



Committee of the Whole Report

For the Meeting of April 23, 2020

To: Committee of the Whole **Date:** March 27, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Update on Application for a New Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery at 1820 Government Street**

RECOMMENDATION

That Council receive this report for information.

ADDITIONAL INFORMATION

At the Council meeting of March 12, 2020, Council directed staff to provide information from the applicant on how the application is consistent with the food primary designation. There were also questions about the roles and responsibilities of the City and LCRB in the approvals process.

The approval of liquor licences is the authority of LCRB and they consider all aspects of applications against their guidelines. These guidelines assess aspects of the business subject to the terms and conditions of the licence under which the business may serve alcoholic beverages. In the case of food primary licences, determination that the primary purpose of the business is food involves consideration of kitchen equipment; furnishings and lighting; menu type; hours of entertainment and games to be offered; advertising; hours of operation; financial records; and ratios of food to liquor sales. These aspects of a restaurant are regulated by policy to ensure the operation of the restaurant and behaviour of patrons does not become so similar to that of a liquor primary license that the distinction between the two becomes blurred.

When local governments are referred an application it is for the purpose of providing comment regarding the impact of noise on nearby residents, impact on the community if the application is approved, or whether or not the application, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose. The City's review process includes public notification and circulation of the application to City departments for commentary.

At the Committee of the Whole meeting of March 12, 2020, Council requested information from the applicant to demonstrate how their application is consistent with the food primary designation. The applicant has provided a letter in response to this request which is attached as Appendix A. The letter provides additional information about the general business concept, the intended menu, target clientele, and the relationship of the establishments name to the food and beverage served.

The applicant has been in contact with the LCRB regarding their application and understands menu selection, name of the establishment and other aspects detailed in the Guidelines are subject to

review and approval of LCRB file managers and inspection staff. As local governments consider applications in parallel with LCRB review, specific issues about the in-process application for a Food Primary Licence with Entertainment Endorsement have not been conveyed to the applicant and are not made available to City staff.

Respectfully submitted,



Ryan Morhart
Manager
Permits & Inspections



Karen Hoese
Director
Sustainable Planning &
Community Dev.

Report accepted and recommended by the City Manager:



Date: April 17, 2020

List of Attachments

Appendix A: Letter from January Gin Joint & Eatery dated March 25, 2020