



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council **File No.:** 4530-20/LL000016
From: City Manager (CAO) **Date:** March 8, 2023
Subject: **Public Notification Results for Liquor Licence Application (Ace Brewing Company Limited) – 150 Mansfield Drive (Structural Change and Change to Hours of Liquor Service)**

PURPOSE:

The purpose of the report is to provide Council with the results of public notification for Ace Brewing Company Limited's application made to the Liquor & Cannabis Regulation Branch (LCRB) for 1) a structural change and 2) change in hours to their liquor licence at the above referenced location.

CAO RECOMMENDATIONS:

THAT, based on the March 8, 2023 staff report "**Public Notification Results for Liquor Licence Application (Ace Brewing Company Limited) – 150 Mansfield Drive (Structural Change and Change to Hours of Liquor Service)**", Council approve OPTION 1 as follows:

That Council include in their letter to the LCRB that the City of Courtenay has no objections to the application by Ace Brewing Company Limited for 1) a structural change and 2) change in hours to their liquor licence; and

That all public comments be shared with the LCRB and encourages the LCRB to consult with the local community and work with the applicant to address public concerns, should the LCRB decide to approve the application.

Respectfully submitted,

Geoff Garbutt, M.P.I., RPP, MCIP
City Manager (CAO)

BACKGROUND:

The applicant is making an application to the LCRB for the following changes to their existing liquor licence for the property at 150 Mansfield Drive:

1. The permanent incorporation of the existing temporary patio area as a permanent patio into the endorsed Liquor Licence area.
2. The permanent increase in the total occupancy (inside and outside) from 140 currently to 215 patrons. This represents an increase in 75 persons, all to be located in the new permanent patio.

3. A change in hours of liquor sales from 11:00am – 22:00 Sunday – Thursday and 11:00am – 23:00 Friday and Saturday to 09:00am – 01:00am seven days a week (Monday – Sunday).

At the January 25, 2023 Council meeting, Council directed staff to publish notice on the City’s website for four weeks requesting public input on the proposed changes to a liquor primary licence for Council consideration at a future meeting, and provide a mail out notification to neighbours within 30m radius of all property lines. Details of the application are available in the January 25, 2023 Staff Report “Structural Change to Liquor Licence Application and Change to Hours of Liquor Service to Liquor Licence Application (Ace Brewing Company Limited) – 150 Mansfield Drive”.

That previous (May 13 2020) endorsement letter from the City of Courtenay to the LCRB at this address included the following conditions:

1. The Council of the City of Courtenay recommends the Liquor & Cannabis Regulation Branch (LCRB) approve the application for Ace Brewing Company Limited’s structural change to a liquor licence, with the conditions that the patio will be closed by 10:00 p.m. Sundays to Thursdays, 11:00 p.m. Fridays and Saturdays, and no music will be played outdoors after 9:00 p.m. Sundays to Thursdays, 10:00 p.m. Fridays and Saturdays.
2. Council’s comments on the prescribed considerations are as follows:
 - a. If the amended application is approved, it would not result in an increase of noise in the area;
 - b. If the amended application is approved, it would not negatively impact the community based on the submissions received from the public.

DISCUSSION:

The subject location (**Figure 1**) is zoned Commercial Two (C-2) which permits the intended use. A rendering of the proposed structural change is shown in **Figure 2**. Further details about the proposal are included in the January 25, 2023 Staff Report.

At the January 25, 2023 Council requested information on the number of liquor-licensed establishments within Courtenay and hours of operation. There are 55 active non-governmental liquor-licensed establishments in the City of Courtenay. The approved liquor service hours vary depending on the licence type. **Table 1** demonstrates the combined liquor service hours for all active liquor licence types within the City of Courtenay organized in their approved category. Ace Brewing Company Limited is designated as a “Manufacturer” by the LCRB.



Figure No. 1: Subject Property Context Map

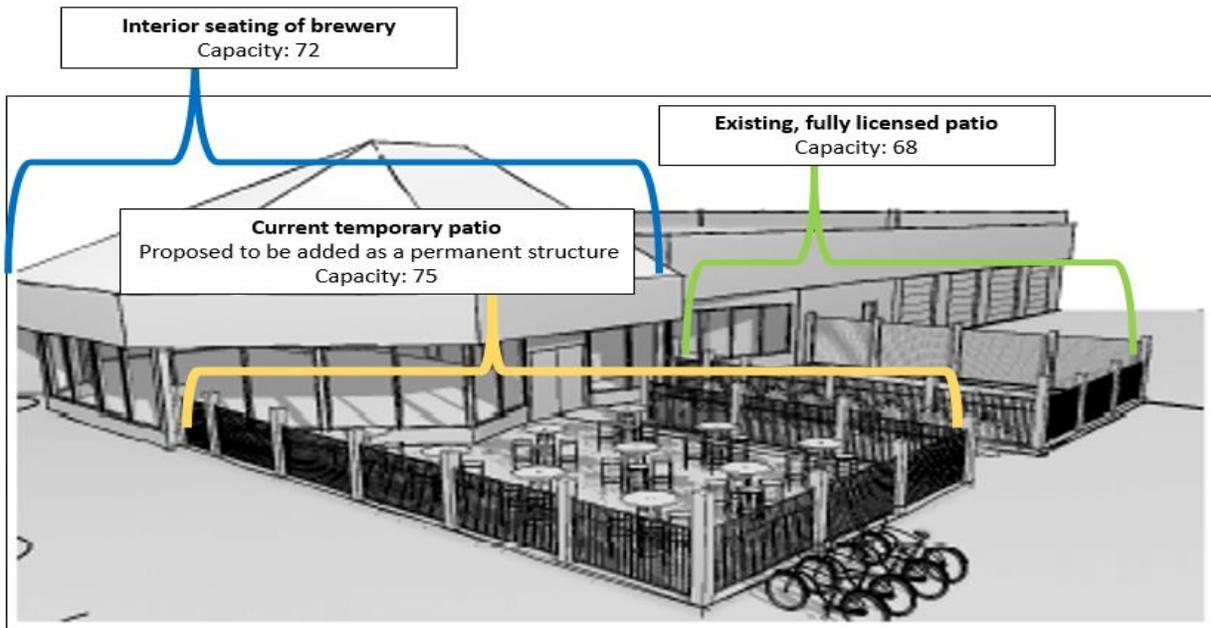


Figure No. 2: Rendering of Ace Brewing which illustrates the proposed and existing licenced areas

Table No. 1: Comparison of approved liquor sale hours for establishments in the City of Courtenay.

Licence Type	Day of the Week			
	Monday - Thursday	Friday	Saturday	Sunday
	Range of Hours (All licences included)			
Food Primary	09:00 – 01:30	09:00 – 01:30	09:00 – 01:30	09:00 – 00:00
Liquor Primary	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00
Licensee Retail Store	09:00 – 23:00	09:00 – 23:00	09:00 – 23:00	09:00 – 23:00
Manufacturer	09:00 – 00:00	09:00 – 00:00	09:00 – 00:00	09:00 – 00:00
Liquor Primary Club	11:00 – 01:00	11:00 – 01:00	11:00 – 01:00	09:00 – 00:00
*NOTE: This table is for approved hours of liquor service. Establishment hours of operation may vary greater or less than approved liquor service hours.				

