



ADMINISTRATIVE REPORT

Report Date: November 21, 2013
Contact: Tom Hammel
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RTS No.: 10339
VanRIMS No.: 08-2000-20
Meeting Date: December 18, 2013

TO: Standing Committee on City Finance and Services
FROM: Deputy Chief Licence Inspector
SUBJECT: 1167 Davie Street - The Pumpjack Pub Ltd. (The Pumpjack)
Increase in Person Capacity

RECOMMENDATION

THAT Council, having considered the opinion of local area residents and business operators as determined by site sign, noise impacts and relevant Council policy as outlined in this Administrative Report, endorse the request by The Pumpjack Pub Ltd. for an increase in person capacity for the Liquor Primary Liquor Licence (#209185) from 107 interior seats to 244 interior seats (Liquor Establishment Class 3-Pub) at 1167 Davie Street subject to:

- i. A maximum interior capacity of 244 persons;
- ii. A Time-limited Development Permit;
- iii. Acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements; and
- iv. Signing a Good Neighbour Agreement with the City prior to business licence issuance.

REPORT SUMMARY

The applicant, The Pumpjack Pub Ltd., is requesting a Council resolution endorsing their application for an increase in person capacity to their existing Liquor Primary liquor licence from 107 persons to 244 persons (Liquor Establishment Class 3-Pub). The hours of operation would remain unchanged from the current operation (9 am to 3 am, seven days a week). The increase in interior capacity (net increase of 137 persons) is due to the expansion into the vacant tenant space next door.

The applicant has held a liquor primary licence at this location since December 2000 with no enforcement issues.

Fifty-five comments were received in response to the neighbourhood notification. All responses received were in support of the application.

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.

West End Liquor Licensing Policy - Davie Village was identified in the 1999 West End Liquor Licensing policy as a district where an increased number of liquor primary establishments could be considered, including this block.

On November 20th, 2013, Council approved as part of the West End Community Plan the following:

“Enhance Davie Village’s distinctive character as a hub for the LGBTQ community through the use of colour and lighting, and as a space for nightlife, celebration, events, gathering and community programming”.

Size and location of new establishments (Council July 14, 2005) - Council Policy states that no Class 3 venue shall be located within 100 meters of another Class 3 venue.

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

Approval process/requirements - Council policy requires that amendments to existing 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

The applicant is requesting a Council resolution endorsing their application to increase the interior person capacity of their existing Liquor Primary liquor licence from 107 persons to 244 persons due to the expansion of the establishment into the vacant tenant space next door. The current licensed area is 1845 square feet (with a small dance floor) and will increase to 3027 square feet (with a larger dance floor) by expanding into the space next door (refer to

Appendix A). There will be no change in the way this establishment operates which is a pub atmosphere with dancing. This establishment has been operating at this location since December 2000. The hours of operation would remain unchanged from the current operations.

Strategic Analysis

Staff support the proposed application based on the following analysis.

West End Community Plan approved by Council on November 20th, 2013

“Enhance Davie Village’s distinctive character as a hub for the LGBTQ community through the use of colour and lighting, and as a space for nightlife, celebration, events, gathering and community programming”.

This application aligns with the West End Community Plan as the establishment is located in the Davie Village and is an integral part of the LGBTQ community. The venue and the applicant have been active in supporting community teams, charities and community events for many years. The expansion will allow more opportunities for special events, expanded game area which is constantly shifting to accommodate the various needs of the community.

Results of the Neighbourhood Notification

A site sign was erected on the building 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. A total of 55 comments were received in response to the application. All comments received were in support of the application.

Location of Establishment

The subject site is located in Commercial - West End (C-5) 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 a mixture of residential, hotel, retail, restaurants, office and other commercial uses.

Within a 500’ radius of the subject site, there are two Liquor Establishment Class 1, one Liquor Establishment Class 3 and approximately 18 licensed restaurants.

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.

There are no Liquor Establishment Class 3 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 244 persons.

The hours of operation would remain unchanged from the current operation (9 am to 3 am, seven days a week).

Noise

A new acoustical report will be required from the applicant certifying that the expanded establishment meets Noise Control By-law requirements and this should mitigate negative impacts due to noise.

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.

The Time-limited Development Permit and Good Neighbour Agreement should also 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.

