



## COUNCIL REPORT

Report Date: February 7, 2023  
Contact: Sarah Hicks  
Contact No.: 604.873.7546  
RTS No.: 15513  
VanRIMS No.: 08-2000-20  
Meeting Date: March 8, 2023

[Submit comments to Council](#)

TO: Standing Committee on City Finance and Services  
FROM: General Manager of Development, Buildings and Licensing  
SUBJECT: 901 Granville Street – Cinema Public House Ltd (“Cinema Restaurant”)  
Dual Licence – Liquor Primary Licence Application  
Liquor Establishment – Class 2

### Recommendations

- A. 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 Christa Montpetit of Blue Diamond Hospitality Inc., on behalf of the applicant, Cinema Public House Ltd., for a new Dual Licence – Liquor Primary liquor licence (Liquor Establishment – Class 2) located at 901 Granville Street, subject to:
- i. A maximum interior capacity of 92 persons and outdoor patio capacity of 14 persons;
  - ii. Extended Hours of operation limited to 10 pm to 3 am, seven days a week;
  - iii. The outdoor patio ceasing all liquor service and vacated by 11 pm nightly;
  - iv. No music or entertainment permitted on the patio;
  - v. An acoustic report certifying that the establishment meets Noise Control By-law requirements;
  - vi. A Time-Limited Development Permit; and
  - vii. Signing a Good Neighbour Agreement with the City prior to business licence issuance.

### Purpose and Executive Summary

Staff recommend Council endorse the applicant's request to operate a new 92 person interior and 14 person patio Dual Licence Liquor Primary (Liquor Establishment Class 2), located at 901 Granville Street, subject to the conditions noted in this report (See Appendix A). The application complies with current Council policy regarding size and location. 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.

### Council Authority/Previous Decisions

[City role in Liquor Primary licence applications](#) – The Liquor and Cannabis Regulation Branch (LCRB) of the Provincial Government regulations require local government to provide a Council resolution on new 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 new licence application on the community and to provide comment, generally in the form of a resolution.

[Liquor Licence Policy: Liquor Primary Size, Capacity, and Location \(July 14, 2005\)](#) – Council Policy states that no Class 2 Liquor Primary establishment shall be located within 100 metres of another Class 2 Establishment. This policy only pertains to Liquor Primary establishments and not Food Primary establishments (restaurants).

[Dual Licenses, Cocktail Culture, and Vibrant Urban Nightscape \(June 15, 2022\)](#) – Council approved policy directing staff to lift the moratoria on Liquor Primary licensing in the DTES and GED specifically to allow existing Food Primary Liquor licensee's to apply for Dual Licence – Liquor Primary licenses.

[Dual Licenses \(July 5, 2022\)](#) – Council approved policy directing staff to suspend the 2005 policy guidelines for Downtown liquor establishment locations and distancing as applied to existing establishments seeking dual licensing.

### City Manager’s Comments

The City Manager concurs with the foregoing recommendations.

### Context and Background

In 2017, the Liquor and Cannabis Regulations Branch modernized their Liquor Policy, allowing Food Primary establishments to apply for a Liquor Primary Licence (Dual Licence) at the same location and operate as a bar or nightclub after 9 pm. In the case of a Dual Licence, the licensee must operate in the same footprint. No physical separation is required, and only one licence may be operative at any given time.

In the [2017 Liquor Policy Review](#), Council approved policy that enabled restaurants with Food Primary licences to operate as a Dual Licence Liquor Primary after 10 pm. This condition was to address the concern that residents may be unable to easily access food service after 9 pm, depending on the uptake from the restaurants to pursue this option.

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 and any comments for a final decision to issue/endorse the liquor licence.

The applicant, Cinema Public House Ltd., with Jeffery Donnelly listed as its Principal Director, has authorized the consulting firm of Blue Diamond Hospitality Inc., to act as their

representative for this application. The proposed establishment, located at 901 Granville Street is for a 92 person interior service area, with a 14 person patio Dual Licence Liquor Primary, located in the “Granville Entertainment District” of the Downtown District. The applicant has been operating a Food Primary Liquor licence and a Liquor Primary licence at this location since April 2010. If this application is approved, Cinema Public House Ltd., will transition from a Food Primary licence to a Dual Licence Liquor Primary at 10 pm every day of the week. This will allow the establishment to stay open and serve patrons, but not have to keep their full kitchen open and staffed.

