

LICENSING AND PERMITS

LIQUOR LICENSING PROCEDURES POLICY

LIC.15

POLICY

Date Policy Implemented: January 20, 2003

Council Resolution 03/056

APPLICATIONS GENERAL

1. Consideration of Liquor Licensing proposals will generally be initiated by the receipt of a Summary Report prepared by the Provincial Liquor Control and Licensing Branch. A Summary Report is a report prepared by the Provincial Liquor Control and Licensing Branch as a processing requirement for an application for a Liquor Licence or amendment thereto, which requires consultation with Local Government.
2. Council will consider Liquor Licence inquiries from applicants without prior application to the Liquor Control and Licensing Branch (to gain an understanding of Council's position with regards to the proposal) subject to payment of the prescribed fee, completion of the relevant application form (see **Schedule 1**) and submission of all relevant information. Where an applicant chooses to apply to Council as an inquiry, the process for assessment will be the same as for an application referred to Council as a Summary Report from the Liquor Control and Licensing Branch.
3. The applicant should refer to the Zoning Bylaw and Official Community Plan Bylaw (available for purchase or reference in the Community Development Department) for the development restrictions applicable to the site. The licensing proposal will have to clearly show that the proposed use meets the restrictions of the applicable zone or must be accompanied by a completed Rezoning Application. A Development Permit Application may also be required.
4. The information that is required to accompany the Liquor Licensing Proposal includes:
 - (a) a recent copy of the title of the property dated within 30 days of the date of the application;
 - (b) consent of the property owner;
 - (c) legal description of the property;
 - (d) a written outline of the type of Liquor Licence being sought together with details of entertainment, hours of operation, anticipated clientele etc.;

- (e) written details of the applicant's relevant experience in the entertainment/hospitality industry;
- (f) one full size set and one set of reduced and readable to 8.5" x 11" professionally prepared site and landscaping plans depicting existing and proposed improvements including:
 - (i) the civic address and full legal description of the property;
 - (ii) the name and extent of streets and lanes adjacent to the property;
 - (iii) the location of existing and proposed buildings by dimension from property lines and where a watercourse exists from the natural boundary of the watercourse;
 - (iv) seating, capacity, parking, height, site cover and other required calculations;
 - (v) the location and width of existing or proposed access(es) to the property, including locations of any services, (ditches, fire hydrants, kiosks, hydro and telecommunication poles, etc.) that may be affected by the access(es);
 - (vi) the size, location and number of on-site parking and loading spaces;
 - (vii) fire-fighting provisions, the location of on-site fire hydrants and fire department connections and the dimensions of access routes, including their turning radius;
 - (viii) proposed site screening and landscaping details; and
 - (ix) elevations of the site development from all sides.

If all of the above information is not provided in the Summary report prepared by the Provincial Liquor Control and Licensing Branch then the deficient information will be requested from the applicant prior to the matter being referred to a Public Input Meeting.

COST

A Liquor Licensing Proposal fee as set by the District of Mission Procedures Bylaw is payable by the applicant upon receipt of the Summary Report prepared by the Liquor Control and Licensing Branch or upon receipt of a completed Liquor Licensing Proposal Inquiry. It is noted that the applicant may also be required to conduct a Public Information Meeting at the applicant's cost as a processing requirement.

GENERAL GUIDELINES

As general guidelines for assessing applications for liquor licences or amendments thereto the following is provided:

- Liquor-primary or food-primary in non-residential areas – considered on individual merits and the circumstances of the application.
- Liquor-primary or food-primary in or adjacent to residential areas – considered on individual merits and the circumstances of the application but will not be supported past 1.00am.

TIMING

To comply with the requirements of the Liquor Licensing Regulations Council will process the application within 90 days of receipt of the Summary Report or liquor licensing inquiry. This is subject to Council being in receipt of all relevant information and fees.

PROCESS

In all instances consideration of a Liquor Licensing proposal by the District of Mission will be undertaken within the processing framework established by the Provincial Liquor Control and Licensing Branch. The following District of Mission Licensed Establishment Procedure Policy outlines the municipal process for review of licensing proposals:

LICENSED ESTABLISHMENT PROCEDURE POLICY

1. Upon receipt of a Summary Report prepared by the Provincial Liquor Control and Licensing Board or a request for Council's support for Liquor-Primary or Food-Primary Liquor Licence, and after consultation with the R.C.M.P. and other departments, the Director of Community Development will report to Council via the Committee of the Whole.
2. Council may at that time:
 - (i) Refer the application to a Public Input Meeting to establish the level of community support or otherwise.
 - (ii) Advise the applicant that it is not prepared to support a Licensing application to the Liquor Control & Licensing Branch, where the application is a liquor enquiry and not an application generating a Summary Report by the Liquor Control and Licensing Branch.
 - (iii) Defer consideration of the proposal pending receipt of any additional information which may be required from the applicant.
 - (iv) Resolve to "Opt out" of providing comment to the Liquor Control and Licensing Board, where the process has been initiated by a Summary Report prepared by the Liquor Control and Licensing Board (see **Schedule 2**).

