



## REPORT

Report Date: February 8, 2021  
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Meeting Date: March 10, 2021  
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TO: Standing Committee on Policy and Strategic Priorities

FROM: Chief Licence Inspector

SUBJECT: 1566 Commercial Drive – 1174278 BC Ltd (“Bar Corso”)  
Liquor Primary Liquor Licence Application  
Liquor Establishment Class 1

### **RECOMMENDATION**

THAT Council, having considered the opinion of area residents and business operators as determined by neighbourhood notification, site sign, noise impacts and relevant Council policy as outlined in this report, endorse the application submitted by Rising Tide Consultants on behalf of the applicant, 1174278 BC Ltd. (doing business as “Bar Corso”), to operate a new Liquor Primary liquor licence, with an interior capacity of 45 persons (Liquor Establishment Class 1) via the conversion of the existing Food Primary liquor licence (Restaurant Class 1), located at 1566 Commercial Drive, subject to:

- i. A maximum interior capacity of 45 persons;
- ii. Hours of operation limited to 9 am to 1 am, Sunday to Thursday; and 9 am to 2 am, Friday and Saturday
- iii. Food service to be available while the establishment is operating;
- iv. A Time-Limited Development Permit;
- v. An acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- vi. Signing a Good Neighbour Agreement with the City prior to business licence issuance; and
- vii. The surrendering of the existing Food Primary liquor licence (#308633) at the time of issuance of the new Liquor Primary liquor licence.

## **REPORT SUMMARY**

Rising Tide Consultants (representative for 1174278 BC Ltd.), has submitted an application requesting a Council resolution endorsing a new Liquor Primary liquor licence (Liquor Establishment Class 1) via the conversion of the existing 45 persons (interior) Food Primary liquor licence (Restaurant Class 1), located at 1566 Commercial Drive (refer to Appendix A).

Operating at this location, located on the ground level of a mixed-use building since January 2020, the proposed establishment will continue to provide a full food menu and beverage service in a pub/ lounge environment. Entertainment options for the proposed establishment will include background music, television monitors and the occasional live music.

Requested hours of operation are 9 am to 1 am, Sunday to Thursday, and 9 am to 2 am, Friday and Saturday, which meet the Extended Hours of liquor service policy for this Non-Downtown – Primarily Mixed-Use area. The applicant is also applying for the Family Food Service endorsement to their Liquor Primary licence which will allow minors, accompanied by a parent or guardian, to enter in all licensed areas until 10 pm when food service is available for families.

In addition, a Time-Limited Development Permit and a Good Neighbour Agreement will be required, to ensure the premise operates in a manner conducive to the surrounding area. An acoustical report is to be submitted and reviewed to ensure the operation of the business meets the Noise Control By-law.

Staff is recommending Council endorse the applicant's request with the conditions outlined in the recommendation.

## **COUNCIL AUTHORITY/PREVIOUS DECISIONS**

*City role in Liquor Primary licence applications* – The Liquor and Cannabis Regulation Branch (LCRB) of the Provincial Government has senior authority in approving liquor licence applications. Their regulations require the local government to provide a Council resolution on liquor primary licence applications unless the local government decides to opt out of the application review process. Council policy has been to consider the impact of the licence application on the community and to provide comment, generally in the form of a resolution. However, staff will opt out if there is a conflict of interest due to a licence application located on City property or if the local government is the applicant.

*LCRB criteria for comment on applications* – In providing comment, the location of the establishment; and the person capacity and hours of liquor service must be taken into account:

*Size and Location of New Establishments* (July 14, 2005) – Council Policy states that no Class 1 Liquor Primary establishment shall be located within 500 metres of another Class 1 establishment. This policy only pertains to Liquor Primary establishments and not Food Primary establishments (restaurants).

*Hours of Service Policy* (May 16, 2006) for this Non-Downtown – Primarily Mixed-Use area are:

Standard Hours of liquor service:

- 11 am to 12 am, Sunday to Thursday
- 11 am to 1 am, Friday and Saturday

Extended hours of liquor service:

- 9 am to 1 am, Sunday to Thursday
- 9 am to 2 am, Friday and Saturday

*City approval process/ requirements* – Council policy requires new Liquor Primary licences to be subject to a Time-Limited Development Permit, a Good Neighbour Agreement, an acoustic report and public consultation.

### ***CITY MANAGER'S/GENERAL MANAGER'S COMMENTS***

The Acting City Manager recommends approval of the foregoing.

### ***REPORT***

#### ***Background/Context***

The Liquor and Cannabis Regulation Branch requires that Local Government provide a resolution with comments on public input gathered from the community within the immediate vicinity of the establishment, including the location of the establishment, its person capacity and hours of liquor service. Once received, the LCRB will review the resolution/comments for a final decision to issue/endorse the liquor licence.

