



# Central Saanich

## **DELEGATION OF AUTHORITY BYLAW NO. 2060, 2020**

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on February 12, 2025 up to Bylaw No. 2214, 2024.)

Official copies of the bylaws can be found at Municipal Hall by contacting the Corporate Services department at 250.652.4444.

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*THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH*

**BYLAW NO. 2060**

A bylaw to delegate certain powers, duties and responsibilities  
to Officers and Employees of the District of Central Saanich

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WHEREAS:

- A. Pursuant to the *Community Charter*, S.B.C. 2003, c. 26 (the "*Community Charter*"), Council for the District of Central Saanich ("Council") may, by bylaw, delegate its powers, duties and functions, including those specifically established by an enactment, to officers and employees of the District of Central Saanich (the "District");
- B. Council wishes to delegate to its officers and employees' certain powers, duties; and
- C. Council wishes to specify which officers and employees may act as signatories on behalf of the District

NOW THEREFORE, the Council of the District of Central Saanich, in open meeting assembled,  
ENACTS AS FOLLOWS:

**1. Name of Bylaw**

This bylaw may be cited for all purposes as the "**Delegation of Authority Bylaw No. 2060, 2020**".

**2. Interpretation**

2.1 In this Bylaw, unless the context otherwise requires, the following words have the following meanings:

**"Council"** means Council for the District;

**"District"** means the District of Central Saanich;

**"Employee"** means an exempt or union employee of the District other than an officer;

**"Land Use Permit"** means a development permit or other permit issued under Division 10 of Part 14 – Planning and Land Use Management of the Local Government Act

**"Officer"** means a person acting in an officer position as established under the District of Central Saanich Officers and Indemnification Bylaw.

### **3. Delegation of Authority**

- 3.1 Council delegates to the officers and employees set out in Column 3 of Schedule "A", all of the powers, duties and functions of Council as set out in the corresponding Column 1 of that Schedule, but only in accordance with the conditions outlined in Schedule "B" and Schedule "C" as applicable.
- 3.2 A general description of the powers, duties, and functions of Council delegated under this Bylaw is set out in Column 2 of Schedule "A" in relation to each of the powers, duties, and functions delegated under Column 1 of Schedule "A".
- 3.3 For greater certainty, the general description set out in Column 2 of Schedule "A" is not to be interpreted as limiting the delegation of the corresponding power, duty or function set out in Column 1 of that Schedule.
- 3.4 Where this Bylaw or another District bylaw delegates a power, duty, or function to an officer or an employee, the assignment or delegation of that power, duty, or function is to the person who, from time to time, holds that position or any successor position in title.
- 3.5 A person to whom a power, duty or function has been delegated under this bylaw has no authority to further delegate to another person any power, duty or function that has been delegated by this bylaw.
- 3.6 Delegated powers, duties and functions in this bylaw are premised on all necessary prerequisites of the *Community Charter*, the *Local Government Act*, other applicable federal and provincial enactments, District bylaws, and District policies being met.

### **4. Authorized Signatories for General Contracts**

- 4.1 Except as otherwise provided in this or any other bylaw or resolution of the District, all contracts, agreements and documents approved by Council resolution shall be signed by the Mayor and the Corporate Officer.
- 4.1 The authorizations to sign a contract in this section are granted provided that all necessary prerequisites of the *Community Charter*, the *Local Government Act*, other applicable federal and provincial enactments, District bylaws, and District policies have been met in relation to the contract.
- 4.2 Contracts approved by bylaw must be signed by the Mayor or Council Member presiding at the meeting at which the approving bylaw was adopted, and the Corporate Officer.
- 4.3 Contracts approved by Council resolution, between the District and the Government of Canada, the Government of British Columbia, the government of another province, another local government, a first nation, or an agent of any of them, must be signed by any two of the following persons:

- the Mayor or the council member presiding at the meeting at which it was adopted;
- the Chief Administrative Officer;
- the Corporate Officer;
- the Director of Financial Services.

## **5 Authorized Signatories for Real Property Transactions**

- 5.1 In addition to the authorizations granted in section 3, in regard to transactions involving the acquisition or disposal of land or improvements which have been approved by Council by resolution or bylaw, the Chief Administrative Officer is authorized to negotiate, approve and execute on behalf of the District all contracts and other documents necessary or desirable to complete such approved property transactions.

