

# Staff Report to Council

Community Development

FILE: 09/4320/09-2019

**DATE:** July 18, 2019

**Date of Meeting** – July 23, 2019

**TO:** Mayor and Council

**FROM:** Lisa Grant, Director of Community Services

**SUBJECT:** **Change to a Liquor Licence, and Hours of Operation for Phat Bird Neighbourhood Public House**

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**RECOMMENDATION(S):** THAT Council:

- A. Direct staff to forward the following comments, with a signed copy of the applicable form, to the British Columbia Liquor and Cannabis Regulation Branch in response to the application for changes to a liquor license for the Phat Bird Neighbourhood Public House located at 4-19040 Lougheed Highway:
  - A.1 **The location of the establishment:**  
The property the establishment is located on is zoned C-2 (Neighbourhood Centre Commercial) which permits the use for Restaurant and Liquor Retail.
  - A.2 **The person capacity and hours of liquor service of the establishment:**  
The maximum person capacity for the establishment is 350 including the patio. The hours of service 9:00 a.m. to 2:00 a.m. Monday through Sunday are acceptable.
  - A.3 **The impact of noise on the on nearby residents:**  
There are residential uses immediately adjacent to the property. There is the potential for noise impacts on the patio. The patio use will need to be monitored.
  - A.4 **The impact on the community if the application is approved:**  
Minimal impacts on the community have been identified. Patio use and parking will need to be monitored.
  - A.5 **The view of the residents and the description of the method used to gather views:**  
In response to this application, correspondence was sent to 694 property owners and residents within a prescribed distance advising of the nature of the

liquor licence, how further information could be obtained, and the manner in which they may comment on the application.

Fifteen (15) written responses were received. Six (6) responses were in support of the application. Nine (9) responses were not completely against the application but noted concerns about potential noise issues.

The Pitt Meadows Fire Department and Ridge Meadows RCMP have no concerns.

**A.6 Council comment on the view of residents:**

The new establishment will attract different patrons than the previous establishment. The change in hours will allow for a family friendly establishment. Existing parking has not changed and is adequate. With the proximity of residential uses, noise will be monitored.

**CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:**



**PURPOSE**

To bring forward for Council's information and comment, an application for a change to a liquor licence to permit a change of hours of liquor service for Phat Bird Neighborhood Public House (formerly Roosters Country Cabaret).

☐ Information Report

☒ Direction Report

☐ Decision Report

**DISCUSSION**

**Background:**

This application is for 4-19040 Lougheed Highway, formerly Roosters Country Cabaret. The applicant, The William Public House Ltd., is applying to the Liquor and Cannabis Regulation Branch (LCRB) for a change of business operating hours to allow for day time hours. The new business is Phat Bird Neighbourhood Public House, which is intended to be a dynamic upscale pub establishment. The William Public House Ltd. has several establishments in neighbouring municipalities. This establishment is designed to have a modern pub feel similar to others in the area such as Townhall Public House in Maple Ridge and Oak and Thorne Neighbourhood Public House in Langley. There will be extensive food service available with a commercial grade kitchen. The proposed occupancy for the establishment is unchanged from the previous use and is up to 350 persons, including staff and occupancy on the patio area. According to Attachment B Letter of Intent, there will be no off-sales of liquor from this location.

**Liquor Service Hours Requested:**

The proposed hour changes are from 9:00 am to 2:00 am Monday to Sunday (Table 1). The proposed revision of hours is to provide all-day food services which will cater to the diverse population and business community in and around Pitt Meadows.

### **Proposed Hours of Liquor Service:**

Table 1

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN	9:00 A.M	9:00 A.M	9:00 A.M	9:00 A.M	9:00 A.M	9:00 A.M	9:00 A.M
CLOSED	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.

The current hours (Table 2) are imposed by the City of Pitt Meadows Business Licensing and Regulation Bylaw restrictions for a cabaret licence. The LCRB does not restrict the hours of a primary liquor licence. The applicant is applying to the City to change the licence from cabaret to liquor primary, which has no limits on the hours. A licence will be issued according to the requirements in the *Liquor Control and Licensing Act*.

