



Planning and Land Use Committee Report

For the August 21, 2014 Meeting

To: Planning and Land Use Committee **Date:** July 30, 2014

From: Robert Woodland, Director of Legislative and Regulatory Services

Subject: Application for a permanent change to Occupant Load of Licensed area in relation to a Liquor-Primary Liquor Licence, for the **Executive House Hotel** (Bartholomew's Pub), 777 Douglas Street, Licence, No. 064730

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 Executive House Hotel (Bartholomew's Pub) in relation to their Liquor Primary Liquor Licence for the premises located at 777 Douglas Street, for a permanent change to increase the occupant load.

The current occupant load for the liquor primary service area of the pub is 186 persons (including 28 on the exterior patio). The hours of liquor service are from 09:00h to 01:00h Monday through Sunday. The requested change is due to the reconfiguration of the pub and restaurant floor space on the ground floor of the hotel that faces Humboldt St. If approved, the occupancy for the liquor primary service area would be increased to 241 persons (including 32 for the exterior patio). There would be no change in the hours of operation as a result of this application.

Council has received both a staff technical review (report attached) and public input by providing an opportunity for the public to submit written comments (which are attached to the Staff Report) and by asking the licensee to conduct additional consultation with the area residents which has resulted in 5 additional written submissions (attached to this Report).

The compilation of this information and input has demonstrated that the application complies with the City's Liquor Licensing Policy however there are noise and nuisance concerns in the community that may result from the increased number of liquor primary licensed seats. To mitigate these possible impacts, staff recommend that Council consider a recommendation to reduce the hours of business on the patio to 11:00PM nightly.

Recommendation:

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons, on the condition that all of the licensed patio seats are vacated no later than 11:00PM nightly.

2. The Council provides the following comments on the prescribed considerations:

(a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.

(b) This request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, however there is expected to be minimal impact on the neighbourhood if the patio hours are limited to 11:00PM. As well the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor License (120 seats) that would result from this application being approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.

(c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the hotel and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City. In many cases these persons were not directly linked to the applicant's business.

In addition, the licensee conducted a public meeting in the community which has resulted in another 5 written submissions from area residents, most expressing concern about noise from patrons on the patio during the late night hours as well as patrons out on the public sidewalk smoking and socializing during business hours. The recommendation to limit the patio hours to 11:00PM is seen as a way to support the application while addressing some of the noise concerns expressed by the community.


Respectfully submitted,


Mark Hayden
Manager, Bylaw and
Licensing Services


Robert Woodland
Director, Legislative and
Regulatory Services

Report accepted and recommended by the City Manager:

Date:



August 14, 2014

ADDITIONAL MATERIALS RECEIVED VIA PUBLIC CONSULTATION PROCESS:

Attached 5

(3 letters from residents, 1 letter from the Aria Strata Council and 1 letter from the Downtown Resident's Association)

Purpose

The purpose of this report is to seek a Council resolution for submission to the Liquor Control and Licensing Branch regarding an application by the Executive House Hotel in relation to their Liquor Primary licensed operation located at 777 Douglas Street (Bartholomew's Pub) for a permanent change to increase the occupant load of the business.

Background

This is an application to amend a Liquor Primary Liquor Licence to increase the occupant load for the liquor primary service area of the pub from 186 persons (including 28 on the exterior patio) to 241 persons (including 32 for the exterior patio). The hours of liquor service are from 09:00h to 01:00h Monday through Sunday and there is no request to amend them. The requested change is due to the reconfiguration of the pub and restaurant floor space on the ground floor of the hotel that faces Humboldt St.

As discussed in the April PLUC Report, 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's role is to provide comments and recommendations to the LCLB on all requests made by a licensee to amend their liquor-primary licence including an assessment of noise or nuisance concerns. The recommendation in this Report has been drafted to comply with the LCLB requirements.

Public Engagement and Consultation

As a result of a Council resolution arising from the May 15th PLUC meeting, the licensee held a public meeting on June 25th to provide an opportunity to further consult area residents about the business plans for the hotel and pub and specifically the Liquor Primary Liquor Licence changes that are the subject of this application.

As a result of this additional consultation, the City received 5 written submissions, none of which provided outright support for the proposal. However, most of the letter writers are willing to support the additional capacity requested by the Executive House Hotel if steps are taken to have the patio seats closed by 11:00PM and to address noise and nuisance concerns of patrons smoking and/or socializing outside during business hours and the departure of patrons from the business at closing time.

Issues and Analysis

From the written input received (including the Downtown Resident's Association and the Strata Council of the "Aria" building) the two primary issues of concern to area residents are the nuisance and noise impacts caused by:

- Patrons of the licensed premises being able to utilize the patio after 11:00PM at night, and
- Patrons congregating in public space outside the entrance to the licensed premises in order to smoke and socialize during regular business hours or just after the premises close for the day.

The LCLB advises that the Council may recommend to the LCLB that the City will only support the increase in patron capacity on the condition that the patio is closed by 11:00PM on a nightly basis. The LCLB has the authority to amend this licence provision and would do so upon receiving such input from Council.

The issue of patrons congregating on the sidewalk during and immediately after business hours is regulated under the authority of the Business Licence Bylaw. The provision "The applicant agrees to employ security personnel to patrol the outdoor areas of the place of business, to monitor the activity of patrons in those areas, particularly at closing time and to ensure the orderly dispersal of patrons as they leave the place of business." is part of the Good Neighbour Agreement that every Liquor Primary Liquor Licensed business is required to sign and adhere to in the City. Given the hotel is under new ownership, staff will have the new owners complete a new Good Neighbour Agreement and all of the terms will be explained to the business owner/manager.

These actions would address the 2 areas of primary concern to the local residents with respect to this specific application.

Council's other option would be to issue a Resolution that does not support the requested change by the applicant. However, this would allow the applicant to continue utilizing the 186 Liquor Primary licensed seats (including the outdoor patio) until 1:00AM daily. In addition, the applicant could continue to use the additional floor space under the current Food Primary Liquor Licence which would actually permit more patrons on the premises than would be allowed under this application. When coupled with the impending changes being brought forward by the province, which may allow Food Primary licensed seats to be used more like Liquor Primary licensed seats after a specific time in the evening, supporting the application with the condition of restricting the patio hours may lead to a better outcome with respect to nuisance and noise for area residents.

Conclusions

As a result of the technical assessment of this application it has been determined that it complies with the City's Liquor Licensing Policy and land use regulations. If the mitigation measures are implemented as set out above, the potential community impacts from nuisance and noise from this business, should the application be approved, are expected to be minor. Addressing the primary concerns expressed by area residents in the manner described is a reasonable approach to reducing or eliminating the potential negative impacts of this request.

As a result, the recommendation is to issue a Resolution in support of the application with a condition regarding the patio operation, as set out below.

Recommendation

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons, on the condition that all of the licensed patio seats are vacated no later than 11:00PM nightly.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located

within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.

- (b) This request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, however there is expected to be minimal impact on the neighbourhood if the patio hours are limited to 11:00PM. As well the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor License (120 seats) that would result from this application being approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.
- (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the hotel and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City. In many cases these persons were not directly linked to the applicant's business.

In addition, the licensee conducted a public meeting in the community which has resulted in another 5 written submissions from area residents, most expressing concern about noise from patrons on the patio during the late night hours as well as patrons out on the public sidewalk smoking and socializing during business hours. The recommendation to limit the patio hours to 11:00PM is seen as a way to support the application while addressing some of the noise concerns expressed by the community.

ATTACHMENTS

The following documents are attached:

1. New Letters of input received from the public since May 15, 2014 - (5)
2. PLUC Minutes from May 15, 2014
3. PLUC Report (Technical Assessment), April 17, 2014 which includes a letter from the applicant and the public input received in accordance with the original solicitation for public input



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

Manager Administration Legislative Services
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

July 24, 2014

Re: Permanent Change to a Liquor Primary Licence-Executive House 777 Douglas

Dear Mr. Mark Hayden,

The DRA collaborated with Mr. Francis Mairet from the Executive House Hotel to hold a public information session in the Victoria Conference Centre on 25 June 2014 regarding the hotel's application for a permanent change to the Liquor Primary License at Bartholomew's. Thirty-six members of the community attended including residents and representatives of the strata councils of the Aria, Falls, Astoria and Belvedere condominiums as well as City Councillors Gudgeon and Thornton-Joe.

Overview of Presentation

Mr. Mairet made a thorough presentation on the changes being incorporated in the redevelopment of Bartholomew's with specific reference to the physical changes being made to the building to upgrade the facilities. He suggested that these changes would reduce the amount of pub noise that escapes into the neighbourhood. We understand that the main changes include the following:

- The front doors are being redesigned and retooled.
- The band/stage will be moved away from the windows near the patio, deeper into the room, with the goal of reducing (but not eliminating) the sound emanating into the street.
- The sound system will also be rationalised, so that there will be fewer but better quality speakers.
- The air conditioning will be upgraded, so that windows won't have to be opened to cool the room.
- Some of the doors on the patio will be replaced with windows.
- The patio will be reconfigured and the water fountain will be relocated.

We also understand that the physical changes being made to the interior provides an

opportunity to consolidate the food and beverage operations. Mr. Mairet focused on the fact that the proposal reduces their total seating capacity by 20%. It is noted that with the expansion of the Liquor Primary seats, four additional seats are proposed for the patio. The proposed 241 Liquor Primary seats would be open from 9 am – 1 am from Monday to Sunday.

