



WHISTLER

MINUTES

**REGULAR MEETING OF LIQUOR LICENCE ADVISORY
COMMITTEE
THURSDAY, NOVEMBER 10, 2016, 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
Public Safety Department Representative, RCMP, Rob Knapton
Public Safety Department Representative, RCMP, Darren Durnin
Whistler Fire Rescue Service Representative, Geoff Playfair
Liquor Control and Licensing Branch (LCLB) Inspector, Charlie Wager (by
telephone)
RMOW Staff Representative, Secretary, Frank Savage
Recording Secretary, Shannon Perry

REGRETS:

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

Colin Hedderson called the meeting to order at 8:50 a.m.

ADOPTION OF AGENDA

Moved by Terry Clark
Seconded by Geoff Playfair

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

CARRIED

ADOPTION OF MINUTES

Moved by Kevin Wallace
Seconded by Mike Wilson

That Liquor Licence Advisory Committee adopt the Liquor Licence Advisory
Committee minutes of October 13, 2016.

CARRIED

PRESENTATIONS/DELEGATIONS

New Liquor Control and Licensing Branch Policies

Frank Savage presented a report to the Liquor Licence Advisory Committee
(LLAC) and led a discussion on new Liquor Control and Licensing Branch
(LCLB) policies. The intent of the review and discussion was to highlight the

Recently Announced
Provincial Liquor Policy
Changes

new policies that may affect Whistler establishments with liquor primary or food primary licences, the accommodation sector and the resort community as a whole.

On October 20, 2016 the LCLB issued six Policy Directives with a total of 76 **new policies which will come into effect on January 23, 2017**. New policies relevant to Whistler were highlighted as discussed below:

LCLB Policy Directive 16-14: General policy changes for all licensees and additional policy changes for UBrews/UVins and Licensee Retail Stores

- Policy No. 6: *Permit local governments to delegate licensing decisions to staff*

This would allow the Municipality to delegate licensing recommendations on certain types of licence applications to municipal staff, rather than the current requirement for a resolution from municipal Council. Potential for streamlining review process.

- Policy No. 12: *New and updated definitions for service area, establishment, event site*

New definitions relevant to determination of occupant load (capacity) of the patron area of a licensed establishment.

Presently, there is some confusion whether the term “establishment” refers to the entire or just the area where patrons may consume liquor.

Policy No. 13: *Provide flexibility to extend the hours of liquor service in exceptional circumstances*

This provides an opportunity for an establishment to apply “in exceptional circumstances” to serve liquor outside of the current provincial limitations of 9 a.m. to 4 a.m. provided it is in the public interest.

LCLB Policy Directive 16-15: Food primary licence and catering licence policy changes

- Policy No. 1: *Permit patrons in a hotel liquor primary or food primary to take an unfinished drink to their room*

Patrons can take unfinished drinks from the food primary or liquor primary establishment to their room. Discussion: This policy would apply to hotels such as the Fairmont where the licensed establishments are owned by the hotel. It would be up to each eligible hotel to decide upon and manage. Patrons cannot leave the property. LCLB to provide a clarity on restrictions when the new policies come into effect in January 2017.

Rob Knapton left meeting 9:02 a.m.

- Policy No. 2: *Permit establishments to have dual food primary and liquor primary licensing*

Food primary establishments can apply for a liquor primary licence at the same location and operate as a bar or nightclub after a certain hour, such as 10 p.m. Dual licensing would allow establishments to shift their focus away from food and remain in compliance with LCLB policies.

Q: Can a food primary (restaurant) still operate the kitchen, but have a reduced late-night menu?

A: (From LCLB rep.) LCLB sees this as a possibility for a food primary licence – will be confirmed in January when the new policies come into effect

