

# Liquor & Cannabis Licensing Application

## *RDEK Procedures*

---

Requests for commentary and review may be received by the Regional District of East Kootenay (RDEK), a property owner or their agent or from the Liquor & Cannabis Regulation Branch (LCRB), for a variety of applications related to liquor & cannabis licenses. Please review the following information to determine which process will apply to your application.

### **New or Amended Liquor or Cannabis Licence Review Process (including Temporary Use Areas)**

Applications to the LCRB for new liquor or cannabis licenses and amendments to existing liquor or cannabis licenses may require review by the RDEK (see Section 4 of the RDEK Liquor & Cannabis Licensing Application for a list of relevant application types). The required information and appropriate fee should be submitted to either the RDEK Cranbrook Office or the RDEK Columbia Valley Office.

With an application for a **new liquor or cannabis license** or an **amendment to an existing license** the following procedures apply:

1. A completed RDEK Liquor & Cannabis Licensing Application form, a completed LCRB application form and a copy of the current Liquor or Cannabis License (if applicable) must be submitted with all applications.
2. The appropriate fee must be paid. Fees are non-refundable and payable to the Regional District of East Kootenay. The fees are as follows:

Initial submission (no public consultation required)	\$150
Mailing of notices required	\$300
Mailing of notices and public hearing required	\$1500
3. A staff report shall be prepared for each application as appropriate.
4. The application shall be referred to the applicable advisory planning commission as appropriate. Comments received in response to the referrals shall be included in the staff report.
5. The application and the staff report are sent to the Regional District Board for consideration. If the Board needs more information or if there are major concerns about the proposal, the application may be deferred, be recommended not to be approved, or be referred to staff for more information. At this point, or at subsequent meetings, the Board may also choose not to issue a comment on the application.
6. If a public hearing is not required by LCRB regulations, the Board will recommend approval or refusal of the application, or approval of an amended application.
7. If a public hearing is required to collect the views of residents and satisfy LCRB regulations:
  - The Board will set a public hearing date.
  - RDEK staff will mail notices to property owners and tenants within 100 metres of the subject property to advise them of the proposal and the public hearing. The public hearing will also be advertised in the local newspaper.
  - The public hearing will be held. At the public hearing anyone believing that they may be affected by the proposal is allowed to speak. Letters will also be accepted at the hearing. Submissions cannot be accepted after the hearing.
  - At its next meeting, the Board will again consider the application and the comments received at the public hearing. The Board will either recommend approval or refusal of the application, or approval of an amended application.

8. The Board will comment on each point of the LCRB regulatory criteria in relation to the application.
  - Regulatory criteria include:
    - Location of the establishment;
    - Person capacity and hours of liquor service;
    - The impact of noise on the community in the immediate vicinity;
    - The views of the residents and a description of the method used to gather views;
    - The general impact on the community; and
    - Food Primary applications – whether the establishment will be operated in a manner contrary to the primary purpose.
9. Once the Board has considered your application, you and the LCRB will be notified of the decision. All material submitted by the applicant to the RDEK will be sent to the LCRB.

**Structural Change Review Process:**

When the RDEK receives an application for **a structural change** to an establishment with an existing liquor license the following procedures apply:

1. A completed RDEK Liquor & Cannabis Licensing Application form together with the fee of \$150.00, a completed LCRB application form and a copy of the current Liquor or Cannabis License (if applicable) must be submitted with all applications.
2. A detailed Floor Plan showing: all service areas, furniture layout, kitchen, washrooms, patios, stairs and entrances and exits and details of fire alarm (if required).
3. The proposed structural change is reviewed by the Corporate Officer or their designate for compliance with safety codes and the relevant zoning bylaw.
4. After considering the application, the Corporate Officer or their designate may recommend approval of the application, approval of an amended application, or refusal of the application. The Corporate Officer or their designate may also choose not to comment.
5. Once the Corporate Officer or their designate has considered the application, the applicant and the LCRB will be notified of the decision. All material submitted by the applicant to the RDEK will be sent to the LCRB.
6. Upon completion of the review, Development Services staff stamps the development plans and provides a letter to confirm that the proposal complies or does not comply with applicable RDEK building and land use regulations.

