

Date: September 8, 2016

To: All LCLB Staff
All Local Government, First Nations and Police Agencies

Re: Lease and zoning requirements for Licensee Retail Store (LRS) Relocations

Introduction

In 2015, the Liquor Control and Licensing Regulation was amended to allow LRSs to relocate anywhere in British Columbia. Following this amendment the Liquor Control and Licensing Branch (LCLB) became concerned that the low commitment required to be granted Approval in Principle (AIP) could potentially be used by an LRS relocation applicant to protect their interest in an area by restricting other relocation applicants from moving into the 1 km radius of the proposed LRS location and their current location. To limit any potential conflict among licensees and increase fairness the Branch has reviewed and made amendments to the LRS relocation process.

Effective September 8, 2016, new policy will come into effect which will amend the timing of existing requirements in order to increase confidence in the application process and to reduce the number of delays throughout the process.

New Policy

Applicants are now required to provide valid interest in the form of a certificate of title or a fully executed lease as well as evidence that rezoning is underway (or already in place) in their proposed location before Approval in Principle is granted. These amendments are highlighted in the below table:

Previous Process	New Process effective September 8, 2016
<p>1. Pre-Clearance Approval (PCA)</p> <ul style="list-style-type: none"> • Applicant must satisfy the 1km criteria • At a minimum, an offer to lease or purchase is required to demonstrate valid interest at the proposed location • Applicants must maintain valid interest at their originating location throughout the application process – proof is required upon request 	<p>1. Preliminary Site Approval (PSA)</p> <ul style="list-style-type: none"> • No change to PCA requirements but new name to better reflect the process
<p>2. Approval in Principle (AIP)</p> <ul style="list-style-type: none"> • Applicant has three months from the date they were granted PCA to submit: <ul style="list-style-type: none"> ○ floor plans ○ signage 	<p>2. Approval in Principle (AIP)</p> <ul style="list-style-type: none"> • In addition to floor plans and signage, the applicant must submit the following with respect to their proposed LRS site within three months from the date they were granted PSA: <ul style="list-style-type: none"> ○ valid interest in the form of an executed lease or Certificate of Title ○ proof that appropriate zoning is already in place or that an application for rezoning has been submitted and is actively being reviewed by local government

3. Final Approval

- The applicant has 12 months from the date they were granted AIP to:
 - complete construction and/or renovations
 - provide valid interest in the form of a fully executed lease for the proposed location
 - obtain appropriate zoning in the proposed location

3. Final Approval

- The applicant continues to have 12 months from the date they were granted AIP to complete construction and/or renovations
- They also have 12 months from the date they were granted AIP to provide proof that appropriate zoning is in place – if their rezoning application was underway or in progress when AIP was granted

Licensees that submitted an application before the effective date of this policy directive will not be affected.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.gov.bc.ca/liquorregulationandlicensing>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by

Douglas Scott
Assistant Deputy Minister and General Manager