



## Committee of the Whole Report For the Meeting of March 5, 2020

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**To:** Committee of the Whole **Date:** January 30, 2020

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

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

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### RECOMMENDATION

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request and assumptions are the noise impacts would be comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 474 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.

### EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by January Gin Joint & Eatery. The application is for a new Food Primary Licence with hours of operation, being 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load

of 43 people and an entertainment endorsement. Provisions of an entertainment endorsement end at midnight, regardless of later closing hours.

January Gin Joint & Eatery's application for a new food primary licence with an entertainment endorsement is consistent with the City's current Liquor License Policy. The application has been reviewed by City staff including Planning, Engineering, Business and Community Relations, Bylaw, and Police against policy, and their inputs have been considered. Staff have not expressed concern for the application and police have indicated that the licence will have minimal effect in terms of its contribution to issues associated with late night liquor seats. LCRB regulations state that activities associated with an entertainment endorsement are required to end at 12:00 am. The proposal has also been considered in the context of the local vicinity and the City as a whole, all of which are reflected in this report and the resulting recommendation.

In addition, a public notification process was conducted, as required by the Liquor Licence Policy, to allow individuals and the community to share comments through written correspondence. Opportunity for public comment included one letter opposed to the application from the Downtown Residents Association.

Staff have recommended for Council's consideration that a resolution be made regarding the application, and that Council support the application for a new Food Primary licence having hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement at 1820 Government Street

## **PURPOSE**

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by January Gin Joint & Eatery for a new food primary license with an entertainment endorsement.

## **BACKGROUND**

The Liquor and Cannabis Regulations Branch (LCRB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. LCRB determines the category of licence appropriate for the business based on submitted details. In the case of January Gin Joint & Eatery, the establishment is regulated under a food primary licence.

This application is for a Food Primary licence with an entertainment endorsement and a letter of intent has been provided in conjunction with the application, included in Appendix A.

The applicant proposes hours from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement. The LCRB is requesting a resolution from the City of Victoria regarding:

1. The impact of noise on nearby residents.
2. Impact on the community if the application is approved.
3. Whether or not the amendment, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose.

A map of the subject property and the immediate area is attached to this report (Appendix B) and illustrates the 100m public notification area.

## **ISSUES & ANALYSIS**

The following sections identify key issues and provide analysis for Council's consideration:

### **Zoning**

Zoning for the establishment is OTD-1, which permits "drinking establishment," and "restaurant" uses and imposes no restriction on hours or occupant loads. Compliance would be demonstrated through application for a building permit and the resulting construction verified for compliance through the City inspection process related to an issued building permit.

### **Noise Bylaw**

The City's Noise Bylaw sets forth limits on four key areas within the City, which are the Quiet District, Intermediate District, Harbour Intermediate and Activity District. January Gin Joint & Eatery is within the Intermediate Noise District and limited to 60dBA at the point of reception during daytime hours, which end at 10:00 pm. During nighttime hours, noise at the point of reception received is limited to 50dBA in Quiet districts, 55dBA in the Harbour Intermediate and Intermediate districts and 65dBA in the Activity district. 50dBA is comparable to rainfall, light traffic or a refrigerator and 60dBA is comparable to conversational speech or an air conditioner. Where issues of non-compliance exist, Bylaw Officers and Police have authority to order compliance.

The City of Victoria Noise District Map is included for reference (Appendix C).

### **Vicinity and Municipal Impacts**

Predictability of noise related issues or other community impacts, negative or positive in effect, is challenging due to a number of variable factors. The business model, target clientele, quality of owner/operator, existing density of licenced capacity in the area, hours of service, demographics, and fluctuating populations due to tourism factor into predicting the likelihood of noise related issues and impacts on the community.

Consideration of those factors can assist a municipality to predict negative aspects associated with licenced establishments. The factors considered in conjunction with any application approval at time of consideration change over the life of a licenced establishment, and when they do change, and unanticipated issues arise, the fallback to re-establish compliance related to noise and other aspects is to use tools of enforcement. These tools include LCRB enforcement, which ensure responsible and appropriate service as required by the terms of the licence with LCRB. The Noise Bylaw can be enforced to bring an establishment into compliance, and police have additional authority to bring an establishment back into compliance where issues are more complex.

January Gin Joint & Eatery's application has been considered regarding the impact it would have on the community and its potential to generate noise related issues. The establishment is regulated under a food primary licence and has been compared in terms of existing capacity in the vicinity and citywide, for comparison and understanding of likely impact. Approval of the licence at this location will have the incremental impact of increasing licenced seating capacity in the vicinity by 2.9%. Other food primaries in the vicinity have compatible hours of business and occupant loads. City wide, incremental impacts on licenced seating capacity is 0.07%. Vicinity information is attached as Appendix D.

## **City Liquor Licensing Policy**

The City's Liquor Licensing Policy directs staff to consider applications for liquor licences having hours of operation not later than 2:00 am. The applicable Council policy is attached to this report (Appendix E). 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 was undertaken and included circulation to Planning, Engineering, Community and Business Relations, Bylaw, and Police. That review resulted in the following feedback,

### Planning

- The application is supportable as the establishment is zoned appropriately for its intended use.

### Engineering

- Transportation related noise impacts or general community impact are not anticipated.

### Community and Business Relations

- Community and Business Relations did not bring forward objections to this application.

### Bylaw

- Bylaw Services did not bring forward objections to this application.

### Police

- Police note the application is for a food primary licence outside the downtown core and that it shouldn't be significantly affected by, or contribute to, the collective and incremental effects of the increase in late night liquor seats. Full police comments are available in Appendix F.

## **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 applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, January Gin Joint & Eatery posted a notice poster at the entrance for 30 days, which invited input to the City with respect to this application.

Notices were mailed to 474 owners and occupants and in response, one letter was received from the Downtown Residents Association opposed to the application. The letter is available in Appendix G.

## **Applicant Response**

As is standard practice as a part of the liquor licence process the applicant has a chance to review this report and respond prior to the report being forwarded to Council. After the applicant reviewed City staff comments, the applicant chose to provide additional correspondence related to the staff review and the report. This correspondence is available in Appendix H.

## IMPACTS

### Accessibility Impact Statement

None

### Strategic Plan 2019 – 2022

The recommendation to support the application also supports the business plan of the establishment and presumably its long term viability, which is consistent with Strategic Objective #4 – *Prosperity and Economic Inclusion*.

### Impacts to Financial Plan

None

### Official Community Plan

The proposed license is consistent with the *Official Community Plan* objectives for this neighbourhood as the property is located within the Core Historic designation which permits a mix of uses including commercial, retail, office and multi-unit residential.

## CONCLUSIONS

The application of January Gin Joint & Eatery located at 1820 Government Street is supportable where hours of operation are from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, has an occupant load of 43 people, and an entertainment endorsement. Concern for the application was expressed by the Downtown Residents Association, however impacts are not expected as the establishment is relatively small, and the area is experienced with similarly sized establishments and hours of operation. Standard Food Primary Licenses allow licensed service up to 12:00 am daily without referral to local government and activities permitted by an entertainment endorsement are required to end at midnight.

## ALTERNATE MOTIONS

1. That Council, after conducting a review with respect to noise and community impacts regarding the application of January Gin Joint & Eatery, at 1820 Government Street, does not support the application.

Respectfully submitted,




Ryan Morhart  
Manager, Permits & Inspections



Karen Hoese, Director  
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:

  
Date: Feb 24, 2020

## **List of Attachments**

- Appendix A: Rationale Letter
- Appendix B: Site Map
- Appendix C: Noise District Map
- Appendix D: Vicinity Map
- Appendix E: Council Policy
- Appendix F: Police Comments
- Appendix G: Public Response from 30 day posting
- Appendix H: Applicants Comments
- Appendix I: Provincial Liquor License Types



January Gin Joint & Eatery Ltd.  
1820 Government Street  
Victoria, BC V8T 4N5  
C. 604-644-3042  
E. [tt@januaryinvictoria.com](mailto:tt@januaryinvictoria.com)

Mayor Helps and Council  
City of Victoria  
No. 1 Centennial Square  
Victoria, BC V8W 1P6

October 21, 2019

Letter of Intent Re: Application for Extended Hours of Liquor Service and Patron Participation  
Entertainment Endorsement, 1820 Government Street, Victoria, BC V8T 4N5

Dear Mayor Helps and Council,

I am submitting this letter to you in regards to my Application for an Extension of Standard Hours of Liquor Service for a Food Primary License and a Patron Participation Entertainment Endorsement at 1820 Government Street, in the City of Victoria.

I am intending to open a neighborhood Owner-Operated restaurant, January Gin Joint & Eatery, in the heart of the Brewery District, within the historic Lim Dat building. The establishment is centrally located in this increasingly popular destination area, just 1 block north of Chinatown.

January will offer it's over-the-age-of-30 target market both charcuterie and desserts, espresso, premium teas, and a limited selection of craft cocktails; supporting the neighbourhood's growing fine dining culture by providing a sophisticated yet comfortable stop both before and after your dinner plans. January is proud to be one of the many unique local, small businesses which are helping to grow and re-shape this neighbourhood, making it a desirable day and night destination for locals and tourists alike.

Our goal is to support the established restaurants within the neighbourhood such as Olo, Brasserie L'Ecole and Saveur to name a few; encourage new business to the area and help make Old Town, Chinatown and the Brewery District a more appealing destination for dining within the City of Victoria.

I am seeking a 1-hour extension past the (9am-midnight) Standard Hours of Liquor Service for a Food Primary License on the evenings of Thursday, Friday and Saturday only. I am proposing to be open for business from 3pm to 1am on these three evenings. I believe this will appeal to the customers exiting neighbourhood restaurants (which close at midnight) whom are seeking a nightcap, dessert, coffee, tea, or waiting for available taxi, ride-sharing or dial-a-driver services.

January is also seeking a Patron Participation Entertainment Endorsement, allowing it's customers to utilize the lower level of the establishment, when not reserved for private dining, for occasional dancing.

I have over 30 years of service and management experience in Hospitality and the Food and Beverage Industry. I hold my Serving It Right Certification from BC's Responsible Beverage Service Program. I have previously worked with City officials and local police to ensure guest and public safety during and after the consumption of alcohol in a restaurant and am well versed in the Noise Bylaws of the Intermediate (Noise) District of The City of Victoria as I live in the same neighbourhood as January is located.

I have every confidence that January Gin Joint & Eatery can operate responsibly, be compliant with *Local and Provincial Regulations* and be a welcome addition to the Brewery District. It will support and enhance, not disrupt, its home, its neighbourhood community and its city.

