



COUNCIL REPORT

Report Date: May 29, 2023
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Meeting Date: June 28, 2023
[Submit comments to Council](#)

TO: Standing Committee on Policy and Strategic Priorities
FROM: General Manager of Development, Buildings and Licensing
SUBJECT: 518 Main Street – Bagheera Hospitality Ltd. (“Happy Valley Turf Club”)
Dual Licence – Liquor Primary Licence Application
Liquor Establishment – Class 1

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 Christina Beehler of Rising Tide Consulting, on behalf of the applicant, Bagheera Hospitality Ltd., for a new Dual Licence – Liquor Primary licence (Liquor Establishment – Class 1) located at 518 Main Street, subject to:
- i. A maximum interior capacity of 60 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. A Time-Limited Development Permit;
 - iv. An acoustic report certifying that the establishment meets Noise Control By-law requirements; and
 - v. 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 60 person Dual Licence – Liquor Primary (Liquor Establishment Class 1), located at 518 Main Street, subject to the conditions noted in this report. 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 1 Liquor Primary establishment shall be located within 50 metres of another Class 1 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, Bagheera Hospitality Ltd., with Lewis Hart listed as its sole Director, has authorized the consulting firm of Rising Tide Consultants, to act as their representative for this application. The proposed establishment, located at 518 Main Street is for a maximum capacity of 60 person (60 person – Main Dining Area and 4 person – Front Counter Area) Dual Licence – Liquor Primary, located in the Downtown Eastside. The applicant has been operating a Food

Primary Liquor licence at this location since December 8, 2022. If this application is approved, Bagheera Hospitality 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. The food menu consist of traditional Indian style cuisine served in a variety of small sharable plates. The current hours of liquor service for the Food Primary are 9 am to 12 am, seven days a week. 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.

Entertainment may 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.). The entertainment proposed for this establishment will be distributed through a stereo system featuring musical offerings covering the British Mod from the 1960’s. There is no proposed live entertainment.

Discussion

Public Input – Results of Neighbourhood Notification

A neighbourhood notification advising of the Liquor Primary application was conducted by distributing 781 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) piece of feedback were received from the public in response to the liquor application. The responses were all in support of the application. Of the responses, one (1) was from a resident within the notification area.

Respondents in support of this application expressed how this type of establishment makes Chinatown a unique destination within our city and adds cultural value and diversity to the neighbourhood. In addition, they indicated that this proposed establishment would help grow the emerging cocktail scene in Chinatown.

Location of Establishment

The subject site is located in the Chinatown Historical 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 level of a single storey building.

Proximity to other Liquor Primary Establishments

Within a 750 foot (229 metre) radius of the subject site there is one (1) Class 1 Liquor Primary establishments approximately 153 metres from the proposed establishment, The Keefer Bar located at 135 Keefer Street. The nearest Liquor Primary establishment is the Savoy Hotel Pub – Liquor Establishment Standard – Class 2, located approximately 115 metres from the proposed establishment. Within the 750 foot radius there are currently six (6) Liquor Primary establishments and twenty-eight (28) Food Primary establishment with active business licenses.

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 for a maximum capacity not to exceed 60 persons. The space contains a 60 person Main Dining Area and a 4 person Front Counter Area (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.

In the [2018 Liquor Policy Review](#), Council approved policy that removed the probationary period restricting liquor service hours for known good operators. The proposed hours of operation for the Dual Licence Liquor Primary licence 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 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. 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 1 establishment will be ancillary to the current Restaurant – Class 1 business licence.

Since opening in December 2022, 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

