



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 12, 2021

From: Chris Oliver, Planner III

File: DVP 20-17 & LL 20-03

Subject: **DVP 20-17 and LL 20-03; DVP and Lounge Endorsement Liquor License; 2850 Boucherie Road**

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### RECOMMENDATION

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-17) at 2850 Boucherie Road to reduce the number of parking spaces from 42 to 33 (variance of 9 spaces) to accommodate a brewery and accessory uses; and

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) in accordance with the information contained in this report.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022).

### BACKGROUND

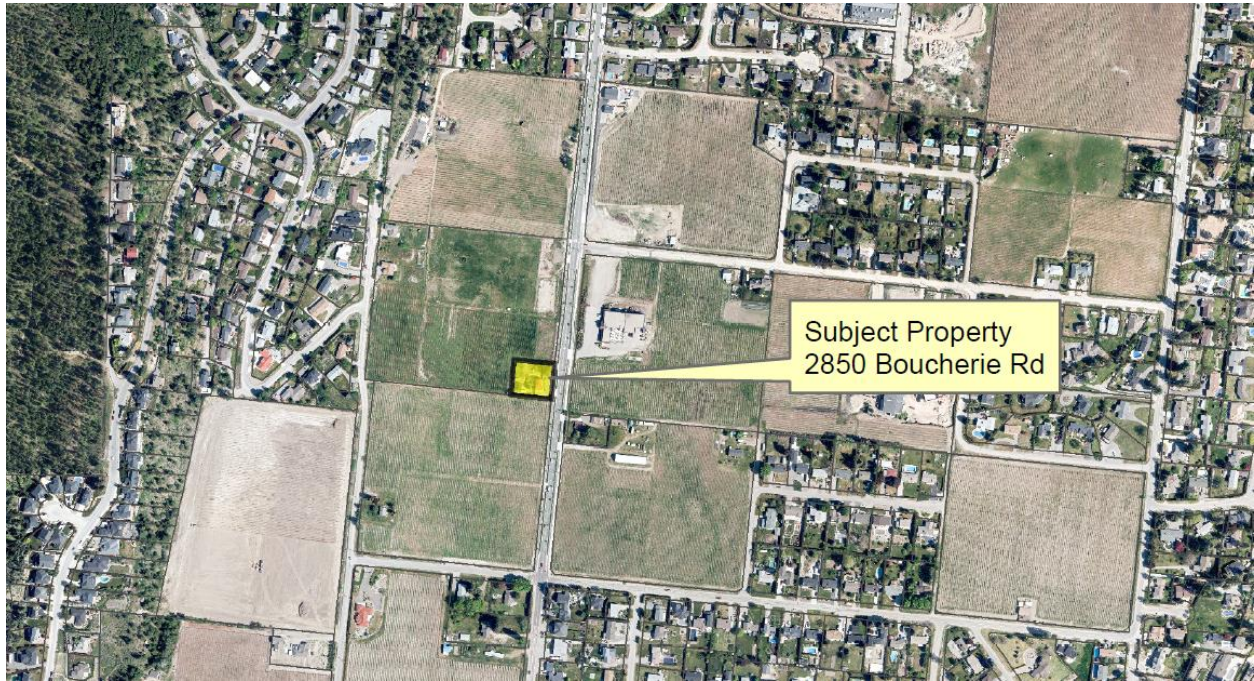
The applicant is seeking a Development Variance Permit and Lounge Endorsement Liquor License in order to permit a brewery with indoor and outdoor lounge areas. The variance of 9 parking spaces has been requested to increase the capacity of the proposed lounge areas from 142 (132 + 10 staff) to 178 (168 patrons + 10 staff) The proposed hours of operation are 10:00 am to 12:00 am, Monday to Sunday.

PROPERTY DETAILS			
<b>Address</b>		2850 Boucherie Road	
<b>PID</b>		008-104-603	
<b>Folio</b>		36414152.000	
<b>Lot Size</b>		0.56 acres (2266.24 sqm)	
<b>Owner</b>	1222198 BC LTD	<b>Agent</b>	Graham Dell
<b>Current Zoning</b>	Agricultural (A1)	<b>Proposed Zoning</b>	Agricultural (A1)
<b>Current OCP</b>	Agricultural	<b>Proposed OCP</b>	Agricultural
<b>Current Use</b>	Single Family Dwelling	<b>Proposed Use</b>	Brewery
<b>Agricultural Land Reserve</b>		Yes (exempt from regulations)	

## ADJACENT ZONING & LAND USES

North, East, South, West Agricultural (A1)

### NEIGHBOURHOOD MAP



### PROPERTY MAP





## DISCUSSION

The applicant has applied to construct a new brewery on the subject property (Figures 1 and 2). The new building creates a strong presence along the Wine Trail and is not subject to a form and character development permit due to the exemptions in the Official Community Plan. Another key aspect to the proposal is that the proposed outdoor lounge area is internally oriented and generally sheltered from the roadway and adjacent uses.



