



Governance & Priorities Committee Report

For the Meeting of September 17, 2015

To: Governance & Priorities Committee **Date:** September 4, 2015
From: Robert Woodland, Director, Legislative and Regulatory Services
Subject: Application for Patron Participation Entertainment & Extended Hours
Northern Quarter restaurant - 1724 Douglas Street - Licence No. 306479

RECOMMENDATION

That Council, after conducting a review with respect to noise and community impacts regarding the application to add a Patron Participation Entertainment Endorsement and Extend Business Hours for the Food Primary liquor licence of the **Northern Quarter**, Liquor License No. 306479, located at 1724 Douglas Street, supports the application of the Northern Quarter restaurant to:

1. Amend its Food Primary liquor licence to add a Patron Participation Entertainment Endorsement;
2. Amend its Food Primary liquor licence to increase the hours of liquor service on Friday and Saturday nights to 9:00 a.m. to 1:00 a.m.; and
3. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in the Historic Commercial District of the Downtown Core Area Plan, which encourages the development of tourism, retail and entertainment focused businesses. The property is zoned CA-3, Central Area General Commercial District, which permits theatre, auditorium and restaurant uses. There is significant new residential development occurring immediately to the east of the property, which may support the business' viability. The Food Primary liquor licensed business is compatible with the neighbouring land uses and is within the Intermediate Noise District, which allows for a higher noise threshold.
 - (b) These licence amendments are expected to have a minor impact on the neighbourhood, since the restaurant is currently open until 12:00 midnight on Friday and Saturday nights. The restaurant's occupant capacity is 100 people including staff. The restaurant's location on a main arterial road in the downtown core is expected to mitigate the noise impact from the later business hours. The City has not received any bylaw complaints with respect to noise for this restaurant.
 - (c) The views of adjacent residents and businesses were solicited via a mailed notice to neighbouring property owners and occupiers within 50 metres of the restaurant and a notice was posted at the restaurant entrance. The City received seven letters in support of the application and four letters opposed to the application. An additional

letter opposed to the application misidentified the location of the restaurant as being within The Hudson building.

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* (the Act), regarding an application by the Northern Quarter restaurant to amend their Food Primary liquor license at 1724 Douglas Street to:

- Add a Patron Participation Entertainment Endorsement (dancing); and
- Extend their liquor service hours to 1:00 a.m. on Friday and Saturday nights.

The hours of liquor service are currently 9:00 a.m. to 12:00 midnight seven days per week. The business hours of the restaurant are currently 4:30 p.m. to 12:00 midnight Tuesday through Saturday, with brunch service from 10:00 a.m. to 3:00 p.m. Sundays. The occupant capacity for the restaurant is 100 persons including staff.

The approval of a Patron Participation Entertainment Endorsement would allow the restaurant to have a small dance floor for patrons to dance to music that is offered on most evenings. The licensee is also requesting a one-hour extension to 1:00 a.m. for their liquor service hours on Friday and Saturday nights to support their business model. There is no change to the patron capacity of the restaurant and food service is required during liquor service hours.

Public consultation for this licence application included a mailed notice to residents and businesses within 50 metres of the restaurant and a sign posted for thirty days at the entrance to the business. Seven letters were received in support of the application and 5 letters were received opposed to the application. Opponents are primarily concerned with the impact of late night noise on the adjacent residential units in The Hudson building. One letter opposed to the application misidentified the location of the restaurant as being within The Hudson building.

PURPOSE

The purpose of this report is to seek a Council resolution regarding an application by the Northern Quarter restaurant located at 1724 Douglas Street, to amend their Food Primary liquor license to:

- Add a Patron Participation Entertainment Endorsement (dancing); and
- Extend their liquor service hours to 1:00 a.m. on Friday and Saturday nights.

BACKGROUND

The Northern Quarter restaurant is located at 1724 Douglas Street and has an occupant capacity of 100 persons including staff. The current licensed liquor service hours are from 9:00 a.m. until 12:00 midnight, seven days per week. The business hours of the restaurant are currently 4:30 p.m. to 12:00 midnight Tuesday through Saturday, with brunch service from 10:00 a.m. to 3:00 p.m. Sundays.

The applicant is seeking a Patron Participation Entertainment Endorsement to allow the restaurant to have a small dance floor that would allow patrons to dance to live music that is offered most evenings until 11:30 p.m. In their attached letter (Appendix A), the applicant has described the full rationale for their request. A map of the subject property and the immediate area is also attached to this report (Appendix B).

Location

Official Community Plan

- The property is within the Core Historic Urban Place designation in the Official Community Plan. Area uses include: commercial, including office, retail, visitor accommodation, multi-unit residential and mixed use.
- The area is covered by Development Permit Area 1 (HC): Core Historic which enables Council to review and approve the character of commercial, industrial and multi-family residential developments. Heritage conservation is also included in one of the purposes of the DPA.

Downtown Core Area Plan

- The property is within the Historic Commercial District of the Downtown Core Area Plan, which supports growth in the tourism, retail and entertainment sectors. Residential dwellings are also encouraged in the upper stories of existing buildings.

