



*Experts in liquor licensing for the success of your business*

**APPLICATION FOR A LIQUOR PRIMARY LICENCE**

**AT: LEOPOLD'S TAVERN  
570 YATES STREET,  
VICTORIA, B.C. V8W 1K8**

**APPLICANT: LEOPOLD'S RESTAURANT VICTORIA INC.**

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**REVISED LETTER OF INTENT  
FOR THE APPLICATION FOR A LIQUOR PRIMARY LICENCE**

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Submitted to:

Liquor & Cannabis Regulation Branch  
400 – 645 Tyee Road  
Victoria, B.C.  
V9A 0B4

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## **LETTER OF INTENT FOR THE APPLICATION FOR A LIQUOR PRIMARY LICENCE**

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### **INTRODUCTION/PRIMARY FOCUS**

This Letter of Intent is provided in support of the application submitted to the Liquor and Cannabis Regulation Branch and the City of Victoria for a Liquor Primary Licence called Leopold's Tavern. The establishment is located in the Downtown area of Victoria on Yates Street near Government Street. This location is a great central location that serves not only the Downtown area, but has great links to Victoria West, Harris Green and North Park.

The proposed areas for licensing consist of the main bar area, patio and the corridor leading to the washrooms.

The estimated total occupancy is 120 patrons and staff inclusive of 20 person patio.

Included with the application is a copy of the proposed floor plan for this venue.

The maximum hours of liquor sales and service requested for this application are 9:00am to 12:00am, Sunday through Thursday and 9am to 1am on Friday and Saturday.

## **FOOD AND BEVERAGE SERVICE**

Leopold's Tavern is a unique food and beverage environment with an extensive menu of hot and cold items with appetizers, entrees & desserts. The menu is based around homemade comfort food, with different daily specials.

Beverages range from local craft beers, wine, coolers, spirits and non-alcoholic soft drinks.

## **SITE LOCATION**

The proposed licensed establishment is in a well-known part of town that has a mix of restaurants, coffee shops, offices, tourist attractions and clothing stores. The vibrant neighbourhood attracts both the residents of Greater Victoria and the tourists looking to enjoy the picturesque views in this historic commercial district.

As the establishment is located close to Government Street leading down to the waterfront, this will provide a significant amount of foot traffic. It is also located a short distance to the Johnson Street Bridge, the docks on David Foster Way and Wharf area.

## **COMPOSITION OF THE NEIGHBOURHOOD**

The proposed licensed establishment is located on Yates Street, in Downtown Victoria. The site is in the historic commercial district. The following is a list of the social facilities and public buildings in the immediate area of the site:

- Federal Government Office – Correctional Service of Canada, Transport Canada
- Pacific Rim College
- Victoria Academy of Dramatic Arts
- McPherson Playhouse
- City Hall

Attached are maps of the area showing the proposed establishment, and the identified social facilities and public buildings in the area.

The liquor primary licence will not impact negatively on these facilities and public buildings for the follow reasons:

- The establishment management will not permit the facility to impact negatively on the community and the nearby social facilities and public buildings;
- The area is a commercial district with other restaurants and liquor establishments nearby, so the impact to the local community is minimal;

- The applicant has multiple locations across Canada, so is experienced in running Liquor Primary establishments; and

### **IMPACT OF NOISE ON THE COMMUNITY**

The establishment will be conscious of the City of Victoria Noise Control Bylaw, and will make sure that noise is kept to a minimum. The City will assess this when the application is reviewed.

This is a neighbourhood pub style establishment and not a night club, so the ethos is to provide a relaxed and homely style atmosphere that caters to people who wish to enjoy local food and drink.

### **TARGET MARKET**

This proposed liquor primary licensed establishment will primarily cater to adults nineteen (19) years of age and older, however minors will be allowed until 8pm when escorted by an adult. The target markets are the residents of City of Victoria, along with its many visitors. The establishment will cater to a broad target with mixed occupations who may be enjoying a family meal or drinks with friends.

### **HOSPITALITY/TOURISM DEVELOPMENT FACTORS**

The proposed establishment will support the hospitality/tourism development factors by adding a different type of establishment to Yates Street. The current establishments that are located on this street are mainly clothing stores, coffee shops and restaurants.