Figure 1. Rendering Facing SW from Boucherie Road



Figure 2. Rendering Facing SE from Interior of the Site

## Development Variance Permit

In order to maximize the capacity of the building, the applicant is requesting a parking variance of 9 spaces. The applicant has indicated that they believe there will not be any significant impacts from the reduction as they intend to promote and benefit from the property's location on the Westside Wine Trail. The Wine Trail includes significant active transportation infrastructure and it is typical for operators on the wine trail to utilize tour services that require less parking. The applicant has also provided a surplus of 20 bicycle parking spaces to accommodate the anticipated demand from the Wine Trail. In addition to the Wine Trail considerations, the operator also promotes the use of online tasting bookings and scheduling of groups which allow for large groups to be staggered throughout the day.

### *Policy Review*

The Zoning Bylaw includes two specific parking requirements for a brewery:

1. Units less than or equal to 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) GFA tasting area: 2.0 per 100 m<sup>2</sup> GFA.

**OR**

Units greater than 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) GFA tasting area: 4.0 per 100 m<sup>2</sup> GFA.

2. Food and Beverage Service Lounge: 1.0 per 4 seats (including patio seating).

The applicant has proposed to have no designated tasting area (can occur in Lounge Area) and a combined lounge area that can accommodate 168 patrons and 10 staff (Figure 3.). In order to accommodate the proposal, the 1 space per 4 seats applies, requiring a total of 42 spaces. As indicated earlier in this report, to accommodate the requested occupancy, a variance of 9 parking spaces will be required (Table 1). An alternate motion has been included which supports a Lounge Endorsement without a variance. The alternate motion would reduce the outdoor lounge occupancy to 45 (42 patrons plus 3 staff) and the indoor to 97 (90 patrons plus 7 staff - 142 total).

**Table 1.** Variance Request Breakdown

Scenario	Patrons	Zoning Bylaw Req.	Required Spaces	Proposed Spaces
Variance	168	1 space/ 4 seats	42 spaces	33 spaces
No Variance	132	1 space/ 4 seats	33 spaces	33 spaces

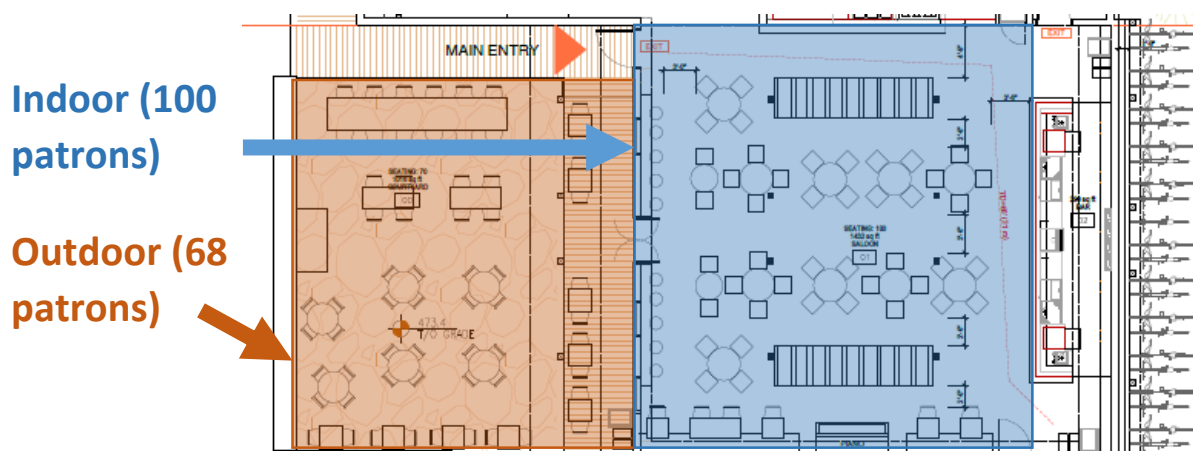


Figure 3. Indoor and Outdoor Lounge Areas

There are no opportunities for on-street parking in the area as Boucherie Road (Wine Trail) does not accommodate public parking. The closest streets that can accommodate parking are Douglas Road and Ogden Road, both are greater than 175m away from the property. In a worst-case scenario, the reduction in parking will likely be most impactful to the operator of this establishment, or potentially Volcanic Hills Winery who is across from the subject property. At the time of writing this report, there have been no comments from the winery.

