



Liquor License Amendment

Guidelines for making a permanent
change to a liquor license in the
City of Abbotsford

April 2017

PLANNING & DEVELOPMENT SERVICES

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www.abbotsford.ca

When is a Liquor License Application Required?

Under the *Liquor Control and Licensing Act* (LCLA), for certain applications and under prescribed circumstances the *Liquor Control and Licensing Branch* (LCLB) is required to notify and provide an opportunity for input from the Local Government or First Nation that has jurisdiction in the area where the proposed or existing licensed establishment is located. A Local Government or First Nation may then choose whether or not to provide input on an application. If the Local Government chooses to provide input they must gather the views of the adjacent owners and occupiers that may be affected by the proposed establishment (if necessary) and provide the LCLB with a resolution within 90 days of notification.

On April 10, 2017 by resolution no. E052-2017, Council resolved to opt out of requiring LCLB applications for the following:

- endorsement for patron participation (i.e. dancing, and karaoke),
- an increase in the person capacity of liquor primary, when no further building additions are proposed, and
- amendments to a liquor licence to increase hours of operation (including service up to 1am).

Under the LCLA and its regulations, the LCLB must notify and provide an opportunity for comments and recommendations into the licensing process for the following applications:

New Licenses:

- all new liquor primary applications.

Amendments to an Existing Liquor License:

- liquor primary relocation,
- an addition to premises which would increase the person capacity of liquor primary,
- the addition of a patio to liquor primary,
- winery lounge and winery special event area endorsements,
- an increase in the size of a winery special event area,
- an increase in the person capacity of a winery lounge, or
- microbrewery proposing tasting/sampling of on-site product greater than 375 ml per person per day.

What Resources are Available?

Be sure to familiarize yourself first with the Province's Liquor Control and Licensing Branch (LCLB) requirements to make your application for a Liquor Primary License. Please go to the Provincial Government's website for this information.

The City of Abbotsford welcomes new business development that benefit our growing community. That's why we'll take the time to work with you to ensure you get the information and resources you need for a successful application.

Liquor License Temporary Extension

No sale or service of liquor shall take place between the hours of 1am and 9am in any business holding a Liquor Primary Licence, Food Primary Licence, or Special Occasion Licence issued under the LCLA. However the sale or service of liquor may be extended to the hours of 2:30 am on January 1st of each year subject to:

- submission of a written request (application) to the License Inspector,
- holding a valid Liquor Primary License, and
- confirmation of compliance with the "Bar Watch Program Standards"

(Business Licence Bylaw No. 2296-2013 11.12 and 11.13)

The City's Licence Inspector is authorized to issue or refuse to issue, a temporary extension for New Years if the above criteria are met, and must do so within 10 business days of receipt of a complete application, as a requirement of this bylaw. Temporary extensions must be applied for annually and are subject to all other provisions in the Business Licence Bylaw.

The Liquor License Application Process

The following steps are for a liquor license application requiring the City of Abbotsford's input by the LCLB.

The major stages in the Liquor License process are briefly explained in the following sections.

Complete LCLB Form

The LCLB application form can be found on the Provincial Government's website.

Submit completed form to the Director, Planning &

Development Services, or designate, for acknowledgement under Part 17 (all license types) of the LCLA. The original application will be returned to the applicant for forwarding to LCLB. A copy of the application must accompany the Development Application Package submitted to the City (Planning & Development Services).

Submit an Application

Once you have prepared your proposal, you can submit a liquor license application form and pay the application fee. Application forms and fee schedule are available at the Planning & Development Services (2nd Floor, City Hall) or online at:

www.abbotsford.ca/devapplications.

Planning staff will assist you but you must provide the following:

- completed Development Application form,
- application fees,
- title search(es) of subject property(ies) retrieved within the last 30 days,
- copies of any covenants, easements and rights-of-way registered on title,
- the property owner's name and contact information. If someone is applying on behalf of the property owner, a *Letter of Authorization* must be signed by all property owners(s) and submitted with the development permit application. A standard *Letter of Authorization* is part of the application form. You must also indicate to whom all correspondence shall be sent. Staff will only deal with the applicant,
- if the property owner is a company or society; a *BC Company Summary*, together with a letter on company letterhead to confirm the signatory's authority to sign on the company's behalf,
- a *Letter of Intent* outlining all aspects of the proposed development including a description of the intended use of the property, and
- completed Liquor Control & Licensing Branch (LCLB) license application.

Plans, including site layout and floor plan, must be submitted along with the Development Application form. A complete list of requirements can be found in the application form. Processing of your application cannot begin until these plans are submitted.

Application Review

After you've submitted your application, it will be reviewed by external and internal agencies. A report will then be prepared and discussed with you prior to its presentation to the Executive Committee of Council. The applicant is notified of the meeting time and date and receive a copy of the report on the Friday directly before the Monday Executive Council meeting.

Report to Executive Council

At this meeting, Council will consider if the application can proceed to a Council Hearing. Your attendance is recommended so that you can address any concerns or questions the Council may have. You will be notified of the Council resolution.

Notification Process

Owners and occupiers of all properties located within a 100m radius of the subject property are notified of the Council Hearing by mail. the application will also be posted in the City Page in the local newspaper, and on the City's website.

Report to Regular Council, Council Hearing and Decision

- Staff will prepare a report for Council's consideration.
- All persons who deem their interest to be affected by the proposed new liquor primary license or proposed permanent change to an existing liquor license have the opportunity to be heard, or to present written submissions, respecting the proposed liquor license amendment - permanent change application that is the subject of the Council Hearing.
- The applicant is also given the opportunity to present a summary of the proposal at the Council Hearing.
- The Council Hearing is the last opportunity for Council to receive input from the applicant or the public before making a final decision on the proposed liquor license amendment - permanent change application.
- Council renders its decision on the proposed liquor license amendment - permanent change application.

Forwarding a Copy of Council's Resolution to the LCLB

Following Council's decision, a letter will be forwarded to the LCLB regarding Council's resolution, a copy of which will be sent to you.



This brochure is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable City bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.



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