There are 5 liquor-licensed establishments within a 100m radius of the subject property with varying approved hours of service. **Table No. 2** shows the approved liquor service hours for operating establishments within 100m of the subject property.

Establishment within 100m of Subject Property	Licence Type	Day of the Week			
		Monday - Thursday	Friday	Saturday	Sunday
Jo Klassen's Grill	Food Primary	11:00 – 00:00	11:00 – 00:00	11:00 – 00:00	11:00 – 00:00
Sushi Centre	Food Primary	11:00 – 23:00	11:00 – 23:00	11:00 – 23:00	11:00 – 23:00
Whistle Stop	Liquor Primary	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00	09:00 – 02:00
Whistle Stop	Licensee Retail Store	09:00 – 23:00	09:00 – 23:00	09:00 – 23:00	09:00 – 23:00
White Spot Restaurant	Food Primary	09:00 – 00:00	09:00 – 00:00	09:00 – 00:00	09:00 – 00:00
*NOTE: This table is for approved hours of liquor service. Establishment hours of operation may vary greater or less than approved liquor service hours.					

Table No. 2: Comparison of approved liquor sale hours for establishments within 100m of the subject property.

Council also requested information on whether RCMP had received any enforceable complaints or administered enforcement to Ace Brewing. The RCMP have indicated no enforceable complaints in the past 6 years of operation. City bylaw services has on file one enforceable complaint about construction noise when it was being built which was dealt with promptly. More recently a noise complaint has also been made. Staff do not keep track of complaints when a matter is not in contravention of a bylaw.

In formulating a recommendation, staff observe:

- That the City of Courtenay has no established policy to direct the recommendations of Liquor Licences. Some communities have adopted such policies that guide decisions based on location within the community and in proximity to particular uses, the density and proximity of licenced

establishments to each other, acceptable occupancy thresholds for different types of licenced facilities, and enforcement history. Such policies also may contain procedural policy such as public notification requirements. Some communities also enshrine operating hours for patios within bylaws as an enforcement tool to mitigate the impact of noise to neighbours.

- The area is identified as Urban Corridor within the OCP. This land use designation supports a wide range of uses, including higher residential densities than today. While there is no land use policy related to evaluating licenced establishments, the OCP does include policy to support buy-local, local manufacturing, and employment within designated areas:

Local Economy (LE) policy 2: Support buy-local and staycation campaigns.

Local Economy (LE) policy 4: Support initiatives that generate value-added, community-based business development, including but not limited to, arts and culture, local food processing, specialty forest products, and other value-added products manufacturing.

Local Economy (LE) policy 10: Support land uses that provide employment opportunities within or close proximity to the Town and Neighbourhood Centres and Corridors such as intensification of mixed-use office, retail, live-work studios and other commercial areas.

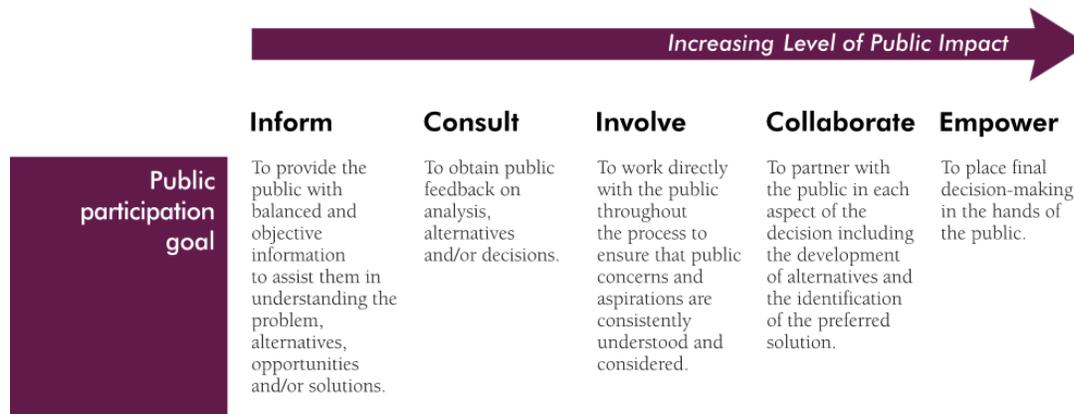
- That the authority to issue Liquor Licenses is the authority of the province. The liquor licencing regulations in BC allow for a local government to choose how involved they wish to be in providing comment to the province in considering liquor licence applications. There are three types of processes that a local government may follow when being referred a liquor licence application:
 - 1) Providing for a community input process, in which the local government gathers the views of the public. These views shall then be referenced in the local government's letter to the province. This is what the City of Courtenay follows despite not a clear policy stating this.
 - 2) Simply providing objection or no objection to the application, and not providing for a public input process.
 - 3) Simply confirming the zoning of the property, and not providing for a public input process.
- Where a local government chooses to provide comments to the province, the recommendation of a Local Government is weighed strongly in the province's decision to issue but it is not a veto power. In discussing this application with the province, liquor licencing staff noted that a recommendation not to support the requested liquor licence amendments should include the specific considerations and reasoning of the Council, including public comments. Liquor licencing staff clarified that a decision to approve a liquor licence takes into account 'the public interest' which is a broad interest. LCRB staff note that they do not take into consideration views expressed through petitions.
- That as of March 31, 2023 the liquor licencing approval for the temporary patio will expire unless otherwise renewed by means of the current application.

ADMINISTRATIVE IMPLICATIONS:

Administration of liquor licencing is included in the City’s general statutory duties. To date, staff has spent 30 hours processing the application.

CITIZEN/PUBLIC ENGAGEMENT:

Staff **consulted** members of the public based on the IAP2 Spectrum of Public Participation:



The public comment gathering period was open on the City’s website from January 27, 2023 to February 27, 2023. Additionally, 164 public notification letters were mailed out to properties within 30m of the subject property for residents to provide comments. The City has received a total of 14 comments at time this report was written, including a petition submitted by neighbouring residents including 51 signatures. Three comments are in full support. 11 of the total comments are in opposition to the increase in the hours of operation after 11pm, with 5 of those opposed to the structural change as well (making the temporary patio permanent).

Increased noise is cited as the strongest objection with some citing existing excessive noise. There is also a concern over how parking is allocated with a neighbouring business. Concern over increasing development-related changes in the area such as increased traffic and parking need are also cited. For example, the rezoning approval of a yet-to-be-constructed mixed commercial (including licenced pub) and multi-residential building at 2355 Mansfield Drive.

OPTIONS:

Option 1: (Recommended) That Council include in their letter to the LCRB that the City of Courtenay has no objections to the application by Ace Brewing Company Limited for 1) a structural change and 2) change in hours to their liquor licence; and

That all public comments be shared with the LCRB and encourages the LCRB to consult with the local community and work with the applicant to address public concerns, should the LCRB decide to approve the application.

Option 2: That Council recommends the LCRB to approve some modified version of the application components of 1) a structural change and 2) change in hours to their liquor licence; and

That all public comments be shared with the LCRB and encourages the LCRB to consult with the local community and work with the applicant to address public concerns, should the LCRB decide to approve the application.

Option 3: That Council recommend that the LCRB not approve the application by Ace Brewing Company Limited; and

That all public comments be shared with the LCRB and encourages the LCRB to consult with the local community and work with the applicant to address public concerns, should the LCRB decide to approve the application.

