



# TOWN OF GOLDEN CORPORATE POLICY

## Applications from the Liquor & Cannabis Regulation Branch

Effective Date: January 8, 2019	Authorized By: Council Resolution #19-012	Replaces: New
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### INTENT

This Council Policy applies to Council consideration and resolutions required by the Province of British Columbia's *Liquor Control and Cannabis Regulation Branch* (LCRB) and associated legislation, regulations, policies and procedures.

Council recognizes the importance of public entertainment venues, including liquor establishments, as a component of all vibrant communities and the public's desire to have access to cannabis retail. Managing the priorities of all community stakeholders and appropriate access to control substances is a delicate balance.

### **A. Scope and Application Process**

1. The LCRB applications that Council will consider include for the most part liquor primary / manufacturer endorsements and associated amendments as well as cannabis retail.
2. Applications to the Town of Golden will include:
  - a. Name, address, and signature of the applicant;
  - b. Name, address, and signature of registered property owner;
  - c. Title search for the property;
  - d. Legal description of the property, and street address of the property.
  - e. Reasons and comments in support of the application;
  - f. Drawings of establishment;
  - g. An occupant load calculation from a qualified professional or the building official for liquor applications;
  - h. A floor plan indicating the area for sales, storage and delivery areas (m2) for a cannabis retail license.
  - i. The LCRB application form.
  - j. Current liquor or cannabis license, if applicable.
3. Upon receipt of an application accompanied by all required fees. If additional information is required by staff to review the application, the applicant must provide the required information within three months. If the deadline is not met, the application considered abandoned.

### **B. Cannabis Retail**

1. Council has introduced the use of cannabis retail to the Mixed-Use Commercial C2 zone as a sign of openness to prospective business operators in this new economic

- sector while at the same time cautiously testing the water by limiting the use to only one commercial zone.
2. Prospective business operators should review the criteria in this policy in addition to the zoning to ensure their proposed location is in line with Council's policy statements.
  3. When Town receives a notice of an application from the LCRB, Council may choose not to make a recommendation, in which case the licence will not be approved by the LCRB; however, at this time Council is not proposing a cap on cannabis retail, but regardless of this policy statement this remains at Council's discretion.
  4. Therefore, after the Town receives an application the Town will gather the views of the public and after consideration make a recommendation to the LCRB.
    - a. If Council ultimately recommends denying the application, the LCRB will not approve the licence.
    - b. If Council recommends approving the application, the LCRB will have the discretion to approve or deny the licence based on consideration of whether or not the applicant meets the required criteria, but must consider the Council's input, recommendation and terms and conditions.
  5. The LCRB limits hours of cannabis retail uses to be from 9:00 AM and 11:00 PM and Council is in agreement with this suggestion.

### **C. Liquor Applications**

1. Hours:
  - a. For Liquor Primary applications, Council will typically support hours from 10:00 AM to 2:00 AM, unless the proposal is buffering a residential area, whereby Council may consider an earlier closing time.
  - b. For patios Council will typically support a closure of 11:00 PM in order to provide for quiet in mixed use residential commercial areas and nearby residential neighbourhoods.
  - c. The Town of Golden does not support the extension of liquor service past 2:00 AM with the exception of New Year's Eve. Council will delegate to the Chief Administrative Officer, the Corporate Officer, the Manager of Legislative Service or the Manager of Development Services/Planner to approve up to six temporary change to hours of sale. The application must be received at least three weeks prior to the event so that the RCMP have adequate notice.
2. Council resolution and conditions:
  - a. When providing comment on an application, the Town will include comments on those aspects within the parameters set by LCRB which currently include:
    - i. The location of the establishment;
    - ii. The person capacity and the hours of liquor service;
    - iii. The impact of noise on the community in the immediate vicinity of the establishment;
    - iv. The general impact on the community;
    - v. The view of residents;

- vi. Noise impacts in the immediate vicinity of the establishment;
- b. In conjunction with the LCRB, Council may make a resolution conditional upon some terms or condition, for example hours for the entire premise or the patio, restrictions on patio occupancy etc.

**D. Council should consider the following with Liquor or Cannabis applications, but has complete discretion:**


- a. Representations received from the public.
- b. The location of proposed use.
- c. The general impact on the community.
- d. Surrounding land uses and impacts on neighbourhoods.
- e. The impact on neighbourhood character of locating more than three or four of the uses described in this policy on the same block.
- f. Council should cautiously consider supporting applications that are directly adjacent to, or across the road (with the exception of Highway 95), from areas where children frequent - examples: library, cinema, etc. It is important to recognize that the C2 Mixed-Use Commercial zone is however intended to have a number of uses occurring within its limited land based.
- g. Has a plan to create educational initiatives and community benefit around health and public consumption, as well as impairment and safety.
- h. The applicant has previous, successful business experience and background.
- i. The rendering is attractive and enhances the building or street.
- j. For cannabis retail:
  - i. Main entrance not to be from a lane.
  - ii. Odour control measures are identified.

**E. Public consultation procedure**

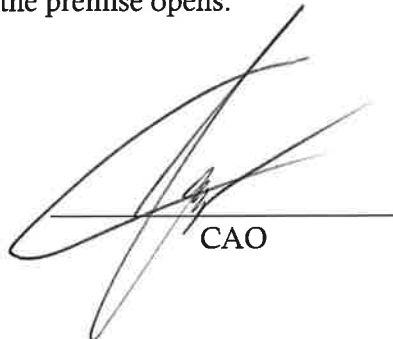
1. Council shall provide an opportunity for public comment at either a public hearing (if a rezoning is also required) or at a regular or special council meeting,
2. The Town of Golden will provide notice of the application and the opportunity for public comment using the following process:
  - a. Two consecutive notices will be placed in the local newspaper prior to the hearing or the meeting.
  - b. At least 10 days prior to the hearing or meeting:
    - i. The Town will mail a notice to property owners and deliver a notice to occupants within 100 m of the subject property.
    - ii. The applicant or the Town will post a land use sign on the subject property.
3. A staff report and public comments received by the deadline for written submission will be provided to Council.
4. Council may, at its sole discretion, require further public consultation, which will be held at the applicant's expense or postpone their decision to a future meeting.

**E. Applicable fees**

1. Fees will be in accordance with the Town of Golden's *Administrative Fees and Information Access Bylaw*. The application fee includes mailout and delivery of the notices, but there is an additional fee for a land use sign.
2. The cost of the newspapers notices will be at the applicant's cost. Staff will determine the size of the notice and the goal will be to run the notices in black and white, but the notices may be placed in colour.
3. A business license fee will also be applicable once the premise opens.



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Mayor



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