



ADMINISTRATIVE REPORT

Report Date: September 20, 2013
Contact: Tom Hammel
Contact No.: 604.873.7545
RTS No.: 10229
VanRIMS No.: 08-2000-20
Meeting Date: October 9, 2013

TO: Standing Committee on Planning, Transportation and Environment
FROM: Deputy Chief Licence Inspector
SUBJECT: 2nd Floor - 595 Hornby Street - Blackbird Public House
Liquor Primary Liquor Licence Application

RECOMMENDATION

THAT Council, having considered the opinion of local area residents and business operators as determined by neighbourhood notifications, site sign, noise impacts and relevant Council policy as outlined in this Administrative Report, endorse the request by 0937514 BC Ltd. for a new 150 person Liquor Primary liquor licence (Liquor Establishment Class 2 - Neighbourhood Pub) on the 2nd floor of 595 Hornby Street subject to:

- i. Extended hours of operation which are limited to 9 am to 3 am, seven days a week;
- ii. A maximum total capacity of 150 persons on the 2nd floor;
- 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;
- v. A Time-limited Development Permit; and
- vi. Food service to be provided while the establishment is operating.

REPORT SUMMARY

Liquor Control and Licensing Branch requires Local Government to provide a Council resolution endorsing this application for a new 150 person Liquor Primary liquor licence (Liquor Establishment Class 2 - Pub) on the 2nd floor of 595 Hornby Street. The applicant intends on operating a pub style establishment with a liquor primary on the second floor and food primary on the main floor (refer to Appendix B). The pub will have a strong focus on quality food for the diverse population and business community in the Central Business



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District of Downtown. Food service will be provided to the liquor primary areas from the pub's kitchen.

This application meets current Council policy regarding size, location and hours of operation. A time-limited Development Permit and Good Neighbour Agreement will be required to ensure that the proposed premise operates in a manner conducive to the surrounding area. An acoustical report certifying that the establishment meets Noise Control By-law requirements will also be required to be submitted, if the application receives approval from Council.

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 license applications. Their regulations require local governments to provide a Council resolution on any liquor primary 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.

Hours of service - policy for this Downtown Primarily Commercial-Use 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

Size and location of new establishments (Council July 14, 2005) - Council Policy states that no Class 2 venue shall be located within 100 meters of another Class 2 venue.

Approval process/requirements - Council policy requires new Liquor Primary liquor licences to be 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

Staff are currently scoping a city wide liquor policy review. While that work is going on, specific applications are being carefully reviewed to ensure compliance with existing policies and to ensure neighbourhood compatibility.

Liquor Control and Licensing Branch requires a Council resolution endorsing the application by Blackbird Public House for a 150 persons Liquor Primary liquor licence (Liquor Establishment Class 2 - Pub) with extended hours of operation between 9 am to 3 am, seven days a week.

The applicant intends on operating a pub style establishment with a liquor primary on the second floor and food primary on the main floor (refer to Appendix B). The pub will have a strong focus on quality food for the diverse population and business community in the Central

Business District of Downtown. Food service will be provided to the liquor primary areas from the pub's kitchen. There will also be a kitchen on the main floor to service the food primary area. It is the applicant's intent to have a pub/restaurant atmosphere which will focus on attracting patrons to eat and socialize. The liquor primary area will operate in more of a sports theme pub while the food primary area continues to operate as a restaurant. The proposed entertainment will include background music and live music on the weekend.

The proposed location for this establishment is in the old Keg's Caesar site which operated under a Food Primary Liquor licence (Restaurant Class 1) since 1981. The building is currently undergoing major renovations in order to accommodate the proposed pub and restaurant.

Strategic Analysis

Staff support the proposed application based on the following analysis.

Results of the Neighbourhood Notification

A neighbourhood notification advising of the application for a 150 person Liquor Primary liquor establishment was conducted by circulating approximately 200 notices in the survey area. Copies of the notice were also forwarded to different property management companies for the office buildings in this survey area (refer to Appendix A). Two site signs were erected advising the community 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 regarding this application.

