



City of Port Moody

Report/Recommendation to Council

Date: October 19, 2020
Submitted by: Community Development Department – Building, Bylaw, and Licensing Division
Subject: Livelyhood LCRB Application for Patio

Purpose

To seek Council direction with respect to an application received by the Liquor and Cannabis Regulation Branch (LCRB) for the Livelyhood Public House, located at 3224 St. Johns Street, seeking a patio endorsement.

Recommended Resolution(s)

THAT the Liquor and Cannabis Regulation Branch be advised that the City of Port Moody wishes to opt out of the public consultation process for the Livelyhood Public House Liquor Licence Application as recommended in the report dated October 19, 2020 from the Community Development Department – Building, Bylaw, and Licensing Division regarding Livelyhood LCRB Application for Patio.

Background

The Joseph Richards Group is opening a new pub at 3224 St Johns Street. In January 2020, Council opted out of the public consultation process for the new liquor licence. This licence has now been approved by the LCRB, and the owners would like to apply for a patio to accompany their current licence. The previous occupant of this building, Brew Street Kitchen and The Golden Spike, also had patios. When an establishment applies for a patio to accompany its existing liquor 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 new liquor licence, the policy requires Council's consideration with respect to public consultation.

Discussion

The owners of Livelyhood Public House have applied to the LCRB to seek endorsement of a 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 feel that it is not necessary for the City to undertake the consultation process, and are therefore recommending that the City opt out of undertaking a City-driven consultation process.

Other Option(s)

THAT staff be directed to proceed with the public consultation process as 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 stated 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 – Review of City Liquor Licence Applications.

Report Author

Robyn MacLeod

Manager of Building, Bylaw, and Licensing

Report Approval Details

Document Title:	Livelyhood LCRB Application for Patio.docx
Attachments:	- Attachment 1 - LCRB Application.pdf - Attachment 2 - Corporate Policy 09-4300-2016-01.pdf
Final Approval Date:	Oct 26, 2020

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

Kate Zanon, General Manager of Community Development - Oct 20, 2020 - 10:57 AM

Dorothy Shermer, Corporate Officer - Oct 20, 2020 - 11:20 AM

Rosemary Lodge, Manager of Communications and Engagement - Oct 20, 2020 - 2:39 PM

Paul Rockwood, General Manager of Finance and Technology - Oct 20, 2020 - 5:21 PM

Tim Savoie, City Manager - Oct 26, 2020 - 8:56 AM