (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges - {Pan Pacific Hotel}, {Fairmont Waterfront Hotel}, {Lion's Pub}, {Vancouver Club}
- (2) Government or Private Liquor Stores - {N/A}
- (3) Social/Private Clubs {Terminal City Club}, {Vancouver Club}
- (4) Residential buildings {Terminal City Club}
- (5) Parks {Portal Park}, {901 W. Hastings}
- (6) Churches - {N/A}
- (7) Schools - {N/A}
- (8) Social Housing - {N/A}
- (9) Other social facilities (clinics, rehabs, hospitals, etc.) - {N/A}



LIQUOR ESTABLISHMENT CLASS 2 - NEIGHBOURHOOD PUB  
888 West Cordova Street - Terminal City Club

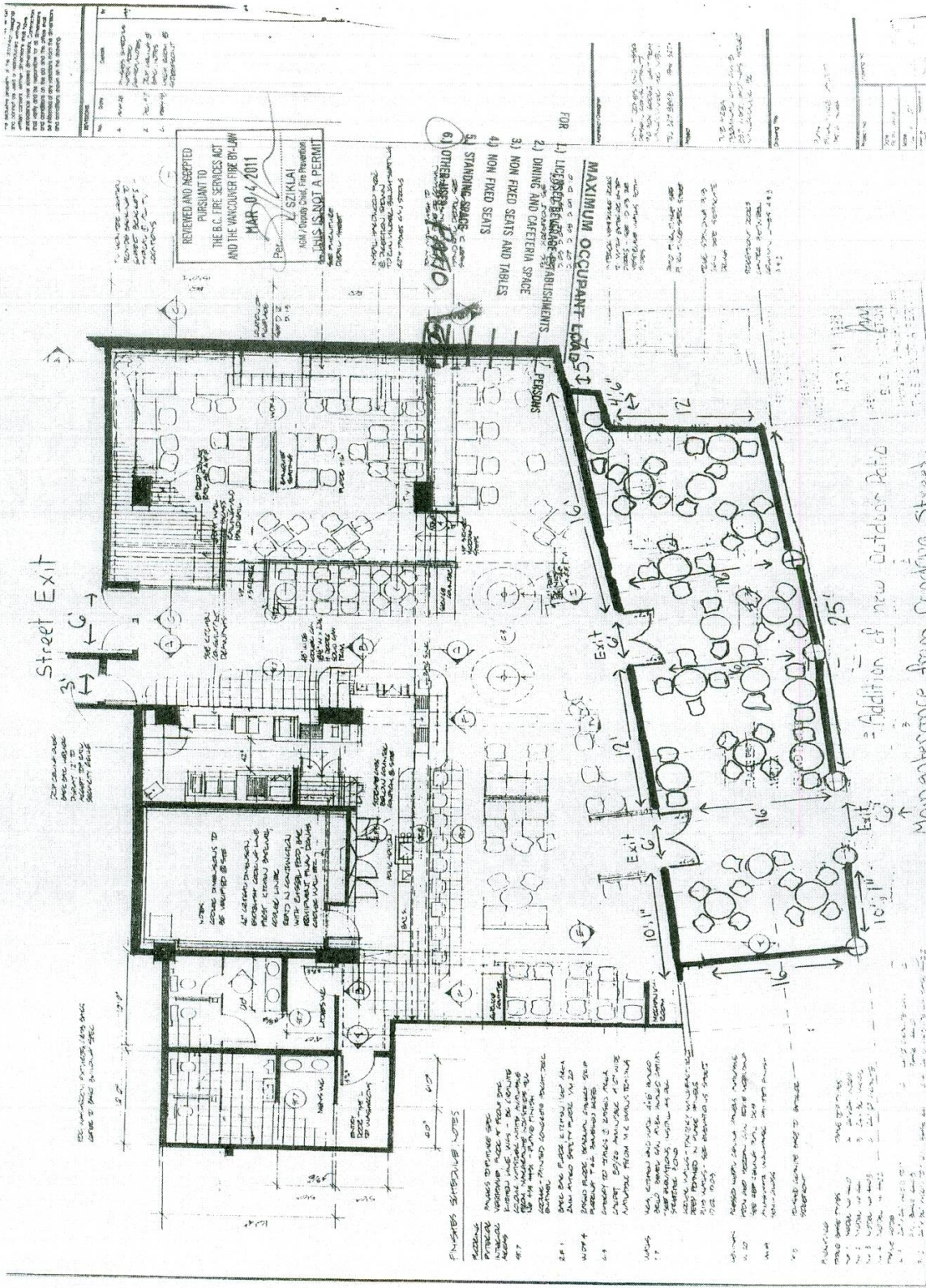
map: 1 of 1



**City of Vancouver - Licenses & Inspections**

date: 2011-03-22





REVIEWED AND ACCEPTED  
PURSUANT TO  
THE B.C. FIRE SERVICES ACT  
AND THE MANICURE FIRE BY-LAW  
MAR 04 2011  
SZIKLAI  
NON/Noted Chief Fire Officer  
THIS PLAN IS NOT A PERMIT

- FOR
- 1) LINES OF SEPARATION
  - 2) DINING AND CAFETERIA SPACE
  - 3) NON FIXED SEATS AND TABLES
  - 4) NON FIXED SEATS
  - 5) STANDING SPACE
  - 6) OTHER

MAXIMUM OCCUPANT LOAD

Street Exit

25'  
Addition of new outdoor patio  
Main entrance from Cordova Street

FIRE CODE REQUIREMENTS

- 1. MAXIMUM OCCUPANT LOAD
- 2. EXIT WIDTH
- 3. EXIT SIGNAGE
- 4. EXIT LIGHTING