

DATE OF MEETING July 18, 2022

AUTHORED BY KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT LIQUOR LICENCE APPLICATION NO. LA149 - 11 CLIFF STREET

OVERVIEW

Purpose of Report

To provide Council with information regarding an application that has been received to amend the existing liquor licence at 11 Cliff Street (Cliffside Brewing Company) to make permanent a temporary extension to the existing outdoor patio area .

BACKGROUND

A notice of application was received from Hub City Ales Inc. (Cliffside Brewing Company) requesting a local government resolution in support of their licence amendment application to the Provincial Liquor and Cannabis Regulation Branch (LCRB) to permit the Temporary Extended Service Area (TESA) to remain permanently at the Cliffside Brewing Company at 11 Cliff Street. Council supported the issuance of the original liquor licence for Cliffside Brewing Company on 2019-MAY-27 (LA135) and an amendment to allow an outdoor patio (17.7m²) on 2020-FEB-24 (LA141).

During the pandemic, temporary outdoor patios were permitted by the LCRB and the City of Nanaimo. During the 2020 and 2021 summer seasons, Cliffside Brewing Company increased the area of their outdoor patio area temporarily from 17.7m² to 35.4m². The LCRB has advised that, moving forward, temporary patios must either be removed, or a liquor licence amendment application be submitted to the LCRB requesting a permanent outdoor patio. As such, the applicant is seeking to make the temporary patio extension permanent.

DISCUSSION

The Cliffside Brewing Company is located at 11 Cliff Street, which is zoned 'Downtown 4' (DT4) – Terminal Avenue. The brewery has been located on the property since 2019. The applicant has provided a rationale for the proposed patio extension (Attachment E). The patio area considered in this application is 17.7m² and contains 14 seats. Combined with the existing permanent 17.7m² outdoor patio area, the total area outdoor patio space is proposed to be approximately 35.4m², and is used seasonally. The hours of service were previously endorsed by Council to occur between the hours of 9:00am and 1:00am. No change of business hours is proposed as part of this application and no live or recorded entertainment may be offered on a patio (only permitted in a lounge area). The patio area is accessed (and monitored) internally from the brewery. If the patio area extension is supported, the maximum capacity for the business would remain at 48 persons.

In accordance with the review process utilized prior to the pandemic, the LCRB has requested that liquor licence amendment applications be reviewed in terms of the following criteria:

- The location of the establishment;
- The proximity of the establishment to other social or recreational facilities;
- The person capacity and hours of service of the establishment;
- The impact of noise on the community in the immediate vicinity; and,
- The impact on the community if the application is approved.

CONCLUSION

Staff will comment on each of the review criteria in a future report after public comments have been received. The next step will be for Staff to mail and hand deliver a Public Notice to the owners and occupants of all buildings within a 100m radius of the subject property to inform them of the proposed liquor licence amendment, and to obtain neighbourhood input.]

SUMMARY POINTS

- An application has been received to amend the existing liquor licence at 11 Cliff Street (Cliffside Brewing Company) to make permanent a temporary extension to the existing outdoor patio area.
- Staff will proceed with the public notification to gather input from nearby residents and business owners.
- A summary of public comments and an evaluation of community impacts will be brought to Council for consideration in a future report.

ATTACHMENTS:

ATTACHMENT A: Context Map
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Floor Plan (Patio)
ATTACHMENT E: Letter of Rationale
ATTACHMENT F: Aerial Photo]

Submitted by:

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Concurrence by:

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