

AGENDA

Public Hearing of Council



Tuesday
January 21, 2020
Council Chambers
7:00 pm

"The Village of Burns Lake is a diverse community where residents enjoy a high quality of life, supported by economic and environmental sustainability, and a vibrant community spirit."

PO Box 570
Burns Lake, BC V0J 1E0
250 692-7587
www.burnslake.ca

2020 MUNICIPAL OBJECTIVES

- 1. Strong and diverse economy with the development of tourism and a vibrant downtown**
 - Implement the recommendations in the 'Chart the Course' economic diversification plan that includes tourism
 - Implement recommendations of the branding strategy underway in 2019
 - Promote business opportunities and work towards attracting at least one immigrant business from the regional pilot program
 - Support events for recreation for example with BL Mountain Bike Association
 - Improve amenities at the local campground

- 2. Good government that is financially sustainable and invests in infrastructure to serve the community**
 - Practice good communication with the public through social media, being approachable, accountable and transparent
 - Build out infrastructure that increases livability like a splash park
 - Commit a minimum of \$1.2m to paving and improvement projects between 2020 and 2022
 - Proceed with the downtown parking lot project
 - Implement industrial site signage
 - Promote EV charging stations and encourage recycling

- 3. Exercise social responsibility, housing availability for the community's diverse population, safety for the community, and wildfire protection**
 - Continue work with the Community Wildfire Protection Plan to keep our community safe
 - Support the FireSmart Committee, encourage citizen participation and consider resources to do so
 - Support developers and not-for-profit organizations with new housing for market and subsidized multi-family dwellings; investigate local government incentive tools

- 4. Environmental stewardship with the provision of parks, recreation services**
 - Assess opportunities for lakeshore development with First Nations
 - Increase number of people using the multiplex especially from outside the community

AGENDA

Public Hearing of Council for the Corporation of the Village of Burns Lake, held in Council Chambers
on January 21, 2020 at 7:00 p.m.

TOPIC	PAGE
1. CALL TO ORDER	
THAT this Public Hearing is being convened pursuant to Section 890 of the <i>Local Government Act</i>.	
2. APPROVAL OF AGENDA	
THAT the Agenda for the January 21, 2020, Public Hearing be approved as presented.	
3. Public Hearing Procedure – <i>Mayor Funk</i>	
4. BACKGROUND INFORMATION	
Public Hearing Package	
Includes:	
• Royal Canadian Legion Branch No. 50’s Village of Burns Lake Liquor and Cannabis Licence Application	4
• Letter of Intent from the Royal Canadian Legion Branch No. 50	6
• Village of Burns Lake Council Report – <i>Liquor Licence Royal Canadian Legion Branch No. 50</i>	7
• Royal Canadian Legion Branch No 50’s Province of BC’s Liquory Primary Licence application.	9
• Notice of Public Hearing	14
Additional items - None	
5. PROCEDURES FOR PUBLIC INPUT	
• 1 st Call for Public Input and reading of written submissions	
• 2 nd Call for Public Input	
• 3 rd Call for Public Input	
6. ADJOURNMENT	



The Corporation of
The Village of Burns Lake

P.O. Box 570, Burns Lake, BC V0J 1E0
Phone: (250) 692-7587
Fax: (250) 692-3059
E-mail: village@burnslake.ca

LIQUOR CANNABIS LICENCE APPLICATION

Name of Applicant: Royal Canadian Legion, Branch No. 50

Address of Applicant: 158 Francois Lake Drive Box 264

Name of Property Owner: _____
(If different from Applicant)

Address of Property Owner: _____

Legal Description of Property: lot 1, Block 8, Plan R2P1180, DL 6309
(to which this application pertains to)

Street Address of Property: 158 Francois Lake Drive

Application fee please see the Village of Burns Lake Fees and Charges Bylaw.

Reasons, comments, or plans in support of the Application:

See attached letter of intent.

If additional space is required, please attach to application.

Additional Documentation Required:

- Summary of reasons for application, and:
 - The proximity of the establishment to other social or recreational facilities and public buildings.
 - Occupant load and hours of operation.
 - The number of other liquor or cannabis primary establishments within a reasonable distance
 - The impact on the community if the application is approved.

