

DATE OF MEETING August 29, 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 an application to amend the existing liquor licence at 11 Cliff Street (Cliffside Brewing Company) to permit a permanent extension for the existing temporary outdoor patio area.

Recommendation

That Council recommend the Liquor and Cannabis Regulation Branch approve the liquor licence amendment for 11 Cliff Street (Cliffside Brewing Company) to permit a permanent 17.7m² extension to the existing outdoor patio area.

BACKGROUND

During the COVID-19 pandemic, temporary outdoor patios were permitted by the Liquor and Cannabis Regulation Branch (LCRB) and the City of Nanaimo. The Cliffside Brewing Company has operated the temporary outdoor patio area considered in this application since 2020. 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.

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 LCRB to permit the Temporary Extended Service Area (TESA) to remain permanently at the Cliffside Brewing Company at 11 Cliff Street. An information report was presented to Council on 2022-JUL-18 and public notice was mailed and hand-delivered to the owners and occupants of all buildings within a 100m radius of the subject property on 2022-JUL-19. Council previously supported the issuance of the original liquor licence for Cliffside Brewing Company in May 2019 (LA135) and an amendment to permit a permanent 17.7m² outdoor patio in February 2020 (LA141). This liquor licence amendment (LA149) seeks to make permanent a 17.7m² temporary patio (TESA) area for a total proposed permanent outdoor patio space area of 35.4m².

DISCUSSION

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.

Location of the Establishment

The Cliffside Brewing Company is located at 11 Cliff Street and has been in operation since 2019. The subject property is designated “Primary Urban Centre” in the City Plan, and is zoned ‘Downtown 4’ (DT4) – Terminal Avenue which permits “micro brewery” and “neighbourhood pub” uses. The use aligns with City Plan policies promoting tourism and located in close proximity to other downtown attractions and services.

Public Consultation

The following summarizes opportunities for information sharing and public consultation for the proposed amendments to the liquor licence:

- An information report was presented at the 2022-JUL-18 Council meeting.
- A public notice with comment sheet including information about the proposed changes to the liquor licence was mailed and hand-delivered to the owners and occupants of all buildings within a 100m radius of the subject property on 2022-JUL-19.
- A total of eight responses to the public notification were received by the City from surrounding residents and businesses, all which indicated support for the proposed amendment to the liquor licence.
- The liquor licence amendment application was referred to the RCMP and City departments for review and comment. Their comments are summarized in the sections below.

Capacity and Hours of Service

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 outdoor patio space area is proposed to be approximately 35.4m², and is used seasonally. Business hours range between 1:00 p.m. to 10:00 p.m. (the previous liquor license amendment (LA141) supported hours between 9:00 a.m. and 1:00 a.m.). 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 in the lounge area). The patio area is accessed (and monitored) internally from the brewery. If the proposed patio area is supported, the maximum capacity for the business would remain at 48 persons.

Impact of Noise in the Immediate Vicinity and on the Community if Application is Approved

The 17.7m² temporary outdoor patio area considered in this application has been in use since 2020. No live or recorded entertainment may be offered on a patio. As the TESA is currently in use, impacts to the community would be limited if the application is approved. The RCMP and City departments have advised that no complaints have been received with respect to the outdoor patio. The RCMP has no objection to the proposed amendment to the liquor licence.

Staff have reviewed the proposal to permit a permanent extension to the existing patio and recommend support for the proposed amendment to the liquor licence at 11 Cliff Street.

SUMMARY POINTS

- An application has been received to amend the existing liquor licence at 11 Cliff Street (Cliffside Brewing Company) to permit a permanent extension to the existing outdoor patio area.
- Staff have completed the required public notification on 2022-JUL-19, and received eight responses from surrounding residents and businesses, all which indicated support for the proposed amendment to the liquor licence.
- Staff recommend support of the proposed amendment to the liquor licence.

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: Public Comment Sheets
ATTACHMENT G: Aerial Photo

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