



# WHISTLER

## MINUTES

### REGULAR MEETING OF LIQUOR LICENSE ADVISORY COMMITTEE (LLAC) WEDNESDAY, OCTOBER 9, 2013

**In the Piccolo Room at Municipal Hall  
4325 Blackcomb Way, Whistler, BC V0N 1B4**

#### **Members - Present**

Mike Varrin, Food & Beverage Sector Representative – Pubs/Bars, Chair  
Steve LeClair and Rob Knapton, Public Safety Representative, RCMP  
Sheila Kirkwood, Whistler Fire Rescue Service (WFRS) Representative  
Edward Dangerfield, Restaurant Sector Representative  
Jackie Dickinson, Whistler Community Services Society Representative  
Ian Lowe, Accommodation Sector Representative, Vice Chair  
John Grills, Councillor  
Holly Glenn, Liquor Control and Licensing Branch (LCLB) Inspector

#### **Members - Absent**

Jeff Cackle, Food & Beverage Sector Representative - Nightclubs

#### **Municipal Staff**

Frank Savage, Planner & LLAC Secretary  
Kay Chow, Recording Secretary

#### **Adoption of Agenda**

Moved by Rob Knapton  
Seconded by Edward Dangerfield

**That** Liquor License Advisory Committee adopt the Regular Liquor License Advisory Committee agenda of October 9, 2013.

CARRIED.

#### **Adoption of Minutes**

Moved by Edward Dangerfield  
Seconded by Janice Dickinson

**That** Liquor License Advisory Committee adopt the Regular Liquor License Advisory Committee minutes of September 12, 2013.

CARRIED.

### **PRESENTATIONS**

#### **21 Steps Restaurant #10-4433 Sundial Pl. Permanent Change to Food Primary License File No. LLR1159**

*The applicant Stacey Betteridge, owner, 21 Steps Restaurant entered the meeting.*

Frank Savage introduced the project and advised on the following.

1. The applicant 21 Steps Restaurant is applying for a permanent change to their food primary license to add patron participation entertainment endorsement.
2. A resolution is required from municipal council.
3. The establishment wishes to be able to host occasional wedding receptions with dancing.
4. LCLB policy stipulates that patron participation and non-participation entertainment must end by midnight.

5. The establishment is in Good Standing. There have not been any problems in the past.
6. The applicant has posted the required signage and advertised in the local newspaper. No public comments have been received to date.

Stacey Betteridge presented:

1. In the past nine years 21 Steps Restaurant has been approached on a number of occasions to host weddings.
2. There is potential to host three weddings in the next year.
3. The ability to host weddings with dancing is a viable opportunity to grow the business.
4. All of the weddings that 21 Steps has hosted have been from destination visitors, including Seattle and UK.
5. The space is self-contained.
6. Wedding size approximately 35 to 40 people.
7. The proponent does not intend to extend operating hours past midnight.

LLAC Member Questions and Comments:

1. Will wedding receptions be confined to the 3<sup>rd</sup> floor? Yes.
2. Is the endorsement request for both the 2<sup>nd</sup> and 3<sup>rd</sup> floors? Primarily the 3<sup>rd</sup> floor, but if the license change is approved, dancing would also be permitted in the 2<sup>nd</sup> floor area.
3. Group sizes under 45. The space has capacity for 59; however the restaurant does not usually book groups over 50.
4. Will there be entertainment? Just iPod hookup.
5. Patron participation endorsement allows for live music, dancing, karaoke, jam session, stand-up comedian that invites audience participation.
6. Could the establishment apply for temporary patron participation endorsements for each wedding? Yes, but there are limits allowed per year and costs associated with applying for a temporary endorsement each time. This would create barriers that prevent the restaurant from operating effectively. If the proponent were to put this service on their website then the processes should already be in place to permit patron participation.
7. Does the dance floor area affect capacity/occupant load? No.
8. Are there noise decibel level restrictions associated with the license? The restaurant has set its own noise level restrictions; the music cannot overflow and disturb other restaurant patrons on the 2<sup>nd</sup> floor.
9. The pub/bar sector won't support this. Maintaining the limits of 4 to 6 events per year allows an operator the ability to host this type of event but if this is a permanent change then it becomes the thin edge of the wedge.
10. It is important to understand the motive behind this application. The applicant seeks to serve wedding groups. The restaurant sector is keen to continue the separation between restaurant and bar.
11. The applicant clarified that they are not looking to extend hours and become a bar. The clients are looking for an intimate atmosphere. If

the clients wish to continue to dance they are encouraged to go to a bar or nightclub.

