



# CITY OF PRINCE GEORGE COUNCIL PROCEDURE

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## Liquor and Cannabis Licensing Policy

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**Approved By Council:** October 3, 2022

### 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. APPLICATION INFORMATION

#### 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:

1. Name, address, and signature of the applicant.
2. 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.
3. Title search for the property, including copies of any charges on title.
4. Legal description of the property, and street address of the property.
5. Type of application being made:
  - a. Application for a new liquor primary license;
  - b. Application for an amendment to an existing liquor primary license;
  - c. Application for a food primary license requesting a patron participation endorsement and/or extension of the hours of operation of liquor service past midnight;
  - d. Application for a temporary amendment to an existing liquor license; or
  - e. Application for a non-medical cannabis retail license.
  - f. Reasons, comments, and a business plan in support of the application.

6. An occupant load calculation from a qualified professional, as defined in the *City of Prince George Zoning Bylaw* for the applicable liquor license.
7. A floor plan indicating the area for sales, storage and delivery areas (m<sup>2</sup>) for a cannabis retail license.
8. The Liquor & Cannabis Regulation Branch Application form.
9. Current liquor or cannabis license, if applicable.

## **2. Application Fees**

The applicant shall pay the City of Prince George the application fees in the amount set out in the *City of Prince George 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:

1. A resolution for Council's consideration;
2. details of the application;
3. An evaluation of the proposal in accordance with the Liquor & Cannabis Regulation Branch criteria. This criteria is identified in Section C Local Government Resolution Evaluation Criteria;
4. A summary of referral responses; and
5. A summary of surrounding land uses, and the proximity of the nearest residential, institutional and liquor and cannabis retail uses.

Council may approve the existing resolution, amend the existing resolution and approve a revised resolution, or provide no comment. Should Council amend a resolution to be conditional upon some term or condition, Council should ensure that the term or condition is within the jurisdiction of the Liquor & Cannabis Regulation Branch to impose or enforce.

## **4. Statutory Notification and Public Consultation**

The purpose of public consultation is to inform the public that the City has received a request for resolution for a specific site. The City of Prince George will collect the views of residents that may be impacted by the application in accordance with the *Local Government Act*, *Liquor Control and Licensing Act*, *Cannabis Control and Licensing Act*, "*City of Prince George Development Procedures Bylaw No. 7635, 2005*", and "*City of Prince George Public Notice Bylaw No. 9329, 2022*".

1. Liquor primary and cannabis retail applications shall follow the following public consultation methods:

- a. Council Consideration of a Liquor or Cannabis Licence Application

Where Council will be considering a resolution pertaining to a liquor or cannabis licence application for a specific site and where there will not be a consideration of a rezoning application to facilitate the liquor or cannabis license application, Council shall gather the views of residents of the area by receiving written comments in response to a public notice of the application in accordance with Section 38(3)(i) of the *Liquor Control and Licensing Act*.

This section also applies to consideration of liquor or cannabis license applications concurrent with a temporary use permit application.

b. Hearing regarding a Liquor or Cannabis Licence Application Concurrent with a Rezoning Application

Where a rezoning application is required to facilitate the liquor or cannabis license application, Council shall hold a hearing during which both applications will be considered concurrently.

During the hearing, Council shall gather the view of residents of the area by receiving written and oral comments in response to a public notice of the application in accordance with Section 38(3)(ii) of the *Liquor Control and Licensing Act*.

The hearing may be combined with other relevant applications.

2. Public Notice

Public Notice of Council Consideration or a Hearing regarding a Liquor or Cannabis License Application shall be provided in accordance with the *Local Government Act, Liquor Control and Licensing Act, Cannabis Control and Licensing Act, "City of Prince George Development Procedures Bylaw No. 7635, 2005", and "City of Prince George Public Notice Bylaw No. 9329, 2022.*

a. 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.

b. Statutory Notification

The Corporate Officer shall provide public notice of Council's Consideration or Hearing regarding an application by:

- i. delivering at least 10 days prior to the Council meeting or hearing date, notification to owners or tenants in occupation of all parcels within a distance of thirty (30) metres from the subject property; and
- ii. publishing public notice in accordance with the *Local Government Act, Liquor Control and Licensing Act, Cannabis Control and Licensing Act, "City of Prince George Development Procedures Bylaw No. 7635, 2005", and "City of Prince George Public Notice Bylaw No. 9329, 2022."*

**C. LOCAL GOVERNMENT RESOLUTION EVALUATION CRITERIA**

**1. Community Impact**

Council may consider the following community impact criteria when providing a resolution for a liquor license or cannabis retail application:

- 1. Location of the establishment.

2. Proximity of the establishment to other social or recreational facilities and public buildings.
3. Occupant load and hours of liquor service for liquor license applications.
4. Floor plan of the retail, warehouse and delivery (m<sup>2</sup>), and proposed hours of operation for cannabis retail.
5. The number of other similar types of uses within a reasonable distance of the proposed liquor license and cannabis retail license.
6. Traffic, noise, parking and zoning.
7. Population, density, and trends.
  
8. Relevant socio-economic information.
9. 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).
10. The impact on the community if the application is approved.

## **2. Hours of Operation**

### **1. 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.

#### **a. 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 *Liquor Control and Licensing Regulation*.

#### **b. 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 *Liquor Control and Licensing Regulation*.

### **2. 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.

### 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.

#### 1. Liquor Primary

Liquor primary licenses within the Downtown (C1: Downtown zone) may have an occupant load no greater than 400.

Liquor primary licenses outside of the Downtown (C1: Downtown zone) have an occupant load no greater than 125.

Occupant load calculations shall be determined by a qualified professional, as defined in the *City of Prince George Zoning Bylaw*.

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 *Liquor Control and Licensing Regulation*.

### 4. Liquor License Patron Participation Entertainment

#### 1. Food Primary

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.

## D. TEMPORARY CHANGES 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 five (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.