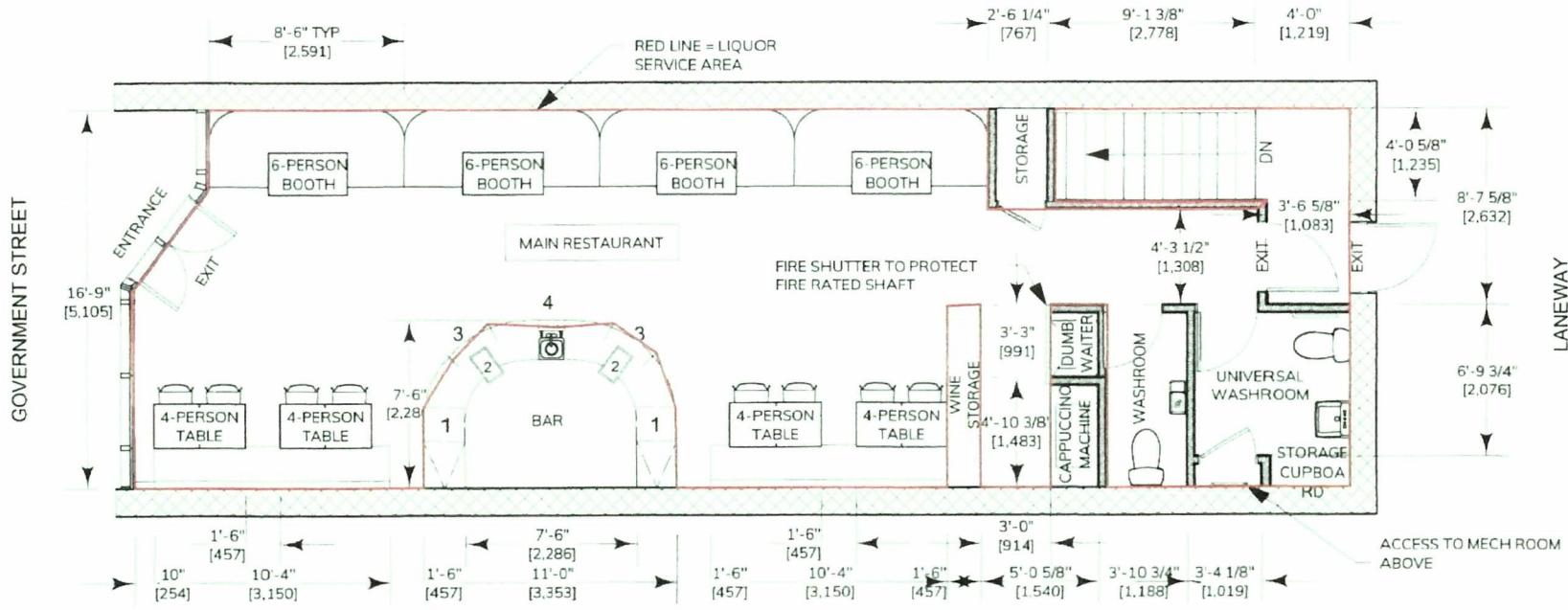
Please do not hesitate to contact me with any questions or concerns. Thank you for your time and consideration.

Respectfully,



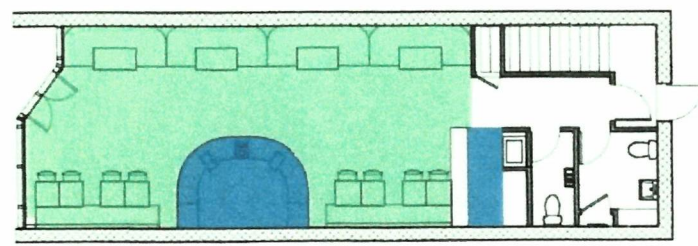
Tanya Topolniski  
Owner/Operator





**3 Main Floor**  
 LL103 Scale: 1/8" = 1'-0"

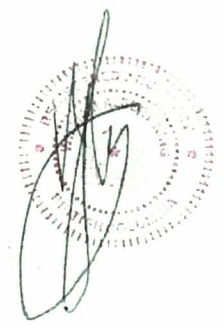
- EQUIPMENT LEGEND**
- 1 = BAR FRIDGE
  - 2 = ICE WELL
  - 3 = LIQUOR SERVICE AREA
  - 4 = HANDWASH/DUMP SINK



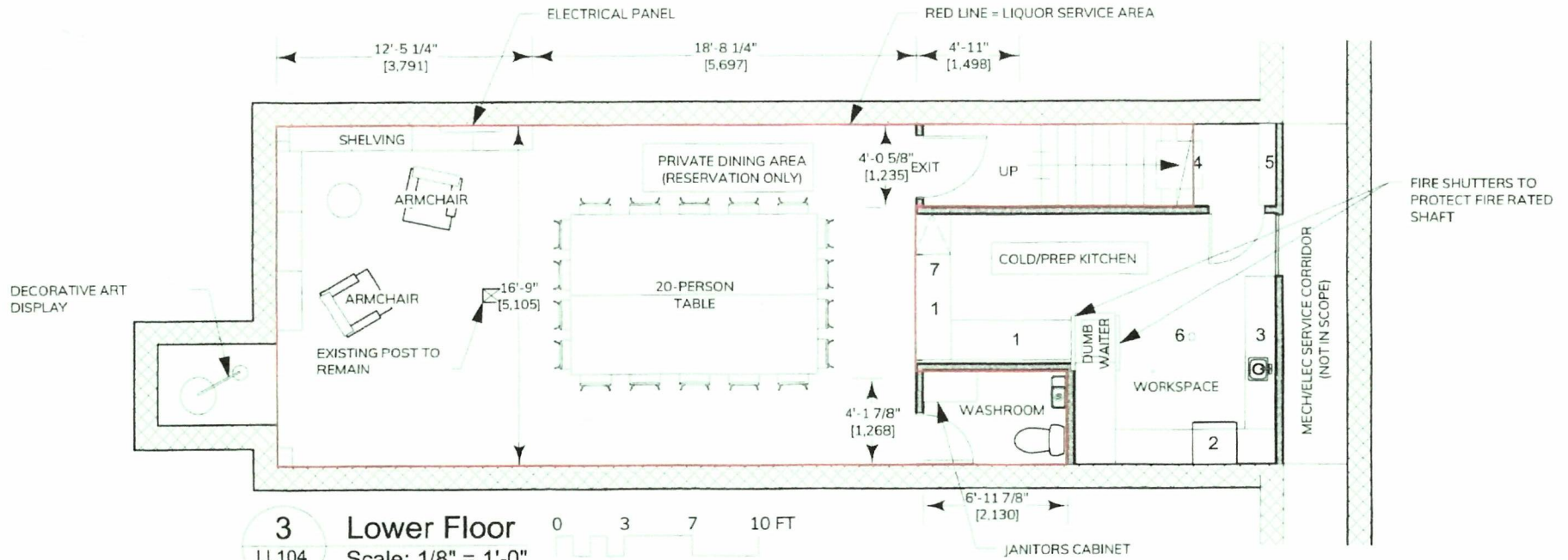
**MAIN FLOOR (48m<sup>2</sup>) OCCUPANT LOAD:**

CUSTOMERS (GREEN):	= 40 SEATS
STAFF (BLUE) MAX 3:	= 3
<b>TOTAL</b>	<b>= 43</b>

**1 Occupancy Calculation Key Plan**  
 LL103 Scale: 1/16" = 1'-0"

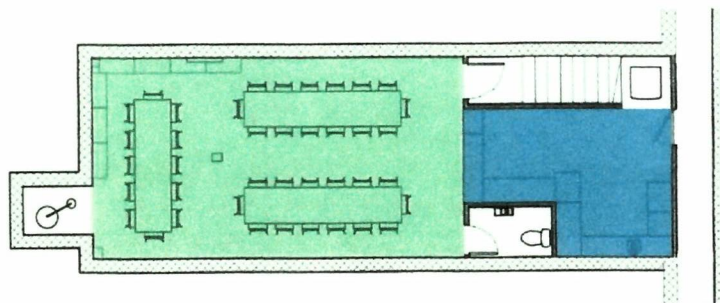


*October 17, 2019*



**3 Lower Floor**  
 LL104 Scale: 1/8" = 1'-0"

- EQUIPMENT LEGEND**
- 1 = REFRIGERATED SANDWICH STATION
  - 2 = DISHWASHER
  - 3 = HANDWASH/PREP SINK
  - 4 = KEGERATOR
  - 5 = STAFF LOCKERS
  - 6 = FLOOR DRAIN
  - 7 = OCCASIONAL LIQUOR SERVICE AREA



**4 Occupancy Calculation Key Plan**  
 LL104 Scale: 1/16" = 1'-0"

**LOWER FLOOR OCCUPANT LOAD:**

CUSTOMERS (GREEN):	= 22 SEATS
STAFF (BLUE) MAX 2:	= 2
<b>TOTAL</b>	<b>= 24</b>

*Oct 17, 2019*



A circular professional seal for a registered architect. The seal contains the text "REGISTERED ARCHITECT" and "PROFESSIONAL SOCIETY OF ARCHITECTS". A signature is written across the seal, and the date "02/17/2019" is written below it.



