

PUBLIC NOTICE

Regular Council Meeting

Monday, May 15, 2023 at 6:00pm

First Reading of "Zoning Amendment Bylaw No. 8964" 125 Victory Ship Way

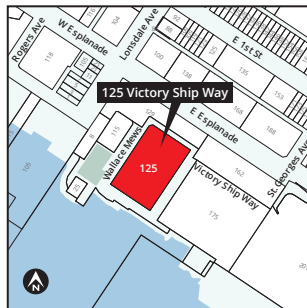
Proposal: To amend the subject property's Comprehensive Development 393 (CD-393) Zone to permit a Liquor Primary Licence for an existing event-hosting venue.

Provide written input: All persons who believe their interest in property may be affected by the proposed bylaw will be afforded an opportunity to be heard by written or email submission. **All submissions must include your name and address** and should be sent to the Corporate Officer at input@cnv.org, or by mail or delivered to City Hall, **no later than noon on Monday, May 15, 2023**, to ensure their availability to Council at the meeting. **No Public Hearing will be held.**

Watch the meeting online at cnv.org/LiveStreaming or in person at City Hall, 141 West 14th Street. Enter City Hall from 13th Street after 5:30pm.

View the documents online at cnv.org/PublicHearings

Questions? Linden Maultsaid-Blair, Planner
lmaultsaidblair@cnv.org / 604-990-4217



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER AND ELECTRONICALLY (HYBRID) FROM CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON **MONDAY, APRIL 24, 2023**

REPORT

18. Zoning Bylaw Amendment for 125 Victory Ship Way (The Wallace Venue Corp.)
– File: 08-3400-20-0100/1

Report: Planner 1, April 12, 2023

Moved by Councillor Valente, seconded by Councillor Back

PURSUANT to the report of the Planner 1, dated April 12, 2023, entitled “Zoning Bylaw Amendment for 125 Victory Ship Way (The Wallace Venue Corp.)”:

THAT the application submitted by The Wallace Venue Corp., to amend the CD-393 Zone for the property located at 125 Victory Ship Way, be considered and no Public Hearing be held, in accordance with the *Local Government Act*;

THAT notification be circulated in accordance with the *Local Government Act*;

AND THAT the Mayor and Corporate Officer be authorized to sign the necessary documentation to give effect to this motion.

CARRIED UNANIMOUSLY

block building for their event-hosting venue. If approved, the applicant and property owner could then apply to have their facility licensed with the Province for the serving and sale of liquor alongside individual events. No modifications to the existing exterior and interior building configuration are proposed.

BACKGROUND

Applicant:	Jodi Daigneault, The Wallace Venue Corp.
Owner:	City of North Vancouver, leased to the Shipyards Development Ltd.
Official Community Plan Designation:	Mixed-Use Level 4A
Existing Zoning:	CD-393 (Parcel 9)

Project Description

Applicant and Operation Background

The Wallace Venue Corp. is owned and managed by the Quay North Urban Development Group and have been operating their event-hosting venue (“The Wallace”) at 125 Victory Ship Way since 2019. The 503.8 sq.m. (5,423.0 sq.ft.) space, which includes an additional 223.6 sq.m. (2407.0 sq.ft.) exterior terrace, is located at the top floor of the northwest block building adjacent to the Shipyards Commons (see Figure 1 below), which features an outdoor patio portion. The Wallace is used most commonly for weddings, as well as film and photo shoots, and can generally be booked between the hours of 9:00 AM to 12:00 AM as per their website information.

