



Policy 9.3  
File No. 5320-50-00  
Adopted June 28, 2004  
Amended March 25, 2013

## ***Liquor Licence Application Procedure Policy***

---

### **PURPOSE:**

This policy outlines the process by which Council shall review, evaluate and provide input to the Liquor Control and Licensing Branch on permanent liquor licence applications in the District of Sooke.

---

### **1.0 Policy:**

- 1.1 This policy applies to the following applications to the BC Liquor Control and Licensing Branch ("LCLB"):
  - (a) an application for a New Liquor Primary Licence;
  - (b) an application for an Amendment to Existing Liquor Primary Licence.
- 1.2 All applicants for a new liquor licence or a change to an existing liquor licence must first contact the LCLB to initiate the licensing process. Only after initiating the licensing process with the LCLB will the District of Sooke consider an application.
- 1.3 An applicant must contact the District of Sooke before submitting an application for consideration by the Council:
  - a. to determine if an application is required for a building permit and or applications under Part 26 of the *Local Government Act*, and
  - b. if an application under section 1.3.a is required, submit the application to the District of Sooke with the appropriate fee.
- 1.4 All applicants shall complete the District's Liquor Licence application form provided by the District of Sooke and submit payment to administer the applications. The District of Sooke will not accept applications that are not complete and:
  - a. for an application for a new Liquor Primary Licence, do not have the LCLB summary report and notice that the application is at Stage 3 of the LCLB's process;
  - b. for all applications, do not include a copy of the complete LCLB application form.

## **2.0 Application for New Liquor Primary Licence**

### **Step 1 – Preliminary Review**

- 2.1 Upon receipt of a summary report from the LCLB, staff will prepare a preliminary review report for Council as to the LCLB summary report which takes into consideration:
- (a) any applications for a building permit or applications under Part 26 of the *Local Government Act*, and
  - (b) comments from the RCMP, School District No. 62, the Bylaw Enforcement Officer, and the District's Development Services Department.
- 2.2. Council must consider the preliminary review report and determine whether it wishes to either
- (a) not comment on the application, or
  - (b) comment on the application and direct staff to bring forward a report on the regulatory criteria and obtain the views of residents.

### **Step 2 – Public Input**

- 2.3 If Council determines that it wishes to comment on the application, the applicant must
- (a) submit detailed floor plans to the District of Sooke;
  - (b) publish a notice in two consecutive issues of the local newspaper immediately before the public input meeting and in the format set out in this policy; and
  - (c) post a notice sign on the proposed site in a location clearly visible from the public road, from the day of the first newspaper advertisement until the end of the public input meeting, and in the format set out in this policy.
- 2.4 Staff will notify owners and tenants in occupation of each parcel that is within 100m of the parcel that is the subject of the application.
- 2.5 A public input meeting will be held by the Council to obtain the views of residents.

### **Step 3 – Council Resolution**

- 2.6 After the public input meeting the Council must consider the application, the summary report from LCLB, and a staff report, and provide a resolution to the LCLB.

2.7 Resolutions passed by Council will take the form required by the Province, as outlined in the document entitled *Role of Local Government and First Nations in the Provincial Liquor Licensing Process*. Council may pass a resolution based on a specific term or condition; however, prior to doing this Council will ensure that the term or condition is within the legislative jurisdiction of the LCLB to impose or enforce.

2.8 The Council resolution or comment will be forwarded to the LCLB and the applicant.

### **3.0 Application to Amend a Liquor-Primary, Liquor-Primary Club, Winery, and Food Primary Licence**

#### **Step 1 – Preliminary Review**

3.1 Upon receipt of a summary report from the LCLB, staff will prepare a preliminary review report for Council as to the LCLB summary report which takes into consideration:

- (a) any applications for a building permit or applications under Part 26 of the *Local Government Act*, and
- (b) comments from the RCMP, School District No. 62, the Bylaw Enforcement Officer, and the District's Development Services Department.

3.2. Council must consider the preliminary review report and determine whether it wishes to either

- (a) not comment on the application, or
- (b) comment on the application and direct staff to bring forward a report on the regulatory criteria and obtain the views of residents.

#### **Step 2 – Public Input**

3.3 If Council determines that it wishes to comment on the application, the applicant must

- (a) publish a notice in two consecutive issues of the local newspaper immediately before the public input meeting and in the format set out in this policy; and
- (b) post a notice sign on the proposed site in a location clearly visible from the public road, from the day of the first newspaper advertisement until the end of the public input meeting, and in the format set out in this policy.

