



The Corporation of the District of Saanich

Report

To: Mayor and Council

From: Lindsay Chase, Director of Planning

Date: December 20, 2024

Subject: Request for a Resolution of Council for Change to Food-Primary License #303925 for The Persian Grill House

File: LIQ00029 • 110 Burnside Road East

RECOMMENDATIONS

1. That the application to the BC Liquor and Cannabis Regulation Branch to change Food-Primary license #303925 for The Persian Grill House to allow for Food-Primary patron participation entertainment endorsement be supported.
2. That a copy of the Report and Council minutes be forwarded to the BC Liquor and Cannabis Regulation Branch.

PURPOSE

The purpose of this Report is to seek direction from Council on the subject application. The application is for a resolution of Council in support of an application to the BC Liquor and Cannabis Regulation Branch (LCRB) to amend the Food-Primary license #303925 for The Persian Grill House located at 110 Burnside Road East (see Figure 1). The proposed change would allow for a Food-Primary patron participation entertainment endorsement. The applicant advises that no change to the facility operation is proposed, and that the Food-Primary operation would remain as such. The applicant is Homa Ebrahimikhonacha.

BACKGROUND

The LCRB process requires that a local government or their delegate, in respect to an amendment application, must include comments on:

- The impact of noise on the community in the immediate vicinity of the establishment.
- The impact on the community if the application is approved.
- Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.
- The location of the establishment; and
- The person capacity and hours of liquor service of the establishment.

For an application to amend an existing Food-Primary License, Council Policy (04/105) is to provide early notice to community associations, schools, businesses, and social facilities within a 90 m radius of the subject property. The application is then considered at a Council meeting following notification to owners and residents, also within a 90 m radius.



Figure 1: Neighbourhood Context

DISCUSSION

Proposed Entertainment Endorsement

The applicant has applied to amend their Food-Primary license to accommodate a dance floor area of 20 m². The dance floor will be in use occasionally Wednesday to Sunday between the hours of noon and midnight. It may also be used on Mondays and Tuesdays upon patron request through advanced reservations for special events according to the existing Food-Primary license hours of operation. Patron participation activity would be carried out in approximately 20% of the total seating area of the restaurant and no changes to the interior or exterior are proposed.

Neighbourhood Context

The 1,392 m² site is located between Burnside Road East and Harriet Road. Surrounding land use is single family residential on the north-east and south-east, a 7 Eleven gas station to the north-west, and mixed use residential/commercial to the south-west in the City of Victoria. The parcel is zoned C-1 (Local Commercial) Zone. The north, west and south portion fronting Burnside Road East and Harriet Road contains a parking lot. The easterly portion contains a fenced waste and loading area.

Noise and Community Impact

While the site is located adjacent to two single family residential uses, mixed use commercial/residential use, and a gas station, the current community impact is negligible. It is not anticipated that the proposed patron participation would result in excessive noise detectable from outside the building. That said, the subject site is within the “Uptown Core” as designated in the Official Community Plan (OCP). This area is anticipated for significant future growth and a broad cross section of land uses. “Uptown Core” is planned to be a more vibrant living environment, and residents can anticipate noise and activities typical of an urban centre/downtown.

Likelihood of Inappropriate Operation

This factor is related to the possibility of concern that the addition of the patron participation entertainment could result in the operation of the business in a manner that does not meet the intent of the license. The facility would continue to operate as a restaurant and takeaway; the proposed patron participation entertainment endorsement is not anticipated to alter the business operation.

Saanich Police advise they have no position to the application. At the time of writing the report no response has been received from Saanich Fire Department.

Views of Residents

For an application to amend an existing Food-Primary license, Council Policy (04/105) is to notify community associations, schools, businesses, and social facilities within a 90 m radius of the subject property, and to consider the application at a Council meeting.

In accordance with Council Policy (04/105), early notice of the application was mailed to the Gorge Tillicum Community Association, businesses and social facilities within a 90 m radius of the subject property. At the time of writing this Report, no responses have been received by the Planning Department. In addition, no response has been received from the Gorge Tillicum Community Association.

Location of the Establishment

As noted above, the location of the establishment lends itself to the proposed patron participation entertainment endorsement. Limited impacts are expected as a result of the patron participation entertainment endorsement.

Capacity and Hours

No changes to capacity or hours are proposed. The applicant is proposing to add an entertainment endorsement, which would allow for occasional dancing. These occasional events would be held in the bar/lounge side of the restaurant. No additional changes are proposed to the facility operation.

CONCLUSION

The applicant has applied to the LCRB for a change to the existing Food-Primary license to add a patron participation entertainment endorsement for The Persian Grill House. Staff recommend that the license amendment be supported as there would be no significant change to business operations, no increase in licensed capacity or occupant load, and impacts on the surrounding neighbours are expected to be minimal.

Prepared by: Alison Whyte, Senior Planning Technician

Reviewed by: Amber Walker, Acting Manager of Current Planning

Approved by: Lindsay Chase, Director of Planning

AW/kb

Attachments: Council Policy 04/105 – Liquor Licensing Public Consultation Process for
Liquor- Primary and Food-Primary Licenses

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.

Brent Reems, Chief Administrative Officer