



**Committee of the Whole Report
For the Meeting of May 8, 2025**

To: Committee of the Whole **Date:** April 24, 2025

From: Karen Hoesle, Director, Planning and Development Department

Subject: **Application for a New Liquor Primary Licence at 1415 Broad Street – Encore by Paparazzi**

RECOMMENDATION

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application of Encore by Paparazzi located at 1415 Broad Street for a new liquor primary licence conditional on the following:
 - a. The establishment having a total occupant load of 306 people with no exterior seating areas.
 - b. Hours of licenced service that are 7 p.m. to 2 a.m. daily.
2. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 124 owners and occupants, the City did not receive any letters of correspondence and the Downtown Residents Association confirmed it does not have any concerns to bring forward.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by Encore by Paparazzi (Encore) located at 1415 Broad Street. The business is seeking a new liquor primary licence having a 306-person occupant load with no outdoor seating and hours of licenced service that are 7 p.m. to 2 a.m. daily.

The space at 1415 Broad Street was previously used by the Victoria Event Centre which operated under a liquor primary licence with the same occupant load and hours as proposed by Encore. Encore is an expansion of the local business, Paparazzi (642 Johnson Street), which is an experienced and responsible operator. Based on the City's experience with the location and operator in addition to an absence of concern expressed, this report recommends support for the application as proposed.

PURPOSE

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by Encore by Paparazzi (Encore) at 1415 Broad Street. The Liquor and Cannabis Regulations Branch (LCRB) is requesting a resolution from the City of Victoria regarding:

1. impact of noise on nearby residents
2. impact on the community if the application is approved.

PROPOSAL

Encore is seeking approval for a new liquor primary licence having a 306-person occupant load with no outdoor seating and the following hours: 7 p.m. to 2 a.m. daily.

A letter of intent has been provided in Appendix A and includes information about the business model and the rationale for the licence application. A map of the subject property and the immediate area is provided in Appendix B and illustrates the 100m public notification area.

ISSUES & ANALYSIS

The following sections provide Council with information, analysis and recommendations for consideration of the Council resolution to the LCRB.

LCRB Jurisdiction

The Liquor and Cannabis Regulations Branch (LCRB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. The LCRB determines the category of licence appropriate or acceptable for the business based on submitted details. In the case of Encore, the establishment has proposed to be licenced under a liquor primary licence to accommodate the business model.

City Liquor Licensing Policy

The City's Liquor Licensing Policy (2017) is included as Appendix E and provides direction on the procedures for the liquor licence application process. The hours of licensed service proposed in this application for Encore are within the parameters of the City's policy.

Community Consultation

In accordance with the City's *Liquor Licensing Fee Bylaw* and *Liquor Licensing Policy*, all property owners and occupiers within 100 metres of the applicant's location (a total of 124 notices) were solicited by a mailed notice to provide input regarding this application. The notice was also sent to the Downtown Resident's Association. The public notification letter and poster reflected the applicant's intent to obtain a liquor primary licence, occupant load and requested hours of service. The comment period was open for 30 days.

The City did not receive any correspondence from recipients of the mailed notice and the DRA confirmed it does not have any concerns to bring forward.

Impact Assessment

Context

Encore is located in the Old Town District 1 zone, which permits a range of uses, including mixed-use buildings with residential uses. Drinking establishments are permitted in this zone, including facilities licenced through the *Liquor Control and Licencing Act* and entertainment venues with live or recorded music, night clubs, bars and pubs. The zone does not restrict the hours of operation or occupant loads of these establishments.

The business is located in a two-storey commercial building at 1415 Broad Street. Adjacent buildings include a mix of commercial and residential uses.

Operations

Encore will be a new business operating in the space that was previously used by the Victoria Event Centre which had the same occupant load and hours of licenced service as proposed by Encore. Encore is an expansion of business operated by Paparazzi Nightclub which is located at 642 Johnson Street. The applicant has provided a letter of intent, attached as Appendix A, which outlines their business operations and their approach to mitigate anticipated issues.

Noise Considerations

Based on the City's Noise Bylaw, this site is within the Intermediate Noise District and is subject to the noise limits prescribed for this district.¹ The Noise District Map is included in Appendix D and Appendix C illustrates the composition of licenced establishments in the area, which includes the block of the establishment and adjacent blocks.

The operator and owner of Encore (Paparazzi) has a long-standing history of responsible operations at 642 Johnson Street and the City has experience with the commercial space at 1415 Broad Street

¹ The Noise Bylaw sets limits for four key areas within the City: Quiet District, Intermediate District, Harbour Intermediate and Activity District. The Intermediate Noise District is limited to 60dBA at the point of reception until 10 p.m.; after 10 p.m., noise at the point of reception is limited to 50dBA in Quiet districts, 55dBA in Harbour Intermediate and Intermediate districts and 65dBA in the Activity district. 50dBA is comparable to rainfall, light traffic or a refrigerator and 60dBA is comparable to conversational speech or an air conditioner.

being operated responsibly under a liquor primary licence. Based on this experience, the proposed hours and occupant load are considered supportable.

Applicant Response

As a part of the liquor licence process, it is standard practice to provide the applicant with an opportunity to review the report recommendations, so they may provide a response to the report prior to the report being forwarded to Council.

The applicant has confirmed they are satisfied with the recommendations and have included a letter in response to the report. (Appendix G)

OPTIONS & IMPACTS

Option 1 (Recommend support of the application to the LCRB, subject to revised hours)

1. That Council supports the application of Encore by Paparazzi located at 1415 Broad Street for a new liquor primary licence conditional on the following:
 - a. The establishment having a total occupant load of 306 people with no exterior seating areas.
 - b. Hours of licenced service that are 7 p.m. to 2 a.m. daily.
2. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 124 owners and occupants, the City did not receive any letters of correspondence and the Downtown Residents Association confirmed it does not have any concerns to bring forward.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

Option 2 (Recommend decline of the application to the LCRB)

That Council does not support this application and recommends to the Province that the liquor primary license be declined.

Impacts

Accessibility Impact Statement

As the establishment is an existing building, current accessibility requirements may not be met. There is no retroactive application of accessibility requirements under the *BC Building Code* and the establishment is therefore conforming.

2023 – 2026 Strategic Plan

The recommendation to support the application is likely to support small business and the visitor economy, and work to strengthen and add vitality to the downtown core, consistent with the Strategic Objective for *Economic Health and Community Vitality*.

Impacts to Financial Plan

None.

Official Community Plan Consistency Statement

The proposed use is consistent with the Official Community Plan objectives for this neighbourhood.

CONCLUSIONS

Encore by Paparazzi is seeking approval for a new liquor primary licence with an occupant load of 306-people and hours of licenced service that are 7 p.m. to 2 a.m. daily. Based on the City's experience with the location and operator in addition to an absence of concern expressed, the application is considered supportable as proposed.

Respectfully submitted,

Ryan Morhart
Building and Inspection Services

Karen Hoesel, Director
Planning and Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Appendix A: Rationale Letter
- Appendix B: Site Map
- Appendix C: Vicinity Information and Map
- Appendix D: Noise District Map
- Appendix E: Council Liquor Licencing Policy
- Appendix F: Types of Liquor Licences Issued in the Province of British Columbia
- Appendix G: Applicant's Comments