



Planning and Land Use Committee Report For the Meeting of November 12, 2015

To: Planning and Land Use Committee Report **Date:** October 30, 2015
From: Chris Coates, City Clerk
Subject: Application for a permanent change of hours for liquor service for the **Strathcona Hotel** located at 919 Douglas Street, Licence No.136243

RECOMMENDATION

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the hours of liquor service for the Liquor Primary Licence of the Strathcona Hotel, Liquor Licence No.136243, located at 919 Douglas Street, **supports:**

- The application of the Strathcona Hotel to amend its Liquor Primary Licence to allow a change in operating hours to include 10:00 AM to 2:00 AM liquor service seven days per week.
- The Council provides the following comments on the prescribed considerations:
 - a. The location is within the Core Business Place designation in the Official Community Plan area which authorizes commercial, including office, retail, visitor accommodation, multi-unit residential and mixed use.
 - b. The Food Primary Liquor licensed business is compatible with the neighbouring land uses. The business is located within the Central Business District and is within the Intermediate Noise District, which allows for a higher noise threshold.
 - c. The views of the residents were solicited via a mailed notice to neighbouring property owners and occupiers within 50 metres of the Hotel and a notice posted at the property. Two written responses were received from residents opposed to the application.

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*, regarding an application by the Strathcona Hotel in relation to their Liquor Primary Licence for the premises located at 919 Douglas Street, for a permanent change to extend their hours of operation in relation to their liquor service.

The requested change is to authorize liquor service between the hours of 10:00 AM to 2:00 AM seven days per week. The current hours of liquor service are from 11:00 AM to 2:00 AM seven days per week.

The applicant carries three Liquor Primary Licences: No.016686, No.043930, No.136243 and one Food Primary Licence No.043919. The applicant is only looking at the extension of hours for Licence No.136243, which has an occupancy of 530 patrons. There would be no change in occupancy as a result of this application. This licence is shared between the Sticky Wicket Pub and Restaurant and the Clubhouse.

PURPOSE

The purpose of this report is to seek a Council resolution regarding an application by the Strathcona Hotel, in relation to their Liquor Primary licensed business located at 919 Douglas Street, for a change to the hours of liquor service for the Sticky Wicket Pub and Restaurant.

BACKGROUND

The Strathcona Hotel is located at 919 Douglas and has been in operation since 1996, with multiple food and beverage service venues within the location.

The current hours of service for the venue/licence that is the subject of this application are from 11:00 AM to 2:00 AM, seven days per week. The applicant is seeking to extend these hours to 10:00 AM to 2:00 AM, seven days per week to facilitate the televising of NFL Sunday football games that begin at 10:00 AM.

The televised sports viewing market is one of the primary markets for the Sticky Wicket Pub and Restaurant and the applicant's plan is to open the Games Room portion of the Pub at 10:00 AM on Sunday and provide both food and beverage service. On occasion there are world sporting events that are shown at earlier times than the current operating hours, so the change in hours would allow the venue to televise these events without making a special application for each event. This licenced area of the Games Room shares the same liquor licence as the main portion of the Sticky Wicket as well as the Clubhouse.

Location

Official Community Plan

- The property is within the Core Business Place designation in the Official Community area uses include: commercial, including office, retail, visitor accommodation, multi-unit residential and mixed use.
- The area is covered by Development Permit Area 2(HC): Core Business 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 Central Business District of the Downtown Core Area Plan, which supports growth in the tourism, retail and entertainment sectors.

Zoning and Designations

- The property is zoned CA-22 Zone

- Permits offices, retail, residences restricted to the second and higher storeys, transient accommodation, restaurants, clubs, pubs.
- The property is on the Heritage Register

Neighbourhood Compatibility

- Immediately adjacent uses include:
 - North: retail with upper floor offices
 - West: retail and offices
 - East: offices
 - South: retail and residential building

The closest residential use to the site is the Falls retail/residential building immediately to the south across Courtney Street.