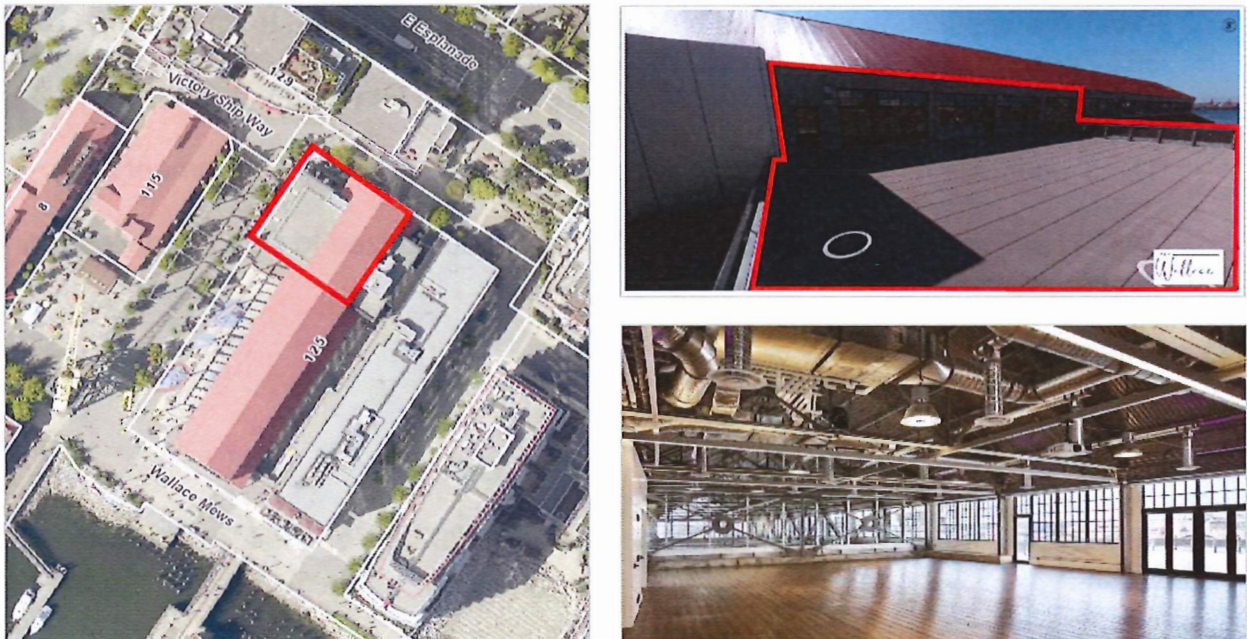


Figure 1. (Left) Site plan depicting subject unit location at third floor; (Right-Top) Photo of exterior terrace; (Right-Bottom) Photo of interior unit space.

Site Context and Surrounding Use

The property at 125 Victory Ship Way is located within the City’s Shipyards District and consists of three main building ‘blocks’ that all surround a covered plaza. Each ‘block’ consists of several commercial retail units that currently include restaurants, boutique retail stores, a café, ice cream store, as well as the Seaside Hotel and some Capilano University classroom facilities. The subject unit, “The Wallace”, is located at the third/uppermost floor of the northwest ‘block’.

The Wallace Mews public walkway surrounds the perimeter of the property connecting it to many popular public areas along the City’s premier waterfront. The buildings and land uses immediately surrounding the property are further described in Table 1 below.

Table 1. Surrounding Uses

Direction	Address	Description	Zoning
North	12 to 18 Lonsdale Avenue; 119 to 129 E. Esplanade; 108 to 138 Victory Ship Way	11-storey mixed-use commercial, hotel, and strata building	CD-393 (Parcel 5)
South	n/a	Waterfront	n/a
East	175 & 185 Victory Ship Way	10-storey strata apartment buildings	CD-393 (Parcel 11)
West	115 Victory Ship Way	Indoor venue (“The Pipe Shop Venue”)	CD-393 (Parcel 8)

As noted above, no exterior or interior renovations are anticipated to support the proposed Liquor Primary Licence use.

Current Liquor Use Provisions

Any use in the City involving the sale or serving of liquor must be licenced by the Province’s Liquor and Cannabis Regulation Branch (LCRB). The LCRB manages several types of licences that permit liquor use through varying business and/or event types.

Currently, licensed liquor uses in the City are typically permitted through either a restaurant use (i.e. with a “Food Primary Licence”), hotel use, or through an accessory lounge use accompanying a brewery or distillery. Serving liquor as a primary use; however, (i.e. with a “Liquor Primary Licence”), is generally prohibited in all zones unless a particular zone states otherwise as per Section 402(19) of the Zoning Bylaw.