This proposal will see the new Dual Licence Liquor Primary operate within the same footprint as the existing Food Primary licence. The establishment will continue to offer food within their operation. Food menus will include traditional pub style foods that include but are not limited to chicken wings, sandwiches and pizza. The current hours of liquor service for the Food Primary are 9 am to 1 am, Sunday to Thursday, and 9 am to 2 am, Friday and Saturday. If approved the applicant would see the Food Primary hours change from 9 am to 10 pm, seven days a week and the new Dual Licence Liquor Primary permitted to operate from 10 pm to 3 am, seven days a week. Entertainment will consist of, but is not limited to live music, pre-recorded music (DJ’s), dancing, patron participation (karaoke, stand-up comedy), films and games of skill (darts, pool, trivia, etc.).

Per City policy, the outdoor patio must cease all liquor service and vacate by 11 pm nightly, unless otherwise approved to operate the patio with extended hours. No music or entertainment is permitted on the patio.

If approved, this new Dual Licence will allow the applicant to operate with the same terms and conditions of their existing, space sharing Liquor Primary licence, Cinema Public House from 10 pm until close.

## **Discussion**

### Public Input – Results of Neighbourhood Notification

A neighbourhood notification advising of the Liquor Primary application was conducted by distributing approximately 2,678 postcard notifications to property owners within a 750 foot radius of the subject site (See Appendix B). A site sign was installed advising the community of the application and where to send comments or concerns. Staff allowed three weeks for the community to respond with concerns or support.

A total of three (3) pieces of feedback, two (2) anonymous letters and one (1) anonymous voicemail, were received from the public in response to the liquor application, all of which were in opposition. One (1) respondent was from the notification area.

Respondents expressed concerns regarding a lack of consultation with the residents of the Single Room Occupancy (SRO) located above the establishment. In addition, there was concern regarding the potential for increased noise, public nuisances and disturbances. The applicant is committed to working with the area residents and the community to help address and mitigate any concerns to minimize negative impacts.

### Location of Establishment

The subject site is located in the Downtown District (DD) and for the purposes of liquor policy, it is considered to be located in the Downtown – Primarily Commercial area. The establishment is located on the ground level of a mixed-use building within the heart of the Granville Entertainment District.

### Proximity to other Liquor Primary Establishments

Within a 750 foot (229 metre) radius of the subject site there are three (3) Class 2 Liquor Primary establishments, 888 Nelson Street – Relish the Lounge, 870 Granville Street – Bottleneck Bar and Grill and 845 Hornby Street – Wedgewood Hotel. The nearest Liquor Primary establishment is located within the existing location at 901 Granville Street. Within the 750 foot radius there are currently thirteen (13) Liquor Primary establishments and thirty-five (35) Food Primary establishment with active business licenses in the area. It should be noted that a Food Primary establishment’s primary purpose is the service of food with liquor as an additional service.

### Person Capacity and Hours of Operation

The proposed capacity for the Dual Licence Liquor Primary at this location is 92 person interior and a 14 person patio (See Appendix A). Final occupancy calculations will be provided in accordance with Building and Fire by-laws once permits have been finalized. Final occupant load calculation will not increase beyond what Council approves.

The proposed hours of operation for the Dual Licence Liquor Primary licence are 10 pm to 3 am, seven days a week, which are within the parameters of the Extended Hours permitted in this Downtown – Primarily Commercial 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. The acoustic report is a condition of the business 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.

To further mitigate potential impacts, the current Restaurant – Class 1 business licence remains the primary use for the space. Issuance of the City of Vancouver business licence for the new Liquor Establishment – Class 2 establishment will be ancillary to the current Restaurant – Class 1 business licence.

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Since opening in April 2010, this establishment has received ten (10) complaints related to loud music. The last recorded noise complaint is from February 2016.