- Title search of the property - include copies of any changes on the title.
- Liquor & Cannabis Regulation Branch (LCRB) summary report and notice that the application is at Stage 3 of the LCRB's process.
- A copy of a completed LCRB application.

Signature of Applicant: *[Handwritten Signature]*

Signature of Property Owner: _____
(If different from Applicant)

If the application proceeds to a Public Hearing, the applicant must provide Public Notice of Application in accordance with Village of Burns Lake Policy LIQ-2004-02:

Public Notice

- a. Each applicant shall post a notice on the site that is subject to the application in accordance with the following:
 - i. Shall be erected facing a major road, that is not a lane, and in a conspicuous location within 3 metres of the property line
 - ii. Shall not interfere with pedestrians or vehicle traffic or obstruct visibility from streets, lanes, walkways, or driveways
 - iii. Shall be installed in a sound manner and be capable of withstanding wind and weather
 - iv. Shall not be installed on a utility pole
 - v. Shall be no smaller than 36" x 36"
 - vi. Must contain:
 - The type of licence applied for
 - The proposed occupant load, proposed hours of service, and any other information where applicable
 - The applicant's name
 - Date and location of the public hearing
 - The statement: "For more information, contact the Village of Burns Lake 250-692-7587"
 - vii. The notice must be installed by the applicant at least ten days prior to the public hearing date
 - viii. Must remain in place continuously until the public hearing is complete and must be removed within seven days of the conclusion of the public hearing.

- Sign must be installed by January 9th

- Removed by January 30th.

- Public Hearing - Jan 21st 7:00pm @ 33000

-

Royal Canadian Legion Branch 50
Burns Lake, BC

LETTER OF INTENT

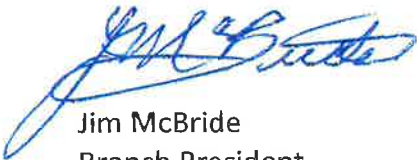
The Royal Canadian Legion in Burns Lake is proposing to change the current Club Class liquor license to a Liquor Primary license. As it stands now, the Legion can only welcome members and their guests. This is a long standing tradition held by the Legion whose purpose has been to serve Veterans and their families. However times change and as the average age of the membership grows older, we are finding that we are serving a young generation and we must adapt to that clientele. With a Liquor Primary license we will be able to serve more of the general public with fewer restrictions on what types of events and services we can provide. The Legion intends to always continue to serve and support veterans with the increased level of income that will allow us to do more for those who served as well as our local community.

Presently the Legion provides our veterans and the general public clientele with a comfortable gathering place to share good will and fellowship. To preserve this good will and fellowship the Legion offers on a regular base such activities as darts, cribbage, karaoke, dinners, and meat draws to name a few. The Legion also offers the rental of the hall facilities for birthdays, wedding receptions and group and private meetings at a reasonable rate. Along with these offerings, the Legion continues to host Canada Day breakfast, Veterans dinners and celebration as well as organizing and hosting Remembrance Day Parade. Throughout the year the Legion has provided to the general public entertained in the form of dances and parties around special dates such as Halloween, Christmas and New Years.

Presently we are not seeking any further Endorsements and or Licensing options to our application to transition from a Liquor Primary Club License to a Liquor Primary License.

The location of the Legion presents no problem to surrounding residences or businesses as it is located in a commercial zone that is separated from the surrounding residential area by other commercial interests. These commercial interests include a lumber yard, Community Forest office, neighbourhood pub and other small and medium businesses. Due in part to our limited hours of operation, our potential disturbance because of noise is minimal at best.

Sincerely



Jim McBride
Branch President
Branch #50, Burns Lake



Village of Burns Lake Council Report

Date: 19/12/2019
To: Mayor and Council
From: S. Worthing, CAO
Subject: Liquor Licence Royal Canadian Legion Branch 50

1. ISSUE:

- 1.1. The Royal Canadian Legion has applied to the Liquor and Cannabis Regulation Branch (LCRB) to amend its Liquor Primary Club Licence to a Liquor Primary Licence. The LCRB requires approval from the municipality by way of a resolution or comment.

2. RECOMMENDATION:

THAT as per the Village of Burns Lake Liquor and Cannabis Licencing Policy, a public hearing be set for January 21st, 2020, at 7:00pm for the purpose of collecting the views of residents that may be impacted by the Royal Canadian Legion Branch No. 50's application to the LCRB.