Location of Establishment

The subject site is located in sub-area B of the Downtown Official Development Plan (DD) Zoning District and for the purposes of liquor policy, it is considered to be located in the Downtown Primarily Commercial Use Area. This area is also known as the Central Business District. The surrounding area is a mixture of retail, office, neighbourhood pubs, cabarets, restaurants, hotels and other commercial uses (refer to Appendix A).

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

The YWCA is located at 535 Hornby Street but does not pose a conflict with the proposal for liquor primary seats.

There is one Liquor Establishment Class 1, two Liquor Establishment Class 2, two Liquor Establishment Class 3, one Liquor Establishment Class 4 and numerous restaurants within the 500' radius of the subject site.

There are no Liquor Establishment Class 2 located within 100 meters of the subject site therefore, this application meets Council Policy for distancing requirements.

Person Capacity and Hours of Operation

The Vancouver Fire Department has reviewed the application and approved an interior occupant load of 150 persons.

The hours of operation requested for the Liquor Primary liquor licence are 9 am to 3 am, seven days a week which falls under the Extended Hours permitted for this area. Staff support the extended hours of operation as the applicant has operated a Restaurant at this location since 2011 with no enforcement issues. The surrounding area is comprised of commercial uses with no residential developments.

Noise

Staff have considered the impact for noise on the community and have no concerns at this time. An acoustical report certifying that the establishment meets Noise Control By-law requirements will be required and this should mitigate negative impacts due to noise.

Impact on the Community

The proposed pub is located in the Central Business District which is comprised of mainly commercial uses including a few hotels and no residential developments. Staff do not anticipate any community impacts with this establishment.

A 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 Police Department has reviewed the application and have no concerns about this application.

Strong food service will be a major component of this business and as such, will provide a mitigating factor to liquor service and consumption. The business license operating requirements should minimize community impacts.

Furthermore, this application complies with Council's liquor policy for Venue Size and Location and Hours of Liquor Service.

