



**City of Richmond**

**Report to Committee**

**To:** General Purposes Committee  
**From:** Terry Crowe  
Acting Director of Development

*To General Purposes - July 18, 2005*  
**Date:** June 28, 2005  
**File:** 08-4106-00  
12-8275-00

**Re:** **Guidelines for Managing Requests for Temporary Changes to Existing Liquor Licences, Free-Standing Licensee Retail Store Rezoning Applications and Liquor Primary Licensed Establishment Rezoning Applications**

**Staff Recommendation**

That, as per the report dated June 28, 2005, from the Acting Director of Development and the Manager, Customer Services, Council adopt new policies for the following:

1. Temporary Changes to Liquor Licences – Short Term Requests by Licence Holders;
2. Guidelines for Free-Standing Licensee Retail Store (LRS) Rezoning Applications; and
3. Guidelines for Liquor Primary Licensed Establishment Rezoning Applications

Terry Crowe  
Acting Director of Development

Anne Stevens  
Manager, Customer Services

Att.

FOR ORIGINATING DIVISION USE ONLY			
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>		<b>CONCURRENCE OF GENERAL MANAGER</b>
Business Licences .....	Y	<input checked="" type="checkbox"/> N <input type="checkbox"/>	
<b>REVIEWED BY TAG</b>	YES	NO	<b>REVIEWED BY CAO</b>
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## Staff Report

### Origin

At the Regular Council Meeting held on April 25, 2005, Council considered a Staff Report providing information and policy recommendations on a variety of liquor sales and service issues. Included in this staff report were recommendations on Licensee Retail Stores (i.e. private liquor stores), Liquor Primary Licensed Establishments and requests for Temporary Changes to existing Liquor Licences. After considering the Staff Report, Council passed the following resolutions:

- “That staff prepare a set of policies and guidelines for consideration by Council which would deal with ‘temporary’ changes to existing liquor licences”; and
- “That staff prepare a policy on appropriate locations in which to allow Licensee Retail Stores and Liquor Primary Establishments where a rezoning is required”.

At the General Purposes Committee meeting on June 20, 2005, Council considered a staff report that was intended to respond to the above noted referral motions. After discussion, the proposed policies were referred back to staff in order to incorporate Council’s comments on the proposed policies establishing guidelines for Licensee Retail Stores and Liquor Primary Establishments where a rezoning application is required. Specifically, Council requested these policies be revised to:

- simplify the guidelines;
- remove reference to economic indicators;
- ensure that the guidelines provided information on the minimum recommended separation from schools, parks and community centres;
- ensure that the guidelines would support Council approved land use plans and policies; and
- clarify the land use issues that are to be addressed as part of a rezoning proposal (i.e. vehicle & pedestrian circulation, traffic & safety, etc.).

This report responds to Council’s original referral motion and the associated discussion at the June 20, 2005 General Purposes Committee.

### Analysis

#### *1. Managing requests for temporary changes to existing liquor licences.*

##### *Issues:*

The Liquor Control and Licensing Branch (LCLB) occasionally receives requests from Liquor Licence holders for a temporary change to their existing Liquor Licence. The LCLB has historically requested that the City provide a comment on each temporary change as part of the LCLB approval process. Past practice was that staff reviewed each temporary liquor licence change request in consultation with the RCMP and then provided a comment on the application directly to the LCLB.

Staff, as part of the report considered by Council on April 25, 2005, proposed an amendment to the Development Application Fees Bylaw No. 7276 in order to authorize the City Licence Inspector to deal directly with each request for a temporary change to an existing liquor licence. Council expressed concerns regarding this delegation of authority and requested that staff

prepare a policy establishing procedures and guidelines for managing requests for temporary changes to existing liquor licences, and to clarify the conditions under which staff could deal with temporary changes to liquor licences without Council approval.

*Solution:*

A Policy establishing procedures for managing requests for temporary changes to existing liquor licences is provided for Council consideration (**Attachment 1**).

The proposed policy includes:

- i. Guidelines under which the City Licence Inspector is delegated the authority to provide comments directly to LCLB. The proposed Policy would enable the City Licence Inspector to provide comments directly to LCLB for temporary changes to Liquor Licences without Council approval in the following cases:
  - a. Requests for a temporary change involving a maximum of three (3) consecutive days; and
  - b. A maximum of two (2) requests for a temporary change for any applicant in a 12 month period.
- ii. A procedure to advise Council by memorandum when the City Licence Inspector provides comments directly to LCLB without Council approval; and
- iii. A procedure for gaining a Council resolution on requests for temporary changes to existing liquor licences that do not meet the criteria for consideration by the City Licence Inspector.

