



# WHISTLER

## MINUTES

REGULAR MEETING OF LIQUOR LICENCE ADVISORY  
COMMITTEE  
THURSDAY, MARCH 14, 2019 STARTING AT 10:30 A.M.

**In the Flute Room at Municipal Hall  
4325 Blackcomb Way, Whistler, BC V8E 0X5**

### PRESENT:

Food & Beverage Sector Representative (Pubs), Chair, Mike Wilson  
Food & Beverage Sector Representative (Nightclubs), Brendon King  
Accommodation Sector Representative, Julie Lanteigne  
RMOW Resort Experience Staff Representative, Secretary, Frank Savage  
Whistler Community Services Society Representative, Lisa Coulter  
RMOW, Senior Planner, Jake Belobaba  
Councillor, John Grills  
Recording Secretary, Shannon Perry

### REGRETS:

Public Safety Department Representative, RCMP, Rob Knapton  
Food & Beverage Sector Representative (Restaurants), Kevin Wallace  
Whistler Fire Rescue Service Representative, John McKearney  
Liquor and Cannabis Regulation Branch (LCRB) Inspector, Holly Glenn

Meeting called to order at 10:42 a.m.

### ADOPTION OF AGENDA

Moved by B. King  
Seconded by J. Lanteigne

**That** Liquor Licence Advisory Committee adopt the agenda of March 14, 2019  
Liquor Licence Advisory Committee meeting.

CARRIED

### ADOPTION OF MINUTES

Moved by B. King  
Seconded by J. Lanteigne

**That** Liquor Licence Advisory Committee adopt the regular Liquor Licence  
Advisory Committee minutes of January 24, 2019.

CARRIED

### COUNCIL UPDATE

Update provided by Councillor Grills:

- The Five-Year Financial Plan 2019-2023 is moving forward through the annual budget approval process.

- The Official Community Plan (OCP) received second reading. The RMOW is seeking to remove the requirement that the provincial government must approve all OCP amendments.
- Resort Municipality Initiative (RMI) funding has been approved for another three years, providing certainty for this important funding program.
- Whistler commercial property values have increased which may result in property tax increases.
- Water meter readings in businesses will shortly be introduced in order to track and reduce water usage.

### **PRESENTATIONS/DELEGATIONS**

Amendments to  
Council Policy G-17,  
Municipal Liquor  
Licensing Policy, File  
No. 8292.03

Frank Savage presented a staff report on proposed amendments to Council Policy G-17, Municipal Liquor Licensing Policy, which was included as an appendix to the report.

The proposed updated policy includes substantial amendments to the policy guidelines for non-traditional businesses applying for a liquor licence as well as other minor changes to conform to terminology in Liquor and Cannabis Regulation Branch (LCRB) application documents. Staff summarized steps that have been taken to so far to develop policy guidelines for liquor licences for non-traditional businesses:

- The May 2017 amendments to Policy G-17 included Section 7.0, broad guidelines for “Other” (non-traditional) businesses applying for a liquor licence.
- A report was presented to Council on November 21, 2017 on the topic and Council authorized staff to convene an open house to engage the community.
- An open house was held on December 14, 2017 and an online survey was conducted.
- At the LLAC meeting on January 11, 2018 the committee reviewed comments from the public and discussed a proposed municipal regulatory framework.
- At the LLAC meeting on December 13, 2018 staff reported that approximately 12 non-traditional business (mostly hair salons) in the province have applied for and received liquor primary licences. LLAC members voted to support municipal regulations using Temporary Use Permits (TUPs).
- A legal opinion determined that TUPs were not the appropriate means of regulation in commercial zones that permit liquor primary type establishments.
- The proposed approach is to include specific criteria in Section 7.0 of Policy G-17 for evaluating liquor primary licence applications from non-traditional businesses. Additional conditions could be put on the business licence to ensure that liquor service is subordinate and complementary to the existing business.
- LLAC members were reminded that applications from non-traditional businesses for a liquor primary licence would have to go through the full liquor primary application process, which includes LLAC and Council review.

- The business would also have to have appropriate zoning. Liquor primary is currently permitted in Whistler Village, Creekside and some Function Junction zones. If a property is not zoned for liquor primary, the applicant would have to apply for rezoning. For a food primary licence (e.g. book store or grocery store) RMOW suggest following the normal food primary licencing process and, again, zoning would have to align.

Other policy changes proposed in the amended Policy G-17 include:

- Replacing all references to the provincial Liquor Control and Licensing Branch (LCLB) with the new name: Liquor and Cannabis Regulation Branch (LCRB)
- Some liquor licence types were changed to conform to current LCRB terminology
- Other minor edits

The proposed amended Liquor Licence Application Fee Bylaw No. 2224, 2019 was also attached to the report and discussed:

- Minor changes included in bylaw to correspond with current LCRB terminology. Two new application types and fees included. No changes is current application fees, in effect since 2009.

#### **Questions & Answers:**

Q: What happens if a retail business has a liquor primary licence and a new owner takes over the business? Who will monitor this transfer to new ownership?

A: A suitability review, including a Criminal Record Check, is done by the province to ensure that the new owner is fit for a liquor primary licence. Applicants for a transfer are required to disclose if they have ever had ownership or interest in a liquor licence. If the new owner planned to change the type of business, the LCRB would consider the impacts on minors and could impose additional conditions on the licence.

Q: Has there been thought about the type of policy for recreational cannabis sales? Would it be included with the liquor policy?

A: Cannabis retail sales would likely be treated similar to retail packaged liquor sales. The specific property would have to be rezoned to permit the use.

Moved by B. King

Seconded M. Wilson

**That** the Liquor Licence Advisory Committee support the proposed amendments to Council Policy G17, Municipal Liquor Licensing Policy.

CARRIED

Moved by B. King

Seconded by J. Lanteigne

**That** the Liquor Licence Advisory Committee support the amended Liquor Licence Application Fee Bylaw.

CARRIED

**OTHER BUSINESS**

None

**MOTION TO TERMINATE**

Moved by B. King  
Seconded by J. Lanteigne

**That** the Liquor Licence Advisory Committee meeting of March 14, 2019 be terminated at 11:32 am

CARRIED

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Chair

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Recording Secretary: Shannon Perry