



Governance and Priorities Committee Report

For the December 3, 2015 Meeting

To: Governance and Priorities Committee

Date: November 20, 2015

From: Chris Coates, City Clerk

Subject: Application for a Liquor Primary Licence, **Royal Canadian Legion Public Service Branch 127**, 514 Government Street (James Bay Neighbourhood)

RECOMMENDATION

That Council, after conducting a review of the staff assessment of the application for a Liquor Primary Licence for **the Royal Canadian Legion Public Service Branch 127**, located at 514 Government Street, and in accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, approves:

1. The scheduling of a Liquor Licence Hearing (suggested date: Thursday January 14) before Council to receive written and oral submissions from residents, property owners and the public with respect to this application; and
2. Based upon the results of the public input received through the Liquor Licence hearing process, approve a resolution (with comments on the relevant factors) either supporting the licence application or not supporting the licence application. The appropriate resolution will be brought to Council at the earliest opportunity after completion of the Liquor Licence hearing.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution regarding an application by Royal Canadian Legion Public Service Branch 127, located at 514 Government Street, for a Liquor Primary Licence. This is a new licence application and will require Council to receive input from the Public through a Liquor Licence hearing as set out in the Liquor Licensing Fee Bylaw and the City's Liquor Licensing Policy and Process.

The proposed hours of liquor service would be from 11:00h (11:00AM) to 23:00h (11:00PM) seven days per week. The occupant load proposed is 100 persons (all inside the building).

PURPOSE

The purpose of this report is to seek Council direction regarding a new Liquor Primary Liquor Licence application by Royal Canadian Legion Public Service Branch 127, located at 514 Government Street.

BACKGROUND

This is a **new application** requesting the ability to provide liquor service on the part of an organization that serves and supports veterans. The Royal Canadian Legion Public Service Branch 127 is located at 514 Government Street, which is in the area of the Parliament Buildings, tourist attractions, some residential and very little retail. This legion is a social meeting place for local and out of town club members, and a few guests of veterans. The maximum proposed hours of liquor service would be from 11:00h (11:00AM) to 23:00h (11:00PM) seven days per week. The occupant load proposed is 100 persons (all inside the building). Snacks and beverages will be provided to guests.

A Letter of Intent from the business owner, submitted in May 2015 to the Liquor Control and Licensing Branch (LCLB) when the request was initiated, is attached in the Appendix to this Report, along with the Application Summary prepared by the LCLB.

There have been no previous applications for a liquor licence at this location.

Location

Official Community Plan:

- The urban place designation is "Core Inner Harbour/Legislative". Commercial uses are envisioned within this land use designation.

Downtown Core Area Plan:

- The property is within the Inner Harbour District of the Downtown Core Area Plan, which supports maintaining and strengthening the area as a focus for tourism as well as Provincial Government office and business activities.
- Mixed-use development with residential above active commercial uses at street level is supported. In addition, the location, design and siting of residential development should ensure that any potentially negative effects on the general operation and function of employment activities is mitigated.

Zoning and Designations:

- The site is Zone CD-2 and is located within the LP-2E sub area, the Legislature Comprehensive District. The permitted uses in this area are:
 - Public buildings
 - Offices
 - Fitness clubs
 - Residential
 - Surface parking

Existing Building and Neighbourhood Compatibility:

- The existing building is on the Heritage Register. Any alterations to the exterior of the building require a Heritage Alteration Permit approval.
- The Royal Canadian Legion Public Service Branch 127, at 514 Government Street, is located between Michigan and Superior Streets.
- The Queen's Printer building (directly to the north) is the large building on the southwest corner of Superior and Government.
- There is a small lot of green space directly to the south of 514 Government; most nearby properties (outlined in next section) are residential. The applicant outlined in the application there should be no disturbances or any problems as a result of this licence because most of their members are social drinkers and most members depart by 8:30 pm.

- On-street parking is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.)
- Younger veterans are also joining the Legion as they move into the neighbourhood. If these members transfer from other Legion branches, they have expectations that alcoholic beverages will be provided as in their former branches.

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 new liquor-primary licence applications regarding the following criteria:

- a) The location of the establishment;
- b) The proximity of the establishment to other social or recreational facilities and Public buildings;
- c) The person capacity and hours of liquor service of the establishment;
- d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location;
- e) The impact of noise on the community in the immediate vicinity of the establishment; and
- f) The impact on the community if the application is approved.