Prepared by:



Devin Croin
Planner 1 – Development Planning

Reviewed by:



Nancy Gothard, RPP, MCIP
Acting Manager of Development Planning

Concurrence by:



Rob Roycroft, RPP, MCIP
Interim Director of Development Services

Concurrence by:



Geoff Garbutt, M.Pl., RPP, MCIP
City Manager (CAO)

Attachments:

Attachment No. 1: Public Notification Comments

Attachment No. 1: Public Notification Comments

Croin, Devin

From: Janice Ford [REDACTED]
Sent: Saturday, February 4, 2023 1:41 PM
To: PlanningAlias
Subject: Ace Brewing Liquor License Application

I am a resident of Trumpeter's Landing across the street from Ace Brewing and the Whistle Stop Pub.

I am strongly oppose this application.... the noise & traffic will again be effected on Mansfield which is already a very busy street with airpark/Whistle Stop traffic (and no lights at Mansfield/Cliff). The impaired people leaving the pub and revving their engines and talking loudly at the wee hours is heard by all of the resident's who face Mansfield. Since the brew pub opened our quality of life has greatly diminished.

Please do not pass this application!

Thankyou,

Janice Ford

Croin, Devin

From: Mia Hillman [REDACTED]
Sent: Monday, February 6, 2023 11:46 AM
To: PlanningAlias
Subject: Fwd: File LL000016 Liquor License Application

Follow Up Flag: Follow up
Flag Status: Completed

Subject: File LL000016 Liquor License Application

This email is in response to the letter, from the City of Courtney regarding File LL000016.

As owners of a condo unit at 2300 Mansfield Drive, we are strongly opposed to both proposals:

1. increase of hours
2. increase in the number of patrons.

We are concerned this request to increase patronage and hours will impact noise levels, especially during the week, when people have to get up early in the morning for work.

We hope you will take into consideration the impact on the quality of lifestyle for the residents in the 2300 block of Mansfield Drive.

Thank you

M/G Hillman

Sent from my iPhone

February 09, 2023

To the City of Courtenay

Per: Liquor Licence Application File No. LL000016

Regarding the application by Ace Brewing for changes to their Liquor Licence.

We live in Building 1 of the [REDACTED] suite Trumpeters Landing Strata Complex. We have been owner/residents here since November 2006. We do acknowledge that not all suites in the complex would be as affected as those facing across Mansfield Drive.

Our home faces Mansfield Drive and is located directly across the street from Ace Brewing. Our outside doors and windows face Mansfield Dr. and are situated approximately 300 feet from the Ace's patio area that is included in the variation request.

We do not have any objection to the applicant's request to make the outdoor patio a permanent feature. We do have objections to the hours of operation being extended beyond the current latest 11 p.m. closing.

From our experience since the temporary patios were opened, we have been made very aware of the amount of noise generated by the patrons consuming alcoholic beverages while socializing at that location. We are more negatively affected by the same during the warmer months because our ventilation needs during the hot weather mean that we must have our windows and doors open for cooling purposes. Since our bedroom opening window and patio access doors face Ace's location we are subject to the intrusion of noise while we are attempting to sleep. We believe that in order to be reasonable that we not express opposition to opening hours being from 9 a.m. to 11 p.m. seven days a week. We ask that Council keep in mind that cut off in liquor sales does not mean an immediate end to the patron socializing at the outdoor patio location.

We do believe that as residents in the community we are entitled to the peaceful enjoyment of our property.

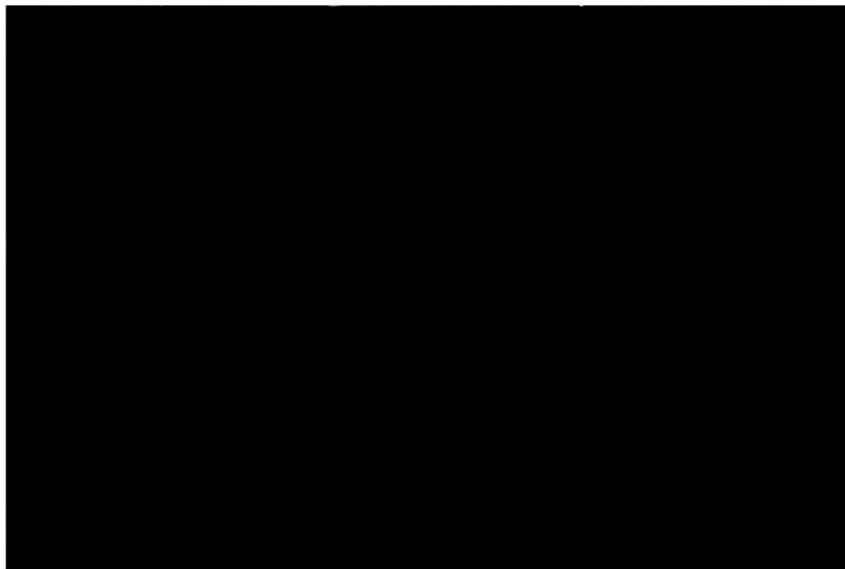
We have inserted images into the following page to help show our location relative to the Ace Brewing outdoor patios.

Sincerely,

Ron and Colleen Gieck
[REDACTED] 2300 Mansfield Drive
Courtenay, BC V9N 3S3
[REDACTED]



View from our patio and patio door area



View from our bedroom window with opening window shown

Croin, Devin

From: Peter Thomson [REDACTED]
Sent: Friday, February 17, 2023 9:25 AM
To: PlanningAlias
Subject: Objection to 150 Mansfield Drive Liquor License Application (File LL000016)

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Courtenay Planning:

Re: Liquor License Application - 150 Mansfield Drive

I am **opposed** to the change in the hours of liquor sales to 1 a.m. seven days a week from the current 10 p.m. on Sunday to Thursday and 11 p.m. on Friday and Saturday.

The proposed change in hours combined with the proposed increase of 75 persons in the new permanent patio will lead to significantly increased outside people noise during the extended hours and vehicle noise when the patrons leave in the early morning. The increased noise will significantly impact the 104-unit Trumpeters Landing complex where many units directly face 150 Mansfield Drive because the increased noise will travel much further in a quiet period of night from 11 p.m. to 1 a.m. Additionally the increased noise will continue after 1 a.m. because this is only the end of liquor sales and not when patrons will actually leave.

I request Council to consider the semi-residential nature of this location and **reject the extension of liquor sales hours**. I note that Council has approved a residential project at 2355 Mansfield Drive and I believe the eventual purchasers of these residences, when they are built, who will face 150 Mansfield Drive will also not appreciate the increased noise due to the extended hours.

There is already considerable people and vehicle noise when the patrons leave the Whistlestop Pub at 2 a.m. onwards when their liquor sales hours end. Please **do not** increase this type of noise in the neighbourhood.

Regards,

Peter Thomson
[REDACTED] - 2300 Mansfield Drive
Courtenay

Croin, Devin

From: Jane Oxenbury [REDACTED]
Sent: Sunday, February 19, 2023 1:21 PM
To: PlanningAlias
Subject: Response to File No. LL000016 Liquor License Application

To Whom This May Concern;

I and my partner, Leslie Robinson, who are residents of Trumpeter's Landing, are opposed to the increase of occupancy and the liquor license for Ace Brewing for the following reasons.