## **6 Authorized Signatories for Specified Real Property Transactions**

- 6.1 The Chief Administrative Officer is authorized to approve transactions for the management, acquisition or disposal of land or improvements; and approve transactions for licenses of occupation over lands owned or vested in the District.
- 6.2 The Chief Administrative Officer shall provide a report to Council to be received for information regarding any transactions approved pursuant to section 6.1 of this Bylaw on an annual basis.

## **7 Authorizations for Statutory Right of Ways, Covenants, Easements, and Notice on Titles**

- 7.1 The Chief Administrative Officer is authorized to approve transactions for the acquisition, disposal, amendment or discharge of:
- (a) statutory rights of way,
  - (b) easements,
  - (c) encroachment agreements, and
  - (d) restrictive covenants that are not approved by resolution of Council.
- 7.2 Restrictive covenants that are approved by resolution of Council and subsequently registered on title to property shall require approval of Council by resolution before discharge from title to property.
- 7.3 The Chief Administrative Officer is authorized to approve transactions for the removal of Notices on Title for contravention of building regulations.
- 7.4 The Chief Administrative Officer shall provide a report to Council to be received for information regarding any transactions approved pursuant to section 7.1 and 7.3 of this Bylaw on an annual basis.

## **8. Authorizations for Community Facility Leases and Licenses of Occupation**

- 8.1 The Chief Administrative Officer is authorized to approve leases and licenses of occupation for a community facility including any rights of renewal, under the conditions that the Chief Administrative Officer considers appropriate.
- 8.2 The Chief Administrative Officer shall provide a report to Council to be received for information regarding any transactions approved pursuant to section 8.1 of this Bylaw on an annual basis.

## **9. Authority to Settle Claims**

- 9.1 The Chief Administrative Officer and the Corporate Officer are granted the authority to settle any legal claims against the District, whether or not Court proceedings have been commenced, up to an amount as may be established by Council policy from time to time.

## **10. Delegation of Purchasing Authority**

- 10.1 Council hereby delegates to each officer and employee of the District the authority to enter into agreements respecting the activities, works, or services of the District as set out in the Sustainable Purchasing Policy No. 04.Fin adopted by Council July 10, 2017.

## **11. Limitations on Expenditures**

- 11.1 Council through the Sustainable Purchasing Policy No. 04.Fin adopted by Council July 10, 2017 has established approval limits for District employees and procedures consistent with this bylaw to govern and control all commitments of District funds.
- 11.2 An expenditure made by a person to whom the Council has delegated authority under this bylaw must be within the District's approved financial plan.

## **12. Authorizations for Land Use Permits**

- 12.1 Having received a land use permit application in accordance with Central Saanich Development Application Procedures Bylaw, the Director of Planning and Building Services is authorized to approve land use permits that do not form part of a proposal which requires Council approval, under the conditions that the Director of Planning and Building Services considers appropriate in accordance with any applicable policies, guidelines and regulations.
- 12.2 For the purposes of section 12.1, the Director of Planning and Building Services shall be guided by the conditions outlined in Schedule "B" and may include conditions respecting the sequence and timing of construction.
- 12.3 Before making a decision the Director of Planning and Building Services may refer an application to other agencies or associations, any District of Central Saanich advisory

commissions, or other staff as required. The Director must consider but is not bound to accept any recommendations or comments of the body or bodies to which the application was referred.

- 12.4 The decision to approve land use permits in accordance with this section is at the sole discretion of the Director of Planning and Building Services, who may determine that the proposal be directed to Council for a decision. Reasons for the proposal to be directed to Council include, but are not limited to,
- outstanding Bylaw Enforcement issues complicate the decision,
  - the permit pertains to work already completed or initiated,
  - significant concerns directly related to the proposal subject to the Development Permit Guidelines have been raised by the general public,
  - the proposal required modifications to encumbrances registered against the land title,
  - the site location is particularly prominent with a high level of public exposure or interest, and
  - the Director is of the belief that the proposal is of such significance it should be considered by Council.
- 12.5 The Director of Planning and Building Services shall provide a report to Council to be received for information regarding any land use permits approved pursuant to section 12.1 of this Bylaw on an annual basis.