With the approval of this Dual Licence application and others, the Vancouver Police Department recognizes that any extension to the hours of liquor service, may lead to increased calls for service.

### **Financial Implications**

There are no financial implications associated with this report's recommendations

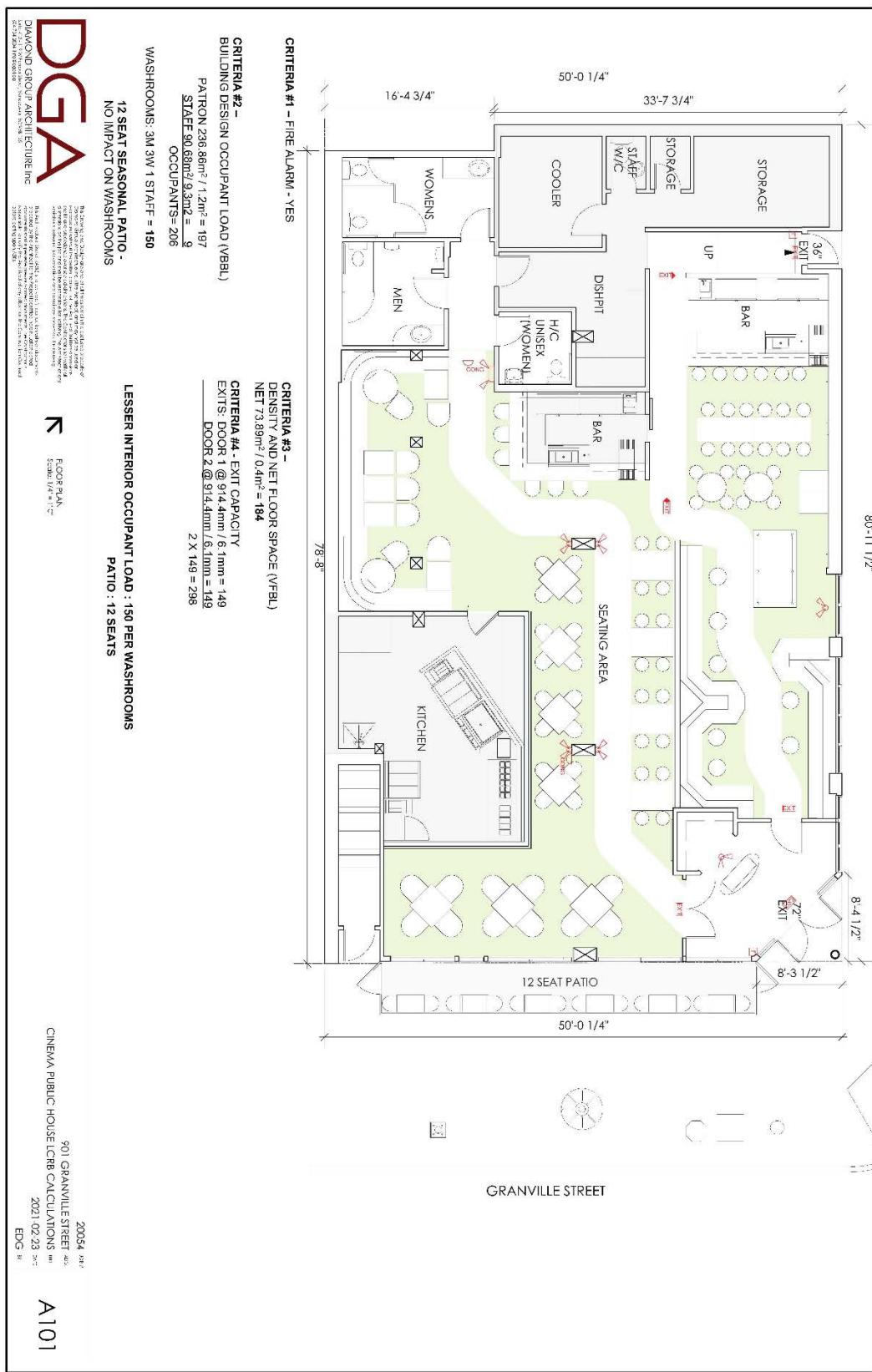
### **Legal Implications**

There are no legal implications associated with this report's recommendations.