## ***2. Guidelines for Free-Standing Licensee Retail Store (LRS) Rezoning Applications***

*Issues:*

Council requested that staff provide a Policy to establish location guidelines to be considered when a free-standing licensee retail store rezoning application is proposed.

*Solution:*

Staff have revised the proposed policy to reflect the discussion at the June 20, 2005 General Purposes Meeting. A Policy establishing guidelines for a free-standing licensee retail store rezoning applications is provided for Council consideration (**Attachment 2**).

The proposed Policy includes provisions regarding:

- i. Separation from schools, parks, community centres, and other LRS or BC Liquor Stores. LCLB guidelines indicate that a new LRS should be located a minimum of 500 m (1,640 ft.) from an existing LRS. A summary of LRS policies and regulations from other GVRD jurisdictions (**Attachment 3**) indicates which jurisdictions use location guidelines for LRS applications. Staff recommend that Council establish a minimum 500 m (1,640 ft.) separation from schools, parks community centres and other LRS or BC Liquor Stores. The only exception to this proposed minimum separation is where a rezoning is intended to facilitate the replacement of an existing BC Liquor Store or an existing LRS;
- ii. The preference to locate free-standing LRS in well established commercial shopping areas. The proposed policy recommends that free-standing LRS be located in commercial centres consisting of at least 2,800 m<sup>2</sup> (30,150 ft<sup>2</sup>) of commercial floor space;

- iii. Information on the maximum gross floor area. To determine an acceptable maximum floor area staff reviewed LRS policies and regulations from other jurisdictions within the GVRD (**Attachment 3**), existing business licence data on LRS currently operating in the City and consulted the Liquor Distribution Branch (LDB). Business Licence records indicate that the existing LRS in the City range in size from approximately 20 m<sup>2</sup> (215 ft<sup>2</sup>) to 300 m<sup>2</sup> (3,230 ft<sup>2</sup>); however, the majority of these stores are accessory to a liquor primary establishment. The LDB has indicated that BC Liquor Stores in the City typically range in size from approximately 510 m<sup>2</sup> (5,500 ft<sup>2</sup>) to 835 m<sup>2</sup> (9,000 ft<sup>2</sup>) with plans to create signature stores that are approximately 1,020 m<sup>2</sup> (11,000 ft<sup>2</sup>). The LDB has also indicated that generally 70% of the BC Liquor Store gross floor area is used for retail space. Staff propose that the maximum gross floor area be limited to 510 m<sup>2</sup> (5,500 ft<sup>2</sup>), unless the LRS is intended to replace an existing BC Liquor Store. This proposed maximum floor area would accommodate retail space and the associated office, warehouse and loading areas and is reflected in the definition for a free-standing LRS (Licensee Retail Store (Type 2), granted first reading by Council at the June 27, 2005 Regular Council Meeting (RZ 04-286382);
- iv. The need to address the following requirements:
  - a. adequate on-site vehicle and pedestrian circulation;
  - b. vehicle loading and unloading;
  - c. off-street parking;
  - d. traffic and safety; and
  - e. Crime Prevention through Environmental Design (CPTED) concerns.

Staff will review these factors as part of each rezoning application for a free-standing LRS and advise Council how these potential issues are being addressed through a staff report to the appropriate standing committee on the proposal.

### ***3. Guidelines for Liquor Primary Licensed establishments Rezoning Applications***

#### *Issues:*

Council requested that staff provide a Policy to establish location guidelines to be considered when a rezoning is required for a liquor primary licensed establishment (i.e. neighbourhood pub, bar, cabaret or lounge).

#### *Solution:*

Staff have revised the proposed policy to reflect the discussion at the June 20, 2005 General Purposes Meeting. A Policy establishing guidelines for a liquor primary licensed establishment rezoning applications is provided for Council's consideration (**Attachment 4**).