While we are happy to have nearby a local craft brewing place such as Ace Brewing, we believe that the permanent increase in occupancy and the extended hours of liquor sales will have a huge impact on the area. There will be more vehicle traffic and increased demand on the few on-street parking spots, as well as more noise from the larger amount of patrons. We already have more noise at night from the patrons and from truck deliveries in the day. Also, there is already the possibility of a new residential build above the Whistle Stop restaurant and pub so, coupled with this increase for Ace Brewing, there will be more pressure on limited resources. We believe a modified plan with decreased numbers of patrons and operating hours could be more reasonable.

We are happy to work together to develop a scaled down plan so that our quality of life is respected. Thank you for your time and attention in this matter.

Sincerely,

Jane Oxenbury and Leslie Robinson
[REDACTED] 2300 Mansfield Dr
Courtenay, BC V9N 3S3

"I am no longer accepting the things I cannot change. I am changing the things I cannot accept." — Angela Y. Davis

Croin, Devin

From: Some Guy [REDACTED]
Sent: Wednesday, February 22, 2023 8:49 AM
To: PlanningAlias
Subject: Ace Liquor License

Good morning,

I'm writing to provide community feedback regarding Ace Brewing's application to change its liquor license. I'm a resident at 2300 Mansfield Dr across the street, having moved into the buildings in summer 2021.

Being both a regular patron and a neighbour, I have never found noise to be an issue for this establishment, despite their increase in community/social events such as music, comedy, trivia, or fundraising nights. I do not foresee increasing the number of people and opening hours to have a negative effect. The temporary patio is regularly very full during the warmer months (especially since it is dog friendly), so any issues with increasing numbers should have occurred already.

No matter what type of event is occurring at Ace, I have never seen or heard of any police presence or altercation occurring outside, and thus I wouldn't see extending the hours having an increase in this activity. A major contrast can be seen at Whistle Stop, where despite being in a unit not facing Mansfield, I can regularly hear altercations outside in the parking lot, revving engines, and see lights from police activity at the property. This happens in both winter months and summer months.

I support Ace's intent to change its license, allowing for a friendly, community-oriented brewery to grow. I would see it as a positive development for the neighbourhood.

Davis Clark

resident at [REDACTED] - 2300 Mansfield Dr.

Croin, Devin

From: Whistlestop Pub [REDACTED]
Sent: Thursday, February 23, 2023 4:39 PM
To: Croin, Devin
Subject: Ace brewery application

I believe it is nice to see a business wanting to increase seating capacity. More business in these economic times is very welcome.

My concerns with the application is the parking. I do not understand there being no allocated parking for the car repair business at the other end of the building.

It is a busy business but there is always quite a few vehicles parked there waiting for repairs. Vehicles are parked there waiting for their turn inside to be repaired.

I have also noticed that there are always a number of vehicles left in front of the garage at night.

During the past few weeks I have checked regularly and I noticed six or more vehicles there each night.

My concern about not having enough parking spaces for the brewery customers is I would be very unhappy if there customers started parking on my property.

I read in their application that they want to get into more entertainment.

I believe this is the time to address the limitations that I have encountered over the past years since the condos were built across the street.

The residents there complained about the noise from our live entertainment and the city made us make sure the doors were closed at night when the bands were playing.

I believe that any loud noise from music on the property should be addressed during this application so that the neighbors will not be affected and more police time is needed to respond to noise complaints.

Barry Van Dusen
Owner
Whistle Stop Pub and Liquor Store

Croin, Devin

From: Thomas Rivest [REDACTED]
Sent: Saturday, February 25, 2023 2:43 PM
To: PlanningAlias
Subject: File No. LL000016

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Courtenay Council,

Living in Trumpeter Landing on the Mansfield Drive side of the building, I strongly oppose extending the hours of Ace Brewing to 1 AM. While yes, Whistle Stop is open to 2 AM and is a frequent wakeup call for me at 2 AM due to patron noise, moving Ace hours to 1 AM will just make the problem worse. I am ok with the patio proposal. I personally frequent Ace. But let's be honest most patrons drinking after midnight have probably had more than they should.

Given the choice I would ask to curtail Whistle Stop hours to Midnight at the latest. Every weekend during summer there is a lot of shouting and such in the parking lot at about 2 pm.

Regards,

Tom Rivest
[REDACTED] 2300 Mansfield drive

Croin, Devin

From: Martin Ryer [REDACTED]
Sent: Sunday, February 26, 2023 10:05 AM
To: PlanningAlias
Subject: File #LL000016

Follow Up Flag: Follow up
Flag Status: Completed

Greetings,

I strongly support the execution of all resolutions associated with provisions outlined in file #LL000016. Council should advocate for the development and or expansion of small business.

Martin Ryer
[REDACTED]-2300 Mansfield Drive
Courtenay, BC
V9N3S3

Sent from Martin's iPhone 13 Pro Max 📱

Croin, Devin

From: [REDACTED]
Sent: Monday, February 27, 2023 11:49 AM
To: PlanningAlias
Subject: 150 Mansfield Dr.

Greetings,

I am writing to express my considerations about LL000016, the liquor license application for 150 Mansfield Drive.

I reside at [REDACTED] 2300 Mansfield Drive and have been here since 2016. I live in Trumpeter Landing with about 104 other residents. We are directly across the street from Ace Brew Pub and I consider them good neighbors and enjoy supporting them periodically. The Whistlestop Pub is about 500 meters southeast from my condo and I sometimes support them as well. Ace is much closer to my residence.

My concerns are with the request for expanded hours at Ace. I have no concerns about making the patio permanent and little concern about expanding the seating as I think the Ace pub takes care of most conflicts within the customer base. They seem to be responsible people/managers.

In the summer we condo owners often wake up to loud music noise from the Whistlestop business because patrons and the bands like to leave the doors open to create a draft to cool the place. The result is that noise escapes as well as the air that is exchanged. I typically get out of bed and go over and suggest that the band closes the doors, before they receive complaints from nearby condo and other owners. The band immediately complies with my request and the issue is resolved.

However I take issue with having the potential for late night noise increased and do not wish to expand that potential. Therefore I respectfully ask the city of Courtenay to deny the applicants request to expand Ace's open hours.

Thank you for your consideration.

David McKenzie
[REDACTED] 2300 Mansfield Drive
Courtenay, V9N 3S3
[REDACTED]

Croin, Devin

From: Deb W [REDACTED]
Sent: Monday, February 27, 2023 12:45 PM
To: PlanningAlias
Subject: Ace pub. LL000016

LL000016

Respectfully submitted to the city of Courtenay on Monday, February 27, 2023.

As residents of 2300 Mansfield Dr., we have been impacted by Ace brewery.

Although there was a promise of a noise barrier on the property (shrubs) there is nothing but a two non-evergreen trees and one approx 6 feet high evergreen that certainly do not surround the property, nor have any height. A noise barrier was promised when they first came on the property——yet none exists. They need to be solid noise barriers, and they would have to be a minimum of 4 metres high, since we know that noise goes up. That height is based on research. They need to bring a noise expert in. From the fourth floor, if you can see the source of the noise then it will reach you. That make the piddly trees useless. Otherwise you can guarantee that the volume will go up to their units.

Noise from their music, microphone (often louder than the music) and patrons chatter goes through their windows and through our walls. Unlike other music establishments, this building is surrounded by windows, and we all know that music goes through windows.

