



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 4320-20

**From:** Chief Administrative Officer

**Date:** June 1<sup>st</sup>, 2020

**Subject:** Permanent Change to Liquor Licence Application (Crown Isle Golf Club) – 399 Clubhouse Drive

### PURPOSE:

The purpose of the report is to obtain Council direction to request public input with respect to Crown Isle Golf Club's application for a permanent change to expand the hours of service for a liquor primary licence at the above referenced business location, allowing the Timber Room Pub and its patio to open at 9:00am.

### CAO RECOMMENDATIONS:

That based on the June 1<sup>st</sup>, 2020 staff report, "Permanent Change to Liquor Licence Application (Crown Isle Golf Club) - 399 Clubhouse Drive", Council approve OPTION 1 and direct staff to publish notice on the City's website requesting public input on Crown Isle Golf Club's proposed permanent change to a liquor primary licence application.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### BACKGROUND:

The applicant is making application for a permanent change to their existing liquor licence to the Liquor & Cannabis Regulation Branch (LCRB) for the property at 399 Clubhouse Drive. The proposed change is to increase the hours of operation for the liquor primary licensed area to open at 9:00am daily to allow service of beverages such as coffee with liqueur, mimosas and Caesars. The license includes a 105-person patio, a 75-patron interior space, a 12-patron interior space, and two beverage carts. The subject pub and patio are located at the rear of the clubhouse building (**Figure 1**) and currently has permitted hours of operation of 11:00am to 1:00am (midnight Sundays).



Figure 1. Context

Pursuant to Section 38 (3)(c) of the *Liquor Control and Licensing Act*, the local government must gather the views of residents when the applicant has given the local government notice of the application. In order to gather the views of residents, the City will post notice of the application on the City's main website for two weeks.

### DISCUSSION:

The subject location is zoned Comprehensive Development One B (CD-1B), which permits the intended use. The applicant is not proposing to make changes or alterations to the building and is not subject to development permit requirements.

The total number of patrons and seating is not expected to change (**Figure 2**). The patio is located at the southwest corner of the building, backing onto the golf course but largely unscreened from residences starting about 100m away. The earlier opening hours could increase noise nuisance for some of these residents; however, much of the patio in question had until recently been allowed to open at 9:00am under a previous food primary licence, and 9:00am-11:00am noise is expected to be minimal.

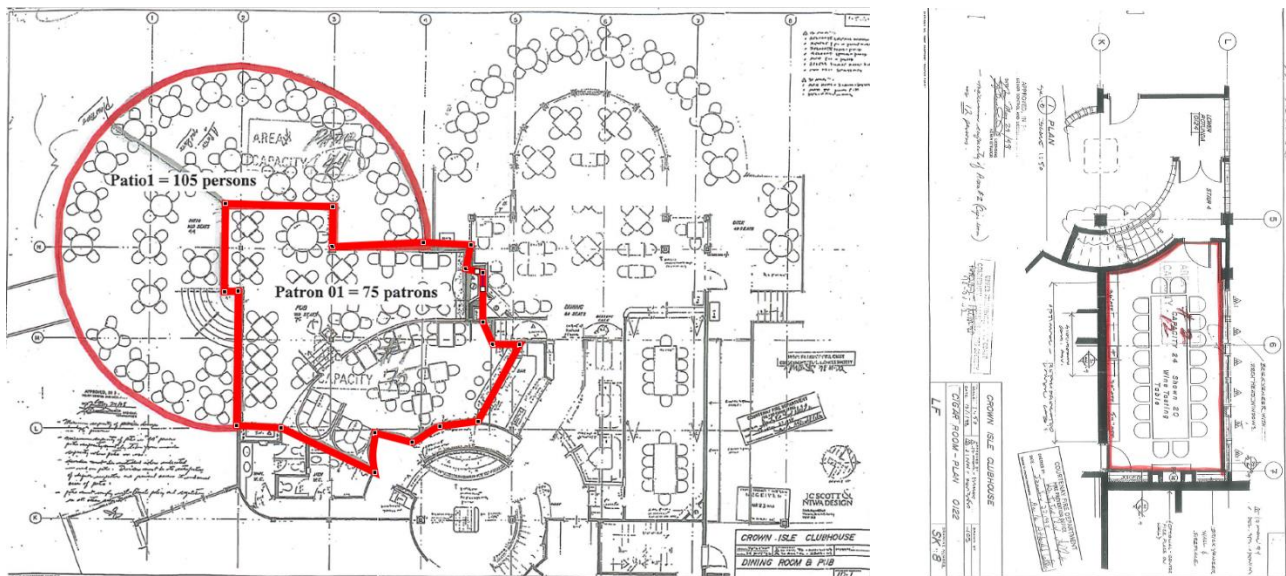


Figure 2. Plans

Section 71 (9) of the *Liquor Control and Licensing Regulation* states that a local government or first nation that wishes to provide comments and recommendations for the LCRB under section 38 (3) of the Act must do so in accordance with the following requirements:

- (a) the comments and recommendations must be in writing;
- (b) the comments must include the views of the local government or first nation on
  - (i) the impact of noise on the community in the immediate vicinity of the establishment unless subparagraph (ii) or (iii) apply,
  - (ii) in the case of an application that involves a temporary use area endorsement, the impact of noise on the community in the immediate vicinity of the proposed locations of event sites under corresponding temporary use area authorizations,

- (iii) in the case of an application that involves a lounge or special event area endorsement, the impact of noise on the community in the immediate vicinity of the location of the service area under the endorsement,
- (iv) the general impact on the community,
- (c) if the local government or first nation has gathered the views of residents under section 38 (3) (c) of the Act, the comments must include
  - (i) the views of the residents, and
  - (ii) a description of the method used to gather those views;
- (d) the recommendations must include whether the application should be approved or rejected; and
- (e) the recommendations must include the reasons on which they are based.

With respect to the requirement in section 38 (3) (c) of the *Liquor Control and Licensing Act*, the current practice is to advertise a notice on the City's website. Staff consider that it will satisfy the requirements of the LCRB. Once Council receives public input on the application, a resolution addressing these points will be forwarded to the LCRB for final consideration.

#### **FINANCIAL IMPLICATIONS:**

There is no direct financial implication related to this application. The application fee for all types of liquor licence applications is \$500 plus GST.

#### **ADMINISTRATIVE IMPLICATIONS:**

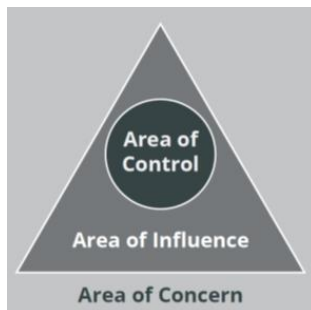
Administration of liquor licencing is included in the City's general statutory duties. To date, staff has spent four hours processing the application. It is anticipated an additional four hours will be required to complete the notification requirements, work with the applicant on the neighbours' concerns and bring a report back to Council.

#### **ASSET MANAGEMENT IMPLICATIONS:**

There is no direct asset management implication related to this application.

#### **2019 – 2022 STRATEGIC PRIORITIES REFERENCE:**

The November 2019 Strategic Priorities Check-in does not include any additional relevant references.



We focus on organizational & governance excellence

- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay

#### ● **Area of Control**

The policy, works and programming matters that fall within Council's jurisdictional authority to act.

#### **OFFICIAL COMMUNITY PLAN REFERENCE:**

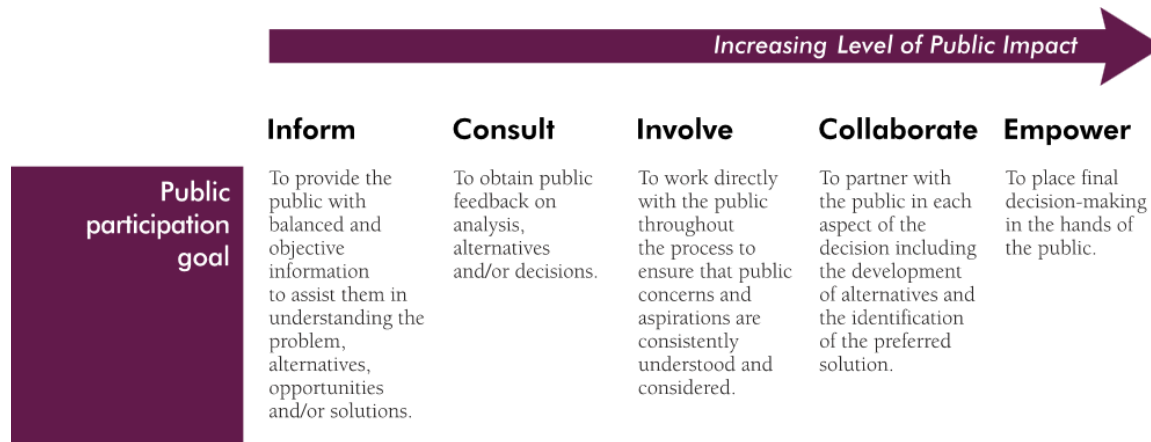
There is no direct reference related to this application.

**REGIONAL GROWTH STRATEGY REFERENCE:**

There is no direct reference related to this application.

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff will **consult** members of the public based on the IAP2 Spectrum of Public Participation:



The public comment gathering period will be open between June 2<sup>nd</sup> and June 15<sup>th</sup>, 2020 on the City's website. Any comments received from the public and the standard referral procedure will be attached to the staff report for Council's final consideration at a future Council meeting.

**OPTIONS:**

- Option 1: Direct staff to publish notice on the City's website requesting public input on the proposed permanent change to a liquor primary licence for Council consideration at a future meeting. **(Recommended)**
- Option 2: Direct staff to obtain public input through an alternative method.
- Option 3: Direct staff not to proceed with the application and advise the LCLB that the City does not support the request.

Prepared by:

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Planner 2

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