The proposed Policy includes provisions regarding:

- i. The need to demonstrate compatibility with nearby existing and planned land uses, including conformity with applicable Council Policies and approved land use plans;
- ii. Separation from schools, parks and community centres. Staff recommend that Council establish a similar minimum separation as proposed in the LRS guidelines (i.e. 500 m - 1,640 ft.); and

- iii. The need to address the following requirements:
  - a. adequate on-site vehicle and pedestrian circulation;
  - b. vehicle loading and unloading;
  - c. off-street parking requirements;
  - d. traffic and safety;
  - e. noise concerns; and
  - f. Crime Prevention through Environmental Design (CPTED) concerns.

Staff will review these factors as part of each rezoning application for a liquor primary licensed establishment and advise Council how these potential issues are being addressed through a staff report to the appropriate standing committee on the proposal.

### **Financial Impact**

None.

### **Conclusion**

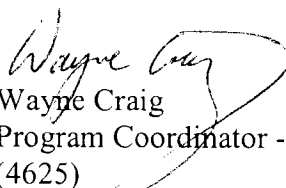
This report responds to Council's requests for a policy for:

1. Managing requests for temporary changes to existing liquor licence;
2. Guidelines for free-standing licensee retail store rezoning applications; and
3. Guidelines for liquor primary licensed establishment rezoning applications.

The proposed policy recommendations provide Council and the public with greater certainty with regards to the processing of these liquor sales and service related applications. In addition, the proposed guidelines for free-standing LRS and liquor primary licensed establishment rezoning applications provide a proactive approach to assessing the potential land use issues associated with these liquor sale and service uses. Staff will use these guidelines to assess rezoning proposals and advised Council of any inconsistencies between the policy and the proposed rezoning. These guidelines will ensure that potential land use issues are considered as part of a staff review of development proposals.

Based on this report, staff recommend that Council adopt the attached policies for:

1. Temporary Changes to Liquor Licences - Short Term Requests by Licence Holders (**Attachment 1**);
2. Guidelines for Free-Standing Licensee Retail Store (LRS) Rezoning Applications (**Attachment 2**); and
3. Guidelines for Liquor Primary Licensed Establishment Rezoning Applications (**Attachment 4**).

  
Wayne Craig  
Program Coordinator - Development  
(4625)

WC:rg



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Adopted by Council: xx / xx / 2005

Policy 2005

File Ref:

Temporary Changes to Liquor Licences – Short Term Requests by Licence Holders

**Policy 2005:****It is Council Policy that:**

## 1. Definitions:

- **Liquor Licence** means a liquor primary licence, liquor primary club licence or a food primary licence as set out in the *Liquor Control and Licensing Act*
- **Licence Inspector** means the Chief Licencing Inspector for the City.

## 2. Licence Inspector Comments to the Province

- i. All Liquor Licence applicants requesting approval of a temporary change to their Liquor Licence shall apply to the City and pay the applicable fee.
- ii. The Licence Inspector is delegated the authority to submit comments to the Liquor Control and Licensing Branch for temporary changes to Liquor Licences to a maximum per applicant of:
  - a. three consecutive days
  - b. two applications in a twelve month period.
- iii. The Licence Inspector will provide a memo to Council members advising of the Licence Inspector's comments.

## 3. Council Comments to the Province

- i. All Liquor Licence applicants requesting approval of greater than three consecutive days or submitting more than two applications in a twelve month period will have their application presented to Council.
- ii. Upon receipt of the completed application and payment of applicable fee, the Licence Inspector will prepare a report containing a recommendation to Council through the appropriate standing Committee.
- iii. After consideration of the report, any resolution of Council will be sent to the Liquor Control and Licensing Branch and the applicant will be provided with a copy the resolution.



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Adopted by Council: xx / xx / 2005

Policy 2005

File Ref:

Guidelines for Free-Standing Licensee Retail Store (LRS) Rezoning Applications

**Policy 2005:****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 as a “Licensee Retail Store” under the regulations of the *Liquor Control and Licensing 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 m<sup>2</sup> (30,150 sq. ft.).
- (3) The free-standing LRS should not exceed a gross floor area of 510 m<sup>2</sup> (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).

