

April, 2016

INFORMATION BULLETIN

Liquor Licence Review/Approval Process

This bulletin provides information on the process for Liquor Licence reviews and approvals. It includes a summary of Provincial regulations as well as City of North Vancouver requirements.

Provincial Liquor Licensing Regulations

The Provincial Government is the sole jurisdiction that presides over the issuance of liquor licences, liquor service or liquor distribution/sales through the Liquor Control and Licensing Branch (LCLB) or the Liquor Distribution Branch (LDB). Local Governments participate in the liquor licensing process at the discretion of the Provincial Government as provided through the LCLB regulations or policy.

Liquor Service

There are four (4) types of Provincial Liquor Service Licences, as regulated by the LCLB:

1. Food-Primary Licences - the primary focus is serving food;
2. Liquor-Primary Licences - associated primarily with hospitality, entertainment, beverage service businesses;
3. Manufacturer's Licences - allow the licensee to manufacture and store wine, beer and spirits, and provide samples of product in designated sampling area. Licensee may apply for a retail sales area to the Province but this use must be permitted by local zoning;
4. Special Occasion Licences - associated with temporary special events.

LCLB does **not** require public input for **Food-Primary Licences**. In addition to Provincial approval, applications therefore need only comply with municipal zoning, building permit and business licence requirements. Most commercial zones in the City allow for Food-Primary Licences.

LCLB **requires** public input and local government approval for **Liquor-Primary Licences**.

LCLB does **not** require public input or local government approval for **Manufacturer's Licences**.

LCLB **requires** local government approval for events with **Special Occasion Licences** located on public property.

Liquor Licence Amendments

In addition to the four (4) types of Provincial Liquor Licences noted above, there are six (6) types of Provincial Liquor Licence Amendments, all of which require public input and local government approval:

1. Addition of a patio to a liquor-primary licence;
2. Extension of hours of liquor-primary licences or manufacturer's licence endorsements;
3. Addition of a lounge or special event area endorsement to a manufacturer's licence;
4. Addition of patron participation entertainment to food-primary licences;
5. Extension of hours of liquor service past midnight for food-primary licences; and
6. Increase in person capacity of liquor-primary licences or manufacturer's licence endorsements.

Manufacturer's Licence Endorsement

While Manufacturing Licences do not require public input by the Province, expansions or certain amendments do, as follows:

1. Picnicking endorsement that allow the consumption of products supplied from the tasting area or purchased from the on-site store.
2. Manufacturer tour areas that permit patrons to consume samples provided or sold (up to the maximum sample sales permitted) on the tour. If a winery has a lounge and/or special event area, patrons on a tour can also consume wine manufactured and bottled in BC; otherwise only the winery's product may be consumed.
3. Manufacturer's lounge endorsement that allows:
 - a) Breweries - sale and consumption of product registered to the Brewery only.
 - b) Distilleries - sale and consumption of product registered to the Distillery only.
 - c) Wineries - sale and consumption of wine products manufactured in B.C. only.
4. Manufacturer's special event areas that set hours and locations on the manufacturer's site for special events at which the following is allowed:
 - a) Breweries - sale and consumption of product registered to the Brewery only.
 - b) Distilleries - sale and consumption of product registered to the Distillery only.
 - c) Wineries - sale and consumption of Wine products manufactured in B.C. only.

The City of North Vancouver has no involvement in Picnicking Endorsements and Tour Area permits. Lounge and Special Event Area Endorsements require local government approval.

Retail Alcohol Sales

Retail alcohol sales include all stores that sell beer, wine or spirits. This includes Provincial Liquor stores (provincial), private liquor stores and private wine stores. All retail alcohol sales in the City of North Vancouver require a rezoning. By City Council Policy adopted in 2011, there is a 1 km limiting distance between all Liquor stores (private and provincial). The Province also has a policy that requires Liquor stores to be a minimum of 1 km apart. City and Provincial limiting distance Policy does not apply to wine stores/sales.

Provincially Operated Liquor Stores

By Provincial policy, Provincial liquor stores must conform to City zoning regulations and Policy.

Licensee Retail Stores (Privately Operated Liquor Stores)

A privately owned and operated liquor store is called a Licensee Retail Store (LRS) by the LCLB. These LRS's can sell beer, wine, cider, coolers and a full range of spirits, as well as B.C. lottery products, cigarettes, packaged snacks and liquor related items such as glasses, bottle openers, corkscrews, etc. Those wishing to operate a LRS must have a LRS Licence issued by LCLB.

(It should be noted that, in November 2002, the Liquor Control and Licensing Branch placed a moratorium until July 21, 2022 on the acceptance of applications for new Licensee Retail Store permits. However, under certain conditions, existing LRS licences may be sold and/or transferred to new locations. It is recommended that Liquor Control and Licensing Branch be contacted for further information).