There is no current Courtenay Noise Bylaw at all until 10 o'clock at night and noise goes up!! **This has affected peoples ability to enjoy their day-to-day life including sleep, use of decks and patios, and having windows open on these south facing !hot! units. Greatest population are seniors.**

If the City extends their opening hours 9am-1am 7 days a week! it will make life here further unenjoyable. With outdoor alcohol weather daytime or night time noise increases and for us things will inevitably get worse. Even after the brewery closes, patrons hang around and are loud and keep us awake.

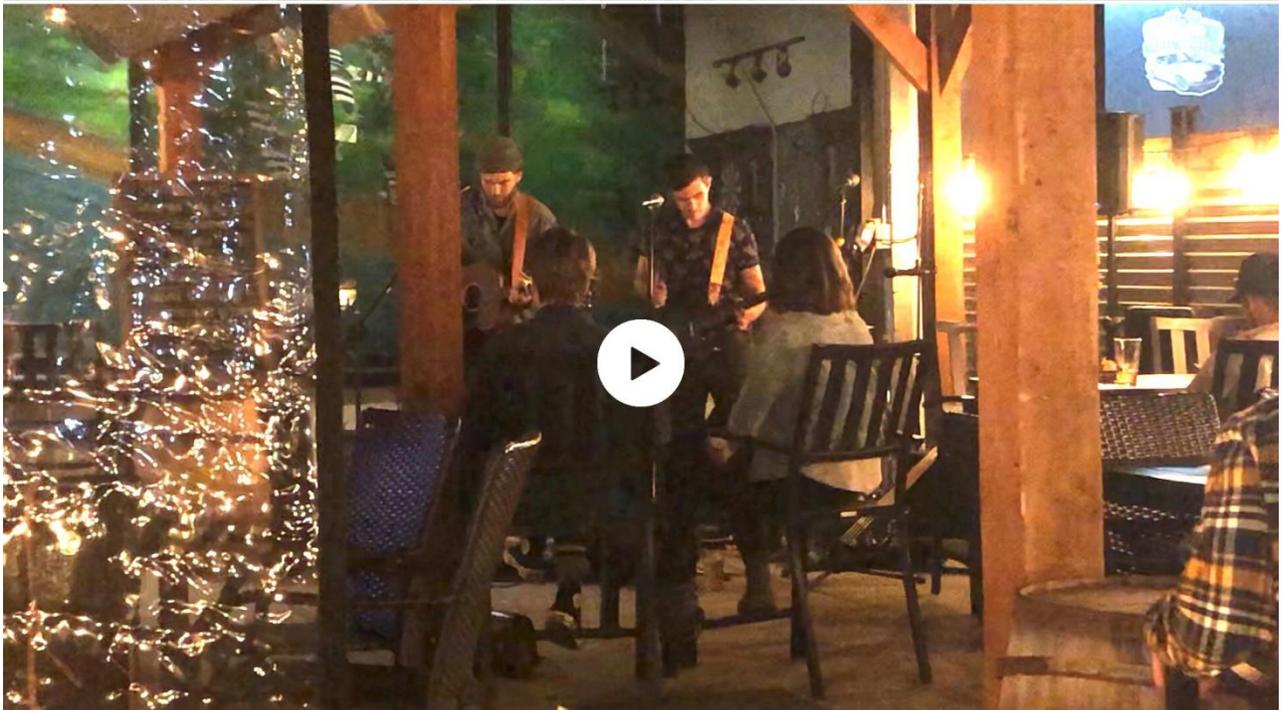
We have been outside The Sid Williams Theatre, The High Tide public house, little red church, and the old church theatre and the neighbours around these establishments are not impacted by events. Nor do we hear things when outside the Flying canoe. Why is Ace Brewery allowed to dominate?

The noise pollution is affecting my health and that of my neighbours
I cannot open my doors or windows at times.

Please see attached pictures of outdoor music and “noise prevention”

It is time for Ace Brewery to prove they can become a good neighbour. Until that happens we need the city to decline Ace Brewery application #LL000016

Respectfully
Deb Williams
[REDACTED]-2300 Mansfield Dr
Courtenay



Croin, Devin

From: Keith [REDACTED]
Sent: Monday, February 27, 2023 12:57 PM
To: PlanningAlias
Subject: City of Courtenay

City of Courtenay
February 24th 2023

Ace Brewing proposal LL000016.

Being a resident of Trumpeters Landing for 17 years and particular since our suite is sitting "directly" across from the Ace Brewery temporary outdoor patio, we "strongly oppose" the granting of the permanent licensing for the patio and the longer hours.
How many outdoor patios do they need??

9:00am -1:00am any days of the week is unreasonable for any establishment to be open across from a residential complex, especially one that serves alcohol...we as owners have a right to enjoy our outdoor patio but as we live directly across from the brewery the sustained noise from patrons using loud excited boisterous chatter well into the night makes enjoying our patio untenable as the weather warms up, not to mention food trucks and live music.

*(no disrespect to the patrons they are just having a good time enjoying the amenities the brewery has to offer)

Where do our rights lie in all this? We as tax payers have a right to enjoy our properties!...we have a right to enjoy within reason peace and quiet.

Allowing Ace Brewery to be open from 9am-1am Mon-Sun is "not within reason"...leave it at what they have been granted no more! as with the 11pm closing it does not mean the patrons leave and go home, we have experienced them sitting on the patio or standing chatting in the parking lot till 12:00am or more and their chatter is plainly heard.

Keep the hours as they are please...this isn't going to cut down on the noise but at least we won't experience a further escalation of the noise.

As a "good neighbour" gesture we suggest requiring Ace brewery to erect a sound attenuating wall/barrier at least 3 metres high around the remaining outdoor patio, this will reduce some of the noise emanating from that patio.

Also require Ace brewery to display notices in a prominent place asking patrons to leave the premises quietly bringing their attention to the many folk who are living/sleeping in the complex across the road. Then it's up to the patrons to abide by the notices (Hopefully).

We have noticed a significant increase in noise and traffic on Mansfield Drive since Ace Brewery opened, our observation is they have been extremely busy with the establishment full on most days starting early spring as indeed is their parking lot!! particularly upsetting in the summer months when our patio doors are open during the day and evening to cool our condo down, I foresee it will not be a pleasant experience to "relax" on our patio again this spring and summer.

I have spoken to the noise bylaw office on a couple of occasions regarding music emanating from the brewery and the food trucks parked outside the Ace Brewery for special events.

We would suggest to evaluate a fair understanding of the issues, we welcome City councillors to spend a sunny afternoon on our front patio (facing Mansfield Drive) we would provide refreshments and appies. The noise and chatter reaches a long way into our complex as evident with the signatures on the petition.

We have tolerated the Whistlestop Pub's traffic and bands playing over the years, after all they were here before our complex was built and we knew that when we bought our unit...