Zoning and Designations

- The property is zoned CA-3 Zone, Central Area General Commercial District, which permits theatres, auditoriums, gymnasiums and other places of recreation or amusement as well as transient accommodation, restaurants and retail sales
- The site falls within the Intermediate Noise District under the *Noise Bylaw*

Neighbourhood Compatibility

The one storey building is comprised of ground floor retail and office spaces (most are currently vacant) and is located on the west side of Douglas Street near the corner of Herald Street. It is across the street from The Hudson, which has ground floor commercial and upper floor residential uses. Immediately adjacent land uses are:

- North (across Herald Street) – Office building (seven storeys)
- East (across Douglas Street) : The Hudson (152 residential units) with ground floor commercial space including the Victoria Public Market
- West: a two storey apartment building (17 units) with the Chung Wah Mansion (56 units) apartment building further west
- South: a one storey building with ground floor commercial space and further south the Masonic Temple building

Liquor Control and Licensing Branch

The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local governments are asked to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding (1) the potential for noise and (2) impact on the community if the application is approved.

ISSUES & ANALYSIS

This application is a permanent change to the liquor licence terms and conditions, which would enable the restaurant to have a small dance floor in conjunction with live music and provide liquor service until 1:00 a.m. on Friday and Saturday nights. A letter from the applicant outlining his business plans is attached to this report as Appendix A.

Technical Review

Within a 50 metre radius of the Northern Quarter, there are three licensed Food Primary businesses (restaurants), which includes the Ambrosia Event Centre and two licensed restaurants in the Victoria Public Market. There are no Liquor Primary businesses within 50 metres.

The Northern Quarter restaurant is permitted to have live music under their existing Food Primary licence. The business owner advises that the live music typically ends at 11:30 p.m. If the additional hour of liquor service is approved for Friday and Saturday nights with a Patron Participation Entertainment Endorsement then the latest the live entertainment could go is 12:00 midnight.

The addition of a dance floor on its own is not likely to increase noise levels significantly on the street. The increase of liquor service hours by one hour until 1:00 a.m. on Friday and Saturday is more likely to increase noise on these days if the music continues past 11:30 p.m. Restaurant patrons would also be expected to leave the business at a later hour on these two nights, which may cause some additional street noise.

The restaurant and the adjacent Hudson residences are located within the Intermediate Noise District, which sets a higher threshold for noise disturbances. While the decibel level of music played within the restaurant may be able to be regulated under the *Noise Bylaw*, ambient street noise created by people leaving the business cannot.

The location is within the downtown core and the proposed liquor licence amendments are consistent with similar restaurants in the downtown. The requested changes otherwise provide an additional option for downtown entertainment in an area that anticipates such uses. There are no bylaw compliance issues with the restaurant and their business licence is in good standing. Victoria Police did not provide any comments in response to the application.

There are residences immediately across street from the restaurant venue and there will therefore be some risk of sound impacts to these residents if later hours on weekends are approved. There are no immediately adjacent residents on the west side of Douglas Street where the restaurant is situated. The wide width of Douglas Street and its sidewalk (29m) and the lack of balconies on The Hudson building on the east side of Douglas Street mitigates potential noise disturbance to Hudson residents. The distance of the restaurant from residents to the west of the building (around the corner on Herald Street and Fisgard Streets) is such that any additional noise impacts are likely to be minimal.

Public Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all property owners and occupiers within 50 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, the business displayed a poster at the entrance to the restaurant for thirty days, which invited people to provide input to the City with respect to this application.

Seven letters were received in support of the application and 5 letters were received opposed to the application. Opponents are primarily concerned with the impact of late night noise on the adjacent residential units in The Hudson building. One letter opposed to the application misidentified the location of the restaurant as being within The Hudson building. A written response was received by the City from The Hudson Strata Council, advising that the Northern Quarter is a welcome addition to the neighbourhood; however, they noted that the requested licence amendments may negatively impact residents on the Douglas Street frontage of their building. The letters received by the City are included in Appendix C.

Official Community Plan

The existing and proposed restaurant uses are consistent with the *Official Community Plan* objectives for this neighbourhood, the Downtown Core Area Plan, and the CA-3, Central Area General Commercial District.

Strategic Plan 2015 – 2018

The recommendation to support the application is likely to increase the business viability of the restaurant, which is consistent with Strategic Plan Objective #5 - *Create Prosperity Through Economic Development*.

The restaurant's business model, which features live music and spoken word performances is consistent with Strategic Plan Objective #10 - *Nurture Our Arts, Culture and Learning Capital*.

2015 – 2019 Financial Plan

There is no expenditure impact on the Financial Plan.

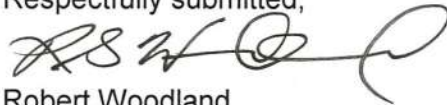
CONCLUSIONS

The City's current liquor licensing policy is silent about Patron Participation Entertainment Endorsements and Council has normally considered each application on its own merits.

The technical review by staff from several City Departments identified few concerns about the Patron Participation Entertainment Endorsement, as the addition of a dance floor is unlikely to change the character of the restaurant from its current format offering live entertainment. The increase in liquor service hours until 1:00 a.m. is more likely to increase noise disturbance to neighbouring residents, since customers will leave the venue later on these two nights. Live entertainment offered with the Patron Participation Entertainment Endorsement must end by 12:00 midnight, even though the restaurant can continue to serve alcoholic beverages until 1:00 a.m.

