



ADMINISTRATIVE REPORT

Report Date: June 26, 2012
Contact: Tom Hammel
Contact No.: 604.873.7545
RTS No.: 9649
VanRIMS No.: 08-2000-20
Meeting Date: July 10, 2012

TO: Standing Committee on City Finance and Services

FROM: Chief Licence Inspector

SUBJECT: 655 Burrard Street - Hyatt Regency Hotel Vancouver
Liquor Primary Liquor Licence Increase in Person Capacity and New
Outdoor Patio (Liquor Establishment Class 4 - Hotel Lounge)

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, noise impacts and relevant Council policy as outlined in this Administrative Report, endorse the request by HT-Vancouver Inc. and 319168 Ontario Limited for an increase in person capacity (Liquor Establishment Class 4 - Hotel Lounge) at the Hyatt Regency Hotel Vancouver located at 655 Burrard Street as follows:

1. The Gallery Lounge on the Main floor from 79 to 152 persons, subject to:
 - i. An amendment to the existing Development Permit; and
 - ii. Signing a Good Neighbour Agreement with the City prior to the issuance of the revised business licence.

2. The Regency Lounge on the 29th floor from 14 to 60 persons and for a new 4 person Liquor Primary outdoor patio, subject to:
 - i. An amendment to the existing Development Permit;
 - ii. A Time-limited Development Permit for the outdoor patio;
 - iii. The patio ceasing all liquor service and vacated by 11 pm, nightly;
 - iv. Food service to be available while the patio is open;
 - v. No music permitted on the patio; and
 - vi. Signing a Good Neighbour Agreement with the City prior to the issuance of the revised business licence.

REPORT SUMMARY

Hyatt Regency Hotel Vancouver (HT-Vancouver Inc. and 319168 Ontario Limited) is requesting a Council resolution endorsing their application for an increase in patron capacity to their existing Liquor Primary liquor licence located at 655 Burrard Street due to recent renovations that have taken place within the hotel. The table below summarizes application:

	Current		Proposed	
	Interior	Outdoor Patio	Interior	Outdoor Patio
The Gallery Lounge (Main Floor)	79	0	152	0
The Regency Lounge (29 th Floor)	14	0	60	4 (inclusive of the interior capacity)
TOTAL	93	0	212	4 (inclusive of the interior capacity)

There was no response to the neighbourhood notification and there has been no enforcement issues associated with this establishment.

Staff is recommending approval of this application noting that there will be little change with respect to how this establishment will operate and that risks associated with Liquor Primary lounges within hotels are generally low.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

City role in liquor licence applications - The Liquor Control and Licensing Branch of the Provincial Government has senior authority in approving liquor licence applications. Their regulations require local governments to provide a Council resolution on any liquor primary liquor licence application unless the local government decides to opt out of the application review process. Council policy has been to provide comments on these applications.

Approval process/requirements - Council policy requires new Liquor Primary liquor licences and changes to existing Liquor Primary liquor licences be subject to a Time-limited Development Permit, Good Neighbour Agreement and public consultation.

Hours of service - Policy for this Downtown Primarily Commercial area are:

Standard hours of liquor service:

- 11 am to 2 am, seven days a week

Extended hours of liquor service:

- 9 am to 3 am, seven days a week

Sidewalk patios adjacent to liquor establishments - On April 17, 2007, Council approved policy and guidelines that allow Liquor Primary liquor establishments to have sidewalk patios on both public and private property subject to:

- Food service being available to the patio;
- A food preparation area large enough to safely handle the capacity increase;
- Closing time of no later than 11 pm;
- Outdoor seating limited to 20% of total seating capacity; and
- Public consultation.

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

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

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

REPORT

Background/Context

The applicant is requesting a Council resolution endorsing the Hyatt Regency Hotel Vancouver's application for a capacity increase to the existing Liquor Primary liquor licence (Liquor Establishment Class 4 - Hotel Lounge) and for a new outdoor patio located at 655 Burrard Street (refer to Appendix A). The current hours of operation are 11 am to 12 am, Sunday and 11:30 am to 1:30 pm, Monday to Saturday. The applicant is presently in the process with the City of Vancouver and the Liquor Control and Licensing Branch of applying for extended hours of 9 am to 3 am, seven days a week.