Relevant City Policy / Bylaw

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

ISSUES AND ANALYSIS

As stipulated in the *Liquor Control and Licensing Act*, Council has been requested to provide input to the LCLB with respect to this application. Under the City's Liquor Licensing Fee Bylaw and the City's Liquor Licensing Policy, Council is required to hold a Liquor Licence hearing to receive input on new applications for a Liquor Primary Licence, such as this application.

Under the rules established by the Liquor Control and Licensing Branch, Council can choose to "opt out" of providing comment on this application. As proceeding to opt out is contrary to the City's Policy on Liquor Licensing, that option has not been further explored in this report.

Operating Hours, Noise, Community Impact:

Closest residential uses are:

Address	Permitted Uses
501 Government St.	Mixed Use: corner store and residential unit
505 Government St.	bed and breakfast
640 Michigan St.	90 unit multiple dwelling
647 Michigan St.	multiple dwelling
605 Michigan St.	duplex dwelling
595 Michigan St.	bed and breakfast

Within a 300 metre radius, (which is the same radius as the public consultation mail-out for this new application), there are 4 other Liquor Primary Licenced establishments with a total patron capacity of up to 4,057 seats, but the majority of these seats are for special events.

VENUE	HOURS	SUNDAY HOURS	SEATING	TYPE
James Bay Inn Ltd. 270 Government Street	11am -11pm	11am -11pm	125	Pub/Hotel
Empress Hotel 721 Government Street	11am – 1am	11am – midnight	166	Hotel
Hotel Grand Pacific 463 Belleville Street	6:30am – 10 pm	6:30am – 10 pm	966	Hotel
Royal BC Museum Corp. 675 Belleville Street	10am – midnight	10am – midnight	2,800	Cultural Centre/Special Event Venue

Bylaw Enforcement

The Bylaw and Licensing Services Division has no concerns with this application.

Engineering & Public Works Department

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

Sustainable Planning and Community Development Department

- The Sustainable Planning and Community Department does not have any concerns regarding potential noise impacts.
- The zoning review will likely identify a parking shortfall. A parking study should be completed to confirm if the parking demand will be met on-site, or if it will result in patrons/employees seeking parking on the surrounding streets. If spill over on to the streets will occur, the extent to which it will impact surrounding businesses and residents should be determined.
- The parking requirements for pubs is 1 space per 5 seats. One hundred seats are proposed; a parking variance may also be required if the 20 stalls are not accommodated on site.
- The applicant has partially addressed parking concerns, explaining that most patrons live in the immediate neighbourhood of the legion. Any on-street parking that is available is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.). When available, it is only for 60 or 90 minutes until after 6:00 pm and patrons are aware of the time they are in a space as this area is monitored regularly.
- The proposed use as a clubhouse and restaurant/pub is not consistent with existing zone. As a result, a Rezoning Application and approval from Council is required to permit the proposed use.

Citizen Engagement and Strategic Planning

The Community Development Coordinator has provided the following comments in support of the new licence:

- It is noted that this is a new licence for 100 seats with a relatively early closing time (11pm), there are no outdoor patios at this location and the premises are open to members only.
- Because of the existence of residences across the street, office workers present during the day immediately adjacent to the premises, on-street parking on both sides of Government Street and the location being in James Bay adjacent to the downtown and outside the entertainment district, there is a concern about possible noise disturbance to the neighbours and lack of parking.
- However, given that it is a private club and the Legion is an organization with sensitivities to the interests of the public, there are not likely to be (unmanageable) disturbance problems.

- Larger events with the given number of licensed seats could impact the neighbourhood in terms of parking and activity. Overall, the likelihood of this would be moderate.
- There are no other concerns with this application.

Police

- The Victoria Police Department has no major objections other than the predictable conflict that arises when licensed premises are in close proximity to residential areas.
- Generally the police do not have problems with the Legions; if there are larger events at the Legion and numerous people are exiting later in the night then there could be conflict and cause for concern for the police.

