

October 23, 2020

Ryan Morhart
Manager & Chief Building Official
Permits and Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
via email: RMorhart@victoria.ca

Dear Ryan,

Re: LL000319 Victoria International Marina – Applicant Response to Community Feedback.

The Victoria International Marina is grateful for the opportunity to review the feedback received by the City with respect to our liquor license application, as well as the opportunity to respond. We read through every letter and all petition comments noting the concerns raised and consolidate in a table (Addendum A) which we then used to address each root concern.

We found it valuable to review all the support and concerns raised. This task also offered us insight into other community concerns (unrelated to our liquor application) which we will add to our ongoing efforts to build on our relationship with the Community.

We are pleased to report that we were able to work with the City staff and adjust the original application to mitigate all the root-concerns expressed. We also met with Councillor Jeremy Loveday to review the application and received valuable input, which is fully incorporated into our review below.

After reading only a few letters, it was evident that the wording within the LCBC categories clouded the intent of our application, as many people questioned or made false assumptions about why we are applying for this permit; therefore, we thought we would reiterate our intent first, as it is simple and straight forward. **We are applying for our liquor primary licence so that we can continue to provide liquor service to our clientele through a much simpler, accountable, and sustainable process than we use currently.** Our application is not a result of contemplating changes to our current business model, customer-base, or land use.

We found the comments from the Police Department especially focussed and helpful and we were able to incorporate all their recommendations into adjustments to the original permit application, removing the outdoor areas and reducing the liquor service hours. It was also fortunate that these mitigation measures also addressed the primary concerns expressed in the letters written by residents.

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The following table summarizes the key root concerns expressed by the community in the submitted letters and our associated mitigations.

Concern	Mitigation Measure
Do not want a Bar/Nightclub (noise, community character and already have existing bars/pubs)	<ul style="list-style-type: none"> • We understand that the permit we have applied for is the same one used for bars, pubs, and nightclubs; however, it is also the only option that correctly fits the needs of our business. In fact, we were instructed by the LCLB to apply for this specific license based on the liquor service we have already provided under catering and other one-off permits. Some people mentioned that we should be applying for <i>Liquor Primary Club</i>; however, this is reserved for non-profit organizations so is unavailable to us. • We had originally included outdoor areas in our application. These have been removed over concerns expressed regarding potential noise and the additional numbers it added to our overall occupancy load (i.e., overall occupancy load for service areas was reduced from 402 to 260). • In response to noise concerns during late evening, we adjusted our serving closing time from 2:00am to 9:00am to 10:00pm Sunday through Thursday and 9:00am to 11:00pm Friday and Saturday. • We are <u>not</u> opening or considering opening a nightclub, bar or pub. The type of activities at the property will continue to be consistent both in scale and character to those that have already been taking place. Our understanding is that such a change to our business would require a change in our business license and associated additional parking requirements, which we are not pursuing. • We are aware of and understand Section D: Enforcement Policy of Appendix E of the City of Victoria Liquor Policy which states that, any re-occurring nuisance issues may be subject to a Good-Neighbour Agreement that would be reviewed along with the annual renewal of our business licence. AND that lack of adherence to this agreement may result in our business licence being revoked.
Added parking congestion from increased use.	<ul style="list-style-type: none"> • Parking concerns appear to be driven from a false assumption that we would be regularly holding events for 260 people and that we are hoping to open a pub with this capacity (see above). 260 is simply the building capacity of the areas that are included in the license, not a measure of the number of people we are hoping to serve at normal gatherings. • Gatherings in the marina are generally limited in size (i.e., usually <50), with a growing number of guests arriving by boat and taxicab rather than by their own vehicle. • We are not proposing any change in use of the building or the amount of parking needed. Use would remain as it is and there were no concerns raised with respect to current parking on Cooperage. • See below for comments on concerns related to parking on Paul Kane and related to the restaurant property (i.e., 2 Paul Kane Place).