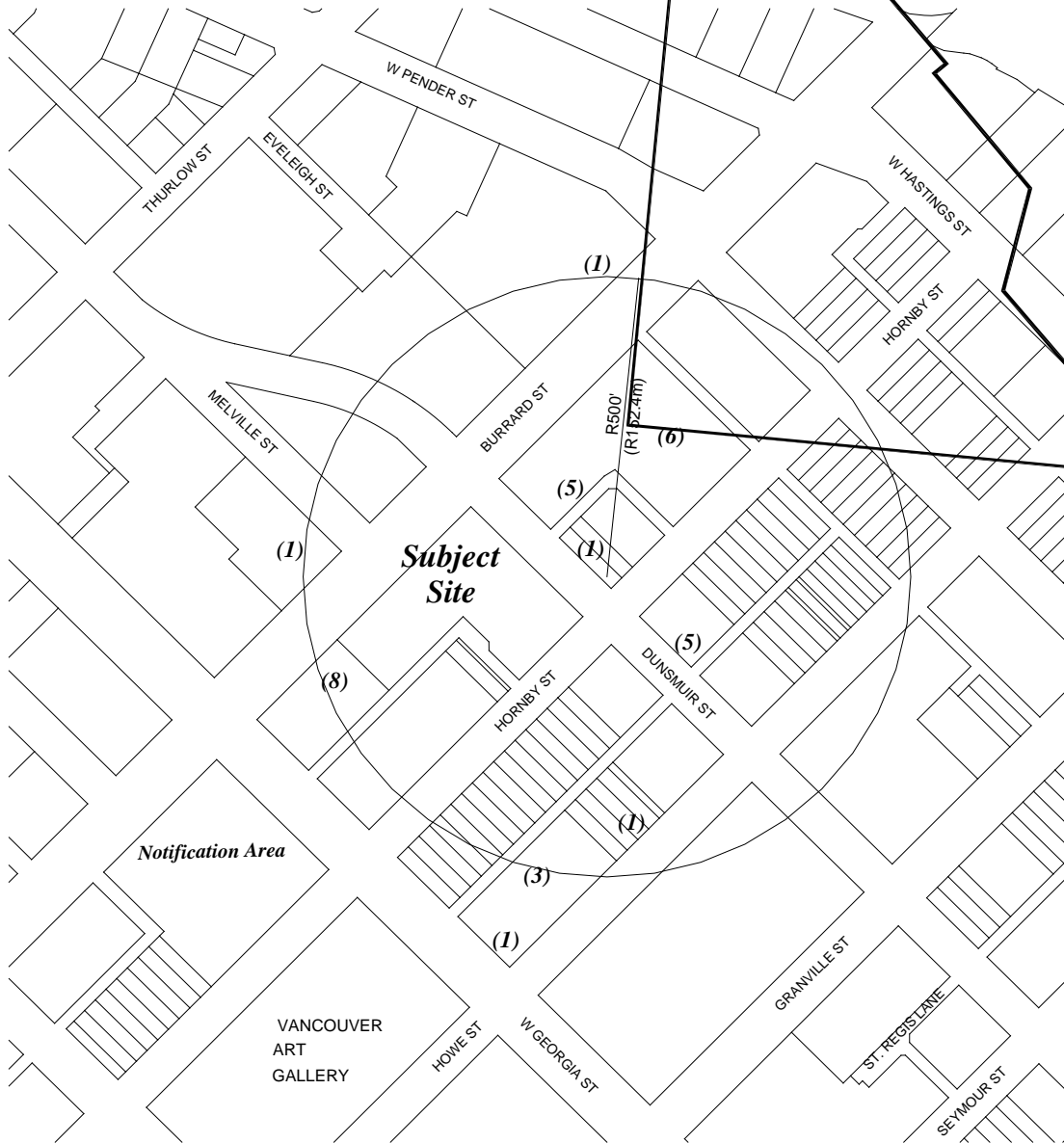
Financial

There are no financial implications.

CONCLUSION

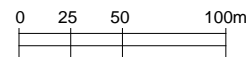
This application meets current Council policy for new liquor primary establishments. The Development Permit and Good Neighbour Agreement requirements will ensure the premise operates in a manner conducive to the surrounding area. With food service being a major focus for this establishment, liquor consumption will be mitigated. Since no comments were received, staff have concluded there are no neighbourhood concerns and are therefore recommending Council endorse the applicant's request for a 150 person Liquor Primary liquor licence, subject to the conditions noted in this report.

* * * *



LEGEND

- (1) Cabarets, Neighbourhood Pubs & Hotels with Pubs/Lounges {The Wine room at Joey Bentall One}, {Hyatt Regency}, {Brandi's Show Lounge}, {Metropolitan Hotel}, {Hotel Georgia}
- (2) Government or Private Liquor Stores {N/A}
- (3) Non-market/Market Housing
- (4) School {N/A}
- (5) Medical Clinic {Stein Medical Clinic -Unit 188 - 550 Burrard St}, {Stein Medical Clinic - 887 Dunsmuir St}
- (6) Other Social facilities {YWCA}
- (7) Parks {N/A}
- (8) Churches {Christ Church Cathedral}

