



1715 Government Street  
Victoria, BC  
V8W 1Z4

Manager Bylaw and Licensing c/o Legislative Services  
City of Victoria  
No.1 Centennial Square  
Victoria, BC  
V8W 1P6

Sept 10, 2015

**Re: Permanent Change to a Liquor Licence-Northern Quarter**

Dear Manager Bylaw and Licensing,

The DRA Land Use Committee has reviewed the proposed Liquor Licence change for the Northern Quarter Restaurant.

In the last few years, Downtown residents have raised several concerns regarding noise from patrons leaving Liquor service establishments in the late hours. There are risks associated with constructing residential units in close proximity to a late night Liquor outlet and opening new Liquor outlets near residential units. In approaching these applications, the DRA LUC typically takes note of which use was established first in the immediate area. Certainly there is a justified expectation of due diligence by residents purchasing units next to long established Liquor outlets and the DRA has always recommend that developers mitigate these concerns in the construction process by applying sound abatement (triple glazing, aircon etc). With this particular application there is a very substantial residential building (The Hudson) directly opposite the applicant that has no sound abatement due to the desire to preserve the single-glazed historic windows. This residential building has existed for several years predating this application and an established right of "quiet enjoyment".

There have been several recent applications of this type, where food primary licences are being amended to facilitate uses that would be considered more associated with Liquor Primary Licences. It is our understanding that "Good Neighbour" agreements are not a requirement of a Food Primary Licence, which concerns the DRA as there is a need for some form of enforcement for establishments that remain open late. It should also be noted that Licence amendments, once approved, could remain in perpetuity regardless of the operator and without a mechanism to support enforcement.

Feedback from the committee is as follows:

- This establishment is located directly opposite a major heritage building with a substantial number of residential units and no soundproofing.

- There have been incompatibilities recognized between residences and licensed establishments with late night opening hours for liquor service in other locations within the downtown.
- The audience participation component of the application may be considered acceptable separately.

**Decision:** The DRA has a history of supporting proposals of all kinds that will bring vitality and vibrancy to our neighbourhood. That is one of the reasons our members have chosen to live in the Downtown core. In balancing these goals with the potential impacts, the "audience participation" component of this application is supportable; however, the DRA LUC cannot support the extended hours proposed in this application because of the likely negative impact on established residents.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a stylized, cursive script.

Ian Sutherland  
Chair Land Use Committee  
Downtown Residents Association