As required under the City's bylaws and policy, a staff review has been completed. No barriers were identified to this application proceeding to the next step – public consultation through a Liquor Licence Hearing before Council. A copy of this report will be provided to the applicant for review prior to the December 3rd, 2015 Governance and Priorities Committee meeting.

As noted above, the proposed use as a clubhouse and restaurant/pub is not consistent with the existing zoning. The applicant is aware that a Rezoning Application must be submitted and approved by Council to permit the proposed use before the LCLB will issue a liquor licence. This process can be initiated while the liquor licence application process is underway. In addition, the applicant has been advised of the requirement to obtain a Business Licence.

Public Engagement and Consultation

If Council endorses the recommendations in this Report, in accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy for the Intermediate District (according to the City of Victoria's Noise District Map) owners and occupiers of property within **300 metres** of the applicant's location will be solicited by mail to provide input regarding this application and invited to attend the Liquor Licence Hearing. In addition, the business will be required to display posters at the access points to their proposed business location for a minimum 3 week period, which will also invite the Public to provide input to the City with respect to this application and to attend the Liquor Licence Hearing.

Official Community Plan

The proposed use of the property is consistent with the *Official Community Plan* objectives for this neighbourhood, the Downtown Core Area Plan, and the 9 (HC) Inner Harbour District.

Strategic Plan 2015 – 2018

The applicant's proposed business model is consistent with Strategic Plan Objective #7 – *Facilitate Social Inclusion and Community Wellness*.

2015 – 2018 Financial Plan

There is no expenditure impact on the Financial Plan.


CONCLUSIONS

As required under the City's bylaws and policy, a staff review of this application has been completed. No barriers were identified to the application proceeding to the public consultation stage.

If the recommendations are approved, staff will arrange to receive public input through a Liquor Licence hearing, in accordance with City policy, within 30 days. A final Report to Council would

be prepared and submitted summarizing the results of the Liquor Licence Hearing. This report will also provide a draft Resolution for submission to the Liquor Control and Licensing Branch for Council's consideration.

Respectfully submitted,


Mary Chudley
Policy Analyst
Legislative and Regulatory Services



Janice Schmidt
Manager
Legislative Services


Chris Coates
City Clerk


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: _____

Date: _____


Nov. 25, 2015

List of Attachments

- Appendix A – Aerial photograph (map) of the property and surrounding area
- Appendix B – Application Summary prepared by LCLB (which includes letter of intent from applicant)



Notes





APPLICATION SUMMARY

For Applicant and Local Government/First Nations

Date: October 1, 2015

Job # 26313644-1

Re: **Application for a new Liquor Primary (LP) Club Licence**
Applicant: Royal Canadian Legion Public Service Branch #127
Proposed Establishment Name: Public Service Branch #127
Proposed Site: 514 Government Street, Victoria

1. APPLICATION INFORMATION

Date application deemed complete:	September 24, 2015
Local Government Jurisdiction:	City of Victoria
Primary Business Focus:	Food and Beverage
Total Person Capacity (patrons plus staff):	100 Persons (Interior)

Proposed Hours of Operation:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Proposed Terms and Conditions:

A private club is eligible for the term and condition for flexible use (green lined area), pursuant to section 27(b) of the *Liquor Control and Licensing Act*. The licensee has the option of providing or not providing liquor service in areas covered by section 27(b)(i). When a green lined area is not being used for liquor service, the rules governing a licensed area no longer apply. The practical result of this designation is that when liquor is not being served these areas are unlicensed. The licensee does not need to apply to temporarily de-license the area.

Minors are permitted in green lined areas on the official floor plan during noted licensed hours when liquor is not being sold or consumed and all liquor is securely stored. No minors permitted in the liquor service area when the licence is in effect (liquor is being served) unless otherwise authorized by the L.C.L.B.

2. APPLICANT SUITABILITY INFORMATION (Fit and Proper)

The applicant has met the eligibility and suitability requirements relative to the above noted liquor licence, as required in the *Liquor Control and Licensing Act*.

3. LOCATION/SITE FACTORS

The legal description of the proposed site is: PID 029-274-478, Lot 1 of Lots 1718, 1719, 1720, 1743, 1744 and 1745, Victoria City Plan EPP38872. The proposed liquor primary establishment will operate as a social meeting place for local and out of town club members only. There is an occasional dinner party however there is no paid entertainment offered.