Do not want another public liquor house	<ul style="list-style-type: none"> • We are not proposing to serve liquor to the general public. Liquor service at our building is intended to serve guests of the marina that have a private agreement with us to use the space. • We are <u>not</u> opening or considering opening a nightclub, bar or pub. The type of activities at the property will continue to be consistent both in scale and character to those that have already been taking place.
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As mentioned above, letter writers had comments that were not necessarily related to the liquor application or were based on false assumptions but that we wished to comment on or clarify as appropriate below.

Other Statements or Concerns	Clarification
Change of use/ business	<ul style="list-style-type: none"> • We are not proposing any changes to our land use or business license.
Marinas do not have to/need to serve liquor or have gatherings	<ul style="list-style-type: none"> • This is false. Destination marinas all over the world have similar club spaces available for small gatherings of guests. Liquor service is standard in most yacht clubs.
We are changing our land use	<ul style="list-style-type: none"> • No changes to our land use are being proposed or anticipated.
We are changing the business we are in.	<ul style="list-style-type: none"> • We are not changing our business or our business licence; this liquor license serves to support our current business rather than redefine it.
The marina only applying now to use this to increase value because it is for sale.	<ul style="list-style-type: none"> • The marina is not listed for sale. • We are applying for our liquor licence so that we can continue to provide liquor service to our clientele through a much simpler and accountable process than we use currently.
We have not lived up to prior DP commitments.	<ul style="list-style-type: none"> • We have never stopped working to close out our development permit, which includes three final aesthetic items, completion of roof-top screening, Fortis gas enclosure and aesthetics of the walkway-facing doors. • With respect to comments related to our parking arrangements and our tenant at 2 Paul Kane Place (<i>i.e.</i>, Boom + Batten): Prior to the COVID-19 pandemic outbreak, Boom + Batten had recently completed their discussions with the City where details on the service were ironed out. Boom + Batten was only into their fourth week of offering the service when the COVID-19 pandemic hit, and they were forced to close completely. They continue to work on how to operate their business (including parking) under the new and ever evolving COVID-19 pandemic concerns and best practices. Valet parking poses some difficult obstacles to safety when considering COVID-19. We, as landlord, are committed to resolving any parking concerns and to getting back on track with the

	original “plan” for valet parking in our allotted stalls under the Royal Quays. We continue to meet with our tenant and manage their progress in this regard. And generally, increased use and parking of vehicles can be expected with the addition of a restaurant.
This permit will be passed to new owners who could open a night club/bar or pub.	<ul style="list-style-type: none"> • We have confirmed with LCBC and the City that any transfer of the business would require a transfer of the liquor license which would also trigger an application to LCBC for the transfer, which would require a background check and the City’s opportunity to review or comment.

Again, we appreciate the time and effort taken by community members to write regarding their concerns. We have read and considered each and every one, made appropriate adjustments to our application, clarified assumptions where appropriate and worked with the City to generate an application both the City and the Police support.

We trust you will find our application acceptable and move to approve our permit.



Kind Regards,

Craig Norris

CEO

Attachments:

-Addendum A – Letter review table

-Letter from Boom+Batten dated October 23, 2020

Addendum A

Name	Location	Dist	Concern
Alex & Norma Montgomery	165 Kimta Rd.	220+	Potential parking congestion.
Alex Montgomery	165 Kimta Rd.	220+	More people parking on the Rd.. Attracting younger generation that are noisy.
Arlene Gibson Patrick Olson	60 Saghalie Rd.	200+	Already three liquor establishments in the vicinity. More people and more noise. Less parking available.
Arlene Phillips	205 Kimta Rd.	135+	Vision of marina business has changed. Changing to a public operation. Will be a night club atmosphere pushing liquor. Noise concerns with increase of people and extension of hours. Already have a liquor primary 230 meters away.
Barb Holm	636–203 Kimta Rd.	104+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity.
Barry Ramer	Royal Quays Condominiums	15+	Worried about social distancing with 260 people in the building. Vision of marina business has changed.
Barry Watchorn	317 – 205 Kimta Rd.	135+	Potential parking congestion. 260 people is too many people. Nightclub feel with long hours not needed.
Betty-Joan Traverse	501 - 165 Kimta Rd.	220+	Would like reassurance that the Marina will not be turned into a pub. Potential parking congestion. Would not object to allow special events if noise bylaws are respected.
Bob & Arlene Blackwell	118 – 75 Songhees Rd.	160+	Parking.
Bob & Shirley Johnson	10 Cooperage	15+	Concerned with noise, do not want the marina to become a bar. The way the marina operates now, with occasional special events, weddings etc. is not a problem
Carol Greenaway	318 - 203 Kimta	104+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity.
Carolyn Courtright	104 – 205 Kimta	135+	Vision of marina business has changed. Already three liquor establishments in the vicinity. 260 is too many people. Noise concerns with increase of people.
Carolyn Irby and Stu Davis	208 - 203 Kimta	104+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity. Noise concerns with increase of people.
Carolyn McRae			Support the application.
Catherine Steele	75 Songhees Rd.	160+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity. Noise concerns with increase of people.
Catherine Wood	525 - 205 Kimta Rd.	135+	Potential parking congestion. 260 people is too many people. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned about opening to public for venue use.
Cheryl Prestie	845 - 205 Kimta Rd.	135+	Potential parking and traffic congestion. Noise concerns with increase of people. Concerned about public safety.
Christine Lareau	165 Kimta Rd.	220+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people and extension of hours- nightclub feel.
Chuck Salmon	165 Kimta Rd.	220+	Letter of petition. Parking. Noise. Sufficient licenses in neighbourhood.
CM Collins	507 – 75 Songhees Rd.	160+	Concerned with Noise. Not being able to rest due to more people; already suffering from delivery trucks to the Boom+Batten.
Dan and Melinda Cunningham	208-205 Kimta Rd.	135+	Concerned about public safety. Potential parking congestion. Noise concerns with increase of people and extension of hours. “The developer made a mistake, which many thought would be the outcome. Now they want the city to bail them out”
Dave O’Byrne	412-10 Paul Kane Pcace	90+	Concerned about the future livability and enjoyment of the neighbourhood, due to noise and traffic.
David & Janet Sime	126 – 75 Songhees Rd.	160+	Concerned about the noise and traffic another LPL will bring to the neighbourhood. Already struggling with the issues that came with having Boom+Batten near by.
David Hicks	504 - 75 Songhees Rd.	160+	Vision of marina business has changed. Noise concerns with increase of people, already having issues with Boom+Batten staff and patrons at night.

