

Discretionary Use – Tavern – 1527 Idylwyld Drive North

APPLICATION SUMMARY

Istifo Brothers Property Ltd. submitted a Discretionary Use Application requesting approval to change the land use from a Nightclub to a Tavern at 1527 Idylwyld Drive North, in the Mayfair neighbourhood.

RECOMMENDATION

That this report be forwarded to City Council recommending that at the time of the public hearing, the Discretionary Use Application submitted by Istifo Brothers Property Ltd., requesting permission for a Tavern use at 1527 Idylwyld Drive North, be approved, subject to the following conditions:

1. The applicant obtain a development permit and all other relevant permits and licences (including a building permit and business licence); and
2. The final Development Permit plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use application.

BACKGROUND

The subject site is zoned B3 – Medium Density Arterial Commercial District under Bylaw No. 8770, Zoning Bylaw, 2009 (Zoning Bylaw) (see Appendix 1 for Location Map and Appendix 2 for Fact Summary Sheet). The purpose of this district is to facilitate arterial commercial development providing a moderate to wide range of commercial uses on small to medium-sized lots. A Tavern is considered a Discretionary Use in the B3 District.

The existing site was previously approved as a Discretionary Use for a Nightclub in 2003. At that time, the Nightclub was approved with a site plan which provided for additional parking at the rear of the property on lots 1532, 1536 and 1540 Avenue B North.

DISCUSSION

The Discretionary Use application would provide for the use to change from a Nightclub to a Tavern and amend the site plan to remove the parking on lots 1532, 1536 and 1540 Avenue B North. Parking for the Tavern would be accommodated in the existing on-site parking located at 1527 Idylwyld Drive North. No expansions to the floor area and seating of the establishment are proposed (see Appendix 3 for Site Plan and Appendix 4 for Proposed Tavern Layout Plan). The applicant has indicated the proposed operating hours are from 11am to 12am daily.

The applicant has indicated that Lots 1532, 1536 and 1540 Avenue B North are not used for parking and the proposal would allow the sites to be developed in accordance with the R2 – One and Two-Unit Residential Zoning District.

Zoning Bylaw Requirements

The Zoning Bylaw defines a Tavern as “an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with

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or without food and where no live entertainment or dance floor is permitted.” The primary difference between a Nightclub and a Tavern is that a Nightclub has a designated area for live entertainment or dancing during certain hours of operation.

As per Zoning Bylaw regulations, a Tavern requires parking to be provided on site at a rate of 1 space per 10m² of gross floor area devoted to public assembly. The existing Nightclub is located within a Shopping Centre and there are currently 32 existing parking spaces located on the site. The number of parking spaces located on the site meets the Zoning Bylaw requirement.

This application complies with parking and all other Zoning Bylaw requirements for the B3 District. Subject to approval, a Development Permit Application outlining changes to the site plan and parking will be required for the final development.

Comments from Other Divisions

No comments were received from other Divisions that would preclude this application from being approved.

COMMUNICATIONS AND ENGAGEMENT

In August 2021, the Public Notice for this application was sent to the Mayfair Community Association, to property owners within approximately 150 metres of the site and the Ward Councillor. Notice of this application was also placed on the City’s Engage Page.

Three residents responded. One email cited concerns for any nightclub/tavern establishment operating during a pandemic. Two other residents were concerned that existing on-site parking would not be sufficient for the business to operate. There were also concerns raised regarding the future use of the residential sites currently operating as a parking station for the business. It was indicated that this parking station had ongoing maintenance concerns and one resident was concerned about maintenance of future residential development on the parking station site. Information was provided regarding on-site parking requirements in the B3 District, as well as clarification of the existing R2 Zoning for the parking station sites to the rear of the business.

PUBLIC NOTICE

Public notice is required for consideration of this matter, pursuant to Policy No. C01-021, Public Notice Policy.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Policy No. C01-021, Public Notice Policy, and a date for a public hearing will be set. The Planning and Development Department will give notice of the public hearing date, by mail, to property owners within at least 150 metres of the subject site. A notification poster will also be placed on the subject site and a notice will be placed in The StarPhoenix two weeks prior to the public hearing.

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APPENDICES

1. Location Map – 1527 Idylwyld Drive North
2. Fact Summary Sheet
3. Site Plan – 1527 Idylwyld Drive North
4. Proposed Tavern Layout Plan – 1527 Idylwyld Drive North

REPORT APPROVAL

Written by: Jim Charlebois, Senior Planner, Planning and Development
Reviewed by: Darryl Dawson, Development Review Manager
Reviewed by: Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services

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