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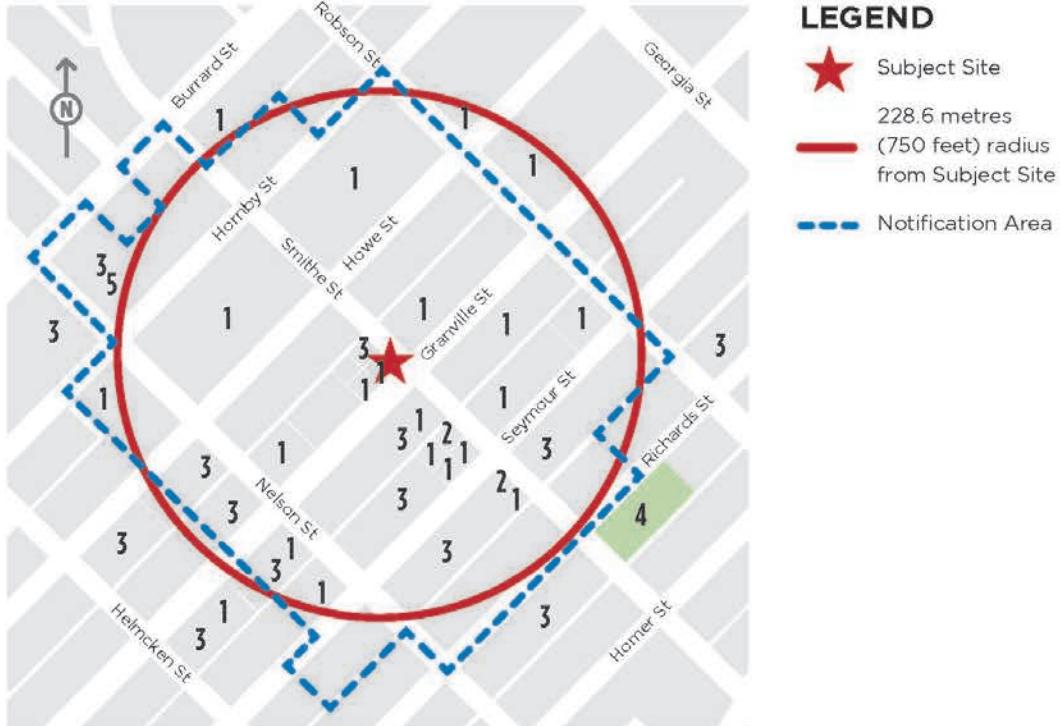
## APPENDIX A

### Establishment Floor Plan



**APPENDIX B**  
**Notification Area and Surroundings**

**DUAL LICENCE – LIQUOR PRIMARY**  
**(Liquor Establishment – Class 2)**  
Cinema Public House Ltd – 901 Granville Street



**1 Liquor Primary Establishments:**

- Cinema Public House - Class 1
- Commodore Ballroom - Venue
- Dublin Calling - Class 3
- Good Co. (formerly Colony Bar) - Class 4
- Granville Room - Class 1
- Habitant - Class 1
- Hotel Belmont - Class 4
- Law Courts Inn Restaurant - Class 7
- Orpheum Annex - Venue
- Orpheum Concert Hall - Venue
- Par-Tee Putt - Class 3
- Penthouse - Class 3
- Red Card Sports Bar - Class 3
- Relish the Lounge - Class 2
- Studio Lounge & Nightclub - Class 3
- The Ballyhoo Public House - Class 2
- The Bottleneck - Class 2
- The Granville Strip - Class 3
- The Lennox Irish Pub - Class 3
- The Roxy Cabaret - Class 3
- Uva Wine & Cocktail Bar - Class 1
- Venue Nightclub - Class 4
- Vogue Theatre - Venue
- Wedgewood Hotel & Spa - Class 2

**2 Liquor Stores:**

- Viti Wine and Lagers

**3 Residential**

**4 Parks:**

- Rainbow Park
- Emery Barnes Park

**5 Schools:**

- Pattison High School