The Hyatt Regency Hotel has been operating at this location since 1973. Renovations were conducted within the hotel which included new paint, removal and relocation of a few walls and new décor. These renovations will allow both The Gallery Lounge (main floor) and The Regency Lounge (29th floor) more space in their respective lounge areas.

The Regency Lounge on the 29th floor and adjacent proposed 4 person outdoor patio will cater exclusively to hotel guests. The Gallery Lounge on the main floor is open to both hotel guests and local clientele. Very little is expected to change with the hotel's operations if the application is approved.

Strategic Analysis

Results of Neighbourhood Notification

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

No responses were received in response to the notification.

Location of Establishment

The subject site is located within the Downtown District Zoning District and for the purpose of liquor policy, it is considered to be located in the Downtown Primarily Commercial area. The current approved use of this building is hotel/office/retail/financial institution/restaurant. The surrounding area is a mixture of retail, office, hotels, financial institutions, restaurants and other commercial uses (refer to Appendix B).

Proximity to other social or recreational facilities and to other Liquor Primary Establishments

There are no social or recreational facilities in the immediate area that would create a potential conflict with the proposal to increase the person capacity of the existing Liquor Primary liquor licence.

Person Capacity and Hours of Operation

The Vancouver Fire Department has reviewed the application and approved an occupant load of 152 persons on the main floor (The Gallery Lounge) and 60 persons on the 29th floor (The Regency Lounge), including a maximum of 4 persons on the outdoor patio.

The applicant is proposing an amendment to their operating hours to 9 am to 3 am, seven days a week which are within the parameters of the Extended Hours permitted in the Downtown Primarily Commercial area.

The proposed patio is consistent with Council's policy for outdoor patios with respect to the permitted seating capacity which states that outdoor seating for patios is limited to 20% of total seating capacity of the Liquor Primary establishment. The proposed outdoor patio must cease all liquor service and vacate by 11 pm, nightly. No entertainment will be permitted on the patio.

Traffic, Noise, Parking and Zoning

The proposal to increase the number of persons in this Liquor Primary Lounge does not change the approved land use for this location; however, a minor amendment to the approved Development Permit may be required. Traffic, noise, parking and zoning will be considered further as part of this process.

The proposed outdoor patio on the 29th floor 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.

Impact on the Community

There have been no enforcement issues associated with this establishment and no complaints have been received related to the management of this business. There are no residential units within a 500' radius of the subject site.

The Time-limited Development Permit and Good Neighbour Agreement should provide adequate controls to ensure the land use/business remains compatible with the surrounding community.

The Vancouver Police Department have no concerns with the application as it is located within a well-managed hotel chain and is not expected to create any disruptions or negative impacts.

Financial

There are no financial implications.

CONCLUSION

Staff recommend Council endorse the applicant's request for an increase in patron capacity to their existing Liquor Primary liquor licence at the Hyatt Regency Hotel Vancouver from 218 to 337 persons (Liquor Establishment Class 4) and for a new 4 person Liquor Primary outdoor patio. There will be little change with respect to how this establishment will operate and there are generally low risks associated with Liquor Primary lounges within hotels.