**Separate Application Requirements:**

For applications where alternations to the building or structure are required the owner must apply for and be issued a building permit separately from the liquor & cannabis license application review process. Where a change in zoning is required a separate rezoning application, fees and a public hearing are necessary in addition to the liquor & cannabis license application review process.

**Questions:**

For all liquor & cannabis license applications we recommend you discuss your proposal with RDEK Development Services staff. For confirmation of regulatory requirements/occupant load we recommend you discuss your proposal with RDEK Building Staff. An appointment to meet with staff is recommended. Regional District of East Kootenay staff can be reached at **250-489-2791** or toll free at **1-888-478-7335**.

## SECTION 1 – APPLICANT INFORMATION

Registered Owner(s): _____	Agent: _____
Address: _____	Address: _____
Phone: _____ Email: _____	Phone: _____ Email: _____

## SECTION 2 – DECLARATION AND AUTHORIZATION

I / we declare that the information in this application is, to the best of my / our knowledge, true and correct.

Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

***If the application is submitted by an Agent, the owner(s) must sign the following statement or provide separate written authorization:***

I / we consent to this application filed by the person or company whose name appears as the agent on page 1.

Signature of Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

**SECTION 3 – LAND UNDER APPLICATION**

Legal description of all land proposed for development:

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ District Lot \_\_\_\_\_

Extended legal description: \_\_\_\_\_

Street Address: \_\_\_\_\_ Parcel Identifier Number (PID): \_\_\_\_\_

Size of property: \_\_\_\_\_ Existing Zoning: \_\_\_\_\_

**SECTION 4 – TYPE OF APPLICATION**

- **Indicate the type of liquor or cannabis license addressed by this application:**

**New License**

- ☐ New liquor primary application
- ☐ New liquor primary club application
- ☐ New cannabis retail application

**Amendments to a Liquor License - Liquor Primary / Liquor Primary Club:**

- ☐ Relocation / Extension of liquor service hours
- ☐ Increase in person capacity
- ☐ Addition of a patio
- ☐ Addition or amendment of a temporary use area (golf course and ski hill only)
- ☐ Transition from liquor primary club to liquor primary

**Liquor Manufacturers: (winery, cidery, brewery, distillery)**

- ☐ Lounge endorsement
- ☐ Special event area
- ☐ Increase in the person capacity or hours of a lounge
- ☐ Increase in the capacity / size or hours of a special event area

**Liquor - Food Primary:**

- ☐ Occupant Load Stamp Only
- ☐ Patron participation entertainment (ie: karaoke / dine and dance)
- ☐ Liquor service past midnight
- ☐ Temporary use endorsement (golf course and/or ski hill only)

**SECTION 5 – PURPOSE OF APPLICATION**

- Describe the proposed use and reason(s) for making application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 6 – DEVELOPMENT & LAND USE INFORMATION**

- Describe the existing use of the land: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach a map or sketch showing:	Attach a floor plan showing:
<ul style="list-style-type: none"><li>▪ North arrow &amp; scale</li><li>▪ Lot lines with dimensions</li><li>▪ All buildings &amp; structures (existing &amp; proposed)</li><li>▪ Access (roads, driveways)</li><li>▪ Well or water intake</li><li>▪ Septic tank &amp; field</li><li>▪ Parking &amp; loading spaces</li></ul>	<ul style="list-style-type: none"><li>▪ Number &amp; location of seats</li><li>▪ Locations &amp; dimensions of entrances and exits, including panic hardware</li><li>▪ Exit sign locations</li><li>▪ Number &amp; location of washrooms</li><li>▪ Location of emergency lighting &amp; alarm system</li></ul>

- Describe the use of surrounding land and buildings:

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

**SECTION 7 – ENSURE THE FOLLOWING IS ENCLOSED WITH YOUR APPLICATION:**

- ☐ Application fee of \$150 payable to the Regional District of East Kootenay  
(If, after initial RDEK review, we determine that the LCLB requires an RDEK Board resolution or public consultation for your application, we will contact you for an additional fee).
- ☐ Copy of the current liquor or cannabis license (if applicable)
- ☐ Copy of LCRB application