### **Current House of Liquor Service:**

Table 2

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN	4:00 P.M.	4:00 P.M.	4:00 P.M.	4:00 P.M.	4:00 P.M.	4:00 P.M.	4:00 P.M.
CLOSED	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	2:00 A.M.	Midnight

### **Change to Hours of Liquor Service Application**

The LCRB requires the City of Pitt Meadows to provide a resolution (in a prescribed format) to address their regulatory requirements and to consider and comment on the change to hours of liquor service, concerning the following criteria:

- Gather public input from the community in the immediate vicinity of the proposed endorsement service area(s)
- Consider these factors which must be taken into account when providing resolution/comment:
  - The location of the establishment
  - The person capacity and hours of liquor service of the establishment
- Provide a resolution/comment with comments on:
  - The impact of noise on nearby residents
  - The impact on the community if the application is approved
  - The view of residents and a description of the method used to gather views
  - The Local Government recommendations (including whether or not the application be approved) and the reasons on which they are based

### **Council Policy C023, Liquor License Application:**

As a courtesy, the LCRB will consider the input from local government. Council Policy C023 establishes the process to be followed by staff when presenting applications to Council. Staff gathered the views of

property owners and residents that may be impacted. Notification (Attachment C) was mailed to properties in the urban area located within a 122 metre (400 feet) radius of the establishment and to properties in the rural area located within 488 metre (1601 feet) radius of the establishment.

A total of 694 notices were mailed out, and staff received 15 written responses (Attachment D).

**Residence Comments:**

Six of the responses support the proposed change of hours and considered the new establishment an excellent addition for the surrounding community and businesses. Residents welcome the opportunity to be able to walk to the establishment and the option to enjoy breakfast, lunch or dinner.

Nine residents opposed to the change of hours do not feel it is necessary to serve liquor at 9:00 am and are against extension of hours to 2:00 am on Sundays. Some responses asked for the City to consider limiting the hours to midnight Monday through Sunday. The opposition stems from the negative impact the previous establishment had on their neighbourhood. It is important to note that the new establishment is a pub, not a nightclub/cabaret.

Staff also referred the application to the Ridge Meadows RCMP and the Pitt Meadows Fire Department. No concerns were received and they are okay with proposed amendments to the liquor licence.

**Relevant Policy, Bylaw, or Legislation:**

Council Policy No. C023 – Liquor Licence Application (Attachment E) applies to local government resolutions required by the Province of British Columbia, LCRB, for new or amended liquor primary and food primary liquor licences. The General Manager of the LCRB issues liquor licences under the authority of the *Liquor Control and Licensing Act and Regulations*.

**Analysis:**

Staff is recommending that Council support the change of hours to Liquor Primary Licence #175368 as identified in the application and shown in Table 2 and that a certified copy of the resolution be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch.

**COUNCIL STRATEGIC PLAN ALIGNMENT**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Corporate Excellence            | <input checked="" type="checkbox"/> Economic Prosperity | <input type="checkbox"/> Community Livability |
| <input type="checkbox"/> Transportation & Infrastructure | <input type="checkbox"/> Not Applicable                 |   |

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**FINANCIAL IMPLICATIONS**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Budget Previously Approved    |
| <input type="checkbox"/> Other           | <input type="checkbox"/> Referral to Business Planning |

**PUBLIC PARTICIPATION**

☐ Inform      ☒ Consult      ☐ Involve      ☐ Collaborate      ☐ Empower

**Comment(s):**

As per Council Policy C023, upon receipt of the application from the Liquor and Cannabis Regulation Branch, Staff proceeded with the public consultation process. Notification was provided by way of a letter mailed to properties in the urban area located within a 122 metre (400 feet) radius of the establishment and to properties in the rural area located within 488 metre (1601 feet) radius of the establishment.

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**KATZIE FIRST NATION CONSIDERATIONS**

Referral      ☐ Yes      ☒ No

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**SIGN-OFFS**

Written by:

Reviewed by:

Chantal Gemperle, Supervisor of Building  
& Bylaws, Licensing Inspector

Alex Wallace, Manager of Community  
Development

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**ATTACHMENT(S):**

- A. Application for a Permanent Change to a Liquor Licence
- B. Letter of Intent
- C. Notification Letter to Residents
- D. Response Emails from Citizens
- E. Council Policy C023 – Liquor License Application



Liquor and Cannabis Regulation Branch  
400-645 Tyee Road, Victoria, BC V9A 6X5  
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8  
Phone: 1 866 209-2111 Fax: 250-952-7066

# APPLICATION FOR A PERMANENT CHANGE TO A LIQUOR LICENCE ALL LICENCE TYPES

Liquor and Cannabis Regulation Form LCLB005B

## Instructions:

Complete all applicable fields and submit with the required documentation, if applicable, and payment as outlined in Part 9 of this application form. If you have any questions about this application, call Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111.