Seating Type	Existing	Proposed	Percent Change
Food Primary	120	0	-100%
Liquor Primary	186	241	+30%
Total	306	241	-21%

Community Feedback

Mr. Mairet's stated intention to be a good neighbour and pay attention to the neighbourhood is appreciated. However, this proposal raises several issues that were not addressed at the public information session and remain a concern.

The applicant wants to eliminate the 120 Food Primary seats that closed at 3 pm and increase the Liquor Primary seats by 30%. Behaviour related to alcohol consumption has been a problem in the past at this venue and it's anticipated that these problems will persist or be exacerbated with an expansion of the Liquor Primary seating.

Problem behaviours have been identified as excessive noise created by patrons late at night - on the patio, exiting the premises during the night, going to and from the street to smoke and those leaving and lingering at closing time. Community members asked Mr. Mairet on more than one occasion to provide security or a door person to manage patrons leaving the property but he has repeatedly declined to make a commitment. At the public meeting, Mr. Mairet stated that they intend on catering to the same clientele as before the renovations, so it's anticipated that since these behaviours were already a problem, they will continue when operations resume.

It has been noted that access to most food and beverage operations situated in hotels requires exiting and entering through the hotel lobby spaces, which ensures that it is in the interest of the hotel operators/managers that their patrons maintain a suitable level of sobriety or decorum. With this property, it is the opposite. Bartholomew's is very much isolated from the hotel operations. It is suggested that changing the access to Bartholomew's through the hotel and eliminating access from the street would likely mitigate many of the problems identified by area residents.

The redesign of the patio includes plans to move the water feature and increase the amount glass enclosing the space. Mr. Mairet indicated that he expects that this will be 'a better space', but couldn't say whether the noise from the patio will be reduced. This demonstrates a lack of consideration for neighbouring residents' existing concerns, as there hasn't been a commitment to ensure design features make the patio less acoustically active and reduce transference of noise to neighbours and residents. Quick research indicates that water features and hard barriers on patios insulate patrons from noise generated outside the seating area, but does little to reduce noise created on the patio and experienced by the community.

As noise from the patio was already a problem and with the potential addition of four more seats, residents would request that the City require the patio at Bartholomew's to close at 11:00 pm and patrons be moved inside regardless of the applicants' intention of keeping the

patio open until 1:00 am.

It has been noted that late night drinking without corresponding food service can exacerbate problems related to alcohol consumption. If Bartholomew's will be open until 1:00 am, it is suggested that food service not end at 11:00 pm but offer at least a minimal menu until close.

The residents of Downtown Victoria enjoy an active, vibrant community and we support our local business and economy while doing so. As the Humboldt Valley district has evolved over the years, we continue to strive for a balance between quality of life for the residents and a respect for the viability of existing neighbouring businesses.

Therefore, with regard to the application for the Permanent Change to the Liquor Primary License at Bartholomew's, we request consideration of the following items as part of the City's approval process:

- Like other Liquor Primary operations, Bartholomew's provides a door person or security on a nightly basis to manage patrons as they enter and exit the property;
- The patio hours be restricted to 11:00 pm with doors and windows to the patio to remain closed after that hour; and,
- As part of the patio redevelopment, engage engineers to advise and implement best practices on noise mitigation strategies.

Sincerely,

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

Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

Mark Hayden

From: Peter Bonyun <pbonyun@shaw.ca>
Sent: Monday, Jun 30, 2014 3:10 PM
To: Mark Hayden
Cc: Ruth Annis
Subject: Bartholomew's

Dear Mr. Hayden,

As representative of our strata council at the Aria, I and several residents attended a public meeting on June 25 in the Victoria Conference Centre concerning development of Bartholomew's Pub. The meeting was hosted by the Downtown Residents Association and Francis Mairer representing the Executive House. The meeting was well attended with numerous residents from each of the Aria, Falls, Astoria and Belvedere condominiums as well as City Councillors Gudgeon and Thornton-Joe in attendance.

Mr. Mairer made a thorough presentation on the changes being incorporated in the redevelopment of Bartholomew's with specific reference to the physical changes being made to the building to reduce the amount of pub noise which might escape into the neighbourhood. At the Aria, we feel that Executive House has done all that is reasonable in that regard.

However, we remain very concerned that they have not addressed issues regarding the noise created by patrons lingering outside the pub late in the evening who, in Bartholomew's previous format, smoked, talked and, occasionally, burst into song on Humboldt St. This noise has disturbed residents of the condominiums listed above. We have asked Mr. Mairer to provide a doorman or security person on Humboldt St. to discourage this activity. He has responded previously, and again at this meeting, that he has no plans to do this unless he feels that it has become a problem. We are not encouraged by his response. The situation existed previously and Mr. Mairer told the meeting that they hope to retain the same clientele that previously frequented Bartholomew's. In the new format, all of Bartholomew's patrons will leave and enter on Humboldt St and the smokers will be faced with new by-laws which force them further from Bartholomew's door – probably further along Humboldt St.

Mr. Mairer makes the point that there will actually be less people in Bartholomew's in the new format. However, as we understand the new proposal, there could actually be more people drinking and less people eating. It is the drinkers who linger outside Bartholomew's and create the noise we experience.

We were pleased with the attendance of the city councillors at the meeting and the comments they made about the need to encourage people to live in the city by providing entertainment and other facilities that do not undermine their reasonable enjoyment of city-living. We feel it is important to provide the downtown residents with a reasonable level of noise on Friday and

Saturday nights and that includes management by these facilities of their patrons as they emerge into a residential area. In the case of Bartholomew's, we feel that a doorman or security person each evening is a reasonable step in this direction. We further encourage you to restrict Bartholomew's patio hours to 11pm which would match Vancouver requirements, in my understanding. We hope that you take this into account in your decision.

Yours truly,

Peter Bonyun
Vice-President
Aria Strata Council

cc: Ruth Annis, President, Aria Strata Council

Mark Hayden

From: J Ryan <jea_ryan@yahoo.com>
Sent: Monday, Jun 30, 2014 5:35 PM
To: Jason Johnson; Mark Hayden; Councillors; info@victoriadra.ca
Subject: Executive house development, noise

Dear Mr Johnson, Mr Hayden ad Councillors,

Last week I attended a public meeting, hosted by the Victoria Downtown Resident Association, regarding the development of Executive House Hotel so I could learn about the plans of the new Hilton Development. While I am supportive of efforts to bring business into the city's centre, I am concerned that elements of the business's development will cause excessive and intrusive noise for the hotel's neighbours.

In spite of multiple efforts to bring noise control problems to the previous hotel owners, these problems were left unaddressed. The same problems are expected with the new development.

Such noise problems included, but were not limited to:

- delivery vehicles loading and unloading in a noisy fashion very in early morning (4-5:30 am),
- tour bus and delivery vehicles left idling for long period very in early morning (4-5:30 am),
- loud and offensive music playing on a closed patio on a single song loop all until late when the patio is closed for the winter months, (at one stage "jingle bells" played on a loop for several days!)
- people and music making noise from the patio during unsocial hours all summer long,
- drunken people exiting from the hotel and having lengthy shouting conversations very early in the morning (2-6 am).

When I asked the new operator how and if the new hotel would manage this problem (especially the patio noise, the most distressing one for me), no intention to address such noise generated by the hotel was offered, in spite of saying the hotel has a number of engineers on site, and engineers being capable of developing engineering solutions to such problems.

While the other source of noise will wake us up only a couple time a week, the patio of the hotel is a the most problematic source of noise because it is sustained and yet entirely controllable. The acoustics of Burdett Ave and patio make it such that every noise carried right into the homes surrounding the patio, even up to higher floors, and even with all doors and windows closed. Lying in bed, even a normal level conversations between two individuals can be clearly heard word for word, when 28 people will be on the patio (as is the plan), it is much worse. Although the noise is not as egregious as the noise generated by the Strathcona Hotel at the other side of the falls, the noise experienced by the Burdett side of the Falls is distressing and unnecessary, and makes it impossible to have full night sleep on any given night in the summer months.

In considering the permissions for the development I would bear upon the municipality to consider the neighbours by taking reasonable measure to:

- limit the use of the patio to a more reasonable hour (currently it is being proposed that the patio stay open until an outrageous 1:00am!) I am told there are similar by-laws in other parts of the province.
- oblige the hotel to manage noise produced by the patio by looking for a comprehensive acoustic engineering solution before it opens for business.
- Oblige the hotel to test and responsibly manage the noise decibels it produces (in particular as it is experienced by the residential neighbours)

- oblige the hotel to disallow idling of tour buses and noisy delivery vehicles as well as loading and unloading of delivery vehicles in the early hour mornings.

If the hotel is a good neighbour to us, we will of course be supportive neighbours to them.

Many thanks for your consideration.

Sincerely,

J Ryan

250 818 7796

Mark Hayden

From: Stan Bartlett <bartlett@telus.net>
Sent: Thursday, Jun 26, 2014 9:48 AM
To: Councillors
Cc: Mark Hayden; Wendy Bowkett; Shellie Gudgeon; Charlayne Thornton-Joe (Councillor); feslner@vicpd.ca
Subject: Mitigating Noise from "Party Central"

Dear Council:

Here a few comments with respect to Bart's liquor license request for the Executive House and the public info session held last night.