Dawn Ens	511 - 165 Kimta Rd.	220+	Greatly concerned with increase of noise and traffic
Deb Little	848 – 205 Kimta Rd.	135+	Letter of petition. Parking. Noise. Sufficient licenses in neighbourhood.
Deborah Chamitoff	205 Kimta Rd.	135+	Proposal is inconsistent with that original vision that was marketed to the community for this location. Marina Vision has changed. 260 people is too many in the building. Already three liquor establishments in the vicinity. Noise concerns with increase of people and extension of hours- nightclub feel.
Deborah Little	Cooperage?	?	Letter cut off -readable-> concerns about parking and traffic congestion.
Denise DePape	11 Cooperage Pl.	20+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Marina has misled residents.
Diane Robertson	404 - 165 Kimta Rd.	220+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people and extension of hours. Concerned for senior safety.
Don Bourdon and Margery Hadley	202 - 75 Songhees Rd.	160+	The restaurant and marina were shoe-horned into this residential neighbourhood using a vast array of loopholes, weaknesses in multi-layered bureaucratic oversight, friends-in-high-Pl.s and false promises regarding noise, parking and sanitation.
Don Gordon	845 - 205 Kimta Rd.	135+	Concern for public safety. Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity.
Donald Grovestine	306 - 11 Cooperage Pl.	20+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Marina has misled residents.
Doris Schmitt Hannelore Weitzel	402 - 165 Kimta Rd.	220+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people.
Dorothy Wing	115 - 165 Kimta Rd.	220+	Concerned residential area being overtaken.
Doug Evans	106 - 11 Cooperage Pl.	41+	This is a residential neighbourhood and residents expect it to remain so, not a location for public drinking, noisy behaviour, and non-residential traffic.
Elizabeth and John Holt	165 Kimta Rd.	220+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity.
Erie Pentland	104 - 203 Kimta Rd.	104+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity. Bike lanes will take away even more parking.
Ethel Marley	506 - 11 Cooperage Pl.	20+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity. Misled residents.
Frank Gatto	514 – 10 Paul Kane Pl.	90+	Support the application.
Gary Bauslaugh	847 - 205 Kimta Rd.	135+	I did not object to the Marina itself, as that had been in the original plans for the development here - it was to be an exclusive and private facility. Now it proposes something quite different: a public drinking facility. This would create noise, congestion, and security issues in an otherwise peaceful residential area - something we do not need or want.
Geoff and Kathi Williams	109 - 75 Songhees Rd.	160+	Not in favour of the hours and occupancy load. Parking and traffic concerns.
George Syrotuck	601 - 75 Songhees Rd.	160+	Marina misled residents. Already three liquor establishments in the vicinity.
Glen Percy	75 Songhees Rd.	160+	Concerns that the Marina has not been honest.
Gord Hall	165 Kimta Rd.	220+	Potential parking congestion. Already three liquor establishments in the vicinity. Concerned for noise complaints.
Gordon Greeniaus	109-165 Kimta Rd.	220+	Providing a few changes to the application, they AGREE with the LPL at the marina.
Gordon Young/Shirley Roberts	503 - 165 Kimta Rd.	220+	I think it is a good idea, just as long it is for PRIVATE functions taking Pl. in the marina building.

Gwyneth Evans	847-205 Kimta Rd.	135+	Vision of marina business has changed. Already three liquor establishments in the vicinity. 260 is too many people. Noise concerns with increase of people.
H. Seguin & H. Moreu	423-205 Kimta Rd.	135+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity. Bike lanes will take away even more parking.
Helen Timoffee	118 -10 Paul Kane Pl.	90+	Potential parking congestion. Already three liquor establishments in the vicinity. Concerned for noise complaints.
Hillyard Stevens	424-205 Kimta Rd.	135+	Concern for public safety, noise complaints and too many people.
Holly McDonald	10 Paul Kane Pl.	90+	Too many people in the building.
Ian Macpherson	315-203 Kimta Rd.	104+	This proposal is inconsistent with that original vision that was marketed to the community for this location, 260 is too many people in the building Potential parking congestion. Already three liquor establishments in the vicinity. Concerned for noise complaints.
Ida Peters	418 – 10 Paul Kane Pl.	90+	Potential parking congestion. Already three liquor establishments in the vicinity. Concerned for noise complaints.
Jack and Nicole Gaston	121 75 Songhees Rd.	160+	Concern for public safety. Potential parking congestion. 260 people is too many people in the building.
Jacob and Victoria Cikaliuk	309-68 Songhees Rd.	600+	Potential parking congestion. Already three liquor establishments in the vicinity. Concerned for noise complaints.
Jacqui Morgan	804 - 75 Songhees Rd.	160+	Potential parking congestion. Concerned for noise complaints
Jai & Brinda Menon	124 - 75 Songhees Rd.	160+	The residents of this neighbourhood should not have to pay the price for a failing business. Parking and noise will be issues.
Jan Ross	Kimta Rd.	104+	I would be ok with it, if it was only used for VIM events, and not open to the public, like open for a open bar, also the parking on Paul Kane and Cooperage should stay the same as they are both residential areas, and the noise would be worse then they already are at this time.
Janet Riecken			Support the application.
Jean Bowles	308 - 75 Songhees Rd.	160+	Concern for public safety. Potential parking congestion. 260 people is too many people in the building. Concerned for noise.
Jean Robinson	512 - 165 Kimta Rd.	220+	Parking and noise concerns
Jerry Timoffee	118 - 10 Paul Kane Pl.	90+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Marina has misled residents.
Jihong Larson	10 Paul Kane Pl.	90+	I don't think severing alcohol passing 10, 11pm is a good idea. I think it would be acceptable until 9pm.
Joan Withers	?	?	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Marina has misled residents. Property value may decrease.
Jocelyn Jenkins	11 Cooperage Pl. and 10 Paul Kane	20+	Letter of petition. Not appropriate. No need. Noise. Traffic. Too many bars.
John and Georgina Morley	105 - 11 Cooperage Pl.	20+	Concerned about the increased traffic volumes, The increased noise late at night, The increased early morning noise due to garbage collection. And potentially: all day noise and congestion.
John Savage	705 – 75 Songhees Rd.	160+	Support the application.
John Weir	11 Cooperage and 10 Paul Kane Pl.	20+	Letter of petition. Parking. Noise. Sufficient licenses in neighbourhood.
Judy Jabusch	?	?	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned for senior safety.
Kathie and Michael Ross	125- 75 Songhees Rd.	160+	Unhappy with times proposed and concerned about parking and noise complaints.
Kathryn Templeton	318-203 Kimta Rd.	104+	260 people, which will result in a “night club” environment. Noise and Parking will be a huge issue.