There are several Comprehensive Development (CD) Zones in the City that permit Liquor Primary Licences, including the “Polygon Gallery”, which allows for a Liquor Primary Licence through an “Accessory Banquet Facility” that would be accessory to the principal gallery use. Most commonly, Liquor Primary Licences are permitted through a public house/pub use. An example of some of these CD zones are outlined in Table 2 below.

Table 2. Example of Existing CD Zones that permit a Liquor Primary Licence

Address	Description	Zoning	Liquor Primary Licence Provision Via
101 Carrie Cates Court	The Polygon Gallery	CD-642	Accessory Banquet Facility
175 E 1 st Street	The Gull Restaurant and Bar	CD-52	Neighbourhood pub
86 Semisch Ave	Sailor Hagars Pub	CD-71	Neighbourhood pub
1433 Lonsdale Ave	Jack Lonsdale's Public House	CD-125	Neighbourhood pub

In addition to the aforementioned Zoning Bylaw provisions, individual event organizers can also apply for event-specific liquor permits such as “Special Event Permits” (SEPs) through the Province’s LCRB, or attain a licensed caterer that is authorized to serve and sell liquor. These options are common for event organizers renting venue spaces like the Wallace. However, given their temporary and event-specific nature, SEPs are typically reviewed and approved solely by the Provincial LCRB and local governments are not typically consulted on the reviews, although they are notified. The LCRB can only approve a limited number of SEPs for a given establishment or residence, which is generally 24 per year. The Wallace has been issued 7 SEPs thus far in 2023 as per our records.

Requiring event organizers to acquire individual SEPs or attain licensed caterers poses general limitations on the venue in terms of the number of events that can occur where liquor is served and is also onerous as it requires SEP applications for each individual event. The LCRB suggests applicants apply for SEPs at least 30 days in advance of their event, which can also limit the flexibility of renting out the venue on shorter notice for liquor-serving events. There are also administrative responsibilities for individual event organizers as well, in terms of requiring signage and potential security plans for each SEP which contributes to the time and fees associated. These are reasons behind why a more long-term solution is being pursued to amend the existing zone to allow the Wallace to acquire the Liquor Primary Licence for their establishment.

PLANNING ANALYSIS

The Wallace venue is sited in a premier location overlooking the Shipyards District and North Vancouver waterfront. The unit, which includes an outdoor terrace (Attachment 2), is an opportune rental site for weddings and gatherings, and it is common for event organizers to acquire SEPs in order to allow for the serving and sale of liquor during their event.

Through a Liquor Primary Licence provision, the current and any future venue operator will then be able to acquire the licence themselves that would be appropriate for their re-occurring use. As an example, the owner and applicant have indicated that they would be pursuing an “event-driven” Liquor Primary Licence, that allows the establishment to be licensed but with limited hours of liquor service only in conjunction with an event, similar

to SEPs and other temporal liquor permits. These limited hours generally span from one hour before to one hour after an event. Event organizers can still apply for individual liquor permits (i.e. SEPs) for licenced establishments, however the establishment would need to apply for temporary de-licensing and that is typically limited to 6 occasions per year. This is typically only for instances where an event organizer is proposing alternative liquor use provisions (e.g. hours of service) beyond the scope of an approved Liquor Primary Licence for an establishment.

With a permitted Liquor Primary Licence, the City would be able to further monitor the facility through the business licensing process to ensure that it is operated in accordance with City bylaws as a perpetual use

In order to ensure this proposed use is maintained as intended going forward, staff have worded the CD-393 Zone amendment in a manner that limits the Liquor Primary Licence use to a "event venue" use, specific to the current floor space allocation for the Wallace (refer to Attachment 4). Any further adjustments to the intended use would require a Zoning Bylaw Amendment and again be subject to public consultation and Council consideration.

Recognizing the limitations of Liquor Primary Licence provisions in our Zoning Bylaw, this particular rezoning proposal also demonstrates an opportunity to better address liquor use provisions more comprehensively through a City-wide study. In the meantime, similar proposals will need to assessed and reviewed by staff and Council on a case-by-case basis.