# JANUARY GIN JOINT EATERY

## **SMALL**

Trio of Olives ~ variety of small, medium & large olives to share

Hummus & Baguette or Crackers ~ roasted red pepper & garlic hummus with Fol Epi baguette or Lavash crackers

Sweet Pea Pesto Crostini ~ sweet pea pesto, roasted garlic, parmesan on toasted Fol Epi baguette

Baba Ganoush ~ Roasted Eggplant & Baguette

Marinated Mozzarella & tomato ~ fresh basil & chives, cherry tomatoes, mozzarella & Fol Epi baguette

Cheese & Zucchini Roulades ~ grilled zucchini, ricotta & parmesan, olives, fresh basil

Oven Roasted Root Vegetables - locally sourced potato, sweet potato, blue potato, taro root & parsnip oven roasted, salted & served with buttermilk ranch or vegan french onion dip

## **MEDIUM**

Antipasto Selection - pepperoncini, cherry tomatoes, olives, petite pepperoni & salumi, mushrooms, chickpeas, provolone cheese

Relish Plate ~ local brined, pickled, & marinated vegetables

Crudit  Tray ~ garden fresh vegetables, house made goat's milk yogurt dip or vegan french onion dip

## **LARGE**

Chef's Platter ~ Chef's selection of favorites from above

For Two \$ \_\_\_\_

For Four \$ \_\_\_\_

For More \$ \_\_\_\_

## CHARCUTERIE

A rotating selection artisan cheeses or vegan artisan cheeses, house preserves, smoked, cured & cooked meats or fish, house pickled vegetables, fresh fruits. All served with local Fol Epi whole wheat baguette. Start by choosing your board:

### Traditional

prosciutto, bresaola,  
jamón Serrano,  
peppered salami

### West Coast

smoked salmon,  
hot-smoked albacore tuna, cold-smoked  
halibut, west-coast mousseline

### Modern

foie gras, pâté grandmère  
hazelnut rillettes de canard,  
foie de volaille (chicken liver)

### Vegan

Very Good Butchers vegan pepperoni, roast beast  
& deli fowl and Sweet Earth traditional seitan  
slices & Harmless Ham™

For Two \$ \_\_\_\_

For Four \$ \_\_\_\_

For More \$ \_\_\_\_

*Customize with your favorite additions:*

### \$ \_\_\_\_ each

Neal's Yard Sparkenhoe Red Leicester      Neal's Yard Colston Bassett Stilton  
Neal's Yard Brightwell Ash      Gruyère      Salt Spring Island Cheese Co's St. Jo Feta  
Double-creamed Brie      Gouda      Gorgonzola      Salt Spring Island Cheese Co's Flower Chèvre  
Salt Spring Island Cheese Co's Herb and Garlic Ruckles      Aged Cheddar      Comte

### \$7 each

Pickled red onion      Pickled cauliflower      Kalamata olives      Castelvetrano olives  
Pickled asparagus stalks      marinated mushrooms      Pickled carrots  
Arbequina olives      Picholine olives      Pickled asparagus

### \$4 each

Crackers - apricot, fig & lemon raincoast crisps®  
Crackers - seasonal pumpkin spice raincoast crisps®  
Crackers - cranberry hazelnut raincoast crisps®  
Crackers - Gone Crackers™ olive oil & cracked pepper cracker  
Crackers - Seattle favorite mini Croccantini cracker

### \$3 each

Mango chutney      Blackberry jam      Red Pepper jelly  
Blueberry Jalapeno jelly      Caramalized onions

**Complimentary:** Extra baguette

## ***(Not Just For)* DESSERT**

Salted Caramel & Dark Chocolate Figs

Poached Pears - red wine poached pears, honey, ginger, cardamom syrup, honey-cinnamon crème fraîche

Almond & apple tart - autumnal apple & almond tart with slightly sweet, nutty frangipane filling. Served with Calvados Chantilly cream.

Lavender-Poached Peaches Blackberry bread pudding - lavender-spiked blackberry-peach compote, Fol Epi sourdough bread pudding, grand marnier infused heavy cream.

Poire William Charlottes - a pair of pear and pistachios infused cakes, filled with Bavaria cream

Basket of Profiterole - because 1 is never enough..

Champagne & raspberry possets - double cream, local raspberries & champagne

Chocolate coconut banoffee tartlet - bourbon-laced biscuit, caramel, banana toffee, & creamy coconut topping

Strawberry & elderflower trifle - ripe strawberries, ginger jelly, lemon drizzle cake, double vanilla cream

Gooseberry crème brûlée tart - seasonal fresh berries, sweet pastry, crisp cracked sugar topping

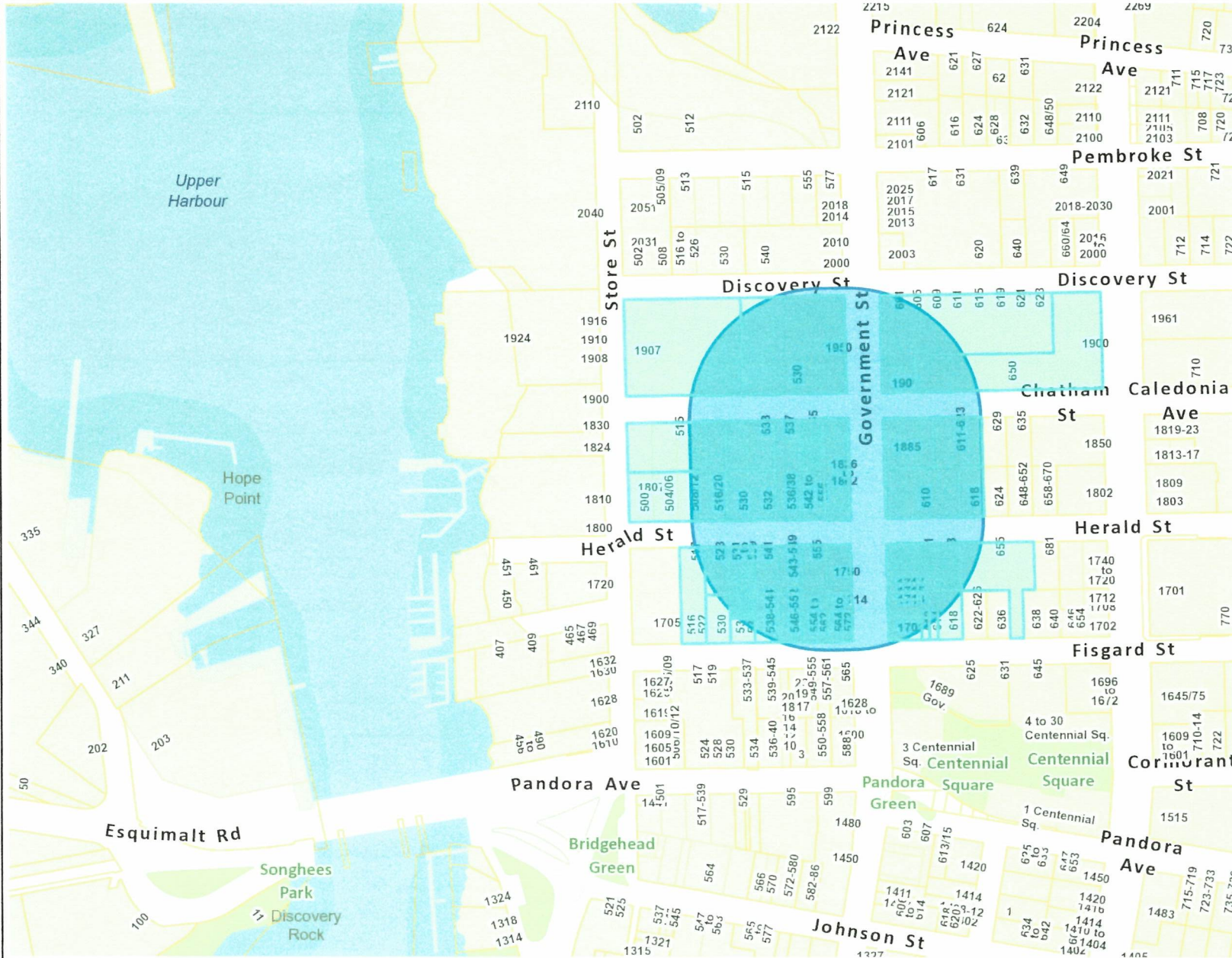
Cheese Platter - Chef's selection of cheese, vegan cheese or both

