



RCRS Secondary:	GOV-02	Effective Date:	2024-DEC-02
Policy Number:	COU-245	Amendment Date/s:	N/A
Title:	Liquor Licence Review Policy	Repeal Date:	N/A
Department:	Current Planning	Approval Date:	2024-DEC-02

PURPOSE:

To establish a process for the assessment of liquor applications when responding to a notice of application from the Province of British Columbia’s Liquor and Cannabis Regulation Branch (LCRB).

DEFINITIONS:

N/A

SCOPE:

The Liquor and Cannabis Regulation Branch (LCRB) requires the applicable local government to provide comment and complete the community consultation for certain types of liquor licence applications. This policy establishes a framework for how the City of Nanaimo responds to notice of applications received from the LCRB.

POLICY:

In accordance with the process(es) outlined in this policy and the *Liquor Control and Licensing Act* (LCLA), the following application types will be reviewed, and comment will be provided:

1. New Liquor Primary Licence;
2. Permanent Change to Existing Liquor Primary Licence;
3. Temporary Change to Existing Liquor Primary Licence;
4. Permanent Change to Existing Food Primary Licence;
 - a. Patron-Participation Endorsement;
 - b. Temporary Use Area Endorsement; and,
 - c. Change of Hours;
5. Manufacturers Licence

The process for relocating an existing or previously dormant liquor primary license to a new location is the same as that for a new Liquor Primary Licence.

All applications will be reviewed for compliance with the applicable City of Nanaimo bylaws.

Local government comment will be provided to the LCRB for any applications where public consultation is required.

Where the City of Nanaimo receives notice of an application under the *Liquor Control and Licensing Act*, the following process(es) will be followed.

PROCESS:

Liquor Primary Licences

New Liquor Primary Licence, Permanent Change to Existing Liquor Primary Licence, and Manufacturers Licence

1. Application

- a. City of Nanaimo receives a notice of application from the LCRB.
- b. Applicant must submit a liquor licence application to the City of Nanaimo and must be reviewed within 90 days of accepting the application.

2. Referrals

- a. A Letter of Referral is forwarded to the applicable departments and organizations.

3. Notification of Application

- a. Staff notify Council of the application.
- b. Staff gather public comments for 30 days.

4. Council Decision

- a. Staff provide a report to Council to summarize comments received and address the following items, as per the LCLA:
 - i. Location of the Establishment
 - ii. Person Capacity
 - iii. Hours of Liquor Service
 - iv. Impact of Noise
 - v. Impact on the Community
- b. Council provides a resolution in relation to the application.
- c. Staff provide a copy of the Staff Report for Decision and Council Meeting Minutes to the LCRB.

Temporary Change to Existing Liquor Primary Licences

1. Application

- a. City of Nanaimo receives a notice of application from the LCRB.
- b. Applicant must submit a liquor licence application to the City of Nanaimo and must be reviewed within 90 days of accepting the application.

2. Referrals

- a. A Letter of Referral is forwarded to the applicable departments and organizations.

3. Decision to Endorse

- a. In accordance with the LCLA, if the application is for a period of three (3) days or less; and the applicant has not yet been approved for more than five (5) temporary changes within the calendar year; and does not involve a temporary extension of hours past 2:00am, the Director of Planning & Development can provide their endorsement on behalf of the City.
 - i. Should the Director of Planning & Development choose not to endorse the application, the applicant may apply to Council for reconsideration.
- b. In accordance with the LCLA, where the application is for a period of greater than three (3) days or the licensed establishment has previously been approved for five (5) or more temporary changes to the establishment's liquor licenses, or the requested temporary extension of hours is past 2:00am, the application must be reviewed by Council.

4. Providing Comment to the LCRB & Applicant

- a. A Letter of Decision is sent to the applicant and the LCRB.

Food Primary Licences

Permanent Change to Existing Food Primary Licence

1. Application

- a. City of Nanaimo receives a notice of application from the LCRB.
- b. Applicant must submit a liquor licence application to the City of Nanaimo and must be reviewed within 90 days of accepting the application.

2. Referrals

- a. A Letter of Referral is forwarded to applicable departments and organizations.

3. Notification of Application

- a. Staff notify Council of the application.
- b. Staff gather public comments for 30 days.

4. Council Decision

- a. Staff provide a report to Council to summarize comments received and address the following items, as per the LCLA:
 - i. Location of the Establishment
 - ii. Person Capacity
 - iii. Hours of Liquor Service
 - iv. Impact of Noise
 - v. Impact on the Community
- b. Council provides a resolution in relation to the application.
- c. Staff provide a copy of the Staff Report for Decision and Council Meeting Minutes to the LCRB.

RELATED DOCUMENTS:

Development Procedures and Notification Bylaw 2024 No. 7375

Fees and Charges Bylaw 2021 No. 7336

Liquor Control Strategy

Liquor Control and Licensing Act

Zoning Bylaw 2011 No. 4500

REPEAL OR AMENDMENTS:

N/A