Retail Wine Stores

A privately owned retail wine store includes any kind of wine store that is not on the site of a winery, including winery-operated off-site wine stores, independent wine stores, VQA stores and tourist wine stores. Retail wine stores can only sell wine (no other types of alcoholic beverages) and wine related products such as wine racks, corkscrews, wine glasses, chillers, books and pamphlets, etc.

Retail wine stores are licensed by the LCLB. There is currently a moratorium on new Wine Store Licences and as with LRS licences, wine store licences can be sold and/or transferred under certain conditions. It is recommended that Liquor Control and Licensing Branch be contacted for further information.

Liquor Sales in Grocery Stores

Under certain conditions, LCLB allows the sale of spirits, beer and wine in grocery stores. These can occur in a number of formats including:

- Liquor store within a grocery store;
- Wine store within a grocery store (can sell any type of wine permitted under the licence); and
- Wine on shelf (the type of wine to be sold will be dictated by the licence but could include BC VQA or 100% BC produced wine)

Local Government Liquor Licence Approval Process

Liquor Licence applications are handled by the Community Development Department. Primary contacts are the Business Services Division and the Planning Division.

Those making an application to the Liquor Control and Licensing Branch (LCLB) for a Liquor-Primary Licence, Liquor Licence Amendments, certain Manufacturer's Licence Endorsements

(Lounge and Special Events Area) or for a Special Occasion Licence on public property must receive approval from the City of North Vancouver. **All businesses interested in serving alcohol or selling alcohol in a retail format (with the exception of applications for a Manufacturing Licence within a zone that allows for industrial use) will require rezoning.**

Manufacturing Licences

The City's industrial zones all have unique requirements regarding accessory commercial uses, including limitations on the size of accessory commercial uses. All applicants should verify their zoning and check with the Planning Division if they want to add a retail sales area or the various endorsements allowed for manufacturing licences.

Liquor-Primary Licences and Retail Alcohol Sales

Step 1: Plan Your Liquor Application

- Make an initial inquiry to the Community Development Department (Business Services & Planning Divisions) to identify City regulations and policies relevant to the proposal for a Liquor-Primary Licence (zoning or other City policies etc.) **All Liquor-Primary and Licensed Retail Stores require a rezoning in the City of North Vancouver.**
- Inquire as to what other approvals (servicing, Fire Department etc.) may be required.

Step 2: Submit Your Provincial Liquor Application

- Make an application to the LCLB for the appropriate Licence.
- The LCLB will provide a summary of your application to the City and request a Council resolution in support of or against your proposal.

Step 3: Submit Your Rezoning Application

- Submit a rezoning application to the Planning Division
- Applicants for rezoning may be requested to provide supplemental information to support their application such as noise studies.

Step 3: Council Makes a Decision on Your Rezoning and Liquor Application Simultaneously

Step 4: If approved, proceed with Business Licence and Building Permit applications.

Liquor Licence Amendments

This includes, *Food-Primary* (changes to service hours after midnight or patron participation endorsement), *Liquor-Primary* (relocation, change of hours of service, new patio) and *Manufacturing* (Lounge and Special Event Area Endorsements and change in hours of service).

Step 1: Plan Your Liquor Application

- The applicant must bring a Provincial "Permanent Change to a Liquor Licence Application" or an "Application for Structural Change" to the City for signature.
- The City will sign the "Application for Structural Change" and "Permanent Change to a Liquor Licence Application" and the applicant can forward the application to LCLB.

Step 2: The City Considers Your Proposed Changes

- The application is assigned to a staff liaison in the Community Development Department for review.
- The staff liaison sends the application to internal and external agencies for their review and comment.
- The City has 90 days to provide a decision to the Province.

Step 3: Council Makes a Decision on Your Proposed Changes

- Upon receiving comments from internal and external referral agencies and upon resolution of design and other issues, a Report is submitted to Council.
- This report includes an assessment of the application and a recommendation that the application be supported or not supported by Council as well as whether or not the City will conduct public consultation.
- If Council supports the application without public consultation, City Council passes a resolution to support the application and will forward the resolution to the LCLB, who, in turn, determines whether or not to issue the Liquor Licence Amendment.
- If Council directs public consultation staff will collect input from the public and provide the input received to Council.
- After reviewing written comments generated by Public Notification, Council will decide to support or not support the application and will notify LCLB accordingly.

Special Occasion Liquor Licensing (SOL)

A Special Occasion Liquor Licence is issued by LCLB for a temporary event that wants to serve alcohol usually in the form of a beverage garden. Please refer to the City of North Vancouver's Special Occasion Liquor Licensing Policy for details regarding the City process for SOL applications.

For more information contact:

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