

Staff Report

Origin

In late 2002 major changes to the province's liquor licence legislation came into effect. Staff have been dealing with the implications of these changes to licensed establishments and Licensee Retail Stores (LRS), and making appropriate changes to the bylaws and policies to ensure the interests of the residents and City are looked after.

One area which is administered by the Liquor Control and Licensing Branch (LCLB) and the Liquor Distribution Branch (LDB) is retail wine stores. Staff have received a number of recent business inquiries about permitted locations for retail wine stores.

The purpose of this report is to ensure that retail wine stores are treated the same way as a Licensee Retail Store (Type 2) within the Zoning Bylaw.

Staff are proposing an amendment to the Zoning Bylaw to change the definition of Licensee Retail Store (Type 2) to ensure that any store retailing alcoholic beverages to the public that is not accessory to a neighbourhood pub is considered a Licensee Retail Store (Type 2).

Analysis

The LDB operates over 200 government liquor stores throughout the province. The LDB issues appointments and enters into contracts that authorize terms and conditions with the private sector for the operation of private retail outlets, such as independent wine stores, LRS, BC beverage alcohol manufacturer stores, rural agency stores and duty-free stores. These authorizations and agreements are in addition to any licensing terms that may be in place with the LCLB.

The LCLB is still responsible for licensing LRS which must be associated with a Liquor-Primary establishment. All other establishments that retail alcoholic beverages to the public must have an agreement with the LDB. Any person or company appointed by the manufacturer or distributor to act as it's agent in the province of BC must be licensed by the LCLB and comply with the legislation of both Branches.

In Zoning Bylaw 5300 a Licensee Retail Store (Type 2) means:

“a store having a gross floor area not exceeding 510 m² (5500 ft²), not accessory to a Neighbourhood Public House, that sells alcoholic beverages to the public for off-site consumption and is licensed as a ‘Licensee Retail Store’ under the regulations of the Liquor Control and Licensing Act.”

To ensure that there is no confusion about stores retailing alcohol it is being recommended that the definition of Licensee Retail Stores (Type 2) be amended to mean:

“a store having a gross floor area not exceeding 510 m² (5500 ft²), not accessory to a Neighbourhood Public House, that sells alcoholic beverages to the public for off-site consumption and is licensed under the regulations of the Liquor Control and Licensing Act or has an appointment or agreement under the Liquor Distribution Act.”
(Attachment 1)

The intent of this amendment is to capture all retail outlets selling alcoholic beverages in Richmond not co-located with a neighbourhood pub within the definition of a Licensee Retail Store (Type 2).

Policy 9309 "Guidelines for Free-Standing Licensee Retail Stores (LRS) Rezoning Applications" sets requirements and criteria which must be met by all stores prior to locating in Richmond. It is also recommended that this policy be amended to revise the definition of a "Free-Standing Licensee Retail Store" so that it is consistent with the proposed bylaw amendment (Attachment 2).

Table 1 shows the number of existing retail wine stores in Richmond. These stores were permitted as "Retail Trade" prior to the definition of LRS being established in the Zoning Bylaw. The proposed bylaw and policy amendments would essentially make these stores legal non-conforming uses that would be permitted to remain at the current location unless the operation was ceased for a period of at least six months.

Table 1. Retail Wine Stores in Richmond

Store	Address	Zoning	Liquor Licence
Blossom Winery Ltd.	5491 Minoru Blvd	I4	Manufacturer (licensed to retail on-site)
Sip Wines	Unit 1030-11660 Steveston Hwy	I3, C3	Licensed Agent

Financial Impact

None

Conclusion

Although it may appear evident that the definition of a Licensee Retail Store (Type 2) includes any agency selling alcoholic beverages, it is recommended to include this specifically in the definitions both in Zoning Bylaw 5300 and the Policy dealing with the rezoning guidelines for all Free-Standing Licensee Retail Stores to ensure no misunderstandings.



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AS2:as2



City of Richmond

Bylaw 8010

**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8010**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- Richmond Zoning and Development Bylaw 5300 is amended by deleting the existing definition of "Licensee Retail Store (Type 2)" in Section 104 Definitions and substituting the following definition of "Licensee Retail Store (Type 2)

LICENSEE RETAIL STORE (TYPE 2)

"Licensee Retail Store (Type 2)" means a store having a gross floor area not exceeding 510 m² (5,500 ft²), not accessory to a **Neighbourhood Public House**, that sells alcoholic beverages to the public for off-site consumption and is licensed under the regulations of the *Liquor Control and Licensing Act* or has an appointment or agreement under the *Liquor Distribution Act*.

- This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8010"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

DEC 19 2005

CITY OF RICHMOND
APPROVED by
APPROVED by Director or Solicitor

MAYOR

CORPORATE OFFICER



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Adopted by Council: July 25th, 2005

Policy 9309

File Ref: 12-8275

GUIDELINES FOR FREE-STANDING LICENSEE RETAIL STORE (LRS) REZONING APPLICATIONS

Policy 9309:

It is Council policy that:

1. Definitions:

Free Standing Licensee Retail Store – means a retail store that sells alcoholic beverages to the public for off-site consumption and is licensed under the regulations of the *Liquor Control and Licensing Act* or has an appointment or agreement under the *Liquor Distribution Act*.

2. Guidelines:

The following criteria and factors are to be considered in making an assessment of a rezoning application to permit a free-standing Licensee Retail Store:

- (1) Unless a Licensee Retail Store rezoning is intended to facilitate the replacement of an existing BC Liquor Store or an existing Licensee Retail Store, new Licensee Retail Stores should avoid locations within 500 m (1,640 ft.) from the following uses:
 - (a) Public and private schools, especially secondary schools;
 - (b) Public parks and community centres; and
 - (c) Other Licensee Retail Stores or BC government operated liquor stores.
- (2) A free-standing LRS should be located in commercial shopping centres (i.e. planned commercial developments which cater to the day-to-day needs of nearby residents) which have an aggregate floor area of at least 2,800 m² (30,150 sq. ft.).
- (3) The free-standing LRS should not exceed a gross floor area of 510 m² (5,500 sq. ft.), including refrigerated space, unless the LRS is intended to facilitate the replacement of an existing BC Liquor Store.
- (4) The following matters are to be addressed:
 - Adequate vehicle and pedestrian circulation;
 - Vehicle Loading/unloading;
 - Off-street parking;
 - Traffic and safety concerns; and
 - Crime Prevention Through Environmental Design (CPTED).