See the attached Applicant's Letter of Intent for details of the proposed Liquor Primary establishment, including the following details:

- a) Business Focus or Purpose
- b) Target Market
- c) Composition of the Neighbourhood and Reasonable Distance Measure
- c) Benefits to the Community
- d) Noise in the Community
- f) Impact on the Community
- g) Other impacts, comments or requests

Please note that the applicant's letter of intent is enclosed as an attachment to this report for reference purposes. The information or statements included in the letter of intent have not been confirmed unless otherwise stated in this report.

4. CONTRAVENTION STATISTICS

The Liquor Control and Licensing Branch provide contravention statistics for liquor primary and liquor primary club establishments near the subject location upon request.

5. POPULATION AND SOCIO-ECONOMIC INFORMATION

- Circle population statistics for 2001 and 2006 are available from BC Stats by emailing your request to BC.Stats@gov.bc.ca
- BC Stats Community Facts includes the BC Benefits recipient and EI Beneficiary statistics and is available at <http://www.bcstats.gov.bc.ca/data/dd/facsheet/facsheet.asp>
- Statistics Canada Population breakdown by categories is available at: <http://www12.statcan.ca/census-recensement/2006/dp-pd/prof/92-591/index.cfm?Lang=E>

6. PUBLIC INTEREST

In providing its resolution for the proposed Liquor Primary application, local government must consider and comment on each of the regulatory criteria indicated below. The written comments must be provided to the general manager by way of a resolution within 90 days after the local government receives notice of the application, or any further period authorized by the general manager in writing.

Regulatory Criteria local government or First Nation must consider and comment on:

- a) The location of the establishment;
- b) The proximity of the establishment to other social or recreational facilities and public buildings;
- c) The person capacity and hours of liquor service of the establishment;
- d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location;
- e) The impact of noise on the community in the immediate vicinity of the establishment; and
- f) The impact on the community if the application is approved.

The local government or first nation must gather the views of residents in accordance with section 11.1 (2) (c) of the Act and include in their resolution:

- (i) the views of the residents,
- (ii) the method used to gather the views of the residents, and
- (iii) its comments and recommendations respecting the views of the residents;

A sample resolution template and comments are enclosed as attachments 2 and 3 to this report for reference purposes.

For use by Liquor Control and Licensing Branch:

5. REGULATORY and POLICY CONSIDERATIONS

Liquor Control and Licensing Act, Sections: 11, 16 and 18

Liquor Control and Licensing Regulations, Sections: 4, 5, 6, 8, 10

Liquor Licensing Policy Manual, Sections: 3.2, 3.3 and 3.4

ATTACHMENT 1

APPLICANT'S LETTER OF INTENT



Public Service Branch 127

Royal Canadian Legion
c/o Parliament Buildings
Victoria, BC V8V 1X4

Tel: (250) 386-3325

email: rcl127@shaw.ca

Web Site: <http://www.br127.ca>

May 31, 2015

Liquor Control and Licensing Branch
Ministry of Justice
4th Floor, 3350 Douglas St
Victoria, BC V8Z 3L1

RE: Letter of Intent – Liquor Primary Club Licence
– Royal Canadian Legion Public Service Branch 127

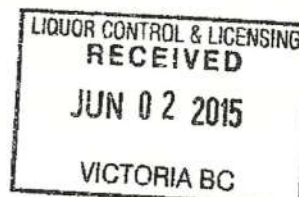
Please find attached Royal Canadian Canadian Legion, Public Service Branch 127's application for a new Liquor Primary Club Licence and required documents.

The Branch's main function is to serve and support veterans and provide a safe and comfortable environment for them to socialize and share their experiences. Our patrons are veteran members, non-veteran members and a limited number of guests. The activities are mainly conversational. There is no paid entertainment of any type and the building is not big enough for structured games, only quizzes should there be an occasional dinner or party.

The target market is veterans belonging to this or other branches and seniors who are members and live in the James Bay area. We are a very low key branch and do not advertise for patrons or take away patrons from other commercial establishments. Members join as a result of their friends who are members.

Most of our patrons are within walking distance as we have no designated customer parking. Any on-street parking that is available is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc). When available, it is only for 60 or 90 minutes until after 6:00 pm and patrons are very aware of the time they are in a space as this area is monitored regularly.

