

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: April 17, 2023

TO: Mayor and Council

FROM: Anne Berry, Director, Planning and Development Services

SUBJECT: Information Report Update - Application for Liquor Primary Licence for 15165 Russell Avenue (LL 22-035)

RECOMMENDATION

THAT Council receive for information the corporate report dated April 17, 2023, from the Director of Planning and Development Services, titled "Information Report Update- Application for a Liquor Primary Licence at 15165 Russell Avenue (LL 22-035)."

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information on the hours of operations for two other licensed establishments at 1513 Johnston Road per the direction of Council during its March 27, 2023 regular meeting.

PREVIOUS COUNCIL DIRECTION

Motion # & Meeting Date	Motion Details
2023-120 March 27, 2023	Motion Number: 2023-120 It was MOVED and SECONDED THAT Council: 1. Receive for information the corporate report dated March 27, 2023, from the Director of Planning and Development Services titled, "Application for a Liquor Primary Licence at 15165 Russell Avenue (LL 22-035)"; 2. Direct staff to schedule the required public hearing for the proposed Liquor Primary Licence at 15165 Russell Avenue; and 3. Authorize staff, pending the results of the public hearing, to forward a copy of the March 27, 2023 report and results of the Public Hearing to the Liquor and Cannabis Regulation Branch along with a resolution to advise that Council has considered the potential impact for noise and the

	<p>impact on the community, and is in support of the application for at 15165 Russell Avenue, with the following conditions:</p> <ul style="list-style-type: none"> • that the operating hours for the outdoor patio area be limited to no later than 9:00 p.m. on Monday through Saturday and 7:00 p.m. on Sunday; and • that live entertainment ceases not less than one (1) hour before the end of liquor service. <p style="text-align: right;">CARRIED</p>
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INTRODUCTION/BACKGROUND

At the March 27, 2023 Regular Council meeting, Council received a corporate report dated March 27, 2023 from the Director of Planning and Development Services, titled “Application for a Liquor Primary Licence at 15165 Russell Avenue (LL 22-035)” which seeks a Council resolution of support (or non-support) to the Liquor and Cannabis Regulation Branch (LCRB).

The Applicant and principals of Galaxie Craft Brewhouse Ltd. (1122 Vidal Street) applied for a new liquor primary licence for their new premises at 15165 Russell Avenue (civic address of 1513 Johnston Road). Their proposed business, “Galaxie Public House,” would operate as a craft beer taphouse and would not involve manufacturing liquor on-site.

The Applicant is proposing the following parameters for their primary liquor license:

1. Hours of Operation

Applicant's Proposed Hours of Operation							
Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.
Closed	11:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	2:00 a.m. (Saturday)	2:00 a.m. (Sunday)	9:00 p.m.

2. Entertainment: Live music performances, comedy shows, and other special nights like trivia etc.

3. Outdoor Patio: If approved by the LCRB, liquor service would also be provided in the proposed outdoor patio (approximately 26.2 square metres or 282 square feet in size) that would be located adjacent (south) of the licensed establishment, wholly on private property, beside the Russell Avenue sidewalk.

There was a discussion at the meeting regarding the hours of business operation and liquor service hours for the two other licensed establishments on the subject property, i.e., 1513 Johnston Road, and Council subsequently directed staff to report back on the same before the Public Hearing.

This corporate report provides a summary and comparison of hours of operation for Beer Shack (1515 Johnston Road) and the White Rock Beach Beer Company (15181 Russell Avenue), both presently located on this property. Location and ortho photo maps of the subject property are attached as Appendix A. The corporate report from March 27, 2023 is attached as Appendix B, for Council’s information.

ANALYSIS

The proposal is supported by the goals, objectives, and policies outlined in the OCP's Economic Development and the Town Centre sections. In addition, the proposed business would further support the Town Centre as a distinctive and lively commercial/entertainment area and provide additional leisure-supportive spaces for the community within walking distance of residential apartments and other commercial uses.

Galaxie Public House

As part of the initial application submission process, the city requested that the Applicant provide a document that clarifies how on-site staff will internally monitor, minimize, and address any perceived and real nuisances (including noise, rowdiness etc.) which included the proposed hour of operations associated with their proposal. The Applicant proposed the following hours of operation for the establishment per Table 1.0 below:

Table 1.0

Applicant's Proposed Hours of Operation (Indoor and Outdoor Patio)							
Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.
Closed	11:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	2:00 a.m. (Saturday)	2:00 a.m. (Sunday)	9:00 p.m.

Staff reviewed the proposal along with the proposed hours of operation and liquor sale to confirm they aligned with the approved hours of operation for the other licensed establishments on the subject property. Three types of hours were identified during the review:

- **Opening hours:** The hour when the business and liquor service will begin.
- **Closing hours for Public Operation:** These hours identify when the business will typically close (the LCRB does not regulate these hours, and the City's Business Bylaw also does not regulate the hours of operation for licensed establishments in White Rock).
- **Closing hours for Liquor service/sale:** These hours identify when the liquor service will end (this forms part of the approved 'hours of liquor service' for establishments that require LCRB approval to sell and serve liquor on the premises).

Table 2.0 below, compares the hours of public operation and permitted liquor service for the two licensed establishments, Beer Shack and the White Rock Beach Beer Company, on the subject property, along with the proposed hours for Galaxie Public House.

