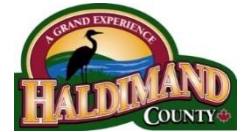

HALDIMAND COUNTY

Report CLS-05-2019 Request for Support of a Temporary Extension of Premises to a Liquor Sales Licence – Royal Canadian Legion Branch 142, Dunnville



For Consideration by Council in Committee on May 7, 2019

OBJECTIVE:

To obtain Council support of a Temporary Extension of a Liquor Sales Licence at the Dunnville Legion for the purpose of the Mudcat Festival's Patio Party event to be held on Sunday, June 9, 2019.

RECOMMENDATIONS:

1. THAT Report CLS-05-2019 Request for Support of a Temporary Extension of Premises to a Liquor Sales Licence – Royal Canadian Legion Branch 142, Dunnville, be received;
2. AND THAT the Clerk be authorized to send a letter of non-objection related to the Royal Canadian Legion Branch 142, Dunnville, application for a Temporary Extension of Premises to the Legion's Liquor Sales Licence for Sunday, June 9, 2019, between the hours of 12 p.m. and 6 p.m. as part of the Mudcat Festival's Patio Party;
3. AND THAT the Royal Canadian Legion Branch 142, Dunnville, be granted temporary relief from the Off Street Parking requirements outlined in Section 7 of the Town of Dunnville Zoning By-law 1-DU-80 for the period of 12 p.m. to 6 p.m. on Sunday, June 9, 2019.

Prepared by: Jennifer Shaw, Deputy Clerk

Reviewed by: Evelyn Eichenbaum, Manager, Citizen & Legislative Services / Clerk

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

The Dunnville Legion, Branch 142 has applied for a Temporary Extension of Premises for their Liquor Sales Licence, as part of the Mudcat Patio Party, to occur on Sunday, June 9, 2019 during the Mudcat Festival weekend. Staff are recommending that a letter of non-objection be provided in response to this application.

BACKGROUND:

On April 15, 2019, staff received notification from the Dunnville Legion advising of their application to the Alcohol and Gaming Commission of Ontario (AGCO) to temporarily extend the premises for Liquor Sales on Sunday, June 9, 2019 in conjunction with the Mudcat Patio Party event to be held on the Mudcat Festival weekend (Attachment 1). As part of the AGCO's requirements, when the temporary extension takes place outdoors, the applicant is required to obtain a letter from the Municipal Clerk

stating there is “no objection” to the proposed extended licensed area. This letter must be submitted with the application.

The AGCO permits Licensees that hold a valid Liquor Sales Licence to submit an application to temporarily extend their existing licensed areas to an adjacent area as part of a special event or occasion. These extensions are granted by the AGCO for a period of up to, but not greater than 14 days. It is the Licensee’s responsibility to abide by any applicable laws, by-laws and regulations during an event for which a Temporary Extension is granted and they must meet all of the requirements of the Liquor Licence Act and its regulations.

In 2018, the Legion submitted an identical proposal for the Mudcat Festival weekend, which was supported by staff and Council. Their application with the AGCO was approved and the event was held without issue.

ANALYSIS:

The Dunnville Legion currently has two licensed outdoor areas. The front patio, although licensed, is now a fenced off area that serves as a memorial to fallen soldiers. The back patio, still in use, is 891 square feet in size and currently licensed for 33 people. If approved, the subject temporary extension will permit the Legion to further extend its back patio area over the entire parking lot, adding an additional 4498 square feet (374 people) for a combined total of 5989 square feet (407 people) of licensed patio space. Although the patio area could accommodate upwards of 407 patrons, the Legion is hoping for at least 100.

The extension is for a six hour period on Sunday, June 9th between the hours of 12 p.m. and 6 p.m. The Legion has advised that it has arranged for a band to play outside in the extended area between the hours of 1 p.m. and 5 p.m. A food truck will be on site and included as part of the temporary extension area.

The Legion’s application includes a commitment to ensure temporary fencing is installed in its parking lot area for the duration of the event in order to delineate the temporary extension area from the remainder of the facility, adjacent properties and public areas. Access to the extension area will only be through the Legion’s main entrance, where staff will be present to monitor the entry and exit of patrons to ensure no glass leaves the building and that no minors are able to gain access to the premises. Only canned beverages or plastic cups will be served in the outdoor area.

The proposed extension area will occupy all of the Legion’s current parking spaces, which is in contravention to the parking requirements of the Town of Dunnville Zoning By-law 1-DU-80. Building and Municipal Enforcement Services staff have advised that because Maple Street is not being closed as part of the larger event, the Legion also needs relief from the parking requirements of the Zoning By-law in order to occupy their entire parking lot as a patio. The applicant is aware of this technicality and does not have any concerns. A clause is included in this report’s recommendation section that addresses the required temporary parking relief.

FINANCIAL/LEGAL IMPLICATIONS:

The current fee for reviewing and preparing a report to Council for this type of application is \$20.50 plus HST and has been received by the Citizen & Legislative Services Division.

STAKEHOLDER IMPACTS:

The AGCO requires that Notification Letters be sent advising local Police, Fire Departments, Public Health Offices and Building Officials of the date, time, exact location, capacity of the proposed extended licensed area and nature of the event.

Representatives from the Legion have completed the required notification process and Emergency Services staff have reviewed the application. They have advised that they have no concerns with what is proposed.

Building & Municipal Enforcement staff have also reviewed the application and support the proposal, subject to Council granting relief of the Off Street Parking requirements of the Town of Dunnville Zoning By-law.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Notification Letter and Map from The Royal Canadian Legion Branch 142, Dunnville