**City of Nanaimo**

**REPORT TO COUNCIL**

DATE OF MEETING: 2014-JUN-09

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: LIQUOR LICENCE APPLICATION NO. LA000107 - APPLICATION FOR AN ENTERTAINMENT ENDORSEMENT FOR A FOOD PRIMARY LIQUOR LICENCE – NEW YORK STYLE PIZZA AND PASTA – 299 WALLACE STREET

STAFF RECOMMENDATION:

That Council receive the report for information only.

PURPOSE:

The purpose of this report is to advise Council of an application from New York Style Pizza and Pasta (299 Wallace Street) to permit patron participation entertainment within the existing licensed restaurant in advance of Staff requesting comments from adjacent property owners and occupants. As Council is aware, a municipal resolution is required before the province will consider the application further.

BACKGROUND:

The City has received correspondence from Ms. Vivian Maltesen (New York Pizza). Ms. Maltesen is requesting a local government resolution in support of her application to the provincial Liquor Control and Licensing Branch (LCLB) to allow for patron participation (karaoke) within her existing food primary licensed establishment.

The subject property is located within the City’s downtown core and is included within the Downtown-Fitzwilliam (DT2) zone. The DT2 zone permits a neighbourhood pub where live entertainment, dancing and karaoke are allowed.

In June 2002, the City of Nanaimo retained Neilson-Welch Consulting Inc., to prepare a Liquor Control Strategy, which Council subsequently adopted. In terms of food primary establishments, the Liquor Control Strategy recommends that Council support restaurants that wish to include patron participation, but only in cases where the restaurant provides, in writing, an outline of the types of entertainment proposed, and the assurance that food service will remain as the primary function. The restaurant wishes to allow patrons to partake in karaoke in an environment that permits children and families. The applicant has provided a letter of assurance (Attachment B).

DISCUSSION:

A public notice and comment sheet will be mailed and delivered to all of the owners and occupants of buildings and properties surrounding the subject location at 299 Wallace Street. A referral request will also be sent to the Nanaimo Old City Association (NOCA). All referral responses, including comments from the RCMP and NOCA, will be summarized and attached to a future report. As per Council policy, this report has been placed on this evening’s agenda for information only.

Respectfully submitted,

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B. Anderson

MANAGER

PLANNING & DESIGN SECTION

Concurrence by:

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D. Lindsay I. Howat

DIRECTOR GENERAL MANAGER

COMMUNITY DEVELOPMENT CORPORATE SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

*Drafted: 2014-MAY-27*

*Prospero: LA000107*

*DS/pm/lb*