COMMUNITY CONSULTATION

A Developer Information Session was held on January 18, 2023. There were two members of the public in attendance and the discussion was primarily centered around the anticipated operation plans, which the applicant clarified would remain unchanged.

One additional email from a resident, along with a comment form, was received outside of the Developer Information Session, which both expressed concern with ongoing activity and noise disruptions from the facility.

Staff note that the City's "Noise Control Bylaw, 2021, No. 8885" will continue to apply to the business operations at the site regardless of the use. The applicant has acknowledged that they intend to continue ensuring renters/hosts abide within Noise Control Bylaw regulations in consideration of the proximity to residences. By having an event-driven Liquor Primary Licence, this would also ensure more consistency in terms of hours of liquor sales or service during events.

INTER-DEPARTMENTAL REVIEW

In consultation with the Community and Partner Engagement Department, the benefits of the proposed rezoning for the Wallace Venue will help facilitate a more consistent process for hosting events with liquor servicing for this venue. As a recognized permitted use, this would allow the City more oversight into the ongoing business operations through standard regulatory and licensing procedures, which is key in consideration of the

proximity to the residential and variety of commercial uses in the Shipyards District. This initiative will result in positive exposure for the City as a suitable and accommodating destination which offers an opportunity for increased economic activity and event planning/programming opportunities within the Shipyards district. This will increase the City's ability to offer flexible meeting and event space in a convenient and attractive location, in line with Destination BC's advocacy for the enhancement and addition of meeting/event spaces across Metro Vancouver.

FINANCIAL IMPLICATIONS

This rezoning proposal poses no further financial costs incurred by the City, and would benefit the operator in regards to alleviating the time and costs associated with requiring individual event organizers to undergo an SEP or similar process.

POLICY IMPLICATIONS

The proposed Liquor Primary Licence use conforms with the Official Community Plan's Mixed-Use Level 4A designation for the property, which allows for a mix of commercial uses alongside residential uses. Staff note that the current CD-393 Zone also permits an Accessory Liquor Primary Licence Use for a Lounge as part of a principal Hotel Use for the same parcel.

CONCLUSION

The proposed Liquor Primary Licence provision, which would be exclusive to the subject event-hosting venue, would permit the facility to apply to the Province's LCRB and remove the barrier for venue renters to individually acquire permits for liquor use; a process that the City and local governments are typically not consulted on. This will allow the City to better monitor and regulate the associated liquor use using our standard regulatory and licensing procedures for this prominent venue on the City's waterfront.



RESPECTFULLY SUBMITTED:

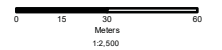
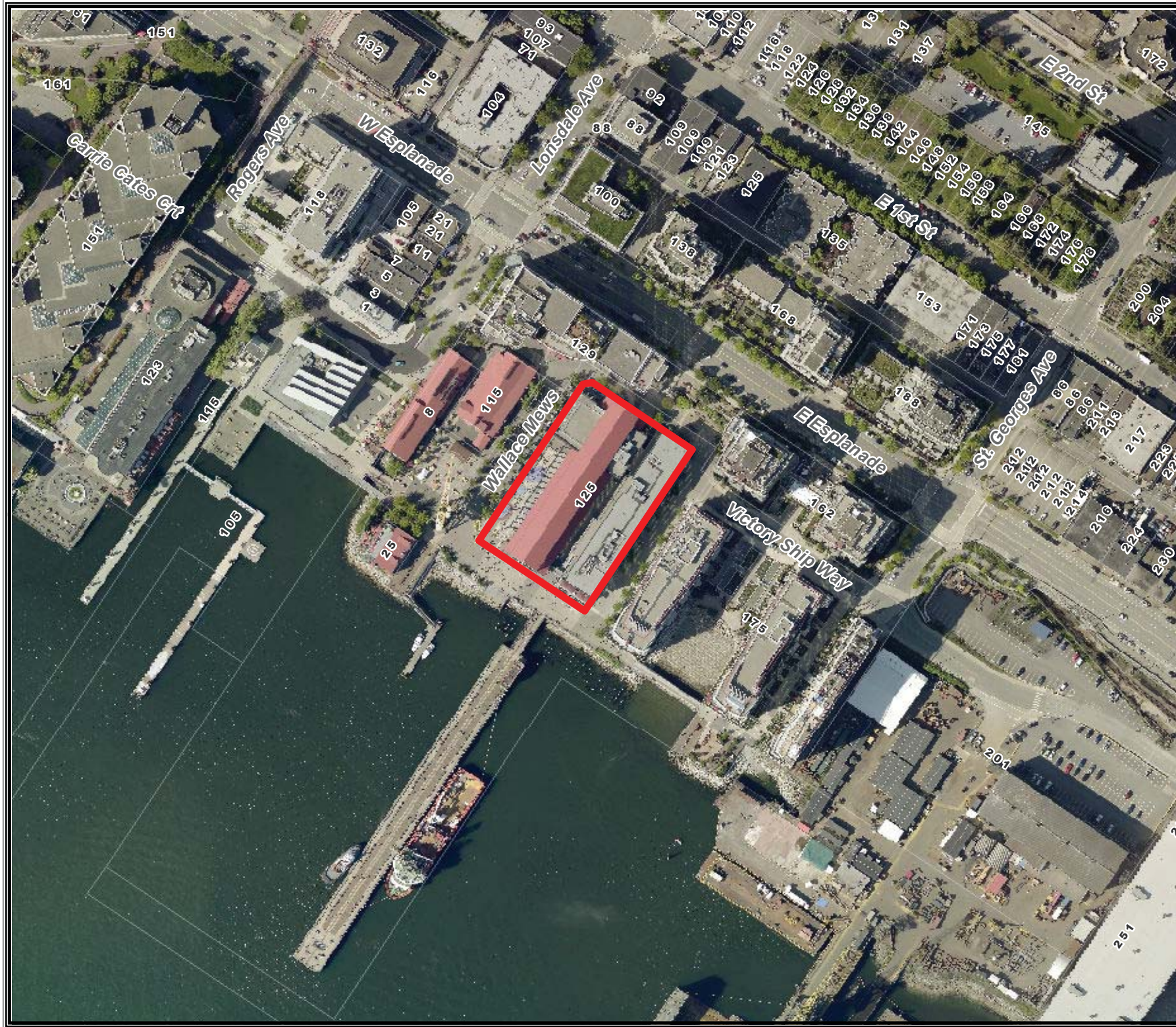