Kathy Kay	633 – 203 Kimta Rd.	104+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned noise pollution.
Kelly & Rennie Bradley	202 – 65 Songhees Rd.	278+	Support the application.
Kelly-Anne Malcomson	525-205 Kimta Rd.	135+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned noise pollution.
Kevin Neill	165 Kimta Rd.	220+	Traffic and noise concerns.
Larry and Donna Steeves	407 - 11 Cooperage Pl.	20+	Do not believe it is in the interest of the neighbourhood to see this application proceed.
Les M. Archer	209 – 70 Saghalie Rd.	250+	Support the application.
Linda Newton	301 - 65 Songhees Rd.	450+	Potential parking congestion. 260 people is too many people in the building. Already three liquor establishments in the vicinity.
Lynn Gordon-Findlay	61 Kimta Rd.	400+	Support the application.
Lynn MacDonald	903-75 Songhees Rd.	160+	I simply do not believe that they have the management skills to be socially responsible with a Primary Liquor License. Parking will be a huge issue. Noise complaints will continue to go unheard.
M. Stebbing	314-203 Kimta Rd.	104+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned noise pollution.
Margo and Michael Cooper	709-100 Saghalie Rd.	450+	Potential parking congestion. Already three liquor establishments in the vicinity. Noise concerns with increase of people. Concerned noise pollution.
Marguertie Rowe	6 - 100 Saghalie Rd.	200+	Not a location for parties and liquor. Support events at the marina. Potential for noise and disruption. Potential parking congestion. There are lots of other Pl.s to drink.
Melissa Henneberry	316 – 205 Kimta Rd.	135+	Already two pubs. Potential parking congestion. Already three liquor establishments in the vicinity.
Mike Marley	506 – 11 Cooperage Pl.	20+	Already two pubs. Potential parking congestion. Already three liquor establishments in the vicinity.
Monica & Robert Carlen	208 – 165 Kimta Rd.	220+	Already two pubs. Potential parking congestion. Already three liquor establishments in the vicinity.
Monique Cikaliuk	413 – 165 Kimta Rd.	220+	Potential parking congestion. Noise. Alcohol related neighbourhood character degeneration.
Murray & Carol Firth	113 - 75 Songhees Rd.	160+	Potential parking congestion. Noise. Alcohol related neighbourhood character degeneration. Other DP-related issues not resolved.
Nasser Lalji	70 Saghalie Rd.	250+	Support the application. Limit to 9pm at the latest.
Neil Rawnsley	112-10 Paul Kane Pl.	100+	Noise. Number of people.
Nicholas Browne	506 – 165 Kimta Rd.	220+	Exclude the general public. Already three liquor establishments in the vicinity. Noise.
Norman W. Leslie	739 – 205 Kimta Rd.	135+	Already two pubs. Potential parking congestion. Already three liquor establishments in the vicinity.
Olga Gill	?		Noise. Change in character of the neighbourhood. No pub.
Ora Mae Guinness	165 Kimta Pl.	220+	Already two pubs. Potential parking congestion. Noise.
Pamela Norton	303 – 75 Songhees Rd.	160+	Thinks we are using the License to increase sale value.
Paul & Leanne Jarrett	117 – 75 Songhees Rd.	160+	Potential parking congestion. Already two pubs.
Peter E. & Helgi Leesment	603 – 75 Songhees Rd.	160+	Potential parking congestion. Noise. City unable to enforce. The marina cannot be trusted.
Peter Foran	701 – 75 Songhees Rd.	160+	Parking. Noise. Mechanical equipment.
Petition	100 Saghalie Rd.	320+	Petition. No reasons.
Preston & Janet Medd	846 – 205 Kimta Rd.	135+	Parking. Already two pubs. More traffic.