### **BENEFITS TO THE COMMUNITY**

There will be many positive benefits to the community as the establishment will be a destination for patrons wanting to enjoy food and beverages in a relaxed setting. The benefits will also include:

- Tax revenue to all levels of Government;
- Direct and indirect employment opportunities for residents of Victoria;
- Provide an interesting and exciting new venue for family events, fundraisers, and community events;
- A community safety initiative to encourage people to appoint designated drivers, or alternative ways to get home safely and without drinking and driving; and
- Local charity support, which is something the applicant is currently involved in across the other areas where they operate.

## **TRAFFIC IN THE VICINITY**

The proposed venue will not impact negatively on traffic as this is already a destination that patrons visit to go for dinner or visit shops. It is in the core Downtown area with existing vehicle and foot traffic.

## **PARKING**

There is a parkade directly across the street at Bastion Square Parkade 575 Yates Street that has 361 parking spaces. There are also additional parkades approximately 122 metres, 150 metres and 190 metres from the establishment location.

There is also limited on street parking available along Yates Street and the surrounding area.

## **PROXIMITY TO OTHER LIQUOR PRIMARY LICENSED ESTABLISHMENTS**

The closest Liquor Primary licensed establishments are:

- Yates Street Taphouse & Grill, 759 Yates Street
- Irish Times Pub, 1200 Government Street

The proposed Liquor Primary Licence for Leopold's Tavern will not impact on the above licensed establishments as they are not in direct proximity and at least 100 metres apart.

## **OTHER FACTORS**

- The addition of a Liquor Licence to the establishment will contribute to the tourism, and hospitality in the community;
- Liquor service will be provided to only adults, and no minors will be permitted; and
- The licensed taverns that the applicant has in Alberta, Saskatchewan and Manitoba have not had any problems in the past. They have a good reputation within these provinces.

All of which is respectfully submitted this July 22, 2019.

**Edna Lizotte**  
**Rising Tide Consultants Ltd.**  
**1620-1130 West Pender Street**  
**Vancouver BC V6E 4A4**

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www.risingtideconsultants.ca  
1620-1130 West Pender Street, Vancouver, BC, V6E 4A4 604-669-2928





## Sidewalk Café Guidelines

Sidewalk cafés add vibrancy to our community and provide a welcoming place for people to meet, relax and dine. They can transform our streets by creating energy and drawing people into the area.

In the City of Victoria, sidewalk café licenses allow businesses to expand their restaurant or café to provide outdoor seating in some public spaces including sidewalks. The sidewalk café guidelines are intended to clarify and provide standards for sidewalk cafés in order to enhance the quality and safety of the pedestrian experience and to encourage economic vitality and street activity.

### General

The main function of sidewalks is to support the movement of people throughout the city.

- Locations and design of sidewalk cafés should enhance the pedestrian experience along sidewalks and not negatively impact the movement of people or vehicles in the area.
- A sidewalk café can be allowed only if its location and construction will maintain a safe, secure and comfortable environment for pedestrians using the public right-of-way.
- A sidewalk café should reinforce the character of the area. The design and materials should respect the setting of the surrounding streetscape, buildings and neighbourhood.
- Sidewalk cafés should not negatively impact key public view corridors noted in other City policies.

### Open Appearance

Sidewalk cafés should have an open appearance and contribute to a feeling of vibrancy and activity on the street. Sidewalk cafés cannot be fully enclosed. While it is important that Sidewalk Cafés contribute to street vitality, it is equally important that they do not cause noise issues, particularly at

night. To ensure that Sidewalk Cafés comply with the Noise Bylaw, applicants may be required to provide more information, such as a noise assessment report, and/or make design changes to mitigate potential noise issues.

### Maintain Accessibility

Sidewalk cafés should be designed to be accessible both inside the café and in the surrounding areas.

- A minimum horizontal clearance of 1.5 m from the sidewalk café to the nearest sidewalk obstruction, such as a tree, bike rack, sign post, utility pole, bench, portable sign or bus shelter, is required to allow pedestrian passageway. A clearance greater than 1.5 m may be required in high pedestrian flow areas. The clearances for pedestrian passageway should remain as straight and clear as possible.
- Access and passageway for pedestrians must only be on sidewalks or hardscaped surfaces for pedestrian safety and to avoid damage to grass, trees, and other vegetation. Access and passageway must not include tree grate surfaces or other tree well areas covered by pavers or other material.
- Unless the sidewalk café has permission

to occupy the adjacent parking stall, a minimum clearance of 1.0 m from the nearest curb is required to separate the sidewalk café from traffic and parked cars. A distance greater than 1.0 m may be required in high traffic areas to ensure public safety.

