



# WHISTLER

## MINUTES

### REGULAR MEETING OF LIQUOR LICENCE ADVISORY COMMITTEE

THURSDAY, JUNE 9 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 Representative – Restaurants, Vice-chair, Kevin Wallace  
Food & Beverage Sector Representative – Pubs, Mike Wilson (by phone)  
Food & Beverage Sector Representative – Nightclubs, Terry Clark  
Public Safety Department Representative, RCMP, Rob Knapton  
Whistler Fire Rescue Service Representative, Mitch Hunter  
RMOW Staff Representative, Secretary, Frank Savage  
Liquor Control and Licensing Branch (LCLB) Inspector, Holly Glenn  
Recording Secretary, Shannon Perry

#### REGRETS:

Whistler Community Services Society Representative, Jackie Dickinson  
Councillor, Andrée Janyk

#### GUEST:

Michael Kompass – Fitzsimmons Pub

Meeting called to order – 8:49 a.m.

#### ADOPTION OF AGENDA

Moved by Kevin Wallace  
Seconded by Terry Clark

**That** Liquor Licence Advisory Committee (LLAC) adopt the Liquor Licence Advisory Committee agenda of June 9, 2016

CARRIED

#### ADOPTION OF MINUTES

Moved by Kevin Wallace  
Seconded by Terry Clark

**That** Liquor Licence Advisory Committee adopt the Liquor Licence Advisory Committee minutes of October 8, 2015

CARRIED

## **COUNCIL UPDATE**

Councillor Janyk was unable to attend due to a conflict with another meeting; she extended her apologies to the committee.

Mitch Hunter entered the meeting at 8:55 a.m.

## **PRESENTATIONS/DELEGATIONS**

Fitzsimmons Pub  
Permanent Change to  
a Liquor Primary  
Licence, File No. LLR  
1258

Frank Savage presented to the LLAC highlights of the staff report regarding the Fitzsimmons Pub structural change application to install a new outdoor patio in front of the establishment:

- 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 a 26 person capacity patio separated from the indoor pub by an unlicensed pedestrian walkway.
- In the e-mail referral to LLAC members the Accommodation sector representative expressed concerns that late night noise from the patio could potentially disturb guests staying in rooms adjacent to the Upper Village Stroll and that restricted patio hours could be considered.
- No comments were received during the 30-day public notification period.
- The Fitzsimmons Pub is in good standing based on its compliance history.
- The small patio could provide an alternative outdoor amenity for the Upper Village.
- The owner has agreed to turn off amplified patio music (if any) by 10:00 p.m. and to close the patio earlier than the 1:00 closing time of the establishment, if necessary.

Michael Kompass, owner/operator of Fitzsimmons Pub, presented to LLAC regarding the new patio.

- The patio is intended for spring and summer usage (weather dependent) and currently do not plan to use during winter.
- There will be no amplified music on the patio in conformance with requirements of the Glacier Lodge strata agreement.
- No plans to have lights and heaters for the patio as it is for a casual open outdoor space, and the pub plans to close the patio early.
- The pub features B.C. craft beer on tap and envisions the patio as an amenity for patrons who prefer outdoor seating in good weather.

### Questions from LLAC members:

Q: Why no patio heaters? Is that too great of limitation?

A: The patio location is desired for outdoor sunny days finishing around 9:00 – 10:00 p.m.

Q: Are you willing to include a restriction on patio amplified music after 10:00 p.m.?

A: Yes, happy to add a clause to the good neighbour agreement.

LLAC member comments:

- RMOW Resort Experience representative supports the application, provided there is no objectionable noise from the patio.
- LCLB inspector: No concerns with the application
- Restaurant sector representative supports the application as it is a great addition to the Upper Village. Further suggested that patio hours should be consistent with other similar establishments. Patio noise can be controlled with good management practices.
- RCMP representative: Provided that noise is managed, the time of closing the patio is not a concern
- Nightclub sector representative: No concerns with the application
- Fire Department representative: No concerns with the application
- Accommodation representative: Supports application; a new guest experience in the Upper Village will be provided by the patio.
- Pub sector representative: Full support; provides animation to Upper Village.

Moved by Kevin Wallace  
Seconded by Terry Clark

**That** the Liquor Licence Advisory Committee supports the application by the Fitzsimmons Pub for a new 26 person capacity outdoor patio.

CARRIED

Michael Kompass left the meeting 9:20 a.m.

Provincial Liquor Policy  
Changes

Frank Savage reported on some recent provincial liquor policy changes:

- The restaurant lounge endorsement to food primary licences has been eliminated, because all restaurant seats are now food optional, provided the focus of the establishment is on the service of food.
- All food primary establishments with a patron participation entertainment (PPE) endorsement for dancing are now permitted to have dancing until 1:00 a.m. on New Year's Eve (PPE normally ends at midnight)
- An auction for six new B.C. wine store licences was recently announced by the LCLB. The new wine stores must be included within an eligible grocery store.
- Liquor can now be delivered by room service to hotel guests 24 hours a day, provided that food is also available and the serving establishment is located on the same property as the hotel.

LLAC members were asked for any comments or concerns with previously implemented provincial liquor policy changes, especially the introduction of Happy Hour and the change which permits liquor service in food primary establishments (restaurants) without the necessity of ordering food.

- RCMP: no concerns or comments. The changes have not led to any policing problems.
- Restaurant sector representative: The changes have been positive for restaurants and the resort community as a whole. The reduced drink and food pricing of happy hour has brought people into the restaurants earlier in the day, spreading out demand.

- Nightclub sector representative: Previous happy hour troubles have died down, as nightclubs are no longer seeing as many people who had been heavily drinking and then trying to get into nightclubs.
- Fire Department representative: Staff have noticed a decline in call-outs in the Village due to fights and overdoses.

LLAC members were advised of potential changes to provincial liquor policies currently being considered by the LCLB:

- Approximately 60% of the provincial government recommendations have been implemented.
- LCLB is reviewing the provisions in the Liquor Control and Licensing Act regarding public consumption of liquor.
- Implementation of recommendation #37, to permit a restaurant to fully transition away from food service and operate as a bar or nightclub is under consideration. An LCLB consultation paper proposes that an interested restaurant would have to apply for a new liquor primary licence, a process which would ensure that local government would have full opportunity for input on such a transition.
- Implementation of recommendation #38, to permit museums, galleries, spas and other businesses to apply for a food primary or liquor primary licence, even though the service of food (or beverage) would not be the primary focus of the business
- Streamlining the new liquor primary application process by permitting the applicant to apply to local government at the same time as applying to the LCLB

Mitch Hunter left the meeting at 9:49 a.m.

#### **OTHER BUSINESS**

Coast Mountain Brewery at Function Junction has applied for a manufacturing licence. They have also applied for a brewery lounge endorsement to their manufacturing licence, so they can sell beer for consumption on site and up to 20% liquor of other types.

Next meeting will be July 14, 2016 starting at 8:45 a.m.

#### **ADJOURNMENT**

Moved by Rob Knaption

**That** Liquor Licence Advisory Committee adjourn the June 9, 2016 meeting at 10:02 a.m.

CARRIED

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CHAIR: Colin Henderson

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SECRETARY: Frank Savage