

From: Haden Chang [REDACTED]
Sent: August 12, 2019 10:46 AM
To: Ryan Morhart
Cc: [REDACTED]
Subject: Re: Update to Public Notification | Leopold's Tavern | Liquor Primary Licence | 570 Yates Street

Dear Ryan Morhart,

Thanks for getting back to us on this. With these changes to the proposal, we see no reason to change our stance from the one detailed in the email I sent back in May.

Thanks,
Haden

On Aug. 1, 2019 2:49 p.m., Ryan Morhart <RMorhart@victoria.ca> wrote:

Dear Haden Chang,

Thank you for your comments regarding an application for a new liquor primary licence for Leopold's Tavern at 570 Yates Street. On August 1st, staff were made aware that the public notification you previously received did not reflect amendments made by the applicant since the original notice was sent.

The previous public notification which provided opportunity for comment ending on May 31st, 2019 reflected proposed hours of operation from 9:00 am to 2:00 am daily and a total occupant load of 100 person and no exterior seating.

Following this notification period, the proposal was revised and now includes reduced hours, an outdoor patio and a total occupant load of 120 persons.

Council has postponed making a decision on this Liquor License Application, to allow another public notification process to provide additional opportunity for comment, ending on **September 2nd, 2019**. The updated public notification will include a new mailout and updated notice posting at 570 Yates street including the following updated details:

Notice of Application for a Liquor Primary Licence having hours of operation from
9:00 am to 12:00 am Sunday to Thursday and 9:00 am to 1:00 am Friday and Saturday
and a total occupant load of 120 persons with 100 allocated to the interior and 20
to an outdoor patio

We would like to provide you with an opportunity to update your comments in light of this new information. We apologize for any inconvenience and will ensure that public notices are re-conducted to reflect amendments to applications when they occur. Your comments will be provided to Council for consideration.

Please contact Ryan Morhart, Manager of Permits and Inspections, at 250-361-0241 or at rmorhart@victoria.ca if you have question regarding the amended application or opportunity for public comment.

Sincerely,

Ryan Morhart

Ryan Morhart

Manager & Chief Building Official

Permits & Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0241 **F** 250.361.1128



From: Haden Chang [REDACTED]
Sent: May 21, 2019 3:22 PM
To: Ryan Morhart <RMorhart@victoria.ca>
Subject: Response to the notice of 570 Yates St. obtaining a liquor primary licence

Manager, Permits & inspections

Sustainable Planning and Community Development Department

1 Centennial Square

Victoria, BC V8W 1P6

Hi,

On behalf of Wing Lee Holdings LTD. who own's a property within 100 meters of 570 Yates St., and in response to the notice of application for a liquor primary licence having hours of operations from 9:00 am to 2:00 am daily and an occupant load of 100 persons inside with no exterior seating, we would like to state that we are not opposed to Leopold's Tavern serving alcohol although we are opposed to Leopold's Tavern serving cannabis marijuana as there are already 4 cannabis dispensaries within 100 meters of our property and we are concerned of how the decrease in air quality may affect traffic through the area.

Thanks.

Haden



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

Mayor Lisa Helps and Council
City of Victoria
c/o Mr. Ryan Morhart – Manager, Permits and Inspections
No.1 Centennial Square
Victoria, BC
V8W 1P6

May 28th, 2019

Re: Application for Liquor Primary Licence – Leopold's Tavern

Dear Mayor Helps and Council,

The DRA Land Use Committee has reviewed the application for a new Liquor Primary Licence for Leopold's Tavern at 570 Yates Street. It is our understanding that the applicant is seeking hours of operation from 9:00 am to 2:00 am daily with an occupant load of 100 persons inside with no exterior seating.

Feedback from the committee is as follows:

- Lucky Bar and Fiamo are the only late night liquor or food primary liquor establishments currently operating on the 500-block of Yates St that are open until 2:00 am. Both of these establishments were in business prior to any residential development on the block.
- Steamers Pub previously operated on the ground floor of 570 Yates St, the same location proposed for Leopold's Tavern, and operated from 1993 to 2007. In 2007, with a plan to develop residential units in the upper floors, the owner cited "obvious incompatible uses" between the residential units and a pub. Subsequently, Steamers Pub was permanently closed in December 2007 and the ground level premises were converted to retail.
- Approximately 75 new residential units have been created within the 500-block of Yates St since 2008; with more than half of those located at 570 Yates St and the neighbouring building.
- With the building on the N.W. corner of Government and Yates currently listed for sale, there is the potential for the addition of even more residential units.
- The insertion of a new late night liquor establishment within a residential building will create conflict between operators and residents.
- Under BC's Terms and Conditions for Liquor Primary Licences, live entertainment is permitted. Since there are residences above the proposed tavern, if this licence is granted, live entertainment should either be prohibited, or should be required to end by 10:00 pm as a condition of issuance of the licence.


- There have been a great number of applications for extended hours for food primary licences downtown recently, including at 538 Yates St. However, there is no City policy that applies within the downtown area regarding the siting of late night liquor establishments and proximity to residential development or vice versa.
- No City policy exists requiring residential developments to achieve mandatory standards of "sound transmission class" (soundproofing) for developments constructed within the "entertainment" areas of Downtown.
- No City policy exists requiring late night liquor operators to achieve mandatory standards of "sound transmission class" (soundproofing) between licenced spaces and residential units.
- The current COV noise bylaw is not suited to govern in cases of noise generated by liquor establishments.