### **13. Authorizations for Heritage Conservation**

- 13.1 Having received a Building Permit or Heritage Alteration Permit application for a property identified on the Heritage Registry, the Director of Planning and Building Services is authorized to approve Heritage Alteration Permits that do not form part of a proposal which requires Council approval, under the conditions that the Director of Planning and Building Services considers appropriate in accordance with any applicable policies, guidelines and regulations.
- 13.2 The Director of Planning and Building Services shall withhold the issuance of any building or demolition permit for a property included in the Heritage Registry in accordance with s. 604 of the Local Government Act, if he or she is of the opinion that the proposed alterations are inconsistent with the purposes of heritage protection and a temporary protection order should be considered by Council.
- 13.3 Despite 13.2, the Director of Planning and Building Service may approve the issuance of any building permit or demolition permit where the works required are required to mitigate a hazard to public safety even where the proposed alterations are inconsistent with the purposes of heritage protection.
- 13.4 Before making a decision the Director of Planning and Building Services may refer an application to other agencies or associations, any District of Central Saanich advisory commissions, or other staff as required. The Director must consider but is not bound to

accept any recommendations or comments of the body or bodies to which the application was referred.

- 13.5 For the purposes of section 13.1 and 13.2, the Director of Planning and Building Services shall be guided by the conditions outlined in Schedule “B” and may include conditions respecting the sequence and timing of construction,
- 13.6 For the purposes of assessing the heritage value, the Director of Planning and Building Services may order a heritage inspection in accordance with the Local Government Act s. 600.
- 13.7 Permits under this section includes the authority to vary a land use regulation under Part 14, but excludes a change to the land use or increase in density that is not otherwise authorized by the applicable zoning or a Heritage Revitalization Agreement.
- 13.8 The decision to approve permits for heritage conservation or withhold a building or demolition permit in accordance with this section is at the sole discretion of the Director of Planning and Building Services, who may determine that the proposal is of such significance that it be decided by Council.
- 13.9 The Director of Planning and Building Services shall provide a report to Council to be received for information regarding any heritage permits approved pursuant to section of this Bylaw on an annual basis.

#### **14. Authorizations for Subdivision Related Matters**

- 14.1 The Approving Officer is authorized to approve subdivision related matters under the conditions outlines in Schedule “B”.
- 14.2 Despite section 19 (Reconsideration) of this bylaw, decisions made by the Approving Officer are final.

#### **15. Authorizations for Tree Permits**

- 15.1 The Director of Planning and Building Services or Planner is authorized to approve tree permits under the conditions that the Director of Planning and Building Services or Planner considers appropriate in accordance with any applicable policies, guidelines and regulations.

#### **16. Authorizations for Sign Permits**

- 16.1 The Chief Building Inspector is authorized to approve sign permits under the conditions that the Chief Building Inspector considers appropriate in accordance with any applicable policies, guidelines and regulations.
- 16.2 For the purposes of section 16.1, the Building Inspector shall be guided by the conditions outlined in Schedule “B”.

## **17. Authorizations for Liquor License Referrals**

- 17.1 The Director of Planning and Building is directed to review liquor license applications in respect of which the District has received notice under section 38(1) of the Liquor Control and Licensing Act, to indicate that the District will opt-out of gathering public input and providing comments to the LCRB, or indicate 'no objection', when the proposal meets the criteria set out in Schedule "C" for the specified type of application. Proposals that do not meet the criteria would be forwarded to Council to determine the appropriate response.
- 17.2 Despite section 17.1, the Director of Planning and Building Services, may determine that the proposal should be forwarded to Council for consideration. Reasons for the application to be directed to Council for comments include, but are not limited to:
- outstanding, or a history of related, Bylaw Enforcement issues complicate the decision,
  - the proposal required modifications to encumbrances registered against the land title,
  - the Director is of the belief that the size or location of the proposal is of such significance it should be considered by Council, and
  - the proposal will require a zoning amendment to permit the use.
- 17.3 For clarity, nothing in this section is intended to be, or should be constructed as, a delegation of Council's authority to provide comments or make recommendations under section 38(3) of the Liquor Control and Licensing Act.

