

DATE OF MEETING February 6, 2023

AUTHORED BY SADIE ROBINSON, PLANNER, CURRENT PLANNING

SUBJECT LIQUOR LICENCE APPLICATION NO. LA147 – 1630 EAST WELLINGTON ROAD



Proposal:

To amend the existing liquor licence to change the hours of liquor service.

Zoning:

COR3 - Community Corridor

City Plan Land Use Designation:

Mixed Use Corridor

Lot Area:

0.53ha



OVERVIEW

Purpose of Report

To present Council with an application to amend the hours of liquor service within the existing liquor primary licence for the Royal Canadian Legion Branch No. 256 located at 1630 East Wellington Road.

Recommendation

That Council recommend the Liquor and Cannabis Regulation Branch approve the application to amend the existing liquor primary licence for the Royal Canadian Legion Branch No. 256 located at 1630 East Wellington Road to allow liquor service from 10:30 a.m. to 12:30 a.m., seven days a week.

BACKGROUND

An application was received from Royal Canadian Legion Branch No. 256 (the Legion) requesting a local government resolution in support of their licence amendment application to the Provincial Liquor and Cannabis Regulation Branch (LCRB) to change their hours of service. An information report was presented to Council on 2022-DEC-05 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-DEC-06.

In 2013, Council supported a change in the hours of liquor service to 10:30 a.m. to 12:30 a.m. (7 days a week). In 2018, Council supported a conversion of the Legion's Liquor Club Licence to a Liquor Primary Licence. No changes in hours of service were proposed in 2018, however, the application and staff report to Council included incorrect hours of service (12 p.m. to 1:00 a.m.). Subsequently, the LCRB chose to amend the hours on the liquor licence to match the hours of service noted on the Council report. The Legion has submitted a new application for a Council resolution to amend the hours of liquor service to align with the hours previously approved by the LCRB and supported by the City of Nanaimo in 2013. The applicant states the revised hours will allow the Legion to provide an earlier lunch service and closing time.

The subject property is located northeast of the intersection of East Wellington Road and Bowen Road. City Plan designates the property as 'Mixed-Use Corridor' and is included within the COR3 – Community Corridor zone. Neighbourhood pub, and club/lodge are permitted uses within this zone. Residential uses exist approximately 53m north of the subject property. The Legion is an existing facility and no increase in occupant load is requested. A change from the existing hours is requested as follows:

	Monday to Sunday
Existing Hours	12:00 p.m. to 1:00 a.m.
Proposed Hours	10:30 a.m. to 12:30 a.m.

The proposed hours would be a reversion to hours previously approved by Council in 2013. The proposed hours are consistent with the City's practice of not supporting the extension of liquor service hours past 1:30 a.m.

Hours of service and capacity are subject to local government consideration and comment. A municipal resolution is required before the LCRB will consider the application further. |

DISCUSSION

The LCRB has requested liquor licence amendment applications be reviewed in terms of the following criteria, and requests the local government gather the views of nearby residents and business owners:

- The impact of noise on nearby residents; and,
- The impact on the community if the application is approved.

Public Consultation

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

- An information report was presented at the 2022-DEC-05 Council meeting.
- A public notice and comment sheet was mailed and hand-delivered to the owners and occupants of all buildings within a 100m radius of the subject property on 2022-DEC-06. A total of eight responses to the public notification were received by the City from surrounding residents and businesses.
- Of the eight responses received, six are in support of the application and two are opposed with concerns about the extended hours of service and potential impacts on the community. Comment sheets returned are included as Attachment C.
- The liquor licence amendment application was referred to the RCMP and City departments for review and comment. Responses are summarized in the sections below.
- The liquor licence amendment application was referred to the Western Neighbourhood Association who commented that they do not have any concerns with the proposed changes to the Legion's hours of service.

Impact of Noise and on the Community

This is an existing club and the proposed change in hours would reinstate the hours previously approved in 2013. Given the location of the Club; the Legion's history in the area; no changes in occupant load; and the change of liquor service hours to open / close earlier, Staff do not anticipate an increase in noise if the application is approved.

Staff do not anticipate any negative community impact with respect to the liquor license amendment application. The RCMP and Bylaw Services have no concerns regarding the application.

Should Council pass a resolution to support the application to change the hours of service, Staff will forward the resolution to the LCRB. The final decision regarding the approval of this liquor primary licence amendment application will be made by the LCRB.

SUMMARY POINTS

- The applicant proposes to change the hours of liquor service to 10:30 a.m. to 12:30 a.m., seven days a week.
- Staff have completed the required public notification on 2022-DEC-06, and received eight public responses; six in support and two opposed to the application.
- Staff recommend support of the proposed amendment to the liquor licence.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Letter of Rationale
ATTACHMENT C: Public Comment Sheets

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