

## ***Council Special Agenda***

Council Chambers, 3<sup>rd</sup> Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

**Tuesday, December 4, 2018**

Time: 2:00 p.m.

---

**1. CALL TO ORDER**

**2. ADOPTION OF THE AGENDA**

**2.1 Adoption of the Agenda**

Recommendation:

*That the December 4, 2018, Special Council Meeting Agenda be adopted as circulated.*

**3. BYLAWS**

**3.1 Lounge Endorsement Area Amendment to Seating Capacity - First Two Readings**

Recommendation:

*That Council:*

- (a) Give 1<sup>st</sup> and 2<sup>nd</sup> reading to Zoning Bylaw Amendment Bylaw 4098 that increases the permitted seating capacity for a lounge endorsement area and tasting lounge to a combined total of 50 seats; and*
- (b) Approve the Liquor Establishment Policy as amended (Attachment #2) to provide for consideration of parking variances for liquor manufacturing establishments with lounge endorsement areas.*

**4. ADJOURNMENT**

**4.1 Adjournment of the Meeting**

Recommendation:

*That the December 4, 2018, Special Council Meeting be adjourned.*

## Lounge Endorsement Area Amendment to Seating Capacity

### RECOMMENDATION:

That Council:

- (a) Give 1<sup>st</sup> and 2<sup>nd</sup> reading to Zoning Bylaw Amendment Bylaw 4098 that increases the permitted seating capacity for a lounge endorsement area and tasting lounge to a combined total of 50 seats; and
- (b) Approve the Liquor Establishment Policy as amended (Attachment #2) to provide for consideration of parking variances for liquor manufacturing establishments with lounge endorsement areas.

### PREVIOUS COUNCIL/COMMITTEE ACTION

At the July 24, 2018 meeting of the Smart Growth Committee, the following resolution was passed:

*“Staff to provide a report, including commentary on the following items for craft breweries:*

- 1) Methods to increase and impacts of increasing seating from 25 up to 100;*
- 2) Parking requirements; and*
- 3) Making parking stalls available from nearby businesses within 750 metres.”*

### REPORT SUMMARY

This report evaluates the potential impacts of allowing for an increase to the seating capacity of lounge endorsement areas attached to liquor manufacturing businesses and recommends the Zoning Bylaw be amended to expand the capacity from 25 seats to 50 seats. It further recommends that the Liquor Establishment Policy be amended to allow Council consideration of variances to parking regulations, as current regulations would otherwise restrict the ability of most businesses to be in a position to expand their operations. The proposal retains the intent of the Zoning Bylaw that a lounge endorsement area be accessory to a liquor manufacturing activity while facilitating their expansion through a relaxation of seating capacity and site-specific consideration of how parking demands may be met.

### BACKGROUND

In 2016, the City amended its regulations to allow for the establishment of liquor manufacturing businesses with accessory lounge endorsement areas and accessory liquor sales in the M1 General Industrial and M3 Light Industrial zones. The regulations provided for a maximum internal floor area of 75 m<sup>2</sup> and outdoor patio area of 10 m<sup>2</sup> for the lounge endorsement areas, and a combined maximum of 25 seats (or patron capacity). The regulations also provided for a limited amount of space for liquor sales and tasting. In addition to parking requirements for industrial and retail uses, liquor manufacturers with a lounge endorsement area were required to provide one parking stall for every 5 seats. The City's Liquor Establishment Policy, which provides a framework for factors to be considered when providing comment to the Liquor Control and Cannabis Regulation Branch (LCRB) on provincial liquor applications, was also amended at that time to define closing hours for lounge endorsement areas and expectations for community consultation.

## Lounge Endorsement Area Amendment to Seating Capacity

There are now four craft liquor manufacturers in operation in the City of Port Coquitlam, with one expected to open in the coming months. These business owners are reporting that there is a demand for additional seating by their customers and they wish to be permitted to expand their operations. To date, the City has not received any complaints about the impacts or operations of these establishments.

### **DISCUSSION**

An updated survey of liquor manufacturers with lounge endorsement areas across Metro Vancouver revealed there continues to be a significant range in seating capacities, from those with 25-30 seats to larger establishments where capacities exceed 200. Many establishments do not clearly separate their lounge endorsement areas from their tasting lounges and their patron capacity may be set by floor area limits, parking regulations or building code requirements such as number of washrooms, fire separations and occupant load calculation rather than seating capacity regulations.