3. 2020 GOALS AND OBJECTIVES

- 3.1. N/A

4. BACKGROUND

- 4.1. The Royal Canadian Legion currently has a Club Class liquor licence.
4.2. Under the current licence, the Legion can only welcome members and their guests.

5. TRIPLE BOTTOM LINE:

- 5.1. **FINANCIAL IMPLICATIONS** - n/a
5.2. **ENVIRONMENTAL IMPLICATIONS** – n/a
5.3. **SOCIAL RESPONSIBILITY IMPLICATIONS** – n/a

6. DISCUSSION

- 6.1. Notification of a public hearing will be advertised in the next two editions of LD News.
6.2. The applicant is required to post a notice at the site that is subject to the application.

- 6.3. The local government is required to gather public input from the community in the immediate vicinity of the proposed endorsement service area.
- 6.4. As required in the Village of Burns Lake Liquor and Cannabis Licencing Policy, a Council Report will be included in the agenda for the public hearing.

7. RELEVANT LEGISLATION – *Community Charter* Section 94

8. RECOMMENDATION AND OPTIONS

8.1. RECOMMENDATION:

THAT as per the Village of Burns Lake Liquor and Cannabis Licencing Policy, a public hearing be set for January 21st, 2020, at 7:00pm for the purpose of collecting the views of residents that may be impacted by the Royal Canadian Legion Branch No. 50's application to the LCRB.

Option 1: Council could choose to opt-out of providing a resolution or comment. In this case, the LCRB would be required to gather public input.



Liquor and Cannabis Regulation Branch
 400-645 Tyee Road, Victoria, BC V9A 6X5
 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
 Phone: 1 866 209-2111 Fax: 250-952-7066

LIQUOR PRIMARY CLUB LICENCE: APPLICATION TO TRANSITION TO LIQUOR PRIMARY LICENCE

Liquor and Cannabis Regulation Form LCRB129

Instructions:

Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation (LG/FN) and the Liquor and Cannabis Regulation Branch.

Transition Liquor Primary Club to Liquor Primary (LP)

Fee: \$330

Part 1: Establishment

For Office Use Only

Licensee/Applicant: Job # (C3) _____

Establishment Name: LP Club Licence #:

Proposed Establishment Name: (if applicable)

Establishment Address:
Street City Province Postal Code

Parcel Identifier (PID):

If a zoning change is required, please indicate the status of your application:

Phone number: E-mail:

Mailing Address:
Street City Province Postal Code

Part 2: Contact Person

Name: Position:

Telephone: E-mail:

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Part 3: Change to Hours of Liquor Service

For Office Use Only

- Request change to hours of liquor service within the hours currently approved **Fee: \$220**
 - Request change to hours of liquor service outside of the hours currently approved* **Fee: \$330**
- *a resolution from LG/FN is required - LG/FN must complete part 6 of this form.

Job # _____
C4: No Cap Ch/C3: Cap Ch

Complete the table below, indicating the proposed hours of liquor service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	<input type="text" value="11:00 AM"/>	<input type="text" value="11:00AM"/>	<input type="text" value="11:00AM"/>	<input type="text" value="11:00AM"/>	<input type="text" value="11:00AM"/>	<input type="text" value="11:00AM"/>	<input type="text" value="11:00AM"/>
Closed	<input type="text" value="1:00AM"/>	<input type="text" value="1:00AM"/>	<input type="text" value="1:00AM"/>	<input type="text" value="1:00Am"/>	<input type="text" value="1:00AM"/>	<input type="text" value="1:00AM"/>	<input type="text" value="Midnight"/>

Part 4: Structural Change to Licensed Service Area(s)

Office Use Only

- Change(s) to existing licensed service area(s) Fee: ~~\$400~~ ¹⁰
- Addition of new patio* Fee: \$440

Job # _____

C4: No Cap Ch/C3: Cap Ch

Describe the proposed changes to your licensed service area(s):

There are no planned changes to the existing licensed service areas.

The proposed alterations will result in the total overall occupant load of your establishment:

- Increasing* to: persons
- Decreasing to: persons
- Remaining the same: persons

*A resolution from your LG/FN is required if there is an increase in the total occupant load and/or if there is an addition of a new patio. LG/FN must complete Part 6 of this form.

