



# CITY OF PRINCE GEORGE COUNCIL PROCEDURE

## Liquor and Cannabis Licensing Policy

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Approved By Council: September 17, 2018

### A. Scope

This Council Procedure applies to local government resolutions required by the Province of British Columbia, Liquor & Cannabis Regulation Branch (LCRB). The LCRB portfolio is specific to the following types of licenses:

- Liquor Primary;
- Food Primary; and
- Cannabis Retail.

The general manager of the LCRB issues liquor licenses under the authority of the *Liquor Control and Licensing Act* and *Cannabis Control and Licensing Act*. The general manager may also issue a cannabis retail license under the *Cannabis Control and Licensing Act and Regulation*.

This document is intended to clarify the role of the City of Prince George in the review of liquor and cannabis license applications. Applications for local government resolutions regarding liquor licenses on City property, which are in accordance with the *City of Prince George Alcohol Policy*, are not subject to this Council Procedure. Furthermore, any reference to cannabis retail licenses is for the purpose of non-medical uses only.

### B. Applications

#### 1. Application Forms

Applications for local government resolution shall be made to the Authorized Person, as defined in the City of Prince George Zoning Bylaw. Applications submitted to the Authorized Person shall contain the following information for a complete application:

- Name, address, and signature of the applicant.
- Name, address, and signature of registered owner, if different from the applicant, or an Appointment of Agent form, if the applicant is not the owner.
- Title search for the property, including copies of any charges on title.
- Legal description of the property, and street address of the property.
- Type of application being made:
  - Application for a new liquor primary license;
  - Application for an amendment to an existing liquor primary license;
  - Application for a food primary license requesting a patron participation endorsement and/or extension of the hours of operation of liquor service past midnight;
  - Application for a temporary amendment to an existing liquor license; or
  - Application for a non-medical cannabis retail license.



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- Reasons, comments, and a business plan in support of the application.
- An Occupant Load calculation from a Qualified Professional, as defined in the City of Prince George Zoning Bylaw for the applicable Liquor License.
- A Floor Plan indicating the area for sales, storage and delivery areas (m<sup>2</sup>) for a Cannabis Retail License.
- The Liquor & Cannabis Regulation Branch Application Form.
- Current Liquor or Cannabis License, if applicable.

## 2. Application Fees

The applicant shall pay the City of Prince George an application fee in the amount set out in Comprehensive Fees and Charges Bylaw, and any amendments thereto.

## 3. Consideration of Applications

Applications for a local government resolution shall be presented to Council for consideration at a regular scheduled meeting of Council. A report shall be prepared for Council by the Planning and Development Department that contains: details of the application; an evaluation of the proposal in accordance with the Liquor & Cannabis Regulation Branch criteria; a summary of referral responses; and a draft resolution for Council's consideration. Council may approve the draft resolution, amend the draft resolution and approve it, or provide no comment.

## 4. Public Consultation

The City of Prince George will collect the views of residents that may be impacted by the application. These views shall be collected in accordance with Section B. 4 a. and b. The purpose of public consultation is to:

### Liquor License

- Inform the public that the City has received a request for a local government resolution for a specific site, and if a Rezoning Application is required to facilitate this application.
- Identify the type of resolution applied for, the proposed occupant load, the proposed hours of liquor service, and any other information where applicable.
- Provide the time and date of the Hearing.
- Outline any proposed changes to an existing liquor license if the application is for an existing licensed facility.

### Cannabis Retail License

- Inform the public that the City has received a request for a local government resolution for a specific site, and if a Rezoning Application is required to facilitate this application.
- Identify the proposed business plan, and floor area plan, and setbacks from certain uses, the proposed hours of retail service, and any other information where applicable.
- Provide the time and date of the Hearing.



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## a. Hearing

Council shall hold a public hearing, which will be advertised in accordance with Section B. 4. b. During the Hearing, Council may hear comments from the applicant and members of the public in relation to the application.

The Hearing may be combined with other relevant applications.

## b. Public Notice

### i) Signage

Each applicant shall post a sign on the subject property, or properties, in accordance with Schedule "B" of the *City of Prince George Development Procedures Bylaw*, and any amendments thereto, at least 10 days prior to the Hearing.

### ii) Written Notification

The Corporate Officer shall provide written notification to owners or tenants in occupation of all parcels within a distance of thirty metres from the subject property. The notification will be delivered at least 10 days prior to the Hearing date.

### iii) Newspaper Advertisement

The Corporate Officer shall place an advertisement in two consecutive issues of a newspaper, in accordance with the *Local Government Act*.

## 5. Resolution Outline

The resolutions passed by Council shall take the form outlined by the Liquor & Cannabis Regulation Branch. The evaluation criteria is identified in Section C of the Liquor and Cannabis Licensing Policy.

Council may make a resolution conditional upon some term or condition; however, prior to doing so Council should ensure that the term or condition is within the jurisdiction of the Liquor & Cannabis Regulation Branch to impose or enforce.

