

# REPORT

## *Community Services*

**To:** Mayor Patrick Johnstone and Members of Council      **Date:** June 24, 2024

**From:** Blair Fryer, Acting Director, Community Services      **File:** 2506942

**Subject:** **Uptown Live Municipally Significant LCRB Resolution**

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### **RECOMMENDATION**

THAT Council support the declaration of the Uptown Live Festival, produced by the Uptown Business Association to be of municipal significance and forward this resolution to the Liquor and Cannabis Regulation Branch.

THAT Council direct staff to develop a policy and decision-making matrix staff may use to evaluate future municipally significant event designation requests and bring a draft to Council for review in Q3.

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### **PURPOSE**

To recognize the Uptown Live Festival, produced by the Uptown Business Association, as having municipal significance in relation to LCRB licensing and standard pricing purposes.

### **SUMMARY**

The Uptown Business Association (UBA) recently approached the City for assistance in having their festival, Uptown Live, a free, community festival on July 27, 2024, designated as municipally significant. While the UBA is a non-profit, they will not be using the additional revenue for charitable purposes and instead be using it to offset the cost of producing the festival, which requires a designation from the City as a municipally significant event to allow them to sell liquor products at a higher price than the maximum set price by the Liquor and Cannabis Regulation Branch (LCRB).

## **DISCUSSION**

The UBA organizes a free community musical event featuring a headliner act with regional draw. Uptown Live is now in its 13<sup>th</sup> year, and requires additional revenue in order to continue to produce their event at no cost to the community while providing economic and tourism benefits and contributing to a sense of community belonging.

Uptown Live has previously been licensed to sell liquor under Special Event Permits issued by the LCRB, with service taking place in beer gardens. This year, organizers have opted to take advantage of the site-wide licensing options the City's Special Events policies now permit. This allows patrons to walk around the site, visit vendor booths and participate in other activities without being contained to a beer garden. As a result, they have hired a professional bartending service and increased security to ensure a safe, family-friendly event which comes at an added cost.

### **Maximum Price List**

The LCRB sets maximum prices that can be charged for liquor sold under a Special Event Permit. The cost-recovery price list is designed to ensure the prices charged for liquor cover only the "operating costs" of serving and selling the liquor (e.g. cost of liquor in prescribed serving sizes, mix, glasses, ice, and taxes). The prices do not contemplate costs such as space rental, entertainment, security, or single-use cup charges required by a local government and have not been revised since 2015. The LCRB is reviewing their price structure and sizing as they recognize many manufacturers sell beverages in a larger 473ml can, however they are not able to provide staff with a date of when the review will be complete.

The maximum prices set by LCRB may only be exceeded if the purpose of the event is to raise funds for charity, which does not apply for the UBA as they will be using it to facilitate cost recovery for the festival rather than direct charitable purposes, or if the event has been designated of municipal, provincial, national, or international significance.

### **Municipally Significant Event**

Each municipality may set its own criteria in determining whether an event is of municipal significance. An event of municipal significance requires a municipal resolution or a letter from a delegated municipal official designating the event as "municipally significant."

According to LCRB policy, municipally significant events are of unique importance to a specific municipality. For example, a municipally significant event may have historical value to the particular region or provide economic or tourism benefits to the community-at-large. While support and approval from the municipality is required, the applicant must also continue to apply for a Special Event Permit through the LCRB.

Because of the increase in costs to produce events and festivals, many municipalities in the region have found themselves receiving requests for these designations and some

have drafted policies to allow staff to determine if an event qualifies using a decision making matrix. The City of New Westminster does not have pre-determined criteria in which staff could use to evaluate the request. In April 2023, staff came to Council with a similar request from the Senior A Salmonbellies which was approved. However, in reviewing the LCRB’s criteria (noted below in italics) that they apply in determining provincial, national, or international significance, staff consider the UBA’s request to be in alignment (i.e. if ‘municipal’ is used in place of ‘provincial, national or international’, the same holds true for the Uptown Live Festival).

*The LCRB will review exemption requests for provincially, nationally and internationally significant events. Qualified events must meet the following criteria:*

- *The event features participants and/or performers that are primarily of provincial, national or international origin;*
- *The event attracts spectators from around the province, Canada, or the world; and*
- *The event receives province-wide, nation-wide or world-wide media coverage.*

As noted above, in order to be of significance, the event must be connected to a local public event that receives media attention. The UBA feels that their event, which is reported on through traditional and social media and through the musical acts’ promoters and fans, fit this description.

Staff feel this request is in alignment with the City’s Strategic Priorities of a promoting a “People Centered Economy” and “Community Belonging and Connecting”. The event has a 13 year demonstration of promoting the local music and entertainment scene, attracts spectators from around the region and supports local tourism, and has economic spinoff to the local business community through the inclusion of local businesses and vendors. As a result, staff recommend that Council designate the Uptown Live Festival as municipally significant. Staff are also recommending that a policy and decision-making matrix be development that will allow staff to evaluate future municipally significant event designation requests and bring a draft to Council for review in Q3.

**INTER-DEPARTMENTAL LIAISON**

Staff from Economic Development and Community Partnerships have collaborated on this report. New Westminster Police Department has also indicated their support for site-wide liquor licensing for this event.

**FINANCIAL IMPLICATIONS**

There are no financial implications to the City of New Westminster.

**OPTIONS**

There are three options presented for Council’s consideration:

- 1. THAT Council support the declaration of the Uptown Live Festival, produced by the Uptown Business Association to be of municipal significance and forward this resolution to the Liquor and Cannabis Regulation Branch.
  
- 2. THAT Council direct staff to develop a policy and decision-making matrix staff may use to evaluate future municipally significant event designation requests and bring a draft to Council for review in Q3.
  
- 3. THAT Council provide staff with other direction.

Staff recommends option 1 and 2.

**APPROVALS**

This report was prepared by:  
Jen Arbo, Supervisor, Community Partnerships

This report was reviewed by:  
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This report was approved by:  
Blair Fryer, Acting Director, Community Services  
Lisa Spitale, Chief Administrative Officer