



# WHISTLER

## MINUTES

**REGULAR MEETING OF LIQUOR LICENCE ADVISORY  
COMMITTEE  
THURSDAY, JANUARY 24, 2019 STARTING AT 10:30 A.M.**

**In the Piccolo 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  
Food & Beverage Sector Representative (Restaurants), Kevin Wallace  
Accommodation Sector Representative, Julie Lanteigne  
Whistler Community Services Society Representative, Jackie Dickinson  
Public Safety Department Representative, RCMP, Rob Knapton  
RMOW Resort Experience Staff Representative, Secretary, Frank Savage  
Whistler Fire Rescue Service Representative, John McKearney  
Mayor Jack Crompton  
Recording Secretary, Shannon Perry

### **GUESTS:**

Pangea Pod Hotel, Russell Kling  
Pangea Pod Hotel, Matthew Scott  
Rising Tide Consultants, Edna Lizotte

### **REGRETS:**

Liquor and Cannabis Regulation Branch (LCRB) Inspector, Holly Glenn  
Councillor John Grills

Meeting called to order at 10:36 a.m.

New Liquor Licence Advisory Committee (LLAC) members were introduced:

- Julie Langteigne, representing the Accommodation Sector
- Brendon King, representing the Nightclub Sector

### **ADOPTION OF AGENDA**

Moved by R. Knapton  
Seconded by K. Wallace

**That** Liquor Licence Advisory Committee adopt the agenda of January 24,  
2019 Liquor Licence Advisory Committee meeting.

CARRIED

### **ADOPTION OF MINUTES**

Moved by K. Wallace  
Seconded by B. King

**That** Liquor Licence Advisory Committee adopt the regular Liquor Licence Advisory Committee minutes of December 13, 2018 as amended.

CARRIED

### **COUNCIL UPDATE**

A brief Council update was provided by Mayor Crompton. The 2019 Municipal budget process is under way. The 2019 Budget annual community meeting will be Monday February 4, 2019 at the Maury Young Arts Centre.

### **PRESENTATIONS/DELEGATIONS**

LLR1324 Pangea Pod  
Hotel Patron  
Participation  
Entertainment  
Endorsement

A presentation by Frank Savage on an application by the Pangea Pod Hotel to add a patron participation entertainment (PPE) endorsement to its food primary liquor licence:

- The hotel consists of nine suites, with a total of 88 sleeping pods, hotel reception, a café/lounge with a capacity of 104 persons and a seasonal outdoor deck patio with a capacity of 38 persons. The hours of liquor service are 9 a.m. to 1 a.m. daily.
- The Pangea Pod Hotel is applying for a PPE endorsement to its food primary licence to include activities such as dancing, karaoke etc. with the entertainment ending by midnight. The PPE endorsement is for the second floor café/lounge area only, not the third floor outdoor deck patio. The applicant's letter of rationale was attached to the report.

Whistler Fire Rescue Service representative entered the meeting 10:48 a.m.

- For this type of application LCRB regulations require that local government gather public input and provide a Council resolution which must consider the location, capacity and hours of service of the establishment. The Council resolution must include comments on the impact of noise, the impact on the community, the views of residents, whether the amendment will result in the service area being operated contrary to its primary purpose, and a recommendation whether or not the application should be approved.
- Municipal review process includes a good standing review, public notification (two newspaper ads and sign at the site for 30 days), referral to LLAC members for comment, a report to the LLAC and a recommendation from the committee at a meeting. Council then considers a staff report, which includes the LLAC's recommendation.
- A comment was received from the LLAC nightclub sector representative during the two-week LLAC referral period. The nightclub sector opposes the application, as the sector feels that PPE can allow a restaurant to operate as a nightclub. Suggested that liquor service for a special event could be provided using a Special Event Permit (SEP), which would permit active entertainment.
- The staff report to the LLAC provided a preliminary analysis of the application relative to the LLAC review criteria, summarizing the applicant's rationale for the licence change and the potential for negative impacts on the community:
  - Primary customers for PPE events are guests of the hotel

- PPE would allow solo travellers staying in pods to socialize with fellow guests
- Noise would be confined within the hotel, and management would not want to disturb its other guests
- PPE events would not likely impact traffic, parking, public safety

Russell Kling then presented on the Pangea application:

- The applicant noted that the suggestion to apply for a PPE endorsement initially came from the LCRB inspector who advised that patrons would not be permitted to get out of their seats or actively participate during any entertainment. The Pangea wants to ensure they are fully in compliance with the terms of their food primary licence.
- Mr. Kling noted that 85% of the hotel's business is from the hotel suites and that the Pangea has guest experience as their main priority. "Quiet hour" for guests is considered to be 9:30 p.m.
- The Pangea would like to offer an extra level of service to guests – there is interest for guests to have the opportunity to book an entire suite and have the space in the lounge area to mingle, socialise and sing "happy birthday" without breaching the terms of their food primary licence.
- Applicant advised that they are not getting a lot of restaurant business after the 10 p.m.
- Using an SEP for events would not be practical for the Pangea, as they would have to plan at least a month ahead any time they wanted to host an event. A PPE endorsement would allow the hotel to have the chance to host events for such times as Whistler Pride week at shorter notice.
- With the current licence if guests are getting out of their seats while music is playing, this puts the hotel at risk of getting a fine from the LCRB. If a PPE endorsement is granted, the focus will remain on the operation of the hotel. Events with PPE are simply an added amenity.