First, we were impressed with the experience and reputation the new Executive House operator is bringing to the table and efforts to date to mitigate noise coming from their establishment. We don't foresee any major problems.

But as residents of the Astoria, our m-a-i-n concern during the past five years is the noise emanating from "Party Central" at the Strathcona Hotel. Even though two blocks away it's astounding how sound travels at 2-3 in the morning (see correspondence below). I expect the noise also denigrates the stay for a few hundred hotel guests in the immediate area.

Certainly, urban noise goes with the neighbourhood while living downtown and a fair bit is tolerated, and after all, at 100 hundred years old, the Strathcona has been here long before us. There are limits however - the extremes of noise can be minimized and mitigated, and city noise bylaws can be enforced.

There were suggestions made during the Bart's info session which we would urge council to consider: adopt a bylaw closing outdoor patios at 11 pm as in Vancouver; adding rubber devices to garbage bins to muffle sounds; the Strathcona is making bags of money so maybe they should fund a shuttle service for patrons; and increasing police presence especially during holidays and long weekends.

Thank you.

Stan and Anne Bartlett

#1660-751 Fairfield Rd.
Victoria, B.C. V8W4A4

Mark Hayden

From: Monique Moore <mooremonique@hotmail.com>
Sent: Wednesday, Jun 25, 2014 8:58 PM
To: Councillors
Cc: Liquor Licence Email; info@victoridra.ca
Subject: Executive house proposal

To City council,

As a resident of The Falls, I still reject the proposal of the Executive House to expand seating. After our meeting tonight, I would like city council to propose the following:

- 1) reduced decibel allowance in the city of Victoria
- 2) patio closure at 11:00
- 3) assigned police officers outside the Strathcona Hotel at closing time. The number of drunken patrons warrants a direct police presence on Courtney st.
- 4) reduce the number of patrons allowed at the Strathcona Hotel. I believe it is unsafe.
- 5) enforce limiting service to patrons that are clearly over the limit

Thank you to the councillors that attended the meeting. Councillor Thornton-Joe suggested the next meeting involve the police chief. As a downtown resident, I am once again pleading for the city's support in making living town a viable and enjoyable experience. At this time it is the opposite and I would like to stay downtown.

Kind regards,
Monique Moore
504-707 Courtney st
2508883416

Sent from my iPad

4.6 Liquor License Application – Executive House Hotel

Committee received a report regarding an application by the Executive House Hotel (Bartholomew's Pub) in relation to their Liquor Primary Liquor License for the premises located at 777 Douglas Street, for a permanent change to increase the occupant load.

The current occupant load for the liquor primary service area of the pub is 186 persons (including 28 on the exterior patio). The hours of liquor service are from 9:00 a.m. to 1:00 a.m. Monday through Sunday. The requested change is due to the reconfiguration of the pub and restaurant floor space on the ground floor of the hotel that faces Humboldt Street. The proposed occupancy for the liquor primary service area would be increased to 241 persons (including 32 for the exterior patio). There would be no change in the hours of operation as a result of this application.

Committee discussed:

- That it is difficult to have a balance between having downtown residents and having an entertainment zone.
- If Council should designate an entertainment district. The downtown residents have a lot of concerns.
- A lot of the response from the Falls could be regarding the noise from the Strathcona.
- That there is too much risk that could shift use from pub to night club.

Councillor Isitt left the meeting at 10:34 a.m.

- It's not the right step for the people who live there.
- If there would be a way to have applicant meet with the Falls.
- Council needs to see more detailed plans regarding management of the facility and the type of clientele that will be catered to.

Action: It was moved by Mayor Fortin, seconded by Councillor Alto, that Committee postpone further consideration of the Liquor License Application for the Executive House, until the applicant has had an opportunity to meet and have further consultation with the neighbours.

CARRIED UNANIMOUSLY 14/PLUC0112



Planning and Land Use Committee Report

Date: April 17, 2014 **From:** Robert Woodland, Director of
Legislative and Regulatory Services

Subject: Application for a permanent change to Occupant Load of Licensed area in
relation to a Liquor-Primary Liquor Licence, for the **Executive House Hotel**
(Bartholomew's Pub), 777 Douglas Street, Licence, No. 064730

Executive Summary

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Recommendation


That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While this request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor Licensed seats (120) that would result from this request being

approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.

- (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City but in many cases these persons were not directly linked to the applicant's business.

Respectfully submitted,



Mark Hayden
Manager, Bylaw and
Licensing Services



for
Robert Woodland
Director Legislative and
Regulatory Services

Report accepted and recommended by the City Manager: _____

Date: _____

May 5, 2014

MATERIALS RECEIVED VIA PUBLIC CONSULTATION PROCESS:

Attached 33 Available _____ N/A _____

[A letter from the proponent, 7 letters (one from the Aria Strata Council) supporting the increase in occupant load, 24 letters (one from the Downtown Residents Association - DRA) not supporting the occupant load increase and 1 petition from the Falls Building with 46 signatures opposing the increase in occupant load are attached.]

Purpose

The purpose of this report is to seek a Council resolution for submission to the Liquor Control and Licensing Branch regarding an application by the Executive House Hotel in relation to their Liquor Primary licensed operation located at 777 Douglas Street (Bartholomew's Pub) for a permanent change to increase the occupant load of the business.

Background

The Executive House Hotel is located at 777 Douglas St. on a triangular lot that is bounded by Burdett Ave., Humboldt St. and Penwell St. The hotel and associated licensed premises have been in operation since 1990. The hotel is in the process of being rebranded as a "Doubletree by Hilton" hotel and the licensed space is being reconfigured as a result.

The hotel holds one Liquor Primary Liquor licence which allows it to operate 2 separate Liquor Primary businesses adjacent to each other in the hotel. They are Doubles Lounge, which is a 46 seat lounge and Bartholomew's Pub, which is currently a 140 seat pub (total occupant load is currently 186 persons). The hotel also has 2 Food Primary Liquor licenses. One of these, Café D'Amore, is located directly adjacent to Bartholomew's Pub. The hotel is closing this 120 seat café and is utilizing the space to add the proposed 55 seats to Bartholomew's Pub. The Hotel has also stated they will be using the revised Bartholomew's space to provide lunch and dinner service. The new larger area proposed for the Liquor Primary businesses will support an occupant load of 241 persons (including 32 outdoor patio seats) as determined by the Chief Building Official of the City. This occupant load covers both the Doubles Lounge and the revised Bartholomew's Pub floor spaces.

In their attached letter (see Attachments), the owner's representatives have described the business plan for the overall operation of the licensed area of the hotel. A map of the subject property and immediate area is also attached to this report.

Location

Official Community Plan:

- The OCP designates the property within the "Primary Centre".
- The area is designated within Development Permit Area 15 (Heritage Conservation) Downtown.

Downtown Core Area Plan:

- The property is within the "Inner Harbour District" (IHD) and adjacent to the "Central Business District".
- The IHD contains marine related businesses and activities, provincial government offices, commercial businesses that serve tourists and workers including hotels, retail stores and restaurants with residential development.

Zoning:

- The property is zoned CA-11 Central Area (Executive House) District.
- This zone permits a mix of uses including restaurants, offices, transient accommodation and liquor retail stores.
- Off-street parking is required for transient accommodation and residential uses, but not required for other commercial uses listed in the zone.

Neighbourhood Compatibility:

- Surrounding land uses include: retail, restaurants, personal services hotels, conference centre, offices, residential and public/cultural buildings.
- There is residential use within a 100m radius at the following locations:
 - 707 Courtney Street (The Falls condominium high rise, building # 1)
 - 708 Burdett Avenue (The Falls condominium high rise, building # 2)
 - 751 Fairfield Road (The Astoria condominium high rise)
 - 723 – 737 Humboldt Street (The Aria condominium high rise)
 - 788 Humboldt Street (The Belvedere condominium high rise)

The Sustainable Planning & Community Development Department has no objection to the application as the use is permitted.

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.

Issues and Analysis

This application is being pursued as a permanent change to the operating conditions so that the hotel can reconfigure the floor space for all of its liquor licensed facilities. A letter from the applicant outlining the purposes of the requested change and a diagram outlining the proposed changes are attached to this Report.

Within a 100-metre radius of the Executive House, there are six other Liquor Primary establishments with a total patron capacity of 1585 seats:

VENUE	HOURS	SUNDAY HOURS	SEATING	TYPE
Fairmont Empress Bengal Lounge	11:00h to 01:00h	11:00h to 24:00h	125	Lounge
Quality Inn - Downtown 850 Blanshard St.	11:00h to 01:00h (M-Th) 11:00h to 02:00h (Fr-Sat)	11:00h to 01:00h	104	Pub
Strathcona Hotel 3 separate venues 919 Douglas St.	11:00h to 02:00h	11:00h to 02:00h	1237 in total including patio*	Pub/Lounge Nightclub
Chateau Victoria 740 Burdett Ave.	11:00h to 01:00h	11:00h to 24:00h	119	Lounge

*Patio service ends at 23:00h

Bylaw Enforcement

The Bylaw and Licensing Services Division has no concerns with the application. Two noise complaints (from the same complainant and relating to night time operation) were received in 2010 and 2011. These were resolved by the Hotel by adding additional security staff to monitor patrons and the area immediately adjacent to the pub.

No complaints have been received since 2011. The applicant has Good Neighbour Agreement in place (since 2004) for their Liquor Primary business. This is a condition of their business licence.

