

DATE OF MEETING | May 4, 2020 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING

SUBJECT | **LIQUOR LICENCE APPLICATION NO. LA142 – 940 OLD VICTORIA ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to amend an existing liquor licence at 940 Old Victoria Road. |

### **Recommendation**

That Council recommend the Liquor Cannabis and Regulation Branch approve the application for 940 Old Victoria Road (Wolf Brewing Company) to amend their liquor licence to permit the hours of operation to be 9:00 a.m. to 11:00 p.m. seven days per week.

## **BACKGROUND**

A notice of application was received from Wolf Brewing Company, requesting a local government resolution in support of their licence amendment application to the Provincial Liquor and Cannabis Regulation Branch (LCRB), to extend their hours of service. An information report was presented to Council on 2020-MAR-16, and public comment sheets were mailed to the neighbourhood on 2020-MAR-18. Council previously supported the manufacturer's lounge liquor licence in April 2018. The applicant states the extended hours will attract customers and enable them to market the brewery as a venue for social events. |

## **DISCUSSION**

When considering liquor licence amendment applications, the LCRB requests the City take into account the:

- location of the establishment,
- public consultation methods,
- the person capacity and hours of liquor service,
- impact of noise on the immediate vicinity, and
- impact on the community if the application is approved. |

### **Location of the Establishment**

The subject property is located within an industrial park in Nanaimo's South End Neighbourhood. The Official Community Plan designates the property and surrounding area as 'Light Industrial'. The property is zoned Light Industrial (I2). The existing uses in the immediate vicinity are primarily industrial, with some residential surrounding the industrial park. This

includes single family dwellings along Old Victoria Road and a multi-family development, Newport Vista Village.

### Public Consultation

The following summarizes the opportunities for information sharing and public consultation for the proposed changes to the liquor licence at 940 Old Victoria Road:

- An information report was on the Council agenda for the 2020-MAR-16 meeting.
- The liquor licence amendment application was referred to the South End Community Association. The neighbourhood group indicated the application was presented at an online board meeting and again at their online general meeting, at which group members expressed their support for the application and had no concerns.
- A comment sheet with information about the proposed changes to the liquor licence was mailed to the property owners and tenants within 100m of the subject property.
- A total of two completed comment sheets were received by the City (See Attachment C). Both comment sheets indicate support for the proposed changes to the liquor licence.
- The liquor licence amendment application was referred to the RCMP and the City's internal departments for review and comments. Their comments are summarized in the sections below.

### Person Capacity and Hours of Liquor Service

The Wolf Brewing Company building has a maximum capacity of 60 persons. The business includes an interior area for beer manufacturing, an onsite store, and a lounge area for patrons. The lounge includes an interior area (393.74m<sup>2</sup>) and an outdoor patio (7.11m<sup>2</sup>).

The applicant is proposing to extend the hours of service such that the business has the potential to be open from 9:00 a.m. to 11:00 p.m. seven days per week.

|                       | Monday to Thursday                          | Friday and Saturday     | Sunday                  |
|-----------------------|---|-------------------------|-------------------------|
| <b>Existing Hours</b> | 12:00 p.m. to 6:00 p.m.                     | 12:00 p.m. to 8:00 p.m. | 12:00 p.m. to 5:00 p.m. |
| <b>Proposed Hours</b> | 9:00 a.m. to 11:00 p.m. seven days per week |                         |                         |

### Impact of Noise on the Community in the Immediate Vicinity of the Establishment

The Bylaw Services and Business Licensing Sections have not received any nuisance complaints regarding Wolf Brewing Company. The subject property is located within an existing industrial park, thus Staff do not anticipate the change in hours will have a negative noise impact in the immediate vicinity.

### Impact on the Community if the Application is Approved

This application was referred to the RCMP, Building, and Fire departments and there are no concerns regarding the application. Staff do not anticipate the proposed liquor licence amendment application will result in any negative impact to the community.

**SUMMARY POINTS**

- A notice of application was received from Wolf Brewing Company (940 Old Victoria Road) requesting a local government resolution in support of their application to the LCRB to amend their existing liquor licence to extend their hours of service.
- The City completed a referral process and public consultation to obtain feedback regarding the proposed amendments to the liquor licence.
- No concerns were raised regarding the proposal to change the hours of service to 9:00 a.m. to 11:00 p.m. seven days per week.