The DRA LUC points out that the introduction of late night liquor outlets in established residential areas (or vice versa) has the potential to be highly problematic. This ongoing situation requires comprehensive policies be created to address and mitigate potential conflicts BEFORE they may arise. Certainly with the focus of much of the regional growth strategy on densifying the downtown area with many more thousands of residents, the need for such a policy is acute.

Lower Yates is, and has been, home to long-established, late-night clubs and restaurants (as well as several restaurants that are not open past midnight). Steamers was a long-established pub that operated mid-block for over a decade. The owner of the building that housed Steamers decided to convert the building to rental apartments and recognized that a pub and residences were completely incompatible, so the lease was terminated and Steamers shut down permanently. Establishing a late night liquor outlet again in the same location would undermine those efforts to provide a liveable environment for residents that have now established their homes on the block.

The DRA LUC points out that introducing late night activities into a residential area "after the fact" should be considered through a different and much more powerful lens. The alternative will simply be setting the residents and operators up for the inevitable but avoidable conflicts. DRA LUC members strongly support a vibrant downtown that includes late night drinking establishments but cannot support liquor service beyond midnight on the weekends with earlier weekday closings at a brand new liquor primary establishment co-located with many pre-existing residences.

Sincerely,



Wendy Bowkett
Land Use Committee, Downtown Residents Association

Ryan Morhart

From: [REDACTED]
Sent: August 12, 2019 3:41 PM
To: Ryan Morhart
Subject: 570 Yates application feedback

Hello,

I received a letter last week providing notice for business with-in 100 meters of 570 Yates.

I would like to provide my feedback to having the primary license of Leopold's Tavern extended into the late hours. I am against the extended hours and drinking on a patio on the sidewalk.

I have been at my location for over 11 years and have watched many things change over the years and some of the struggles I have dealt with. My main concern about this license is around drunk and disorderly behavior after hours and the urination into the doorways of the local small businesses. I have seen an exponential increase in pub and bar patrons urinating into our entrance way along Yates Street in the past couple of years. If the city is not going to increase the access to public washrooms into the area or patrol the issues on the street (reduced policing force), why are we promoting drinking in the downtown core in the late hours? I have seen and confronted many people (men) urinating in my doorway and each and everyone of them were bar/pub patrons. Leopold's Tavern is a drinking and party pub, and not a suitable location for such extended hours.

I recognize that Victoria is growing, but unsustainable social issues surround heavy drinking in our community. Why would the city be eagerly open to extending hours to an establishment that undermines our social health? In which the city has no concrete social services being provided or funded.

Lack of: policing force, public bathrooms and social program to deal with behavioral issues around heavy drinking make the extended hours of Leopold's not healthy for those of use that consider this our home, community and neighborhood.

Regards,
Scott Wingfield
604 Yates Street

Ryan Morhart

From: Skot Innes [REDACTED]
Sent: Monday, May 27, 2019 9:33 AM
To: Ryan Morhart
Subject: 570 Yates St.

I am a resident of 1314 Government St and am strongly against the license for having hours of 9-2am. I think the maximum late night hours should be 12am like the Drake etc. preferably 11pm.

If they receive a licence to 2am then every super drunk person who still wants to drink will come to that bar after all other bars are closed. I can't imagine that area become another Distrikt.

Sincerely,
Skot Innes

Ryan Morhart

From: Tim Grant [REDACTED]
Sent: August 12, 2019 8:57 AM
To: Ryan Morhart
Subject: Re: Update to Public Notification | Leopold's Tavern | Liquor Primary Licence | 570 Yates Street

Ryan:

The confusion on the application is disappointing. I assume this note has gone to all those who submitted a response. I worked hard to get many others to express opinion prior to the last council meeting.

Even with this change, my earlier comments still stand. Council does not seem to have any creative ideas for noise management that impacts residents in the area. Hence I do not agree with any development that increases noise level.

I have heard that redevelopment bylaws from the past restricted our building (Leiser) from installing double pane windows. Such was intended to support recreating historical design concepts. Perhaps Council could look at a program that would support residence to install upgraded windows that would better manage noise. Such a 'program' would certainly demonstrate a balanced approach to the issue,

Regards

Tim Grant

On Aug 1, 2019, at 3:48 PM, Ryan Morhart <RMorhart@victoria.ca> wrote:

Dear Tim and Sue Grant,

Thank you for your comments regarding an application for a new liquor primary licence for Leopold's Tavern at 570 Yates Street. On August 1st, staff were made aware that the public notification you previously received did not reflect amendments made by the applicant since the original notice was sent.

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Sincerely,

Ryan Morhart

Ryan Morhart
Manager & Chief Building Official
Permits & Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0241 F 250.361.1128

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-----Original Message-----

From: Tim Grant [REDACTED]
Sent: May 21, 2019 1:19 PM
To: Ryan Morhart <RMorhart@victoria.ca>
Cc: Tim Grant [REDACTED]
Subject: Leopolds Tavern

To whom it may concern,

Please accept our negative support to a liquor license being provided to Leopolds Tavern.

The block in question on Yates Street has a mixture of residential and commercial activity. Unfortunately the commercial activity, primarily Lucky Bar, is a catalyst to public noise through all hours of the night. The area does not need another drinking establishment that will only create more late night noise.

We have recently met the Mayor and other Municipal representatives to discuss noise management in the area. There was a commitment to explore solutions, but based on our experiences there does not appear to be a reduction in noise, especially after 2am closing hours.

Granting of a liquor license will only exacerbate an existing issue, without any mitigation for existing residence.

Please reject Leopold's request.

Thank you for the opportunity to input.

Tim and Sue Grant
202 525 Yates Street

Sent from my iPhone