



# City of Port Moody

## Report/Recommendation to Council

Date: February 23, 2021

Submitted by: Community Development Department – Building, Bylaw, and Licensing Division

Subject: Port Moody Legion Liquor Licence Application

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### Purpose

To seek Council direction with respect to an application received by the Liquor and Cannabis Regulation Branch for the Port Moody Legion, located at 2529 Clarke Street, seeking to increase the occupant load on their existing patio.

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### Recommended Resolution(s)

**THAT staff be directed to advise the Liquor and Cannabis Regulation Branch that the City of Port Moody wishes to opt out of the public consultation process for the Port Moody Legion as recommended in the report dated February 23, 2021 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Port Moody Legion Liquor Licence Application;**

**AND THAT staff be directed to draft an amendment to Corporate Policy – 09-4300-2016-01 – City Review of Liquor Licence Applications to establish criteria within the Policy for opting out of a City-led consultation process.**

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### Background

The Port Moody Legion is seeking to increase the occupant load on their existing patio from 20 persons to 40 persons.

When an establishment applies for a new licence, the provincial Liquor and Cannabis Regulations Branch (LCRB) requires the applicant to undertake a public consultation process. More specifically, the applicant is required to hold an open house to allow the opportunity for attendees to ask questions and provide feedback. The request to seek endorsement for a lounge initiates the public consultation requirement from the LCRB.

On November 15, 2016, Council approved a Corporate Policy (09-4300-2016-01) for processing liquor licence applications. That Policy delegates to staff the authority to process minor changes to existing liquor licences on the City's behalf, for such applications as: increasing person capacity for certain types of existing licences; adding patron participation; or serving alcohol beyond midnight. However, since the subject application is for a permanent increase in

patio capacity for a liquor primary licence, the policy requires Council's consideration with respect to public consultation.

## Discussion

The owners of Port Moody Legion have applied to the LCRB to increase the occupant load of their existing patio. A copy of the application is included as **Attachment 1**.

The LCRB requires a resolution from Council indicating support and providing any comments or recommendations for the application to proceed.

The City's policy for the review of Liquor Licence Applications (**Attachment 2**) sets out two options for Council:

1. The City may undertake a public consultation process, which includes notification to neighbouring properties, newspaper notifications, and public meetings. Council would then deliberate and determine if the City was in support of the licence or licence amendment based on resident response; or
2. The City may opt out of the process.

Should the City choose to opt out of the consultation process, the LCRB would ensure that the applicant still follows through with the requirements of the public consultation process as set out in the Liquor Control and Licensing Regulations to assess whether the granting of the licence or licence amendment would be contrary to the public interest.

Given that the LCRB has a process to ensure that a suitable and appropriate process will be followed for public consultation, staff recommend that the City opt out of undertaking a City-driven consultation process.

Due to the duplication in process, staff is also recommending that Corporate Policy – 09-4300-2016-01 – Review of City Liquor Licence Applications be amended to allow for staff to opt out of a City initiated consultation process without seeking Council approval based on Council approved criteria. If directed, staff will bring back an updated policy establishing criteria for the staff approval and outline a communication process so that Council and the public are aware of Liquor License applications in Port Moody.

## Other Option(s)

THAT staff be directed to proceed with the public consultation process in the manner set out in Corporate Policy – 09 4300-2016-01 – Review of Liquor Licence Applications.

## Financial Implications

There are no anticipated financial implications with respect to the recommendations in this report. Should Council direct staff to proceed with the public consultation process, the applicant would be charged the fee set out in the City's Fees Bylaw to cover the associated costs.

## Communications and Civic Engagement Initiatives

Based on the recommendations in this report, no communications or civic engagement initiatives are required.

## Council Strategic Plan Objectives

The recommendation in this report supports the strategic priority of Economic Prosperity in the 2019-2022 Strategic Plan, specifically the objective of supporting the growth of businesses.

## Attachment(s)

1. Application to LCRB.
2. Corporate Policy – 09-4300-2016-01 – City Review of Liquor Licence Applications.

## Report Author

Robyn MacLeod, RBO, CRBO

Manager of Building, Bylaw, and Licensing

## Report Approval Details

Document Title:	Port Moody Legion Liquor Licence Application.docx
Attachments:	- Attachment 1 - LCRB Application.pdf - Attachment 2 - Corporate Policy - 09-4300-2016-01 - City Review of Liquor Licence Applications.pdf
Final Approval Date:	Mar 1, 2021

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Feb 24, 2021 - 5:32 PM

Dorothy Shermer, Corporate Officer - Feb 24, 2021 - 5:57 PM

Rosemary Lodge, Manager of Communications and Engagement - Feb 24, 2021 - 6:08 PM

Paul Rockwood, General Manager of Finance and Technology - Feb 25, 2021 - 10:24 AM

Tim Savoie, City Manager - Mar 1, 2021 - 3:15 PM