Proline Mgmt	On behalf of 75 Songhees	160+	94.7% of the registered proxy holders voted in favour of the Strata Corporation officially submitting their written opposition. Potential parking congestion. Noise concerns with increase of people. 62 signatures
R Munzer	843 – 205 Kimta Rd.	135+	Parking. Change in use. Noise.
Randy Waldie	?		Noise. Already two pubs.
Rita Louie & Bev Martin	165 Kimta Rd.	220+	Noise. Keep VIM closed to the public.
Rob Brownlee & Victoria Jekabsons	165 Kimta Rd.	220+	Support. Should be for VIM events only.
Robert Simmonds	107 – 11 Cooperage Pl.	20+	Degradation of harmony in the neighbourhood. Security. Transient traffic.
Roland Stillings	68 Songhees Rd.	400+	Support the application.
Ross D. Parke	844 – 205 Kimta Rd.	135+	Parking. Change in use. Noise.
Ross Ens	165 Kimta Rd.	220+	Too little information to comment.
S. Watson			Support. Not a pub though – parking, fumes, drunken noise and behaviour.
Selma Linzer & Jack Mayer			Parking. Already two pubs.
Shane Ford	165 Kimta Rd.	220+	Already two pubs. Parking. Enforcement of bylaws by City and Police. Noise and Disturbance. Wholesale Delivery Services & Maintenance Services. Waste Disposal Services. Consistency with Nearby Development.
Sharon Bains	215 - 165 Kimta Rd.	220+	Not a mixed use (res+Retail) community. Parking. House of operation. Noise. Banquet facility, live music, DJ booth and dance floor.
Shaun & Deborah Traill	?	?	260 seat bar. Already two pubs. Bar district. Parking. Policing costs will increase. City cannot even control the downtown.
Stacy Mitchel	211 – 10 Paul Kane Pl.	90+	Change of use. Party space for the general population.
Steve Carr	?	?	Parking. Land use does not restrict the use as a pub.
Steven Lucken & Petra Young	122 – 75 Songhees Rd.	160+	Noise. Traffic. Pollution. Safety.
Sue Martin	Royal Quays	20+	Noise. Bar and take-out bottle shop. Already three drinking establishments. Roundhouse. Parking.
Susan Holunga and Stephanie Paulauskas	103 - 11 Cooperage Pl.		Already three drinking establishments. Congestion. Noise. Parking. Could establish a bar in the future. Says we do not consult with community about a change in use.
Terry Dance-Bennink	102 – 165 Kimta Rd.	220+	Support. No pub. Wants restricted to special events.
Terry Jabusch	506 – 75 Songhees Rd.	160+	Already two drinking establishments. Noise. Disturbances. No more bars.
Terry, Dave and Theresa Markle	901 - 75 Songhees Rd.	160+	Peace and tranquility. Traffic. Noise. They don't need two.
Thomas & Cathy Potter			Parking. Noise. Already three drinking establishments. Roundhouse.
Tony Keble	212 – 203 Kimta Rd.	104+	Pub. Parking. Noise. Public behaviour. Vandalism, break-ins, graffiti, trespass, lawsuits, burden to police, fires, Roundhouse, Neighbourhood Character.
Tony Steele	801 - 75 Songhees Rd.	160+	Vague about the business development plan. Being used to sweeten the real estate deal.
Wanda Proulx	301 – 75 Songhees Rd.	160+	Support the application.
Wynne Arden	405 – 75 Songhees Rd.	160+	No more people. No changes to bylaws.
Yehudi Hy Freedman	411 – 165 Kimta Rd.	220+	Noise, traffic, congestion. Hours. Not opposed to event by event permits. Already three drinking establishments. Roundhouse. Decrease in property values. Parking.



