



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

COUNCIL POLICY

TITLE:	Liquor Licensing	NO.	PLAN-37
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Effective Date:	November 7, 2023
Approved by:	Council
Reference:	DEV-23-073
Amends:	Repeals Policies ADMIN-53 and ADMIN-55

POLICY:

The Liquor and Cannabis Regulation Branch (LCRB) consults with local governments on applications for new liquor licences and on certain amendments to existing licences with the intent of obtaining a resolution from the local government recommending whether the licence should be issued. The decision on any liquor licence application rests with the LCRB.

It is the policy of Council that a public consultation process be followed for all new liquor licence applications for the Township of Esquimalt. The public consultation process is designed to ensure the public receives notification of the application and is provided reasonable opportunities to make their views on the application known to Council.

PROCEDURE:

I. New Liquor Licences

- a) Upon receipt of notification from LCRB of a new application submission, staff will liaise with the applicant to discuss the process and advise of any necessary documents and application fees.
- b) Staff will initiate a referral process to request input on the application from the Victoria Police Department, Esquimalt Fire Rescue Services, Community Safety Services, Development Services, and any other internal departments considered relevant to the application.
- c) The applicant will be required to post a sign on the property, visible from the street, indicating that the establishment has applied for a Liquor License. The sign shall contain details including the contact information for the applicant, and details about how the public may provide comment on the application to Council.
- d) The application will be considered by the Committee of the Whole (COTW) who will forward a recommendation to Council for ratification. Notices will be mailed to all owners and tenants located within a 100m radius providing the date and time of the COTW meeting.
- e) Where rezoning is necessary, the rezoning and liquor licence applications may be considered at the same Council meeting.

II. Amendments to Existing Liquor Licences

- a) Upon receipt of notification from the LCRB of an application to amend an existing liquor licence, staff will liaise with the applicant to discuss the process and advise of any necessary documents and application fees.
- b) Staff will initiate a referral process to request input on the application from the Victoria Police Department and Esquimalt Fire Rescue Services, Community Safety Services, Development Services, and any other internal department considered relevant to the

application.

- c) The application will be considered by the Committee of the Whole (COTW) who will forward a recommendation to Council for ratification. Notices will be mailed to all owners and tenants located within a 100m radius providing the date and time of the COTW meeting.

III. Temporary Amendments to Existing Liquor Licences

- a) Upon receipt of notification from the LCRB of an application to amend an existing liquor licence, staff will liaise with the applicant to discuss the process and advise of any necessary documents and application fees.
- b) Staff will initiate a referral process to request input on the application from the Victoria Police Department and Esquimalt Fire Rescue Services.
- c) If both the Police and Fire Departments have no objections to the application, it will be returned to the LCRB without reference to Council.
- d) If either department recommends rejection of the application, it shall be referred to Council for a decision.

IV. Providing Comment on Applications

- a) When providing comments on an application, the Township shall include comments on the aspects within the following LCRB criteria:
 - 1. Location of the establishment;
 - 2. Impact on the community, if approved;
 - 3. Impact of noise on the community in the immediate vicinity of the establishment;
 - 4. Person capacity and hours of the liquor service for the establishment; and
 - 5. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose
- b) When providing a Council resolution, it must contain a motion to recommend or not recommend issuance of the liquor licence at the subject property, including any recommendations for restrictions or conditions. Reasons for the decision must be provided.
- c) The following comments must be included with Council's recommendation:
 - 1. Council's comments on the criteria contained in paragraph (a) above;
 - 2. Views of the Community including:
 - i) A description of the approach used to gather the views of the public; and
 - ii) A summary of the views of the public received.
 - 3. If the views of the public were not gathered, reasons must be provided.
- d) Council may opt out of commenting on an individual application by passing a resolution that Council does not wish to comment on the application.

REGULATED TIMELINE TO RESPOND

The Township must provide a response within the prescribed time period of 90 days after receiving notice of the application from the LCRB.

The Township may request an extension from the LCRB.

BUSINESS LICENCE REQUIREMENT

A Business Licence engaging in the manufacture, sale, or service of liquor must have a Township of Esquimalt Business Licence to lawfully conduct its business.

Applicants must contact the Township's Business Licence section to ensure that their current business licence allows for these activities or make application to revise their current Business Licence to remain in compliance with Business Licence and Regulation Bylaw, 2013, No. 2810, as amended from time to time.