The potential for additional noise affecting neighbouring businesses and residential neighbours is minimal, given that the additional time change proposed is in the morning.

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 government is to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding the potential for noise and impact on the community if the application is approved.

Relevant Policy/Bylaw

- a) Liquor Licensing Policy;
- b) Liquor Licensing Fee Bylaw.

ISSUE & ANALYSIS

The technical review of the application has been completed, with the findings as noted below:

Bylaw & Licensing Services Division

The Bylaw and Licensing Services Division has no concerns with the application. The City has not received any complaints about noise in the morning. A Good Neighbour Agreement for the licensee, as required by the Business Licence Bylaw, is in place and in good standing.

Citizen Engagement and Strategic Planning – Downtown Community Development Section

The Downtown Community Development Section has no concerns with this application.

Engineering & Public Works Department

The Engineering and Public Works Department has no concerns with this application.

Sustainable Planning and Community Development Department

The Sustainable Planning and Community Development Department has no concerns with the application.

Police

The Victoria Police Department has no concerns with the application.

Public Engagement and Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all 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 access point to their business for a 4 week period, which also invited people to provide input to the City with respect to this application.

This consultation resulted in two written responses from the community, both opposed to the application.

Official Community Plan

The proposed use of the property is consistent with the Official Community Plan objectives for this neighbourhood, the Central Business District.

Strategic plan 2015 – 2018

Not applicable.

2015-2018 Financial Plan

There is no expenditure impact on the Financial Plan.

CONCLUSIONS

The request complies with the City's current liquor licensing policy as the proposed opening and closing hours contained in the requests are within the hours specified by City Policy where such parameters have been set. The Liquor Primary Liquor Licence associated with the business has been operating since 1996.

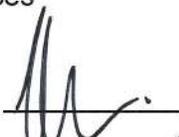
City staff from all Departments canvassed have no concerns about the proposed change to the operating hours for liquor service.

Respectfully submitted,


Kim Ferris
Business Licence Inspector
Bylaw & Licensing Services Division


Janice Schmidt
Manager
Legislative Services


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: 
Date: Nov. 2, 2015

List of Attachments

- 1. An aerial photograph (map) of the property and surrounding area.
- 2. A letter from the applicant providing the business rationale for the requested change.
- 3. An e-mail from applicant outlining purpose of the requested change.
- 4. Two e-mail letters from the public.



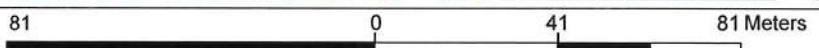
Legend

 Victoria Parcels

1: 1,600



Notes



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

THE STRATHCONA



The Strathcona Hotel | 919 Douglas Street, Victoria, B.C. | 250.383.7137 | strathconahotel.com

September 16, 2015

Mr. Robert Woodland
Director, Legislative and Regulatory Services
City of Victoria
1 Centennial Square
Victoria B.C
V8W 1P6

Re: Business Rationale for a Change of Hours Request at the Strathcona Hotel

Dear Mr. Woodland,

Thank you for considering our application for a change of hours at our hotel. As you are likely aware, the televised sports viewing market is one of the primary markets of the Sticky Wicket Pub and Restaurant. Our recent request is related to our desire to show the Sunday NFL games that start at 10:00 am. For this NFL Sunday football market we would likely only open the Games Room portion of the Sticky Wicket at 10:00 am on Sunday and provide both food and beverage service. This licensed area of the Games Room happens to share the same liquor license as the main portion of the Sticky Wicket as well as the Clubhouse. Also, on occasion there is a world sporting event (Rugby World Cup, World Cup Soccer, Olympic Hockey) that is shown at an earlier time than our existing operating hours. We would like to be permitted to show these major events as they happen without making a special application for each future event. There are competing outlets (both pubs and restaurants) that are able to show these events at this earlier hour and we would like to have the same opportunity.

If you have any questions regarding this request please do not hesitate to contact me.

Thank you.