October 23, 2020

Ryan Morhart
Manager & Chief Building Official
Permits and Inspections
Sustainable Planning and Community Development Department
City of Victoria
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via email: RMorhart@victoria.ca

Dear Ryan,

Re: LL000319 Victoria International Marina – Response to Community Feedback – Boom + Batten

Boom + Batten Restaurant and Café is grateful for the opportunity to support the Victoria International Marina's application for a liquor primary license. We understand that the application process provided an opportunity for community members to submit comments and that several of the comments submitted were connected to our operations rather than that of the Marina, so we would like to take this opportunity to provide some clarification and comment on those specifically.

Boom + Batten works closely and in partnership with the Marina in all that we do. We meet regularly with the Marina to discuss several items of business, including community engagement and concerns where and when they arise. We are immensely proud of the work we have accomplished to date with the community and will certainly be using this latest feedback to build upon that work.

Below is a summary of the issues raised in the community feedback from the liquor application that relates to our business and includes our actions, with clarifications and comments related to each.

1. The licence will mean that the Marina will compete with the Restaurant for liquor sales with a new Pub, Bar or Nightclub.

The Marina and the Restaurant are in essence partners and have no incentive to compete. In fact, it was us who initially counselled the Marina to obtain their liquor primary licence to support the small gatherings that occur in the Marina building. We believe this application supports the existing operations of the Marina and that there are no intentions of opening a Bar, Nightclub or Pub, either now or in the future.

2. The restaurant creates noise from patrons, roof units and delivery trucks.

When guests leave the restaurant, they sometimes will gather at the bottom of Paul Kane Place, waiting for taxis or sharing joyful laughter and saying goodbye to friends or family members. Sometimes voices will be louder than normal, but it is an occurrence that rarely happens. We have also decided to close at 10pm each night, even prior to the pandemic, even though we are licensed until midnight. Our decision was made to support our neighbours from the potential of late-night noise levels.

The roof units and exhaust fan systems are state of the art and the best quality systems available. They have a veritable speed function that keeps the fan at the lowest possible speed and produces minimal noise while operating. Additionally, the filtration system is double stacked to minimize odour release from the units.

Regarding delivery trucks, all suppliers are requested to use smaller vehicles and turn off refrigeration unit fans to minimize noise. Additionally, there are no early morning deliveries.

3. The Restaurant is causing parking congestion on Paul Kane and Kimta. They do not appear to be using their underground parking.

Prior to the pandemic, we were operating nightly with our valet system in place, however we have ceased operations until the pandemic is over. With the thousands of customers we serve each week, there is unfortunately an increase in vehicle activity that we have no control over.

4. There are Lagging DP Commitments

We have been working with the Marina's development team all through the project and continue to be consulted as they work to close out the final remaining development permit items. We understand that there are three final items to be completed, the completion of screening of the restaurant roof-top units, downsizing the Fortis gas enclosure and adding glass to the walkway-facing doors.

If you have any further concerns or would like any additional clarification regarding our support for the Marina's liquor license, please contact me directly at your convenience.

Kind Regards,

Paul Simpson

Owner

Boom + Batten Restaurant and Café

250-217-9748