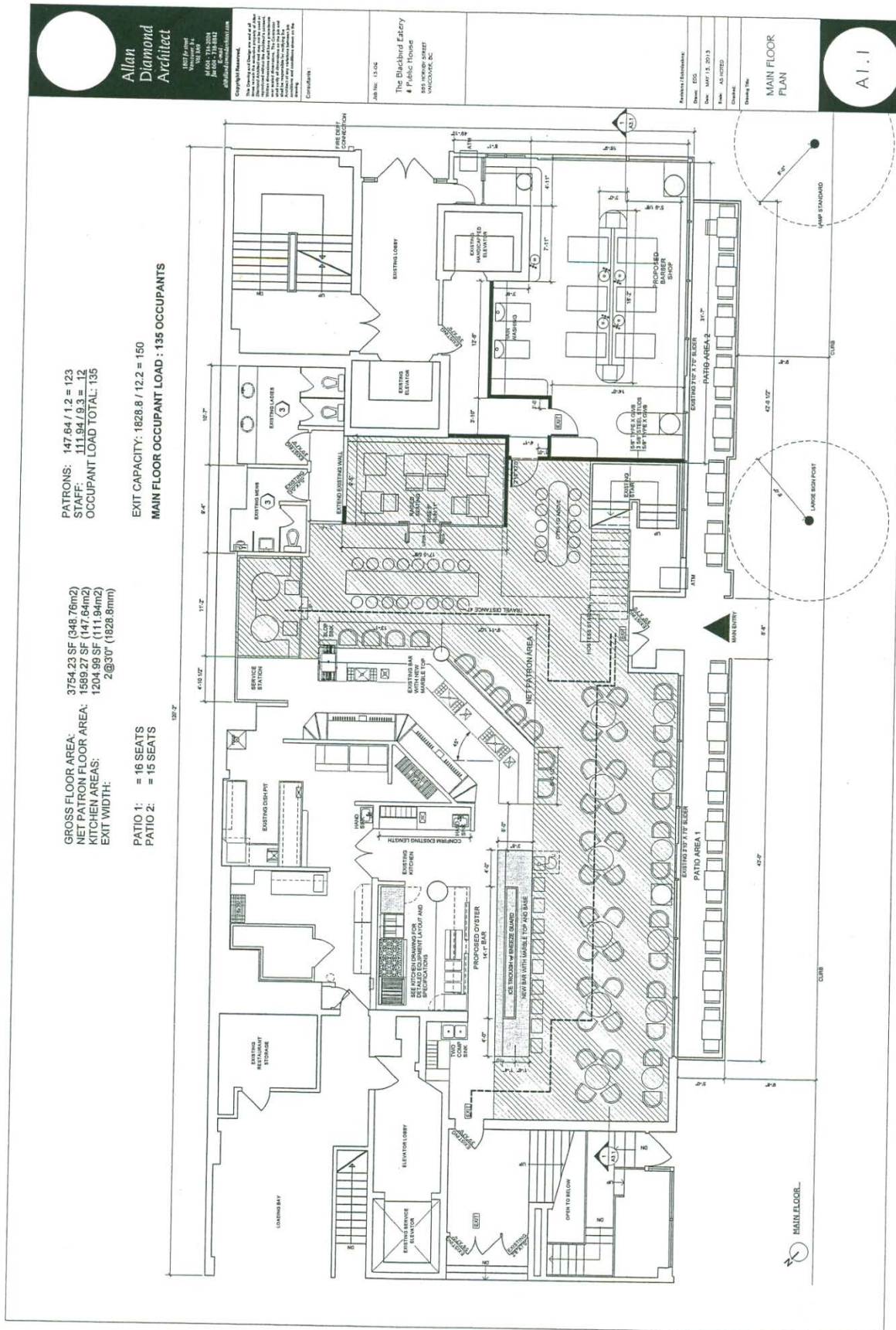


LIQUOR ESTABLISHMENT CLASS 2 - NEIGHBOURHOOD PUB
595 Hornby Street -2nd Floor - Blackbird Public House

map: 1 of 1

City of Vancouver - Licenses & Inspections

date: 2013-09-05





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Consultant:

Job No: 15-02
The Blackbird Eatery
& Public House
1100-1110 BURNHAMTHORPE STREET
VANCOUVER, BC

Revision Schedule:
Date: 05/01
Drawn: FEBRUARY 6, 2013
Title: AD 10202
Checked:
Drawing No:

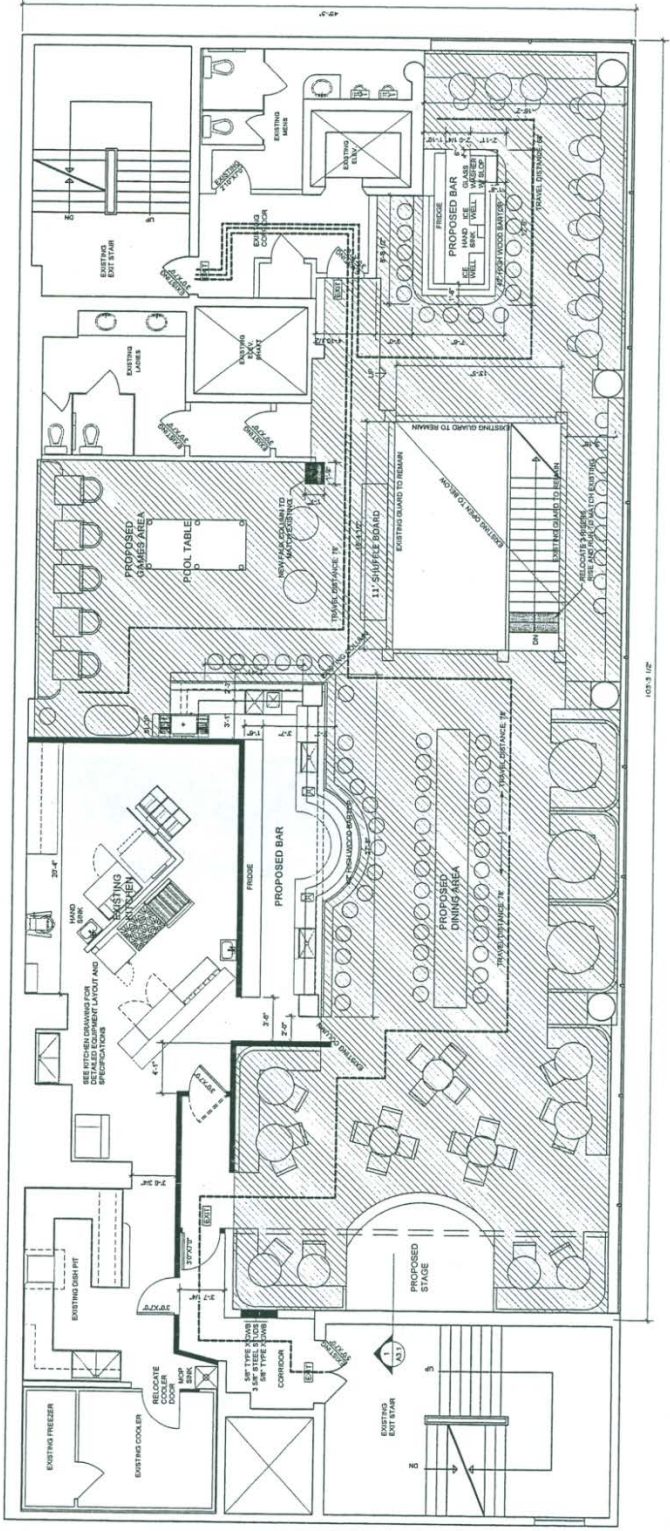
**SECOND
FLOOR PLAN**

A1.2

GROSS FLOOR AREA: 5088.17 SF (473.62m²)
 NET PATRON FLOOR AREA: 2446.7 SF (227.30m²)
 KITCHEN AREAS: 1170.54 SF (108.74m²)
 EXIT WIDTH: 2 @ 3'0" (1828.8mm)
 EXIT STAIR WIDTH: 2 @ 6'0" (3657.6mm)

EXIT STAIR CAPACITY: 3657.6 / 18.4 = 199

SECOND FLOOR OCCUPANT LOAD : 160 OCCUPANTS PER CITY OF VANCOUVER



SECOND FLOOR