## Licensee Information

Licensee name (as shown on licence):

Establishment name (as shown on licence):

Establishment Location address (as shown on licence):  
     
Street City Province Postal Code

Mailing address: (All correspondence will go to this address)  
     
Street City Province Postal Code

Business Tel with area code:  Business Fax with area code:

Business e-mail:

Contact Name:  Title/Position:   
last / first / middle

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCRB101 Add, Change or Remove Licensee Representative

## Contact Person

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name:  Phone number:

E-mail address:

## Type of Change Requested

Please check (☒) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. An incomplete application will be held for a maximum of thirty (30) days. If still incomplete after the thirty (30) day period, the application may be terminated. See Part 12 for the approval process for the change you have requested.

Type of change requested	Licence numbers affected (Mandatory)	Job Number (Office Use Only)
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)	<input type="text"/>	(C2-LIC) (sub)
<input type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)	<input type="text"/>	(C2-LIC) (sub)
<input type="checkbox"/> 3. Request for change in terms and conditions/request for discretion (p.2)	<input type="text"/>	(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)	<input type="text"/>	(C3-LIC) (sub)
<input checked="" type="checkbox"/> 5. Change to hours of liquor service (p.3)	<input type="text" value="173568"/>	(C3-LIC) (sub)
<input type="checkbox"/> 6. Catering endorsement (p.4)	<input type="text"/>	(C3-LIC) (sub)
<input type="checkbox"/> 7. Temporary off-site sale endorsement (p.4)	<input type="text"/>	(C2-LIC) (sub)

## Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCRB012A; for Food Primary, use LCRB012B; for Manufacturer and Winery Endorsements, use LCRB013; for Wine Store and Licensee Retail Store, use LCRB012C.
- To apply to have a third party operator operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCRB026)
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCRB005A).

**Part 1: Establishment or Business Name Change and/or Licence Name Change**

C2 - LIC

To be completed when the licensee wishes to change the name of an establishment or business and/or licence.

**Note:** If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x

licences = \$

Establishment or business name change:

Current establishment or business name as shown on licence:

Proposed name:

Licence name changes:

Licence #:

Current licence name:

Proposed licence name:

Licence #:

Current licence name:

Proposed licence name:

Attach the following:

☐ Sketch or picture of the proposed establishment or business signage.

Also complete Parts 8 and 9

**Part 2. Entertainment Endorsement (Food Primary licenses only)**

C2 - LIC

According to the type of entertainment being applied for, complete below and attach required documents:

Patron participation entertainment endorsement (e.g., dance floor):

**Note:** Patron participation entertainment must end by midnight.

Fee: \$330 per licence x

licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.☐ Request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form. For further information on local government resolutions, read Part 10).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCRB in Victoria. (see contact information on page 1 of this form).

**Note:** When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCRB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☐ No

Also complete Parts 8 and 9

**Part 3. Request of Change in Terms and Conditions/Request for Discretion**

C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests for discretion.

Depending on the nature of the licence change requested, local government/first nation (LG/FN) and public input may be required.

Complete A and B:

Fee: \$220 per licence x

licences = \$

A) Type of Request:

☐ Hours extension outside permitted hours of liquor service - Also complete Part 5☐ Change to event driven term and condition - requires LG/FN resolution - LG/FN must complete Part 11☐ Change or close of primary business with a liquor licence onsite☐ Other

B) Attach:

A letter of intent describing, in detail, the proposed change to your licence. To request discretion, provide a written submission detailing compelling reasons/exceptional circumstances for your request and why a request for discretion should be approved. All documentation to support your request for discretion must be submitted with this application.

Also complete Parts 8 and 9

**Part 4. Live theatres requesting liquor service in conjunction with films/broadcasts**

C3 - LIC

Fee: \$330

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request. LCRB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

Also complete Parts 8 and 9

**Part 5. Change to Hours of Liquor Service**

C3 - LIC

Licensees may apply to revise hours of liquor service, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing.

Check (✓) the appropriate change, and provide the requested information and documents:

**A) Food Primary**

- ☐ Request to change hours of liquor service between 9am - midnight    Fee: \$220 per licence x  licences = \$   
     • complete proposed hours of liquor service table below
- ☐ Request to extend hours of liquor service between midnight - 4am    Fee: \$330 per licence x  licences = \$   
     • complete proposed hours of liquor service table below  
     • if requesting to extend hours outside of 9am - 4am, also complete Part 3  
     • request a local government resolution - local government must complete Part 11 of this form.

