

PURPOSE

The purpose of this report is to seek Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by Inn on the Harbour to change their Liquor Primary License service hours at 427 Belleville Street as follows.

Current Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am
Close	1:30 am	1:30 am	1:30 am	1:30 am	1:30 am	1:30 am	12:00 am

Proposed Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	1:00 am	12:00 am

BACKGROUND

The 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.
2. Impact on the community if the application is approved.

A map of the subject property and the immediate area is attached to this report (Appendix A).

As noted above, this application is for a permanent change to the hours of liquor service for the Liquor Primary License. The Liquor Control and Licensing Branch is requesting a resolution from the City of Victoria regarding the application and the review criteria noted above.

ISSUES & ANALYSIS

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

City Liquor Licensing Policy

In 2007 Council adopted as part of the City's Liquor Licensing Policy, specific hours of operation limitations for liquor-primary licensed businesses that wanted to operate outside of the provincially approved hours. The policy that Council adopted includes:

- That City Council not consider applications for extended hours of sale past 2:00 am for any date other than New Year's Eve

*The limitations for opening and closing hours adopted by Council only refers to the sale of liquor and not the other aspects of the business. The applicable Council minutes are attached to this report as Appendix B.

City Referrals

An inter-departmental review of the project has been undertaken by City staff. The inter-departmental review includes circulation to Police, Bylaw, Planning, Community Development and Engineering. That review has resulted in the following feedback:

- The permanent change to hours should not result in additional noise, transportation, nuisance or other similarly related issues.

Community 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, Inn on the Harbour displayed a notice poster at its entrance for 30 days which invited people to provide input to the City with respect to this application.

One letter was received opposing the application to change hours of licenced service. The letter of concern expressed opposition to the need to consume alcohol at an earlier time in the day and towards the idea of additional hours of licenced service throughout the day.

The letter is available in Appendix C.

Applicant Response

As is standard practice as a part of the liquor licence process, after City staff give input, the applicant has a chance to review the information (and this report) and respond prior to the report being forwarded to Council. The applicant has declined the opportunity to address the report.

In summary, after conducting a review with respect to noise and community impacts, and soliciting community views regarding Inn on the Harbour's application to permanently change hours from 11:00 am to 1:30 am Monday through Saturday and 11:00 am to 12:00 am on Sundays, to 9:00 am to 1:00 am Monday through Saturday, and 9:00 am to 12:00 am on Sundays at 427 Belleville Street, it is considered that the proposal is consistent with current City policy. Therefore, staff recommend that Council consider directing staff to notify the Liquor Licensing Agency that Council supports the application to extend hours of licenced service for the Liquor Primary License.

IMPACTS

Accessibility Impact Statement

None

Strategic Plan 2015 – 2018

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

Impacts to Financial Plan

None

Official Community Plan

The existing and proposed uses of the liquor primary license are consistent with the *Official Community Plan* objectives for this neighbourhood.

CONCLUSIONS

The application to change the Liquor Primary License for Inn on the Harbour, changing hours from 11:00 am to 1:30 am Monday through Saturday and 11:00 am to 12:00 am on Sundays to 9:00 am, to 1:00 am Monday through Saturday, and 9:00 am to 12:00 am on Sundays is not in conflict with the City's current liquor licensing policy. While there will be additional hours of licenced service throughout the day it is not expected to contribute to alcohol related issues in the area. Therefore, staff recommend for Council's consideration that a resolution be made regarding the application and that Council support the application to change the hours for the Liquor Primary License of Inn on the Harbour.

ALTERNATE MOTION (No Support)

That Council, after conducting a review with respect to noise and community impacts regarding the application to extend hours of service for a Liquor Primary License (043332), Inn on the Harbour, 427 Belleville Street, does not support the request for the amendment.

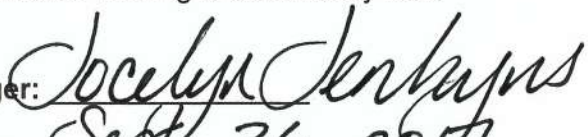
Respectfully submitted,


Ryan Morhart
Manager
Permits & Inspections


Jonathan Tinney
Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:

Date:


Sept. 26, 2017.

List of Attachments

- Appendix A: Aerial photograph (map) of the establishment and surrounding area.
- Appendix B: Council Minute from May 24, 2007
- Appendix C: Letters from the public
- Appendix D: Provincial Liquor License Types