

ITEM 4
MANAGER'S REPORT NO. 47
COUNCIL MEETING 91/08/06

TO: MUNICIPAL MANAGER 1991 JULY 31
FROM: DIRECTOR PLANNING & BUILDING INSPECTION
SUBJECT: LIQUOR LICENCE APPLICATION #5/91
BLUE BUTTON CLUB
5505 KINGSWAY (REFER TO ATTACHED SKETCH)

PURPOSE: To provide Council with this Department's recommendation on the subject liquor licence application.

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RECOMMENDATIONS:

- 1) THAT Council give favourable consideration to this request for a Class "A" liquor licence at 5505 Kingsway with the hours of operation and the maximum seating capacity noted in Section 2.1 of this report, subject to the conditions noted in Section 2.3 of this report.
- 2) THAT a copy of this report and Council's resolution be forwarded to the General Manager, Liquor Control and Licensing Branch, 1019 Wharf Street, Victoria, B.C. - V8V 1X4, and the applicants, Mr. Bob Waisman and Mr. Gus Moustakis, 782 West 52nd Avenue, Vancouver, B.C. - V6P 1G4.

R E P O R T

1.0 BACKGROUND INFORMATION:

- 1.1 Liquor Control and Licensing Branch policy requires applicants for Class "A", "C" "E" and "G" liquor licences to seek a resolution from the local government regarding an application for a liquor licence prior to seeking Preliminary Site and Applicant Approval from the Provincial authorities. This liquor licence application has been processed and forwarded to Council for the appropriate resolution in the standard manner.
- 1.2 Under the existing Provincial Liquor Legislation, a Class "A" liquor licence may be issued to the following establishments: hotels, resorts, establishments in resort areas, clubs, recreational centres, aircraft, motor vessels, airports, municipally and provincially owned cultural centres, universities and military messes. Subject to limitation stipulated by the General Manager of the Liquor Control and Licensing Branch in the licence, the hours of sale would be limited to a maximum of 14 hours per day between 9:00 a.m. and 2:00 a.m. of the following day and the maximum seating shall not exceed 225 persons or 125 persons in the case of a pub.

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2.0 GENERAL DISCUSSION:

2.1 The subject application involves a request for a Class "A" liquor licence to be issued to the Blue Button Club, which is a proposed private club for Local 40, the Hotel and Restaurant Employees Union. The location of the proposed club is on the first floor of the commercial building at 5505 Kingsway, which is currently occupied by Mando's Restaurant. The applicant has indicated the club would include meeting space, drinking, dining and recreational facilities.

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The applicant has indicated they wish to obtain approval for 130 seats for the liquor licence facility, with the hours of operation being 11:00 a.m. to 12:00 midnight, Monday to Thursday, 11:00 a.m. to 12:30 a.m. Friday and Saturday and 11:00 a.m. to 10:00 p.m. on Sundays.

2.2 In assessing this liquor licence application, the proposed location should be assessed in terms of the land use orientation of the site and the surrounding area. The subject site is located along Kingsway, between Metrotown and the Edmonds Town Centre area, and across Kingsway from an area in the Royal Oak Development Plan which is designated Kingsway Service Commercial (C4 District development). This area along Kingsway has a strong strip commercial orientation, utilizing C2 Community Commercial District and C4 Service Commercial District zoning, with the majority of the properties having low density developments, but high intensity uses.

The proposed private club use is consistent with the strong commercial orientation of this portion of Kingsway, with the club having a lower potential level of intensity of activity than the existing restaurant. It is, however, generally acknowledged that there are more nuisance problems and consequent resident complaints in connection with patrons leaving primary drinking establishments than with patrons leaving licensed restaurants. The current occupant of the first floor of the building, Mando's Restaurant, has a maximum capacity of 160 seats, with the restaurant operating 24 hours per day, seven days a week. Mando's restaurant currently requires 32 on site parking spaces. While a Preliminary Plan Approval has not yet been submitted to determine the exact square footage to be occupied by the private club, it is estimated that with utilizing the parking requirement for public assembly use - non fixed seats, that the private club would require 31 on-site parking spaces.

2.3 The proposed location is relatively close to single-family residences located on Denbigh Avenue, with the single-family dwelling at 6572 Denbigh Avenue 11.8 m (39 ft.) from the subject site. The C2 District zoned property at 6582 Denbigh Avenue is developed and utilized as a parking lot for the uses on the subject site. In order to ensure that the proposed private club use is oriented towards Kingsway, it is important to emphasize the land use boundary along the north property line of 6582 Denbigh Avenue. This should be accomplished by improving the screening along the north side of the parking lot and stressing the importance of the club patrons utilizing the on-site parking spaces provided, particularly in the underground parking level.

If this liquor licence application is given favourable consideration by Council and forwarded to the Liquor Control and Licensing Branch for further consideration, the applicant would be required to apply for a Preliminary Plan Approval for the change of use for the site. At this time, the applicant would be required to show improved screening abutting the adjacent single-family residence and improved directional signage for on-site parking on the site. The applicant has also indicated that they will emphasize the importance of club patrons parking on site through internal postings.

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- 2.4 For information, Council is currently considering an application (Liquor Licence Application #2/91) for an outdoor patio seating area for Delaney's Neighbourhood Pub, which is located one block from the subject site at 5605 Kingsway. As directed by Council, staff have notified the neighbours within one block of the Delaney's Pub site north to Irving Street of the application and given them the opportunity to provide Council with their input on the proposal. The Council policy on seeking public input on liquor licence applications, which was adopted on 1990 April 30, does not require public input on applications for Class "A" liquor licences for private clubs.
- 2.5 Pursuant to the adopted processing procedure for applications for Class "A" liquor licences, comments have been solicited on this application from the relevant staff and other Municipal Departments. In reply to the circulation, the Social Planning section indicated that their support is subject to gaining assurance that Denbigh Avenue will not be utilized for patron parking and that improved screening would be provided abutting the parking lot. In addition, the Acting Chief Public Health Inspector advises that their experience with licensed clubs is one of receiving noise related complaints, particularly after 12:00 midnight. No comment was offered, however, on the potential for noise problems at this particular location. No other comments or objections are raised by the other Municipal staff and Departments.

3.0 CONCLUSION:

- 3.1 While some concerns are raised regarding the potential relationship between the private club and the single-family residences on Denbigh Avenue, the subject location for the proposed private club is part of the strong strip commercial development oriented to Kingsway in this area. It is also noted that the proposed seating capacity (130 seats) is more moderate than the Blue Button Club's earlier proposal for a private club at Smith Avenue and Canada Way and that the operating hours are more reasonable for a licenced club adjacent to a residential area.

Council is advised that it may make their support for the proposed liquor licence facility subject to a limitation of the seating capacity and/or the hours of operation. The Liquor Control and Licensing Branch would then consider Council's position prior to making a decision on the proposed liquor licence facility and any future requests for changes to the seating capacity or the hours of operation would require Council comment prior to consideration by the Liquor Control and Licensing Branch. It is recommended that Council give favourable consideration to this liquor licence application, subject to the required Preliminary Plan Approval indicating improved screening along the edge of the parking lot and measures undertaken to encourage the club patrons to park on the site.

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A.L.P.
A. L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

c.c. Acting Chief Public Health Inspector