**B) Liquor-Primary, manufacturer lounge or special event area**

- ☐ Request to change the hours of liquor service within the hours currently approved:  
     • complete proposed hours of liquor service table below    Fee: \$220 per licence x  licences = \$
- ☒ Request to change the hours of liquor service outside the hours currently approved:  
     • complete proposed hours of liquor service table below    Fee: \$330 per licence x  licences = \$   
     • if requesting to extend hours outside of 9am - 4am, also complete Part 3  
     • request a local government resolution - local government must complete Part 11 of this form.

**C) Licensee Retail Store/Wine Store**

- ☐ Request to extend hours outside of 9am - 11pm  
     • complete proposed hours in table below  
     • complete Part 3

Complete the tables below, indicating current and proposed hours of liquor sales:

**Current Hours of Liquor Service:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Closed	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Proposed Hours of Liquor Service:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Closed	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Note:** When relocating a Food-Primary establishment: An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☒ No

Also complete Parts 8 and 9



## Part 6. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (excluding liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x  licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

**Note:** If a licence is approved with a catering endorsement, the licensee must notify LCRB of all catered events (except in private residences) using OneStop ([www.bcbusinessregistry.ca](http://www.bcbusinessregistry.ca)). Some events may require approval from LCRB before the catered event can take place. Further information about how to notify LCRB will be provided by your local liquor inspector when they complete their final inspection.

LCRB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering endorsement. A fee of \$200 will be charged if a second (2<sup>nd</sup>) inspection is required.

Also complete Parts 8 and 9

## Part 7. Temporary Off-Site Sale Endorsement (Licensee Retail Store & Wine Store licences only)

Licensee retail store (LRS) licensees and wine store (WS) licensees may apply for a temporary off-site sale endorsement to permit the sale of packaged liquor in conjunction with a Special Event Permit (SEP) event that has a focus on food and/or beverage tasting (e.g., a wine festival).

A temporary off-site store can only operate during the festival days and hours but liquor sales cannot take place before 9am or after 11pm. The LRS or WS licensee must have an agreement with the SEP licensee and confirm with the SEP licensee that Local Government /First Nations permits the sale of packaged liquor products for off site consumption at the SEP event. Wine store licensees can only sell the range of products permitted by their store licence.

No Fee

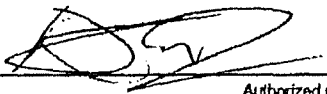
**Note:** If a licence is approved with a temporary off-site sale endorsement, the licensee must notify LCRB for each temporary off-site store they will be operating by submitting a complete Temporary Off-site Sale Authorization form (LCRB091) by fax or email 14 calendar days prior to the SEP event. A copy of LCRB091 form can be found on our website. An event specific authorization will be issued.

Also complete Parts 8 and 9

## Part 8: Declaration

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature:   
Authorized signatory of the licensee

Name:   
(last / first / middle)

Position:   
(If not an individual)

Date:   
(Day/Month/Year)

**Note:** An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCRB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

**Part 9: Application Fees**

Total Fee Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (X) one):

- ☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- ☐ Money order, payable to Minister of Finance
- ☐ Credit card: ☐ VISA ☐ MasterCard ☐ AMEX
- ☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
- ☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

**Part 10: Local Government/First Nation Resolutions: (Information for the Applicant)**

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2: Food-primary patron participation entertainment endorsement, and
- Parts 5(A) and (B): Change to hours of sale
- Part 3: Change to event driven term and condition

Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- Request your local government/First Nation to sign and date Part 11 of this form.
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor and Cannabis Regulation Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor and Cannabis Regulation Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. If they indicate on the form that they opt out of providing comment, submit your application to LCRB.

**Credit Card Information (To be submitted by fax or mail only)**

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

(Year)

Signature: \_\_\_\_\_

### Part 11: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor and Cannabis Regulation Branch (LCRB) that an application for one or more of the following changes to a liquor licence has been made within your community:

- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, manufacturer lounge or special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.
- Change to event driven term and condition.

