

POLICY DIRECTIVE NO. G-33

SUBJECT: ANCILLARY SERVICE OF LIQUOR

APPROVAL DATE: June 4, 2019 LAST REVIEW DATE: _____

REFERENCE: Liquor Control and Licensing Act

A. PURPOSE

This policy is intended to guide future applications for the service of alcoholic beverages for consumption that is ancillary to a principal business on the same business premises, and clarify the roles of City of Chilliwack (“City”) and the City’s administration in applications before the Provincial Liquor and Cannabis Regulation Branch (“LCRB”), of which the City may receive notice pursuant to the *Liquor Control and Licensing Act* (the “Act”) and the *Liquor Control and Licensing Regulation* (the “Regulation”).

B. SCOPE AND APPLICATION

This policy applies to a new liquor licence application to the Liquor and Cannabis Regulation Branch (LCRB) or an application to amend an existing licence.

C. RELATED BYLAW

An applicant for a liquor service use or business, for the service of alcoholic beverages for consumption that is ancillary to a principal business on the same business premises, must comply with the following bylaws, as amended or replaced from time to time, in addition to having a liquor licence from the LCRB:

“Zoning Bylaw 2001 No. 2800”

“Official Community Plan Bylaw 2014, No. 4025” (development permits)

“Business Licence Bylaw 1990, No. 1484”

“Ancillary Liquor Service Regulation Bylaw 2019, No. 4701”

D. APPLICATION FOR NEW LIQUOR LICENCES

1. An applicant must contact the City of Chilliwack Planning and Strategic Initiatives Department (the “Planning Department”) and submit any required applications for a business licence, building permit and approvals under Part 14 of the *Local Government Act* before submitting an application for a business licence for the service of alcoholic beverages for consumption that is ancillary to a principal business on the same business premises.
2. Upon receipt of an LCRB Liquor Licence application, staff will prepare a preliminary review of the summary report which takes into consideration:

D. APPLICATION FOR NEW LIQUOR LICENCES (continued)

- (a) any applications for a building permit or applications under Part 14 of the *Local Government Act*;
 - (b) comments from the RCMP, Fire Department, Planning Department, and Development and Regulatory Enforcement Services Department (Development Department); and,
 - (c) any rezoning requirement, or requirements for other applications under Part 14 of the *Local Government Act*.
3. Council will consider the preliminary review report and determine whether it wishes to either:
 - (a) not comment on the application; or,
 - (b) comment on the application and direct staff to bring forward a report on the regulatory criteria and collect the views of residents.
4. If Council determines that it wishes to comment on the application, the applicant must submit the applicable fees in full and, if requested, detailed floor plans to the City.
5. City Staff will:
 - (a) publish a notice in the local newspaper prior to the Public Information Meeting in the format set out in “Public Hearing/Public Information Bylaw 2004, No. 3004”, in force from time to time; and,
 - (b) notify owners and tenants in occupation of each parcel that is within 30m of the parcel that is the subject of the application.
6. A Public Information Meeting will be held by Council to obtain the views of residents.
7. After the Public Information Meeting Council must consider the application and provide a resolution to the LCRB that includes the following:
 - (a) comments on the regulatory criteria as follows:
 - (i) the location of the establishment;
 - (ii) the proximity of the establishment to other social or recreational facilities and public buildings;
 - (iii) the person capacity and hours of liquor service;
 - (iv) the number and market focus or clientele of liquor licence establishments within a reasonable distance of the proposed location;

D. APPLICATION FOR NEW LIQUOR LICENCES (continued)

- (v) traffic, noise, parking and zoning;
 - (vi) population, population density and population trends;
 - (vii) relevant socio-economic information; and,
 - (viii) the impact on the community
- (b) whether or not the view of residents were gathered;
 - (c) how the views of the residents were gathered, the views of the residents, and its comments and recommendations with respect to the views of the residents;
 - (d) recommendation for whether the licence should be issued; and,
 - (e) the reasons for its recommendation.

E. APPLICATION TO AMEND A LIQUOR LICENCE

1. Upon receipt of a copy of an application to amend a licence, City Staff will present a preliminary review of the application to Council, which takes into consideration:
 - (a) any applications for a building permit or applications under Part 14 of the *Local Government Act*; and,
 - (a) comments from the RCMP, Fire, Planning, and Development Departments.