### Maintenance and Operations

The business with the sidewalk café licence is responsible for its maintenance.

- The business holding the license is responsible for the proper maintenance of the sidewalk café at all times, including repairs, painting, cleaning, and hazards.
- No cooking is allowed in the sidewalk café area.
- Trash receptacles are not permitted within the sidewalk café area.
- All objects associated with a sidewalk café such as furnishings, awnings, umbrellas, signage, lighting, and planters should be located within the sidewalk café area at all times with no parts overhanging outside of the area.
- Sidewalk cafés may be built only in locations where they do not obstruct access to public utilities, service connections, access for emergency vehicles and exits from buildings

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### Maintenance and Operations, continued

- A sidewalk café must not obstruct delivery access to buildings.
- Sidewalk cafés must not obstruct access to hanging basket lamp poles.
- The design must promote visibility to passing traffic and maintain clear sightlines at intersections and crossings.
- The design, location, and area of the sidewalk café must not adversely affect boulevard vegetation such as grass and trees or prevent City access and maintenance.
- Trees which have tree grates or other tree well areas covered by pavers and other materials should not be included in a sidewalk café area without additional fencing to keep patrons and site furniture away from these areas.
- Roadway and curb drainage must be maintained.
- All objects fixed in place, such as fences and railings, must be of significant strength yet allow easy removal within two working days.
- A removable deck may be approved if there is a need to level a steep incline (more than 5%) or to harmonize indoor and outdoor seating levels.

### Impacts to Neighbouring Trees and Boulevards

Consideration for neighbouring trees and boulevards should be taken into account with the design of sidewalk cafés.

- A sidewalk café must not cause damage to a street tree.
- No items including, but not limited to, signage, banners and lighting may be hung, attached, draped or affixed to a street tree.
- No liquids or cleaning products shall be dumped, allowed to flow or to drain in to a tree well or City drains.

- No pesticide or fertilizer applications shall be applied to street trees

### Furnishings

- Furnishings such as tables, chairs, and accessories should be moveable and of a solid weight for stability.
- Furnishings should be commercial grade, safe, sturdy, durable material and manufactured for outdoor use.
- All furnishings and accessories must be contained within the perimeter of the sidewalk café area.
- Furnishings must be limited to dining purposes only (e.g. tables, chairs, and accessories) and not obstruct the entrance to the café.

### Weather Protection

- Awnings should be mounted on a removable wall bracket and be retractable.
- Weather protection, such as awnings, umbrellas or other similar solutions should be constructed of flame-resistant and fade-resistant canvas.

### Heating

- Heaters must not be placed within the dripline and/or closer than 2 metres from any part of adjacent street trees.
- The visual impact of heating devices/systems should be considered and arranged to be as unobtrusive as possible.
- All outdoor heating devices should be appropriate for use in a sidewalk café and complement the character of the business to which it is associated.
- All outdoor heating devices must conform to safety standards established by the Canadian Standards Association (CSA) and certified by Underwriters' Laboratories of Canada (ULC), where necessary.

### Lighting and Signage

Lighting fixtures should complement the character of the business.

- Lighting levels should be low and directed into the café rather than out towards the street.
- Light fixtures should complement the character of the business to which it is associated.
- No signage or third party advertising, other than for the business operating the café, is permitted.

### Use of Adjacent Parking Stall

Cafés or restaurants may apply to the City to use an adjacent parking stall for a sidewalk café. In these cases, the following guidelines apply in addition to the guidelines above.

A sidewalk café must:

- Provide a one metre buffer between the outer edge of the sidewalk café and adjacent travel lane and should not extend more than 2.5 m from the curb into the street.
- Have railings that are a minimum of 1.07 m in height from curb elevation on all sides that are exposed to the street with reflectors for visibility to traffic.
- Only be located where permanent parking or loading is permitted. It must not occupy a lane used by moving traffic at any time.
- Provide adequate space to allow vehicle access to adjacent parking stalls.
- Not be located on a street exceeding a running slope of 5%.