The applicant, 1174278 BC Ltd., with Andy Agnesini listed as its Principal Director, has authorized the consulting firm of Rising Tide Consultants Ltd., to act as the representative for this application. The proposed establishment is for a 45 person Liquor Primary, located on “The Drive” of the Grandview Woodland neighbourhood (nearest intersection is Graveley Street and Commercial Drive). The applicant has been operating a restaurant at this location since January 2020. If this application is approved, 1174278 BC Ltd. would become the Licensee (holder of the liquor licence) and they intend to operate and manage the business.

This proposal will replace the existing Food Primary licence (restaurant) with a new Liquor Primary licence. The existing seating capacity of 45 will remain unchanged and there will be no structural alterations or changes to the facilities or menus. Food menus include traditional Italian appetizer dishes and a variety of beverages. Current hours of liquor service for the restaurant are 9 am to 12 am, seven days a week. If approved, the applicant would be permitted to operate from 9 am to 1 am, Sunday to Thursday, and 9 am to 2 am, Friday and Saturday, under a new Liquor Primary licence with Extended Hours. Entertainment will consist of background music, television monitors and the occasional live music.

The applicant is also applying for the Family Food Service endorsement to their Liquor Primary licence which will allow minors, accompanied by a parent or guardian, to enter in all licensed areas until 10 pm when food service is available for families.

### ***Strategic Analysis***

Staff support the proposed application based on the following analysis.

### ***Public Input – Results of Neighbourhood Notification***

A neighbourhood notification advising of the Liquor Primary application was conducted by distributing approximately 760 postcard notifications to property owners within the notification area of approximately 750 ft. radius (see Appendix B). A site sign was installed 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 15 pieces of feedback were received from the public in response to the liquor application: 4 responses in support and 11 responses in opposition were received. All responses received were from within the notification area (approx. 750 ft. radius).

Respondents in support of the application expressed how these types of establishments would be good for businesses and the community, and that a liquor licence would help diversify the social and entertainment options in the neighbourhood.

Respondents in opposition expressed concerns regarding potential increased noise, parking and traffic concerns, and public nuisances and disturbances, as well as safety issues for the community. Some felt the establishment should operate only under the standard hours or earlier while the majority were strongly against the extended hours. The applicant is committed to working with the area residents and the community to help address and mitigate any concerns and minimize negative impacts.

### ***Location of Establishment***

The subject site is located in the C-2C zoning (Commercial) District and for the purposes of liquor policy, it is considered to be located in the Non-Downtown – Primarily Mixed-Use area.

### ***Proximity to other Liquor Primary Establishments***

There are no other Class 1 liquor establishments within a 500 metre radius of the proposed site and therefore, the application meets City liquor policy distancing requirement for liquor primary size and location.

### ***Person Capacity and Hours of Operation***

The proposed capacity for the Liquor Primary licence at this location is a 45 person interior occupant load (see Appendix A). Final occupancy calculations will be provided in accordance with Building and Fire codes. Final occupant load calculation will not increase beyond what Council approves. Any future request to increase occupancy will be reviewed against current liquor policies and regulations as well as determining further public consultation needs.

The hours of operation for the Liquor Primary licence are 9 am to 1 am, Sunday to Thursday, and 9 am to 2 am, Friday and Saturday, which are within the parameters of the Extended Hours permitted in this Non-Downtown – Primarily Mixed-Use area.

### **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 should mitigate potential negative community impacts due to noise. It is also a condition of the licence and will support compliance and enforcement efforts if necessary.

### **Impact on the Community**

A Time-Limited Development Permit will be required which will provide ongoing reviews to ensure the land-use and business remains compatible with the surrounding community. The permit review process will involve an assessment of neighbourhood impacts, including compatibility with surrounding uses, hours of operation, social and policing impacts and noise control. In addition, the Good Neighbour Agreement will set out City expectations that the business needs to be responsive in dealing with any issues and responsible for creating a positive relationship with the community.

Since opening in January 2020, this establishment has received one complaint related to background music noise and inadequate mask wearing by staff. Upon investigation, By-law inspection staff determined that no violation was found to substantiate the complaint.

The Vancouver Police Department has reviewed the application and have no concerns with this application.

