



WHISTLER

MINUTES

**REGULAR MEETING OF LIQUOR LICENCE ADVISORY
COMMITTEE
THURSDAY, JANUARY 12, 2017, STARTING AT 8:45 A.M.**

**At Municipal Hall – Flute Room
4325 Blackcomb Way, Whistler, BC V0N 1B4**

PRESENT:

Accommodation Sector Representative, Chair, Colin Hedderson
Food & Beverage Sector Representative – Pubs, Mike Wilson
Food & Beverage Sector Representative – Nightclubs, Terry Clark
Food & Beverage Representative – Restaurants, Vice-Chair, Kevin Wallace
Whistler Fire Rescue Service Representative, Geoff Playfair
Whistler Community Services Society Representative, Cheryl Skribe
Councillor, Steve Anderson
RMOW Staff Representative, Secretary, Frank Savage
Recording Secretary, Shannon Perry

REGRETS:

Public Safety Department Representative, RCMP, Rob Knapton
Liquor Control and Licensing Branch (LCLB) Inspector, Holly Glenn

GUESTS:

Bert Hick, Rising Tide Consultants

Vice-Chair Kevin Wallace called the meeting to order at 8:50 a.m.

ADOPTION OF AGENDA

Moved by Mike Wilson
Seconded by Cheryl Skribe

That Liquor Licence Advisory Committee adopt the Liquor Licence Advisory Committee agenda of January 12, 2017.

CARRIED

ADOPTION OF MINUTES

Moved by Mike Wilson
Seconded by Terry Clark

That Liquor Licence Advisory Committee adopt the Liquor Licence Advisory Committee minutes of November 10, 2016.

CARRIED

COUNCIL UPDATE

Liquor Licence Advisory Committee welcomed the new council representative Steve Anderson.

Councillor Anderson informed that this year's New Year's Eve celebrations report from RCMP included more liquor related infractions than the previous year. Councillor Anderson also reported on his 2016 tour of Whistler Village with MLA John Yap, Parliamentary Secretary for Liquor Policy Review and author of the 2014 B.C. Liquor Policy Review Report.

PRESENTATIONS/DELEGATIONS

Bar Oso New Liquor
Primary Patio
File No. LLR1271

Frank Savage introduced Bert Hick from Rising Tide Consultants who is acting on behalf of Bar Oso for this application. A report had been distributed to LLAC members prior to the meeting, and Frank presented an overview of the Bar Oso application for a new eight person patio:

- For this type of application the LCLB requires a resolution from local government Council. Municipal policy requires a referral, review and recommendation from the LLAC.
- The proposal is for an eight person capacity outdoor patio to the right of the entry door.
- In addition the upper floor interior capacity will be increased from 28 to 30 persons and the lower floor interior capacity will be reduced from 70 to 62 persons. The proposed total capacity (including patio) will then be 100 persons, the maximum permitted by the number of washrooms in the establishment.
- Application details were referred by e- mail to LLAC members for comment, and no issues or concerns were identified.
- No comments were received during the 30-day public notification period.
- Bar Oso is in good standing based on its compliance history.
- Frank then reviewed the application in accordance with the LLAC review criteria:
 - The establishment will continue to serve its existing customer base of visitors and residents.
 - There is a high demand for patios in summer and après ski. The proposed patio facing Village Common is in a key location and would provide an alternative outdoor amenity along the Village Stroll.
 - Noise from the patio is unlikely to be a problem for the community: the patio is small, Bar Oso does not have a history of noise or disturbances, outdoor speakers will be turned off by 10 p.m.
 - There were no comments received during the 30-day public notification period.
- Mr. Hick then made a brief presentation explaining the rationale for the new patio and the benefits to the resort. Bar Oso is owned by the Aquilini Group, who also own Araxi Restaurant. It is intended to operate and manage the Bar Oso patio in the same manner as the Araxi patio. It will provide a small amenity but will not be a problem for the community.

Questions & Answers:

LLAC members then had the opportunity to ask questions of Mr. Hick regarding the proposed patio.

