



ADMINISTRATIVE REPORT

Report Date: June 10, 2011  
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VanRIMS No.: 08-2000-20  
Meeting Date: June 30, 2011

TO: Standing Committee on City Services and Budgets  
FROM: Chief Licence Inspector  
SUBJECT: 319 Main Street - 319 Venue Location Inc.  
Amendment to Existing Liquor Primary Liquor Licence

**RECOMMENDATION**

THAT Council, having considered the opinion of area residents and business operators of the community as determined by neighbourhood notifications (site sign), the proximity of residential developments, potential noise impacts and relevant Council policy as outlined in the Administrative Report dated June 10, 2011, entitled "319 Main Street - 319 Venue Location Inc. - Amendment to Existing Liquor Primary Liquor Licence", endorse the application by 319 Venue Location Inc. for an amendment to Liquor Primary liquor licence (#303023 - Liquor Establishment Class 4) at 319 Main Street subject to:

- i. Liquor may only be served in conjunction with "live" and "non-live" events; and
- ii. The minors endorsement will be removed from the licence.

**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 liquor primary establishments into by-law regulation.

On July 14, 2005, Council approved amendments to the Licence By-law to provide new definitions for businesses in which the primary function is the sale and consumption of alcohol on the premises (Standard Hours Liquor Establishment Classes 1-7) and endorsed policy and guidelines relating to their size and location.

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.

On March 23, 1993, Council adopted a policy to consider, on a case-by-case basis, requests from non-profit arts organizations seeking Council's endorsement towards obtaining a provincial liquor licence without going through the referendum process, based on the results of the preliminary neighbourhood notification.

### ***PURPOSE***

319 Venue Location Inc. (District 319), located at 319 Main Street, is seeking Council resolution endorsing their application to amend their existing Liquor Primary liquor licence (#303023-Liquor Establishment - Class 4) to allow liquor to be served in conjunction with pre-booked "live" and "non-live" events such as live theatre, dance, individual performance, band, conference or presentation where the primary focus is on live speaker(s), fundraisers, corporate and community events. The applicant also proposes to remove the minors endorsement from the existing liquor licence. There is no change to the existing person capacity or hours of liquor service.

### ***BACKGROUND***

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

The applicant holds an existing Liquor Primary liquor licence which was endorsed by Council on April 3, 2008. The current licence covers the theatre screening room, theatre lobby, and two small screening rooms located on the second floor directly above the lobby. The existing licence allows liquor to be served in conjunction with pre-booked and by invitation only events such as private screenings, production and post production sessions, film industry seminars and publicity events. This establishment is located directly beside the former offices of Infinity Features Entertainment, which was a Vancouver based international film production company run by the late William Vince, an Oscar nominated producer of international stature. Before his death, Mr. Vince had over 18 years experience as a producer in the film industry and was the original director of this licenced venue. Through various holding companies, Mr. Vince purchased a substantial portion of the west side of the 300 block Main Street including the former Golden Harvest Theatre, which is the location of this venue. The buildings went through a much-needed renovation and refurbishment. Since completion of the renovations, the venue has become an established and duly recognized anchor in the Downtown Eastside and has made an important contribution to the rehabilitation of the neighbourhood.

When the venue was originally licenced, the applicant proposed that the facility be used for the following purposes:

- Movie Industry "by invitation only" private screenings;

- Used by producers, directors and actors during the production and post production process;
- Industry social events including “by invitation only”, premiere openings and post award screenings;
- Visiting actors wanting to use the facility;
- Producer/director led seminars, script reading events and other industry oriented events such as sound tests; and
- Press conferences.

All events were to be pre-booked and focus on the film industry.

The District 319 Theatre was created by William Vince as an integral part of his film production company; and was to be an important meeting place for the Vancouver Film Community and a resource for film personnel from outside the city particularly Los Angeles. It was his intent that this venue would serve as an important venue for the Vancouver film community and aid in the growth of the Vancouver film community.