The immediate neighborhood surrounding this Legion branch is mostly government offices, the Parliament Buildings, tourist attractions, some residential and very little retail.



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... Cont'd

We are one of the few Legion branches that are experiencing membership growth. This is primarily from Legion members moving to this area and transferring to this branch or people liking being within walking distance or from branches that might be closing. Younger veterans are also joining if they move to this area. If they transfer from other Legion branches, they have expectations that alcoholic beverages will be provided as in their former branches. If the block's proposed redevelopment takes place, we expect this trend to continue.

Although on the application the hours of operation are extensive, the actual hours are quite restricted. The branch is normally open only on Fridays and customers clear out by 7:30. Occasionally a handful of people may stay until 8:30 or 9:00 but no one stays beyond 10:30. When calling cabs, patrons normally stay within the building until the driver comes in to pick them up. Those not needing cabs often just walk home. When some leave, they regularly go to a restaurant 2 blocks away and provide business for them.

We do not expect to have disturbances or any problems as a result of this licence because most of our members are quite disciplined and are social drinkers only. We also have several policemen, retired and active, as members who can help should their assistance be required. This building does not stand out as a Legion so we don't often get drop-ins unless they are Legion members visiting Victoria. In fact, unless a member tells them, neighbours or public servants in the area are not aware of a Legion being in their midst.

We have been told by guests, as well as our own members who drop in at other branches, that we're the only Legion branch they have been to that provides free snacks (chips, cheesies, pretzels, etc) which we are happy to do to keep our patrons safe and sober.

We believe our branch is an important gathering place for our members, especially veterans, who like to drop in before going out for the evening for meals, entertainment and sports events.

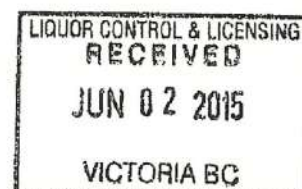
If you need more information, please do not hesitate to contact us.

