

# **REPORT**

## ***Community Services Department***

**To:** Mayor Johnstone and Members of Council  
**Date:** July 8, 2024

**From:** Blair Fryer, Acting Director Community Services  
**File:** #2505660

**Item #:** 2024-411

**Subject:** Proposal to Change Liquor Licence for The Royal Canadian Legion Branch No.2

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### **RECOMMENDATION**

THAT the following resolution be approved:

WHEREAS New Westminster City Council considered a staff report regarding an application from The Royal Canadian Legion Branch No. 2 located at 631 Sixth Street to change their liquor primary club licence to a standard liquor primary licence;

WHEREAS the overall occupancy of the establishment remains at 145 people and permitted operating hours will remain 12:00PM to 12:00AM Sunday to Saturday;

WHEREAS the location is in the Uptown commercial and mixed-use district of the city;

WHEREAS the establishment has operated at this location since November 2004 without negative impact to the neighbourhood;

WHEREAS the business has not generated noise complaints or negative community impacts and the proposed licence change is not expected to result in noise or negative impacts to the community based on the establishment's compliance history, size, hours of operation and location;

WHEREAS if the application is approved, the community impact is expected to be positive in that it will support a long-standing non-profit organization within the community;

WHEREAS the New Westminster Police Department does not oppose the application;

WHEREAS a sign was placed in front of the business for 30 days, two notices circulated in the City's e-newsletter (Citypage Online), to 1200+ subscribers, and invitations sent to the Moody Park Residents' Association, Glenbrooke North Resident's Association, and the Uptown Business Association, providing details regarding the application and inviting the public to submit comments to the City; and

WHEREAS the City has received two pieces of correspondence, one in support of the application and one in opposition;

THEREFORE BE IT RESOLVED:

THAT New Westminster City Council recommends the approval of the application by The Royal Canadian Legion Branch No.2 located at 631 Sixth Street to change their liquor primary club licence to a standard liquor primary licence.

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## **PURPOSE**

This report provides information regarding an application from The Royal Canadian Legion No.2 to change their liquor primary club licence to a standard liquor primary licence.

## **SUMMARY**

The Royal Canadian Legion, located at 631 Sixth Street, has applied to the City of New Westminster and the Province's Liquor and Cannabis Regulation Branch (LCRB) to change their current liquor primary club licence to a standard liquor primary licence. Approval of this application would open up the establishment to the community by allowing non-Legion members to enter the establishment without a Legion member escort. There would be no change to the total maximum occupancy of the business which would remain at 145 people and the permitted operating hours will remain 12:00PM to 12:00AM Sunday to Saturday.

## **BACKGROUND**

### **Policy and Regulations**

All new Liquor Primary Licence applications or permanent changes to an existing liquor primary related licence must obtain approval from both LCRB and the City.

### **Liquor and Cannabis Regulation Branch Policy**

LCRB's process to consider an application for a new Liquor Primary Licence can be summarized as follows:

- The operator submits an application through the online LCRB portal;

- The local government chooses to opt in or opt out of the process of providing comment. New Westminster's practice is to opt in and for City staff to conduct the public input process.
- The local government provides a resolution to LCRB indicating their support or opposition to the application. The local government has 90 days to provide a resolution unless an extension is requested. Prior to considering a resolution, the local government must conduct a public input process to obtain the views of residents. The resolution must contain comments pertaining to the potential for negative impacts on the community and the views of residents; and
- After the local government provides a resolution regarding the application, LCRB proceeds to make a final decision regarding amending the establishment's application.

### **City Policy**

The City's process to consider a new liquor primary licence is as follows:

- City staff meet with the applicant to discuss the application;
- The applicant posts a project sign on site for 30 days with details of the proposal and inviting public comment;
- Two notices are placed in the City's e-newsletter inviting public comment on the application;
- Emails are sent to applicable residents' and business associations inviting comments;
- Council considers a staff report regarding the application and adopts a resolution regarding the application; and
- Staff submits the resolution to LCRB.

### **Site Characteristics and Context**

The Legion is located in the Uptown neighbourhood of the city, on Sixth Street between Princess Street and Seventh Avenue. The property is situated within a mid-rise mixed use development. The Legion currently operates within one of five commercial units of the building that fronts Sixth Street.

Other properties surrounding the site include low to high density mixed-use developments with at grade commercial and residential above, along with three single detached homes adjacent in the rear and a converted single detached house that contains several businesses. A new high rise mixed-use development is under construction adjacent the site, along the west side of 6<sup>th</sup> Street between Princess and Seventh Avenue. The property is located in close proximity to the Royal City Centre shopping mall and a variety of bus routes with access to SkyTrain Stations.

A site context map is provided below (Figure 1):



**PROPOSAL**

The applicant is proposing to change their liquor primary club licence to a standard liquor primary licence. This licence change would facilitate the Legion in being able to welcome non-Legion members into the establishment without requiring a Legion member as an escort (e.g. signing them in). The occupancy of the establishment would remain at 145 people and permitted operating hours would remain 12:00 PM to 12:00 AM Sunday to Saturday. There are also no changes to the existing patio.