Chocolate Lover's Plate - a rotting selection of the world's finest

Classic English Lemon Curd - smooth, silky, tangy & tart

Pate de Fruit - a selection of classic sugared French fruit jellies

***\* Takeaway Baskets available for pick up until 1am***



Legend

Victoria Parcels

1: 4,317



Notes

219 0 110 219 Meters

NAD\_1983\_CSRS\_UTM\_Zone\_10N

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

January Gin Joint & Eatery  
1820 Government Street

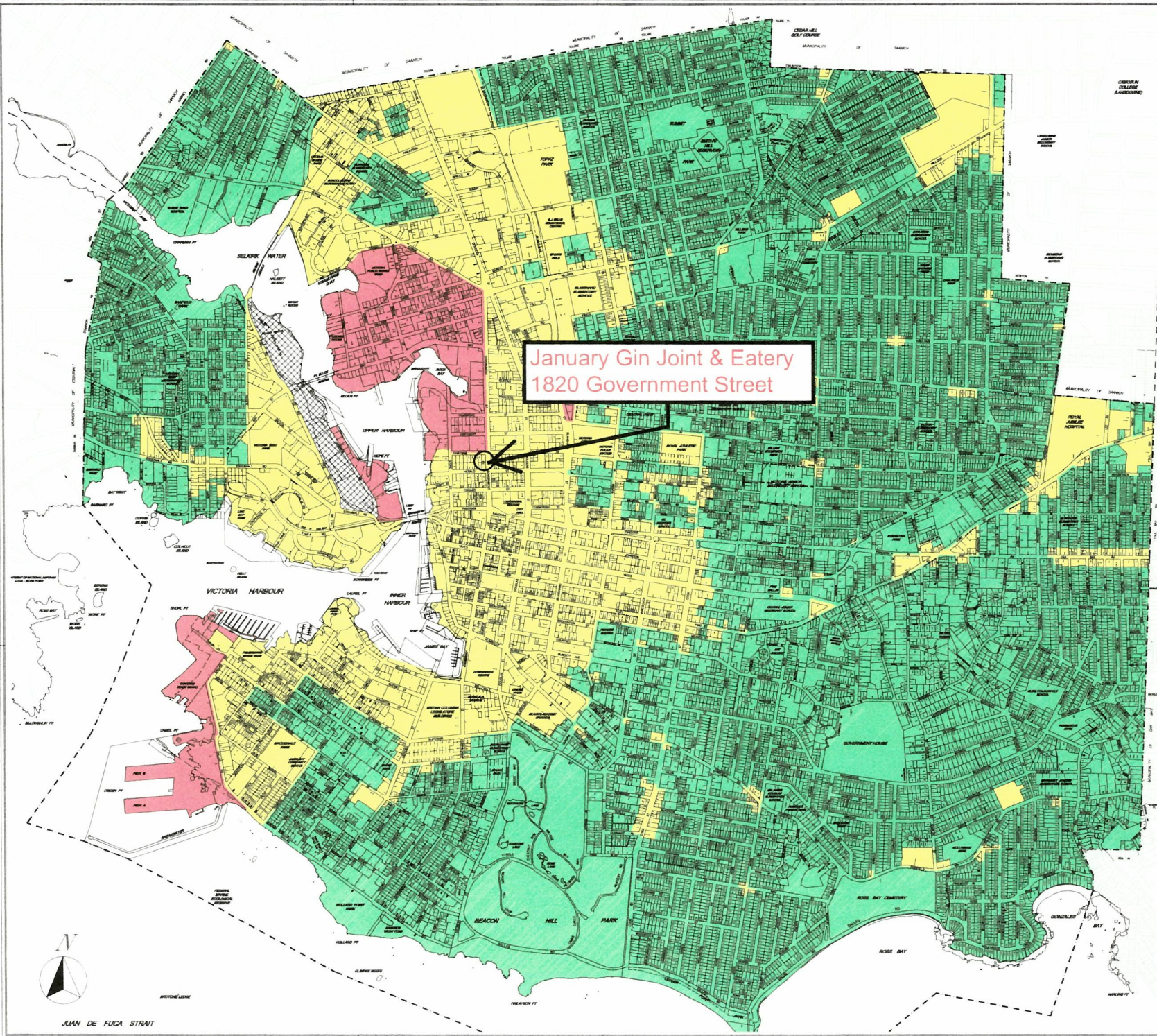


# City of Victoria Noise District Map

**LEGEND**

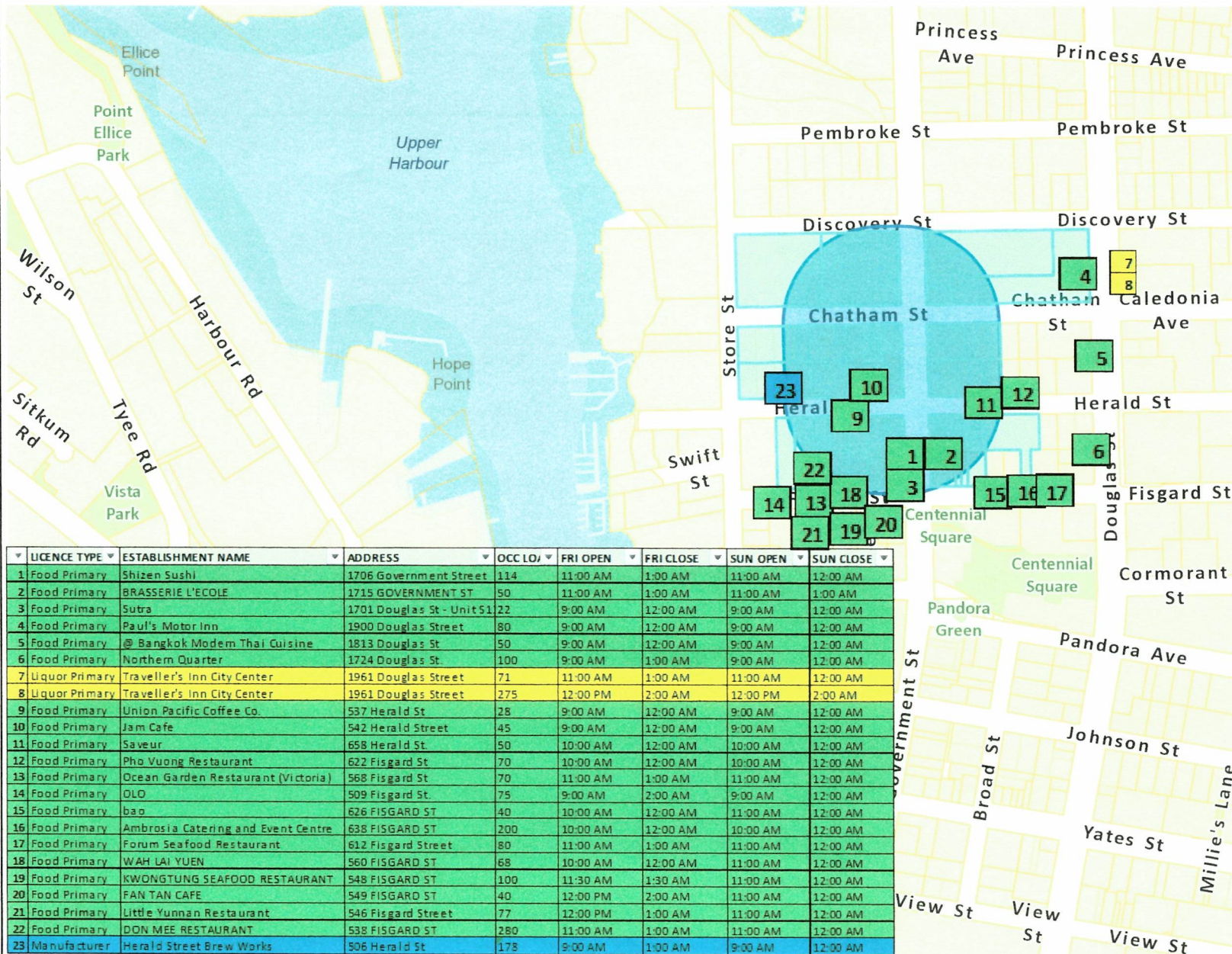
- Quiet District
- Intermediate District
- Harbour Intermediate District
- Activity District

Date: February 17, 2004  
Scale: Not to Scale



JUAN DE FUCA STRAIT





**Legend**

- Victoria Parcels

▼ LICENCE TYPE ▼	ESTABLISHMENT NAME	▼ ADDRESS ▼	▼ OCC LOJ ▼	▼ FRI OPEN ▼	▼ FRI CLOSE ▼	▼ SUN OPEN ▼	▼ SUN CLOSE ▼
1 Food Primary	Shizen Sushi	1706 Government Street	114	11:00 AM	1:00 AM	11:00 AM	12:00 AM
2 Food Primary	BRASSERIE L'ECOLE	1715 GOVERNMENT ST	50	11:00 AM	1:00 AM	11:00 AM	1:00 AM
3 Food Primary	Sutra	1701 Douglas St - Unit 51	22	9:00 AM	12:00 AM	9:00 AM	12:00 AM
4 Food Primary	Paul's Motor Inn	1900 Douglas Street	80	9:00 AM	12:00 AM	9:00 AM	12:00 AM
5 Food Primary	@ Bangkok Modern Thai Cuisine	1813 Douglas St	50	9:00 AM	12:00 AM	9:00 AM	12:00 AM
6 Food Primary	Northern Quarter	1724 Douglas St.	100	9:00 AM	1:00 AM	9:00 AM	12:00 AM
7 Liquor Primary	Traveller's Inn City Center	1961 Douglas Street	71	11:00 AM	1:00 AM	11:00 AM	12:00 AM
8 Liquor Primary	Traveller's Inn City Center	1961 Douglas Street	275	12:00 PM	2:00 AM	12:00 PM	2:00 AM
9 Food Primary	Union Pacific Coffee Co.	537 Herald St	28	9:00 AM	12:00 AM	9:00 AM	12:00 AM
10 Food Primary	Jam Cafe	542 Herald Street	45	9:00 AM	12:00 AM	9:00 AM	12:00 AM
11 Food Primary	Saveur	658 Herald St	50	10:00 AM	12:00 AM	10:00 AM	12:00 AM
12 Food Primary	Pho Vuong Restaurant	622 Figgard St	70	10:00 AM	12:00 AM	10:00 AM	12:00 AM
13 Food Primary	Ocean Garden Restaurant (Victoria)	568 Figgard St	70	11:00 AM	1:00 AM	11:00 AM	12:00 AM
14 Food Primary	DLD	509 Figgard St.	75	9:00 AM	2:00 AM	9:00 AM	12:00 AM
15 Food Primary	baø	626 FISGARD ST	40	10:00 AM	12:00 AM	11:00 AM	12:00 AM
16 Food Primary	Ambrosia Catering and Event Centre	638 FISGARD ST	200	10:00 AM	12:00 AM	10:00 AM	12:00 AM
17 Food Primary	Forum Seafood Restaurant	612 Figgard Street	80	11:00 AM	1:00 AM	11:00 AM	12:00 AM
18 Food Primary	WAH LAI YUEN	560 FISGARD ST	68	10:00 AM	12:00 AM	11:00 AM	12:00 AM
19 Food Primary	KWONGTUNG SEAFOOD RESTAURANT	548 FISGARD ST	100	11:30 AM	1:30 AM	11:00 AM	12:00 AM
20 Food Primary	FAN TAN CAFE	549 FISGARD ST	40	12:00 PM	2:00 AM	11:00 AM	12:00 AM
21 Food Primary	Little Yunnan Restaurant	546 Figgard Street	77	12:00 PM	1:00 AM	11:00 AM	12:00 AM
22 Food Primary	DON MEE RESTAURANT	538 FISGARD ST	280	11:00 AM	1:00 AM	11:00 AM	12:00 AM
23 Manufacturer	Herald Street Brew Works	506 Herald St	178	9:00 AM	1:00 AM	9:00 AM	12:00 AM

1: 5,821


**Notes**

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296 0 148 296 Meters

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	<b>Liquor Licencing Policy</b>	
	Page 1 of 2	
<b>SUBJECT:</b>	Liquor Licencing Policy	
<b>PREPARED BY:</b>	Sustainable Planning and Community Development	
<b>AUTHORIZED BY:</b>	City Council	
<b>EFFECTIVE DATE:</b>	October 12, 2017	
<b>REVIEW FREQUENCY:</b>	Every three years	<b>REVISION DATE:</b>

**A. PURPOSE**

The purpose of the City of Victoria's Liquor Licensing Policy is to provide direction to the following parties:

1. Liquor licence applicants on the process and fees associated with City of Victoria review of applications;
2. Liquor Control and Licencing Board (LCBC) on the types of applications that the City will opt-out of providing comment on; and
3. City staff on application review and public notification criteria for those types of liquor licence applications that require review by Council and opportunity for the public to comment.

**B. POLICY STATEMENTS**

1. This policy applies to liquor license applications in the City of Victoria.:
2. The city will opt out of the review and comment requirements for the following types of applications;
  - a. Liquor Primary with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
  - b. Manufacturer with Lounge Endorsement, Special Event Area, or Picnic Area with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
  - c. A temporary extension to hours of licensed service for all licence types up to 3:00 am on New Year's Eve.
  - d. The addition of an Entertainment Endorsement to any Food Primary with licensed service up to 12:00 am.
3. The City of Victoria generally does not approve the extension of liquor service past 2:00 am, with the exception of New Year's Eve, which allows for service up to 3:00 am. In extraordinary cases, the City may consider short term or one time provisions for allowing liquor service between 2:00 am and 9:00 am to accommodate international sporting or significant cultural events.

## **C. PROCEDURES**

A business engaging in the manufacture, sale or service of liquor must have a City of Victoria Business License to lawfully conduct its businesses.

The provincial government, through the Liquor Control and Licencing Branch, is the first and last point of contact for businesses interested in applying for a liquor licence.