Increasing the seating capacity of lounge endorsement areas to 50 seats would better align with business trends in the liquor manufacturing industry and better meet consumer demand. The permitted size of the lounge endorsement area would be sufficient to allow for these additional seats and it is expected that most of the current manufacturers with lounge endorsement areas would be in a position to comply with requirements set by the British Columbia Building Code without significant renovations. The City will be requested by the LCRB to provide comment on establishment of new lounge endorsement areas or increases to seating capacity; consideration of impacts to the community within the context of the particular location would be provided through this process.

A larger seating capacity, such as 75 or 100 seats, is not recommended as this capacity would not be in keeping with policies promoting industrial uses within industrial areas. Such a large size would be a significant departure from the original intent that liquor manufacturers be allowed to have accessory lounge areas and could have substantial impacts on surrounding businesses. If a business owner wishes to be permitted to have more than 50 seats and can demonstrate that the impacts of such a size could be addressed at their particular location, then the proposal could be considered through a site-specific Zoning Bylaw amendment process.

The major potential impact of allowing for any increase to the seating capacity is parking. However, it is not proposed that the current parking requirements be amended, as the current regulation is consistent with requirements for similar establishments such as restaurants and cafes. Furthermore, the requirement that a lounge endorsement area provide one stall per 5 seats is less than the requirement for a neighbourhood pub, which must provide one stall per 2 seats (outside the downtown) or 3 seats (in the downtown). As most businesses are unlikely to be able to provide additional parking, it is proposed that a policy be set which would allow Council to consider varying parking requirements on a site-specific basis. This proposal recognizes that the peak times for patrons at breweries tends to be late afternoon, evenings and weekends, which is after the typical

## Lounge Endorsement Area Amendment to Seating Capacity

operating hours and peak parking demands of neighbouring industrial businesses. If patrons are allowed to use the spaces provided for the industrial uses, then the impacts to surrounding businesses would not be expected to be significant.

### **FINANCIAL IMPLICATIONS:**


None

### **CONSULTATION**

The current regulations were based on extensive community consultation conducted in the spring of 2016 which revealed, for the most part, substantial support for craft liquor manufacturing establishments to operate within the community. As the consultation did not reveal significant community opinion that the seating capacity should be limited to a specific number, no additional consultation process is recommended. Should a Zoning Bylaw amendment proceed, a public hearing would be scheduled.

### **OPTIONS**

(Check = Staff Recommendation)

#	Description
1 	Amend the Zoning Bylaw and Liquor Establishment Policy to allow for up to 50 seats at liquor manufacturing businesses and provide for site-specific consideration of parking variances
2	Direct staff to initiate a public consultation process on the proposed amendments prior to making any decision
3	Request that staff bring forward an amending bylaw and policy that would allow for a different seating capacity or approach for further Committee consideration

### **ATTACHMENTS**

Attachment #1: Zoning Bylaw Amendment

Attachment #2: Proposed Liquor Establishment Policy

**Lead author(s):** James Cummins, Jennifer Little

## CITY OF PORT COQUITLAM

## Zoning Amendment Bylaw, 2018

Bylaw No. 4098

---

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw may be cited as the “Zoning Bylaw, 2008, No. 3630, Amendment Bylaw, 2018, No. 4098”.

2. ADMINISTRATION

Zoning Bylaw, 2008, No.3630 is amended as follows:

2.1 In Section I Definitions:

- a) by amending the definition for lounge endorsement area by replacing “brewery, distillery or winery” with “liquor manufacturing use”, and updating the name of the licensing branch as follows:

“**Lounge endorsement area** means an area licenced under the Liquor and Cannabis Regulation Branch to provide for the sale and service of beer, liquor or wine for on-site consumption in an indoor or patio area accessory to a liquor manufacturing use.”

- b) By amending the definition of Wine and Beer Making to update the name of the licensing branch as follows:

“**Wine and beer making** means a premises licenced under the Liquor and Cannabis Regulation Branch to provide for the fermentation and bottling of wine, beer, cider, mead and coolers for personal consumption and not for resale.”

2.2 In Section II Zones and Zone Regulations, 4. Industrial Zones:

- c) By amending Table 4.3 Industrial Zones Permitted Uses by removing “Lounge endorsement area” as a permitted principal use.
- d) By amending Note 21 to Table 4.3 Industrial Zones Permitted Uses to replace “25” with “50” and to add “including any seats or patron capacity for a tasting room” as follows:

“Note 21. A lounge endorsement area is only permitted where accessory to a liquor manufacturing use. The lounge endorsement area is limited to a maximum of 50 seats or patron capacity, including any seats or patron capacity for a tasting room, a maximum interior floor area of 75 m<sup>2</sup> and an outdoor patio area with a maximum size of 10 m<sup>2</sup>.”