Engineering & Public Works Department

The Downtown Community Development Section reviewed this application and provided the following comments:

Café D'Amore emphasized dining over liquor consumption. Changes in liquor licence legislation are expected to relax food service requirements for food primary licensees vis a vis liquor consumption. While it is unclear if the 120 Food Primary Liquor licensed seats will be surrendered or become inactive indefinitely, it's understood that the seats would no longer be active at this site.

- No structural changes to the building are to occur and therefore, it is assumed that the area of the outside patio is also not subject to change given its confined perimeter. Given it closes at 11:00pm daily, any increase in the level of activity outside could otherwise contribute to noise concerns.
- The premises are located in a very active late night entertainment destination. This venue has had a long history of providing a popular live music and dancing bar. This has contributed to the vibrancy of the late night economy in the downtown.
- This area currently experiences congestion and disturbance issues during bar closing times between 1:00am and 2:30am.

The increase in liquor primary seats is valued in supporting a popular late night venue; however, it may incrementally contribute to public disturbance issues in the area.

Police

Police have no objections to the application. There may be a slight potential for noise increase, however it is believed that this proposed change would have little impact on the community.

Official Community Plan Consistency Statement

As the request by the applicant is congruent with the Zoning Regulation Bylaw requirements, this request, if approved, is consistent with the OCP.

Financial and Staff Capacity Assessment

Not applicable. This issue has no direct staffing or other resourcing impacts.

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 points to their business for a 4 week period which also invited people to provide input to the City with respect to this application.

The result of this consultation was that the City received 7 letters supporting the application, 24 letters not in support of the application and 1 petition with 46 signatures not in support of the application. In analysing the responses from residents who were not supportive of the application, the primary concern was for an increase in noise and nuisance from patrons in the general area and not necessarily from patrons of the Executive House Hotel. The letter of support from the strata council at the Aria building is of interest as this group of residents has met and discussed their concerns with the new hotel manager whom they believe (based on previous experience) will proactively mitigate any noise or nuisance issues that may arise. Copies of all feedback received are attached to this Report.

Conclusions

Council is required to submit a resolution to the LCLB; either supporting the application by the Executive House Hotel to increase their occupant load with a supporting rationale, or, not supporting the application by the Executive House Hotel to increase the occupant load with a supporting rationale.

The request complies with the City's current liquor licensing policy because:

- the requested use is compatible with the neighbourhood;
- allowing the extra seats would be a positive economic benefit to the licensee;
- the business has a positive compliance record with no complaints received in the past 3 years; and
- the request complies with existing City regulations governing this type of business.

The liquor primary licence associated with this hotel has been operating since 1990 with a good compliance record with the exception of a brief period between 2010 and 2011 when the hotel was operating under different ownership. City staff from all Departments have no significant concerns about the proposed change to increase the occupant load as requested by the applicant. Given the demise of the Café D'Amore space in the hotel, the overall number of licensed seats is actually declining by 65 seats. It is also noted that the closing hours of the applicant's Liquor Primary businesses is 1:00AM and therefore patrons will have left the premises by 1:30AM. In contrast, a number of other Liquor Primary businesses in the area have a 2:00AM closing and therefore their patrons will be exiting those businesses at 2:30AM which means that these businesses are far more likely to be the cause of late night nuisances and noise that a number of residents have complained about. In checking noise/nuisance complaints filed with the City, the vast majority of complaints come from the operations at the Strathcona Hotel, just a block away from the applicants business.

Of the concerns expressed by the community, the primary concern is for increased noise. Given the specifics of the reconfiguring of space within the hotel and as the City has not received any noise complaints from these premises since early 2011, it is not expected that this change will have anything other than a minor effect on noise or nuisance in the local area. However, Council must bear in mind public input when considering whether the application is in the community interest. Should Council decide to not support the application, a draft Resolution that complies with the LCLB requirements is included in the Appendix.

Recommendation

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While this request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor Licensed seats (120) that would result from this request being approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.
 - (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City but in many cases these persons were not directly linked to the applicant's business.

APPENDIX

This Appendix contains a draft Council Resolution not supporting the approval of the Licence Application.

This draft Resolution is in the specified format required by the Liquor Control and Licensing Branch.

Resolution

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, **does not support**:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While technical analysis suggests there is expected to be minimal direct impact on the immediate neighbourhood from this application, Council is concerned that allowing an increase in the number of Liquor Primary seats may lead to this establishment becoming a destination for out of area patrons wishing to drink during the late evening hours. This in turn may lead to unacceptable noise and nuisance concerns in the largely residential area around this business. This in turn could negatively impact police department workload and resources.
 - (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters, including one from the Downtown Resident's Association, not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Council notes that there have been many concerns expressed by area residents about unacceptable levels of noise and nuisance in this part of the City that is directly related to liquor service. Council is concerned that any additional liquor primary capacity in this area may exacerbate the problems of nuisance and noise that currently exist.

ATTACHMENTS

The following documents are attached:

1. A letter from the proponent explaining the purpose for the requested change.
2. A copy of the approved floor plan.
3. An aerial photograph (map) of the property and surrounding area.
4. Seven letters in support of the application.
5. Twenty-four letters not supportive of the application.
6. A petition not supportive of the application.

Executive House Hotel
777 Douglas Street
Victoria, BC
V8W 2B5
Ph: (250) 388-5111
Fx: (250) 385-1323

March 3, 2014

RE: Renovations and Liquor Licensing changes to Bartholomew's Pub

To whom it may concern:

The Executive House Hotel is currently rebranding as a Doubletree by Hilton, and as a result extensive renovations and new construction are planned for the hotel, over the next two years

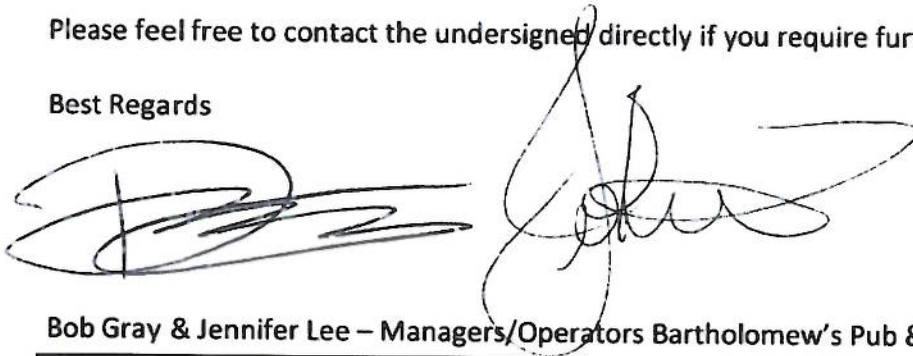
Part of the project includes renovations in Bartholomew's Pub which will see the closure of the CAffe D'Amore, and a proposed expansion of the pub area. This will result in a cancelation of the Food Primary licence in the CAffe and an application to expand the Liquor primary Licence of Bartholomew's from 28 on the patio, 112 in the pub to 32 on the patio and 163 in the pub. There are no renovations or changes planned for Doubles Lounge, adjacent to Bartholomew's.

(46
seats)

The plan is to have breakfast service moved upstairs to the dining room on the lobby level, while Bartholomew's will continue to provide lunch, dinner, room service, and weekend evening entertainment to hotel guests as well as local residents.

Please feel free to contact the undersigned directly if you require further information.

Best Regards

Two handwritten signatures in black ink. The signature on the left is more stylized and compact, while the signature on the right is more elongated and includes a large loop.

Bob Gray & Jennifer Lee – Managers/Operators Bartholomew's Pub & Doubles Lounge





ARCADE FLOOR FULLY SPRINKLERED

BARTHOLOMEWS:

Area 234.24 sq.m.
 Current license: 28 in patio
 112 in pub
 subtotal 140 people
 proposed license
 234.24 ÷ 1.2 = 195 people
 232 in patio 183 in P.J. ✓

DOUBLES:

Area 580.0 sq.m.
 current license - 46 people ✓
 proposed license - 594 ÷ 1.2 = 495 people

TOTAL:

current license: 196 people
 proposed license: 244 people

WASHROOMS:

Females: existing 4 fixtures services 100 women
 Males: existing 5 fixtures services 250 men
 One new accessible washroom services 10
 Total served by new or existing washrooms 360

For 244 people required washrooms are:
 One accessible washroom services 10 (1 male 5 females)
 117 females required 5 fixtures
 117 males required 3 fixtures
 Washrooms are short 1 female fixture and
 no additional male fixtures

EXITS





Executive House Hotel - 777 Douglas St.

04/22/2014



Legend
Victoria Parcels

1: 1,700



Notes



86.4 0 43.19 86.4 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



737 Humboldt St., Victoria, BC V8W 1B1

Manager, Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir:

This letter is a response from the ARIA Strata Council to the March 10th letter from the City soliciting neighbourhood reaction to the application by Bartholomew's Pub for an increase in their occupancy load to 241 persons.

As the main entrance to Bartholomew's has been out onto Humboldt Street, we have had some concerns in the past. There was inevitably some noise produced by patrons who came out onto the sidewalks to smoke. In the summer, if the doors onto the corner patio were open, music and noise spilled out. The noise typically peaked on weekends at closing time when some boisterous patrons tended to mill about, engaging in loud conversation - and sometimes musical improvisation - that often persisted well into the wee hours.