Huy Dang
Planner 1

City of North Vancouver
125 Victory Ship Way

Legend

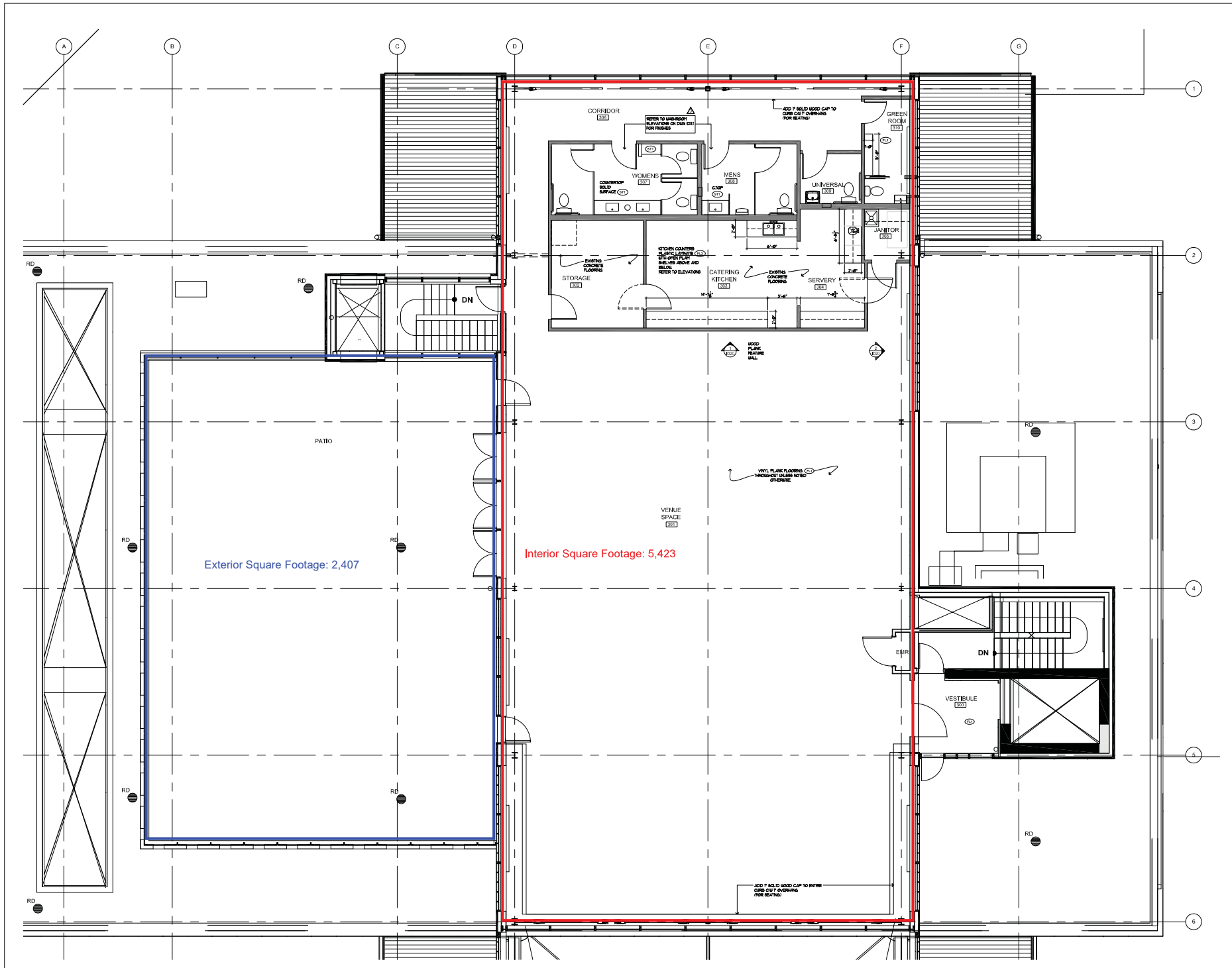
-  Subject Site
-  Legal_Parcels



DISCLAIMER
 This map was produced on the City of North Vancouver's Geographic Information System. Data provided herein is derived from sources with varying levels of accuracy and detail. The City of North Vancouver disclaims all responsibility for the accuracy or completeness of information contained herein.

GIS Division, Information Technology,
 City of North Vancouver
PLOTTED: 3/28/13
 SOURCE: Various
 COORDINATE SYSTEM: NAD 83 UTM Zone 18





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▲	ISSUE FOR BUILDING PERMIT	2018APR3
▲	REVISIONS	2018MAY21
▲	ISSUE FOR REVIEW	2018AUG27
NO.	REVISIONS	DATE

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PROJECT NORTH



**THE SHIPYARDS
 VENUE SPACE
 LEVEL 03**

NORTH VANCOUVER, BC

FLOOR PLAN

SCALE: 1/4" = 1'-0"
 DATE: AUGUST 2018
 DRAWN: ML

PROJECT NO. 1809
 DWG. NO.

ID1.1



PLN2022-00028
 The Wallace Venue Corp.
 Subject Site: #300 – 125 Victory Ship Way

Virtual Developer Information Session Summary

Date: Wednesday, January 18, 2023
Time: 6:00pm – 8:00pm
Held Via: Zoom
Attendees: 5 Total
 2 Members of the Public
 1 City of North Vancouver Staff Member
 2 Members of the Development Team for The Wallace Venue Corp.

