



2017-MAR-24

Our File: LA000125

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 Primary Liquor License](#)
[Carlos O'Bryan's Neighbourhood Pub – 1724/1690 Stewart Avenue, Nanaimo, BC](#)**

I am writing to advise that Council, at its meeting of 2017-MAR-20, reviewed an application from Mr. Elaine Hosak, on behalf of Carlos O'Bryan's Neighbourhood Pub, for a permanent structural change to a liquor primary licence at 1724 and 1690 Stewart Avenue to extend hours of service from 9am to 1:30am, seven days a week. **Council voted to support the application.** A copy of the Staff Report is included for your consideration.

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

The potential for noise if the application is approved: The subject property is separated by Stewart Avenue from an established low density residential neighbourhood. Given the proximity of the residential homes in the area, there is some potential for pub noise to be heard by the nearby residents. As such, when the application was considered by Council they were asked to consider the noise impact from an extension of hours on these and other nearby residents. During an extensive renovation process (2013-2014) many features were included to mitigate noise, including improved insulation, pub entrance relocation, double entry doors, and limited opening windows, and a tall glass railing. Since this time, the City has received no noise complaints.

The impact on the community if the application is approved: Carlos O'Bryan's Neighbourhood Pub opened its doors in 2014. At that time the pub entered into a Good Neighbour Agreement (GNA) and voluntarily joined the RCMP's Bar Watch program (the only liquor establishment outside of the downtown area to be active in the program). Police records show there has been no report of noise or disturbance from the community at the establishment since its inception in 2014. The RCMP does not object to the application and does not anticipate impact on police resources, criminal activity, or public disorder including noise in the vicinity (letter included within attached Staff Report as Attachment D).

As there is no increase in patrons and there have been zero noise complaints, a negative community impact is not anticipated.

****Please note: this is the only copy of this correspondence you will receive, if you require an original, please contact the sender.****

The views of residents / neighbouring businesses: A public notice and comment sheet was mailed and hand delivered to the owners, residents, and business owners of buildings and properties within 100m of the subject property. A total of 65 comment sheets were mailed out (34) and delivered (31). Of the 8 responses received, 4 are in support of the application and 4 are opposed. Letters of opposition highlighted traffic noise as the main concern. Comment sheets returned are included as letter within attached Staff Report as Attachment C.

Through the application process City Staff contacted the Brechin Hill Community Association regarding the extended hours request; no comment was received.

Council, at its meeting of 2017-MAR-20 Council Meeting moved and seconded a motion recommending the Liquor Control and Licensing Branch approve an application to extend the hours of liquor service for the existing liquor primarily licence for the property located at 1724 Stewart Avenue to 9am to 1:30am, seven days a week. The Motion carried.

I have attached a copy of the Staff report which was forwarded to Council regarding the application. If you have any questions or require further clarification, please do not hesitate to contact me at 250-755-4473.

Sincerely,



Jill Collinson, RPP, MCP
Planner, Current Planning & Subdivision
Community Development Department

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