



2013-DEC-19

Our File: LA000098

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
V8W 9J8

To Whom it May Concern:

**Re: Application for a Permanent Change to a Liquor Primary License
Branch 256 Royal Canadian Legion – 1630 East Wellington Road, Nanaimo, BC**

I am writing to advise that Council, at its meeting of 2013-DEC-16, reviewed an application from the Royal Canadian Legion, Branch 256 Mount Benson, requesting a local government resolution in support of their application to the Liquor Control and Licensing Board (LCLB) to amend their hours of liquor service. Specifically, the Legion is applying to increase the hours of liquor service in order to serve 1.5 hours earlier, at 10:30am, and to decrease the hours of late night liquor service from 1:00am to 12:30am. Council voted to recommend the LCLB approve the application for a permanent change to an existing licensed establishment at 1630 East Wellington Road.

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

1. **The potential for noise if the application is approved:** When considering liquor license applications, the majority of noise complaints are related to late night hours of service. As the applicant is requesting to serve earlier in the day and not later, Staff does not believe the proposed liquor service change will result in a noise concern for surrounding property owners. By decreasing the hours of liquor service from 1am to 12:30am, the application may actually reduce any existing noise caused by late night hours of liquor service.
2. **The impact on the community if the application is approved:** Like all Legions, Branch 256 is a non-profit society, staffed by volunteers to provide a social and supportive atmosphere for veterans and their families. Branch 256 has also contributed positively to the community through donations to the local hospital and student bursaries. By allowing the Legion to serve liquor earlier, the Legion will be better able to accommodate veterans and other Legion members during regular luncheons, as described in the applicant letter (included in the attached Council report). The revised hours will also help the Legion host early morning community events.

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The Legion is located immediately across from Quarterway Elementary school. The school principal noted they have no concerns with the application and the Legion are "very good neighbours".

The RCMP is not opposed to the application, providing the Legion is aware of the potential for noise emanating from their business and disturbing the residential neighbourhood.

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 65 comment sheets were mailed and delivered. Of the 11 responses received, 10 are in support of the application and 1 was neither in support or opposed. 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 1630 East Wellington 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

cc: Mr. Bruce Anderson, Manager, Planning & Design
Ms. Amada McKelvie, Liquor Inspector
Mr. Greg McCamon, Liquor Inspector
Corporal Dave LaBerge, RCMP
Ms. Marie Rickwood, applicant (rclbr256@shaw.ca)

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