## **18. Requirement for Security**

- 18.1 Security may be required for a land use permit or approval to guarantee landscaping, or address an unsafe condition or damage to the natural environment that has resulted from the contravention of a permit. The amount of security shall be in the amount of 125% of an accepted cost estimate of the proposed works provided by a Landscape Architect, Professional Engineer, Qualified Environmental Professional, or other qualified professional accepted by the Director of Planning and Building Services.
- 18.2 Security may be required for a heritage conservation permit or approval to guarantee the performance of the terms, requirements and conditions of such approval. The amount of security shall be in the amount of 125% of an accepted cost estimate of the proposed works provided by a Heritage Consultant, building professional, or other qualified professional accepted by the Director of Planning and Building Services.
- 18.3 Security required as a condition of a permit or approval may be provided in the form of cash, certified cheque, or an irrevocable letter of credit.

**19. Reconsideration by Council**

- 19.1 An applicant subject to a decision under sections 12 to 17 inclusive of this bylaw is entitled to have the decision reconsidered by Council in accordance with this section, unless otherwise specified.
- 19.2 A person who wishes to have a decision reconsidered by Council must apply for the reconsideration in writing within 30 days of the decision by submitting to the Corporate Officer all of the following:
- A copy of all information provided to the delegate,
  - A copy of the delegate's decision and any information provided to the owner explaining the decision,
  - A brief statement explaining why the decision should be reconsidered by Council,
  - Any materials considered by the owner to be relevant to the decision.
- 19.3 Upon receiving a reconsideration request, the Corporate Officer may determine that notification of the reconsideration by Council is required to any other party the Corporate Officer considers may be reasonably affected by the decision.
- 19.4 Before Council makes a decision on a reconsideration application, the owner and any person notified under section 19.3 shall be given a reasonable opportunity to make submissions to Council.
- 19.5 After having reconsidered a reconsideration application, Council may either confirm the decision of the delegate, or may set aside the decision of the delegate and substitute the decision of Council.

**20. Severability**

- 20.1 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**21. Repeal**

- 21.1 "Central Saanich Delegation of Authority Bylaw No. 1918, 2017" is repealed.

READ A FIRST TIME this        5<sup>th</sup>    day of        October,        2020.  
READ A SECOND TIME this    5<sup>th</sup>    day of        October,        2020.  
READ A THIRD TIME this     5<sup>th</sup>    day of        October,        2020.  
ADOPTED this                 19<sup>th</sup>   day of        October,        2020.

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Ryan Windsor  
Mayor

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Liz Cornwell  
Corporate Officer

## SCHEDULE "A"

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Enactment</b>	<b>Powers, Duties, and Functions</b>	<b>Delegated Position(s)</b>
Community Charter, section 32(3)	Entry onto land to mitigate damage that may be caused by the District.	Chief Administrative Officer,
Community Charter, section 35(11)	Granting licences of occupation, easements, or encroachment agreements in respect of highways vested in The District.	Chief Administrative Officer
Community Charter, section 43	Requiring a person permitted to erect poles on highways to provide reasonable accommodation on the poles for wires and equipment of The District	Chief Administrative Officer, Director of Engineering
Community Charter, section 231, 250, and 251	Commencement of legal proceedings to collect unpaid taxes.	Chief Administrative Officer, Director of Financial Services
Community Charter, section 258	Collection of municipal fees as taxes.	Chief Administrative Officer, Director of Financial Services
Community Charter, section 274	Commencement of civil proceedings to enforce, or to prevent or restrain the contravention of a bylaw or resolution of Council, or a provision of the Community Charter or the Local Government Act, or relating to any damage to or interference with a highway in the City.	Chief Administrative Officer
Local Government Act, section 506	Requiring that, as a condition of a building permit, the owner provides, on the site being developed, services in accordance with the standards set out in the Subdivision and Development Bylaw.	Chief Administrative Officer, Director of Engineering, Director of Planning and Building Services