Commercial and residential redevelopment in the north part of the downtown is expected to attract new residents and businesses. The downtown community should expect that restaurants, bars and other evening entertainment venues will be a part of the landscape. The City's role in this application is to assess whether the proposed changes to the restaurant are reasonable, consistent with the City's community planning vision for this neighbourhood, and do not adversely affect residents and businesses in the neighbourhood. Considering all the factors, including public input from neighbouring residents and businesses, staff recommend that Council consider a resolution in support of the application.

Respectfully submitted,



Robert Woodland
Director, Legislative and Regulatory Services

Report accepted and recommended by the City Manager:



Date: Sept. 7, 2015

List of Attachments

- Appendix A – Letter from Applicant Re: Requested Change
- Appendix B – Map of 1724 Douglas and Surrounding Area
- Appendix C – Public input

Appendix A

Date: July 13th 2015

License #: 306479

Business Name: Northern Quarter

Address: 1724 Douglas Street, Victoria, BC

Re: Patron Participation entertainment endorsement – letter of intent

Dear sirs,

I am writing in support of my application for a Patron Participation entertainment endorsement on my existing Food Primary license.

Northern Quarter is a restaurant venue offering seasonal food and daily feature menus showcasing the best of Vancouver Islands produce. Our vision is to pair an excellent dining experience with inspiring and inclusive live entertainment.

We have built a beautiful and simple stage which is perfect for housing smaller musical ensembles and spoken word events e.g. stand up comedy and quiz nights.

My business partner and I have owned and managed similar style restaurant venues in Victoria over the last 10 years. My experience was owning and operating the Fort Street Café and chef Torin was owner operator of the Superior Café in James Bay. Both venues successfully managed live entertainment and made them conducive to a dining experience.

Northern Quarter hopes to become a mainstay of community spirit and creativity, truly reflecting the expression and intelligence of our clientele. We hope to provide an alternative experience to the typical downtown bar scene.

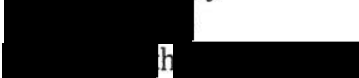
While an audience participation endorsement will potentially allow us to offer a small dancing area when catering to special events and private parties, it will also allow us to present a hosted Open Stage event. Any dancing will remain within 10ft from the front of the stage.

We hope to become an integral part of the Hudson District and provide a respectful, tasteful and welcoming restaurant which will become a 'regular' for the growing community.

Kind regards,



Benjamin Coey





Application for a Permanent Change to a Liquor Licence

All Licence Types

Liquor Control and Licensing Form LCLB005b

FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 10 of this application form.

- If you have any questions about this application, call Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: www.pssg.gov.bc.ca/lclb

Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: BENJAMIN COEY Phone number: [REDACTED]

Fax number: [REDACTED] E-mail address: [REDACTED]

Licensee Information

Licensee name [as shown on licence]: NORTHERN QUARTER

Establishment name [as shown on licence]: NORTHERN QUARTER

Establishment Location address (as shown on licence):
1724 DOUGLAS ST VICTORIA BC V8W 2G7
Street City Province Postal Code

Mailing address: (All correspondence will go to this address)
521 SPRINGFIELD ST VICTORIA BC V9A 3Y6
Street City Province Postal Code

Business Tel with area code: [REDACTED] Business Fax with area code: [REDACTED]

Business e-mail: [REDACTED]

Contact Name: BENJAMIN COEY Title/Position: OWNER OPERATOR
last / first / middle

Type of Change Requested

Please check (☑) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. An incomplete application will be held for a maximum of thirty (30) days. If still incomplete after the thirty (30) day period, the application may be terminated. See Part 13 for the approval process for the change you have requested.

Type of change requested	Licence numbers affected MANDATORY	Job Number Office Use ONLY
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)		(C2-LIC) (sub)
<input checked="" type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)	<u>306479</u>	(C2-LIC) (sub)
<input type="checkbox"/> 3. Request for change in terms and conditions (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)		(C3-LIC) (sub)
<input type="checkbox"/> 5. Request for tied house restrictions exemption (p. 3)		(C3-LIC) (sub)
<input checked="" type="checkbox"/> 6. Change to hours of sale (p.3)	<u>306 479</u>	(C3-LIC) (sub)
<input type="checkbox"/> 7. Catering endorsement (p.4)		(C3-LIC) (sub)
<input type="checkbox"/> 8. Temporary off-site sale endorsement (p.4)		(C2-LIC) (sub)

Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCLB012a; for Food Primary, use LCLB012b; for Manufacturer and Winery Endorsements, use LCLB013; for Wine Store and Licensee Retail Store, use LCLB012c.
- To apply to have a third party management firm or lessee operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCLB026) or to apply for a resident manager to operate your establishment, use the *Application to Add or Change a Licensee's Resident Manager* (LCLB025).
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCLB005a).

103

PART 1: Establishment or Business Name Change and/or Licence Name Change C2 - LIC

To be completed when the licensee wishes to change the name of an establishment or business and/or licence.

Note: If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x [] licences = \$ []

Establishment or business name change:

Current establishment or business name as shown on licence: []

Proposed name: []

Licence name changes:

Licence #: [] Current licence name: []

Proposed licence name: []

Licence #: [] Current licence name: []

Proposed licence name: []

Attach the following:

Sketch or picture of the proposed establishment or business signage.

