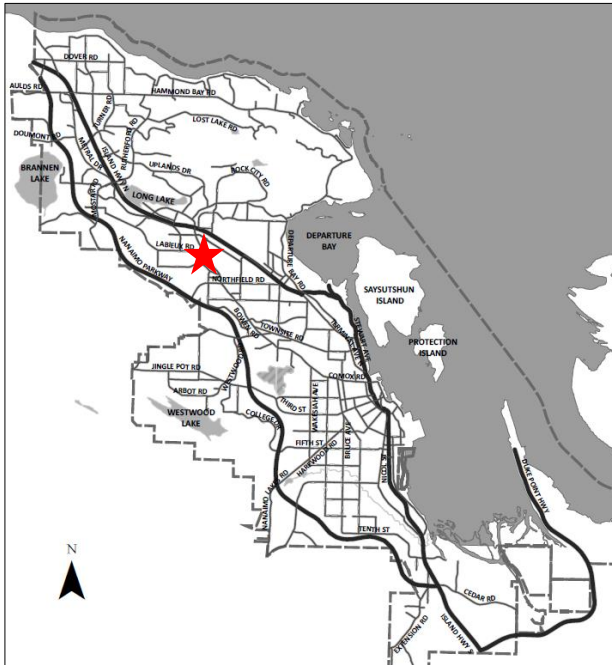


DATE OF MEETING | September 9, 2024

AUTHORED BY | PAYTON CARTER, PLANNER, CURRENT PLANNING

SUBJECT | LIQUOR LICENCE APPLICATION NO. LA156 – 2373 ROSSTOWN ROAD



Proposal:

Consideration of a new liquor licence application

Zoning:

CS1 – Community Service One

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

4,804m²



OVERVIEW

Purpose of Report

To present for Council's consideration a new liquor primary licence application for an existing cultural facility located at 2373 Rosstown Road.

Recommendation

That Council receive the report and recommend that the Liquor and Cannabis Regulation Branch approve the application for a liquor primary licence at 2373 Rosstown Road.

BACKGROUND

A notice of application was received from the Nanaimo Theatre Group Society, requesting a local government resolution in support of their application to the Provincial Liquor and Cannabis Regulation Branch (LCRB) to permit liquor to be served at the existing Bailey Studio theatre located at 2373 Rosstown Road.

An Information Report was presented to Council on 2024-JUL-08 with public notification following, and the application was received for public comment during the Special Council Meeting on 2024-JUL-29. A municipal resolution is required before the LCRB will provide further consideration to this application.

DISCUSSION

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

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

Public Consultation

The following summarizes the opportunities for public consultation and information sharing:

- An Information Report was published on the Council agenda for the 2024-JUL-08 Regular Council Meeting.
- A public notice and comment sheet was mailed and delivered to property owners and tenants within 100 metres of the subject property. The notice included details of the 2024-JUL-29 Special Council Meeting.
- Notice of the Special Council Meeting was published in the 2024-JUL-24 edition of the Nanaimo News Bulletin.
- A total of 10 comment sheets were received by the City, of which nine are in support, and one is opposed, citing concerns about proximity to children in the adjacent residential neighbourhood. The public comment sheets received are included as Attachment C.

- A Special Council Meeting was held on 2024-JUL-29 to provide an opportunity for Council to hear the public speak to the proposed liquor licence application. No members of the public spoke to this application.
- The liquor licence application was referred to the RCMP and City departments for review and comment. Responses are summarized in the sections below.

Location of the Establishment

The subject property is located within a residential neighbourhood on the south side of Rosstown Road, within the Diver Lake neighbourhood. It is surrounded by low-density residential development with single-family dwellings, secondary suites, and home-based businesses. South of the subject property are a number of large, vacant parcels zoned for medium density residential development. The Beban Park recreation facilities and other commercial services are located nearby, east of Bowen Road.

City Plan designates the property as ‘Suburban Neighbourhood’ and the property is zoned Community Service One (CS1), intended to provide public-oriented uses designed to serve the community. City Plan supports small-scale community services amongst residential development in this area.

Person Capacity and Hours of Liquor Service

The proposed hours of liquor service are 12:00 p.m. to 12:00 a.m., seven days a week, intended to align with the hours of the performances at the Bailey Studio. The consumption of alcohol is proposed strictly within the auditorium, lobby, annex, and green room, within a total floor area of 313m², which supports a combined occupant load of 261 patrons. Adequate parking is available on-site to support the occupant load and the proposed hours are consistent with the City’s practice of not supporting the extension of liquor service hours past 1:30 a.m.

Noise and Community Impact

Through the public consultation process, a resident expressed concerns regarding the proximity of the establishment to children within the adjacent residential neighbourhood. While the Bailey Studio offers live performances and liquor service, all entertainment and service of liquor will occur within the building.

The liquor application was referred to the RCMP and City departments. Through the referral process, RCMP identified concerns with the consumption of alcohol in areas of no supervision. As a result, the dressing rooms and changing room have been removed from the licensable area to ensure oversight can be provided to the service and consumption of alcohol. City departments have advised that they have no concerns in relation to the proposed liquor licence.

The Nanaimo Theatre Group has obtained Special Event Permits from the LCRB to allow liquor service to align with theatre performances and musicals. The transition to a permanent licence is not expected to generate additional noise by the addition of a liquor primary licence. Liquor service will be offered to a limited number of patrons strictly within the existing building. No negative impacts are anticipated if the application is approved.]

SUMMARY POINTS

- The application, if approved, will allow liquor to be served within an existing cultural facility.
- A public meeting was held on 2024JUL-29 regarding the application and public notification was completed for public comment.
- Liquor service will be offered to a limited number of patrons strictly within the existing building, no negative impacts are anticipated if the application is approved. |

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Floor Plan
ATTACHMENT C: Public Comment Sheets|

Submitted by:

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Concurrence by:

Jeremy Holm
Director, Planning & Development|