Yours very truly,

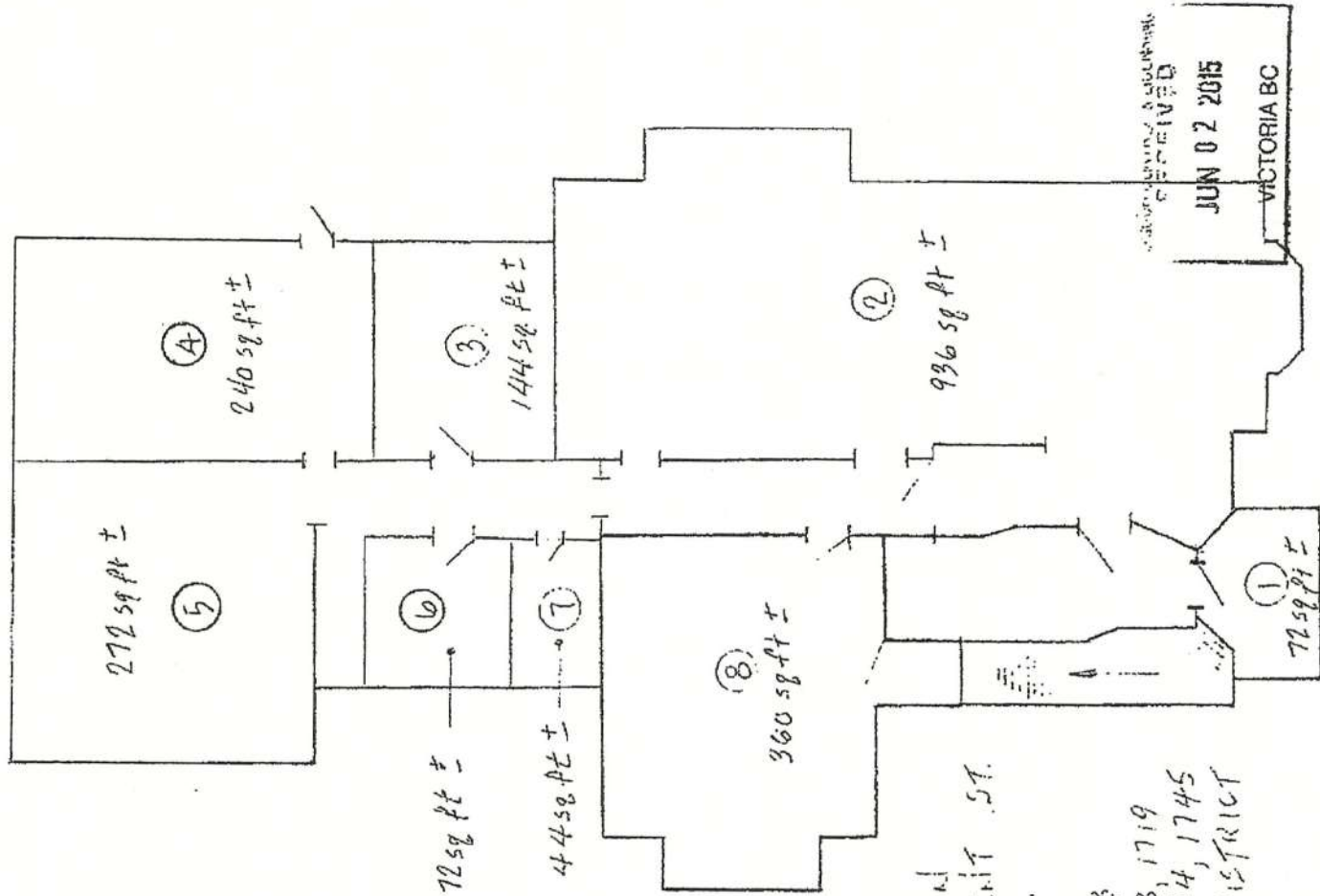


Richard Steele
Branch President

bks



1. FOYER
2. LOUNGE AREA
3. BAR AREA
4. OFFICE
5. KITCHEN
6. WOMAN'S
7. MEN'S
8. GAMES / LIBRARY



City of Victoria
* Reviewed for Occupant Load Only

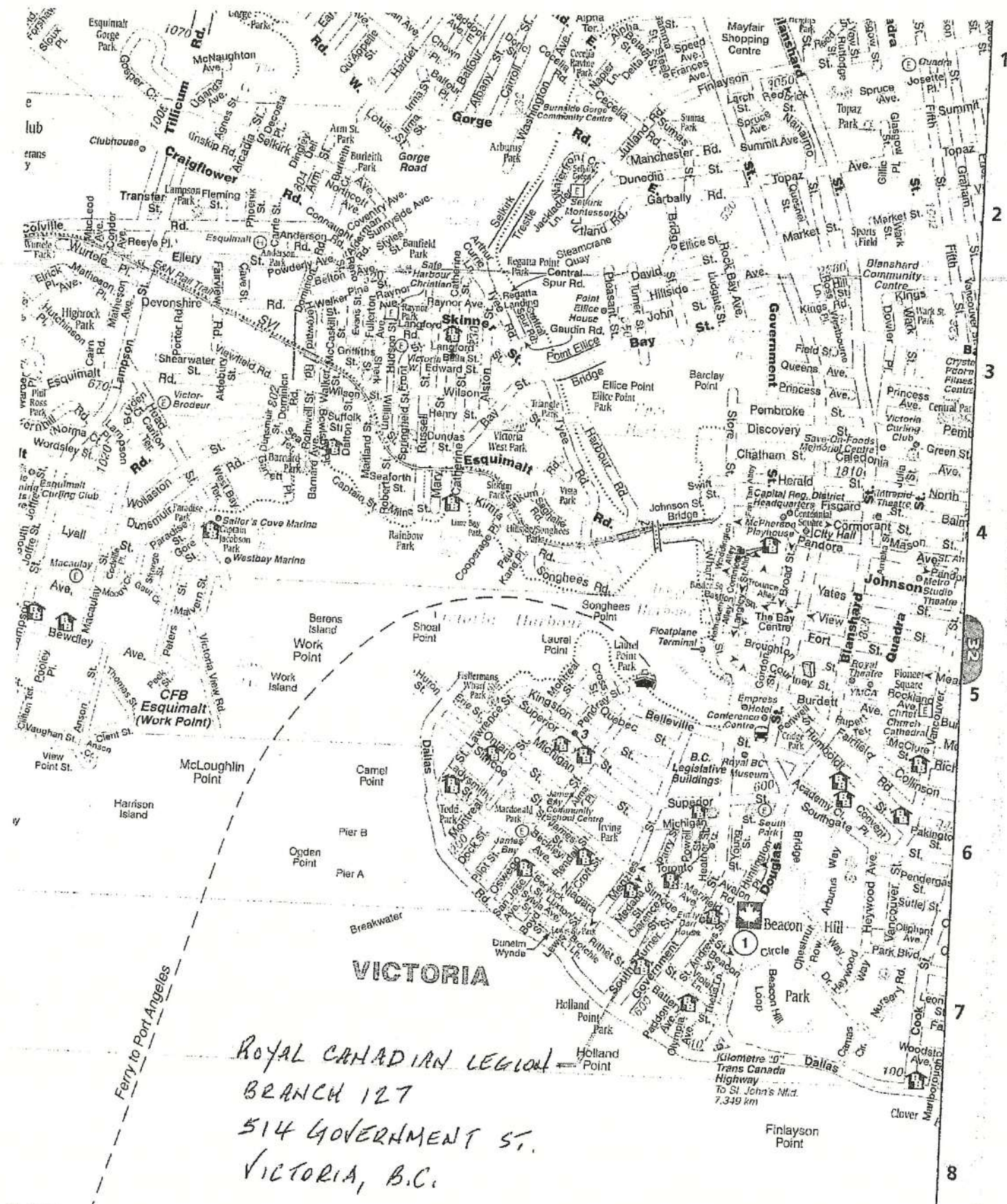
Maximum Occupant Load is:	Fire Prevention Officer:
Main Floor: 150 Persons	Signature: <i>Brian Sifert</i>
Mezzanine: - Persons	Signature: <i>[Signature]</i>
Patio/Deck: - Persons	Date: Aug 18/15
Total: 150 Persons	

