



2013-DEC-19

Our File: LA000100

Via email: liquor.licensing@gov.bc.ca

General Manager
Liquor Control and Licensing Branch
Ministry of Public Safety and Solicitor General
P.O. Box #9292, Station Provincial Government
Victoria, BC
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To Whom it May Concern:

**Re: Application for a Structural Change to a Liquor Primary License
Splitsville Entertainment Ltd. – 171 Calder Road, Nanaimo, BC**

I am writing to advise that Council, at its meeting of 2013-DEC-16, reviewed an application from Mr. Pat Haggerty, on behalf of Splitsville Entertainment Ltd., requesting a local government resolution in support of his application to the Liquor Control and Licensing Board (LCLB) for a structural change to an existing licensed establishment at 171 Calder Road. Specifically, the bowling alley is applying to convert the establishment's current food liquor primary licensed area to a liquor primary licensed area that permits minors. Council voted to recommend the LCLB approve the application for a structural change to an existing licensed establishment at 171 Calder Road.

As part of the review process, the local government commented on the following:

1. ***The potential for noise if the application is approved:*** The bowling alley is located immediately behind the Jingle Pot Pub, with a liquor store and gas station to the north and is in an established low density, residential neighbourhood.

To the west of the subject property is a forty-unit, multiple family strata complex, and to the south and east are single family dwellings. While some noise can be expected due to the presence of the existing bowling alley and neighbouring pub, this is generally considered a quiet residential area. When deciding upon whether or not to support the proposed liquor licensed area expansion, Council is asked to consider if the change in licensing status would result in an increased level of noise and disturbance within the neighbourhood.

During the public notification process some of the neighbouring property owners expressed concerns related to increased noise levels if the application is approved.

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2. ***The impact on the community if the application is approved:*** Splitsville bowling alley provides Nanaimo residents and visitors with recreational bowling opportunities and hosts a number of competitive leagues and tournaments. The bowling alley has been at its current location for over 30 years. The business has contributed positively to the community in a number of ways, as outlined in the application letter. If the application is approved, bowling alley patrons will be able to enjoy an alcoholic beverage while remaining in the bowling concourse area. A liquor primary license with an endorsement to permit minors is common in recreational facilities in British Columbia, as it allows adults to enjoy an alcoholic drink while participating in a recreational activity, such as bowling, without having to order food. As many bowling patrons have already eaten before bowling, they do not always wish to order food but may want to order an alcoholic drink. The primary purpose of the facility will remain bowling with liquor service accessory to the recreational activity. The CC6 zoning on the subject property will not permit the conversion of the property to a neighbourhood pub or night club without a rezoning. The applicant has distributed a petition with more than 850 patron signatures requesting the license change.

During the public notification process, some members of the public expressed concerns regarding the presence of minors within a liquor licensed primary area. It should be noted that local government comment is not required for an application to allow minors within the liquor primary area of a recreational facility; local government comment is however required for the expansion and relocation of a liquor primary licensed area.

Since the 2012 liquor license amendment application was denied by Council and the LCLB, the applicant implemented a number of improved management strategies designed to provide responsible liquor service. New business practices designed to reduce liquor related disorder include:

- the hiring of a new General Manager;
- hourly perimeter controls outside the establishment;
- reminders to guests leaving after 10pm that the bowling alley is in a residential area and they are therefore advised to keep noise down;
- parking lot and perimeter checks at closing time; and
- implementing monthly staff meetings to discuss liquor service.

During the referral process, the RCMP noted that while the establishment in the past has generated a number of nuisance and disturbance calls, improved management strategies have significantly reduced the instances of nuisance and disorder related to the bowling alley.

The applicant has worked with the RCMP regarding the proposed liquor license changes and methods to mitigate possible future disturbances or nuisances. The RCMP supports the application.

The applicant plans to convert the existing liquor primary lounge area to a children's arcade, which will not be licensed for liquor service. By relocating the liquor primary area from the lounge associated with liquor service to the bowling area, the consumption of liquor as a primary activity will be discouraged, as liquor service will be an accessory activity to recreation.

If the application is approved, the total person capacity of the liquor service area will be reduced from 188 persons (existing liquor primary lounge and food primary licensed area) to 148 persons (proposed new liquor primary area).

3. **The views of residents:** A public notice and comment sheet was mailed to all owners and occupants of the buildings and properties within 100m of the subject property. A total of 96 comment sheets were mailed and delivered.

Of the 13 responses received, 2 are in support of the application and 11 are opposed. Those opposed to the application cited concerns related to increased noise, traffic, and litter, as well as the presence of minors within the facility. Copies of responses received are included within the attached Council report.

Council, at its meeting of 2013-DEC-16, considered the application and Moved and Seconded that Council recommend the LCLB approve the application for a permanent change to an existing licensed establishment at 171 Calder Road. The Motion carried. As such, **Council recommends that the LCLB approve the application.**

I have attached a copy of the report that was forwarded to Council regarding the application.

If you have any questions or require further clarification, please do not hesitate to contact me at 250-755-4460, ext. 4332.

Sincerely,



Dave Stewart, MCIP, MURP
Planner, Planning & Design
Community Development Division

DS/pm

ec: Mr. Bruce Anderson, Manager, Planning & Design
Ms. Amada McKelvie, Liquor Inspector
Mr. Greg McCamon, Liquor Inspector
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