

WHISTLER

MINUTES

REGULAR MEETING OF LIQUOR LICENSE ADVISORY COMMITTEE

THURSDAY, JULY 3, 2014, STARTING AT 8:45 A.M.

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

PRESENT:

Food & Beverage Sector Representative – Nightclubs, Terry Clark
Food & Beverage Sector Representative – Pubs/Bars, Chair, Mike Varrin
Food & Beverage Sector Representative – Restaurants, Vice-chair,
Brenton Smith
Public Safety Representative, RCMP, Rob Knapton
Councillor, John Grills
RMOW Staff Representative, Secretary, Frank Savage
Recording Secretary, Shannon Perry

REGRETS:

Accommodation Sector Representative, Colin Hedderson
Liquor Control and Licensing Branch (LCLB) Inspector, Holly Glenn
Whistler Community Services Society Representative, Jackie Dickinson
Whistler Fire Rescue Service (WFRS) Representative, Sheila Kirkwood

GUEST:

President of Rising Tide Consultants, Bert Hick

Call to Order

Mike Varrin called meeting to order 8:45 a.m.

ADOPTION OF AGENDA

Moved by Rob Knapton
Seconded by Brenton Smith

That the Liquor License Advisory Committee adopt the Liquor License Advisory Committee agenda of July 3, 2014.

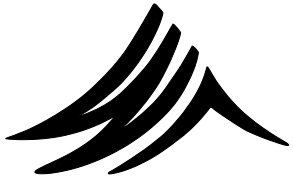
CARRIED.

ADOPTION OF MINUTES

Moved by Terry Clark
Seconded by Rob Knapton

That the Liquor License Advisory Committee adopt the Regular Liquor License Advisory Committee minutes of June 5, 2014.

CARRIED.



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COUNCIL UPDATE

Councillor Grills provided an update of relevant topics from Council:

Amendments to the zoning and business regulation bylaw were introduced on May 20 to allow liquor sampling and retail sale of BC produced products at the Upper Village Farmers' Market. The zoning bylaw was then referred to the LLAC on June 5 for further comment, and changes were made. After the OCP was turned down by the courts, a change to the zoning bylaw amendment was required. This is a setback for the farmers market, but Pemberton Distillery did conduct sampling, but no retail sales, on a licensed patio in Upper Village. There will be a public hearing on July 15, with bylaw adoption expected by August 5.

The court ruling on the 2013 OCP will be appealed. The OCP decision has made it difficult for the Municipality to deal with development permits, building permits, etc. We will revert to the 1993 OCP in the meantime.

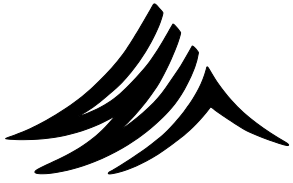
PRESENTATIONS/DELEGATIONS

Fairmont Chateau
Whistler Golf Course
Clubhouse
File No. LLR 1196

Frank Savage presented on the Fairmont Golf Course Clubhouse application and advised of the following:

- Applying to increase size and capacity of the Clubhouse liquor primary patio from 30 persons to 87 persons. The licensed area of the liquor primary patio will be expanded into the currently unlicensed patio area. The interior capacity will not change.
- No comments were received from LLAC members during the initial referral.
- Local community input: The Fairmont posted an ad in Pique Newsmagazine on Thursday, June 26 and Thursday, July 3, and a sign was posted on Thursday, June 26 for 30 days, with comments due by July 26.
- Good Standing review was referred to LCLB, RCMP, Fire department, Building department and Bylaw departments. No compliance issues were identified, so the Fairmont is deemed to be in Good Standing.
- Analysis of LLAC review criteria: The patio capacity increase will benefit the community, including residents, visitors and the golfing community. Not likely to be parking issues as there is shuttle service and nearby underground parking, and traffic impacts are not likely to occur. As for potential noise impacts, the establishment will be asked that all amplified music be turned off by 10 pm.
- Any comments from public will be included in the report to Council, scheduled for August 5.

Bert Hick, President of Rising Tide Consultants, presented:



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- Patio will be predominantly for golfers; the seasonal patio operates only for the golf season,
- Parking and traffic will not be issues as most golfers will shuttle to the Clubhouse,
- Clientele are mature golfers and the Fairmont is looking to add to the golfing experience.

LLAC Member Questions

- Are there any problems with having speakers turned off by 10 pm? Applicant is happy to comply, there often isn't any music played on the patio
- Can there be minors on patio? Yes, as golf course they have the right to have minors in the establishment until 10 pm.
- Will it be used for weddings? Infrequently, the Clubhouse establishment is more for golfers.

