



COUNCIL REPORT

Report Date: February 28, 2023
Contact: Sarah Hicks
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VanRIMS No.: 08-2000-20
Meeting Date: March 29, 2023
[Submit comments to Council](#)

TO: Standing Committee on Policy and Strategic Priorities
FROM: General Manager of Development, Buildings and Licensing
SUBJECT: 251 East Georgia Street – Blind Tiger Hospitality Ltd (“Blind Tiger Dumplings”)
Dual Licence – Liquor Primary Licence Application
Liquor Establishment – Class 2

Recommendations

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 Christina Beehler of Rising Tide Consultants, on behalf of the applicant, Blind Tiger Hospitality Ltd., for a new Dual Licence – Liquor Primary licence (Liquor Establishment – Class 2) located at 251 East Georgia Street, subject to:

- i. A maximum interior capacity of 95 persons and outdoor patio capacity of 5 persons;
- ii. Extended Hours of operation limited to 10 pm to 1 am, Sunday to Thursday, and 10 pm to 2 am, Friday to Saturday;
- iii. The outdoor patio ceasing all liquor service and vacated by 11 pm nightly;
- iv. No music or entertainment permitted on the patio;
- v. A Time-Limited Development Permit;
- vi. An acoustic report certifying that the establishment meets Noise Control By-law requirements; 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 95 person interior and 5 person patio Dual Licence Liquor Primary (Liquor Establishment – Class 2), located at 251 East Georgia Street, subject to the conditions noted in this report. The application complies with current Council policy and direction. The requirements 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 (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, Blind Tiger Hospitality Ltd., with Lewis Hart listed as its sole Directors, has authorized the consulting firm of Rising Tide Consultants, to act as their representative for this application. The proposed establishment, located at 251 East Georgia Street is for a combined 95 person interior service area (89 person – Dining 1 and 6 person – Dining 2) and a 5 person outdoor patio Dual Licence Liquor Primary, located in the Downtown Eastside.

The applicant has been operating a Food Primary liquor licence at this location since July 19, 2021. If this application is approved, Blind Tiger Dumplings 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 provide their full service menu that includes authentic Chinese style cuisine. After 10 pm, the establishment may convert to a lighter food menu and focus on providing a destination for cocktail connoisseurs in Vancouver.

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 to 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 1 am, Sunday to Thursday, and 10 pm to 2 am, Friday to Saturday. The proposed entertainment for the establishment will include 1920's – 1930's swing music offerings, small jazz duets and piano players, providing a sociable volume for conversations to occur, creating a unique experience for patrons.

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.

Discussion

Public Input – Results of Neighbourhood Notification

A neighbourhood notification advising of the Dual Licence Liquor Primary application was conducted by distributing 648 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 were received from the public in response to the application. Of the respondents, two (2) were in support and one (1) was in opposition. All three of the responses received were from within the notification area.

Respondents in support of the application indicated how a cocktail bar would be welcomed as the establishment has been a good addition to the neighbourhood since opening.

Respondents expressed concerns for potential increases in noise and community disturbances related to the late hours of operation. 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 Chinatown Historic Area District (HA-1A) and for the purposes of liquor policy, it is considered to be located in the Non-Downtown – Primarily Mixed-Use area. The establishment is located on the ground floor of a mixed-use building within Chinatown.

Proximity to other Liquor Primary Establishments

Within a 750 foot (229 metre) radius of the subject site there is one (1) Class 2 Liquor Primary establishment, 730 Main Street – Brickhouse Bistro. The nearest Liquor Primary establishment is the London Public House (Class 3) located at 700 Main Street, approximately 140 metres away from the subject site. Within the 750 foot radius there are currently two (2) Liquor Primary establishments and twenty-three (23) 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 95 person interior (89 person – Dining 1 and 6 person – Dining 2) and a 5 person outdoor patio (see Appendix A). Final occupancy calculations will be provided in accordance with Building and Fire codes 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 are 10 pm to 1 am, Sunday to Thursday, and 10 pm to 2 am, Friday to Saturday, which are within the parameters of the Extended Hours permitted in this Non-Downtown – Primarily Mixed-Use area. The 5 person outdoor patio must cease all liquor service and vacate by 11 pm nightly.