With Mr. William Vince’s death and the closure of his company (Infinity Features), an enormous void has been left in the film community which has not been filled. With this void, the venue is not sustainable strictly for film related events held for film industry personnel. What has emerged, however, is a popular venue for private, pre-booked “by invitation only” events including fundraising events, product launches, fashion shows, corporate events, film club screenings and non-profit community events. Many of these events have been held with “special occasion licences”.

Given the change in focus since Mr. Vince’s death and closure of Infinity Features, the applicant is filing this amendment to the letter of intent to have the District 319 Theatre licenced as a venue which would be for pre-booked invitation-only events that can utilize this space as a multi-faceted venue and not be restricted to events related to the motion picture industry only.

### ***Application***

The applicant is requesting a council resolution endorsing their application to amend the terms and conditions on their existing Liquor Primary liquor licence (#303023).

The applicant proposes to amend all existing conditions other than the following:

- Liquor may only be served in conjunction with pre-booked and by invitation only events.

The applicant is proposing the following amendments to the Liquor Primary licence:

- Liquor may only be served in conjunction with “live” and “non-live” events.
- The minors endorsement will be removed from the licence.

With this amendment in place, the establishment would only serve liquor during a “live” or “non-live” event. Liquor service hours of sale would be limited to one hour prior to, during and one hour after an event. A “live” event is where the primary presentation is offered through individuals who are physically performing (live theatre, dance, individual performer, band, etc.). Other types of “live” events include a conference or presentation where the

primary focus is on live speaker(s). A "non-live" event is where there is no primary presentation offered through individual performance (reception, wedding, fundraiser, banquet, etc.)

### **Liquor Control and Licensing Branch (LCLB) Regulations and Policies**

All changes/ amendments to the terms and conditions of a liquor licence are subject to local government support.

### **Area Surrounding Premises**

The subject site is located in the Downtown East Oppenheimer Zoning District. The surrounding area is a mixture of retail, social facilities (community associations), hotels, pubs, residential (non-profit housing), Police station and other commercial uses (refer to Appendix A).

There are two Liquor Establishment Class 3 (449 seats) within the 300' radius of the subject site.

### ***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 comments were received.

### ***DISCUSSION***

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

There are no policy issues which relates to this application.

The applicants track record shows that they are strong advocates of Vancouver Inner City business development and revitalization. District 319 is seen as an important new cultural hub for establishing innovative Inner City collaborations, economic and employment benefit opportunities and broader community-wide interaction. District 319 is committed to supporting Inner City community youth, arts and cultural programs. This non-profit program has been developed to engage youth in the creative and technical functions of film and video production to empower and build skills for potential employment within BC's film production industry.

The venue provides a much-needed location for fundraising events and community activities which creates a more integrated, diverse and community-friendly form of revitalization for the neighbourhood.

### ***FINANCIAL IMPLICATIONS***

There are no financial implications.