**SCHEDULE “B”**

<b>Powers, Duties, Functions</b>	<b>Type of Permit or Authorization</b>	<b>Conditions</b>
<p><i>Land Use Permits</i>                      Delegate: Director of Planning and Building Services</p>		
<p>Approval of Development Permits or Development Permit Amendments Issued under Local Government Act, Part 14, Division 7</p> <p>Approval of Temporary Use Permit Renewals Issues under Local Government Act, Part 14, Division 8</p>	<p>Development Permits for Riparian and Sensitive Aquatic Ecosystem</p>	<p>No variance is required, and</p> <p>A report has been provided from a Qualified Environmental Professional, and the Director is satisfied the proposal is consistent with DP Guidelines, or</p> <p>The proposal is for restoration or landscaping improvements and the Director is satisfied the proposal is consistent with the DP Guidelines.</p>
<p>Note:                      Properties may be subject to more than one type of Development Permit Area, but would be addressed in one Permit</p>	<p>Development Permits for Sensitive Terrestrial Ecosystem</p>	<p>No variance is required, and</p> <p>A report has been provided from a Qualified Environmental Professional and the Director is satisfied the proposal is consistent with DP Guidelines, or</p> <p>The proposal is for restoration or landscaping improvements and the Director is satisfied the proposal is consistent with the DP Guidelines.</p>
<p>Note: Minor additions/ structures are those 200 m<sup>2</sup> or less, except Intensive Residential Development Permits where a minor addition or structure is 20m<sup>2</sup> or less</p>	<p>Development Permits for Marine Shoreline Development</p>	<p>No variance is required, and</p> <p>A report has been provided from a Qualified Professional and the Director is satisfied the proposal is consistent with DP Guidelines, or</p> <p>The proposal is for restoration or landscaping improvements and the Director is satisfied the proposal is consistent with the DP Guidelines.</p>
	<p>Development Permits for Form &amp; Character</p> <ul style="list-style-type: none"> <li>• Light Industrial/ Arterial Commercial</li> <li>• Residential Multi-family and Commercial Mixed-use</li> </ul>	<p>No variance is required, and</p> <p>No trees or landscaped areas are impacted, except where they are replaced in equal or with a net positive result, and</p> <p>The Director is satisfied the proposal is consistent with any applicable DP Guidelines, and</p>

Powers, Duties, Functions	Type of Permit or Authorization	Conditions
	<ul style="list-style-type: none"> <li>• Brentwood Bay Village and Moodyville</li> <li>• Tourist Commercial</li> <li>• Marina</li> </ul>	<p>The proposal is for exterior changes to an existing building or site, for a minor addition or structure to an already developed site, or for a demolition, or</p> <p>The proposal is for signage.</p> <p><i>Note: Minor additions/ structures are those 200 m<sup>2</sup> or less</i></p>
	<p>Renewal of an approved Development Permit where the permit holder has not substantially started construction and the permit is about to lapse</p>	<p>Written request has been submitted at least 1 month before the permit has lapsed, and</p> <p>The proposal remains unchanged, and</p> <p>The applicable regulations have not changed so that a non-conforming situation would be created for siting, size or required parking, and</p> <p>There has been no significant amendment to the DP Guidelines that would impact the proposal.</p> <p>Permits may only be renewed once, and are limited to an extension of 1 year.</p>
	<p>Amendments to an Intensive Residential Development Permit</p>	<p>No variance is required, and</p> <p>No trees or landscaped areas are impacted, except where they are replaced in equal or with a net positive result, and</p> <p>The Director is satisfied the proposal is consistent with any applicable DP Guidelines.</p> <p><i>Note: for Intensive Residential Development Permits, minor additions/ structures are those 20 m<sup>2</sup> of less</i></p>
	<p>Development Permits for Cottages</p>	<p>Located in the Urban Containment Boundary,</p> <p>No variances required,</p> <p>The Director is satisfied the proposal is consistent with any applicable DP Guidelines</p>
<p>Temporary Use Permit</p>	<p>The notification of the initial permit</p>	