Local government/First Nation (name):

Name of Official:

( last / first / middle )

Title/Position:

Email:

Phone:

Date Received:

(Day/Month/Year)

Signature of Official: \_\_\_\_\_

Check here if LG/FN will not be providing comment: ☐ Yes, opting out of comment

**Note:** The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? ☐ Yes ☐ No

#### Instructions for Local Government/First Nation (LG/FN)

The Branch requests that you consider this application (application form and floor plan) and provide the Branch with a resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.
- Branch staff and LG/FN staff will advise each other if there are any concerns with the proposed application.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
  - The location of the establishment.
  - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
  - The impact of noise on nearby residents.
  - The impact on the community if the application is approved.
  - If the application is to amend a Food Primary licence, whether the amendment will result in the service area being operated in a matter that is contrary to primary purpose
  - The view of residents and a description of the method used to gather views.
  - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

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## Part 12: Application and Approval Process – What happens next?

For the following change requests (all C2):

- Part 1 Establishment or Licence Name Change
- Part 2 Food-Primary Entertainment Endorsement (requires local government/First Nations resolution).
- Part 8 Temporary Off-site Sale Endorsement

The process is:

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor and Cannabis Regulation Branch.
3. Liquor and Cannabis Regulation Branch (LCRB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCRB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change requests:

- Part 3 Change to Terms and Conditions and Request of Discretion (all C2)
- Part 4 Live theatres requesting liquor service (all C2)
- Part 5 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 9 and 10, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor and Cannabis Regulation Branch.
3. Liquor and Cannabis Regulation Branch (LCRB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCRB staff may request your local liquor inspector to provide comments regarding your application.
5. LCRB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change request:

- Part 6 Catering Endorsement (all C1)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 9 and 10, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor and Cannabis Regulation Branch.
3. Liquor and Cannabis Regulation Branch (LCRB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. If the application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection. Before contacting the inspector for the interview/final inspection, the applicant must have the inspector interview letter.  
**Note:** The applicant must contact the local area inspector to arrange for a final inspection by the date noted on the letter (30 days from the date on the letter). If the inspector is not contacted to arrange for a final inspection or for an extended time, the application will be terminated.
5. At your final inspection, the inspector will verify that your business location meets the requirements for a catering licence by reviewing the food selection, the kitchen equipment, advertising and staffing resources. If the inspector is not satisfied your business location meets the requirements of a catering licence you may be asked to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering licence. A fee \$200 will be charged if a second (2<sup>nd</sup>) inspection is required.
6. LCRB staff will advise the applicant and the liquor inspector when the application is approved.

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## Part 13: Submit Application Package

Once signed by local government/First Nation, submit your complete application package to:

Liquor and Cannabis Regulation Branch  
Courier: 400-645 Tyee Road, Victoria BC V9A 6X5  
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8  
E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

If you have any questions, contact us toll-free at 866-209-2111 or email us at [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca). Visit our website for more information: [www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing)

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

**APPLICATION FOR THE CHANGE OF HOURS AT PHAT BIRD**

**AT: PHAT BIRD NEIGHBOURHOOD PUBLIC HOUSE  
UNIT 4-19040 LOUGHEED HIGHWAY,  
PITT MEADOWS, BC V1M 2Y4**

**APPLICANT: THE WILLIAM PUBLIC HOUSE LTD.**

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**LETTER OF INTENT FOR THE  
APPLICATION FOR THE CHANGE OF HOURS AT PHAT BIRD  
JUNE 5, 2019**

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**Submitted to:**

**Liquor Control & Licensing Branch  
400-65 Tyee Road  
Victoria, B.C.V9A 0B4**

**Submitted by:**

**Rising Tide Consultants Ltd.  
1620 - 1130 West Pender Street,  
Vancouver BC V6E 4A4  
Tel: (604) 669-2928  
Fax: (604) 669-2920**

## APPLICATION FOR A CHANGE OF HOURS TO A LIQUOR PRIMARY LICENCE

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### **INTRODUCTION**

The applicant is applying for a change of hours within the establishment to be able to open during the day. At this time, the business licence is registered as a Cabaret which does not allow earlier hours than 4pm. We therefore would like to open during the day and change the category to a liquor primary establishment instead. We therefore, wish to change the hours to 9am to 2am, seven days a week, to allow the establishment to more fully support the needs of the community.

Our plan is to create a pub with a modern pub culture to serve the business and residents of the immediate community. The proposed liquor primary licensed area is for a pub-style establishment with a interior capacity of approximately 350 persons (including staff).