## Key Features of Licensee Retail Store Policies - A Survey of GVRD Local Governments

City	Zoning Regulation	Store Type / Size Limits	Special requirements	Notification / Other
Vancouver	Permitted Conditional use in Zoning By-law	2 types of stores Type 1: 280m <sup>2</sup> (3000 sq.ft.) or less in size, sells beer and wine Type 2: over 280m <sup>2</sup> in size, sells any alcohol product	Type 1 stores: max. of 1 per significant Local Shopping Area that has no liquor store of any type; in Downtown and Central Broadway, stores to be a min. of 500m from Type 1 or Type 2 liquor store; Type 2 stores: can only replace existing Type 2 stores, within same Local Shopping or general commercial area Guidelines provide for 150m separation from family oriented uses such as schools, parks, churches, neighbourhood houses, community centres	Neighbourhood notification in place - letters sent to property owners within about 150m of proposal
New Westminster	Permitted use in Zoning By-law	Max. size of 2000 sq. ft. (excluding refrigerated space)	Must be adjacent to the Liquor Primary establishment	No neighbourhood notification
Delta	Permitted use in Zoning By-law	Max. size of 2000 sq. ft. of retail sales area (excluding refrigerated area, office, storage)	Must be adjacent to the Liquor Primary establishment OR must be located in community shopping centres or hotels, or can be freestanding but adjacent to community shopping centre or hotel, within 200m of 56 <sup>th</sup> Street, Scott Road or Ladner Trunk Road	No neighbourhood notification
Surrey	Permitted use in Zoning By-law	No size limits	Private liquor store must be adjacent to the Liquor Primary establishment	No neighbourhood notification Will study locational criteria in 2005



City	Zoning Regulation	Store Type / Size Limits	Special requirements	Notification / Other
Coquitlam	Permitted use in Zoning By-law;	Separate definitions for liquor store and accessory liquor store; Accessory liquor store max. size is 186m <sup>2</sup> (2000 sq.ft.)	Accessory liquor store must be adjacent to a neighbourhood pub;  Liquor store and accessory liquor store must be a minimum distance of 300m from another liquor store or accessory liquor store, and from a school, church or park  Liquor store can locate in Shopping Centre zone if certain criteria are met (minimum lot size, 1 liquor store/lot)  Liquor store can be adjacent to neighbourhood pub as an accessory use, to a maximum size of 25% of the pub size	Neighbourhood notification within 35m radius when a variance is sought
District of North Vancouver	Liquor store is included in the list of "Uses Prohibited in all Zones" which provides for a blanket prohibition and several exceptions (see next 2 columns);  Liquor stores can seek rezoning	Maximum size of 165m <sup>2</sup> (1800 sq.ft.)		Neighbourhood notification process in place (350m radius)
Burnaby	Rezoning required for a new liquor store	No store size limit	Guidelines provide for "reasonable separation" from churches, schools, residences; "reasonable distribution" of liquor stores to avoid concentration  No guidelines	Neighbourhood notification (30m radius) as part of Public Hearing  Neighbourhood notification (120m radius) as part of Public Hearing
Port Coquitlam	Rezoning required for a new liquor store (including size details so that expansion would require Council approval)	No store size limit	No guidelines	Neighbourhood notification (40m radius) as part of Public Hearing
City of North Vancouver	Rezoning required for a new liquor store	Max. size of 2000 sq.ft. of retail or wholesale area (storage and office areas not limited in size)	No guidelines	Neighbourhood notification (40m radius) as part of Public Hearing

Prepared by:  
Development Applications Staff - City of Richmond



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Adopted by Council: xx / xx / 2005

Policy 2005

File Ref:

Guidelines for Liquor Primary Licensed Establishment Rezoning Applications

**Policy 2005:****It is Council policy that:**

## 1. Definitions:

**Liquor Primary Licensed Establishment** means an establishment that is primarily in the hospitality, entertainment or beverage service business. This may include establishments commonly known as bars, lounges, pubs, cabarets, etc. that are licensed under the regulations of the *Liquor Control and Licensing Act*.

## 2. Guidelines:

The following criteria and factors are to be considered in making an assessment of a rezoning application to permit a Liquor Primary Licensed establishment:

- (1) Rezoning applications for Liquor Primary Licensed establishments are to demonstrate compatibility with nearby existing and planned land uses, including conformity with all applicable Council Policies and approved land use plans.
- (2) Liquor Primary Licensed establishments should avoid locations within 500 m (1,640 ft.) of the following uses:
  - a. Public and private schools; and
  - b. Public parks and community centres.
- (3) The following matters are addressed:
  - Adequate vehicle and pedestrian circulation;
  - Vehicle loading/unloading;
  - Off-street parking;
  - Traffic and safety concerns;
  - Noise concerns; and
  - Crime Prevention Through Environmental Design (CPTED).