## C. Local Government Resolution Application Evaluation Criteria

### 1. Community Impact

Council may consider the following when providing a resolution with respect to an a Liquor License or Cannabis Retail application:

- Location of the establishment.
- Proximity of the establishment to other social or recreational facilities and public buildings.
- Occupant load and hours of liquor service for Liquor License Applications.
- Floor plan of the retail, warehouse and delivery (m<sup>2</sup>), and proposed hours of operation for



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## Cannabis Retail.

- The number of other similar types of uses within a reasonable distance of the proposed Liquor License and Cannabis Retail License.
- Traffic, noise, parking and zoning.
- Population, density, and trends.
- Relevant socio-economic information.
- Whether the proposed amendment will result in the establishment being operated in a manner that is contrary to its primary purpose (i.e. Food Primary).
- The impact on the community if the application is approved.

## 2. Hours

### Liquor Service

The following Section details the suggested hours of liquor service for liquor primary and food primary licensed establishments. Council may increase or decrease the suggested hours of operation on a case specific basis in consideration of the evaluation criteria in Section C. 1.

#### i) Liquor Primary

Licenses within the Downtown (C1: Downtown zone) may have hours of liquor service between 9 a.m. and 3 a.m.

Licenses outside of the Downtown (C1: Downtown zone) may have hours of liquor service between 9 a.m. and 1 a.m.

Hours of liquor service for existing Liquor Primary establishments will not change without an application to LCRB, and referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulation.

#### ii) Food Primary

Licenses within the Downtown (C1: Downtown zone) may have hours of liquor service between 9 a.m. and 1 a.m.

Licenses outside of the Downtown (C1: Downtown zone) may have hours of liquor service between 9 a.m. and 12 a.m. (midnight).

Hours of liquor service for existing Food Primary establishments will not change without an application to LCRB, and referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulations.

### Cannabis Retail

The LCRB suggests hours of Cannabis Retail uses to be from 9 a.m. and 11:00 p.m. Council may increase or decrease the suggested hours of operation on a case specific basis in consideration of the evaluation criteria in Section C. 1.



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### 3. Liquor License Occupant Load

The following section details the suggested occupant load for liquor primary licensed establishments. Council may increase or decrease the following suggested occupant loads on a case specific basis in consideration of the evaluation criteria in Section C. 1.

- i) Liquor primary licenses within the Downtown (C1: Downtown zone) may have an occupant load no greater than 400.
- ii) Liquor primary licenses outside of the Downtown (C1: Downtown zone) have an occupant load no greater than 125.
- iii) Occupant load calculations shall be determined by a Qualified Professional, as defined in the City of Prince George Zoning Bylaw.
- iv) Occupant load for existing Liquor Primary establishments will not change without an application to LCRB, and in some cases a referral to the City of Prince George for a resolution from Council pursuant to the *Liquor Control and Licensing Act* and Regulation.

### 4. Liquor License Patron Participation Entertainment

The following section details the suggested types of patron participation entertainment, which are acceptable, and not acceptable, for food primary licensed establishments. Council may add or subtract from the following lists on a case specific basis in consideration of the evaluation criteria in Section C.1. Furthermore, patron participation entertainment may not alter the primary focus on the service of food.

The following types of patron participation entertainment may be permitted in food primary establishments: karaoke, comedy club, music club, dinner theatre.

The following types of patron participation entertainment may not be permitted in food primary establishments: exotic dancing, electronic interactive gaming, games rooms.

### 5. Location of Liquor Primary Establishments and Cannabis Retail

#### Liquor License

The following section details the suggested separation for liquor primary licensed establishments. Council may increase or decrease the following suggested minimum separation between liquor primary establishments on a case specific basis in consideration of the evaluation criteria in Section C. 1.

Liquor primary establishments outside of the Downtown (C1: Downtown zone) may be permitted with a minimum separation of 1.6 km.



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## Cannabis Retail License

The following section details the suggested separation for Cannabis Retail stores. Council may increase or decrease the following suggested minimum separation between liquor primary establishments on a case specific basis in consideration of the evaluation criteria in Section C. 1.

Cannabis Retail uses may be permitted with a minimum separation of 1.6 km from other cannabis retail uses.

Staff will also provide in a Report to Council a summary of surrounding land uses and the proximity of the nearest residential, institutional and liquor and cannabis retail uses for Council's consideration.

## **D. Temporary Change to a Liquor License Application**

The Authorized Person, or a staff member appointed by the Authorized Person, is hereby delegated the authority to provide approval for temporary changes to a liquor license, and will provide input in accordance with the following conditions:

- Not more than 5 temporary changes for each individual liquor license are approved per calendar year.
- The temporary change is in accordance with all City Bylaws.
- The temporary change application is referred to the RCMP and Bylaw Services for comment.
- The potential social and load use impacts are considered.