12. What about the next operator? This is a valid point. Give future consideration; carries over with the license.
13. This is a food primary license. If there is a shift in focus then the LCLB will deal with it.
14. RCMP supports the application as long as the license stays the same as what it is now.

Moved by Steve LeClair  
Seconded by Ian Lowe

**That** the Liquor License Advisory Committee supports the application by 21 Steps Restaurant for a permanent change to add a patron participation entertainment endorsement.

*Opposed: Mike Varrin*

CARRIED.

*The applicant left the meeting.*

**The Mexican Corner  
Restaurant  
#12 & 13-4340 Sundial  
Crescent  
Permanent Change to  
Food Primary License  
File No. LLR1160**

*The applicant team Pepe Veracus, owner and Claudia Salazar, administrative assistant of The Mexican Corner entered the meeting.*

Frank Savage introduced the project and advised on the following.

1. The food primary license for this location previously held by the Chinese Bistro has been transferred to the Mexican Corner.
2. The applicant seeks a permanent change to hours of sale and designation of an area to a restaurant lounge at its new location. A LCLB Structural Change application is required.
3. A resolution is required from municipal council is required for hours of sale past midnight and for a new restaurant lounge (by municipal bylaw).
4. The restaurant shares washroom facilities with other 2<sup>nd</sup> floor establishments in the Sundial Hotel.
5. RMOW Building Dept. has identified a capacity issue due to the shared washroom facilities if the capacity is increased from 80 to 85 persons. Therefore, the restaurant will retain the 80 person capacity until a washroom study is conducted.
6. Applicant seeks authorization from the RMOW for a restaurant lounge of up to 17 seats, though LCLB policy will allow only 16 seats with the current 80 person capacity.
7. Application is for extension of hours of sale from current 10:00 a.m. to midnight, to 9:00 a.m. to 1:00 a.m. 7 days/week.
8. The applicant is In Good Standing.
9. The applicant has posted the required signage and advertised in the local newspaper. No public comments have been received to date.
10. Do not foresee any impacts to neighbours as there is no capacity increase; no issues with parking and traffic; no noise problems for that location.

11. Holly Glenn provided clarification regarding food primary lounge endorsement.
  - 20% of the total capacity can be designated as lounge space.
  - Minors must be accompanied by a parent or guardian in the lounge area.
  - The kitchen must be open and food must be available.
  - The kitchen cannot be shut down; otherwise it will be a contravention.

Pepe Veracus presented:

1. The Mexican Corner Restaurant's main focus is on food. They have retained a top chef for their restaurant.
2. The intention is to bring cultural diversity to the Whistler resort.
3. A lounge endorsement is an opportunity to enhance the guest experience. They serve liquor responsibly, as demonstrated at its Marketplace location.
4. The lounge will also serve as a waiting area for patrons who are waiting for a table in the restaurant. The patrons can enjoy a beverage while they are waiting.
5. The establishment does not intend to become a bar; it is not the right location.
6. There are no negative impacts to the bars as there will only be a maximum of 17 seats in the lounge.
7. Showcase the chef's culinary skills.
8. Family environment.
9. The change to hours of sale will permit special events.

LLAC Member Questions and Comments:

1. Does the Sundial Hotel support this application? Yes.
2. How will the issue with the washroom facilities be resolved? It is subject to building code review in concert with health and safety issues. The review would require a review of all of the uses in the building. It is not part of the current application.
3. Staff recommend that the applicant apply to the RMOW for a lounge endorsement of up to 17 seats instead of 16 lounge seats. This removes the necessity for a future application to the RMOW if there is a desire to increase capacity for one seat, once the washroom capacity issue is resolved.
4. Initial occupant load calculation permitted 85 seats, however due to the washroom issues it was reduced to 80, until the washroom capacity issue can be resolved.
5. This is an exciting development for this part of Whistler Village. It will bring new fabric and culture and is a very positive addition for the resort.
6. It is encouraging to see the 2 applications today coming from locally owned, small independent operators.