### Liquor License Endorsement Requirements

The *Liquor Control and Licensing Act* requires the Liquor and Cannabis Regulation Branch to consult local governments on requests for the issuance, amendment or renewal of certain liquor licenses. This gives local governments an opportunity to gather the views of residents within the application area, as well as consider potential implications of the proposal. Upon making a resolution, LCRB requests that the local government forward the applicable resolution, report, and meeting minutes. The LCRB requests that all local governments consider and comment on specific criteria as outlined below:

#### *Location*

The subject property is located in the Lakeview Heights Neighbourhood and is surrounded by agricultural properties. The subject property is located on the Westside Wine Trail and the proposal is intended to benefit from and contribute to the ongoing success of the operators in the area.

#### *Person Capacity*

The person capacity of the proposed lounge areas totals a maximum of 178 including staff. The proposed occupancy is similar to wineries located within the area of the subject property as the Agricultural Land Commission regulates seating sizes and typically allows for up to 130 persons. It is important to highlight that this property is not subject to the ALC's regulations as it meets their exemption criteria since the property is less than 2 ac and was subdivided prior to 1972.

The following is a comparison of other Lounge Endorsement Areas operating in the area:

- Mt. Boucherie Winery (150 persons)
- Grizzli Winery (130 persons)
- Volcanic Hills (200 persons, non-farm use application for an oversized lounge)

#### *Proposed Hours of Liquor Service*

The applicant is proposing the following hours of operation:

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
10: 00 AM	10: 00 AM	10: 00 AM	10: 00 AM	10: 00 AM	10: 00 AM	10: 00 AM
12: 00 AM	12: 00 AM	12: 00 AM	12: 00 AM	12: 00 AM	12: 00 AM	12: 00 AM

For context, the following are permitted hours of operation for liquor establishments along the Wine Trail:

- Lakesider Brewing from 9:00 AM to 12:00 AM;
- Mt. Boucherie from 10:00 AM to 11:00 PM (10:00 AM to 10:00 PM weekdays);
- Mission Hill from 11:00 AM to 11:00 PM; and
- Volcanic Hills from 11:00 AM to 11:00 PM.

Despite these being the permitted hours per each operator's license, not all of these operators choose to service during these hours and instead are used as maximum limits for hours of operation. The applicant has indicated that similar to these other Lounge Endorsements, they do not intend to operate to the full extent of the proposed hours of operation and instead would like the ability to do so for some events throughout the year. The applicant has indicated they intend to typically operate from 11:00 AM to 6:00 PM, Monday to Sunday. Despite the applicant indicating these are their typical hours of operation, if approved, the applicant could operate from 10:00 am to 12:00 am daily.

#### *Impact of Traffic, Noise & Parking*

The proposed brewery is located on the Wine Trail surrounded by similar types of liquor-related operations in the Lakeview Heights Neighbourhood. The proposed location is buffered from residential properties and is well suited to ensure there are little to no impacts in the area. The proposed outdoor lounge area is facing the interior of the property and is adjacent to the indoor lounge area and would allow for active monitoring by staff. No Special Event Area has been proposed, but the Lounge areas can be used for events up to their maximum occupancy.

#### *Impact on the Community if the Application is Approved*

The Wine Trail has become a major tourist attraction with positive economic benefits to the community. The Hatching Post is proposed between existing operators and will create an additional linkage for the Wine Trail, offering a variety of craft beers to patrons. The internally facing outdoor lounge will minimize impacts to surrounding properties (Figure 4). Lastly, the applicant is an experienced operator in the community and in conjunction with their other establishments will continue to advance the tourism industry in the community.