**ATTACHMENTS:**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Letter of Rationale  
ATTACHMENT C: Public Comment Sheets  
ATTACHMENT D: Aerial Photo

**Submitted by:**

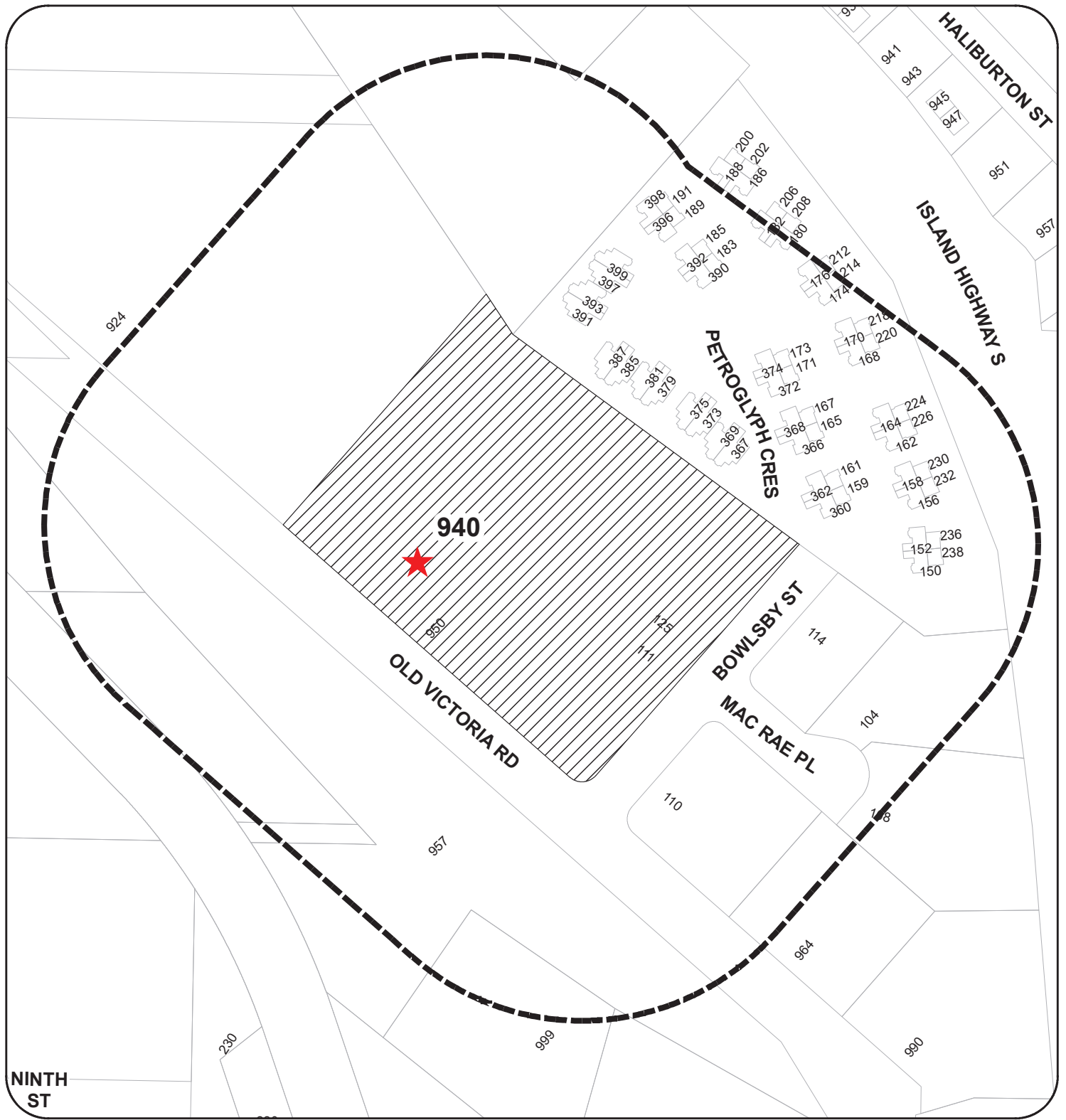
Lainya Rowett  
Manager, Current Planning

**Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

ATTACHMENT A  
LOCATION PLAN



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**Legend**

-  Subject Property
-  Buffer (100m)
-  Unit 2

**LIQUOR LICENCE APPLICATION NO. LA000142**  
**LOCATION PLAN**

Civic: 2-940 OLD VICTORIA ROAD  
Legal: LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 32980

**ATTACHMENT B  
LETTER OF RATIONALE**

**WOLF BREWING COMPANY LTD.**

#2, 940 Old Victoria Road

Nanaimo, BC

V9R 6Z8

January 27, 2020

Liquor and Cannabis Regulation Branch

400-645 Tye Road

Victoria, BC

V8W 9J8

Email: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

AND

City of Nanaimo

455 Wallace Street

Nanaimo, BC

V9R 5J6

Dear Sir/Madame:

**Re: Application for Change to Hours of Liquor Service**

The purpose of this application is to request a change to Wolf Brewing Company Ltd's hours of liquor service. Please find the following information to support our application:

**Nature of the Business**

Wolf Brewing Company Ltd (Wolf) is a craft brewery located at 940 Old Victoria Road proudly operating in the City of Nanaimo under Business License #5027608 and under BC LCRB Brewing Licence #300113. Wolf manufactures a wide range of craft beers and offers those products for consumption and sale in our onsite lounge in accordance with our approved Lounge and On-Site Store endorsements. We currently employ 10 personnel.

**Requested Change and Rationale for Proposed Amendment**

We are requesting a change from our current hours of:

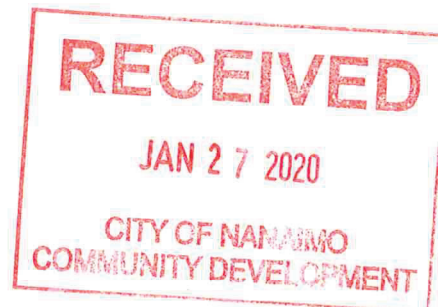
Mon-Thurs: 12pm – 6pm

Fri-Sat: 12pm – 8pm

Sun: 12pm – 5pm

To the hours of:

Mon-Sun: 9am – 11pm



As business owners, we aim to deliver quality products and service resulting in a strong customer base, gainful employment to local residents, support to local business partners and, ultimately, delivering a sustainable, profitable business. However, we are concerned that our business and the ability to deliver on these objectives is at risk with our current, limited hours of liquor service operation.

Some of our concerns (which are consistent with feedback from many of our customers) stem from:

- With a closing time of 6pm during the work week, it is difficult for many customers that finish their work day at +/- 5pm to choose Wolf;
- Closing times of 8pm on Fri/Sat and 5pm on Sun put Wolf as an inferior choice for social gatherings on weekends;
- Our ability to host evening social and/or community activity events is significantly limited with current closing times;
- Common feedback indicates that our limited hours act as a deterrent for the acquisition of new customers;
- Despite brewing and management staff being on-site by 8:30am each day, customers are not able to fill their 'growlers' or purchase packaged products from our on-site store until noon.

The combination of these factors restrict our ability to achieve and maintain a sustainable, profitable business.

While we may not consistently maintain open hours of service between 9am – 11pm seven days per week, our intention is to maintain flexibility to operate our business within the City of Nanaimo's Bylaw No. 4750 – (*A Bylaw to Regulate or Prohibit the Making or Causing of Noises or Sound in the Municipality*) with the following additional supporting rationale:

- The request for earlier hours is primarily aimed to enable increased access to our on-site store for purchasing 'growler' fills and packaged product;
- The request for later hours is aimed to provide increased access for our current patrons to enjoy Wolf's onsite lounge, to attract new customers, to become a viable venue for community/social events, and to increase sales of both our onsite lounge and store.

The combination of these factors will increase Wolf's ability to maintain a profitable business while operating within service hours that are respectful of both the City of Nanaimo's ByLaw No. 4750 and of neighbouring residents and businesses.