LLAC Member Comments

- RMOW Resort Experience representative: RMOW supportive of summer patios and the benefit to visitor experience. There do not appear to be any potential negative impacts.
- RMPC: no concerns
- Nightclub sector representative: no concerns
- Restaurant sector representative: – With the change the establishment will be able to accommodate a full shotgun tournament with 144 people using both the interior and patio areas.
- Pub sector representative: Pubs know that summer time patios will benefit guest, fully in support

Moved by Brenton Smith
Seconded by Terry Clark

That the Liquor License Advisory Committee supports the application from the Fairmont Chateau Whistler Golf Course Clubhouse to increase the capacity of liquor primary patio to 87 persons.

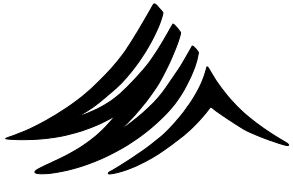
CARRIED.

Provincial Liquor Policy
Update

Frank Savage presented on the recent implementation of changes resulting from the BC Liquor Policy review. During the June 20 to 25 period, eight new policy directives (PDs) were issued by the Liquor Control and Licensing Branch (LCLB):

PD #14-07 Happy Hour: Allows variable pricing during the day, and has modified the minimum drink pricing based on alcohol content

- Would the minimum pricing be different for an establishment that doesn't take part in happy hour? All establishments must follow the minimum pricing schedule.



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- Confirmed that establishments can offer different pricing for certain groups. This can be advertised but requires a responsibility message
- Does the minimum sale price apply to Special Occasion Licenses (SOL)? The minimum pricing policy directive is applicable to food primary and liquor primary licensed establishments. SOL and catering licensed events have their own policies, because liquor can be provided without charge by a host of those events. SOLs have maximum prices, which are higher than the new minimum pricing for establishments.
- On a related announcement, but no specific policy directive, the LCLB also announced on June 20 that, “Food-primary licensees must continue to focus on food service, with a full menu available whenever liquor service is available. However, patrons do not need to order food if they do not wish to eat.” Some discussion as to whether or not this change had been implemented by the LCLB, and it was concluded that it had.

PD #14-08 Ubrew/Uvin products at family SOL events: no comments

PD #14-09 Establishments allowed to transfer small amounts of liquor between other establishments which are part of the same company: no comments

PD #14-10 Patrons may take a drink purchased in one establishment to an adjoining establishment if both establishments are owned by the same licensee. They must be immediately adjacent to each other, and laid out in such a way that the patron does not have to pass through an unlicensed area to reach the other establishment: no comments.

PD #14-11 Sampling and sales of liquor products at farmers’ markets – discussed as part of Council Update above. – no further comments.

PD #14-12 Licensed sales of liquor products featured at food and beverage festivals licensed under a Special Occasion License – also impacted by the proposed zoning bylaw amendment. A private wine store or licensee retail store may apply to set up a temporary store to provide such sales. no further comments.

PD #14-13 Minors in liquor primary establishments until 10:00 pm when they are accompanied by a parent or guardian, provided the establishment offers a selection of appetizers or main courses (“Family Foodservice Term and Condition”)

- All liquor primary licensees are eligible to apply for this change.
- No local government input is required. This is contrary to Council Policy G17, which supports permitting minors in liquor primary establishments until 8:00 pm, provided the establishment is in good standing and has signed a neighboring agreement. – LLAC members



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favour the current municipal policy for new applicants (must be in good standing). Staff will investigate the options.

- Licensees may prohibit minors at any time. It was suggested that signage be provided when minors are not permitted.
- If minor are employed at an establishment, they can now stay until they have finished work.

Bert Hick left the meeting 9:49am

PD #14-14 Temporary License Extensions. This allows for an application for a temporary change to a food primary or liquor primary license to be subject to a risk analysis to determine whether the event is eligible for whole-site licensing or if a beverage garden should be imposed. For liquor primary license extensions comment from local government is required; for food primary license extensions, the LCLB does not seek local government comment.

- This is contrary to Council Policy G-17, which requires municipal comment on temporary extensions of licensed area for both liquor primary and food primary establishments. Some past large events have been conducted as extensions to the licensed area of a restaurant, e.g. the Casino Royale events at Rick's Grill.
- LLAC restaurant sector representative suggested that municipal policy should be changed to be in step with rest of province. Staff will review Council Policy G-17 with respect to the impact of the many changes to provincial liquor policy.

OTHER BUSINESS

At the recent Whistler Excellence Awards Wayne Katz was voted business person of the year and Pepe Barajasa was voted rising star.

Next meeting

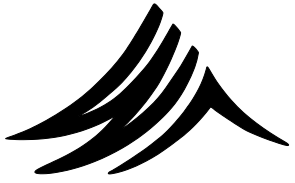
The next meeting is scheduled for Thursday, August 7, 2014

ADJOURNMENT

Moved by Mike Varrin

That Liquor License Advisory Committee adjourn the July 03, 2014 committee meeting at 10:10 a.m.

CARRIED



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CHAIR: Mike Varrin

SECRETARY: Frank Savage