We have assembled a petition in our complex (Trumpeters Landing) and there is a lot of disgruntled people upset with the noise emanating from the brewery...they feel it's a waste of time phoning the city of Courtenay to complain as their experience is nothing gets done about the complaint!! (this feeling wasn't from just one person either)

Please side with the residents this time, do not approve this application!! 11:00am-11pm is sufficient

Your Truly
Keith Barnard
[REDACTED]-2300 Mansfield Drive
Courtenay BC V9N 3S3

Petition to Courtenay City Council
 Petition summary and background Rejection of Liquor license Application
 Action petitioned for Ace Brewery Expansion L1000016 We, the undersigned, are concerned citizens who urge our leaders to act now to

	Printed Name	Signature	Address	Comment	Date
1	PATRICIA HARVEY	[Redacted]	-2300 Mansfield Drive		Feb 25 th 2023
2	Andrew Giesey	[Redacted]	-2300 Mansfield Dr.		Feb 25 th 2023
3	Jessy Massey	[Redacted]	2300 Mansfield Dr.		" "
4	DAN SOUL VAN	[Redacted]	2300 "		" "
5	Charene Lockie	[Redacted]	2300 Mansfield Drive		" "
6	Ron GIECK	[Redacted]	-2300 MANSFIELD DR		" "
7	JOINT CAROL	[Redacted]	-2300 "		" "
8	MARGRIET	[Redacted]	-2300 mansfield DR		" "
9	M. Beebe	[Redacted]	-2300 MANSFIELD		Feb 25 2023
10	D. MCKERZIE	[Redacted]	2300 mansfield DR		" "
11	G. Ackema	[Redacted]	2300 Mansfield Dr		Feb 25/2023
12	Calewis	[Redacted]	-2300 Mansfield Dr		25 Feb 23
13	M. BARRY	[Redacted]	-2300 Mansfield Dr		Feb 25 2023
14	Keith Barnard	[Redacted]	2300 Mansfield		Feb 26, 2023
15	ERIN GAPP	[Redacted]	2300 Mansfield		Feb 26 2023
16	PETER HORSON	[Redacted]	-2300 Mansfield Drive		Feb 26 2023
17	LOBI GAVAS	[Redacted]	-2300 Mansfield		FEB 26, 2023
18	Lynn Madill	[Redacted]	-2300 Mansfield Dr		Feb 26 2023
19	HEAL MADILL	[Redacted]	" "		" "
20	LARRY HANSON	[Redacted]	2300 MANSFIELD DR		FEB 26/2023
21	Vicky Smith	[Redacted]	2300 MANSFIELD DR		FEB 26/23
22	OLYMPIA	[Redacted]	" "		26 FEB/2023
23	Bonny Boyd	[Redacted]	2300 MANSFIELD DR		26 FEB 2023
24	M. Beckford	[Redacted]	2300 Mansfield DR.		26 Feb. 2023
25	B. Wallace	[Redacted]	" "		26 Feb 2023
26	Harold Wallace	[Redacted]	-2300 MANSFIELD DR		26 Feb 2023
27	SHARID CECIL	[Redacted]	" "		26 Feb/2023
28	Patricia Warden	[Redacted]	-2300 Mansfield Drive		26 Feb/2023
29	Ann WORTH	[Redacted]	2400 " "		26/02/23.
30	JANICE FORD	[Redacted]	2300 " "		26/02/23
31	Alan Wong	[Redacted]	2300 Mansfield DR		26/02/23
32	Angie Ager	[Redacted]	2300 Mansfield Dr		[Redacted]
33	Karen Lockie	[Redacted]	-2300 Mansfield Dr.		[Redacted]
34	Sergio Tomas	[Redacted]	[Redacted]		26/02/23
35	Jan Reddy	[Redacted]	-2300 Mansfield		26/02/23

LL00016

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Petition to Courtenay City Council

Petition summary and background Rejection of liquor

Action petitioned for Ace Brewing Pub expansion We, the undersigned, are concerned citizens who urge our leaders to act now to stop this

	Printed Name	Signature	Address	Comment	Date
36	Cindy Carscadd	[Redacted]	-2300 Mansfield Dr. Courtenay		Feb 27/23
27	Kumar Biswas	[Redacted]	-2300 Mansfield Dr. Courtenay		Feb 27/23
38	Deb Williams	[Redacted]	2300 Mansfield Dr. Courtenay		Feb 27/23
39	Mance Kapeta	[Redacted]	112 Mansfield Dr. Courtenay		Feb 27/23
40	M. Kapetayaki	[Redacted]	112 Mansfield Dr.		Feb 27/23
41	M. Kapetayaki	[Redacted]	112 Mansfield Dr.		Feb 27/23
42	COLLEEN E/B	[Redacted]	-2300 Mansfield Dr.		MAR 01/23
43	MARY BERG	[Redacted]	2300 Mansfield Dr.		Mar 1/23
44	Jessie Foley	[Redacted]	2300 Mansfield Dr.		Mar 1/23
45	Mike Warren	[Redacted]	-2300 Mansfield Dr.		Mar 1/23
46	JOAN ENGLISH	[Redacted]	2300 Mansfield Dr.		Mar 1/23
47	Sharon Truscott	[Redacted]	2300 Mansfield Dr.		Mar 1/23
48	MAREK ODROBNY	[Redacted]	241 Mansfield Dr.		Mar 01/23
49	JANINA ODROBNY	[Redacted]	" "		MAR 01/23
50	M. Jones	[Redacted]	2300 Mansfield Drive		Mar 1st 2023
51	Dennis Grant	[Redacted]	-2300 Mansfield Dr.		Mar 1/23

What noise amelioration effects?



Outdoor music at the pub.