1ST FLOOR PLAN
514 GOVERNMENT ST.
VICTORIA, B.C.

PID: 629-274-1178
LOT 1 OF LOTS 1718, 1719
1719, 1720, 1743, 1744, 1745
VICTORIA, CITY DISTRICT
PLAN EPP38872

-JTS-
REVISED APRIL 2014

GOVERNMENT ST.



LIQUOR CONTROL & LICENSING
RECEIVED
JUN 02 2015
VICTORIA BC

ATTACHMENT 2Sample Resolution Template for a Liquor-Primary or Liquor-Primary Club Licence Application

To: General Manager, Liquor Control and Licensing Branch

RE: Application for a liquor-primary licence at: (address of proposed establishment)

At the (council/board) meeting held on (date), Council passed the following resolution with respect to the application for the above named liquor licence:

1. The (council/board) (recommends/does not recommend) the issuance of the licence for the following reasons: (detail and explain reasons for recommendation)
2. The (council's/board's) comments on the prescribed considerations are as follows: *(a comment on each criteria must be included in the resolution or the resolution must reference the staff report if a staff report addresses the criteria. The resolution must clearly state that Council endorses the comments in the report.)*
 - (a) The location of the establishment: *(provide comments)*
 - (b) The proximity of the establishment to other social or recreational facilities and public buildings: *(provide comments)*
 - (c) The person capacity and hours of liquor service of the establishment: *(provide comments)*
 - (d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location: *(provide comments)*
 - (e) The impact of noise on the community in the immediate vicinity of the establishment: *(provide comments)*; and
 - (f) The impact on the community if the application is approved: *(provide comments)*.
3. The (council's/board's) comments on the views of residents are as follows: (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the (council/board) of (local government/First Nation) on (date).

Sincerely,

(signature)

(name and title of official)

(local government/First Nation)

Note:

- All of the items outlined above in points 1, 2(a) through (f), and 3 must be addressed in the resolution in order for the resolution to comply with *Section 10 of the Liquor Control and Licensing Regulation*.
- Any report presented by an advisory body or sub-committee to the council or board may be attached to the resolution.

ATTACHMENT 3

The following are examples that illustrate the type of comments that local government and First Nations may provide to demonstrate they have taken into consideration each of the regulatory criteria for their final recommendation. Comments may be a mix of positive, negative and neutral observations relevant to each criterion. The final recommendation is the result of balancing these 'pros and cons'.