Now the hotel is being rebranded, up-graded and is under a new management firm. Some members of our Strata Council executive had a good meeting with the hotel manager, Francis Mariet, to discuss our concerns. In his previous role as Manager of the Marriott Victoria, which is just opposite the ARIA, he had proved himself a good neighbour, responsive to concerns from ARIA residents. He restated his intention to be respectful of community and neighbours' concerns.

Because the ARIA has an interest in promoting a viable, vibrant downtown neighbourhood, our Strata Council does not oppose the application to increase the liquor license occupancy load. However, we would like noise and nuisance issues to be mitigated as much as possible. Our block of the Humboldt Valley is essentially high-density residential now and a bar scene is not appropriate. If the main entrance to the drinking establishment remains on Humboldt, and also if the entrance to the patio is moved from Douglas onto Humboldt, we ask the proponent to undertake to monitor the entrances with a doorman or security guard presence, to break up loitering or rowdiness. When the patio is used (and we don't oppose patio use), we would like it closed by 11 pm, 7 nights per week to limit late night noise.

We thank you for the opportunity to provide public input.

Sincerely,
Ruth Annis
ARIA Strata Council President

Mark Hayden

From: [REDACTED]
Sent: Thursday, Apr 3, 2014 11:55 AM
To: Liquor Licence Email
Subject: re: Licence reference #064730 & Executive House Ltd.

We were asked by the owners just to send you a quick email to let you know that we support their proposed expansion plans of the liquor primary and occupant load of Bartholomew's Pub.

Thanks,

Zech Prinz

--
Armeni Jewelers



--
This email is free from viruses and malware because avast! Antivirus protection is active.
<http://www.avast.com>

Mark Hayden

From: Paul Homewood [REDACTED]
Sent: Thursday, Apr 3, 2014 8:23 AM
To: Liquor Licence Email
Subject: Licence reference # 064730 - Executive House Ltd
Attachments: image001.jpg; image002.gif; image003.jpg

To whom it may concern,

Budget Rent a car of Victoria is happy to support the expansion application by Bart's Pub. Bartholomew's have been long standing neighbors of ours and we have always enjoyed a good relationship with their staff and customers. The whole "Hilton project" has our support and the proposed changes at Bart's would appear to a logical part of it.

Sincerely,

Paul Homewood

Director, Sales & Training
Budget Rent a Car of Victoria Limited
Tel: (250) 953 5218
Toll Free: 1-800-668-9833



Follow us on: Like us on:



Mark Hayden

From: Ozge Karahasan [REDACTED]
Sent: Wednesday, Apr 2, 2014 5:29 PM
To: Liquor Licence Email
Subject: Licence reference # 064730 and Executive House Ltd.

To whom it may concern,

Dear Sir/Madam

This email is to inform you that as a business located in the neighbourhood, we support the proposed expansion of the liquor primary and occupant load of Bartholomew's Pub. (Licence reference # 064730 and Executive House Ltd.)

Sincerely,
Ozge Karahasan

Manager of Cafe Mela
784 Humboldt St.

Mark Hayden

From: Winchester Galleries [REDACTED]
Sent: Wednesday, Apr 2, 2014 3:30 PM
To: Liquor Licence Email
Cc: [REDACTED]
Subject: Support for# 064730 (Bartholemew's Pub)
Attachments: image002.png; image004.jpg

To Whom it May Concern:

We are writing in support of the proposed expansion of the liquor primary and occupant load of Bartholomew's Pub (# 064730).

Yours sincerely,
Elizabeth Levinson

Per:



Winchester Modern
758 Humboldt Street
Victoria, British Columbia V8W 4A2
tel: 250-382-7750

www.winchestergalleriesltd.com



Mark Hayden

From: Bob Gray <[REDACTED]>
Sent: Wednesday, Apr 2, 2014 3:24 PM
To: Liquor Licence Email
Subject: Fwd: Pub expansion at Bartholomew's

Re: Executive House Ltd. Licence # 064730

----- Forwarded message -----

From: Jennifer Work <[REDACTED]>
Date: Wed, Apr 2, 2014 at 2:59 PM
Subject: Fwd: Pub expansion at Bartholomew's
To: Baby <[REDACTED]>

Jennifer Gray

Begin forwarded message:

From: LEACHMAN Cliff <[REDACTED]>
Date: 2 April, 2014 12:11:57 PM PDT
To: [REDACTED]
Cc: LEACHMAN Cliff <[REDACTED]>
Subject: Pub expansion at Bartholomew's
Reply-To: Leachman Cliff <[REDACTED]>

Attention City Hall

To whom it may concern,

As a residential owner of the Astoria and commercial owner of 762 Humboldt street, I support the expansion of the PUB at what was formerly Bartholomews on Humboldt street. I have no objections and look forward to returning as a customer to the renovated premises. Thank you in advance for your consideration and if you have any further questions don't hesitate to call or email at the address below

Dr. Cliff Leachman
762 Humboldt street
Victoria, B.C.
V8W 4A1
[REDACTED]

--
Regards

*Bob & Jennifer Gray
#405-165 Kinta Rd
Victoria, BC
V9A 7P1*



Mark Hayden

From: Russell Books Vintage [REDACTED]
Sent: Friday, Apr 4, 2014 11:51 AM
To: Liquor Licence Email
Subject: LLC# 064730-Barts

To Whom It May Concern,

I am writing to express my support for the expansion of Bartholomew's English-Style Pub, LLC# 064730, on behalf of Russell Books.

Sincerely,

Andrea Minter

Russell Books Vintage
734 Fort Street
Victoria, B.C. V8W 1H2
Mon-Sat 9-6, Sun 11-5
vintage@russellbooks.com
250-220-9364



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

Manager Administration Legislative Services
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

April 16, 2014

Re: Permanent Change to a Liquor Licence-Executive House 777 Douglas

Dear Manager Administration Legislative Services,

The licence under application has functioned with its current capacity of liquor sales for many years. The adjacent Humboldt Valley has since become a populated and desirable residential neighbourhood.

This licence apparently extends over Bartholomew's Pub currently at 140 seats with a proposed expansion of 55 seats to a total of 241 Seats. Doubles Lounge will not be changed and contains 46 additional Liquor Primary seats.

Members anticipate that expanded capacity and corresponding liquor sales at this liquor primary will do little to enhance the liveability of the Humboldt Valley enclave. Members are specifically concerned that the expansion would encourage a destination for out of area patrons for late night drinking. This use is incongruent for this residential area.

The establishment in question has been found in contravention of the liquor act and fined accordingly. Case Number EH09-126 March 30, 2010. Liquor contraventions are an indication of a failure of management.

The executive House Hotel has managed to function for many years with its current Liquor Primary seating capacity. The DRA LUC has concerns for additional Liquor Primary seating in this residential neighbourhood and therefore does not support this application.

Sincerely,

Robert Florida

Downtown Residents Association

Robert & Lexie Brough
April 03 2014

Manager, Bylaw and Licencing Services
c/o Legislative Services
1 Centennial Square
Victoria British, Columbia
V8W 1P6

Dear sir/madam

Thank you for your letter dated March 10 2014 regarding the: Notice of Application for Permanent Change to a Liquor Licence; re: The Executive House located at 777 Douglas Street

Our condominium is in a building called 'The Falls', and it's adjacent to, and only a few floors above the Executive House Bar and Patio. In other words we are located right between the Strathcona Bar and the Executive House Bar - lucky us. When we purchased this unit we expected a lot of activity and some street noise but we had no idea it would also be like living next to a fraternity house. The Executive House has very loud bands playing several nights a week and the base noise and vibrations can be heard and felt across the street, enough to disturb a person trying to watch TV, read, or use a computer. Our second bedroom facing the street is essentially unusable for sleeping until all the shouting drunks go home. This means our family, (grandkids), could never stay with us in our home.

This bar also has an open patio. When people are drinking out on the patio you can clearly hear their voices and especially any shouting or outburst of laughter which happens often and increases as they become more intoxicated. As I'm sure you can appreciate - the more people that are allowed to be on the premises the more noise it generates. The staff do not want to risk irritating the patrons so they make no serious attempt to control the noise inside or on the patio.

The single objective is to sell as much alcohol as possible and as a result you get procession of drunks leaving the bar in the early morning hours often yelling obscenities at each other - then the sirens begin. I feel bad for the police who I know from talking to them are sick and tired of attending to drunks in the downtown area - why would you add to their problems by adding more seats ultimately increasing the risk of harm to the police. We should all be trying to make it safer for them. The City of Victoria is already known by both residents and visitors to have a serious alcohol problem downtown. The streets in this downtown area of Victoria are already not safe at night; let's not make it worse.

YOU MUST DENY THIS APPLICATION.

Sincerely;

Robert and Lexie Brough



708 Bennett Ave.

Mark Hayden

From: Greg Ramsay [REDACTED]
Sent: Monday, Mar 31, 2014 11:50 AM
To: Liquor Licence Email
Cc: Duncan MacKenzie; e.thefallsstrata@gmail.com
Subject: EXECUTIVE HOUSE HOTEL increase of persons to the drinking premises

To: liquorlicense@victoria.ca

Cc: Duncan MacKenzie; [REDACTED]

Manager, Bylaw and Licensing Services c/o Legislative Services

I own 804S condominium at The Falls.

I am very much against the 30 per cent increase of persons (186 persons to 241 persons) to the occupancy level to a liquor license at the Executive House Hotel.