Also complete Parts 9 and 10

PART 2. Entertainment Endorsement (Food Primary licenses only) C2 - LIC

According to the type of entertainment being applied for, complete either (A) or (B) below and attach required documents:

A) Patron non-participation entertainment endorsement (e.g., musicians)

Note: Patron non-participation entertainment must end by 1:00 a.m. Fee: \$220 per licence x [] licences = \$ []

Submit a letter of intent describing, in detail, the form of patron non-participation entertainment proposed and where it will take place in your restaurant.

B) Patron participation entertainment endorsement (e.g., dance floor):

Note: Patron participation entertainment must end by midnight. Fee: \$330 per licence x [1] licences = \$ [330]

Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.

Request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form. For further information on local government resolutions, read Part 11).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCLB in Victoria (see contact information on page 5 of this form).

NOTE - When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? Yes No

Also complete Parts 9 and 10

PART 3. Request of Change in Terms and Conditions C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests to the general manager for an exercise of discretion. Depending on the nature of the licence change requested, local government and public input may be required.

Fee: \$220 per licence x [] licences = \$ []

Attach:

A letter of intent describing, in detail, the proposed change to your licence and compelling reasons for your request. To request discretion, provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. If a staff report is prepared in regards to your request, you will be provided with a copy and will have two weeks to provide any comment before the request for discretion is considered by the General Manager. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>)

Also complete Parts 9 and 10

PART 4. Live theatres requesting liquor service in conjunction with C3 - LIC Fee: \$330

films/broadcasts

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request.

See Policy Directive 12-02 for the conditions that apply to liquor service at live theatres during films and broadcasts.

LCLB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

Also complete Parts 9 and 10

PART 5. Request for Exemption from Tied House Restrictions (Manufacturers only)

C3 - LIC

Fee: \$220 per affected licence x licences = \$

Small and medium manufacturers may apply to have a tied house association with up to 3 licensed establishments (LP, LRS, FP, Catering) that are not located on the same site as the manufacturer and where the manufacturer's products may be sold.

Attach a signed letter for each manufacturing licence that you are applying for above, stating the following:

- Identify the manufacturer (by licence name and licence number) applying for the exemption. If the manufacturer is not yet licensed, provide the proposed licence name, location address and the job number assigned to your file.
- Identify the liquor licences (by name and number) that you wish to have exempted from the tied house restrictions (maximum you can ever apply for is three) as well as any licence where you want the exemption removed
- Disclose the manufacturer's production amount (minus spillage) for the previous year.

For more information on requests for exemption, see Policy Directive 13-03.

Also complete Parts 9 and 10

PART 6. Change to Hours of Sale

C3 - LIC

(Liquor Primary, Liquor Primary Club, Food Primary & Manufacturer endorsements)

Pursuant to Section 12(3) of the Liquor Control and Licensing Act, the general manager may limit the days and hours that an establishment is permitted to be open for the sale of liquor.

Hours of liquor sales for Food Primary establishments must meet with the dining habits of the clientele expected. Liquor must not be served unless the establishment is open for the service of a varied selection of menu items.

Licensees may apply to revise hours of sale, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. In some instances, the general manager of the Liquor Control and Licensing Branch may require the licensee to post public notices before a decision to alter licence hours is considered.

Check the appropriate change, and provide the requested information and documents:

A) Food Primary

(i) Request to change hours of liquor sales before midnight Fee: \$220 per licence x licences = \$
 • complete proposed hours of sale table below

(ii) Request to extend hours of liquor sales later than midnight Fee: \$330 per licence x licences = \$ 330
 • complete proposed hours of liquor sale table below, and
 • request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form; for further information on local government/First Nations resolutions, read Part 11).

Note: if you have patron participation entertainment, it must end by midnight

B) Liquor-Primary, Liquor-Primary Club, Manufacturer Special Event Area or Manufacturer Lounge

(i) Request to change the hours of liquor sales within the hours currently approved:
 • complete proposed hours of sale table below Fee: \$220 per licence x licences = \$

(ii) Request to change the hours of liquor sales outside the hours currently approved:
 • complete proposed hours of liquor sale table below, and Fee: \$330 per licence x licences = \$
 • request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form; for further information on local government/First Nation resolutions, read Part 11).

Complete the table below, indicating proposed hours of liquor sales:

Current Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9:00am	9am	9am	9am	9am	9am	9am
CLOSED	MIDNIGHT	MIDNIGHT	MIDNIGHT	MIDNIGHT	MIDNIGHT	MIDNIGHT	MIDNIGHT

Proposed Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	MIDNIGHT	MIDNIGHT	MIDNIGHT	MIDNIGHT	1am	1am	MIDNIGHT

NOTE – When relocating a Food-Primary establishment: An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? Yes No

Also complete Parts 9 and 10

PART 7. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (**excluding** liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

NOTE: If a licence is approved with a catering endorsement, **the licensee must notify LCLB of all catered events** (except in private residences) using OneStop (www.bcbusinessregistry.ca). Some events may require approval from LCLB before the catered event can take place. Further information about how to notify LCLB will be provided by your local liquor inspector when they complete their final inspection.