The application process and related fees will be made available to any business or member of the public through the internet or by request.

For any liquor applications where the City of Victoria has not opted out of providing comment, the following provisions apply:

1. Public notification for comment will be placed at the site for a period no less than 30 days.
2. The City will provide public notification through mailed notice to all residents and businesses within a 100 metre radius.
3. The City will provide notification to the applicable community association.
4. When providing comment on an application, the City will include comments on those aspects within the parameters set by LCLB which currently include:
  - a. Noise impacts in the immediate vicinity of the establishment;
  - b. Impact on the community if approved (including the location of the establishment and person capacity and hour of liquor service of the establishment)
  - c. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose (only for food primary)

## **D. ENFORCEMENT POLICY**

Businesses that have a history of non-compliance with local and provincial government bylaws and legislation or re-occurring nuisance issues may be subject to a Good Neighbour Agreement that will be reviewed along with the annual renewal of a business licence. Lack of adherence to this agreement may result in a business licence being revoked. This will be assessed by staff on a case by case basis.

## **E. REFERENCES**

Business License Bylaw (89-071)  
Land Use Procedures Bylaw (16-028)  
Noise Bylaw (03-012)  
Liquor Licensing Fee Bylaw (01-06)

## **F. REVISION HISTORY**

None

**Ryan Morhart**

---

**From:** DoNotReply@escribemeetings.com on behalf of eSCRIBE Notification  
<DoNotReply@escribemeetings.com>  
**Sent:** Monday, June 18, 2018 3:15 PM  
**To:** Ryan Morhart  
**Subject:** eSCRIBE Task Alert: Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restoran...

This is an automated task reminder from eScribe.

A Task has been assigned to you does not have a due date.

Meeting: **VCC\_Jun14\_2018**

Agenda Item: **Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restaurant (Downtown)**

Due Date: **None**

**Task Description:**

That Council direct staff that all future liquor licence applications include a letter from the Police Department attached to the report.

To view the task, please [click here](#).

Please complete the task as soon as possible. Thank you.

**Ryan Morhart**

---

**From:** Watson, Cliff [REDACTED]  
**Sent:** January 30, 2020 4:21 PM  
**To:** Ryan Morhart  
**Subject:** RE: LL000311 January Gin Joint and Eatery | 1820 GOVERNMENT ST

Hi Ryan,

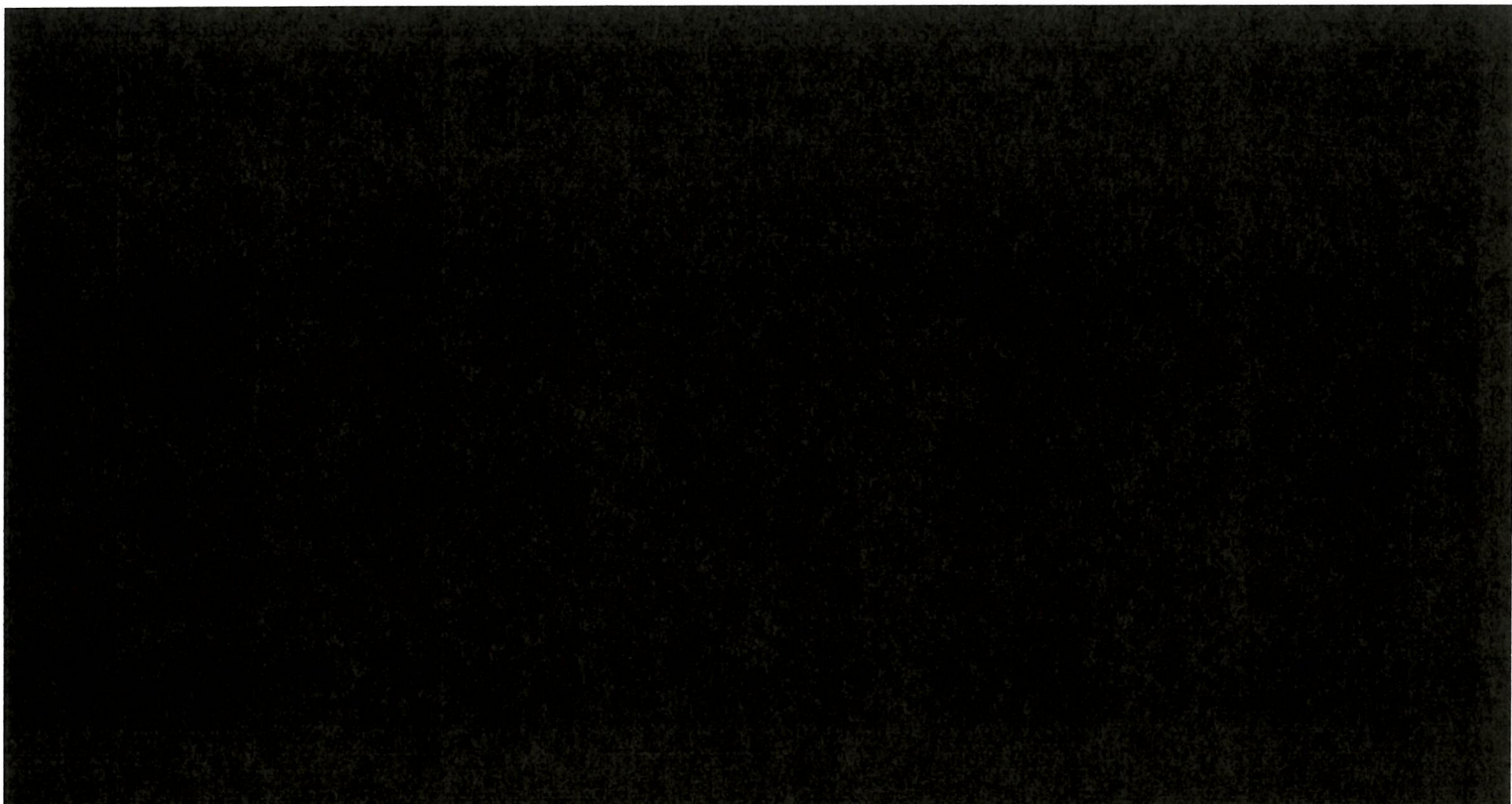
At this point, on this particular application, we will opt not to submit comments specifically in support of or in opposition against this application.

The application is for a food primary licence outside the downtown core, that shouldn't be significantly affected by, or contribute to, the collective and incremental effects of the increase in late night liquor seats.

Cliff



**Sgt Cliff Watson**  
Operational Planning  
Victoria Police Department  
850 Caledonia Ave  
Victoria BC, V8T 5J8  
Office. 250-995-7218  
[REDACTED]  
[REDACTED]





1715 Government Street  
Victoria, BC, V8W 1Z4

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

February 3<sup>rd</sup>, 2020

**Re: Application for Food Primary Liquor Licence with Patron Participation –  
January Gin Joint & Eatery**

Dear Mayor Helps and Council,

With regards to a Food Primary Liquor Application with Patron Participation for January Gin Joint & Eatery at 1820 Government Street, the DRA Land Use Committee understands the following:

- The application proposes operating hours from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday with an occupant load of 67 people.
- The applicant intends to operate from 3:00 pm to 1:00 am Thursday through Saturday.
- The Patron Participation Entertainment Endorsement is intended to allow customers to use the lower level of the establishment for occasional dancing when not being used for dining.
- The proposed establishment is intended to be a stopping off point before or after other dinner plans.
- The proposed food menu consists of charcuterie and desserts.

Feedback in response to the submitted plans is as follows:

- By only offering charcuterie and desserts, this application does not comply with the rules and requirements for food primary licences as set by the Liquor Control and Licensing Act. Specifically, Item 18 (b) states, “when liquor is being sold or served, there must be a varied selection of food items, including appetizers and

main courses or their equivalent, available for purchase and the food items must be prepared in a kitchen in the establishment”.

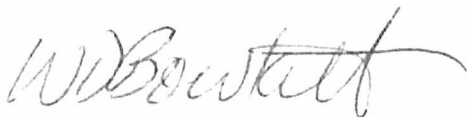
- From our records, there are 26 rental units in the two floors above the street level commercial units along Government Street. These units have provided living and working spaces for local artists and other residents. Going back to 1980, there has never been a licensed establishment in this building. Sager’s Home Living has been the anchor tenant all along.
- In general, the concept may have some appeal but co-locating it in a heritage building without sound mitigation long occupied by residents with the proposed hours of operation and the request for public participation is deeply troubling.
- This application appears to present a concept that is consistent with a licensed lounge and not a food primary.
- The Patron Participation Entertainment Endorsement cannot be supported in any way at this location to preserve the liveability for long-established residents in this building. If granted, there is no mechanism to prohibit this use on the ground floor directly beneath residents’ suites either by this operator or future operators.

In addition to the comments provided by committee and community members, we have concluded an assessment of the application in relation to our DRA LUC Liquor Policy (attached). We find that this application does not adequately meet the requirements in the following areas:

- Policy 1: Proximity to residential buildings and units
- Policy 2: Sound mitigation
- Policy 4: Days and hours of operation (Indoor seating)
- Policy 5: Excess patron noise
- Policy 7: Late night hours – rationale and justification
- Policy 8: Patron participation
- Policy 9: Entertainment endorsement
- Policy 10: Implications of licencing in perpetuity
- Policy 11: Food service strategy (Food primary licences)
- Policy 13: Level of support by residents

The DRA LUC points out that introducing late night activities into a residential building "after the fact" should be considered through a different and much more powerful lens. Co-locating these types of uses in a heritage building with no sound mitigation, for the hours proposed that includes patron participation and entertainment will inevitably result in conflict between residents and the business operator(s) and destroy the liveability of the residential units. DRA LUC members strongly support a vibrant downtown that includes a variety of late night establishments but we cannot support this food primary licence application as proposed.

Sincerely,



Wendy Bowkett  
Land Use Committee, Downtown Residents Association

**Victoria Downtown Residents Association  
Land Use Committee  
Liquor Primary & Late Night Food Primary Liquor Licence  
Applications: Policy  
02 February 2020**



The Victoria Downtown Residents Association's Land Use Committee ("LUC") has been extremely consistent in expressing concerns regarding Food Primary Applications that propose to operate after midnight and Liquor Primary Applications within the Downtown Harris Green Community. As residents, we support an active, dynamic community with a diversity of entertainment and business operations. In addition, we support the long-term coexistence of residential uses and business operations. The following policy provides clarity to community stakeholders regarding the parameters the LUC uses to assess each application. The LUC may withhold support for an application if any of the following aspects are not adequately addressed.