This is unacceptable and this application should be rejected for many reasons, namely:

1. The increase in noise associated with the large crowd size especially at closing hour while crowds disburse; and
2. The increase in crimes ranging from violence and vandalism, public drinking and disorder and increasing incidents of public urination

The Falls Excess Noise Committee has determined that The Executive House Hotel can cause excessive noise.

Noise sound meter results indicated noise levels beyond the city noise bylaw limits.

Increasing the occupancy numbers will further increase excessive noise and complaints.

No effective plan has been put in place to deal with the excessive noise.

I am very much against the 30 percent change to the number of persons in their drinking premises.

Brock Ramsay [REDACTED]

Greg Ramsay [REDACTED]

Mark Hayden

From: M Choi [REDACTED]
Sent: Thursday, Mar 27, 2014 5:29 PM
To: Liquor Licence Email
Subject: Executive House Hotel

Regarding Permanant Change to a Liquor Licence for Executive House Hotel, located at 777 Douglas Street, I believe that this application should **be rejected** for lots of reasons,

1. the increase in noise associated with the drunken crowds
2. the increase in crimes such as drinking, disorder and public urination.

This expansion should be reconsidered.

Regards,

M Choi
406-708 Burdett Ave.
Victoria BC

Mark Hayden

From: IAN MARSH [REDACTED]
Sent: Sunday, Mar 30, 2014 6:51 PM
To: Liquor Licence Email
Subject: Bartholomew's Pub

As a resident at The Falls, 708 Burdett Ave, immediately across the road from the Executive Hotel, I would like to express an objection to the proposed increase in seating at the pub. As a downtown resident I am quite willing to accept a certain level of nighttime noise associated with local business and understand it is part of living here. However the current level of disturbance from loud patrons is I believe already more than enough and I request that you consider the needs of downtown residents in your deliberations, a number which appears to likely increase significantly in the coming years. These residents also add to the vibrancy of the city's downtown hub.

Sincerely
Ian Marsh

Sent from my BlackBerry 10 smartphone on the Bell network.

Mark Hayden

From: Jeff McGillis [REDACTED]
Sent: Wednesday, Mar 26, 2014 10:44 AM
To: Liquor Licence Email
Cc: Anita Venture (amcgillis@albertaventure.com); Anita McGillis; jeffmcgillis@live.ca
Subject: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

Manager, Bylaw and Licencing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir / Madame

I own a condominium unit in the Falls Development on Courtney Street and understand that the executive House Hotel (Bartholomew's Pub) has applied for an expansion permit.

I want to voice my strong opposition to this due to the adverse effect it will have on the quality of life and on the property values. There are already problems with noise, vandalism, violence and drunkenness and disorder in the area and this will only contribute to the problems. I do not want to see an increase in these issues but rather a decrease and elimination of these issues.

Thank you

Jeff McGillis
[REDACTED] 707 Courtney St.
Victoria, BC

Mark Hayden

From: Anita McGillis [REDACTED]
Sent: Wednesday, Mar 26, 2014 10:49 AM
To: Liquor Licence Email
Cc: 'Jeff McGillis'
Subject: FW: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

I am in ownership with Jeff McGillis and agree with his comments. I also do not want to see an expansion granted to the Bartholomew's Pub.

Thank you.

Anita McGillis

From: Jeff McGillis [REDACTED]
Sent: Wednesday, March 26, 2014 11:44 AM
To: liquorlicence@victoria.ca
Cc: Anita Venture [REDACTED] Anita McGillis [REDACTED]
Subject: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

Manager, Bylaw and Licencing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir / Madame

I own a condominium unit in the Falls Development on Courtney Street and understand that the executive House Hotel (Bartholomew's Pub) has applied for an expansion permit.

I want to voice my strong opposition to this due to the adverse effect it will have on the quality of life and on the property values. There are already problems with noise, vandalism, violence and drunkenness and disorder in the area and this will only contribute to the problems. I do not want to see an increase in these issues but rather a decrease and elimination of these issues.

Thank you

Jeff McGillis
N1102- 707 Courtney St.
Victoria, BC

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4336 / Virus Database: 3722/7222 - Release Date: 03/20/14

Thursday, March 27, /14

M.H. (mark) Hayden
manager,

Bylaw and Licensing Services,
c/o Legislative Services,
1 Centennial Square,
Victoria, B.C. V8W-1P6,

Notice of Application for Permanent Change to a Liquor Licence.

This letter is in response of the proposal for a change in licence conditions for Liquor Primary venue in the Executive House Hotel (Bartholomew's Pub) located at 777 Douglas Street. (The new Hilton Hotel)
The requested change is to increase the occupant load from 186 persons to 241 persons, which will be an extra 55 persons to frequent Bartholomew's Pub each night.

We both are against the proposal for the change of the capacity of the licence conditions.

Enclosed are our concerns for the change.

P.2.

One of our concerns is the address of the change in Liquor Licence conditions in the Executive House Hotel (Bartholomew's Pub) located at 777 Douglas Street. The newly renovated Hotel will be The Hilton Hotel. The pub's entrance is not located on Douglas Street, but on our street, (Humboldt Valley) across from our condominium the "ARIA". The residences of the Aria will be the only ones affected by the change. The Marriot Hotel, Chateau Hotel, and the Falls will all not be able to see the going ons of the Bartholomew Pub. The pub has two entrances. The pub entrance and the adjacent restaurant doors are very close together.

We would hope that both entrance doors giving access to the pub on Humboldt Street will have to be removed and the entrance to be off Douglas or Burdette Street, so the staff will be able to monitor the behavior and intoxication levels of their patrons. The Marriot and Chateau Hotels and even Brown's Social House have a hostess present

to greet their guests. The pubs in the Marriott and Chateau Hotels are inside the hotel adjacent to the hotel lobbies. All guests of the hotels are greeted by a door man. This way all patrons are monitored. That has been the big problem of Bartholomew's Pub, no one holds any of the patrons which have consumed alcohol accountable. There has never been any supervision of the condition of their patrons. Some patrons arrive at the pub so intoxicated that they have needed assistance in walking and Bartholomew's pub just turns a blind eye and serves them even more alcohol. Then they come back outside for a cigarette and go back in falling down drunk. No one has ever turned them away. The smokers all go outside the pub and are allowed to stand right outside the doors and anyone walking by have to go around them. They have never paid attention to the no smoking space in front of the doors. The patrons smoking and doing drugs and marijuana come across the street

to our building. The Aria, They even shoot up on their drugs. They are totally oblivious to anything going on around them and are without any disregard for anyone walking by. We have been asked if we want anything, (drugs) These intoxicated patrons also urinate and even desicrate at the car lots across the street. We have even witnessed street fights. There never has been much of a police presence at night. The police cruisers go down Burdette Street unable to see any goings on even at closing time. There also are a lot of drunks getting into their vehicles and driving off. The police are too busy driving around the Strath Hotel. What will happen when there are even 55 more patrons unsupervised at the end of the evening? Is an establishment not responsible to see that their patrons are not served too much alcohol? Why have they not turned any drunks away? The city of Victoria promotes downtown living. Is this what it is all about?

P.S

Victoria promotes downtown living but the noise bylaw of no noise after 10:00 pm and before 7:00 am in all the city neighbourhoods are being ignored for the Aria-Humboldt valley homeowners.

We live on the 8th. floor and we hear all the noise, so you can imagine how loud the pub is. Even with the windows closed, we have to leave fans on to drown out the noise. In the past, there has been no concern for the pub's neighbours. They have not obeyed any of the rules for a pub owner.

Hopefully you will take into account all of our concerns and we can live in peace with the new Hilton Hotel.

737 Humboldt Street.

N803

Allan + Gysbertha Davies

Mark Hayden

From: Allan Quinn <[REDACTED]>
Sent: Tuesday, Mar 25, 2014 7:55 PM
To: Liquor Licence Email
Subject: Expansion of Bartholomew's Pub

I would like to express my concerns about the request by the Executive House Hotel to expand Bartholomew's Pub. I own a condominium at The Falls across the street. There have been untold problems with the rambunctious crowds that the tenants in the north tower have had to deal with from the Strathcona Hotel. I am very concerned that a somewhat acceptable situation at the Executive House could get out of hand if the premises is allowed to expand. Please consider helping to keep our neighbourhood noise to a minimum. If things do get out of hand which is very possible, I see room for all kinds of expensive litigation and court problems. Please prevent a mess from happening!

Sincerely,
James Quinn
S802
The Falls

Mark Hayden

From: Robert Glazier [REDACTED]
Sent: Friday, Mar 21, 2014 3:08 PM
To: Liquor Licence Email
Subject: The Executive House expanded liquor license application

I reside in unit 506 - 708 Burdett Ave, Victoria, directly across the street from Bartholomews Pub. I would urge the City to DENY this application. At present the sound level emanating from the band, music and noisy patrons is on most Friday and Saturday nights, a major hindrance to the enjoyment of my home. To expand the seating and patronage would exacerbate an already intolerable situation. One of the bedrooms in my Condo faces Burdett Ave and my guests complain they cannot sleep due to the noise from the pub, particularly on weekends. I fully accept we will incur some noise downtown, buses, party noise, but that pub in particular is very noisy, as it has a Live Band that plays until 1:30 am. The patrons often yell, scream and having residences next door is not a good mix. However it is what it is and we have to get along. To increase capacity would be a significant deterioration in the use and enjoyment of my condo. I urge the city to deny this application. Thank you

Robert Glazier

Bob Glazier [REDACTED]

Johns, Southward, Glazier, Walton & Margetts, Barristers and Solicitors,
204 - 655 Tyee Rd, Victoria, B.C. V9A 6X5

Telephone: (250)381-7321 Fax: (250)381-1181 Toll Free: (888)442-4042 WEBSITE: www.jsq.bc.ca

WARNING:

1. The information on this email and any attachments is privileged and confidential and exempt from disclosure and intended only for the use of the individual to whom it is addressed. If you have received this communication in error, you are hereby notified that your review, dissemination or copying of this communication is prohibited. Please contact our office immediately and destroy the communication. Thank you.
2. From time to time, our spam filters eliminate or block legitimate email from clients. If your email contains important attachments or instructions, please ensure that we acknowledge receipt of those attachments or instructions.