- e) By amending Note 23 to Table 4.3 Industrial Zones Permitted Uses to add “tasting room” as follows:

“Note 23. The total combined floor area used for the lounge endorsement area, tasting room, and packaged liquor sales in the M1 and M3 zones is limited to 25% of the floor area occupied by the liquor manufacturing business.”

READ A FIRST TIME this

READ A SECOND TIME this

PUBLIC HEARING HELD this

READ A THIRD TIME this

ADOPTED this

---

Mayor

---

Corporate Officer

<div>C I T Y O F</div> <div>PORT</div>		<div>POLICY</div>	
Subject Area:	Community Planning	Policy #5.04	
Policy Title:	Liquor Establishment Policy		
Authority:	Legislative	X	Effective Date: 2016-10-24
	Administrative		Review Date: 2021-10
Issued By:	Laura Lee Richard Director of Development Services	Issue Date:	2016-10-24
		Distributed by:	Department Heads

## Purpose

To provide a framework for the factors Port Coquitlam will consider when reviewing a liquor establishment application as referred to the City for review and comment by the BC *Liquor and Cannabis Regulation Branch (LCRB)* and applications to amend the Zoning Bylaw to permit new establishments that will be subject to liquor licences. The policy will be used to evaluate merits of an application in conjunction with application of the City's Development Procedures Bylaw, Parking and Development Management Bylaw and any other relevant bylaws or policies. This policy is intended to provide information upfront to prospective applicants about the City's procedures in processing their applications for reasons of clarity and consistency. It applies to those who are applying for, or hold, licences for liquor primary establishments, food primary establishments, liquor retailers, and liquor manufacturers with endorsements.

## Policy

### 1. Analysis of Applications

1.1 **New liquor primary licence applications** including applications for neighbourhood pubs and licensed manufacturing establishments seeking a lounge endorsement area; and amendments to liquor primary licences, food primary licences, and manufacturing licences with endorsements – included but not limited to, increasing or changing hours of operation during which liquor is served, increasing patron capacity, expanding an outside patio, adding a lounge or allowing patron participation entertainment.

The following factors will be considered in evaluation of an application:

- a. The location(s) of other establishments with liquor licences
- b. The distance to schools and any other uses that may be relevant to a specific application

- 
- c. Traffic and parking impacts, including options to vary parking requirements for liquor manufacturing applications with a lounge endorsement area when written consent is provided to utilize neighbouring parking stalls or the business has access to additional parking in on-street or other locations during periods of peak demand.
  - d. Access for pedestrians and cyclists and to public transit
  - e. Impacts to residents or businesses
  - f. Comments by the RCMP and City staff with respect to any public safety, security, building or business licence concerns.

**1.2 New and relocation of liquor retail stores** – includes private liquor stores, BC liquor stores, private wine stores (VQA), stores within grocery stores, and wine on shelves in grocery stores.

In addition to the factors identified in Section 1.1, the following factors will be considered in evaluating an application:

- a. Confirmation that the proposed location is a minimum of 1 km from other liquor retail establishments, including liquor stores in a grocery store, wine on shelves in a grocery store, wine stores, and liquor retail stores. For clarification, this provision does not apply to a farmers market.

## **2. Opening Times**

The City will evaluate the appropriate opening time for a liquor primary licence establishment application on a case-by-case basis.

## **3. Closing Times**

The City's closing times for liquor manufacturing establishments with a lounge endorsement area will be no later than 9 pm Monday to Thursday, no later than 10 pm Friday to Saturday, and no later than 8 pm on Sunday.

All operating and liquor service hours are subject to *LCRB* licensing regulations and approval, as appropriate.

## **4. Public Consultation**

- Application for new and relocated liquor retail stores and endorsements to manufacturing licences should include documented input gathered from neighbouring residents and businesses.
- For a liquor establishment application that does not require a rezoning process, Committee or Council may determine that a Public Hearing be held in accordance with the procedures identified in the Development Procedures Bylaw where concerns about a proposed location are identified during the review and early consultation process.

## **Responsibility:**

Director of Development Services