Powers, Duties, Functions	Type of Permit or Authorization	Conditions
	Renewal	<p>clearly stated that the temporary use may be considered for a period of up to six (6) years.</p> <p>No ongoing bylaw enforcement issues or history of complaints related to the use.</p> <p>That permit terms and conditions remain the same or be more stringent in nature such that the approved temporary uses are not expanded.</p>
	Development Permits for the Protection of Farming	<p>The proposal is for a detached accessory dwelling, and</p> <p>The Director is satisfied the proposal is consistent with applicable DP Guidelines.</p>
<p><u>Heritage Conservation</u> Delegate: Director of Planning and Building Services</p>		
Heritage Conservation, Local Government Act, Part 15	Withholding of a Building or Demolition Permit for any property identified on the Heritage Registry under Division 4	<p>Include consideration of the heritage values, the prominence of the site, and the current conditions to determine if Council should consider a 60-day temporary protection order in accordance with s. 606 of the <i>Local Government Act</i>.</p>
	Approval of Heritage Alteration Permits, or Heritage Alteration Permit Amendments under Division 6	<p>Applies to heritage properties protected through: a bylaw, a Heritage Revitalization Agreement, or covenant, and</p> <p>The Director is satisfied the proposal is consistent with the purpose of the heritage protection and compatible with the protected buildings or structures, and</p> <p>Where the Heritage Alteration Permit applies to a property protected by a Heritage Revitalization Agreement, the proposed alterations must be consistent with the terms and objectives of the Agreement.</p> <p>The requirement for variances should be avoided, however the delegate may approve variances:</p> <ul style="list-style-type: none"> <li>• To increase height by no more than 1 m,</li> </ul>

Powers, Duties, Functions	Type of Permit or Authorization	Conditions
		<ul style="list-style-type: none"> <li>• To allow a new encroachment, or increase an existing encroachment into a required setbacks by no more than 0.6m,</li> <li>• To increase lot coverage by no more than 5%.</li> </ul>
<p>For certainty, the delegated authority under this Part may include the approval of a variance.  For certainty, Heritage Designation and Heritage Revitalization Agreements may only be done through bylaw.</p>		
<p><i><u>Subdivision and Development: Requirements and Related Matters</u></i></p>		
<p>Delegate: Approving Officer</p>		
<p>Approval for Conversion of Previously Occupied Buildings, Strata Property Act, s. 242</p>	<p>To strata title a previously occupied building</p>	<p>The subdivision of 3 or more multi-family residential units into separate strata lots will require Council approval.</p> <p>The delegated authority applies to residential duplexes, or multi-unit commercial or industrial units only.</p> <p>May include mixed-use developments subject to all residential units being maintained as one strata lot, or one air space parcel.</p>
<p>Minimum Parcel Frontage on Highway, Local Government Act, s. 512</p>	<p>Granting an exemption from the requirement that the minimum frontage of a parcel fronting on a highway must be 10% of the perimeter of the lot</p>	<p>No variance is required from the minimum lot frontage requirement in the Land Use Bylaw, and</p> <p>The subdivision does not include a panhandle lot configuration within the Urban Settlement Area Boundary.</p>
<p>Requirement for Provision of Park Land or Payment for Park Purposes, Local Government Act, s. 510</p>	<p>Provision of park land</p>	<p>Authorize the decision to require payment in-lieu of providing park land where the OCP or Parks Master Plan has not identified the site for potential park acquisition, or where proposed park land is unsuitable.</p>

<u>Tree Permits</u>		
Delegate: Director of Planning and Building or Planner		
Community Charter, s. 8.3 (c)	Tree Permits	For trees within the Erosion District approval from the Director of Engineering and Public Works is also required.
<u>Sign Permits</u>		
Delegate: Chief Building Inspector		
Regulation of Signs, Local Government Act, s. 526	Sign Permits	<p>No variance is required, and</p> <p>Proposed sign is in accordance with the Land Use Bylaw, Sign Regulations, any applicable Development Permit Guidelines, or a Master Sign Plan approved as part of a Development Permit, and</p> <p>An encroachment agreement is approved by the Director of Engineering for any sign that encroaches onto municipal property, including above, at, or below grade, and</p> <p>No trees would be impacted by any required encroachment agreement.</p>
<u>Requirement for Security</u>		
Delegate: Director of Planning and Building Services		
Local Government Act, s. 502 (land use permits)	Require security for landscaping or to address an unsafe condition or damage to the natural environment resulting from a contravention of a permit.	125% of an acceptable cost estimate
Local Government Act, s. 618 (heritage conservation)	Security for performance of permit conditions	125% of an acceptable cost estimate

### SCHEDULE "C"

The Liquor and Cannabis Regulations Branch (LCRB) has the authority to issue Liquor Licences and under some circumstances they will refer an application to the District for the opportunity to provide comment, which requires gathering and considering public input. When a referral is received, Council has the option to opt-out of the process, in which case the LCRB would receive public input directly.