Mark Hayden

From: DAWN KROAD [REDACTED]
Sent: Friday, Mar 21, 2014 10:23 AM
To: Liquor Licence Email
Cc: Price, Glenn
Subject: Permanent Change to Occupancy Load - Executive House Hotel - 777 Douglas Street

To: Manager, Bylaw and Licensing Services

As an original owner of a Condo at "The Falls" and I'm writing to oppose the Executive House Hotel's request to expand seating capacity from 186 to 241.

Speaking as an owner, I believe that this application should be rejected for the following reasons, all negatively having impact on living at the Falls.

1. An increase of occupants to the Executive House Hotel would most certain expand noise levels to a higher decibel; 2. An increase of occupants would most certain increase public disturbance; and 3. From a financial perspective, many owners have sold at a loss due to the tarnished image of The Falls and an increase of occupants would most certain contribute to this image.

The City of Victoria needs to encourage growth of new viable businesses that service the growing Downtown population of new households and not encourage latenight.

I am asking the City of Victoria not grant the proposed application to the Executive House Hotel at this time.

Thank you,

Dawn
Owner at The Falls

Mark Hayden

From: Dean Desroches [REDACTED]
Sent: Tuesday, Mar 25, 2014 6:13 AM
To: Liquor Licence Email
Subject: Executive House Hotel application for expansion of licence premises

Manager, bylaw and licensing
Services.

Please consider this email as a letter to contest the application for a permanent change to a liquor licence for Executive House Hotel (Bartholomew's pub).

I am a resident owner at the Falls and clearly have experienced noise, public drinking, and incidents of public urination, as well as vandalism and theft, mainly due the over population of drinking establishments.

This has decreased property value and increased crime and vandalism at the Falls Property mainly upon patron disbursement at Bar closings.

Please reject the proposed application as our family feels unsafe with existing licensing, not withstanding further expansion.

Regards,

Dean Desroches

Mark Hayden

From: Liza Bialy [REDACTED]
Sent: Tuesday, Mar 25, 2014 1:20 PM
To: Liquor Licence Email
Subject: Permanent Change to a Liquor Licence - Executive House Hotel

Dear Manager, Bylaw and Licencing Services,

As an owner of a until in The Fall (702 - 707 Courtney Street) I would like to express my concern about expanding the drinking premises capacity to 241 patrons from the current 186 capacity at Bartholomew's Pub. Increasing the capacity would only contribute to the noise and violence already occurring during the evening hours. There is also a concern about seeing more major crimes such as the shooting outside another Douglas Street club on February 25th 2013 (<http://www.timescolonist.com/news/local/man-pleads-guilty-to-attempted-murder-in-drive-by-shooting-of-victoria-doorman-1.676314>). As an owner wanting to preserve the quality and beauty of Victoria I hope that this capacity increase is not granted.

Regards,
Liza Bialy

Mark Hayden

From: Dennine Giles [REDACTED]
Sent: Saturday, Mar 22, 2014 11:28 AM
To: Liquor Licence Email
Subject: Executive House Hotel (Bartholomew's Pub) - Application to expand liquor license
Attachments: image007.jpg; image008.png; image009.jpg

Good afternoon,

It has recently been brought to my attention that the Executive House Hotel (Bartholomew's Pub) has applied to expand their liquor license. My family and I currently reside in unit S1005, 708 Burdett Avenue (The Falls) which is directly beside the applying business.

At present, the noise that comes from that establishment is enough to be heard clearly up to our condo. We have been patient with the noise as I understand they are running a business and I make sure to drown it out as best I can. With the application before your board to increase the number of patrons allowed at the premise I can't imagine how much more noise there will be. I am strongly opposed to the application and trust that you will take into consideration the number of people this application will adversely affect.

Should you require further information from me or would like to discuss the situation further, please do not hesitate to contact me directly at 780 799 3530.

Thank you,

Dennine

Dennine Giles
Northstar Group



NORTHSTAR GROUP

780 799 3530 (Cell) 780 713 2846
505 Mackenzie Boulevard, Fort McMurray T9H 4X3



Ernst & Young
Entrepreneur Of The Year
Award 2013

Mark Hayden

From: Maureen Nohr [REDACTED]
Sent: Friday, Mar 21, 2014 7:38 PM
To: Liquor Licence Email
Subject: Manager,Bylaw,Licensing Service

TO: Manager,Bylaw and Licensing Service:

% Legislative Services
1Centennial Square
Victoria BC V8W 1P6

RE: Change of Liquor Licence
Executive House Hotel / Bartholomew's Pub

To Whom it May Concern,

We object to the Executive House Hotel / Bartholomew's Pub, application for a permanent change of liquor licence from 186 persons to 241 persons which is a 50% increase.

Our condo is located on the 11th floor, corner suite fronting on Douglas Street and Humbolt. Two of our bedrooms are located on side of Executive House Hotel and Bartholomew's Pub. We have already been frustrated with the noise and sleep interruption from the Pub. There have been times when shouting and disorder have been so concerning that we needed to get up and make sure people were ok or if assistance was needed. There is no way that the increase of liquor licensing seating should be allowed, if anything it should be decreased. In fact there have been times when fines for disorderly conduct and the Noise Bylaw should have been enforced! We have thought about making a formal complaint to the City to in force the noise bylaw. That is how disturbing it can be! If you allow the 50% increase this would be a huge negative impact on our life enjoyment and could impact the value of our condo. We are the original owner and we paid ALOT of money for our suite and want to enjoy the location. When we purchased we were aware of Bartholomew's Pub as it is now.

Please! Please! do not allow the application for the increase seating. There are lots of pubs already in this area and we see no reason to allow the increase seating liquor license. It is only for the owner to make more money, at the expense of people living in the area.

Sincerely,

Arnold and Maureen Nohr
The Falls
[REDACTED]

Mark Hayden

From: Dallas Chapple [REDACTED]
Sent: Friday, Mar 21, 2014 4:03 PM
To: Liquor Licence Email
Cc: liquorlicense@victoria.ca
Subject: Executive House

To whom it may concern,

As an owner at The Falls we would like to be recorded as firmly against the requested increase to Bartholomew's Pub by The Executive House Hotel. Our objections are particularly about the increase in noise with the larger crowd disbursing, and with the increase in crimes from violence and vandalism, public drinking and disorder and increasing incidents of public urination. This is a residential area which we must share with the commercial establishments but to have further problems for which we have to hire a private security company is unacceptable.

Sincerely,
Len and Dallas Chapple

RE/MAX Camosun

[REDACTED]

Mark Hayden

From: Norra [REDACTED]
Sent: Thursday, Mar 13, 2014 12:22 PM
To: Liquor Licence Email
Subject: Executive House hotel

**Manager Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC**

Dear Sir/Madame

We are Owners of Unit 302, 708 Burdett Ave “The Falls”

Recently we received in the mail “ Notice of Application For Permanent Change to A Liquor License.”

Please be advised we are OPPOSED to the request by Executive House Hotel (Bartholomew’s Pub) to increase occupant load from 186 to 241 persons.

We are already dealing with abnormal decibels of noise from the unruly patrons after closing time from this and other nearby clubs. This will add to even a bigger crowd and more incidents of loud noise.

The City and the Drinking establishments must first find an effective way to control the crowds of

drunken noise once the patrons are released into the streets before considering such applications.

The City is courting developers to build sustainable downtown neighborhoods and vibrant businesses to cater and service the families now living in the core. This is starting to happen.

The clubs and pubs must now co -exist with that sustainability in mind. Peace and quiet after patrons are released must now become a priority .

Our buildings are designated as “luxury” real estate and therefore need to be respected as such by our neighbors with regards to late night noise. If the establishments could hire “noise” police to keep decibels below acceptable bylaw requirements all night long then we could possibly co-exist but this does not happen now with the Strathcona dumping out drunken clubbers at 2 am, therefore, we must be vehemently against your application.