COMMUNITY CONSULTATION

Community consultation shall be undertaken by means of Public Input Meeting, whereby adjoining property owners and residents are notified of the proposal and invited to attend a Public Input Meeting at a Meeting of Council. It is at the discretion of the Director of Community Development to recommend that the public input meeting be held in an alternative location (such as a local school) should the circumstances of the application warrant this.

For liquor-primary licence applications or amendments thereto, mail-out notices shall be sent to a radius of 400m (1312 ft) from the subject site. For food-primary licence applications or amendments thereto, mail-out notices shall be sent to a radius of 152m (500 ft) from the subject site.

Should the application be deemed controversial by District staff the Director of Community Development can recommend to Council that these mail out distances be increased. Conversely where the application or amendment is considered to be minor in nature, the Director of Community Development can recommend to Council that the mail-out distances be reduced.

The Director of Community Development can also recommend that Council “opt out” of requiring community consultation on a specific application where the effects are considered minimal. This may include minor food-primary licence amendments in general commercial or industrial areas or minor licence amendments in remote areas.

1. Following the Public Input Meeting, Council shall further consider the proposal and may:
 - (i) Resolve to support the proposal addressing each of the criteria specified in the Liquor Control and Licensing Regulation (standard resolution formats are attached as **Schedules 3, 4 and 5**).
 - (ii) Resolve not to support the proposal addressing each of the criteria specified in the Liquor Control and Licensing Regulation (standard resolution formats are attached as **Schedules 3, 4 and 5**).
2. After making such a resolution, the Director of Corporate Administration shall advise, in writing, both the applicant and the General Manager of the Liquor Control and Licensing Branch of Council’s decision in the matter.

NOTE: The information in this guide summarizes the review process when the guide was prepared. It is the responsibility of an applicant to check with the Community Development Department and the Provincial Liquor Control and Licensing Branch to establish whether there have been any changes to the approval procedures since publication of the guide.

SCHEDULE 1

File No.: PRO.DEV.LIQ _____

LIQUOR LICENCING PROPOSAL FORM

DISTRICT OF MISSION

I/We hereby submit a Liquor Licensing proposal for property located at (civic address):

_____ and legally described as:

for the following Class of Liquor Licence:

The required proposal fee as set by the District of Mission Procedures Bylaw and necessary information are attached.

(Date)

(Applicant's Signature)

Where the applicant is NOT the REGISTERED OWNER of the subject property, the application must be signed by the REGISTERED OWNER(S).

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

(Date)

(Registered Owner)

(Date)

(Registered Owner)

NOTE: Development Cost Charges & the Works & Services Bylaw may be applicable to any development proposal in the District of Mission. Prior to determining specific project costs for any development proposal the applicant should check with the District of Mission to determine the exact impact of Development Cost Charges and the Works & Services Bylaw.

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FOR OFFICE USE ONLY

Fee Received _____

Receipt No. _____

(Date)

(Signature of Official)

PROPOSAL FOR LIQUOR LICENCE
DISTRICT OF MISSION

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE PROPOSAL AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION TO COUNCIL. A SUBMISSION WHICH DOES NOT CONTAIN ALL REQUIRED INFORMATION CANNOT BE ACCEPTED.

This form is to be completed in full and submitted with all requested information and fees.

A COPY OF THE TITLE FOR THE SUBJECT PROPERTY, DATED NO MORE THAN THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF THE APPLICATION, MUST ACCOMPANY THE APPLICATION AS VERIFICATION OF OWNERSHIP AND LEGAL DESCRIPTION.

1. APPLICANT AND REGISTERED OWNER INFORMATION

Applicant's Name: _____

Address: _____ Postal Code: _____

Telephone: Business: _____ Home: _____

Registered Owner(s) Name: _____

Address: _____ Postal Code: _____

Telephone: Business: _____ Home: _____

2. PROPOSAL FEE

A proposal fee, as set by the District of Mission Procedures Bylaw, is payable to the District of Mission and must accompany this proposal.

3. SUBJECT PROPERTY

(a) Present Zoning: _____

(b) Proposed Zoning (if required): _____

(c) Description of the existing use/Liquor Licence (if applicable): _____

4. Full description of the proposed use and including details of entertainment, hours of operation, anticipated clientele etc. (use separate sheet if necessary): _____

5. Full description of applicant's relevant experience in the entertainment/hospitality industry (use separate sheet to elaborate): _____

Services currently existing/changes required:

	EXISTING	PROPOSED
Road		
Municipal Water		
Other Water Supply (Specify)		
Municipal Sanitary Sewer		
Septic System		
Storm Sewer		

NOTE: THE APPLICANT IS ADVISED TO CONTACT THE DISTRICT OF MISSION ENGINEERING DEPARTMENT FOR INFORMATION REGARDING SERVICES AND TO CONFIRM ANY ENGINEERING REQUIREMENTS ASSOCIATED WITH THE PROPOSED DEVELOPMENT.