**1. Proximity to residential buildings and units**

Sufficient separation between licenced venues and residential units is required to ensure liveability for residents and the successful coexistence of licenced operations and residents. Support may be withheld for applications that propose inserting licenced venues proximal to residential units. We may decline to support any liquor application that is proposed to be located in an existing residential building. (Likewise, we do not provide wholesale support for the creation of residential units adjacent to established licenced venues without comprehensive mitigation strategies.)

**2. Sound mitigation**

Support may be withheld for applications that have not properly mitigated noise impacts on effected residential units through proper design and soundproofing assemblies with consideration for whether neighbouring residential units have sufficient window Sound Transmission Class Ratings and air-conditioning.

**3. Capacity (Indoor seating)**

Support for an application may be withheld if the requested capacity is expected to negatively impact the residential community. EG. Large capacity operations with late night hours of operation adjacent to residential units will not be supported.

**4. Days and hours of operation (Indoor seating)**

An application may be supported if the days and hours of operation are not expected to negatively impact the residential community.

**5. Excess patron noise**

Late Night Food Primary and Liquor Primary operations often come with associated nuisance noise, such as patrons congregating on the street, yelling, and smoking, etc, patrons exiting en masse on closing, and interior noise related to capacity. An application may be supported if excess patron noise is not expected to negatively impact the residential community.



**6. Outdoor seating (Patio or Sidewalk): proximity, capacity and hours of operation**

Hours of operation for outdoor seating areas may be regulated differently than for the related indoor operations. An application may be supported if the capacity and hours of operation for outdoor seating areas are not expected to negatively impact the residential community. The proximity of residential units to outdoor seating areas will be assessed on a case-by-case basis in terms of the potential impact.

**7. Late night hours – rationale and justification required for both Liquor and Food Primary**

Support for late night hours may be withheld if an applicant does not supply their rationale and justification for extended hours. These will be assessed on a case-by-case basis in terms of the potential impact on the residential community.

**8. Patron participation**

Support for the inclusion of patron participation will be assessed on a case-by-case basis relative to the other aspects of this policy.

**9. Entertainment endorsement**

Support for the inclusion of entertainment endorsement will be assessed on a case-by-case basis relative to the other aspects of this policy.

**10. Implications of licencing in perpetuity**

Support for an application will consider the potential long-term impact of the existence of the licence beyond the proposed business model and current operator/applicant.

**11. Food service strategy (Food primary licences)**

Applications for new food primary liquor licences requesting late operating hours will also be reviewed on the basis of their food service strategy. Support may be withheld if an application does not demonstrate that food service is the focus of the operation after midnight. Food primary applications for venues that intend to effectively operate as liquor primary venues will not be supported.

**12. Food Primary Licences: Sales records**

Applicants are requested to demonstrate that food service will remain the focus of their operations. Support for the extension of operating hours for existing food primary liquor licences will be determined on the basis of sales records for food and alcoholic beverages for evening hours. Food primary venues that intend to effectively operate as liquor primary venues in the late night will not be supported.

**13. Level of support of residents**

Support or concerns expressed by residents in the neighbourhood through letters and emails also inform the LUC and will shape the level of support for applications.



January Gin Joint & Eatery Ltd.  
1820 Government Street  
Victoria, BC V8T 4N5  
T. 604-644-3042  
E. [tt@januaryinvictoria.com](mailto:tt@januaryinvictoria.com)

Committee of the Whole  
City of Victoria  
No. 1 Centennial Square  
Victoria, BC V8W 1P6

February 14, 2020

In Regards To:

Application for Extended Hours of Liquor Service and Patron  
Participation Entertainment Endorsement, 1820 Government St,  
Victoria, BC V8T 4N5

Dear Mayor Helps and Members of Council,

Thank you for the opportunity to specifically address the concerns of the Downtown Residents Association Land Use Committee, in addition to any concerns or questions by Members of Council regarding my Application.

January Gin Joint & Eatery is a for-profit business and will be open during regular dinner hours of service, as well as before and after those traditional 5pm-9pm peak dinner hours of operation. In order to help grow and sustain a vibrant economy within the Old-Town-Chinatown-Brewery-Design Districts, businesses need to help attract consumers throughout the whole of the day and evening, providing reasons for people to stay in the neighbourhood longer; making it a destination within the City for locals and tourists alike. Our menu is designed to celebrate the restaurants within the neighbourhood rather than be in direct competition with them.

Everything old is new again with the contemporary charcuterie trend. From heritage meats to bold flavors to plant-based options (fig "salami" anyone?), specialty options are helping to drive consumer interest and boost sales. The meat department and deli counter represent a \$9 billion industry in the U.S. alone, with a \$200 million increase in sales dollars and volume growth

from the specialty deli meat segment in 2018<sup>1</sup>. Thanks to the widespread interest in nose-to-tail and farm-to-table cookery, chefs are taking a closer look at utilizing food waste with in-house charcuterie creations. The public's genuine like for eating pâté and terrines, and better-quality meat available from heritage breeds supports the industry growth. The concept of January Gin Joint & Eatery brings together this trendy but traditional style of sharing boards in lieu of more traditional-style evening meals, with craft cocktails & desserts for the perfect pairing.

By way of serving appetizers, charcuterie and desserts - rather than appetizers, more traditional evening-style meals, and desserts, we are hoping to support the already established fine and finer dining restaurants within the neighbourhood such as Olo, Brasserie L'Ecole and Saveur; as well as those new to the area such as Sherwood and the much anticipated new restaurant by the Toptable Group at 1515 Douglas. We feel our menu selection which includes 12 appetizers, 14 desserts and customizable charcuterie portions for any sized party to enjoy before dinner or in lieu of dinner is a more than adequate offering for our 40 seat restaurant<sup>2</sup>. We are not open for breakfast or lunch; nor are we a licensed lounge, bar or nightclub.

#### Our Target Market:

Before building our "before & after" dining and drinks destination, we conducted a market survey and feasibility study and we are certain that, in addition to the seasonal-based tourists, there is a wide range of local people who would patronize our establishment for dinner or before and after dinner on a regular basis. In view of that, we have created strategies that will enable us to reach out to various groups of people who are likely going to become our loyal customers. Below is our target market:

- 30+ year old customers
- Those seeking a more quiet, intimate space
- Charcuterie lovers
- Brasserie L'Ecole patrons waiting for a table
- Others frequenting downtown Victoria; specifically Old Town, Chinatown & the Brewery-Design District, as a destination for a dining experience
- Dessert & chocolate lovers
- High-end gin aficionados
- Craft cocktail lovers

#### Our Competitive Advantage:

Competition in the food and beverage industry will always remain intense. There is not currently a turn-of-the-century, Paris/London food-hall inspired charcuterie destination in Victoria. We are excited to be the first such establishment in the city and follow in the footsteps of success stories from Vancouver such as award-winning and groundbreaking Salt Tasting Room<sup>3</sup> and Bartholemew Bar<sup>4</sup>, both of which are Food Primary charcuterie only style restaurants. With January located at historic 1820 Government Street, we definitely have a competitive advantage with location, location, location within the rapidly growing dining destination of the

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<sup>1</sup> Source: <http://bit.ly/2u8l0gd>

<sup>2</sup> See appendix 1

<sup>3</sup> <http://www.salttastingroom.com/>

<sup>4</sup> <https://dailyhive.com/vancouver/bartholemew-vancouver>

Brewery-Design District and Chinatown/Old Town areas vs other fine dining focused food and beverage establishments located outside of these trendy areas.

January Gin Joint & Eatery Ltd. is an Owner-Operated restaurant; operated by myself, a charcuterie lover, craft cocktail enthusiast and the sole owner of the Corporation. My capital expenditure is over \$450,000 and with the engagement of my long term lease, this venture is the last segment of my 30+ year career in hospitality before retirement. The entirety of the project has been thoroughly researched and purposefully designed to be a lasting contribution to our community and City.

I personally reside on the 2nd floor of The Lim Dat - the same city block-long building in which January Gin Joint & Eatery operates, municipally described as 1802 - 1826 Government Street; legally described as P.I.D. 009-370-731 Lot 477, Victoria City and P.I.D. 009-370-749 Lot 478, Victoria City (located between Herald Street and Chatham Street).

There are currently 22 residential suites leased via Devon Properties Ltd<sup>5</sup> within the building (Suites 1003-1012 and Suites 2001-2012); rather than 26 as noted in the records of the DRA LUC. I have lived on each of the 2 residential floors, in a total of 3 different suites within the building, and am intimately aware of the noise transference both from elsewhere within the building, and from the sidewalks and busy Truck Route<sup>6</sup> and vehicle thoroughfare of Government Street, directly outside. I intend to continue to live in the building so long as January is operational, allowing for an exceptionally short commute from my 2nd floor loft home to my commercial ground floor business tenancy.

The fellow residents of the Lim Dat are friends and neighbours, and the building is our home. I have taken the time to engage in meaningful, productive dialogue with all of those available to speak directly with me in regards to my Application. Of the 17 people with whom I was able to connect face to face in a short period of time, in addition to others indirectly or elsewhere in the neighbourhood, each supported our restaurant being in the building, its Extended Hours Application, and its Entertainment Endorsement Application.

These supporters include 3 individuals who voiced concerns when I solicited their feedback. After discussing the measures January is taking to ensure we do not negatively impact our neighbours and neighbourhood, each was happy to add their name and support to our poll of the tenants of the Lim Dat (and surrounding area) regarding the matter at hand<sup>7</sup>. Notably, two separate residents of the Lim Dat who are in favor of my Application have lived in the building for 28 years, and 22 years, respectively. Neither feels January Gin Joint & Eatery will negatively impact their continued tenancy or the appeal of the building to future tenants as the community transitions towards the vision outlined in the 30-year Official Community Plan adopted by the City in 2012<sup>8</sup>.

With the support of the building Owners, who thoroughly read our business plan and carefully considered our Offer to Lease, our impact on our neighbours and neighbourhood, and that

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<sup>5</sup> [https://devonproperties.com/properties/lim-dat-building/?property\\_query=](https://devonproperties.com/properties/lim-dat-building/?property_query=)

<sup>6</sup> <https://www.victoria.ca/assets/Departments/Engineering~Public~Works/Documents/TruckRoutes.pdf>

<sup>7</sup> see attached - appendix 2

<sup>8</sup> <https://www.victoria.ca/EN/main/residents/community-planning/official-community-plan.html>

impact on their business of successfully operating a mixed use commercial-residential building in a commercial-residential-industrial neighbourhood; we entering into a (20 year) long-term lease contract between January Gin Joint & Eatery Ltd. and 1802 - 1826 Government Street Properties Ltd.

