



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: February 9, 2021

From: Chris Oliver, Senior Planner

File No. LL 20-02

Subject: **LL 20-02; Lounge Endorsement and Special Event Area Liquor License, 3930 Harding Road**

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### RECOMMENDATION

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement and Special Event Area application (LL 20-02) for Crown and Thieves Winery (3930 Harding Road) in accordance with the information contained in this report (including attachments); and

**THAT** as a condition of the Business License, patron access associated with the Lounge Endorsement and Special Event Area be limited to 3887 Brown Road.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022).

### BACKGROUND

This report builds on the existing report that was considered at the January 12, 2021 regular Council meeting (Attachment 1). As previously presented, the applicant is applying for a Lounge and Special Event Area Liquor License Endorsement for an existing winery. As part of Council's previous consideration for the requested licenses, the application was postponed pending additional information regarding access to the winery.

### DISCUSSION

Following the January 12, 2021 meeting, the applicant provided a letter intending to address the questions and concerns raised by Council and the public (Attachment 2). The letter also includes operational comments and three key points regarding the access that have been verified by staff:

- An easement has been granted and registered over 3887 Brown Road (Truck 59) and 3870 Harding Road, the property to the north creating a formal access to the subject property (Crown & Thieves Winery) off Brown Road (Figure 1);
- An existing access to 3887 Brown Road (Truck 59) will be used to create additional access and parking (Figures 2 - 5); and
- The applicant is committed to having the access as a condition of the Business License.

### Policy Review

Since the initial consideration of the application, it has been confirmed that there are opportunities to have patron access limited to Brown Road through the Business Licensing Bylaw (s.2.15(e)):

*A License Inspector may establish terms and conditions that must be met for obtaining, continuing to hold, or renewing a license, including conditions related to:*

*(e) Requirements that, in the opinion of the License Inspector, are necessary to ensure that the licensed business does not have a negative impact on the public, the neighbourhood or other businesses in the vicinity of the premises.*

Through this section of the Bylaw, we would be able to require that the access be a condition of the Business License associated with the Lounge Endorsement and Special Event Area Liquor Licenses. If in the event the access could no longer be used (e.g., the easement was discharged), the City, under s.2.7 of the Business Licensing Bylaw could refuse or suspend the license. An additional motion has been included to address this requirement.

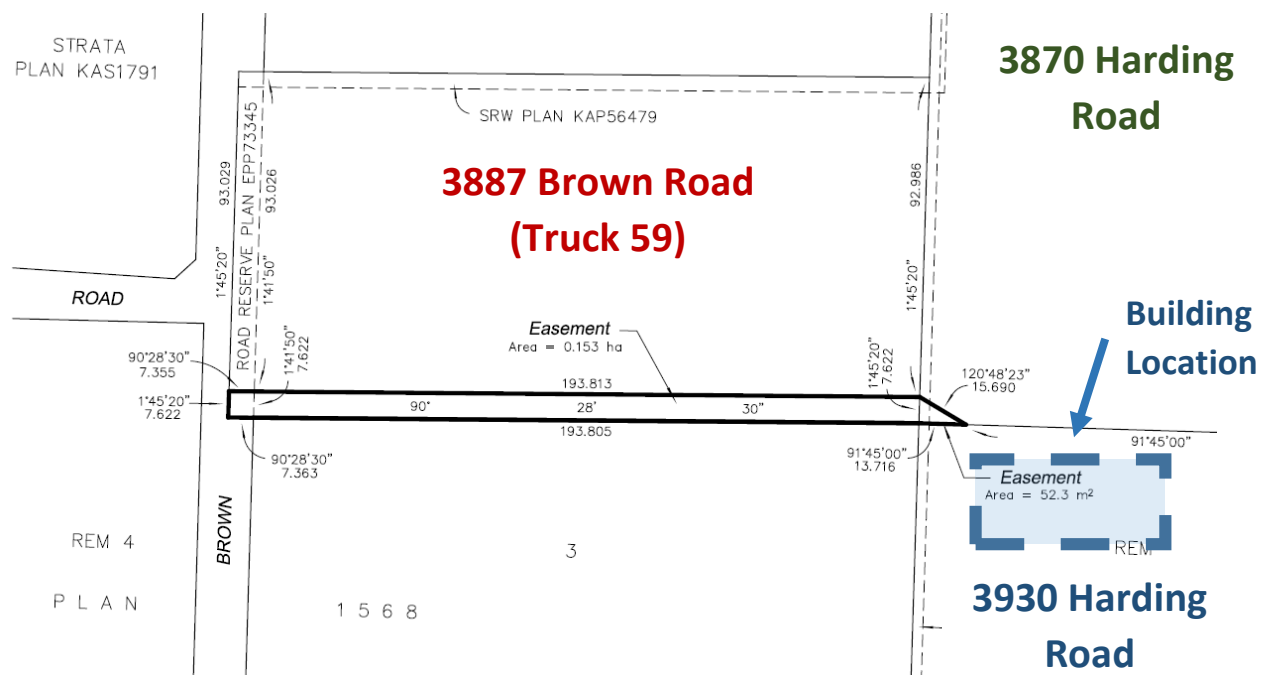


Figure 1. Registered Easement Area From Brown Road to the Subject Property



Figure 2. Access Easement Location and Neighbouring Properties



Figure 3. Brown Road Access



Figure 4. Parking Area and Winery



Figure 5. Winery Entrance



## PUBLIC NOTIFICATION

As part of the initial application process, notices were mailed to property owners and tenants within 100m of the subject property (64 notices) and a sign was posted on the property. At the time of writing the previous report, two submissions were received citing concerns related to access and traffic impacts (Harding Road and Angus Drive), noise and the hours of operation. Since the January 12<sup>th</sup> meeting, additional comments have been submitted directly to the Mayor and members of Council. The more recent submissions generally identify concerns with the existing condition of Brown Road and the safety of residents in the area with additional traffic, with some submissions supporting the access from Brown Road.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
January 12, 2021	<b>THAT</b> Council postpone consideration of the proposed Lounge Endorsement and Special Event Area Liquor License (LL 20-02).	C013/21

## CONCLUSION

The applicant's submission is intended to address the concerns raised by Council as well as the initial submissions from residents on Harding Road and Angus Drive. As part of the consideration for this alternative access, other residents who feel as though the access would impact them have also cited concerns related to the additional traffic. The current proposal would require agricultural and winery staff to access from Harding Road with patrons accessing the winery from Brown Road. Brown Road is an area in transition with multiple new wineries being planned, and some road improvements to Brown Road may be made as part of adjacent projects (partial development works requirements).

## ALTERNATE MOTIONS

### Support Application

1. **THAT** Council postpone consideration of the proposed Lounge Endorsement and Special Event Area Liquor License (LL 20-02).

Should Council wish to postpone consideration of the application, it is requested direction be provided.

### Deny Application

2. **THAT** Council deny the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-02) for Crown and Theives Winery (3930 Harding Road) and direct staff to close the file.

Should Council deny the requested liquor license, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. January 12, 2021 Council Report
2. Letter from Applicant