LCLB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2nd) inspection to confirm you meet the requirements of a catering endorsement. **A fee of \$200 will be charged if a second (2nd) inspection is required.**

Also complete Parts 9 and 10

PART 8. Temporary Off-Site Sale Endorsement (Licensee Retail Store & Wine Store licences only)

Licensee retail store (LRS) licensees and wine store (WS) licensees may apply for a temporary off-site sale endorsement to permit the sale of packaged liquor in conjunction with a Special Occasion Licensed (SOL) event that has a focus on food and/or beverage tasting (e.g., a wine festival).

A temporary off-site store can only operate during the festival days and hours but liquor sales cannot take place before 9am or after 11pm. The LRS or WS licensee must have an agreement with the SOL licensee and confirm with the SOL licensee that Local Government /First Nations permits the sale of packaged liquor products for off site consumption at the SOL event. Wine store licensees can only sell the range of products permitted by their store licence.

No Fee

NOTE: If a licence is approved with a temporary off-site sale endorsement, the licensee must notify LCLB for each temporary off-site store they will be operating by submitting a complete Temporary Off-site Sale Authorization form (LCLB 091) by fax or email 14 calendar days prior to the SOL event. A copy of LCLB 091 form can be found on our website at <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB091.pdf>. An event specific authorization will be issued.

Also complete Parts 9 and 10

PART 9: Declaration


My signature (the licensee's) below indicates that I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below:

Note: An agent, lawyer, resident manager or third party operator **may not** sign the declaration on behalf of the applicant.

Name of Official: BENJAMIN ~~DEER~~ COEY, PAUL
(last / first / middle)

Position: SHAREHOLDER + LICENSEE Date: 14 / 7 / 2015 Signature: 
(Day/Month/Year)

Name of Official: _____
(last / first / middle)

Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

Name of Official: _____
(last / first / middle)

Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

Name of Official: _____
(last / first / middle)

Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

PART 10: Application Fees

TOTAL FEE Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card: VISA MasterCard AMEX
- I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
- I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card): _____

Credit card number: _____ Expiry date: _____ / _____
(Month) (Year)

Signature: _____

PART 11: Local Government/First Nation Resolutions: (Information for the Applicant)

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2(B): Food-primary patron participation entertainment endorsement, and
- Parts 5(A)(ii) and 6(B)(ii): Change to hours of sale

Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- **Request your local government/First Nation to sign and date Part 12 of this form.**
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

PART 12: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for one or more of the following changes to a liquor licence has been made within your community:


- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, winery lounge or winery special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.

Local government/First Nation (name): Corporation of the City of Victoria

ROBERT G. WOODLAND
Corporate Administrator
City of Victoria
#1 Centennial Square
Victoria BC V8W 1P6

Name of Official: _____ Title/Position: _____
(last / first / middle)

Date of receipt of application: 23/7/2015 Phone Number: 250.361.0203
(Day/Month/Year)

Signature of Official: 

The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

- Comment on the following regulatory criteria:
 - the potential for noise if the application is approved;
 - the impact on the community if the application is approved; and
 - whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of liquor service past midnight or the addition of patron participation entertainment).
- Indicate whether or not the views of residents were gathered, and if not, provide reasons why they were not gathered (residents include residents and business owners).
- If the views of residents were gathered explain:
 - the views of the residents;
 - the method used to gather the views of the residents; and
 - comments and recommendations with respect to the views of residents.
- Provide recommendation as to whether the amendment should be approved.

You must refer to and attach any report presented by an advisory body or sub-committee to the council or board.

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution and make a decision about the application.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

PART 13: Application and Approval Process – What happens next?

For the following change requests (all C2):

- Part 1 Establishment or Licence Name Change
- Part 2 Food-Primary Entertainment Endorsement (may require local government/First Nations resolution).
- Part 8 Temporary Off-site Sale Endorsement

The process is:

1. Applicant will complete the appropriate section of this form and Parts 9 and 10, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change requests:

- Part 3 Change to Terms and Conditions (all C2)
- Part 4 Live theatres requesting liquor service (all C2)
- Part 5 Request for exemption from tied house restrictions (all C3)
- Part 6 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 9 and 10, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff may request your local liquor inspector to provide comments regarding your application.
5. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