The Royal Canadian Legion’s mission is to connect and provide social opportunities for veterans and service members and to be involved with the community. This Legion branch currently has around 400 members and they have noted that their membership base is decreasing. The Legion is hoping that with the change in licence they can open the establishment up to the community, invite the community to be more involved, and ultimately generate additional revenue to offset operating costs. They are currently operating at a monthly loss and using reserves. According to the manager, 46% of legions in BC have transitioned from a club licence to regular liquor primary licence.

The City’s standard practice is to not charge annual business licence fees for non-profits. This includes liquor primary licences, such as those that have been applied to Massey Theatre Society, and if approved, staff would also apply to the Legion.

## **DISCUSSION**

As part of the review process, public input was sought from the community as well as comments from New Westminster Police Department, the Provincial Liquor Inspector and other City departments.

### **Community Input**

The applicant posted a sign in front of the establishment for 30 days over the month of May 2024 with details of the application and proposed licence change. Additionally, two notices (May 2 and 9) were placed in Citypage Online, the City's e-newsletter with 1200+ subscribers, advising the public of the application and inviting comments. Invitations to provide feedback were also sent to the Moody Park Residents' Association, Glenbrooke North Residents' Association, and the Uptown Business Association. Two pieces of correspondence were received, one in support and one in opposition, see Attachment 1.

### **Integrated Services Division**

The City's Integrated Services (Bylaws) division advises they have not had issues with the Legion's operations nor concerns with this application.

### **New Westminster Police Department**

New Westminster Police Department advises they have not had issues with the Legion's operations nor concerns with this application.

### **Provincial Liquor Inspector**

The Liquor Inspector reports that the Legion has not generated concerns or violations with respect to Provincial liquor regulations.

### **Views of residents**

Two pieces of correspondence were received regarding this application, one in support and one in opposition. The correspondence in opposition cited concerns with parking and vehicle noise, as well as noise coming from within the building during live band performances. No address was included with this piece of correspondence. The correspondence in support noted the desire for more food and beverage options uptown and general support for the Legion overall. The resident is located in the Uptown area, along 5<sup>th</sup> Avenue. *See Attachment 1 for the correspondence received.*

### **The impact of noise on the community in the immediate vicinity of the establishment**

Recognizing the correspondence in opposition to the license change, staff do not expect noise to be an issue as the applicant has a good compliance history based on records, and the maximum occupancy is not increasing. As a busy commercial area, the area already experiences some street and urban-living related noise. The City's Integrated Services division reports that the Legion has not generated any community complaints regarding bylaw matters in the past.

The impact on the community if the application is approved

If the application is approved, the impact is expected to be positive in that it will support a local business to expand their services, increase community involvement, and offer an additional social venue for residents, workers and business. Additionally, staff from Community Partnerships have indicated they would like to work with Legion staff to help build the Legion’s connections within the broader community.

**OPTIONS**

There are two options Council presented for Council’s consideration:

1. THAT the following resolution be approved:

WHEREAS New Westminster City Council considered a staff report regarding an application from The Royal Canadian Legion Branch No. 2 located at 631 Sixth Street to change their liquor primary club licence to a standard liquor primary licence;

WHEREAS the overall occupancy of the establishment remains at 145 people and permitted operating hours will remain 12:00PM to 12:00AM Sunday to Saturday;

WHEREAS the location is in the Uptown commercial and mixed-use district of the city;

WHEREAS the establishment has operated at this location since November 2004 without negative impact to the neighbourhood;

WHEREAS the business has not generated noise complaints or negative community impacts and the proposed licence change is not expected to result in noise or negative impacts to the community based on the establishment’s compliance history, size, hours of operation and location;

WHEREAS if the application is approved, the community impact is expected to be positive in that it will support a long-standing non-profit organization within the community;

WHEREAS the New Westminster Police Department does not oppose the application;

WHEREAS a sign was placed in front of the business for 30 days, two notices circulated in the City’s e-newsletter (Citypage Online), to 1200+ subscribers, and invitations sent to the Moody Park Residents’ Association, Glenbrooke North Resident’s Association, and the Uptown Business Association, providing details regarding the application and inviting the public to submit comments to the City; and

WHEREAS the City has received two pieces of correspondence, one in support of the application and one in opposition;

THEREFORE BE IT RESOLVED:

THAT New Westminster City Council recommends the approval of the application by The Royal Canadian Legion Branch No.2 located at 631 Sixth Street to change their liquor primary club licence to a standard liquor primary licence.

2. THAT Council provide staff with alternate direction.

Staff recommend Option 1.

### **INTERDEPARTMENTAL LIAISON**

Staff from Planning and Development (Integrated Services) were consulted regarding this matter. New Westminster Police Department and the Provincial Liquor Inspector were also consulted.

### **ATTACHMENTS**

Attachment 1: Correspondence received

### **APPROVALS**

This report was prepared by:  
Alyssa Randhawa, Business Growth Coordinator

This report was reviewed by:  
Carolyn Armanini, A/Manager Economic Development  
Jen Arbo, Supervisor, Community Partnerships

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