If approved there would be no changes to the hours of operation, as the establishment’s current operating hours are the same as those allowed under the extended hours for liquor establishments as per the [City of Vancouver Business Premises Regulation of Hours By-Law No. 8022](#).

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.

Since opening in July 2021, there have been no recorded noise complaints.

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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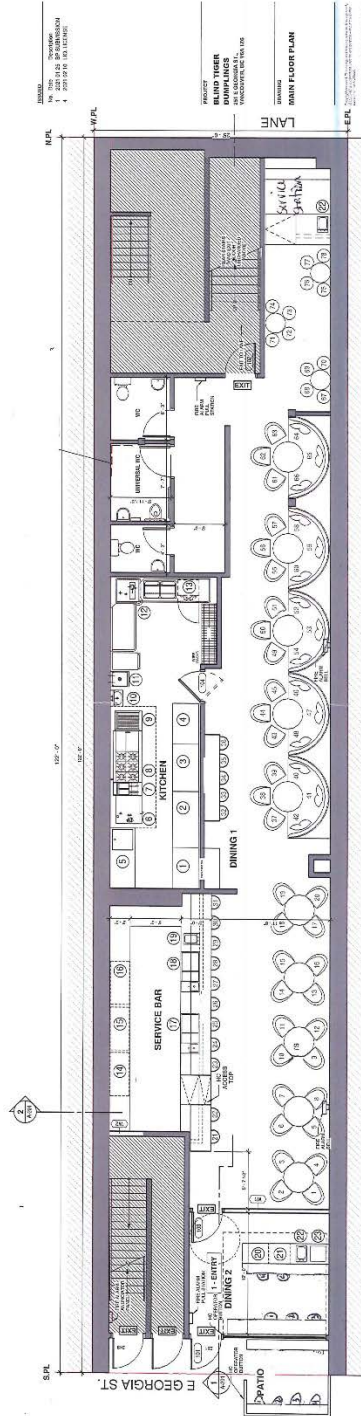
APPENDIX A Establishment Floor Plan



OCCUPANCY TABLE Copy 1

Level	OCCUPANCY	OCCUPANT LOAD / PERS	AREA	SF	M2	OCCUPANTS AREA BASED
MAIN LEVEL	Kitchen	9.3 IPF	SERVICE BAR	17.1 SF	18.9 m ²	2
MAIN LEVEL	Kitchen	9.3 IPF	KITCHEN	403 SF	37.2 m ²	2
MAIN LEVEL	Kitchen	9.3 IPF	BAR	45.9 SF	4.2 m ²	0
MAIN LEVEL	Kitchen	9.3 IPF	SERV.	46 SF	4.2 m ²	0
MAIN LEVEL	Restaurant	1.2 IPF	DINING 1	1,736 SF	160.6 m ²	67
MAIN LEVEL	Restaurant	1.2 IPF	DINING 2	70 SF	6.5 m ²	6
MAIN LEVEL	Restaurant	1.2 IPF	PATIO	81 SF	7.5 m ²	6

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APPENDIX B
Notification Area and Surroundings

DUAL LICENCE – LIQUOR PRIMARY
(Liquor Establishment – Class 2)

Blnd Tger Dumplings – 251 East Georgia Street



LEGEND

-  Subject Site
-  228.6 metres
(750 feet) radius
from Subject Site
-  Notification Area

1 Liquor Establishment Locations:

- Brickhouse Bistro – Class 2
- Cobalt Hotel – Class 3
- Fortune Sound Club – Class 3
- London Public House – Class 3
- Savoy Hotel Pub – Class 2
- The American – Class 3
- The Keefer – Class 1

2 Liquor Retail Store:

- None applicable

3 Residential

4 Parks:

- None applicable

5 Schools:

- None applicable