Part 5: Checklist

- Letter of Intent. See Appendix I (page 5 of the guide) for information required in letter.
- Proposed Signage, if proposing an establishment name change (see page of 3 guide)
- Provide two copies of floor plans showing the existing licensed and proposed changes (if applying for a structural change) service area(s): one 8.5" x 11" and one 11" x 17". Plans must be stamped with an occupant load by local government building or fire authorities.

*See Appendix II (page 7 of the guide) for floor plan and occupant load requirements.

If applying for a structural change to add a patio also provide the following:

- Provide the height and composition of the patio perimeter or bounding that is designed to control patron entry/exit (i.e. railings, fencing, planters, hedging, etc.):

Not Applicable as there are no planned changes to the exterior or the interior of this building.

- Describe the location of the patio in relationship to the licensed interior. The patio should be immediately adjacent or contiguous to the interior licensed service area.

Not applicable as to the previous statement

- Describe how staff will manage and control the patio from the interior licensed service area.

Not applicable as to the previous statement

- Will the patio have a fixed or portable liquor service bar or will liquor be served from the interior service bar?

Not applicable as to the previous statement

- Do servers have to carry liquor through any unlicensed areas to get to the patio? Explain:

Not applicable as to the previous statement

Note: Patios on grass, earth or gravel require a permit from the local Health Authority. Sidewalk patios require a permit from LG/FN.

Part 6: Local Government / First Nation (LG/FN) Confirm Receipt of Application

This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name):

Name of Official: Title/Position:
(last / first / middle)

Email: Phone:

Date Received:
(Day/Month/Year)

Signature of Official: _____

Check here if LG/FN will not be providing comment: Yes, opting out of comment

Note: The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? Yes No

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application to transition a LP Club to a LP liquor licence is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form and floor plan to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

Part 7: Declaration

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: 
Authorized signatory of the licensee

Name: Position: Date:
(last / first / middle) (if not an individual) (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.
This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:
• If the licensee is an individual or sole proprietor, the individual himself/herself
• If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
• If the licensee is a general partnership, one of the partners
• If the licensee is a limited partnership, the general partner of the partnership
• If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)
If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

Part 8: Application Fees (Non-refundable)

- \$330 Transition to LP Licence
- \$220 Change of Hours (within the hours currently approved)
- \$330 Change of Hours (outside of the hours currently approved)
- \$440 Structural Change to existing Licensed Area(s)
- \$440 Structural Change to Add Patio

Total Fee Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

- Payment is by (check one):
- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
 - Money order, payable to Minister of Finance
 - Credit card: VISA MasterCard AMEX
 - I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
 - I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

Part 9: Submit Application Package

Liquor and Cannabis Regulation Branch
Courier: 400-645 Tyee Road, Victoria BC V9A 6X5
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor.licensing@gov.bc.ca

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GOVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):
Credit card number: Expiry date: /
(Month) (Year)

Signature: _____



NOTICE OF PUBLIC HEARING

The Corporation of the Village of Burns Lake wishes to advise residents that a Public Hearing in regards to a Liquor Licence Amendment will be held:

**Tuesday, January 21st, 2020
7:00 p.m.**

Village of Burns Lake Council Chambers
#15, 3rd Avenue, Burns Lake, BC

The purpose of the Public Hearing is to allow the public to make representations to Council in regards to the proposed application.

The purpose of the application is to receive Council endorsement that will be submitted to the Liquor and Cannabis Regulation Branch to amend the Royal Canadian Legion Burns Lake Branch No. 50's Liquor Primary Club Licence to a Liquor Primary Licence. The licence would allow the Royal Canadian Legion Burns Lake Branch No. 50 to serve patrons that are not members and their guests. The premise is located at 158 Francois Lake Drive (Lot 1, Block 8, Plan 1180, District Lot 6309, Land District 14, Coast District, Range 5).

Copies of the Liquor Primary Licence application can be viewed at the Village Office between 8:00am and 4:00pm, Monday to Friday.

All persons who believe that their property is affected by the proposed application will be afforded a reasonable opportunity to be heard or to present written submissions. Written submissions can be sent by:

mail to: PO Box 570, Burns Lake BC V0J 1E0,
fax to: 250-692-3059
email to: village@burnslake.ca

All written submissions must be received by the Village of Burns Lake no later than January 21st, 2020, at 3:00pm.