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

Implications/Related Issues/Risk (if applicable)

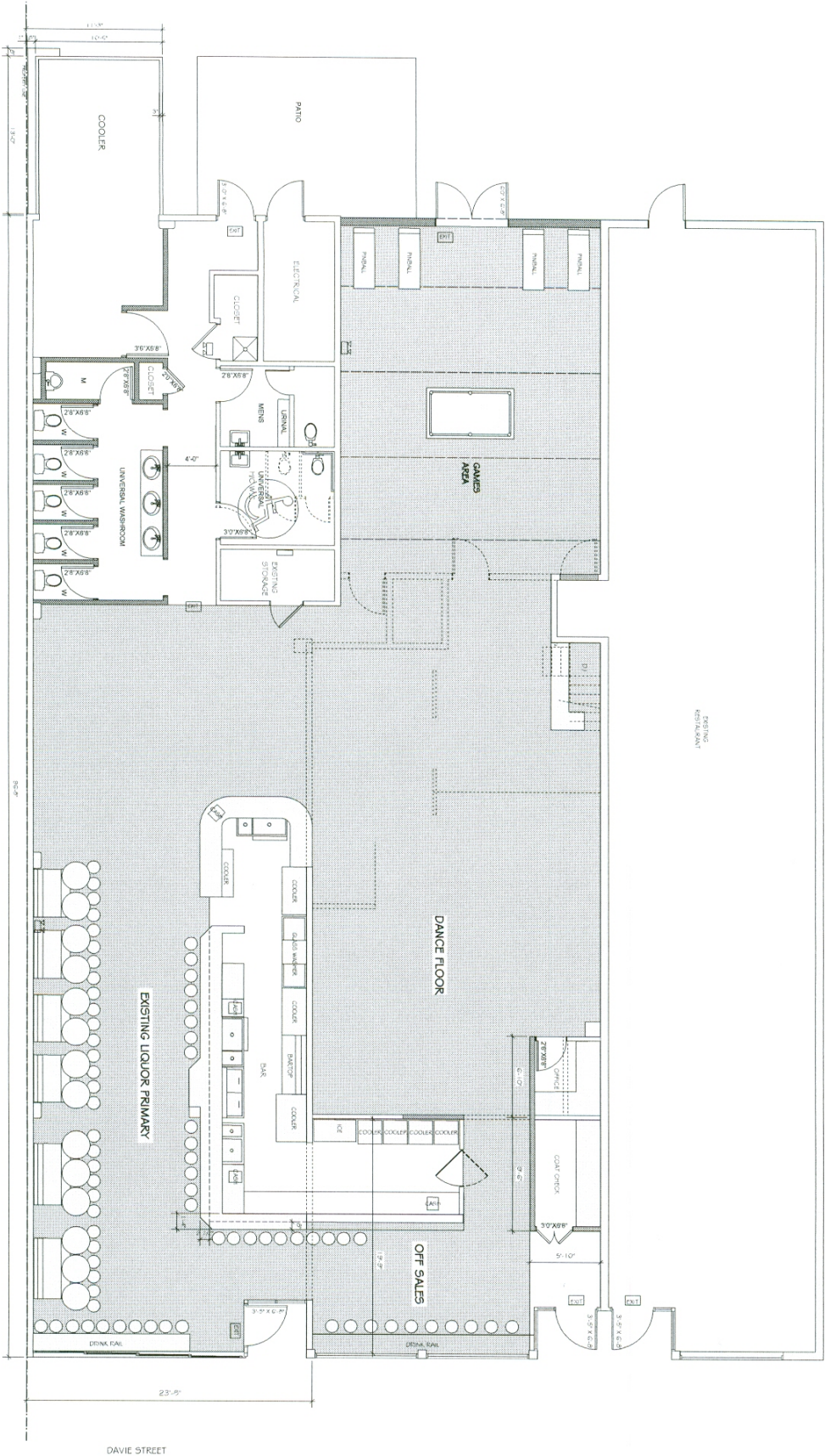
Financial

There are no financial implications.

CONCLUSION

Staff are RECOMMENDING Council endorse the applicant's request for an increase in capacity from 107 to 244 persons (including staff) at 1167 Davie Street (The Pumpjack) subject to the conditions outlined in the Recommendation. Staff do not anticipate any significant impacts from the increase of person capacity. The applicant has been operating a liquor primary establishment at this location since December 2000 and a restaurant since December 1994 with no enforcement issues. This establishment is considered to be an asset for the neighbourhood which is in walking distance for many residents who do not want to commute outside their neighbourhood for a drink, game of pool and some dancing. Since no comments were received opposing the application, staff have concluded that the majority of the area have no concerns with the application.

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PROPOSED NET PATRON AREA: 3027.33sf (281.24m²)
 PROPOSED OCCUPANT LOAD: 3027.33sf (281.24m²) / 1.2m² = 234 OCCUPANTS
 EXITS: 4826mm / 2.2m = 395.5 = 395 OCCUPANTS LICENCED OCC LOAD LIMITED BY AREA NOT EXITS
 4826mm / 1.1m = 791 OCCUPANTS
 PROPOSED WASHROOM LOAD: 234 OCCUPANTS 3 MALE AND 6 FEMALE = 9 TOTAL

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Comments

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Scale: 1/8" = 1'-0"

Drawn: [Name]
 Checked: [Name]
 Date: FEBRUARY 4, 2013

FLOOR PLAN