Table 2.0 Approved Hours of Operation for Existing Establishments at 1513 Johnston Road and the Applicant’s Proposed Hours of Operation for Galaxie Public House

		HOURS OF OPERATION (Business Hours and Liquor Service Hours)							
Name of Brewery/Taphouse at 1513 Johnston Road			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Existing	The Beer Shack (1515 Johnston Road)	OPEN	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.
		CLOSED (Public Operations)	9:00 p.m.	9:00 p.m.	10:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	8:00 p.m.
		CLOSED (Liquor Service)	10:00 p.m.	10:00 p.m.	11:00 p.m.	11:00 p.m.	2:00 a.m. (Sat)	2:00 a.m. (Sun)	10:00 p.m.
	White Rock Beach Beer Company (15181 Russell Avenue)	OPEN	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.
		CLOSED (Public Operations & Liquor Service)	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	12:00 a.m. (Sat)	12:00 a.m. (Sun)	9:00 p.m.
Proposed	Galaxie Public House - applicant's proposed hours (15165 Russell Avenue)	OPEN	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.
		CLOSED (Public Operations & Liquor Service)	11:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	2:00 a.m. (Sat)	2:00 a.m. (Sun)	9:00 p.m.

In 2018, the city received an application from the White Rock Beach Beer Company establishment to extend their hours of operation (public operations and liquor service) from 8:00 pm to 9:00 p.m. This application was approved by the previous Council and the LCRB.

Similarly, in 2019, the city received a liquor licence referral application from Beer Shack, located at 1515 Johnston Road, for including a lounge endorsement and outdoor patio for their manufacturer licence. This was to permit only on-site retail sales and a tasting room at this location. As shown in Table 2.0 above, the Applicant’s proposed hours of liquor service were proposed to extend beyond the hours of public operation. This was intended to provide the Applicant with some flexibility to accommodate private groups and special events. This application was also approved by Council and the LCRB.

Typically, the hours of public operation will be less than those of the liquor service hours. The purpose for extending the hours of liquor service past the usual hours of operation is primarily intended to accommodate private groups and special events that may take place on the premises, for example, a private company party, New Year’s eve event etc.

In general, for any business to operate an event where liquor is intended to be serviced on the premises beyond their approved liquor service hours, they are required to apply for a special event permit. The Applicant for the proposal at 15165 Russell Avenue noted that this type of permit takes between 4 to 8 weeks for the LCRB to process.

With respect to the proposal at 15165 Russell Avenue, the Applicant expressed a similar interest to have their liquor service hours extend beyond their business hours to accommodate special events. Staff recommend the proposed hours of operation be separated into ‘hours of liquor service’ and ‘hours of public operations’, similar to the other two establishments, as follows:

Table 3.0

HOURS OF OPERATION (Business Hours and Liquor Service Hours)								
Galaxie Public House (15165 Russell Avenue)		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	OPEN	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.
	CLOSED (Public Operations) <i>*City recommended</i>	10:00 p.m.	10:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	9:00 p.m.
	CLOSED (Liquor Service)	11:00 p.m.	11:00 p.m.	11:00 p.m.	11:00 p.m.	2:00 a.m. (Sat)	2:00 a.m. (Sun)	9:00 p.m.

Finally, in recognition of the increasingly residential character of the surrounding Town Centre area, along with written concerns regarding the potential late-night operation of the patio received by the Planning & Development Services Department, staff have recommended to the Applicant that the hours of operation for the outdoor patio be limited according to the times identified in Table 4.0 below.

Table 4.0 Hours of Operation – Outdoor Patio

Hours of Operation – Outdoor Patio									
			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Existing	The Beer Shack (1515 Johnston Road)	Open	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.
		Closed	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	7:00 p.m.
	White Rock Beach Beer Company (15181 Russell Avenue)	Open	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.
		Closed	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	7:00 p.m.
Proposed	Galaxie Public House (15165 Russell Avenue)	OPEN <i>*same as applicant's proposed hours of public operations and liquor service</i>	12:00 p.m.	12:00 p.m.	12:00 p.m.	12:00 p.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.
		CLOSED <i>*City recommended</i>	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	9:00 p.m.	7:00 p.m.

This limitation on outdoor patio operation hours is identical to the restrictions placed on the outdoor patio for the adjacent brewery (White Rock Beach Beer Company) located at 15181 Russell Avenue and the Beer Shack at 1515 Johnston Road. Staff is recommending this as a conditional measure

which will reduce potential incompatibility and nuisance issues with surrounding residents while allowing for the continued operation of the establishment indoors.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

At the March 27, 2023 Council meeting, staff was directed to proceed with this application to a Public Hearing. Notification will be provided through advertisement in the Peace Arch Newspaper and mailout to property owners and occupants within 100 metres of the property. In addition, all written correspondence received by staff will be compiled and submitted as part of the Council resolution letter.

CONCLUSION

This report is provided to Council for information regarding the hours of public operations and liquor service for two licensed establishments at 1513 Johnston Road and how it compares to the proposed hours of operation for Galaxie Public House to be located at 15165 Russel Avenue.

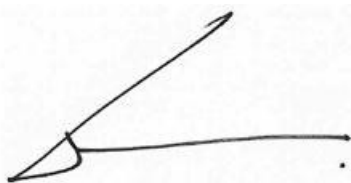
Respectfully submitted,



Anne Berry, RPP, MCIP
Director, Planning and Development Services

Comments from the Chief Administrative Officer

This corporate report is provided for information.



Guillermo Ferrero
Chief Administrative Officer

Appendix A: Location and Ortho Maps

Appendix B: Corporate report from March 27, 2023 “Application for a Liquor Primary Licence at 15165 Russell Avenue (LL 22-035)” (with appendices)