LCLB Policy Directive 16-16: Liquor primary licence policy changes

- Policy No. 1: *Allow liquor primaries to relocate to a new community*
Liquor primaries will be able to relocate anywhere in the province, but they are still subject to a local government community input process for the new location.
- Policy No. 3: *Permit hotels/resorts with a liquor primary to provide a free alcoholic drink to guests in the lobby/reception area at check-in*
Hotels and resorts with a liquor primary licence on their property are able to provide guests with one standard drink upon check in.
Q: Would a guest be able to take a drink from an establishment on an outdoor walkway?
A: (From LCLB rep.) These changes will be up to the establishments to manage; it offers a service to guests, but hotels don't have to implement it.
- Policy No. 9: *Allow businesses outside hospitality, entertainment or beverage service to apply for a liquor primary licence*
Most any business will be able to apply for a liquor primary licence. Examples may include spas, art galleries and cooking schools. The new policy allows businesses to offer liquor as an additional service to their patrons. The licensed area can overlap all or part of the business, or it can be adjacent to the primary business.
- Policy No. 11: *Concert halls and live event theatres*
LLAC would like to see the definition of a concert hall to see if it would apply to Maury Young Arts Centre. This will be clarified when the new licence policy manual is released in 2017. The updated manual will incorporate new policies and definitions.
- Policy No. 12: *Streamline the application process for a liquor primary licence*
For a new liquor primary licence this would allow an application to the LCLB and the RMOW at the same time (in parallel) instead of the current consecutive process. This could reduce the application time for a new liquor primary licence by several months.
- Policy No. 14: *Golf course patrons can take a drink from one service area to another*
A patron may purchase a drink in one licensed area at a golf course and take it to another service area at the golf course, as long as the patron takes a direct route between the service areas. This allows patrons to carry liquor between the licensed clubhouse and the licensed playing area.
- Policy No. 17: *Amend requirement for local governments/First Nations to assess their own applications*
If a local government is the applicant for a liquor primary licence, the branch will conduct the public input process, and the local government will not be asked to provide a resolution.

LCLB Policy Directive 16-17: Manufacturer licence and agent licence policy changes

- Policy No. 17: *Streamline the application process for a manufacturer lounge and Special Event Area*
For a new brewery/distillery manufacturer lounge or special event area this would allow an application to the LCLB and the RMOW at the same time (in parallel) instead of the current consecutive process. This could reduce the application time for a new lounge or special event area by several months.

LCLB Policy Directive 16-18: Special Event Permit (formerly Special Occasion Licence) policy changes

- Policy No. 17: *Special Event Permits*
The former Special Occasion Licence is now called a Special Event Permit.
- Policy No. 2: *Update the conditions for a Special Occasion Licence (now a Special Event Permit)*
Currently, a Special Occasion Licence (SOL) for a charity concert or event is only available to non-profit organizations. With the policy change, businesses can now also apply for a Special Event Permit (SEP) to raise funds for charity. An SEP must not be issued for the primary purpose of making a profit unless the funds raised go to a charitable purpose.
- Policy No. 5: *Allow non-residents and non-citizens to apply for a special event permit*
Currently, only B.C. residents, Canadian citizens and permanent residents may apply for a Special Occasion Licence. With the new policy anyone can now apply for a Special Event Permit, as there is no longer a residency or citizenship requirement.

LCLB Policy Directive 16-19: Compliance and Enforcement Policy Changes
Five new policies noted. No discussion.

Licensed Food & Beverage Services Locations and Capacities

A presentation from Frank Savage regarding licensed food and beverage service locations and capacities – an update and follow-up to a presentation at the October 13, 2016 LLAC meeting. A decision making framework for new licence applications should consider the following objectives in addition to those previously discussed:

- Maintain the independent nature of Whistler's food and beverage sector
- Maintain a competitive food and beverage environment, without impacting the viability of existing businesses.

Specific municipal policies should be developed for certain application types:

- New liquor primary licences or conversions from food primary
- Dual food primary and liquor primary licence applications
- Other businesses applying for a FP or LP licence
- Increases in liquor primary or food primary capacities

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A discussion was held as to how to advise the food and beverage sector of the coming provincial liquor policy changes and obtain input on the implementation in Whistler. Some ideas and comments:

- Bring in resort stakeholders and hold an information/planning session?
- The Whistler guest experience should be maintained and enhanced.
- Restaurant sector representative will reach out and find out which restaurants would be interested in pursuing a liquor primary licence (dual licence).
- Accommodation sector representative will inform Hotel Association of Whistler of the changes.
- Pub sector representative will mention at upcoming sector meeting.
- Nightclub sector cautioned that restaurants considering a liquor primary licence for nighttime hours should be aware of the enhanced security requirements of a nightclub environment.
- What will be the business licence implications for dual liquor licenses?
- Policies should consider more than just Whistler Village – also consider Function Junction, Cheakamus Crossing, Whistler Creek, Rainbow
- Q: Are both licences affected if there are penalties assessed?
A: Likely only the licence in use will be affected.

It was concluded that sector representatives will seek feedback from their members. At the next LLAC meeting a more focused session will be held to consider input received and solicit recommendations for the implementation of the new policies.

OTHER BUSINESS

Meeting start time

LLAC agree to continue starting at 8:45 a.m. on second Thursday of month

Next meeting Thursday, December 8, 2016.

ADJOURNMENT

Moved by Geoff Playfair

That Liquor Licence Advisory Committee adjourn the November 10, 2016 meeting at 10:35 a.m.

CARRIED

CHAIR: Colin Hedderson

SECRETARY: Frank Savage