Oct 1, 2022

river →



Oct 1, 2022

Rejection of Ace Brewery Liquor Application #LL000016

Brew company hours on North Island and Powell River

No other brew companies open at 9am and none go till 1am

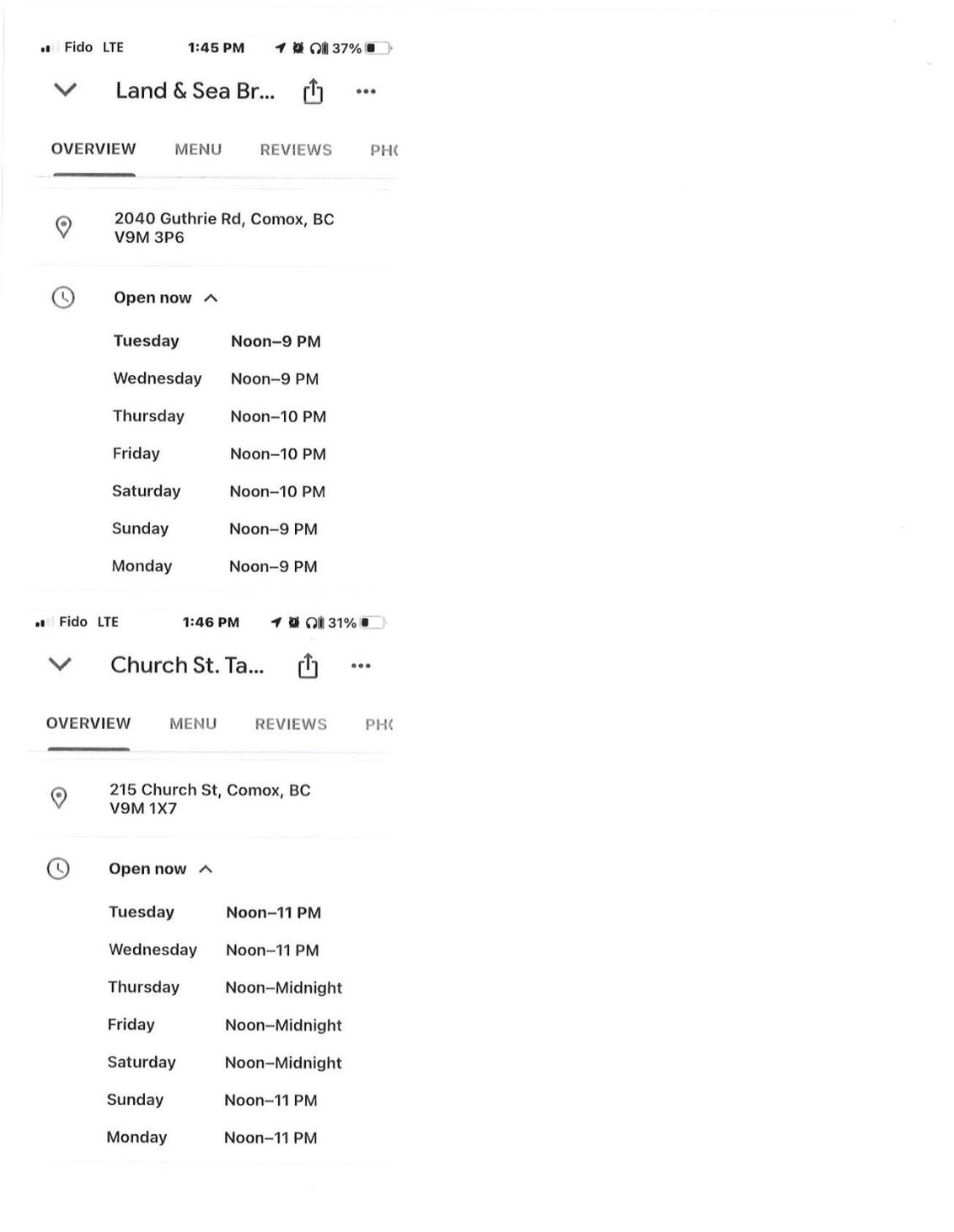
None open before 11am

No other brew company has Ace Brewery requested number of seats - except for Gladstone Brewery which has no immediate residential neighbours!!

Ace Brewery has 106 residential and tax-paying, suite neighbours, most being seniors, and directly across the street!!



Day	Hours
Tuesday	Noon-8 PM
Wednesday	Noon-8 PM
Thursday	Noon-8 PM
Friday	Noon-9 PM
Saturday	Noon-9 PM
Sunday	Noon-8 PM
Monday	Closed



New Tradition Brewing Company

Tuesday	3–9 PM
Wednesday	3–9 PM
Thursday	3–9 PM
Friday	1–10 PM
Saturday	1–10 PM
Sunday	Noon–6 PM
Monday	Closed

215 Port Augusta St Unit 11, Comox, BC V9M 3M9

3:53 PM Tue Feb 28

< Alberni Brewing Co...  ...

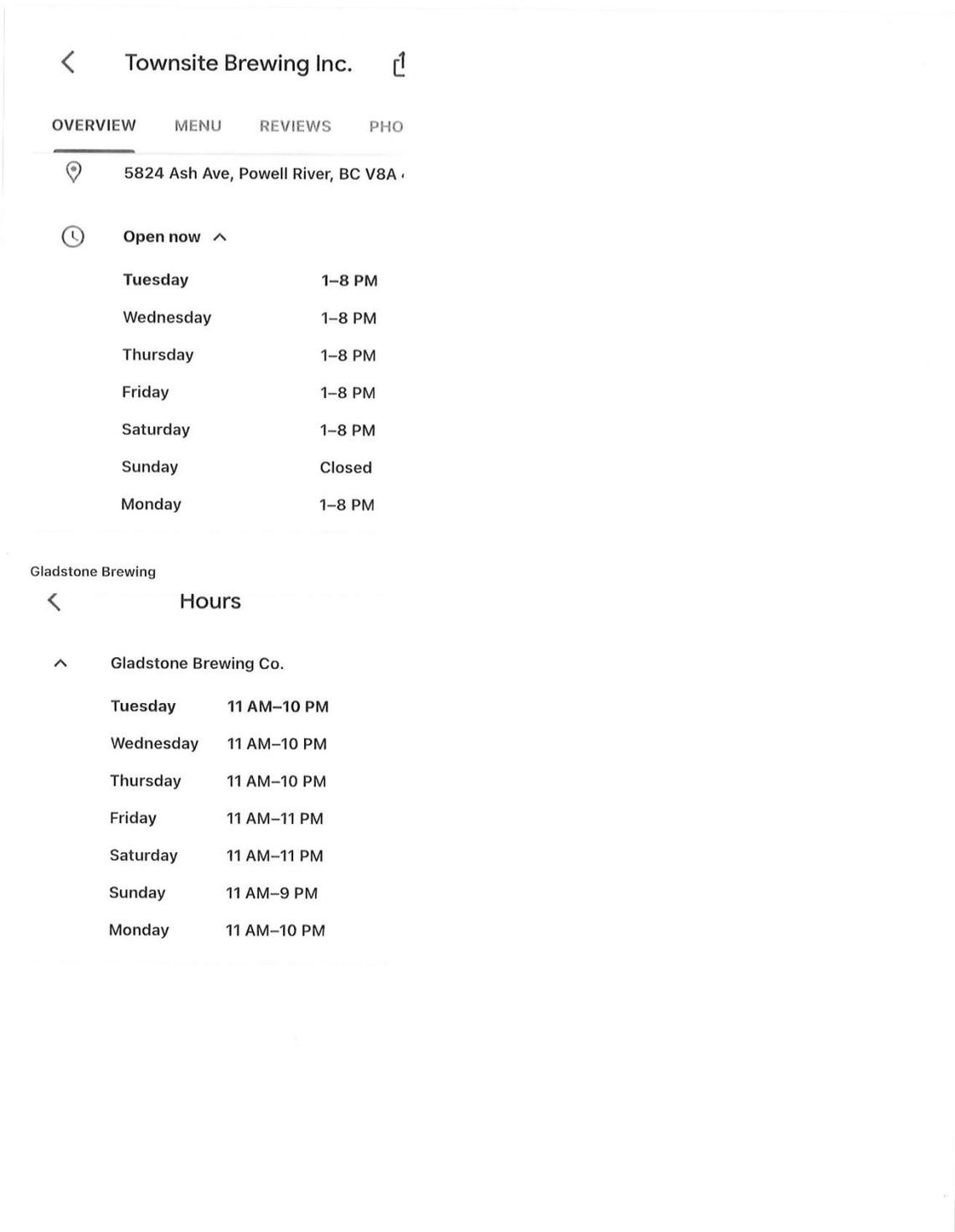
OVERVIEW MENU REVIEWS PHOTOS

✓ Dine-in · ✓ Takeout · × Delivery >

 4630 Adelaide St, Port Alberni, BC V9Y 6N4

 Open now ^

Tuesday	11:30 AM–9 PM
Wednesday	11:30 AM–10 PM
Thursday	11:30 AM–10 PM
Friday	11:30 AM–11 PM
Saturday	11:30 AM–11 PM
Sunday	11:30 AM–8 PM
Monday	11:30 AM–9 PM



Beach Fire Brewing Company	
Tuesday	Noon–9 PM
Wednesday	Noon–9 PM
Thursday	Noon–9 PM
Friday	Noon–9 PM
Saturday	Noon–9 PM
Sunday	Noon–5 PM
Monday	Closed

594 11 Ave, Campbell River, BC V9W 4G4

Session Taproom + K...  