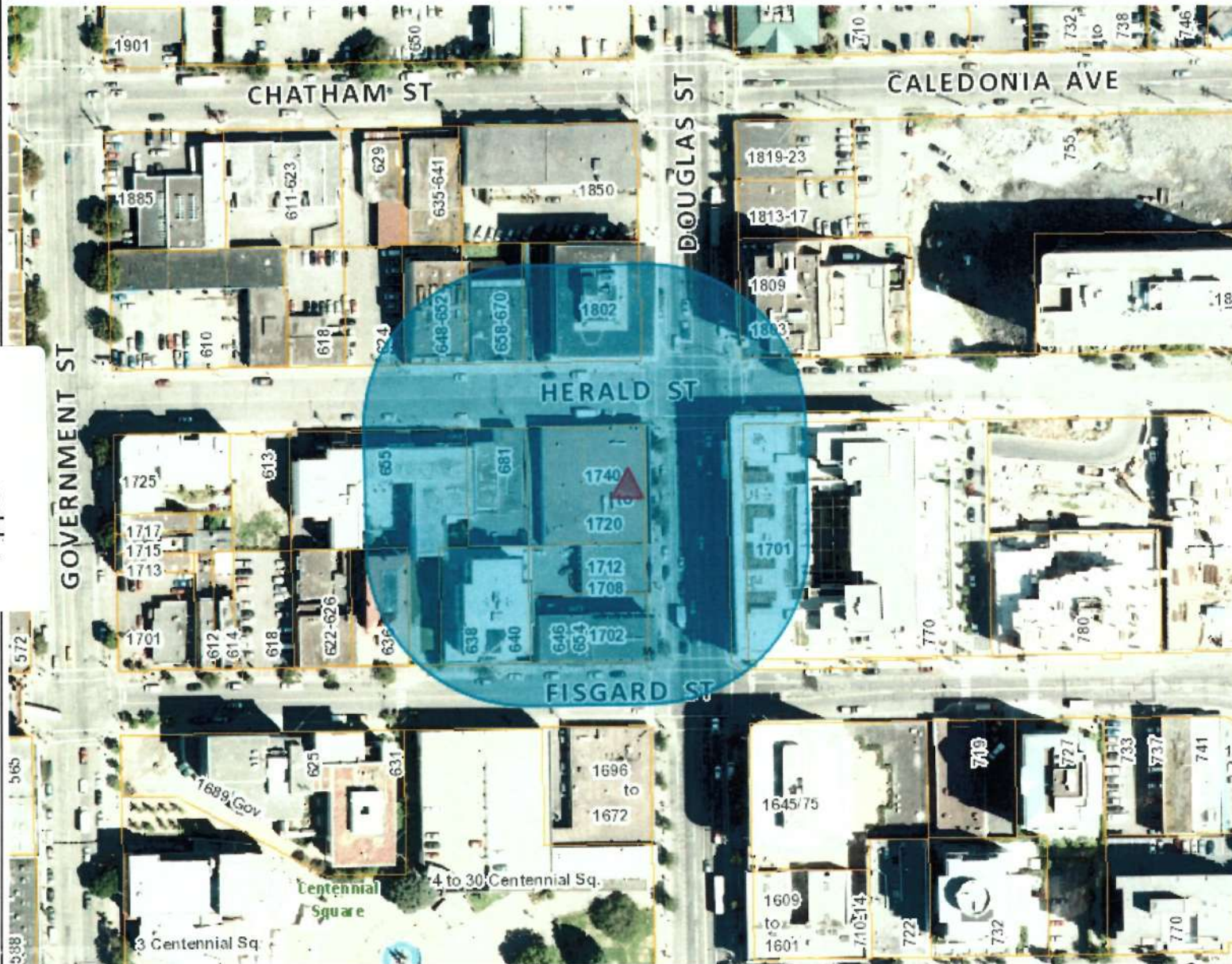
For the following change request:

- Part 7 Catering Endorsement (all C1)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 9 and 10, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. If the application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection. Before contacting the inspector for the interview/final inspection, the applicant must have the inspector interview letter.
Note: The applicant must contact the local area inspector to arrange for a final inspection by the date noted on the letter (30 days from the date on the letter). If the inspector is not contacted to arrange for a final inspection or for an extended time, the application will be terminated.
5. At your final inspection, the inspector will verify that your business location meets the requirements for a catering licence by reviewing the food selection, the kitchen equipment, advertising and staffing resources. If the inspector is not satisfied your business location meets the requirements of a catering licence you may be asked to make changes and schedule a second (2nd) inspection to confirm you meet the requirements of a catering licence. **A fee \$200 will be charged if a second (2nd) inspection is required**
6. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Phone - Victoria: 250 952-5787. Outside Victoria: 1-866 209-2111. Fax: 250 952-7066



Appendix B

Legend

Victoria Parcels

1: 1,788



Notes

Liquor Licence Application
with 50 metre notice area

91 0 45 91 Meters

NAD_1983_CSRS_UTM_Zone_10N

Public domain: can be freely printed, copied and distributed without permission.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Janet Hawkins

From: Matthew Koch [REDACTED]
Sent: Saturday, Aug 29, 2015 2:55 AM
To: Liquor Licence Email
Subject: Northern Quarter

Dear Madam or Sir:

I am writing with regard to the application of Northern Quarter (1724 Douglas Street) to change the nature of its liquor licence slightly. As a neighbor of Northern Quarter, I find the proposed changes quite acceptable. Northern Quarter has been contributing dramatically to the revitalization of an economically troubled corner of our downtown, so they should be supported in taking such minor steps to ensure their enterprise is successful. Should you have any questions for me, please do not hesitate to contact me at this electronic address or by telephone at [REDACTED]

Thanks very much,

Matthew Koch
University of Victoria

Kim Ferris

From: Luke Seeley [REDACTED]
Sent: Wednesday, Aug 5, 2015 9:19 AM
To: Liquor Licence Email
Subject: Northern Quarter Application

Hi there

I received notice of the Northern Quarter's application for a Food Primary license and wanted to weigh in.

I support their application. The restaurant is nice and could serve the nearby residents well as a local pub, which we don't really have at the moment. That block that they occupy has long been dead and bringing in a younger, hipper crowd could help bring some life to that block and perhaps encourage other business to move in.

These are the guys that brought us the Fort St. cafe and the two Picnic cafes, which have been local faves for many for some time now. They're both good guys and I'm not worried they'll do anything to disturb the the neighbourhood (they don't bring in loud heavy metal acts or anything).

