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# HALDIMAND COUNTY

## Report CS-CL-03-2018 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 15, 2018

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### 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 10, 2018.

### RECOMMENDATIONS:

1. THAT Report CS-CL-03-2018 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 for the Legion's Liquor Sales Licence for Sunday, June 10, 2018, 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 10, 2018.

**Prepared by:** Jennifer Shaw, Deputy Clerk / POA Supervisor

**Reviewed by:** Evelyn Eichenbaum, Clerk

**Respectfully submitted:** Karen General, CPA, CGA, General Manager of Corporate 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 10, 2018 during the Mudcat Festival weekend. Staff are recommending that a letter of non-objection be provided related to this application.

### BACKGROUND:

On May 2, 2018, staff received notification from the Dunnville Legion advising of their application before the Alcohol and Gaming Commission of Ontario (AGCO) to temporarily extend the premises for Liquor Sales on Sunday, June 10, 2018 in conjunction with the Mudcat Patio Party event to be held on the Mudcat Festival weekend. 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, a copy of which is included as Attachment 1.

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.

## **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 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. The extension is for a six hour period on Sunday, June 10<sup>th</sup> 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 4 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 and 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.

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 Controls and By-law Enforcement Division 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 parking relief.

## **FINANCIAL/LEGAL IMPLICATIONS:**

The current fee for reviewing and preparing a report to Council for this type of application is \$20.00 plus HST and has been received by the Clerks 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.

Due to the late notice provided by the applicant, at the time of preparing this report, Fire Prevention staff had not had the opportunity to inspect the site and provide their feedback. Clerks staff will provide a verbal update with any comments received at the Council in Committee meeting.

Building Controls & By-law Enforcement Divisions did not have any concerns with the proposed extension application other than the parking matter noted earlier in this report.

## **REPORT IMPACTS:**

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. AGCO Application