Phat Bird is a fun, dynamic upscale liquor primary establishment which will cater to the diverse population and business community of the Pitt Meadows area. The applicant will draw guest such as tourists within the area along with local residents from the Maple Ridge, Coquitlam and Pitt Meadows.

The current hours of licensing for the liquor primary area are 4pm. to 2:00 a.m., Monday through Saturday and 4pm to Midnight on Sunday.

The entertainment in this pub will include background music along with some live entertainment that will support the local musician community. Additionally, there will be TV monitors available for guests to enjoy occasional sporting events. This pub will provide exceptional food and beverage service in a modern pub culture environment. The applicant will ensure compliance with the Liquor Control & Licensing Branch policy on the requirements for separation of a liquor primary and food primary licensed establishment.

### **OTHER FACTORS**

The applicant also submits the following additional factors for consideration:

- The size of the proposed venue is approximately 350 persons;
- The venue is for an modern pub concept and will not be a nightclub;
- There will be extensive food service available and a commercial grade kitchen;
- The applicant is an experienced operator with various established Town Halls, Pubs and Public Houses in various communities in British Columbia and Alberta.

## CITY OF PITT MEADOWS

## APPLICATION FOR PERMANENT CHANGE OF HOURS FOR THE SALE OF LIQUOR

The City of Pitt Meadows gives notice that it is seeking public opinion of the following Liquor Licence Amendment application.

Applicant: The William Public House Ltd.

Establishment Location: Unit 4 19040 Lougheed Highway, Pitt Meadows, BC (former Rooster's Cabaret)

Proposed Use: Upscale Pub Style Establishment

## Current Hours of Liquor Sales:

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN	4:00 pm	4:00 pm	4:00 pm	4:00 pm	4:00 pm	4:00 pm	4:00 pm
CLOSED	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	MIDNIGHT

## Proposed Hours of Liquor Sales:

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
CLOSED	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am

For further information or clarification on the proposed application for *Permanent Change to a Liquor Licence*, contact Chantal Gemperle, Licensing Inspector at 604-465-2460 between 8:30 am and 4:30 pm Monday to Friday.

Persons who would like to make comment on this application are requested to make written submissions in the form of a letter addressed to Chantal Gemperle, Licensing Inspector, 12007 Harris Road, Pitt Meadows, BC, V3Y 2B5 or via email to [cgemperle@pittmeadows.ca](mailto:cgemperle@pittmeadows.ca). Please note that all submissions will be considered public document and all information contained in it will be publicly available.

Written submissions will be accepted until 4:30 pm on Friday June 28, 2019

**Chantal Gemperle**

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Attachment D

**From:** [REDACTED]  
**Sent:** June-22-19 11:22 AM  
**To:** Chantal Gemperle  
**Subject:** The William Public House Liquor hours

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My husband and I live on McMyn rd and totally approve of the new establishment and liquor hours we are both in our late 30s and early 40s and would benefit from this greatly.

Thank you kindly,  
[REDACTED]



## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-21-19 6:01 PM  
**To:** Chantal Gemperle  
**Subject:** William Public House Ltd - proposed application

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Gemperle,

I am writing to you to show my family's support of The William Public House's application for a permanent change of hours for the sale of liquor.

This is a must have for this community and it would be disappointing if it was not approved.

Cheers,

[REDACTED]

## Chantal Gemperle

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**From:** [REDACTED]  
**Sent:** June-28-19 12:51 PM  
**To:** Chantal Gemperle  
**Subject:** William Public House new proposed hours of operation

When this was Roosters the music was much too loud and echoed thru the building right behind it. I am opposed to earlier liquor selling time.

And the amount of days they work are open until 2 a.m.

Also the amount of yelling and screeching of cars every night was very disturbing

And waking people up. I am in all favor of an establishment that closes by midnight 5 days a week and hopefully they won't be blaring their music and base as loud as roosters did. So 9 a.m. liquor license is too early.

It has been so peaceful since rooster closed. I hope your council takes into consideration the fact that people live close by and would like to enjoy their living accommodations as well.