**Sincere Regards
Norra Miroseivic**

Mark Hayden

From: Monique Moore [REDACTED]
Sent: Friday, Mar 14, 2014 11:49 AM
To: Liquor Licence Email; Mayor (Dean Fortin)
Cc: Falls Manager; [REDACTED] Marianne Alto; Chris Coleman (Councillor); Shellie Gudgeon; Lisa Helps; Ben Isitt; Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)
Subject: Executive house hotel

To the Liquor Control and Licencing as well as City Council,

As a resident and owner at The Falls I do not support an increase in the occupancy at the Executive House Hotel Bartholomew Pub for the following reasons:

- 1) the residents do not need to contend with anymore late night bar noise than we do already
- 2) our concerns regarding the Strathcona Hotel have not been dealt with by Liquor Control, City Council or Victoria Police
- 3) on a nightly basis residents listen to loud bass pumping music as they lie in bed
- 4) taxi drivers are not abiding the pick up location rules and remaining on Douglas St
- 5) the hours of 11p:m until 3:00 a:m are filled with screaming, yelling and at times fighting bar patrons pouring out into the street. The Strathcona Hotel does not deal with disorderly patrons
- 6) the Victoria Police needs to have a required presence when more than 1000 bar patrons pour into the streets. Residents cannot and should not be expected to make nightly phone calls to maintain the peace and/or express concern over the well being of someone screaming on the street
- 7) If a roadside check stop was set up on either end of Courtney Street, I could guarantee that there would be many a failed breathalyzer test by drivers

It would be ridiculous for the Licencing Board, City Council, Victoria Police or homeowners to consider anymore bar patrons in the neighbourhood until the above problems are taken care of. As a homeowner, downtown resident, voter, tax payer and concerned citizen I continue to wait for these concerns to be addressed.

Sincerely,
Monique Moore

Sent from my iPad

Mark Hayden

From: Dal M. [REDACTED]
Sent: Wednesday, Mar 12, 2014 5:03 PM
To: Liquor Licence Email
Subject: Executive House Hotel

Importance: High

Manager Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC

Dear Sir/Madame

We are Owners of Unit 1401, 708 Burdett Ave "The Falls"

Recently we received in the mail " Notice of Application For Permanent Change to A Liquor License."
Please be advised we are **OPPOSED** to the request by Executive House Hotel (Bartholomew's Pub) to increase
occupant load from 186 to 241 persons.

We are already dealing with abnormal decibels of noise from the unruly patrons after closing time from this and other
nearby clubs. This will add to even a bigger crowd and more incidents of loud noise.

The City and the Drinking establishments must first find an effective way to control the crowds of drunken noise once
the patrons are released into the streets before considering such applications.

The City is courting developers to build sustainable downtown neighborhoods and vibrant businesses to cater and
service the families now living in the core. This is starting to happen.

The clubs and pubs must now co-exist with that sustainability in mind. Peace and quiet after patrons are released must
now become a priority .

Regards

Dal Mirosevic,

Mark Hayden

From: Stu [REDACTED]
Sent: Sunday, Mar 16, 2014 8:26 PM
To: Liquor Licence Email
Subject: Executive House Hotel

We live at 807-708 Burdett Avenue.

We are opposed to the proposed increase of the occupant load for the Executive House Hotel.

Residents on the south side of our property already complain about the noise from across the street. Increasing the load will do nothing for that.

Stuart & Barbara Fraser

Sent from my iPad

Mark Hayden

From: Jim Geminiano [REDACTED]
Sent: Sunday, Mar 16, 2014 11:33 AM
To: Liquor Licence Email
Subject: Executive House Hotel increase change to increase the occupant load to 241

dear sir,

I am against the propose increase of occupant load.Bartholomews Pub from 186 t0 241 people.

The place is already too noisy to the residential neighbourhood.

Very truly
Onofre Geminiano (469663 BC Ltd)
N1206
The Falls North Tower
707 Courtney Street, Victoria

Mark Hayden

From: [REDACTED]
Sent: Saturday, Mar 15, 2014 4:39 PM
To: Liquor Licence Email
Subject: Executive House Hotel

I am against the proposal to increase the license conditions for the Executive House Hotel. People are now shifting to the Urban lifestyle from the Suburban. Reasons being easy access to all the amenities such as Movie Theatres, Restaurants, Doctors, Dentists, Parks, Inner Harbour, etc... . The major negative I see as a Downtown resident is noise after 11 pm. So far the City has not addressed this as other cities have (ex. New York City noise bylaw 42 Decibels as measured from inside nearby residences and 7 decibels over the ambient Sound level as measured on a street or public right of way 15 feet or more from the source between 10 pm and 7 am.). Living at the Falls building I am often kept awake from loud music and drunken "hooting and hollering" after the bars close. Bottom line less people being let out of the Bars at night less noise. So therefore as I stated above I am against the proposal to increase numbers at the Executive House Hotel.

Sent from my iPad

Mark Hayden

From: Mike <[REDACTED]>
Sent: Monday, Mar 17, 2014 10:54 AM
To: Liquor Licence Email
Subject: Fwd: Application for Permanent change to a Liquor License- 777 Douglas St.

Re sending

Sent from my iPad

Begin forwarded message:

From: Mike <[REDACTED]>
Date: March 17, 2014 at 10:16:52 AM PDT
To: "liquorlicense@victoria.ca" <liquorlicense@victoria.ca>
Cc: Susan Gains [REDACTED]
Subject: Application for Permanent change to a Liquor License- 777 Douglas St.

Dear Sir/Madam,

I am an owner at the Aria Condominium Buildings at #N-403-737 Humboldt and I am very concerned about the additional noise the 55 more people at closing time (1am) will create. Our bedroom faces north and would be directly impacted by the increase in late night activities. The main exit is out on to Humboldt Street as well as the current smoking area and Taxi pick up. People will congregate at this place and an additional 55 people will only add to issue of late night noise.

My wife Susan and I are opposed to increasing the occupancy load for the Executive House Hotel (Bartholomew's Pub) located at 777 Douglas Street.

Sincerely,

Michael and Susan Gains

Sent from my iPad

Mark Hayden

From: Steve Purcell [REDACTED]
Sent: Sunday, Mar 23, 2014 2:13 PM
To: Liquor Licence Email
Subject: re: Bartholomew's Pub

To whom it may concern:

This email is to protest against the proposed increase in seating at Bartholomew's Pub from 186 persons to 241 persons. This increase is almost 30% which is far too excessive.


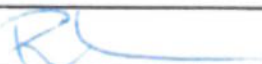





















We continually deal with loud noise and drunks from both the Strathcona and Bartholomew's. Imagine a 30% increase in the number of patrons spilling out of those places in the early morning.

If the City of Victoria wants to encourage more residents to live downtown and make it a viable centre, then please decline this notice of application. Having a vibrant city core with families and all of the positive elements that families bring, can only enhance the reputation of Victoria. You only have to look at some of the most liveable cities in the world and one of the common themes is that they all have a vibrant mix of residents living in the downtown areas. Increasing the pub capacity will only increase the inherent issues that go along with rowdy drunks loitering in the downtown core. This will dissuade many prospective families from purchasing housing in the downtown area.

Sincerely,

Steve Purcell
702S The Falls

**The Following Residents of the FALLS are opposed to
the expansion of the occupancy load of the
Bartholomew's part of the Executive House Hotel**

Address (ie. 403 - 707 Courtney St.)	Name (please print)	Signature
408-707 Courtney	Susan Minaker	
1106 " "	Susan Minaker →	SUSAN MALLOSSES
107	MARLEN SOUTHWORTH	11
408-707 Courtney	Perry Minaker	
1602-707 Courtney	Dj Bingham	
1901 707 Courtney	Boyle	
1502 707 Courtney	JM Boyle Ltd	
602 707 Courtney	Abhishek C	
1206 - 707 Courtney	Xuan Shi	
1601-707 "	NOLAN BAYNES	
1106-707 Courtney	Duo Wang	
1602 - 707 Courtney	S BINGHAM	
1601 707 Courtney	Ben Vire	
1008-707 Courtney	Deanna Rosenzweig	
502-707 Courtney	Deek Wilson	
504-707 Courtney	Monique Moore	
605-707 Courtney	M. Khanna	
1203 707 Courtney	MRS. Gupta	
1106-707 Courtney	Tang Tang	
1202-707 Courtney	William Shee	
804-707 Courtney	Charles Hord	
905-707 Courtney	Deanna Clement	
607-707	Heidi Tashen	
804-707 Courtney	Leslie Page	
708-707	Wanda	

**The Following Residents of the FALLS are opposed to
the expansion of the occupancy load of the
Bartholomew's part of the Executive House Hotel**

Address (ie. 403 - 707 Courtney St.)	Name (please print)	Signature
1205, 708 Burdett	Barbara Wanke	B Wanke
402 708 Burdett	Ronnie Cavender	Ronnie Cavender
902 708 Burdett Ave	Mulheh Sayah Dina	M. Yift
902-708 Burdett Ave	Mohammad Al. Khashei	M. Al. Khashei
506-708 " "	Rosmary GLAZIER	Rosmary Glazier
305-708 " "	Ruth Humphries	Ruth Humphries
607-708 " "	BONNIE DREGER	Bonnie Drager
1203-708 " "	Peter Jong	P. Jong
303-708 " "	NORRA MIRENGUE	Norra Mirengue
401-708 " "	DAL MIRENGUE	Dal Mirengue
704 708 Burdett	IAN MARSH	Ian Marsh
402-708 Burdett Ave	Don Keir	Don Keir
406-708 Burdett	Minkyung Choi	Minkyung Choi
406-708 " "	Jenny Kim	Jenny Kim
605-708 Burdett	Alicia Bertrand	Alicia Bertrand
605-708 Burdett	Stuart Bertrand	Stuart Bertrand
702-708 Burdett	Steve Purcell	Steve Purcell
701-708 " "	Wilson's	Wilson's
200 708 Burdett	NOHR	Paul Nohr
807-708 Burdett	FRASER	Fraser
807-708 Burdett	FRASER	Fraser