- Whistler Fire Rescue Service representative inquired about the door at the far end of the proposed patio. It is an emergency exit door from the hotel. Therefore, the establishment must ensure that there is clear access to the exit at all times and that this requirement should be added to the good neighbour agreement. Mr. Hick agreed and will convey this requirement to Bar Oso management.
- The proposed patio is entirely on private property will not reach the Village Stroll.

LLAC Member Comments:

All LLAC members then expressed support for the patio application, as it will bring more atmosphere to the area and will provide more needed patio seats to this area of Whistler Village.

Moved Mike Wilson
Second Terry Clark

That the Liquor Licence Advisory Committee supports the application from Bar Oso for the addition of an eight person capacity patio, with the condition that fire access be maintained.

CARRIED

There were no issues or concerns with the proposed changes to reduce the interior occupant load of the establishment, and LLAC members concluded that a recommendation to Council was not necessary.

Bert Hick left the meeting at 9:16 a.m.

Colin Hedderson entered the meeting at 9:20 a.m.

Provincial Liquor Policy
Changes

A presentation from Frank Savage on the capacities of restaurants, pubs and nightclubs with a focus on Whistler Village “neighbourhoods”. The previously discussed goals and objectives of a licensing decision making framework were reviewed, considering the new types of liquor licence applications that may be expected as a result of the new provincial liquor policies. The primary role of the LLAC on licence applications was reviewed, which is to provide advice to Council on licensing decisions where a resolution from local government Council is required by the provincial Liquor Control and Licensing Branch (LCLB).

As follow-up from the November 10, 2016 meeting, LLAC food & beverage sector and accommodation sector representatives had committed to obtaining feedback from their sector members regarding interest in applying for liquor licence changes enabled by the new provincial policies.

LLAC member comments and questions:

- Food primary (restaurant) sector: Restaurant Association of Whistler members were polled about their interest in applying for a dual

licence (a food primary licence until, say, 10 p.m. and then a liquor primary licence until closing). No responses were received to date.

- Accommodation sector: Hotel Association of Whistler members were advised on a new LCLB policy which will permit a patron to carry a drink from a hotel bar or restaurant to their hotel room and the new policy which will permit a hotel to serve a drink to guests at check-in. No responses were received.
- Can any “other business” apply for a food primary or liquor primary licence? Yes, the LCLB has not set limitations on what types of businesses that can apply. Businesses with a food primary licence would need to satisfy all of the food service requirements.
- If a food primary licensed restaurant or an “other business” applies for a liquor primary licence, local government would have a full opportunity to review and comment on such an application. If local government Council recommended against issuing a licence, the LCLB could not issue a licence.
- Nightclub sector representative: the sector’s biggest concern is late night security. Will a food primary establishment switching to liquor primary at night have trained staff to provide the same level of security as a nightclub to manage late-night clientele? Also a concern about late night entertainment – are there ways of ensuring that a “lounge” does not turn into a nightclub? Can we put terms and conditions in the liquor licence as to what types of entertainment are permitted?

LLAC members had been sent the current and proposed criteria from Council Policy G-17, *Municipal Liquor Licensing Policy*, which the LLAC must use in reviewing liquor licence applications. Proposed changes to the suggested review criteria were discussed:

- Can the review criteria include “Encourage/maintain the independent nature of the Whistler food and beverage sector”? This objective is included in the proposed Decision Making Framework, which is also proposed for inclusion in the Council Policy.
- Evaluation criteria for “other businesses” applying for a liquor primary licence needs consideration. How do we ensure an existing small business does not turn into bar?
- The potential for negative impacts on the community must be considered, and the LLAC should be able to make recommendations on measures to mitigate against those impacts.

OTHER BUSINESS

Next meeting Thursday, February 9, 2017.

ADJOURNMENT

Moved by Cheryl Scribe

That Liquor Licence Advisory Committee adjourn the January 12, 2017 meeting at 10:21 a.m.

CARRIED

CHAIR: Colin Hedderson

SECRETARY: Frank Savage