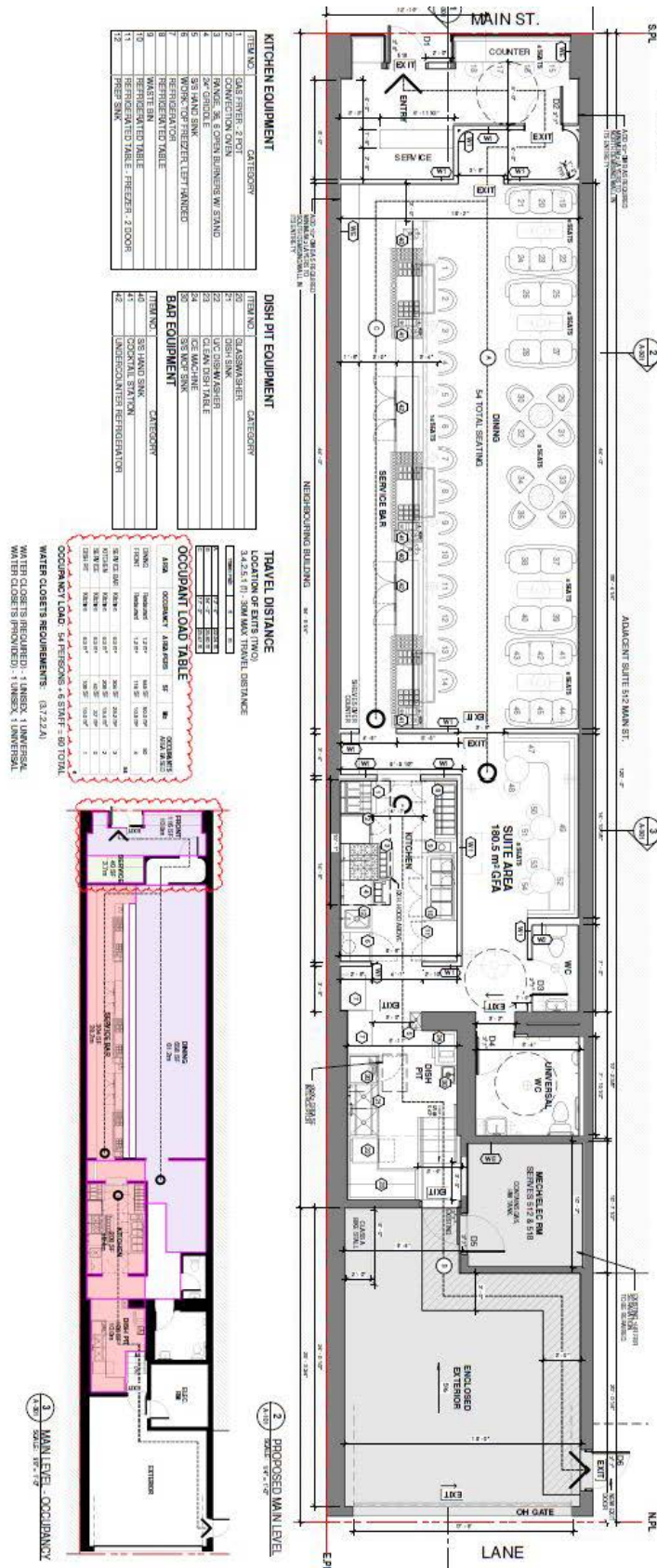
There are no financial implications associated with this report’s recommendations

Legal Implications

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

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APPENDIX A Establishment Floor Plan



KITCHEN EQUIPMENT

ITEM NO.	CATEGORY
1	CASE FRIDGE, 2 DOOR
2	CONVEYOR OVEN
3	COMBINATION STOVE
4	W. CUPBOARD
5	W. SINK
6	W. STOVE
7	W. FREEZER
8	W. WASH SINK
9	W. WASH SINK
10	W. WASH SINK
11	W. WASH SINK
12	W. WASH SINK

DISH PIT EQUIPMENT

ITEM NO.	CATEGORY
1	DISHWASHER
2	DISHWASHER
3	CLEAN DISH TABLE
4	ICE MACHINE
5	ICE MACHINE
6	ICE MACHINE
7	ICE MACHINE
8	ICE MACHINE
9	ICE MACHINE
10	ICE MACHINE
11	ICE MACHINE
12	ICE MACHINE

TRAVEL DISTANCE

LOCATION OF BATHS (TWO)
 3,425.1 FT - 30M MAX TRAVEL DISTANCE

ASIN	OCCUPANT	AREA (SQ. FT.)	SEAT	NO.	ADJ. W.C.
1	1	100	1	1	1
2	1	100	1	1	1
3	1	100	1	1	1
4	1	100	1	1	1
5	1	100	1	1	1
6	1	100	1	1	1
7	1	100	1	1	1
8	1	100	1	1	1
9	1	100	1	1	1
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96	1	100	1	1	1
97	1	100	1	1	1
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100	1	100	1	1	1

OCCUPANT LOAD TABLE

WATER CLOSETS REQUIRED: 1 UNSIX ; 1 UNIVERSAL
 WATER CLOSETS PROVIDED: 1 UNSIX ; 1 UNIVERSAL

WATER CLOSET REQUIREMENTS (A.7.22A)

OCCUPANT LOAD: 54 PERSONS + 6 STAFF = 60 TOTAL



APPENDIX B
Notification Area and Surroundings

DUAL LICENCE – LIQUOR PRIMARY
(Liquor Establishment – Class 1)

Happy Valley Turf Club – 518 Main Street



1 Liquor Primary Establishments:

- Brickhouse Bistro – Class 2
- Fortune Sound Club – Class 3
- (Hotel) Empress Bar – Class 2
- New Brandiz Pub – Class 3
- The Keefer Bar – Class 1
- The London Public House – Class 3
- Savoy Pub – Class 2

2 Restaurants with Liquor Service:

- 31 Restaurants

3 Liquor Retail Stores:

- None applicable

4 Residential

5 Parks:

- Andy Livingstone Park
- Sun Yat-Sen Park

6 Schools:

- None applicable