### FOR MORE INFORMATION:

City of Victoria

E: development@victoria.ca

1 CENTENNIAL SQUARE, VICTORIA, BC V8W 1P6 | victoria.ca



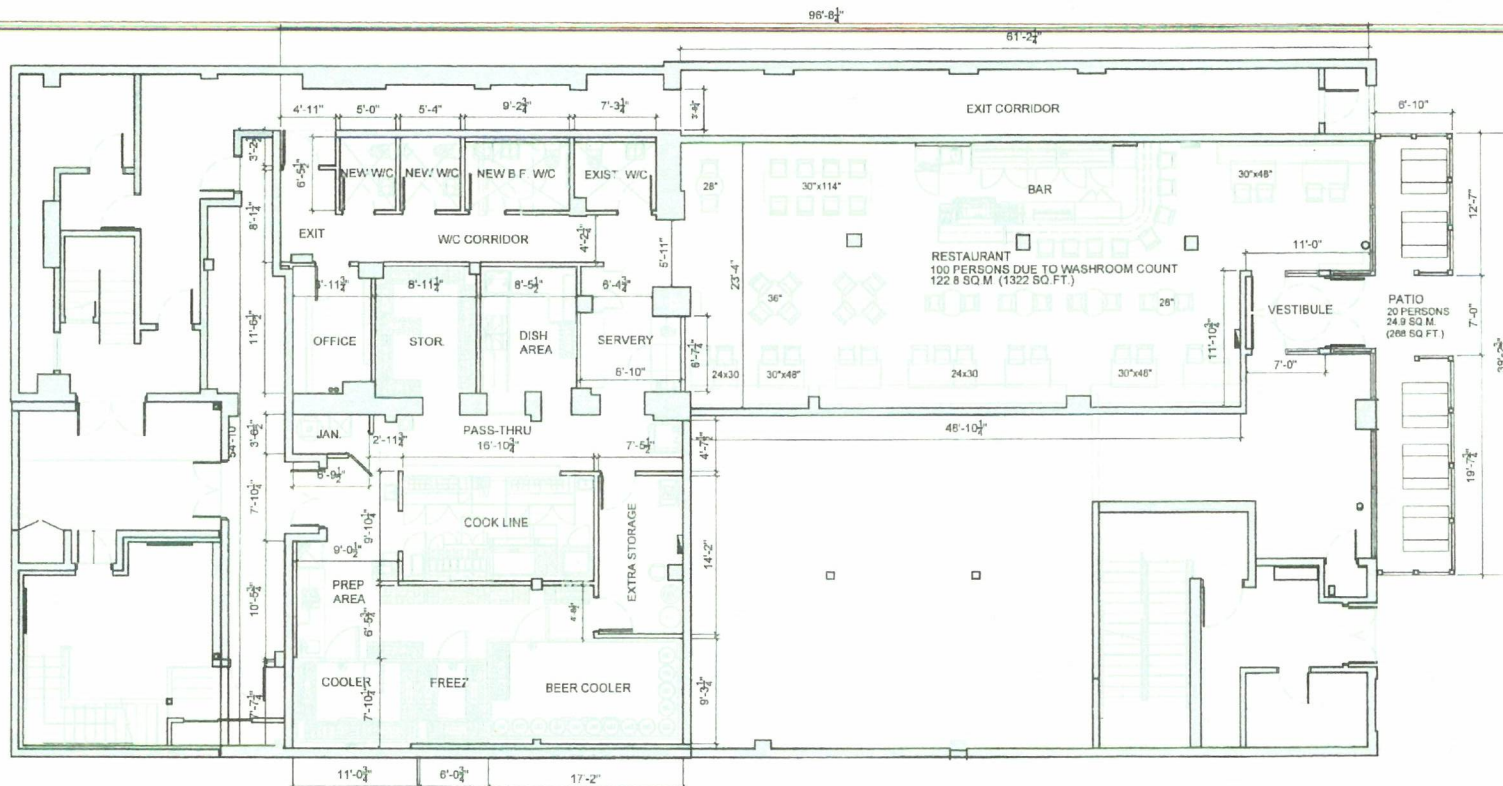
These guidelines provide guidance to applicants and City staff when reviewing applications.

For further detail, please refer to the Sidewalk Café Bylaw (No. 16-038). Additional City Permits may be required.










