

Liquor License Application

Effective Date: April 16, 1993
Reaffirmed Date: July 3, 2012
Revised Date: October 6, 2015

1. Policy Statement:

This policy applies to local government resolutions required by the Province of British Columbia, Liquor Control and Licensing Branch, (LCLB) for new, or amended, liquor primary or food primary liquor licenses. The general manager of the LCLB issues liquor licenses under the authority of the Liquor Control and Licensing Act and Regulations. This document is intended to clarify the role of the City of Pitt Meadows in the review of liquor license applications.

2. Purpose

This policy provides a framework of the factors that Council will consider when deliberating liquor licensing applications referred to the City for review and comment by the BC Liquor Control and Licensing Branch (LCLB). This policy also includes the procedures the City will follow when consulting publicly and evaluating the LCLB referral applications. The intent of the policy is to also provide information upfront to prospective LCLB applicants as to the City's procedures when processing these applications.

3. Scope

Sections below set out the policy directions for Council's consideration when dealing with LCLB referral applications, the public consultation and staff evaluation procedures that will be followed, and the criteria and information that will be analyzed and commented on. This information will be provided to Council in a staff report, with associated recommendations based on the application review.

I. Public Consultation

Upon receipt of an application from LCLB general manager, staff will proceed directly with public consultation.

The public consultation process is as follows:



- The applicant must first submit their application satisfactory to City staff and remit the appropriate fee as prescribed in the Development Application Fee Bylaw No. 2629, 2013, as amended or replaced;
- Written notification is to be made to urban residents and property owners located within 122 metres of the applicant's premises (existing or proposed) inviting input by a specified date with respect to potential noise, traffic and other community impacts of the change to the existing liquor license or issuance of a new license;
- Notification to rural residents and property owners may be made by having three consecutive advertisements placed in the local newspaper and by mailing written notification within 488 metres of applicant's premises advising of the application and inviting written input by a specified date with respect to potential noise, traffic and other community impacts of the change to the existing liquor license or issuance of a new license;
- After the public consultation process is completed, a report will be prepared by staff and presented to Council summarizing the community feedback and providing a community impact assessment which involves an analysis by staff of the topics identified below, where relevant in the circumstances.

2. Analysis of Application

For new Liquor-Primary License applications, the staff report will address the following:

- The distance from the proposed location to the closest schools, day care centres, public playgrounds, public parks, places of worship and other uses that staff believes are relevant to comment upon for a specific application;
- The use of uses in immediate proximity to the proposed location;
- The locations of the closest existing Liquor-Primary License establishments;
- The location of the closest public transit, the frequency of service and the hours of service;
- Traffic and parking impacts;
- Ease of access for pedestrians and cyclists;
- The potential for noise disturbance for residents or businesses in close proximity;
- Consultation with the RCMP and Bylaw Enforcement to determine if there are any public safety or security concerns;



- The characteristics of the neighbourhood in which the establishment is proposed, including population growth, demographic profile, whether or not densification is occurring, mix of land uses and any other factors that staff believes are relevant to comment upon for a specific application to help determine community need and impact.

For applications to amend existing Liquor-Primary Licenses and Food-Primary Licenses, including increasing the hours of operation during which liquor is served, adding or expanding an outside patio, adding a lounge, increasing patron capacity or allowing patron participation entertainment, the staff report will address the following:

- The use or uses in immediate proximity to the proposed location;
- The location of the closest public transit, the frequency of service and the hours of service;
- Traffic and parking impacts;
- Ease of access for pedestrians and cyclists;
- The potential for noise disturbance for residents or businesses in close proximity;
- Consultation with the RCMP and Bylaw Enforcement to determine compliance history and if there are any public safety or security concerns;
- The characteristics of the neighbourhood in which the establishment is proposed, including population growth, demographic profile, whether or not densification is occurring, mix of land uses and any other factors that staff believe are relevant to comment upon for a specific application to help determine community need and impact.

3. Council Resolution Application Evaluation Criteria

Council may consider the following when providing a resolution with respect to an application for a new liquor license, or an amendment to an existing license:

- Location of the establishment (comment e.g.: The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated);
- Proximity of the establishment to other social or recreational facilities and public buildings (comment e.g.: The only nearby social, recreational and public buildings do not conflict with the operation of a late night entertainment venue. -or- The



proposed location is across a lane from a church with an attached retirement facility and church hall routinely used for youth group gatherings. The proximity of the proposed establishment is not considered compatible with the existing facilities);

- The person capacity and hours of liquor service of the establishment (comment e.g.: The maximum person capacity of 250 with closing hours of 2:00 a.m. Tuesday through Saturday and midnight on Sunday is acceptable. A larger capacity or later hours is not supported given the few number of police on duty at that time);
- The number and market focus of clientele of the liquor primary license establishments within a reasonable distance of the proposed location (comment e.g. The existing establishments are large pub style establishments that focus on entertainment or are nightclubs that attract patrons 19 to 25 years of age. The proposed establishment is a local pub style facility with an extensive menu and is designed to appeal to couples wanting a quiet adult venue for socializing in their community. There are no other (or few other) facilities with a similar focus);
- Traffic, noise, parking and zoning (comment e.g.: The establishment is not expected to negatively affect traffic patterns and noise is not expected to be an issue because of the size and early hours -or- the applicant has agreed to various noise baffling strategies to ensure the neighbours are not disturbed by late night music. The applicant has met the requirements of the zoning bylaw with regard to road access and parking);
- The impact on the community if the application approved (comment e.g.: If the application is approved, the impact is expected to be positive in that it will support the growth in tourism and offer a new social venue to residents).

4. Views of Residents

Comments regarding the views of residents will include the following:

- Description of the views of residents;
- The method used to gather the views;
Example: The view of residents within 122 metres of the proposed establishment are gathered by way of written comments that are received in response to a mail out; or public notice posted at the site; or newspaper advertisement. Residents are given 30 days from the date of the notice to provide their written view. Residents are also

given an opportunity to provide comments at the public meeting of Council when the liquor license application is before Council.

- Comments and recommendations with respect to the views.

5. If Council chooses to not provide input

If Council does not wish to provide input they may opt out of providing input on the application under review by providing a resolution indicating one of the following:

- Council does not wish to provide input on any license application;
- Council only wishes to provide input on certain types of license applications;
- Council does not wish to provide input on a particular application.

6. If Council chooses to opt out of providing input the LCLB will:

- Gather the views of residents if issuing or amending a license may affect them; and
- Consider the regulatory criteria by requesting additional information from Council.

If Council chooses to provide input, but cannot do so within the prescribed 90 day timeframe, Council may request an extension in writing to the General Manager of LCLB before the end of the 90 day prescribed timeframe. If an extension is granted, the LCLB will provide written authorization to Council.

4. Exclusions

Special Occasion Licensing:

Special occasion licenses are regulated by the LCLB, but issued by the Liquor Distribution Branch through BC Liquor Store Managers.

The RCMP must sign the special occasion application form and indicate on the form they are signing on behalf of the local government in addition to their own approval.

5. Policy

This policy is intended to provide the procedure and criteria that Council will consider when a liquor license application is referred to the City for review and comments by the BC Liquor Control and Licensing Branch.