Thank you

Sent from my iPad

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-24-19 1:01 PM  
**To:** Chantal Gemperle  
**Subject:** The William Public House Proposed Liquor Sales

Good Afternoon Chantal,

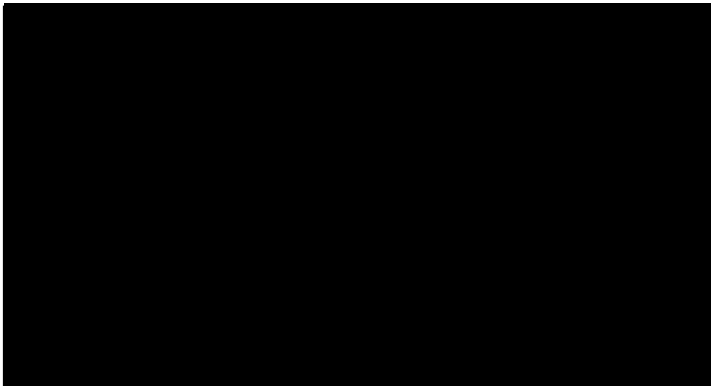
I recently received your letter to my home in the complex behind the old Roosters establishment requesting any comments on the proposed hours of liquor sales.

I think this is a fantastic opportunity for the surrounding community and business' located in the Meadowvale Shopping Centre. I would love to have an 'upscale pub style establishment' within walking distance that allows for breakfast/lunch/brunch options (eggs benedict with the option of a caesar or mimosa sounds incredibly appealing personally!).

I completely support this change and hope it allows for businesses and residents to enjoy the proposed establishment.

Thank you very much for engaging residents and asking for feedback in the area.

Wishing you and The William Public House Ltd. much success!



## Chantal Gemperle

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**From:** [REDACTED]  
**Sent:** June-25-19 7:08 PM  
**To:** Chantal Gemperle  
**Subject:** Liquor license amendment

RE: Upscale Pub Style Establishment - #4 19040 Loughheed Hwy

Hello Ms Gemperle

As a not only, a resident of Pitt Meadows but also the owner of an apartment behind the building in question, my husband and I not only agree with the new proposed hours of Liquor Sales but welcomes the new establishment to the community!

Thank you,

--

[REDACTED]

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-25-19 5:33 PM  
**To:** Chantal Gemperle  
**Subject:** Upscale pub style establishment

Hi Chantal,

We received the letter from the city of Pitt meadows regarding the opening of a new restaurant where roosters once was.

We live and are owners of unit 213 in building 12655 190a st, facing the brick. We write to you in concern about the hours of this new establishment. When roosters was open we often had patrons out in the brick parking lot keeping us up until all hours of the morning, drinking, shouting, fighting, urinating, fornicating, and getting sick. We understand the location we bought and that this would happen from time to time. Our concern was that roosters would never do anything about it and it would keep us and our neighbours up multiple times a week. We had called them any times about fights and people passed out in the parking lot for them just to say it wasn't their problem. We also called the police for the people who were unconscious.

We were relieved when roosters shut down as that meant we would finally have some peace during the night (mondays and Tuesday's where the best when it wasn't open!) we are a young couple who are trying to start a family and my concern is that when this new pub opens the same problems will arise.

So moving forward, If this pub will be open until 2 am everyday. I would love to see them provide the neighbourhood with some Sort of security to get people moving along after they are closed.

Otherwise young families with children will be forced to move out of this area due to the noise.

Thank you for your time and we hope to see the parking lot better managed once they open.

[REDACTED]  
Sent from my iPhone

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-27-19 8:02 AM  
**To:** Chantal Gemperle  
**Subject:** The Williams Public House Ltd

Hello

I am in agreement with the new proposed liquor sale hours as noted in correspondence recently received.

Best regards

[REDACTED]

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-25-19 9:06 AM  
**To:** Chantal Gemperle  
**Subject:** William Public House Liquor License

Hello Chantal,

I am writing following the letter I received related to the Permanent Change of Hours for the Sale of Liquor for the William Public House. I am a homeowner and resident on 190A Street in Pitt Meadows, which is the street right behind/south of the William Public House. I have no concerns regarding most of the proposed amendments, however I feel very strongly against having the sale of liquor until 2:00am on Sunday evenings.

When that location was Rooster's Cabaret, we regularly dealt with drunk individuals stumbling loudly down the street from Roosters at all hours of the evening, especially prevalent from about midnight to 3:00am. This included noise issues, as well as litter and other disturbances from intoxicated patrons of Roosters. I am fairly reasonable and can live with that on a Friday or Saturday night, however I don't want to have to deal with that on a Sunday evening when I'm trying to rest for work the next day. There are many young families and professionals on our street, and I would really prefer that the request for 2AM alcohol service not be granted on Sundays. I suspect I'm not alone in this.

