

Ryan Morhart

From: Tim Grant [REDACTED]
Sent: Friday, April 5, 2019 8:48 AM
To: Ryan Morhart
Subject: Chuck's Burger Bar

To: Manager, Permits & Inspections,

Thank you for the opportunity to comment on the application to extend operating hours at Chuck's Burger Bar.

As a resident/owner within the 100 metre radius of the facility, we are **not** supportive of the application. We are located at 524 Yates, unit 202.

We are aware from past discussion with City representatives that there are continued challenges in managing the interface between residential and the entertainment/service business within the downtown core areas. The main issue being late night noise generated by night club and food service facilities. We feel this application will be a catalyst for an increase in late night noise, and not be welcome for those who are living in the area. Along with personally being a resident for extended times in the area, we are also a registered business for short term rentals. We have numerous complaints about disturbing noise on the street at late hours, that has resulted in negative reviews and impact on our business.

Therefore, we feel any extension of hours will only lead to more people being on the streets later at night and result in increased noise to the detriment of those residing in the area.

We would appreciate your rejection of this application.

Regards

Tim and Sue Grant

Ryan Morhart

From: Jana [REDACTED]
Sent: Thursday, April 25, 2019 3:00 PM
To: Ryan Morhart
Subject: Chucks burger

Hello

I live at 562 Yates street . This block has become increasingly noisy very late at night due to Lucky bar being open very late and selling cheap drinks. Screaming and yelling is so loud that is not possible to have normal night of sleep. . I have considered moving because of the noise ..

In my opinion having one more place open very late will ad to the noise level which is out of control already.

thank you

Jana Ignelzi

Appendix G

Maria Coffey & Dr. Dag Goering
Owners/residents 313 – 599 Pandora Avenue, Victoria BC V8W 1N5
Owners 301 – 534 Yates Street, Victoria BC V8W 1K8

Manager, Permits & Inspections
Sustainable Planning and Community Development Department
1 Centennial Square
Victoria BC V8W 1P6
rморhart@victoria.ca

Regarding: Application by Chuck's Burger Bar, 101 – 538 Yates Street, to the Liquor and Cannabis Regulation Branch (LCRB) to modify hours of operation from 11 am to 12 am daily to 11 am to 1 am Sunday to Thursday, and 11 am to 2 am Friday and Saturday.

Dear Madame or Sir,

The large concentration of restaurants and bars at the lower half of Yates Street (along with a new pub opening closer to Government Street) – while a draw for locals and visitors alike – is a source of a lot of noise. The 500 block of Yates Street is also home to several residential buildings.

The addition of another business which spills noise into the street until 1 or 2 am will effect the enjoyment of living on this vibrant block, and could impact the income for licensed short-term rental unit owners.

We were also recently dismayed by the practice of pubs broadcasting sports, music and even their pub quizzes out onto the sidewalk, presumably for patrons sitting on outdoor patios. More than one establishment engaging in this practice within half a block would be really pushing the limits.

We own a vacation rental in Yates Street and we live in an apartment on the corner of Pandora and Government. We enjoy the vibrancy of downtown living very much, however we feel it is necessary to maintain a balance that works for both downtown businesses as well as residents and visitors. There are many examples of badly managed historic areas in other cities that have become “party central” with all the attendant issues of noise, alcohol over-consumption and the often attendant belligerent or even criminal behavior. In the end, all that remains is the hardcore party crowd and businesses that benefit from it.

We hope the City of Victoria recognizes this danger and sees fit to make decisions that maintain a healthy balance of quality of life for residents and enjoyment for all kinds of visitors - not just the party animals.

Sincerely,

Dr. Dag Goering and Maria Coffey.

Appendix G



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

April 29th, 2019

Re: Application to Extend Hours of Operation at 101-538 Yates Street; Chuck's Burger Bar

Dear Mayor Helps and Council,

The DRA Land Use Committee has reviewed the application to amend the Liquor Licence for Chuck's Burger Bar. It is our understanding that the scope of changes is to extend the hours of liquor service from midnight daily to 1:00 am Sunday through Thursday and 2:00am on Fridays and Saturdays.

Feedback and questions from committee members are as follows:

- What are the Food to Alcohol sales ratios for the last hour of operation each day for at least the past month? Are they selling late night food, or are they simply another late night pub operating under the guise of a restaurant?
- Why doesn't the City charge more for business licences that include onsite liquor sales and consumption? Much like the province charges substantially higher fees for liquor primary (\$4400) as compared to food primary (\$950), the City should be collecting more revenue from business operations that are associated with the costs of late-night disorder and enforcement. Any food primary operator, open after midnight, should also be charged the same fees as liquor primary, as we know that many are operating as de facto liquor primary and are contributing to the late night issues in the core.
- Lucky Bar and Fiamo are the only late night liquor establishments operating on this block of Yates Street. Both of these establishments are not mid block, were in business prior to any residential development on Yates Street and operate until 2:00 am.
- The nightclub "Steamers" was located mid-block and was closed permanently when the premises were converted to residential; the owner citing "obvious incompatible uses".
- Any proposed hours of operation beyond what is typical for a business of this type would create a "destination" establishment and corresponding public nuisance.
- Insertion of new late night liquor seats and extended operating hours of liquor related seats in residential areas will create conflict between operators and residents that can be avoided with the establishment of good policy.
- There have been a great many applications for extended hours for food primary licences downtown recently. However, no City policy exists within the downtown area regarding

the siting of late night liquor establishments and proximity to residential development or vice versa.

- Within the Downtown Core Area Plan, under "Community Vitality" Policy 9.27.5 states:
Interface conditions and strategies to mitigate conflict between residential development and bars, nightclubs and restaurants.

These conditions and strategies have yet to be developed. It's time to amend the Plan to better define and incorporate "conditions and strategies" related to "bars, nightclubs and restaurants".

- No City policy exists requiring residential developments to achieve mandatory standards of "sound transmission class" (soundproofing) for developments constructed within the "entertainment" areas of Downtown. Such a policy would reduce conflict.

Concentrating late night liquor related activities into a residential area "after the fact" should be considered through a different and much more powerful lens. The Strategic Plan contains objectives for "Strong Livable Neighbourhoods" and developing a Municipal Alcohol Policy in 2019 to address concerns, forms part of this objective. If Council is genuine in its desire to not degrade livability for all neighbourhoods, including this one, it will restrict opening hours to midnight until the Alcohol Policy committed to within the Strategic Plan is established.

The alternative will simply be setting the residents and operators up for the inevitable but avoidable conflicts. DRA LUC members strongly support a vibrant downtown that includes late night drinking establishments but cannot support extended liquor service beyond midnight immediately adjacent to many pre-existing residences.

Sincerely,



Ian Sutherland

Chair
Land Use Committee
Downtown Residents Association