Moved by Edward Dangerfield  
Seconded by Jackie Dickinson

**That** the Liquor License Advisory Committee supports the application by the Mexican Corner Restaurant for a permanent change for an extension of hours of sale and an endorsement for a restaurant lounge of up to 17 seats, with the 17<sup>th</sup> seat subject to an increase in occupant load to 85 persons following a washroom review.

CARRIED.

*The applicant left the meeting.*

## **Provincial Liquor Policy Review**

Frank Savage provided an overview of the Provincial Liquor Policy Review workshop held with community stakeholders on September 16, 2013.

1. The Provincial government presented the Terms of Reference at the end of July.
2. The RMOW sought comments from community stakeholders and has drafted recommendations for presentation to municipal Council at the October 15 meeting.
3. Staff has tried to balance the comments in the best interests of the resort community.
4. Staff seeks LLAC feedback on the draft recommendations.
5. The recommendations have been categorized into four areas:
  - A. Guest Experience
  - B. Special Events
  - C. Impacts on the Resort Community
  - D. Licensing Policies and Processes
6. Following presentation to Council, recommendations will be forwarded to the Province by October 31, 2013.

### LLAC Member Questions and Comments:

1. The Whistler Restaurant Association advised that they prefer to maintain the current two license system; they do not see any benefit for the restaurant industry to operate with a one license system.

#### **A. Guest Experience**

2. Is the restaurant sector satisfied with recommendation # 1?
  - Yes, the restaurant sector is satisfied with this recommendation.
3. No changes to recommendation # 2.
4. Recommendation # 3:
  - "Consider allowing minors past the current policy of 8:00 p.m. when accompanied by a parent or guardian in appropriate liquor primary establishments, and allow for some differences between winter and summer hours for minors."
  - Should be consistent.
  - Remove the last clause "**and allow for some differences between winter and summer hours for minors.**"

## B. Special Events

5. A thorough municipal review process currently exists prior to review by the Province.
6. Recommendation # b:
  - “Higher limits (or no limits) on the number of temporary license changes (recently capped by the LCLB at 4 to 6 per year) permitted for an establishment. Temporary license ...”
  - Change to “**no limits**”.
7. Add new Recommendation #2: “**Permit liquor primary establishments to operate a liquor focused event with a similar process as for a catering endorsement**”.
8. Recommendation # 3 (was #2): Special Occasion Licensed (SOL) events
  - Add “**or liquor primary establishment**” to d
9. Recommendation # 4 (was #3): Whistler Blackcomb (WB) Events – Specific recommendations
  - Why is this limited to just one company? Should be more generic.
  - Add “**other applicable venues**”.
10. Recommendation # 5 (was #4): Whistler Conference Centre Events – Specific recommendations
  - The Conference Centre experiences technical licensing issues; these issues could also exist at the SLCC as they hold the same type of license.
  - Staff will formulate a more general recommendation applicable to other event driven liquor primary licenses.

## C. Impacts on the Resort Community

11. No changes to the recommendations presented.

## D. Licensing Policies and Processes

12. No changes to the recommendations presented.

Moved by Mike Varrin  
Seconded by Ian Lowe

**That** the Liquor License Advisory Committee supports the recommendations, as amended, to the Parliamentary Secretary for Liquor Policy Review.

CARRIED.

## NEW BUSINESS

### Next Meeting

1. The next meeting will be held in December 12. There are currently no liquor license applications which would require a November meeting.

## **ADJOURNMENT**

Moved by Mike Varrin

**That** the Liquor License Advisory Committee adjourn the October 9, 2013 committee meeting at 11:00 a.m.

CARRIED.

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Chair: Mike Varrin

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Secretary: Frank Savage