Topics, questions, and comments discussed and reviewed during the Developer Information Session:

- Q1: How many more staff members are you planning to hire?
 A1: With the addition of liquor service, we anticipate that need for we will have 4-5 staff members onsite for the full duration of the events versus the one employee currently. The employees will be mandated to ensure that the Venue's operational guidelines are adhered which includes being considerate of the surrounding neighbours.
- Q2: Have there been any ongoing issues with drinking to date?
 A2: No, we have not.
- Q3: Is there outdoor music?
 A3: There is no live music on the outdoor terrace. Typically, there is background music played on the terrace during the wedding ceremony portion of events only.
- Q4: Do you plan to allow live music on the terrace?
 A4: No, we do not anticipate making any changes to our current operational guidelines.
- Q4: Is the last call for alcohol going to remain 11:30pm?
 A4: Yes, our intention is to maintain these hours of operation, which take into consideration the surrounding neighbourhood and the Venue's proximity to the residential buildings. The Venue currently ends all events earlier than the restaurants in the surrounding area.
- Q5: What time does alcohol service begin in the morning?
 A5: The typical start time for alcohol service is 11am at the Venue; the liquor licence may allow for service to begin earlier, depending on the type of event being held.

General comments from both members of the public in attendance to close out the session were that they were in support of the Development Proposal as it does not appear that there will be changes made to the current operations which would impact the local residents.

Mail-In Comments Received:

Do you support the project?

Comment 1: No, as I understand it the Venue is already serving liquor without a licence.

Response 1: All guests holding events at The Wallace Venue which serve alcohol are required to obtain a Special Event Permit or utilize their caterer's licence, and we require proof that one of these requirements have been met prior to allowing the event to proceed.

Do you have any concerns about the proposed project?:

Comment 2: Since the loosening of COVID restrictions on gatherings, The Wallace Venue has been the setting for many gatherings. When these gatherings end a large number of people spill out onto Victory Ship Way, with several being intoxicated and loud. This impacts residents in the area. In addition, rental vehicles arrive between 1200-0300 in the morning to clean out the venue. Providing The Wallace Venue with a zoning change that allows a Primary Liquor license will just lead to more frequent and regular larger parties that will cause more disturbances during the night.

Response 2: The Venue has been in operation since 2019 with alcohol service permitted by way of our clients obtaining a Special Event Permit or utilizing their caterer's licence. With the issuance of a Liquor Primary Licence the only change to the current operation would be that alcohol service would be managed by our team and allow for greater controls to be implemented to minimize the potential for guests being over served and adhering to service hours, age verification processes, etc. There is also the added benefit of additional Venue staff being onsite during all events and working with onsite security when necessary.

The City of North Vancouver's Bylaw and Engineering Department has confirmed that the late-night loading does not infringe on the City's Bylaws; however, we have requested that all vendors/suppliers that all late-night loading be carried out on Wallace Mews instead of Victory Ship Way in order to minimize the impact to the residents in the area.

Comment 3: Yes, There is a lot of noise especially in the summer on the terrace.

Response 3: Our hours of operation for all events require that all activity on the terrace cease by 11pm, after which guests are only permitted to be inside the venue. There is no live music on the outdoor terrace. Typically, there is background music played on the terrace during the wedding ceremony portion of events only.

What would you suggest to change or improve the proposed project?

Comment 4: The provided information provides no information on The Wallace Venue intent in applying for a Liquor Primary License. Residents and the CNV should be aware of the Venue's intent for their license application. For example, will they provide a permanent Family Foodservice, Catering, Minors, or Hours of Service. The CNV

should only allow this zoning change if there are real limits on the parameters surrounding The Wallace Venue license application.

Response 4: With the issuance of a Liquor Primary Licence, The Wallace Venue will adhere to all requirements and restrictions set out by the Liquor and Cannabis Regulation Branch with respect to food service and catering, minors, and hours of service.

Comment 5: There must be strict noise control especially late at night on the terrace in the summer.

Response 5: With the addition of liquor service, we anticipate that need for we will have 4-5 staff members onsite for the full duration of the events versus the one employee currently. The employees will be mandated to ensure that the Venue's operational guidelines are adhered which includes being considerate of the surrounding neighbours.

Any additional comments?