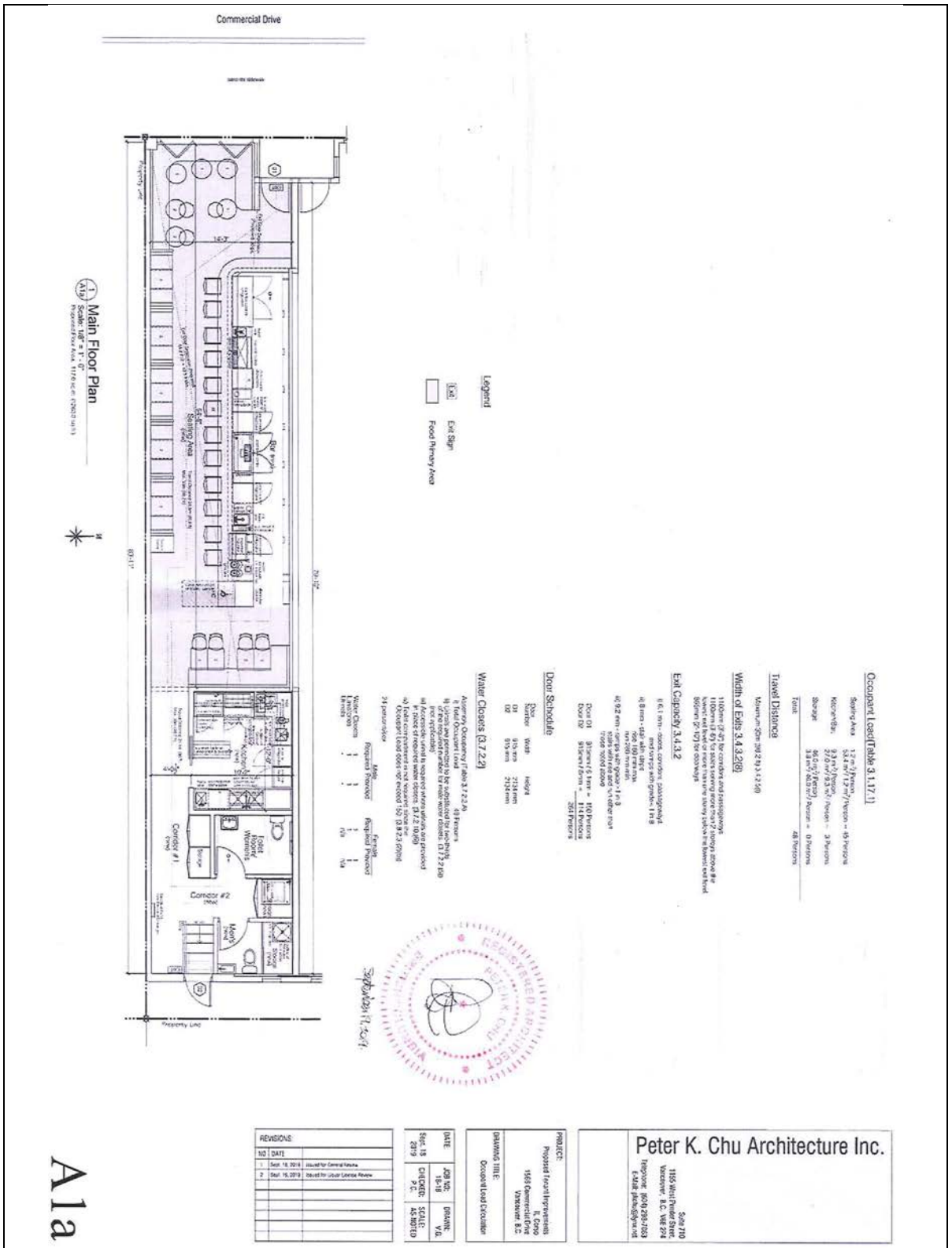
### **Financial**

There are no financial implications.

### **CONCLUSION**

Staff recommend Council endorse the applicant's request to operate a new 45 person Liquor Primary licence (Liquor Establishment Class 1) via the conversion of the existing Food Primary liquor licence located at 1566 Commercial Drive, subject to the conditions noted in this report. The application meets current Council policy regarding size and distance from other establishments. The requirement for a Time-Limited Development Permit, a Good Neighbour Agreement and submission of an acoustical report will provide the necessary controls to ensure the premise operates in a manner that will mitigate impacts to the neighbourhood and surrounding area.

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Liquor Primary (Liquor Establishment Class 1)  
1566 Commercial Drive



LEGEND

- 1 Liquor Primary Establishments - {Junior's Bar & Grill}
- 2 Liquor Stores - {BC Liquor Store} {Liberty Wine Merchants}
- 3 Residential - {social, non-market and market housing}
- 4 Parks - {Victoria Park}
- 5 Schools - {n/a}

- 750ft radius from Subject Site
- Notification Area

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