Our interior design, decor and menus reflect our desire to create an upscale, intimate conversational space for the over-30 clientele; all created for the purpose of sharing, socializing and networking. Every reasonable consideration to enhance noise reduction and noise absorption which could be implemented during the construction phase of the restaurant build-out has been incorporated, including the furniture, design and decor elements. Minimization of sound transmission in (residential) buildings is an important factor to ensure occupant comfort, and is closely related to fire-resistant construction<sup>9</sup>.

The reconstructed, fire-rated floor assembly between the lower level and main (street) level and the new fully enclosed fire-rated corridor from the lower level to main level, encapsulating the new stair assembly, in combination with the existing 21-inch-thick brick interior demising walls between units and same (brick) exterior walls will ensure little-to-no noise transference from the lower level of the restaurant to any level above it<sup>10</sup>. Other purpose built sound reducing elements include, but are not limited to:

- Use of 5/8" drywall for new construction where space permits<sup>11</sup>
- Use of Green Glue Noiseproofing Compound<sup>12</sup>
- Staggered stud walls with acoustical insulation for new wall assemblies where space permits<sup>13</sup>
- Use of acoustic nail-up tin ceiling tiles in conjunction with acoustical pad<sup>14</sup>
- Fabric upholstered, high, channel-back designed curved booths and fabric upholstered banquettes for seating<sup>15</sup>
- Installation of rubber door gaskets, rubber sealant & new caulking around all windows<sup>16</sup>
- Firestopping between main floor and residential area of building<sup>17</sup>
- Strategically place indoor plants<sup>18</sup>

Anyone who understands the science of soundproofing understands the best way to ensure you are not negatively impacting your surrounding area is to simply not produce the sound(s) to begin with which might cause disturbance. To this end, January Gin Joint & Eatery is not installing a traditional sound system. Background music and the system it is delivered though will be absent of any heavy bass or subwoofers and kept to an appropriate level for the time of

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<sup>9</sup> [http://cwc.ca/wp-content/uploads/2019/03/publications-IBS3\\_Fire\\_SMC\\_v2.pdf](http://cwc.ca/wp-content/uploads/2019/03/publications-IBS3_Fire_SMC_v2.pdf)

<sup>10</sup> See attached appendix 3

<sup>11</sup> [https://www.soundproofingcompany.com/soundproofing\\_101/understanding-stc-and-stc-ratings](https://www.soundproofingcompany.com/soundproofing_101/understanding-stc-and-stc-ratings)

<sup>12</sup> <https://www.greengluecompany.com>

<sup>13</sup> see attached appendix 3

<sup>14</sup> <https://www.americantinceilings.com/colors-master-acoustic.html>

<sup>15</sup> <https://www.soundproofcow.com/proper-furniture-placement-can-reduce-sound/>

<sup>16</sup> <https://www.tmhardware.com/Door-Gaskets/>

<sup>17</sup> [https://www.hilti.com/medias/sys\\_master/hf9/h56/9161894821918.pdf?mime=application/pdf&realname=Restricting](https://www.hilti.com/medias/sys_master/hf9/h56/9161894821918.pdf?mime=application/pdf&realname=Restricting)

<sup>18</sup> <https://bettersoundproofing.com/best-sound-absorbing-indoor-plants/>

day and our District within the City<sup>19</sup>. On the occasion of a live performance in the lower level of the establishment, it would be unplugged and acapella, as is appropriate and in keeping with the period-specific design and decor. Any such occasional performance would also comply with the times set for such activities in accordance with the licensing and not continue late night.

In conclusion, I believe January Gin Joint & Eatery will have a positive impact in its neighbourhood, and be a welcome addition to the historical Lim Dat building. We do not seek to replace Sager's Home Living as the anchor tenant. We aim to contribute to the revitalization of the neighbourhood, help make it a safer place for residents and customers alike, contribute to the economic viability of the Official Community Plan and uphold the support of the City of Victoria, its various departments, Managers and Directors.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tanya Topolniski', written in a cursive style.

Tanya Topolniski  
Owner/Operator

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<sup>19</sup> <https://www.victoria.ca/assets/City~Hall/Bylaws/bylaw-03-012.pdf>

# APPENDIX 1



## SMALL

Trio of Olives ~ variety of small, medium & large olives to share

Sweet Pea Pesto Crostini ~ sweet pea pesto, roasted garlic, parmesan on toasted Fol Epi baguette

Marinated Mozzarella & tomato ~ fresh basil & chives, cherry tomatoes, mozzarella & Fol Epi baguette

Cheese & Zucchini Roulades ~ grilled zucchini, ricotta & parmesan, olives, fresh basil

Oven Roasted Root Vegetables - locally sourced potato, sweet potato, blue potato, taro root & parsnip oven roasted, salted & served with buttermilk ranch or vegan french onion dip

Relish Plate ~ local brined, pickled, & marinated vegetables

## MEDIUM

Antipasto Selection - pickled pepperoncini, cherry tomatoes, olives, petite pepperoni & salumi, mushrooms, chickpeas, provolone cheese

Artichoke & Gruyère ~ roasted artichoke hearts, rich gruyère topped with Parmigiano-reggiano, Fol Epi baguette

Classic Crab Dip ~ cream cheese, smoked paprika, tender crab meat, Lavash crackers

Buffalo Tartare ~ hand-chop buffalo, capers, chives, shallots, and seasoned egg yolk served with toasted Fol Epi baguette

Ceviche ~ local, seasonal marinated fresh fish served with toasted Fol Epi baguette

Crudité Tray ~ garden fresh vegetables, house made goat's milk yogurt dip or vegan french onion dip

## LARGE

Chef's Platter ~ Chef's selection of favorites from above

For Two \$ \_\_\_\_

For Four \$ \_\_\_\_

For More \$ *see your bartender*

## CHARCUTERIE

A rotating selection of artisan cheeses or vegan artisan cheeses, house preserves, smoked, cured & cooked meats or fish, vegan proteins, pickled vegetables, fresh fruits. All served with local Fol Epi whole wheat baguette. Start by choosing your board:

### Traditional

prosciutto, bresaola,  
jamón Serrano,  
peppered salami

### West Coast

smoked salmon, cold-smoked halibut,  
hot-smoked albacore tuna,  
west-coast mousseline

### Modern

foie gras, pâté grandmère  
hazelnut rillettes de canard,  
foie de volaille

### Vegan

Very Good Butchers vegan pepperoni, roast beast  
& deli fowl, Sweet Earth traditional seitan  
slices, Harmless Ham™

For Two \$ \_\_\_\_

For Four \$ \_\_\_\_

For More \$ *see your bartender*

### *Customize with your favorite additions:*

#### \$12 each

Neal's Yard Sparkenhoe Red Leicester      Neal's Yard Colston Bassett Stilton  
Neal's Yard Brightwell Ash      Gruyère      Salt Spring Island Cheese Co's St. Jo Feta  
Double-creamed Brie      Gouda      Gorgonzola      Salt Spring Island Cheese Co's Flower Chèvre  
Salt Spring Island Cheese Co's Herb and Garlic Ruckles      Aged Cheddar      Comte

#### \$7 each

Pickled red onion      Pickled cauliflower      Kalamata olives Castelvetro olives  
Pickled asparagus stalks      Marinated mushrooms

Arbequina olives      Picholine olives Pickled asparagus

#### \$4 each

Crackers - apricot, fig & lemon raincoat crisps®      Crackers - seasonal pumpkin spice raincoat  
crisps®  
Crackers - cranberry hazelnut raincoat crisps®      Crackers - Seattle favorite mini Croccantini cracker  
Crackers - Gone Crackers™ olive oil & cracked pepper cracker



**\$3 each**

Mango chutney                      Blackberry jam                      Red Pepper jelly  
Blueberry Jalapeno jelly Caramelized onions

**Complimentary:** Extra baguette, 1 per table

## ***(Not Just For)* DESSERT**

Salted Caramel & Dark Chocolate Figs - as delicious as they sound

Macaroons - selection of Fol Epi's current offerings

Poached Pears - red wine poached pears, honey, ginger, cardamom syrup, honey-cinnamon vegan almond crème fraîche

Almond & apple tart - autumnal apple & almond tart with slightly sweet, nutty frangipane filling. Served with vegan Calvados Chantilly almond cream

Lavender-Poached Peaches Blackberry bread pudding - lavender-spiked blackberry-peach compote, Fol Epi sourdough bread pudding, grand marnier infused vegan heavy almond cream

Poire William Charlottes - a pair of pear and pistachios infused cakes, filled with Bavarian style vegan almond cream

Basket of Profiterole - because 1 is never enough..

Champagne & raspberry possets - vegan cashew double cream, local raspberries & champagne

Chocolate coconut banoffee tartlet - bourbon-laced biscuit, caramel, banana toffee, & creamy coconut topping

Strawberry & elderflower trifle - ripe strawberries, ginger jelly, lemon drizzle cake, double vanilla cream

Gooseberry crème brûlée tart - seasonal fresh berries, sweet pastry, crisp cracked sugar topping

Cheese Platter - Chef's selection of cheese, vegan cheese or both

Chocolate Lover's Plate - a rotting selection of the world's finest

Classic English Lemon Curd - smooth, silky, tangy & tart

Pâte de Fruit - a selection of classic sugared French fruit jellies

***\* Takeaway Baskets available for pick up until 1am***

# APPENDIX 2

TO: Committee of the Whole, City of Victoria

DATE: February 11, 2020

SUBJECT: Application for Extended Hours and Entertainment Endorsement for January  
Gin Joint & Eatery 1820 Government Street, Victoria

I understand January Gin Joint & Eatery, located at 1820 Government Street, in the Lim Dat Building, is applying for an 1 hour extension of a Food Primary License Application Thursday - Saturday only and for an Entertainment Endorsement. I SUPPORT the addition of the restaurant to the neighbourhood. I DO NOT feel it or the extended hours will have any additional negative impact on the noise levels in the building or on the surrounding streets.