### **Community Impact Statement**

As a local business, we are respectful and sensitive to the impacts that our operation has on the local community. We believe that the change of liquor service hours will have little to no impact

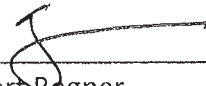


on the local community. We offer the following considerations and measures to support our belief:

- The proposed hours of 9am – 11pm are aligned with the City of Nanaimo’s noise-related ByLaw No. 4750 to which Wolf will strictly adhere to;
- To our knowledge as the owners of Wolf since February 1, 2019, Wolf has not had a single complaint filed against it – this includes from neighbouring business owner or residents. We care about our reputation and will continue to take measures to protect it. Should a complaint be filed, stakeholders can be assured that it will be treated seriously and swiftly;
- Located in a predominantly industrial area, the exit from Wolf is onto Old Victoria Road which is largely an industrial road out of immediate site from any residences;
- Consistent with regulatory requirements, all Wolf employees have their Serving It Right training and are committed to their obligations therein;
- With limited nearby venues of its kind, many of Wolf’s customers have identified themselves as local residents and local business owners/employees expressing their excitement at the potential of Wolf’s extended hours.

Thank you in advance for your consideration of this application. Wolf firmly believes that approval of this request will benefit Wolf, our customers, our employees, and the local community. We look forward to continuing to be a contributing member to the Nanaimo business community.

Kind regards,  
WOLF BREWING COMPANY LTD.

  
\_\_\_\_\_  
Robert Regner  
Owner

## ATTACHMENT C PUBLIC COMMENT SHEETS



### APPLICATION FOR A PERMANENT CHANGE TO A LIQUOR LICENCE 940 OLD VICTORIA ROAD (WOLF BREWING COMPANY)

#### PUBLIC NOTICE AND COMMENT SHEET

An application has been submitted to the Provincial Liquor & Cannabis Regulation Branch (LCRB) proposing to extend the hours of service for an existing brewery at 940 Old Victoria Road.

The proposed change to the hours of service are as follows:

|                       | Monday to Thursday      | Friday and Saturday     | Sunday                  |
|-----------------------|-------------------------|-------------------------|-------------------------|
| <b>Existing Hours</b> | 12:00 p.m. to 6:00 p.m. | 12:00 p.m. to 8:00 p.m. | 12:00 p.m. to 5:00 p.m. |
| <b>Proposed Hours</b> | 9:00 a.m. to 11:00 p.m. |                         |                         |

As part of the review process, the City of Nanaimo is responsible to gather the views of business operators and residents within the subject area; and, forward this information along with recommendations, to the LCRB. Using this comment sheet, please indicate your name and address and whether or not you support the proposed change to the liquor licence application. Feel free to add any comments. When finished, please email or fax this comment sheet by 4:00 p.m., Friday, 2020-APR-03 to:

**Current Planning Section**  
Service and Resource Centre  
411 Dunsmuir Street, Nanaimo BC V9R 0E4  
Fax: 250-755-4460 Ext. 4332  
Email: [lisa.brinkman@nanaimo.ca](mailto:lisa.brinkman@nanaimo.ca)

If you have any questions regarding this application, please contact Lisa Brinkman at (250) 755-4429, Ext. 4332

Please Note: Public submissions, including information obtained through this comment sheet and email and letter submissions, will become part of the public record. Freedom of Information and Protection of Privacy Act (FOIPPA) information collected on this form is done so under the general authority of the Community Charter and FOIPPA, and is protected in accordance with FOIPPA. Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected, or for a use consistent with that purpose.





I SUPPORT THE APPLICATION.



I DO NOT SUPPORT THE APPLICATION.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**For Residents**

**For Businesses**

Name: \_\_\_\_\_ Business Name: RED-O-ARC LTD  
Address: \_\_\_\_\_ Address: 950 C OLD VICTORIA RD  
Signature: \_\_\_\_\_ Signature: 

LA000142 - 940 Old Victoria Road



I SUPPORT THE APPLICATION.



I DO NOT SUPPORT THE APPLICATION.

RECEIVED

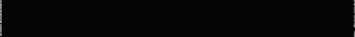

LA 142

2020-APR-14

Comments: Great for the business. Great for the community  
\_\_\_\_\_  
\_\_\_\_\_

**For Residents**

**For Businesses**

Name:  Business Name: \_\_\_\_\_  
Address: 957 Old Victoria Rd. Address: \_\_\_\_\_  
Signature:  Signature: \_\_\_\_\_



ATTACHMENT D  
AERIAL MAP



LIQUOR LICENCE APPLICATION NO. LA000142



Legend

 Subject Property

 Unit 2