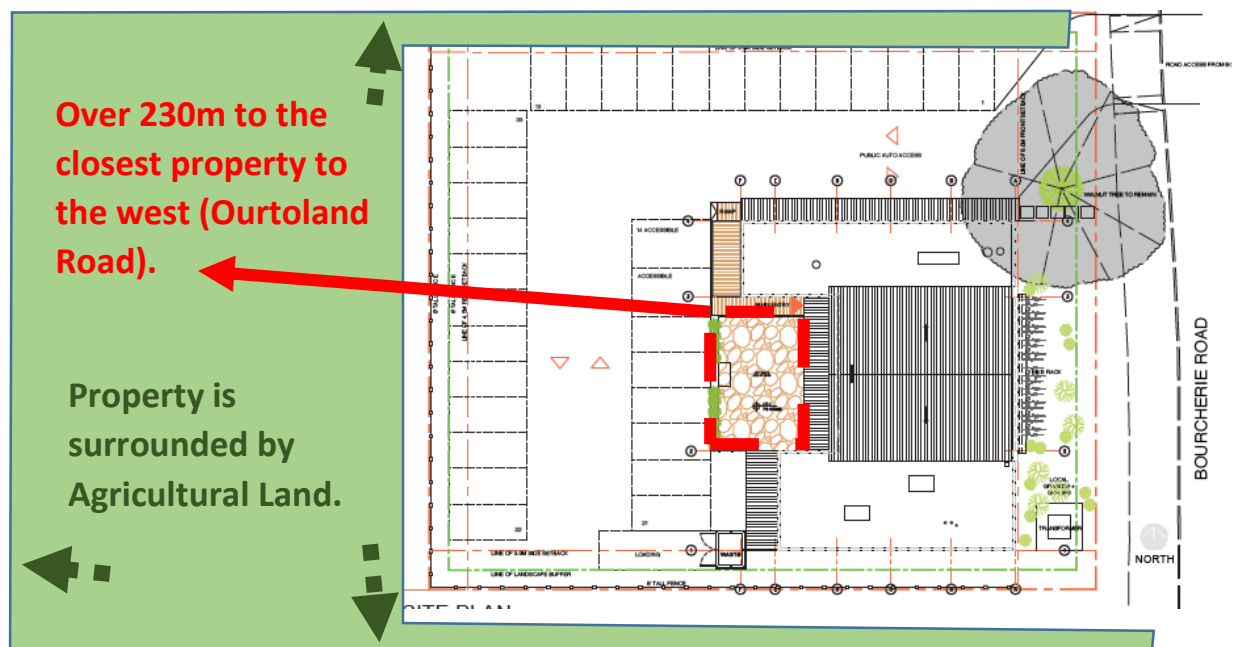


Figure 4. Outdoor Lounge Area

Based on the lack of input provided through the consultation process and existing uses in the area, it is not anticipated that the brewery would create any impacts that are greater than the other operators in the area.

#### *Public Notification and Consultation*

As per the *Liquor Control and Licensing Act*, and the *Local Government Act* the City has met applicable requirements to gather the comments and/or concerns of residents within the area of the proposal. As such, a notice of application sign was posted and a notice was mailed to all property owners or tenants within 100m of the subject property (13 mailed). Following discussions with the LCRB, the occupancy of the lounge area was updated to include staff members. The updated occupancy requirement was included on the notice of application sign and has been reflected in this report. No correspondence from the public has been received.

## **CONCLUSION**

Council may wish to consider the following as part of the consideration for the recommended motion:

- The Hatching Post is located on the Westside Wine Trail and is well situated to supplement the ongoing success of other operators in the area;
- The brewery is well buffered from residential properties and the site design will limit impacts to surrounding properties; and
- The site benefits from an active transportation corridor and the experienced operator intends to coordinate tours and utilize other event and tasting scheduling best practices to limit any potential parking conflicts.

## **ALTERNATE MOTIONS**

### **Support the Liquor License, Deny Variance (reduced occupancy)**

1. **THAT** Council deny consideration of the issuance of a Development Variance Permit (DVP 20-17) at 2850 Boucherie Road; and

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) with a maximum combined occupancy of 142 persons in accordance with the information contained in this report.

Should Council deny the requested variance, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

### **Deny the Applications**

2. **THAT** Council deny consideration of the issuance of a Development Variance Permit (DVP 20-17) at 2850 Boucherie Road; and



**THAT** Council deny the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-03) for The Hatching Post (2850 Boucherie Road) and direct staff to close the file.

Should Council deny the requested variance and liquor license, the files will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments: Development Variance Permit, 2850 Boucherie Road