Comment 6: We understand that the CNV wants the Shipyards to have activities planned year-round and that event venues such as The Wallace Venue are an integral part of this plan. However, late night events featuring alcohol sales must be weighed against their venue being in the middle of a high-density residential area.

Response 6: The land use designation for the subject site is Mixed-Use Level 4A (MU4A) which supports a mix of higher-density multi-family and commercial uses. The proposal to include a Liquor Primary is supportable under the current designation within the Official Community Plan.

The site is currently zoned CD-393 and the subject unit falls within Parcel 9, as per CD-393's Schedule 58, which does currently support Liquor Primary Licence uses as an accessory provision to a Hotel Use. As there is currently no event space located at the hotel onsite, we feel The Wallace Venue provides the community and the hotel guests with the venue space which was intended to be part of the hotel.

General Comment received via email:

I am in favour of any alcohol liberation that reflects more a European model.

PROPOSAL SUMMARY

The Development Proposal is requesting a Zoning Bylaw Text Amendment to allow for a Liquor Primary Licence to be issued for the subject site, The Wallace Venue. The Liquor Licence which will be pursued is Event Driven, for events hosted within the venue only; similar to how the Polygon Gallery operates their event venue space.

As outlined in the Official Community Plan, the land use designation for the subject site is Mixed-Use Level 4A (MU4A), which supports a mix of higher-density multi-family and commercial uses. The proposal to include a Liquor Primary is supportable under the current designation.

The site is currently zoned CD-393 and the subject unit falls within Parcel 9, as per the CD-393's Schedule 58, which does currently support Liquor Primary Licence uses as an accessory provision to a Hotel Use. The hotel onsite currently does not have event space.

The intent of the Development Proposal is to provide The Wallace Venue with the ability to ensure more consistent control of liquor service with the desired outcome of improving our guests' experience while aligning with the dynamic of our neighbourhood.

The Wallace Venue has been in operation since 2019 and alcohol is currently permitted to be served by the guests that rent the venue obtaining a Special Event Permit or by using their Caterer's Licence. The alcohol service is managed by the guests or their caterers. With the proposed change to the zoning, the alcohol service would be managed directly by The Wallace Venue's team, allowing for greater control to minimize the potential for guests being over served and adhering to service hours, age verification, etc. The Liquor Primary Licence which will be obtained from the Liquor and Cannabis Regulation Branch (LCRB) requires that a variety of snacks and non-alcoholic beverages be available; having Venue staff members onsite will help to enforce that all LCRB regulations. There would also be the added benefit of The Wallace Venue staff being onsite during all events and working with onsite security when necessary.

For all events, activity on the outdoor terrace ends at 11pm and guests are required to remain inside the venue. The last call for alcohol service is at 11:30pm and all events are required to end by 12am. We do not expect that changes will be made to these hours of operation.

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8964

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2023, No. 8964**” (The Wallace Venue Corp., 125 Victory Ship Way, CD-393).
2. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by the following changes to the Comprehensive Development 393 (CD-393) Zone:
 - A. Subsection (3) in reference to Parcels 9 and 10, is hereby amended to include the following use in bold:

“(3) The following uses and no others shall be permitted:

On Parcels 9 and 10: [Bylaw 8493, July 25, 2016]

- Waterfront Commercial Use, including a Use located in a Mobile Cart
- Secondary Waterfront Commercial Use. A Secondary Waterfront Commercial Use shall only be permitted above the main floor.
- Pier Commercial Use
- Hotel Use, including an accessory Liquor Primary Licence (Lounge) Use
- **Liquor Primary Licensed event-hosting venue limited to one 728.4 square meter (7,840 square feet) unit located at the third/uppermost floor of the northwest building block on Parcel 9**
- Civic Use
- Child Care Use, subject to Section 607 (9)
- Accessory Off-Street Loading Use
- Accessory Off-Street Parking Use
- Off-Street Parking Use
- Off-Site Parking Use”

READ a first time on the <> day of <>, 2023.

READ a second time on the <> day of <>, 2023.

READ a third time on the <> day of <>, 2023.

ADOPTED on the <> day of <>, 2023.

MAYOR

CORPORATE OFFICER