3.4 Staff will notify owners and tenants in occupation of each parcel that is within 100m of the parcel that is the subject of the application.

- 3.5 A public input meeting will be held by the Council to obtain the views of residents.

### **Step 3 – Council Resolution**

- 3.6 After the public input meeting the Council must consider the application, the summary report from LCLB, and a staff report, and provide a resolution to the LCLB.
- 3.7 Council may support a temporary change to a licence for a period of up to one year, rather than a permanent change.
- 3.8 Resolutions passed by Council will take the form required by the Province, as outlined in the document entitled *Role of Local Government and First Nations in the Provincial Liquor Licensing Process*. Council may pass a resolution based on a specific term or condition; however, prior to doing this Council will ensure that the term or condition is within the legislative jurisdiction of the LCLB to impose or enforce.
- 3.9 The Council resolution or comment will be forwarded to the LCLB and the applicant.

## Application for a New Liquor Primary Licence - Newspaper Advertisement

---

### NOTICE OF APPLICATION FOR A NEW LIQUOR PRIMARY LICENCE UNDER THE LIQUOR CONTROL AND LICENSING ACT

An application for a new liquor primary licence has been received by the District of Sooke for the Council to collect the views of residents and to comment on the regulatory criteria under the *Liquor Control and Licensing Act*.

#### Details of Proposed Establishment

Proposed Site:  
Applicant:  
Type of Establishment:  
Hours:  
Person Capacity:  
Sale of packaged liquor:   yes/no  
Liquor Store:                   yes/no

Residents and owners of businesses may submit comments in writing or in person at the Council meeting on **[INSERT DATE IN BOLD CAPS]**, or in writing **before** this meeting to:

Mayor and Council, District of Sooke  
2205 Otter Point Road, Sooke BC V9Z 1J2  
fax: 250-642-0541  
email: info@sooke.ca

Your name(s) and **residential** address or **business** address, if applicable, must be included on your submission. All submissions will become part of the public record and may be submitted to the Liquor Control and Licensing Branch. **PETITIONS WILL NOT BE CONSIDERED.** More information on the application may be obtained at the Municipal Hall at 250-642-1634.

## Application for a New Liquor Primary Licence - Site Sign Format

---

### NOTICE OF APPLICATION FOR A NEW LIQUOR PRIMARY LICENCE UNDER THE LIQUOR CONTROL AND LICENSING ACT

Proposed Site:

Applicant:

Type of Establishment:

Hours:

Sale of packaged liquor:   yes/no

Person Capacity:

Liquor Store:               yes/no

Residents and owners of businesses may submit comments in writing or in person at the Council meeting on **[INSERT DATE IN BOLD CAPS]**, or in writing **before** this meeting to:

Mayor and Council, District of Sooke  
2205 Otter Point Road, Sooke BC V9Z 1J2  
fax: 250-642-0541  
email: info@sooke.ca

More information on the application may be obtained at the Municipal Hall or by calling 250-642-1634.

---

### Notice Sign Requirements

1. The sign must be at least 90 cm x 60 cm (3 x 2 feet) in size. Printing of the title must be a minimum of 5 cm (2 inch) high black block lettering on a white background.
2. The applicant must contact the District of Sooke on the day the sign is posted on the site.

## Application to Amend a Licence - Newspaper Format

---

### NOTICE OF APPLICATION TO AMEND AN EXISTING LIQUOR LICENCE UNDER THE LIQUOR CONTROL AND LICENSING ACT

An application to amend an existing \_\_\_\_\_ licence has been received by the District of Sooke for the Council to collect the views of residents and to comment on the regulatory criteria under the *Liquor Control and Licensing Act*.

Site:  
Applicant:  
Type of Establishment:  
Hours:  
Person Capacity:  
Proposed Amendment:

Residents and owners of businesses may submit comments in person at the Council meeting on **[INSERT DATE IN BOLD CAPS]**, or in writing **before** this meeting to:

Mayor and Council, District of Sooke  
2205 Otter Point Road, Sooke BC V9Z 1J2  
fax: 250-642-0541  
email: info@sooke.ca

Your name(s) and **residential** address or **business** address, if applicable, must be included on your submission. All submissions will become part of the public record and may be forwarded to the Liquor Control and Licensing Branch. **PETITIONS WILL NOT BE CONSIDERED.** More information on the application may be obtained at the Municipal Hall at 250-642-1634.

---