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## LEO'S VICTORIA LAYOUT

SCALE: 3/32" = 1'-0"

LEOPOLD'S VICTORIA  
293.8 SQ.M (3162 SQ.FT.)  
570 YATES STREET,  
VICTORIA, BC. V8W 1K8



| City of Victoria – Fire Department                       |             |   |              |
|--|-------------|---|--------------|
| * Occupant Load Reviewed Under Current BC Fire Code Only |             |   |              |
| Maximum Occupant Load is:                                |             | Fire Prevention Officer:  |              |
| Main Floor:  | 120 Persons | Name: Brad S. Felt  |              |
| Mezzanine:   | / Persons   | Signature:  |              |
| Patio/Deck:  | / Persons   |  |              |
| Total:   | 120 Persons | Date:   | June 7, 2019 |

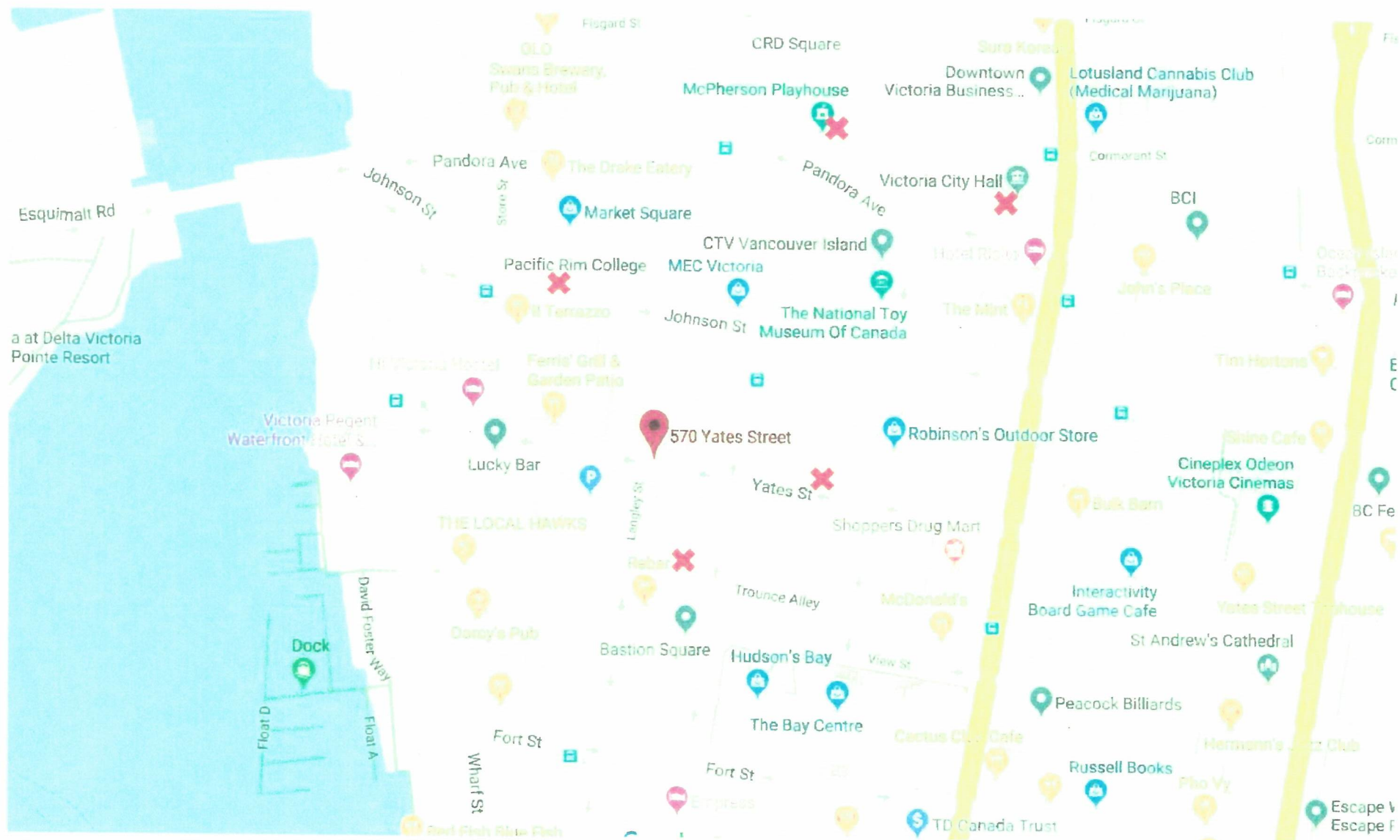


## Leopold's Tavern – 570 Yates Street, Victoria, BC





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