



STAFF REPORT

File No.: MA-LCB-2023.1 (Witteiman)

DATE OF MEETING: January 29, 2024
TO: Mayne Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Change of Liquor Licence – Lounge Licence
Applicant: Annette Witteiman and Michael Garrett
Location: 490 Fernhill Road, Mayne Island

RECOMMENDATION

- 1. That the Mayne Island Local Trust Committee request staff hold a public meeting via zoom to collect community input on MA-LCB-2023.1.**

REPORT SUMMARY

This report reviews Mayne Island Brewery's application to the Liquor and Cannabis Regulation Branch and the process required to respond to the LCRB's referral request.

BACKGROUND

The Mayne Island Brewing Company was first licensed in December 2016 to produce and sell packaged products in an on site store. It initially operated as a home occupation. A TUP was issued to the brewery in 2020 to support the expansion of their sampling area to the outdoors, Out Door Tasting Room Expansion (TESA), was also endorsed by the Liquor and Cannabis Regulation Branch (LCRB). The TESA evolved to a Picnic Area Endorsement License for the (LCRB) in 2023. During the LTC's LUB review in 2022, the property was rezoned to permit the use. During the public engagement process related to the rezoning, no objections to the use were received by the public. During the course of operation there have been no complaints made. The brewery has been identified as a valued business in the community.

The brewery has now applied to the LCRB for a lounge license which is better suited to the service they would like to provide the community. As they indicate, the lounge license will enable them to "provide light meals to enhance the tasting experience and promote low risk alcohol consumption". Hours will be limited to day time. Tasting flights will be provided as previously. With the lounge license glass sales will also be permitted. They will continue to stay within the existing permitted 46 seat total as identified in zoning.

The following applies to the LCRB's endorsement of a Lounge Area:

- A lounge may include an indoor lounge area, a standalone patio area, or both. A lounge may be located, in whole or in part, in an area designated as a sampling area, an on-site store, and a Special Event Area.
- Manufacturers must provide, at a minimum, a variety of hot or cold snacks and non-alcoholic beverages during all hours of operation for the lounge endorsement area.
- Live or recorded music, radio, television and dancing are permitted in lounge area endorsement, unless it is otherwise restricted by the Branch or unsuitable for minors.

- Manufacturers are responsible for determining the potential for noise and other types of disturbances to nearby residents. It is the responsibility of the manufacturer to have measures in place to ensure nearby residents are not disturbed by the establishment or patrons of the establishment.
- Manufacturers may sell any kind of liquor for on-site consumption in approved lounge area endorsement, provided the cost to purchase liquor from other manufacturers does not exceed 20% of the total value of liquor purchased for the lounge area endorsement in any given quarter.

Prior to issuing a lounge licence the LCRB requires that the local government endorse the application by indicating:

- That there are no issues with zoning
- That the LG is comfortable with the application proceeding
- That the public have been provided the opportunity to provide input on the proposed lounge license

Following the public meeting, staff will bring the referral back to the LTC and request a resolution confirming the above.

The local government is encouraged by the LCDB to follow their own public engagement process policy with respect to community engagement. For Mayne the process will be similar to a DVP process. Notice will be posted, and it will be sent to all neighbours within a 100 metre radius of the property at least 10 days prior to the date of the public open house.

Rationale for Recommendation

- Public engagement is required by the LCRB
- As there have been no issues raised regarding the operation of the brewery in the past, staff see no need for an in person meeting.

ALTERNATIVES

1. The LTC could choose to have an in person public open house. This will add additional cost to the process. Staff encourage an electronic meeting as there have been no concerns or complaints received to date related to brewery operations.

2. The LTC could request that the LCRB facilitate the public engagement. This would be a more time consuming and costly process for the applicant.

NEXT STEPS

If staff recommendations are supported:

- Staff will schedule electronic public meeting
- Staff will bring the referral back to the LTC requesting a resolution indicating that the application does not conflict with zoning, the LTC support the application moving forward and the public have been provided the opportunity to comment on the application.

Submitted By:	Narissa Chadwick, RPP, Island Planner	January 17, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	January 17, 2024