### ***Comments to Satisfy Liquor Control and Licensing Branch (LCLB) Resolution Requirements:***

***Location:*** as noted previously.

***Person capacity and hours of operation:*** no change to existing licence.

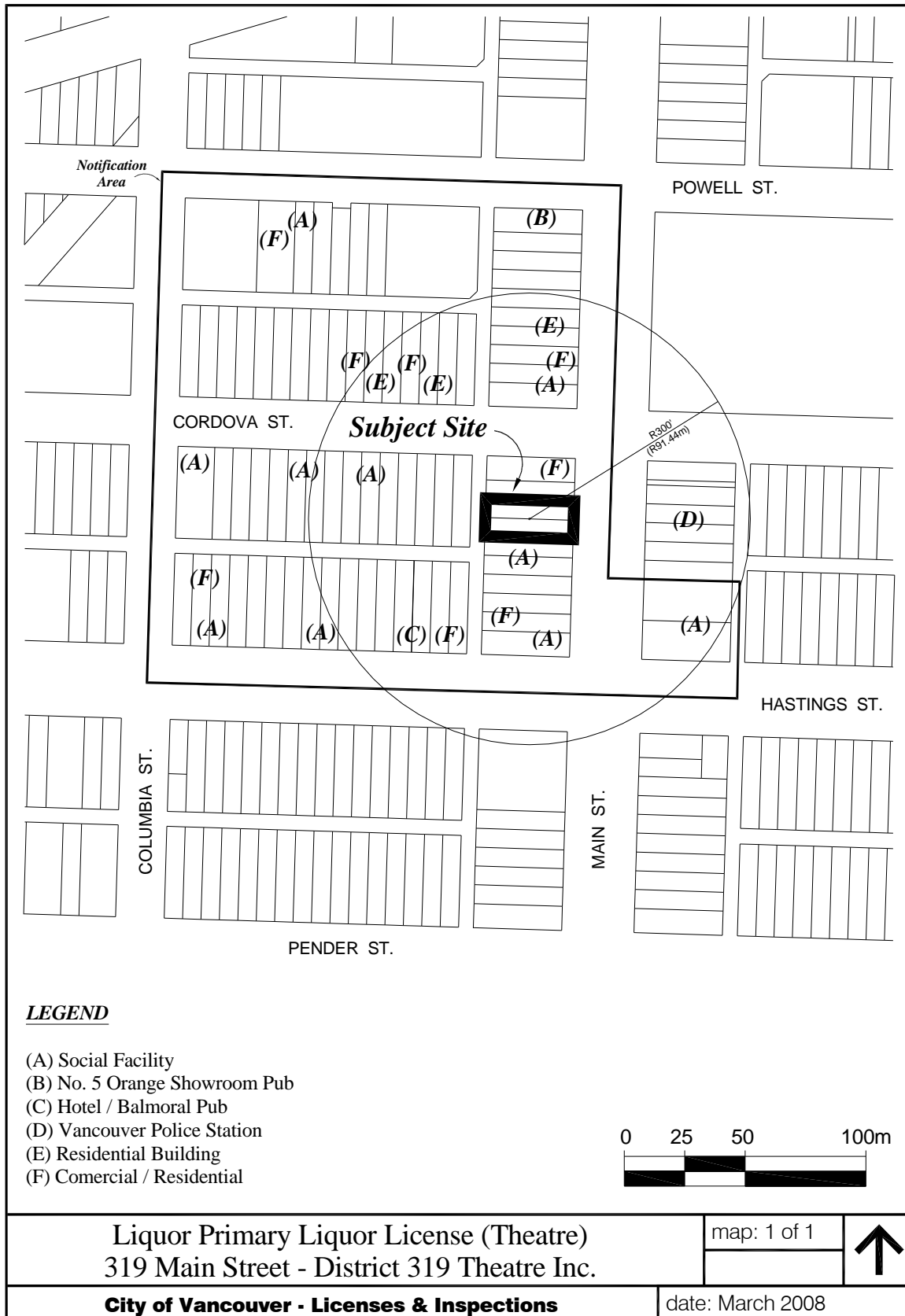
*Market Analysis:* The City of Vancouver has no authority to regulate an operator's clientele/target market. As a result, commenting or basing a decision on Market Analysis is an unproductive use of staff time.

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

### **CONCLUSION**

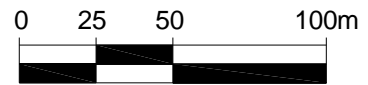
Given the nature of the establishment and the fact that District 319 has been operating for the last three years without any community concerns or issues, staff do not anticipate any negative impact from the amendments to this Liquor Primary liquor licence. Liquor service will still be permitted in conjunction with pre-booked and by invitation only events. By permitting both "live" and "non-live" events the revenue generated from these events will fund the different programs District 319 has committed to supporting such as Inner City community youth, arts and cultural programs and non-profit groups. Also, a portion of the rental revenues are donated to fund the Intersections program. Therefore, staff recommends endorsement of this application.

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**LEGEND**

- (A) Social Facility
- (B) No. 5 Orange Showroom Pub
- (C) Hotel / Balmoral Pub
- (D) Vancouver Police Station
- (E) Residential Building
- (F) Comercial / Residential



Liquor Primary Liquor License (Theatre)  
319 Main Street - District 319 Theatre Inc.

map: 1 of 1