* * * * *

MAXIMUM OCCUPANT LOAD
FOR 1) LICENSED BEVERAGE ESTABLISHMENTS... PERSONS

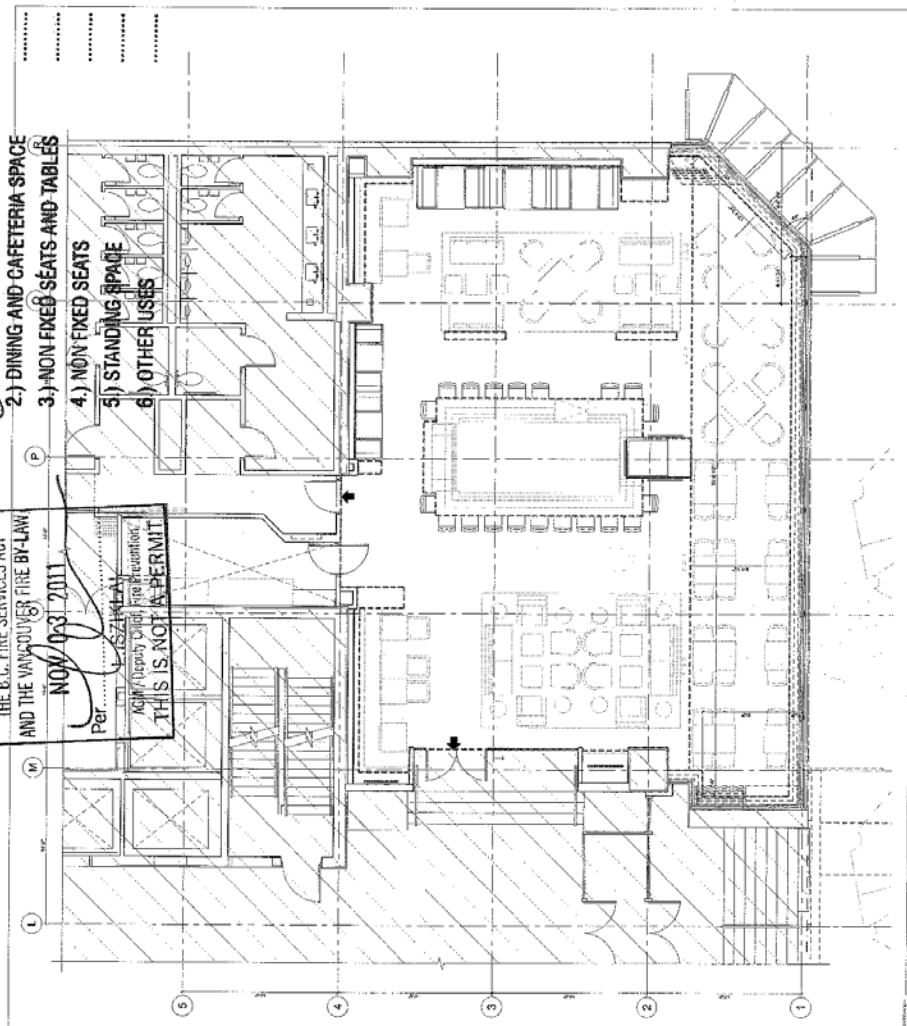
MCM
HYATT

**MUSSON
CATELL
MACKAY
PARTNERSHIP**
ARCHITECTS
1000 WEST BROADWAY
VANCOUVER, BC V6Z 1R1
TEL: 604.681.1111
WWW.MUSSONCATELLMACKAY.COM

**HYATT REGENCY
VANCOUVER
GALLERY LOUNGE**
455 BURNHAMTHORPE ST.
VANCOUVER, BC

**FLOOR PLAN
LEVEL 01
OCCUPANCY LOAD
CALCULATIONS**

SCALE: 1/4" = 1'-0"
DATE: 03 SEPTEMBER 2011
DRAWN: BCL / JAM
REVISION:
PROJECT: 310029.3
SHEET: A201



OCCUPANT LOAD CALCULATIONS

AREA: 1500 sq ft
 PERMITTED OCCUPANT LOAD: 289 (per 2010 BC Building Code)
 (NET FLOOR AREA - 1500 sq ft) x 0.19 (per person) = 285 (per person)
 ADDITIONAL LOAD (NEW PERMIT): 4 (per person)

