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## NEWS RELEASE

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Ministry of Public Safety and Solicitor General

### **B.C. lends support to temporary patios going permanent**

Updated on June 16, 2021

VICTORIA – More than 2,000 temporary patios authorized to serve liquor during the COVID-19 pandemic can apply to become permanent under amended provincial liquor regulations.

This includes prospective patios that are supported by local governments and meet local bylaws.

“Temporary patios have been a lifeline for so many businesses and workers in the hospitality sector, and we’re committed to making these expanded serving areas part of their long-term recovery and beyond,” said Mike Farnworth, Minister of Public Safety and Solicitor General.

Temporary expanded service areas (TESAs) have allowed thousands of restaurants and pubs to serve more patrons while complying with health orders, particularly those related to physical distancing and indoor dining. To ensure existing and prospective TESAs can operate without interruption as they transition toward becoming a permanent part of B.C.’s hospitality landscape, the Province is:

- extending the authorization of existing TESAs for an additional seven months, through to June 1, 2022; and
- continuing to accept applications for new TESAs up to Oct. 31, 2021.

“We have seen the hospitality industry pivot and open patios as a way to continue to welcome their customers and operate safely during the pandemic,” said Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation. “As we move forward with BC’s Restart, we remain committed to working with businesses to find innovative ways to help them thrive and grow.”

The changes will give businesses time to apply to make their current TESA authorizations permanent and prevent the risk of disrupting TESA use during the application process. As well, the changes provide local governments and Indigenous Nations more time to review eligible applications for permanent structural changes before TESA authorizations expire and to consider the implications of permanent approval for their communities.

“TESAs have been a make-or-break opportunity for so many operations struggling through these uncommon and difficult times,” said Ian Tostenson, president and CEO, BC Restaurant and Foodservices Association. “This timely announcement, and the certainty it will afford our members in the months and years ahead, are welcome news.”

Local governments and Indigenous Nations will have until July 30, 2021, to raise concerns about existing TESA authorizations in their jurisdiction before those temporary authorizations are extended by seven months by the Liquor and Cannabis Regulation Branch (LCRB). To all

licensees with current TESA authorizations and whose local governments have not raised concerns, LCRB will issue authorization letters extending the expiry date of their temporary authorization to June 1, 2022.

Extended TESA authorizations must remain in compliance with local bylaws and all other requirements. Without a new authorization letter, existing TESAs will expire Oct. 31, 2021.

As some patios had only interim support intended to help businesses weather the pandemic, local governments and Indigenous Nations will need to evaluate structures and outdoor licensed areas in terms of their community's unique requirements and approach to outdoor dining before those features are made permanent.

**Quick Facts:**

- This announcement delivers on Farnworth's mandate commitment to make patios permanent.
- Businesses wishing to make their current TESA authorization permanent must apply for a new outdoor patio permanent structural change if their TESA is located outdoors, or a new interior service area permanent structural change if their TESA is located indoors, through the Liquor and Cannabis Licensing Portal (link below).
- Permanent approval of TESAs must meet all local bylaws and requirements (e.g., related to parking, building code and the use of public land).
- LCRB has amended policies and processes to help improve application timelines and support the transition of viable TESAs to permanent service areas. However, businesses are encouraged to submit their permanent structural change applications as soon as possible as the approval process, which involves both the Province and local governments or Indigenous Nations, can take up to 10 months.

**Learn More:**

Liquor and Cannabis Licensing Portal: <https://justice.gov.bc.ca/lcrb/>

LCRB policy directives regarding the changes:

<https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-law-policy/liquor-policy-directives>

LCRB: <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>

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