

PURPOSE

The purpose of this report is to seek Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by the Victoria Event Centre to change their Liquor Primary License service hours at 1415 Broad Street as follows.

Current Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	5:00 pm	5:00 pm	5:00 pm	5:00 pm	5:00 pm	5:00 pm	5:00 pm
Close	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am

Proposed Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am

BACKGROUND

The Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local governments are asked to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding:

1. The potential for noise.
2. Impact on the community if the application is approved.

LCLB applications for a permanent change to hours of business for Liquor Primaries do not require the applicant to submit a corresponding letter of intent; however, the applicant has provided a letter of intent which provides necessary background and rationale for the request. (Appendix A)

A map of the subject property and the immediate area is attached to this report (Appendix B).

As noted above, this application is for a permanent change to the hours of liquor service for the Liquor Primary License. The Liquor Control and Licensing Branch is requesting a resolution from the City of Victoria regarding the application and the review criteria noted above.

ISSUES & ANALYSIS

The following sections will identify the key issues and provide analysis for Council's consideration.

City Liquor Licensing Policy

The City's Liquor Licensing Policy directs staff to consider applications for Liquor Primaries having hours of operation not later than 2:00 am. The applicable Council Policy is attached to this report (Appendix C).

The hours of licensed service proposed in this application are within the parameters of the policy.

City Referrals

An inter-departmental review of the project has been undertaken by City staff. The inter-departmental review includes circulation to Bylaw, Planning, Community Development, Engineering and Police Departments. That review has resulted in the following feedback:

- Planning and Engineering Staff have no objections to the application; Bylaw Services notes the location has not been the subject of a call for service, and is considered to be in good standing.
- Police have made the following comments regarding the application.

This change seems substantial given it is for liquor primary and major change in operating hours. The continuing expansion of liquor premises with later closing hours will put additional pressure on police resources during the early hours of the morning. It could add to street disorder/noise in and around the time of bar closing time (2am); this will add to police call load over and above the disorder calls. Police have concerns that calls for service will also increase due to potential noise complaints from 2 neighboring hotels – Hotel Rialto and Carlton Plaza Best Western

Police do not see there being any traffic congestion issues regarding this request.

Expanded service may contribute to the vibrancy of the city in some respects, but it is a challenge for a police department trying to manage our resources and keep all of Victoria as safe as possible.

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 establishment were solicited by a mailed notice to provide input regarding this application. In addition, Victoria Event Centre displayed a notice poster at its entrance for 30 days which invited people to provide input to the City with respect to this application.

Two letters were received opposing the application to change hours of liquor service. The letters of concern focused on the behaviours of patrons that congregate outside the centre and the negative impacts they have on nearby residents and businesses. These negative aspects include smoking, loud behaviour of patrons, public urination, noise of the establishment itself and general mischief. The DRA responded stating overall support for the application, but rationalized preference for the hours to be extended to 2am on Thursday, Friday and Saturday only. One letter was received in support of the application from the public.

All letters are available in Appendix D.

Applicant Response

As is standard practice as part of the liquor licence process, after City staff give input, the applicant has a chance to review the information (and this report) and respond prior to the report being forwarded to Council. The applicant has submitted correspondence which responds to this report and the public comment received and the application generally. The letter is available in Appendix E.

In summary, after conducting a review with respect to noise and community impacts, and soliciting community views regarding Victoria Event Centres' application to permanently change hours from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily at 1415 Broad Street, it is considered that the proposal is consistent with current City policy. Therefore, staff recommend that Council consider directing staff to notify the Liquor Licensing Agency that Council supports the application to extend hours of licenced service for the Liquor Primary License.

IMPACTS

Accessibility Impact Statement

None

Strategic Plan 2015 – 2018

The recommendation to support the application is likely to increase the business viability of the pub, which is consistent with Strategic Plan Objective #5 - *Create Prosperity Through Economic Development*.

Impacts to Financial Plan

None

Official Community Plan

The existing and proposed uses of the liquor primary license are consistent with the *Official Community Plan* objectives for this neighbourhood.

CONCLUSIONS

The application regarding the Liquor Primary License for Victoria Event Centre to change hours from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am daily is not in conflict with the City's current liquor licensing policy; therefore, staff recommend for Council's consideration that a resolution be made regarding the application, and that Council support the application to change the hours for the Liquor Primary License of Inn on the Harbour.

ALTERNATE MOTION (No Support)

Alternate Motion – Option #1

That Council, after conducting a review with respect to noise and community impacts regarding the application to extend hours of liquor service for a Liquor Primary License (303765), Victoria Event Centre, 1415 Broad Street, does not support the request for the amendment.

Alternate Motion – Option #2

Council, after conducting a review with respect to noise and community impacts, does support the application of Victoria Event Centre, located at 1415 Broad Street, to change the hours of liquor service from 5:00 pm to 1:00 am daily, to 9:00 am to 2:00 am on Thursday through Saturday, and 9:00 am to 1:00 am on Sunday through Wednesday.

Providing the following comments on the prescribed considerations:

- c. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected be a significant issue.

- d. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer. The Victoria Event Centre is also known to contribute positively to the cultural vitality of the region.
- c. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters opposed to the application, one letter from the Downtown Victoria Residents Association stating preferred hours and overall support, and one letter indicating support.
- d. Council recommends the issuance of the license.

Respectfully submitted,

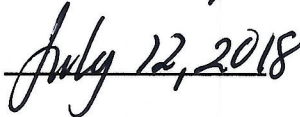

Ryan Morhart
Manager
Permits & Inspections


Jonathan Tinney
Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:



Date:



List of Attachments:

- Appendix A: Letter of Intent
- Appendix B: Aerial photograph (map) of the establishment and surrounding area.
- Appendix C: Liquor Licencing Policy – October 12, 2017
- Appendix D: Letters from the public
- Appendix E: Applicant Response to Report
- Appendix F: Provincial Liquor License Types