6. Approximate commencement date of proposed project: _____

7. COMMENTS IN SUPPORT OF THE PROPOSAL

Outline the reasons and comments in support of the proposal (use separate sheet if necessary):

SCHEDULE 2

RESOLUTION FORMAT FOR COUNCIL OPTING OUT OF COMMENT ON AN INDIVIDUAL APPLICATION

General Manager,
Liquor Control and Licensing Branch

RE:(describe type of application)

At the Council meeting held on <<date>>, the Council passed the following resolution with respect to the above named application:

“Be it resolved that the Council does not wish to provide comments of recommendations to the Liquor Control and Licensing Branch with regard to the application for (describe type of application and applicant).”

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the District of Mission on <<date>>.

Sincerely,

(signature)
(name and title of official)
District of Mission

SCHEDULE 3

RESOLUTION FORMAT FOR COUNCIL INPUT FOR A LIQUOR-PRIMARY OR LIQUOR-PRIMARY CLUB LICENCE APPLICATION

General Manager,
Liquor Control and Licensing Branch

Re: Application for a liquor-primary licence at: (address of proposed establishment)

At the Council meeting held on <<date>>, the Council passed the following resolution with respect to the application for the above named liquor licence:

“Be it resolved that:

1. The Council (recommends/does not recommend) the issuance of the licence for the following reasons: (detail and explain reasons for recommendation).
2. The Council’s comments on the prescribed considerations are as follows:
 - (a) The location of the establishment (provide comments)
 - (b) The proximity of the establishment to other social or recreational facilities and public buildings (provide comments)
 - (c) The person capacity and hours of liquor service of the establishment (provide comments)
 - (d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location (provide comments)
 - (e) Traffic, noise, parking and zoning (provide comments)
 - (f) Population, population density and population trends (provide comments).
 - (g) Relevant socio-economic information (provide comments)
 - (h) The impact on the community if the application is approved (provide comments)
3. The Council’s comments on the views of residents are as follows: (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).”

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the District of Mission on <<date>>.

Sincerely,

(signature)
(name and title of official)
District of Mission

SCHEDULE 4

RESOLUTION FORMAT FOR COUNCIL INPUT FOR A LICENCE AMENDMENT APPLICATION

General Manager,
Liquor Control and Licensing Branch

Re: Application for (addition of a patio/increase in person capacity/extension of hours of liquor service/patron participation entertainment) as an amendment to (liquor-primary/liquor-primary club/winery/food-primary) licence number: (licence number)

At the Council meeting held on <<date>>, the Council passed the following resolution with respect to the application for the above named amendment:

“Be it resolved that:

1. The Council (recommends/does not recommend) the amendment of the licence for the following reasons: (detail and explain reasons for recommendation).
2. The Council’s comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved (provide comments)
 - (b) The impact on the community if the application is approved (provide comments)
 - (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of service past midnight or the addition of patron participation entertainment)
 - (d) The views of residents (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons)”

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the District of Mission on <<date>>.

Sincerely,

(signature)

(name and title of official)

District of Mission

SCHEDULE 5

RESOLUTION FORMAT FOR COUNCIL INPUT FOR A WINERY LICENCE ENDORSEMENT APPLICATION

General Manager,
Liquor Control and Licensing Branch

Re: Application for a (winery lounge endorsement/picnicking endorsement) to winery licence number: (winery licence number)

-or-

Re: Application for a (winery lounge endorsement/picnicking endorsement) to a winery licence at: (address of proposed establishment, if applicant not already in possession of a winery licence)

At the Council meeting held on <<date>>, the Council passed the following resolution with respect to the application for the above named endorsement:

"Be it resolved that:

1. The Council (recommends/does not recommend) the issuance of the endorsement for the following reasons: (detail and explain reasons for recommendation)
2. The Council's comments on the prescribed considerations are as follows:
 - (a) The location of the (winery lounge/picnicking area) (provide comments)
 - (b) The proximity of the (winery lounge/picnicking area) to other social or recreational facilities and public buildings (provide comments)
 - (c) The person capacity of the winery lounge (provide comments)
 - (d) Hours of liquor service of the (winery lounge/picnicking area) (provide comments)
 - (e) Traffic, noise, parking and zoning (provide comments)
 - (f) The impact on the community if the application is approved (provide comments)
3. The Council's comments on the views of residents are as follows: (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the Council of the District of Mission on <<date>>.

Sincerely,

(signature)
(name and title of official)
District of Mission