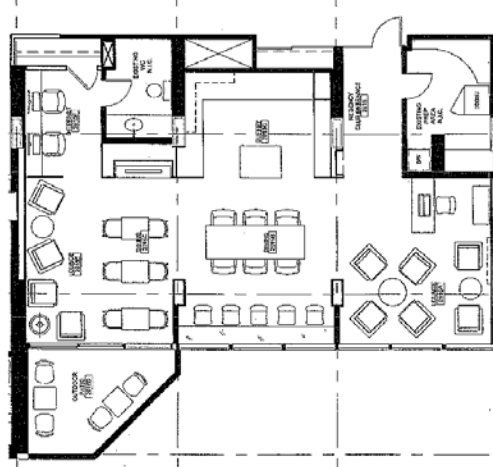
NET FLOOR AREA: 1500 sq ft
 @ 1.29 sq ft/person = 1163 PEOPLE

NUMBER OF EXITS: 2
 TOTAL EXIT WIDTH: 2280 mm (7'-6")
 @ 0.17 sq ft/person = 1341 PEOPLE

OCCUPANT LOAD: 1163 PEOPLE

MCM

AREA NOT INCLUDED IN LICENSED AREA
SPRINKLERED BUILDING



OCCUPANT LOAD CALCULATIONS

REGENCY CLUB LOUNGE - NET AREA: 917 SQ.FT. (85.2 SQ.M)
 OCCUPANT LOAD: 1 PERSON / 7 SQ.FT. (0.14 SQ.M)
 TOTAL EXIT WIDTH: 814.4 MM (3'-0")
 @ 6.1MM / PERSON = 149 PEOPLE

REGENCY CLUB LOUNGE PATIO - NET AREA: 98 SQ.FT. (9.1 SQ.M)
 OCCUPANT LOAD: 1 PERSON / 7 SQ.FT. (0.14 SQ.M)
 TOTAL EXIT WIDTH: 1564.4 MM (8'-5")
 @ 6.1MM / PERSON = 256 PEOPLE

MAXIMUM OCCUPANT LOAD
 FOR LICENSED BEVERAGE ESTABLISHMENTS: 60 PERSONS

- 1) DINING AND CAFETERIA SPACE
 - 2) NON FIXED SEATS AND TABLES
 - 3) NON FIXED SEATS
 - 4) STANDING SPACE
 - 5) OTHER USES
- INCLUDES PATIO*

REVIEWED AND ACCEPTED
 PURSUANT TO
 THE B.C. FIRE SERVICES ACT
 AND THE VANCOUVER FIRE BY-LAW
 APR 12 2012
 ASSESSOR
 THIS IS NOT A PERMIT

EXCLUSIONS
 MUSSON
 CATTELL
 MACKAY
 PARTNERSHIP
 ARCHITECTS ESTABLISHMENT
 400-1000 BURNABY STREET
 VANCOUVER, BC
 V6A 1K6
 CONTACT: 604-271-1111
 WWW.MUSSONCATTELLMACKAY.COM

FURNITURE
 PLAN

SCALE: 1/8" = 1'-0"
 DATE: APR 12 2012
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT: HYATT REGENCY VANCOUVER REGENCY CLUB
 SHEET: SK3

1 HYATT REGENCY VANCOUVER - 29TH FLOOR REGENCY CLUB PLAN
 Scale: 1/8" = 1'-0"

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LEGEND

- (1) Cabarets, Neighborhood Pubs, Hotels with Pub/Lounges - {The Wine Room at Iney's}, {Brandi's Show Lounge}, {Metropolitan Hotel}, {Hotel Georgia}, {Yew Bar}, {Vancouver Marriott Pinnacle Hotel}, {Stanley O'Neil's Pub}, {Bentall Centre Athletic Club}, {Lobby Lounge}, {The Lobby Bar}
- (2) Government or Private Liquor Stores
- (3) Social/Private Clubs
- (4) Residential buildings/Hotels
- (5) Parks (N/A)
- (6) Churches - {Anglican Cathedral}



LIQUOR PRIMARY (LIQUOR ESTABLISHMENT CLASS 4) 635 Burrard Street – Hyatt Regency Hotel Vancouver	map: 1 of 1	
	nts	
City of Vancouver - Licenses & Inspections	date: 2012-06-14	