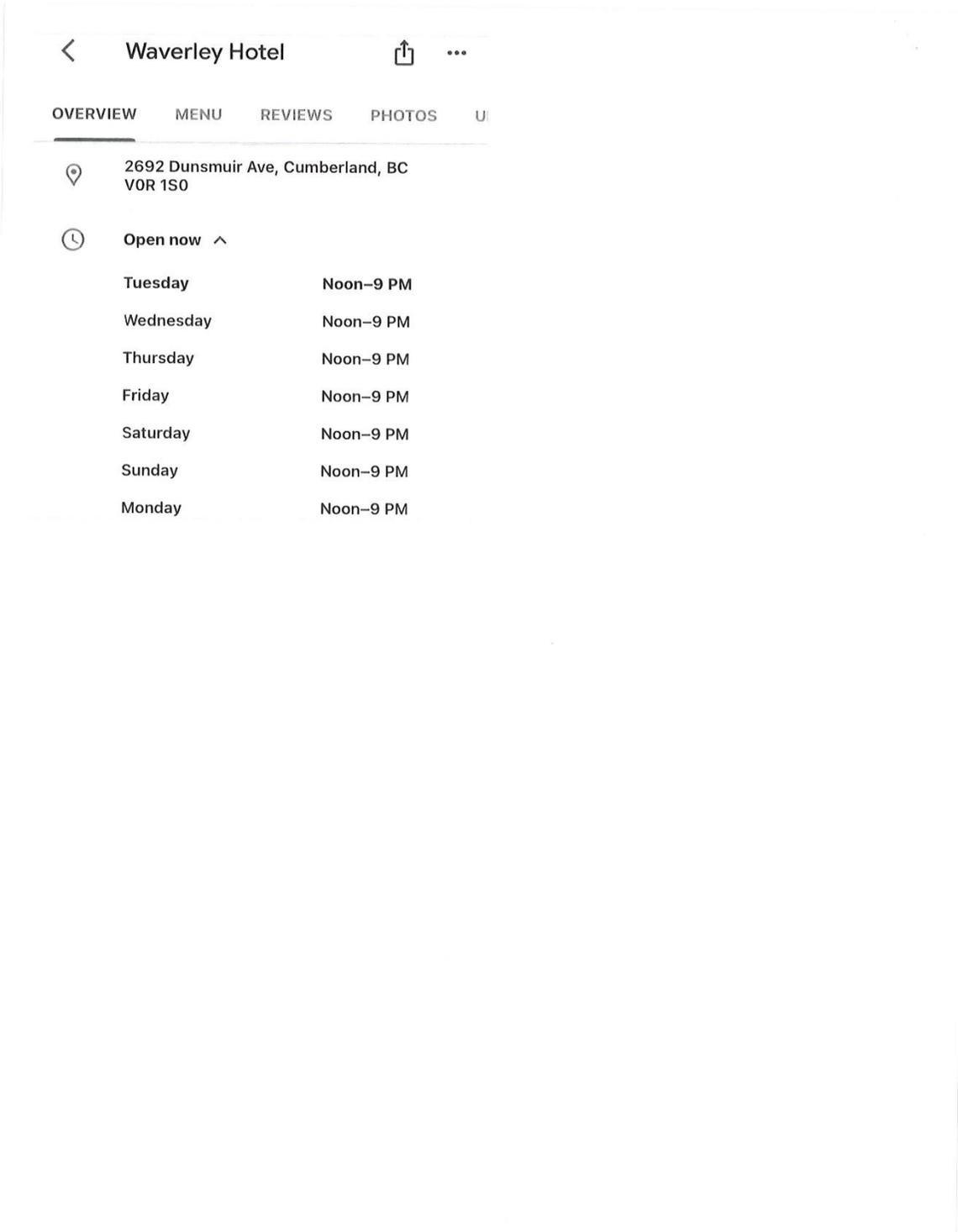
[VIEW](#) [MENU](#) [REVIEWS](#) [PHOTOS](#) [UP](#)

926 Island Hwy, Campbell River, BC
V9W 4C5

Open now 

Tuesday	11:30 AM–8:30 PM
Wednesday	11:30 AM–8:30 PM
Thursday	11:30 AM–9 PM
Friday	11:30 AM–10:30 PM
Saturday	11:30 AM–10 PM
Sunday	Noon–5 PM
Monday	Closed

There seems to be pubs that stay open later but even the Waverly has these hours.



Croin, Devin

From: Liz Bailey [REDACTED]
Sent: Monday, February 27, 2023 1:55 PM
To: PlanningAlias
Subject: Ace brewing liquor licence application file LL000016

Dear Council,

I would like to express my views on this application in response to the notice I received in the mail.

Item 1. Permanent incorporation of the existing temporary patio area into a permanent patio endorsed area.

I have no problem with having the existing patio stay.

Item 2. Increase in total occupancy. From 140 to 215.

My concern re increase is lack of parking in the area. Noise from having more people and vehicles in the area.

Item 3. Change of hours of liquor sales from 11am to 11pm. To 9am to 1am.

Again I have problem with the noise of people leaving at 1am. Standing in the parking lot talking and shouting for a lot longer than 1am. The noise travels up across the road into the apartments. 11pm is a more reasonable time for the neighbours to put up with the noise.

I can understand why Ace Brewing would like to expand the occupancy in these hard times to make a go of the business. If there is some way of reducing the noise. Sound Barriers, roof. That would make a difference. I'm still against the time change though. I don't know why you need to drink at 9am. And 1am.

Thank you.

Elizabeth Bailey

[REDACTED] 2300 Mansfield Drive.

Courtenav, BC V9N 3S3

[REDACTED]

Croin, Devin

From: Andrew & Paula Richardson [REDACTED]
Sent: Monday, February 27, 2023 2:48 PM
To: PlanningAlias
Subject: 150 Mansfield Dr. File No. LL000016
Attachments: IMG_3698.jpg

Dear City Council of Courtenay,

I am an owner at Trumpeters Landing, 2300 Mansfield Dr. Please accept the following comments on Ace Brewing Companies application to extend their hours and increase the permanent capacity.

1. Permanent incorporation of the existing temporary patio. No issue, although I would like to see the temporary white shrink wrap used as a waterproof membrane changed to a more aesthetically pleasing roof. The application states their patios have increased the visual appeal of the existing building. I would disagree with this shrink wrap roof on their permanent patio. A good temporary problem solution. Not a permanent solution.

2. Increase capacity to 215 patrons. No issue.

3. Increase operating hours to 9 am to 1 am, 7 days a week. Issue, I do not want a party outside my bedroom window 7 days a week until 1 am. Maybe increase the Sunday to Thursday hours to 9 am to 11pm. Friday and Saturday hours increase to 9 am to 1 am. I would not like to see an approval for 1 am seven days a week. I know this will be a tough decision with a competitor next door that has the increased operating hours.

I have attached a picture from my bedroom deck of Ace Brewing for reference. Also note in the picture the caretaker dumping his wash water down the storm drain.

Thank you for your consideration.

Andrew Richardson
[REDACTED]