I see this as only a good thing.

Kim Ferris

From: Justin Filuk <[REDACTED]>
Sent: Thursday, Aug 6, 2015 8:18 AM
To: Liquor Licence Email
Subject: Notice of Application For Permanent Change To A Food Primary Liquor Licence - Northern Quarter (1724 Douglas Street)

Dear Victoria City Council,

I am writing on behalf of the Townline Group of Companies, owner of the retail air space parcel in the Hudson building located at 1701 Douglas Street. Townline fully supports this application, new businesses in Downtown Victoria need to be supported. This is positive for the neighbourhood and the 1700 block of Douglas, hopefully more businesses will relocate to the area.

Regards,

Justin Filuk
Development Manager

 **TOWNLINE**
#120 – 13575 Commerce Parkway
Richmond, British Columbia V6V 2L1
T: [REDACTED]

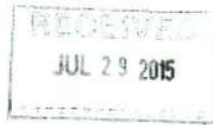
 TOWNLINE

Townline is Down to Earth. Please consider the environment before printing this e-mail.

Confidentiality Warning: The information contained in this email is confidential. It is intended only for the individual(s) named above. If the reader of this email is not the intended recipient, any distribution or copying of this email is prohibited. If you have received this email in error, please notify the sender by return email and delete all copies.

July 28, 2015

To the Owners/Occupiers
of properties adjacent to 1724 Douglas Street
Victoria, BC



NOTICE OF APPLICATION FOR PERMANENT CHANGE TO A FOOD PRIMARY LIQUOR LICENCE

Application to add Patron Participation Entertainment (dancing) and Extend Service Hours

The purpose of this notice is to inform the public of a proposal to change the liquor licence terms and conditions for the Food Primary business (restaurant) **Northern Quarter**, located at 1724 Douglas Street:

1. The licensee is applying to change the hours of liquor service as follows:
 - The current hours of liquor service are 9:00AM – Midnight, seven days a week.
 - The requested change to the hours of liquor service is 9:00AM to 1:00AM on Fridays and Saturdays only.
2. The licensee is also requesting a change to allow dancing (patron participation entertainment during musical performances).

Residents and businesses located within a 50 metres radius of the proposed site are invited to comment on this proposal by writing to:

Corporate Administrator
Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

or, by e-mail:
liquorlicence@victoria.ca

To ensure the consideration of your views, your correspondence must be received on or before **August 28, 2015**. Please note all comments will be submitted to Victoria City Council and will be part of the public record regarding the application.

Kim Ferris

From: Dan Reid [REDACTED] >
Sent: Thursday, Aug 6, 2015 12:22 PM
To: Liquor Licence Email
Subject: Noethern Quarter Licence extension

Hello,

Thanks for inviting feedback on Northern Quarter's application for an extension on service hours. I cannot endorse this application enough. NQ is a vital cultural space for downtown Victoria. It provides a much needed space for crestive expression for many emerging local artists. Sadly, there are no other venues in town that provide this. Lacey Lou's did for a time but they ran into financial difficulty and were forced to close.

It is imperative that we don't allow this to happen to NQ. Allowing them to extend their hours will certainly help with their bottom line and I encourage you to support their application.

I have had the great pleasure of attending many performances and songwriter workshops already and am proud to have a space like this in our community. I think venues such as these will really help showcase our strong local cultural heritage.

As for the dancing: it's pretty quaint this even has to be debated this day and age. Let us dance!

Cheers,

Dan Reid

Janet Hawkins

From: Katie Chan <[REDACTED]>
Sent: Wednesday, Aug 12, 2015 8:39 PM
To: Liquor Licence Email
Subject: Attn: Corporate Administrator RE: Northern Quarter 1724 Douglas Street

Dear Corporate Administrator,

As a resident of the city of Victoria I would like to voice my support for the proposed changes to the liquor license for Northern Quarter (1724 Douglas Street). The business is an asset to Victoria's vibrant food and entertainment culture and the extended licenced hours will help encourage its growth.

Sincerely,
Katie Chan
924 Empress St

Janet Hawkins

From: Rick Ilich [REDACTED] >
Sent: Friday, Aug 14, 2015 5:44 PM
To: Liquor Licence Email
Subject: Northern Quarter extended hours

I am a resident at 426-770 Fisgard, across the street from the application.
I am in full support of the extended hours, as I respect how difficult running a small business can be.
These neighbourhood character defining business have my support.
Thank you
Rick Ilich

Janet Hawkins

From: Jade Ang [REDACTED] a>
Sent: Wednesday, Aug 26, 2015 9:27 AM
To: Liquor Licence Email
Subject: RE: Northern Quarter | 1724 Douglas Street

To Corporate Administrator,

RE: Northern Quarter | 1724 Douglas Street

We would like show our support of the increased hours regarding liquor service at a local business, we feel this would be good for the neighbourhood and would like to see more businesses be able to serve liquor as well as increase their hours.

Thank you for your time,

Hudson Retail Inc.

Janet Hawkins

From: Anna <[REDACTED]>
Sent: Thursday, Aug 27, 2015 12:17 PM
To: Liquor Licence Email
Subject: RE: Northern Quarter extended service licence

Response to City of Victoria regarding Northern Quarter application for extended service hours:

To whom it may concern,

First of all, we would like to express our support for local businesses in our neighbourhood. We appreciate the flavour that local businesses bring and choose to give our patronage to local small businesses.