(PRINT) NAME	ADDRESS	SIGNATURE
Curtis Vertefeville	304-555 Chatham	
Andrew Harris	523 Fisgard	
Catrina Stuart	1012-1818 Government	
Tristan Shouldice	1011-1818 Government St.	
Michelle DeRocher	2005-1818 Government St	
Rachel Burt	2010-1818 Government St	
David Ferguson	2001-1818 Gov't	
Lynn Salvador	2009-1818 Gov't	
ANDREW STRUTHERS	2011 - 1818 GOVERNMENT	
JL Boutillier	1008 - 1818 Government	
Jenna Shouldice	1011 - 1818 Government	
ELLIOTT LORAN	1818 GOVERNMENT APT 2002	
Tanya Topolniskin	1003-1818 GOVT. ST.	
Sandra Christensen	2003-1818 Govt St.	
TREVOR BAIL	1007-1818 GOVERNMENT ST	
Sean Osborne	1007 1818 GOV ST	

Chris Stuart 1012-1818 Government St. Stuart  
 JANET MACDONALD #2007-1818 Government St. D. D.  
 Fred Bertone 407-640 Fildes SA  
 Marlene Schickel 1818-2005 BOV. ST. SUITE  
 SIMON DARROCH 2003-1818 Govt St. Simon D.

TO: Committee of the Whole, City of Victoria DATE: February 11, 2020

SUBJECT: Application for Extended Hours and Entertainment Endorsement for:  
 January Gin Joint & Eatery 1820 Government Street, Victoria

I understand January Gin Joint & Eatery, located at 1820 Government Street, in the Lim Dat Building, is applying for an 1 hour extension of a Food Primary License Application Thursday - Saturday only and for an Entertainment Endorsement. I SUPPORT the addition of the restaurant to the neighbourhood. I DO NOT feel it or the extended hours will have any additional negative impact on the noise levels in the building or on the surrounding streets.

(PRINT) NAME

RICK HOWARD

ADDRESS

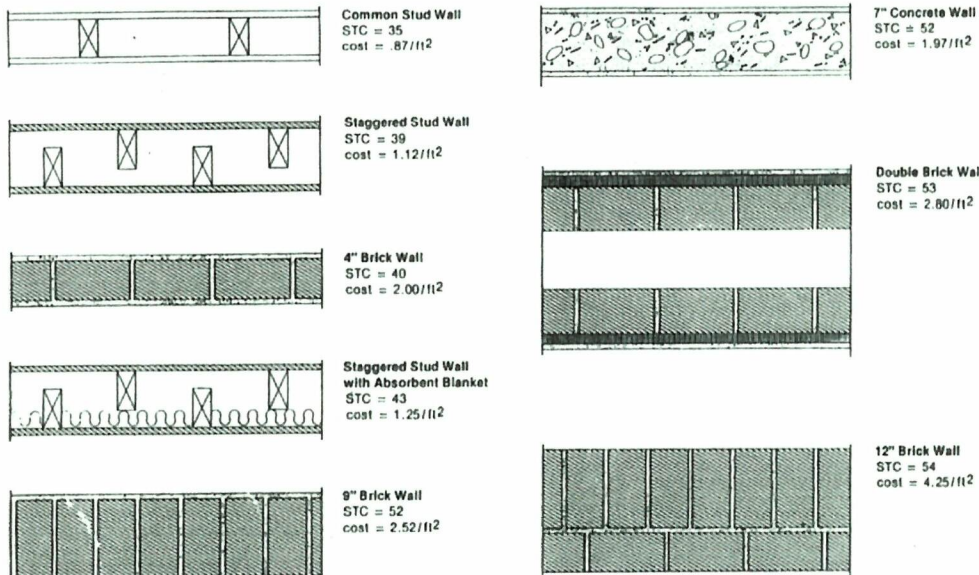
1010, 1818 GOVERNMENT STREET

SIGNATURE

[Signature]

### APPENDIX 3

Figure 4.13 shows a sample of wall types ranging from the lowest to the highest sound insulation values. The cost of these walls in dollars per square foot is given for comparison of cost effectiveness.<sup>12</sup>



4.13 Wall Types with STC Rating and Approximate Cost.

## Types of Liquor Licences Issued in the Province of British Columbia

*Last updated: October 5, 2017*

The Liquor Control and Licensing Branch (LCLB) supervises over 10,200 licensed establishments and over 25,000 temporary special events per year in B.C.

The purpose of this document is to give a broad understanding of the types of liquor licences issued in B.C. Visit the LCLB's website at [www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing) and the hyperlinks below for the most up to date information.

### Licences:

[Agent](#) – for independent liquor agents who market products from liquor manufacturers outside of B.C.

[Catering](#) – for catering companies who wish to serve liquor in addition to food, with food service as the primary purpose.

[Food Primary](#) – for businesses where the primary purpose is to serve food (such as restaurants).

A Patron Participation Endorsement is an additional term and condition on a food primary licence that permits the active involvement of patrons in entertainment or results in patrons leaving their seats, such as dancing or karaoke. An application for this endorsement requires additional considerations beyond the routine assessment of an initial application. To ensure that community concerns about noise, nuisance and other impacts are considered, input from local government or First Nation authorities is required before patron participation entertainment will be approved for a food primary establishment.

[Liquor Primary](#) – for businesses where the primary purpose is to sell liquor (such as bars, pubs, and nightclubs, as well as stadiums, theatres, aircraft, etc.). Liquor primary licences are also for businesses that wish to serve liquor as an additional service to their primary business (such as spas, salons, art galleries, etc.)

*Liquor Primary Club* – a sub-class of the liquor primary licence for private clubs. To be eligible to apply, the club must be a society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

[Manufacturer](#) – for businesses making wine, cider, beer (this includes brew pubs), or spirits (known as wineries, breweries, and distilleries). Manufacturers can also apply to add a lounge, special event area, and/or picnic area endorsement to their manufacturer licence.

[UBrew/UVin \(Ferment-on-Premises\)](#) – for businesses that sell ingredients, equipment and provide advice for customers to make their own beer, wine, cider or coolers.

[Licensee Retail Store\\*](#) – for selling liquor by the bottle at retail stores (often called private liquor stores).

[Wine Store\\*](#) – for wine stores including winery-operated stores, independent wine stores, VQA stores and tourist wine stores.

[Special Wine Store](#) – available to eligible grocery stores only, the special wine store licence permits the sale of 100% BC wine on grocery store shelves.

*\*No new licences are available at this time.*

## **Permits:**

[Special Event Permit](#) – for individuals and groups holding special events (such as community celebrations, weddings or banquets).

[Ethyl Alcohol Purchase Permit](#) – for purchasing ethyl alcohol for commercial and industrial use.

[Charitable Auction Permit](#) – for registered charities and non-profit organizations that wish to hold liquor auctions to raise funds for a charitable purpose.

## **What is the difference between a food primary and a liquor primary licence?**

A food primary licence is issued when the primary purpose of the business is the service of food (such as restaurants and cafes). A liquor primary licence is issued when the primary purpose of the business is the service of liquor, hospitality or entertainment (such as bars, pubs, spas, and art galleries).

The approval process is different for both types of licences, with the process for liquor primaries being more involved. Minors are generally prohibited from liquor primary establishments, unless the licence specifically allows them.

## **Additional Resources:**

[Forms](#) – access to all LCLB forms, including application forms and licence change forms.

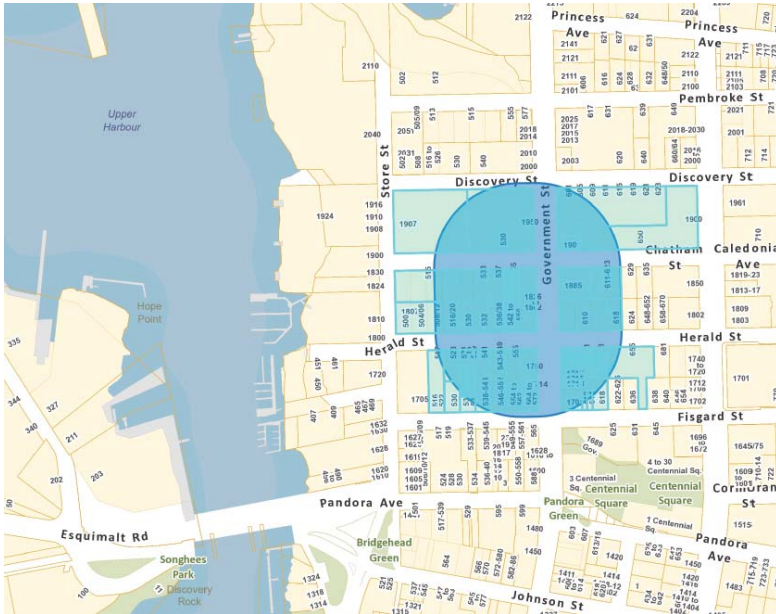
[Frequently Asked Questions](#) – answers to common liquor-related questions.

[Licensed Establishment Locations](#) – a list of all licensed establishments in B.C.

[Publications & Resources](#) – access to the licensee terms and conditions handbooks, public consultations, and the Local Government/First Nations Guide page and more.

# LCRB Application

New Food Primary Licence with Entertainment Endorsement,  
January Gin Joint & Eatery, 1820 Government Street



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# Liquor and Cannabis Regulation Branch (LCRB)

- Restaurants
- Bars
- Pubs Retailers
- Manufacturers and
- Special Events.

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# LCRB Approvals

- Criminal Background Checks
- Local Government
  - Municipal Input : potential for noise
  - Public Input : potential for impact on the community, and
- Occupant Load Approvals



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# Local Government

## Staff Review:

- Police, Bylaw, Planning, Business and Community Relations and Engineering
- Zoning regulation, liquor policy and the Liquor Licencing Fee Bylaw

## Public Notification and Comment:

- Notice Posted at entrance to establishment
- Mailed Notice to within 100m of establishment
- 30 days to provide comment

## Local Government provides a resolution with comment on:

- Potential for Noise
- Potential for Impact on the Community, and
- Whether or not the amendment, if approved, would result in the service area being operated in a manner that is contrary to the primary purpose.

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# LCRB Application

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## LICENCE TYPE

PROPOSED

Food Primary with Entertainment Endorsement

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## OCCUPANT LOAD

PROPOSED

43 PEOPLE

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## LICENSED HOURS OF OPERATION

PROPOSED

9:00 am to 12:00 am Sunday – Wednesday, 9:00 am to 1:00 am Thursday - Saturday

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# Staff Review and Public Comment

## Staff Review:

- The proposal is consistent with anticipated uses in the area
- The application is supportable and impacts to the community are not anticipated.

## Public Comment:

- One letter was received which is opposed to the application, from the Downtown Resident's Association.
- 474 notification letters were sent in association with the request.

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# Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application to having hours from 9:00 am to 12:00 am Sunday – Wednesday, 9:00 am to 1:00 am Thursday - Saturday, an occupant load of 43 people and an entertainment endorsement.