I literally am supportive of all the proposed amendments with the exception of extended service until 2:00am on Sundays.

Thank you for the opportunity to provide feedback.

--  
Regards,

[REDACTED]

\*Please don't print this e-mail unless you really need to.

## Chantal Gemperle

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**From:** [REDACTED]  
**Sent:** June-28-19 10:53 AM  
**To:** Chantal Gemperle  
**Subject:** William public house liquor application

To whom it may concern,

As an owner and resident of Cedar Downs condo complex, situated at the rear of this establishment, I am aware of issues we have had in the past with noisy patrons and parking issues on our property in the early hours of the morning coming from this establishment. I knew there was to be some type of public house reopening in this location but really don't see the need for 2am closures 7 days a week. I am by no means against having a local pub within walking distance. Lots of other drinking establishments situated in close proximity to residential property are restricted in hours and still seem to flourish. In conclusion I am against the after midnight closing time on their application.

Regards,

[REDACTED]

Sent from my iPad



## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-28-19 9:35 AM  
**To:** Chantal Gemperle  
**Subject:** Extended Hours

We live at #312 12565 190A Street bordering on MacLean Park. Over the past six years the noise levels for intoxicated customers has been minimal. However we don't see a 9:00 am opening appropriate for a mostly residential neighborhood.

Who needs to consume alcohol that early in the day.

[REDACTED] [REDACTED]

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-24-19 12:47 PM  
**To:** Chantal Gemperle  
**Subject:** application for permanent change of hours for the sale of liquor

in my opinion:

> Just because the public house is 'upscale' shouldn't mean lots more hours of liquor sales.

>

> Keep the current hours of liquor sales, thanks.

> Sent from my iPad

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-27-19 10:19 AM  
**To:** Chantal Gemperle  
**Subject:** change in hours for The William Public House

Chantal:

Thank you for returning my phone call and clarifying my questions. Now that I know that the new owners will be changing from “cabaret” to ‘family orientated’ establishment – I now approve the change in hours.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-21-19 5:47 PM  
**To:** Chantal Gemperle  
**Subject:** hours for liquor service The William Public House Ltd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Chantal Gemperle, Licensing Inspector. Re: Your letter re - "Application for permanent change of hours for the sale of liquor". We had hoped to get a family style restaurant in place of the Roosters cabaret, so it is disappointing to hear that it will be an "Upscale Pub". Serving liquor at 9:00 am seems unreasonable! The previous start time of 4:00 should be early enough for 'upscale' dining and a drink. Rather than extending the hours, I would suggest that the finish time be rolled back to 12:00 or 1:00 am. The cabaret was noisy, and the residents of Cedar Downs condominiums (and probably all other residences in the immediate area) were frequently disturbed by loud music and rowdy patrons coming out into the cul de sac right at our driveway. Such a late closing time will impact a lot of people who have to go to work, and whose children still need to get up for school. Sleep is so important!! I hope you will consider those of us who live so close to this facility.

[REDACTED]

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-23-19 7:51 PM  
**To:** Chantal Gemperle  
**Subject:** feedback re The William Public House Ltd.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms Gemperle,

I'm responding to the notice given by The City of Pitt Meadows seeking public opinion of the Liquor Licence Amendment application by "The William Public House Ltd." for the establishment at Unit 4, 19040 Lougheed Highway, Pitt Meadows, BC (formerly Rooster's Cabaret).

I am very much **against** this amendment. Even with existing hours of liquor sales, Rooster's was a problem in terms of noise and undesirable behavior outside, esp. in the alley behind the structure.

I believe a 10:30 or 11:00 a.m. "open" is more appropriate along with a 2:00 a.m. "closing" except for Sunday, which I believe should be 11:00 p.m..

Thank you for reading my submission.

[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

## Chantal Gemperle

---

**From:** [REDACTED]  
**Sent:** June-28-19 1:36 PM  
**To:** Chantal Gemperle  
**Subject:** Hours for Liquor Sale at The William Public House

To Chantal Gemperle,

As nearby residents to the location that is to become this restaurant, we feel that 9 am is a bit early for liquor service to begin. 11 am is a time we have come across in places and feel is better suited starting time for liquor service.

Regards,

[REDACTED]

## COUNCIL POLICY C023

## 09 - Legislative &amp; Regulatory Affairs

**Liquor License Application**

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

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**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.

**1. 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.