#### **Questions and Answers:**

- Q. Pub Sector Representative: The Pangea mentioned in their application that this PPE endorsement would allow them to host birthday parties and/or weddings. How would you conduct a wedding, will it be shut down at 9:30?
- A. Pangea: There is low probability of weddings happening, but if they do the Pangea would comply with the PPE endorsement criteria of ending PPE by midnight.
- Q. Pub Sector Representative: Are the pods a licensed area?
- A. Pangea: There is room service available to guests, but the pods are intended as a tranquil area.
- Q. Pub Sector Representative: When was there last an application for PPE?
- A. Resort Experience Staff Representative: The last application for a PPE endorsement was from 21 Steps in 2013 for the upstairs area. The review

process for a PPE endorsement is essentially the same as an application for a liquor primary licence would go through.

- Q. Mayor Crompton: Have restaurants with a PPE endorsement created problems for the community?
- A. Nightclub Sector Representative: Not aware of any. However, nightclubs are required to do a lot more such as first aid training and security. Other venues don't have these liquor primary responsibilities, nor do they get held accountable for issues such as intoxicated people on the Stroll or worse, passing out in snow banks, etc.
- A. Pub Sector Representative: It seems liquor primary licenses and PPE endorsements are becoming so close now, but liquor primary comes with many more requirements such as the need for door security staff.
- Q. Mayor Crompton: Would this endorsement allow guests to drink more?
- A. Pub Sector Representative: No. Every establishment still has a duty of care regardless of their licencing. The hotel will still have a duty of care such as security where appropriate. The fines or repercussions are still the same for patrons breaking rules.
- Q. Whistler Community Services Society (WCCS) representative: WCCS has received a lot of great feedback from the community regarding the Pangea – lots of great inclusive events. The only concern is the happy hours of 3 – 5 p.m. selling \$3.90 beers. If this application goes through, Pangea needs to be mindful of how they will be responsible.
- A. Pangea: Yes, Pangea is offering a promo of beer and also food to attract people coming off the mountain. The business is very clear of how important it is for staff to adhere to Serving It Right guidelines.

**Comments from LLAC members on the Pangea PPE application:**

RCMP Representative:

Keep in mind this is a hotel applying for PPE endorsement. Other hotels have banquet facilities. Hotels clearly don't want excessive noise interrupting their guests. Sees this as a hotel applying for an endorsement, not a pub or nightclub. No concerns. Supports.

Restaurant Sector Representative:

Supports. The proposal enhances the hotel's business model. Yes, there is a potential threat to the nightclub sector if someone else takes over and has other intentions with the licence. Each PPE application should be looked at case-by-case. This application would provide enhanced guest experience and responsible service, and isn't seen as a problem.

Accommodation Sector Representative:

Supports. Having the ability to dance doesn't take away from the duty of care of the business. Noise is the primary issue when operating a hotel.

Pub Sector Representative:

This application gets right to the edge of what's permitted with a food primary licence. Having PPE endorsement doesn't have all the requirements of security and the higher level of duty of care that a

nightclub's liquor primary licence does. This is an application from a hotel, which will regulate its own guests. Supports.

Nightclub Sector Representative:

Opposed. They are not required to comply with all the security requirements that nightclubs and other liquor primary licensees do. The PPE endorsement gets closer to being a liquor primary.

Whistler Fire Rescue Service Representative:

No concerns. Supports.

WCCS representative:

Providing great inclusivity. Some concerns on impact of low drink prices during happy hour and hope that the Pangea will take that into consideration. Supports.

Resort Experience Staff Representative:

Supports. As long as the focus of the business is operating a hotel, the focus of the food primary restaurant is on the service of food and the PPE ends by midnight, there should be no concerns.

Moved by R. Knapton  
Seconded by K. Wallace

**That** the Liquor Licence Advisory Committee support the application from the Pangea Pod Hotel for a patron participation entertainment endorsement.

Opposed: B. King, Nightclub Sector Representative

CARRIED

## **OTHER BUSINESS**

Pub sector  
representative

Pub sector representative Mike Wilson has taken a new position with Whistler Blackcomb, and the scope of new job does not involve working with the pub sector anymore. The pub sector will propose a new representative. Mike will continue to represent the sector until a replacement is appointed. Mike thanked the committee for the experience.

Next scheduled meeting: Thursday, February 14, 2019 starting at 10:30 a.m.

## **MOTION TO TERMINATE**

Moved by R. Knapton  
Seconded by K. Wallace

**That** the Liquor Licence Advisory Committee meeting of January 24, 2019 be terminated at 11:43 a.m.

CARRIED

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Chair: Mike Wilson

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Recording Secretary: Shannon Perry