However, as property owners and residents within 50m of Northern Quarter, we are deeply concerned about the application to permanently change service hours on Fridays and Saturdays to 1 am and also to include dancing. We understand that the extension is only for 1 hour on weekends only and it is not an unreasonable request as their business hopes to grow. We believe the success of Northern Quarter as a business would not be hindered without extended hours and dancing.

Our window directly faces Northern Quarter and we already hear their bass, music, cheering, and outdoor conversations in the evenings. We can hear the music and cheering at this current moment with all the windows closed. Adding extended hours and dancing would prolong the noise and make it intolerable for residents trying to sleep before 1am. We often sleep before 11pm, even on weekends. Street noise carries to our unit and we are able to hear outbursts from drunk patrons often already.

Like many other places that have dancing, it is inevitable that Northern Quarter patrons will be outdoors on the street, smoking, chatting, getting air and cooling off from the venue. Hence, even if service hours have ended, patrons are likely in the streets still disturbing the peace at night way beyond service hours. Extending their hours would be extending the noise, likely till 2-3am.

As property owners, this business directly affects the value of our asset as proximity to places like night clubs, are a deterrent to most buyers due to the noise at night. Therefore, we are seriously concerned about this application and write in favour of its rejection.

We look forward to your confirmation of reception and hearing the result of this application.

Sincerely,

Robert and Anna King

320-770 Fisgard St

Kim Ferris

From: Candice Peterson <[REDACTED]>
Sent: Saturday, Aug 1, 2015 7:36 AM
To: Liquor Licence Email
Subject: Applllication response

We received letter to respond to application for increased hours and patron dancing at the northern quarter 1724 Douglas street

We reside directly across the street. The noise level from patrons leaving the business is already an issue. Our sleep is interrupted frequently.

Allowing extended hours will increase interrupted sleep as patrons will be leaving at a later time when effected residents are surely to be sleeping.

Adding dancing will increase the noise level in that there will be an increase of patrons. The business itself is small. When there is increased number of people wanting to go in, there is a larger number of people waiting outside. Therefore noise level increases.

Dancing in a venue changes the venue. It becomes more of a club type atmosphere than a pub.

The noise level is already significant enough. We understand that there will be increased noise when a pub opens across from us, however these changes will further impact our sleep.

Thank you,
Resident of 770 fisgard street

Kim Ferris

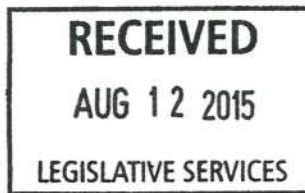
From: Sylvain Boies <[REDACTED]>
Sent: Monday, Aug 3, 2015 6:13 PM
To: Liquor Licence Email
Subject: Feedback on application for 1724 Douglas Street

Hello,

I am writing in response to your notice dated July 28 advising the neighbours of the above-noted property of the request for a liquor license. I am opposed to the granting of this request as it directly affects the residents of my condominium building. The noise that will result from the late party goers, especially at the time of the bar closing, will affect our capacity to sleep and rest. Do not hesitate to contact me if you require additional information.
Thank you.

Sylvain C. Boies, Ph.D.

648 Herald Street, Suite 202
Victoria, BC V8W 1S7
Tel.: [REDACTED]



AUGUST 11, 2015

Corporate Administrator
Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

NOTICE OF APPLICATION FOR PERMANENT CHANGE TO A FOOD PRIMARY LIQUOR LICENCE

We are opposed to the requested change to the liquor license for the Northern Quarter, located at 1724 Douglas Street.

This part of the downtown transitions to residential properties in the vicinity of Douglas and [now] Pandora and the extended hours and planned Patron Participation use are not in keeping with that transition.

In addition there already exists two other establishments nearby – Paul’s Motor Inn and the Capital CityCenter – which offer the same entertainment opportunities.

Uses such as proposed would be better located several blocks south, closer to similar businesses.

Mike and Robyn Brady
Resident Owners at the Hudson
770 Fisgard St
Victoria
V8W 0B8

Janet Hawkins

From: L-and-L [REDACTED]
Sent: Friday, Aug 28, 2015 2:34 PM
To: Liquor Licence Email
Subject: Application for Permanent Change to a Food Primary Liquor License. 1724 Douglas St

To whom it may concern

I am writing this to voice my concern regarding the proposed change in license to the premises previously occupied by Smoke N Bones. I'm sure you are aware that all the units in the Hudson are residential apart from the first floor. We own unit # 223, a one bedroom condo directly above this location and during the previous operation of the restaurant we were notified on several occasions that our tenants were disturbed by the noises generated by the restaurant in the late evening. Given the proposed change that extends the hours on Friday and Saturday to 1 am as well as permitting patron participation during musical performances our concerns are as follows:

- potential persistent noise complaints from tenants
- potential for tenants to break the lease citing inability to enjoy their home
- difficulty in securing long term tenants
- potential devaluation of our unit as it is directly above a noisy restaurant
- additional costs to owner as the owner is responsible to cover costs of move in fees of \$200.00 for each tenant change

Regards
Leslee Laban
Laban Holdings Ltd