Grant Olson
General Manager and Co-owner
Strathcona Hotel

Kim Ferris

From: Kim Ferris
Sent: Thursday, Oct 29, 2015 3:39 PM
To: 'Grant Olson'
Subject: RE: Licenses

Hello Grant,

Thanks, I will attach this to the report.

Regards,

Kim Ferris
Bylaw Officer/Business Licence Inspector
Legislative & Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria B.C. V8W 1P6

From: Grant Olson [mailto:grant.olson@strathconahotel.com]
Sent: Thursday, Oct 29, 2015 1:58 PM
To: Kim Ferris
Subject: FW: Licenses

Hi Kim,

Please find the attachment with all our licenses. In particular we are looking to extend the hours only for License # 136243. Also it is not our intent to open at 10 am seven days a week. The primary reason for our request was so that we could open for Sunday NFL football in one of our spaces included in the 530 capacity number (The Games Room area). We thought we would ask for all days so that when a special event occurs somewhere in the world (Olympic Hockey, World Cup Rugby and Soccer....) we wouldn't have to ask for a special license. So basically we really only would open Sunday at 10 in the games room unless there is something else big going on.

Thanks
Grant

From: Terry Friesen
Sent: Thursday, October 29, 2015 1:48 PM
To: Grant Olson
Subject: Licenses

Terry Friesen
Director of Outlets

Janet Hawkins

From: Monique Moore [REDACTED]
Sent: Sunday, Sep 27, 2015 3:11 PM
To: Liquor Licence Email; Glenn Price; Monique Moore
Subject: Liquor Licence No. 136243

Monique Moore
504-707 Courtney St.
Victoria, BC
[REDACTED]

To Whom it May Concern,

I wholeheartedly oppose any kind of extension of liquor service to this establishment. In fact, to put it not delicately at all it would be a cold day in hell when I support the Sticky Wicket and Clubhouse venues to pour further numbers of drunken out of control patrons onto the streets outside our residences.

I request a reduction in hours that liquor is being served. I request that the liquor license control supervisors take a regular look at the over pour service that occurs at this establishment. I request that the City of Victoria close the establishment at 11:00 p:m. I request that the City of Victoria and Victoria City Police have presence at closing time until 3:00 a:m because it is absolute chaos outside our homes any night of the week with blind drunk patrons screaming, yelling, swearing and fighting. We call regularly but you can't call every night of the week. I request the number of patrons be greatly reduced. Please follow the lead of major cities such as Vancouver and Chicago that shut down liquor service at 11:00 p:m to prevent drunk and disorderly chaos. I look forward to the day when there is no longer lip service to solving this problem downtown residents are supported in their choice to live and pay taxes in the core of the city.

Sincerely,

Monique Moore

Janet Hawkins

From: Susan Minaker [REDACTED]
Sent: Wednesday, Oct 7, 2015 8:55 PM
To: Liquor Licence Email
Subject: Notice of Application for Permanent Change to a Liquor License. Re: Sticky Wicket and Club House Venues (Liquor License No. 136243)

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

October 7, 2015

To Whom it May Concern:

We OPPOSE any kind of extension of liquor service hours to the Sticky Wicket and Club House Venues (Liquor License No. 136243).

We would like to request that the City of Victoria reduce the current hours that liquor is being served, thus closing the Sticky Wicket and Club House Venues establishment at 11:00 PM every day.

This would control the ongoing noise levels disturbing our peace from the establishment, the drunken disorderly conduct of patrons on the streets outside our residences, any violence and late night City Police Calls in our residential neighbourhood.

Consideration should be given to us residential tax payers and year round neighbours of this establishment, with respect to the health and wellness of our downtown community.

There is absolutely no reason to have blaring noise coming from that establishment and lingering patrons hanging around until 2 or 3 AM disturbing our peace.

Sincerely,

Perry & Susan Minaker
908-707 Courtney Street,
Victoria, BC
V8W 0A9

Sent from my iPhone