The list is not intended to illustrate every possible comment as the variations are endless, given the wide range of applications and local circumstances.

Local government or First Nation staff may wish to contact the Liquor Control and Licensing Branch for assistance on drafting the content of a resolution before it is presented to local government or First Nation to avoid resolutions that do not comply with the regulations.

Sample Resolution Comments for a Liquor Primary Licence Application

- (a) The location of the establishment: *The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated.*
- (b) The proximity of the establishment to other social or recreational facilities and public buildings: *The only nearby social, recreational and public buildings do not conflict with the operation of a late night entertainment venue.*
– or –
The proposed location is across a lane from a church with an attached retirement facility and church hall routinely used for youth group gatherings. The proximity of the proposed establishment is not considered compatible with the existing facilities.
- (c) The person capacity and hours of liquor service of the proposed establishment: *The maximum person capacity of 250 with closing hours of 2:00 a.m. Tuesday through Saturday and midnight on Sunday is acceptable. A larger capacity or later hours is not supported given the few number of police on duty at that time.*
- (d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location: *The existing establishments are large public house establishments that focus on exotic entertainment or are nightclubs that attract patrons 19 to 25 years of age. The proposed establishment is a small local pub style facility with an extensive menu and is designed to appeal to couples wanting a quiet adult venue for socializing in their community. There are no other (or few other) facilities with a similar focus.*
- (e) The impact of noise on the community in the immediate vicinity of the establishment: *Noise is not expected to be an issue because [of the small size and early hours] – or – [the applicant has agreed to various noise baffling strategies to ensure the neighbours are not disturbed by late night music].*
- (f) The impact on the community if the application is approved: *If the application is approved, the impact is expected to be positive in that it will support the growth in tourism and offer a new social venue for residents. The applicant has met the requirements of the zoning bylaw with regard to road access and parking.*

The Council's comments on the views of residents are as follows:

The views of residents within a half mile* of the proposed establishment were gathered* by way of written comments that were received in response to a public notice posted at the site and newspaper advertisements placed in two consecutive editions of the local newspaper [provide name and dates]. Residents were given 30 days from the date of the first newspaper advertisement to provide their written views.

A total of 63 responses were received from businesses and residents. Of the responses received, 21 were in support of the application and 42 letters were received in opposition to the application. The primary reason cited by those in opposition was the proposed closing hours of 4 am. A number of business residents in the area also cited the lack of parking as an area of concern.

The following three examples illustrate ways Council may complete their comments on the views of residents based upon the preceding comments.

1. Council agrees that a 4 am closing time for this establishment would not be appropriate and therefore recommends that the establishment have a closing time of 2 am to be consistent with the other licensed establishments in the area. Council does not agree with the parking concerns raised by some of the local businesses as the proposed establishment's peak operating hours will be after the surrounding businesses have closed.

Council believes that the majority of residents in the area support the issuance of the licence provided the closing hours are no later than 2 am. The establishment will create new jobs and provide a new entertainment venue for this neighbourhood.

– or –

2. There are 6450 residents within the half mile radius of the proposed establishment. Council is of the view that the 42 residents who are in opposition to this application, represent a small proportion of the overall population that may be affected by this establishment. Council also notes that residents who oppose a proposal are the ones who generally respond therefore Council is of the view that the majority of the residents are not opposed to the issuance of a liquor licence for this establishment.

Council recommends that a liquor licence be issued with hours of operation ceasing at 4 am. Council believes that the majority of residents in the area support the issuance of the licence. The establishment will create new jobs and provide a new entertainment venue that is needed in this area.

– or –

3. Based upon the input received by residents within a half mile of the proposed establishment, there is a two to one ratio of opposed residents to residents that support the application. The opposition to this establishment comes from both homeowners and businesses. Council is of the view that with both the residential and business opposition to this proposed establishment is that the issuance of a licence for this establishment would be contrary to the community standard for this area.

Despite the potential creation of additional jobs and a new entertainment venue for the area, Council is unable to support the issuance of a liquor licence for this establishment. Council recommends that a liquor licence not be issued to this applicant.

***The local government or First Nation determines the appropriate area to be included and the method for gathering those views**