

## Appendix H

### Leo's Liquor Primary Application – Applicant's response

The applicant is pleased that the staff of the City of Victoria are generally recommending approval of the application. However, we disagree with the proposed restricted hours of operation.

The applicant feels strongly that they should have the right to remain competitive with other similarly licensed establishments within the area that are open until 1am, 1:30am or 2am. Leopold's operates pub style establishments all over Canada, and they want to bring their concept to Victoria. The location they chose was previously licenced as Steamers Pub which had licenced hours of 11am to 2am seven days a week.

Originally we wanted similar hours to the other establishments in the area, but have agreed to reduce the hours based on the initial staff recommendation. The current zoning allows for a Liquor Primary establishment and allows for a 1am close. It's important to note that an earlier closure may also cause patrons to move to other establishments in the area which are open later and may already be at full capacity. This only promotes overcrowding and people on the streets. The best strategy for Cities is to have the same closing hours for all establishments so patrons just go home at closing time. If the hours are approved as proposed in this report, the applicant may have to consider moving their business to another municipality in order be in competition with the other similar pub establishments.

With respect to the police comments, we understand there may be challenges with other establishments, however the applicant should not be penalised for issues with other licensees. If one has a rotten apple in a basket you deal with that apple but don't stop placing other apples in the basket.

It should be noted that there has been a new decrease in Liquor Primary licenced seats in this area with the cancellation of the Plaza Hotel Licence earlier this year at 603 Pandora Ave. This establishment had a capacity of 225 persons and closing hours of 1.30am Monday to Saturday and 12 midnight on Sunday.

Applicant will also be writing directly to the Mayor and Members of Council to discuss this in further detail prior to the Committee of the Whole meeting on October 3, 2019.