When a liquor licence referral meets all of the criteria for the specified type of application, the Director is authorized to indicate the District will opt-out of providing comments. Proposals that do not meet the criteria would be forwarded to Council to determine whether to provide comments to the LCRB or not.

**1. Applications for new, or amendments to, the following types of licence:**

- Liquor Primary (eg: primary purpose of selling liquor, such as bars, pubs, nightclubs, or other businesses that wish to service liquor as an added service, such as spas, barbershops, galleries)
- Food Primary (eg: restaurants)
- Liquor Primary Club (eg: private clubs, such as golf courses, fraternal lodge)
- Amendments may be to: relocate, extend hours, increase person capacity, add an outdoor patio, transition to Liquor Primary from Food Primary or Club, and temporary use area (golf courses only)
- Endorsements may be for: off-premise sales, patron participation, temporary use area (golf courses only)

**a. Criteria:**

- i. *Location:* complies with zoning
- ii. *Hours:* no later than midnight on Sunday to Wednesday, or 1:00 a.m. on Thursday to Saturday
- iii. *Occupancy:* an increase of no more than twice the existing occupancy, to a maximum of 100 persons
- iv. *Outdoor Seating Area:* no new, or expansion to, an existing outdoor occupancy
- v. *Patron-participation:* entirely contained indoors
- vi. *Other:* the proposal is not for a new Liquor Primary licence

**2. Applications for new, or amendments to, the following types of licence:**

- Manufacturer licence located in the Agricultural Land Reserve (eg: distillery, cidery, winery, brewery, meadery)
- Amendments may be to: increase person capacity, extend hours, increase the capacity /size or hours of a special event area
- Endorsements may be for: manufacturer lounge (to sell alcohol not produced on the farm), special event area, picnic area (limited to 93 m<sup>2</sup> and hours within 9 a.m. to ½ hr after sunset)

**Note:** alcohol production facilities are a permitted use in the ALR, subject to conditions (ie: 50% of the primary product being grown on the farm, or in combination with a leased farm) and may include a food and beverage lounge of up to 125 m<sup>2</sup> indoors and 125 m<sup>2</sup> outdoor areas for product sampling. Selling alcoholic beverages not produced on the

farm is also permitted in the ALR in either the lounge area, or a special event area if endorsed under the Liquor Control and Licensing Act. Subject to conditions, the ALC also allows up to 10 events within each calendar year, for up to 150 people and of no longer than 24 hours duration.

**a. Criteria:**

- i. *Location:* Proposal complies with ALC regulations
- ii. *Hours:* No later than midnight on Sunday to Wednesday, or 1:00 a.m. on Thursday to Saturday
- iii. *Capacity:* Maximum person capacity of no more than 150 people
- iv. *Special event areas:* If located outdoors or an open-air structure, located with a minimum setback of 15 m to any lot line
- v. *Picnic areas:* For 30 people or more, located with a minimum setback of 15 m to any lot line, or for less than 30 people, located with a minimum setback of 7.5 m to any lot line

**3. Application for new, or amendments to, the following types of licence:**

- Manufacturer licence located outside of the Agricultural Land Reserve (eg: distillery, cidery, winery, brewery, meadery)
- Amendments may be to: increase person capacity, extend hours, increase the capacity /size or hours of a special event area
- Endorsements may be for: manufacturer lounge (to sell alcohol not produced on the farm), special event area, picnic area (limited to 93 m<sup>2</sup> and hours within 9 a.m. to ½ hr after sunset)

**Note:** manufacturer licences allow for product sales and sampling, but endorsement of a lounge or special event area is required to sell other alcohol products.

**a. Criteria:**

- i. *Location:* Proposal complies with zoning
- ii. *Hours:* Manufacturer lounge no later than midnight on Sunday to Wednesday, or 1:00 a.m. on Thursday to Saturday
- iii. *Occupancy:* an increase of no more than twice the existing occupancy, to a maximum of 100 persons
- iv. *Outdoor seating areas:* no new, or expansion to, an existing outdoor occupancy
- v. *Special event areas:* If located outdoors or an open air structure, located with a minimum setback of 10 m to any lot line
- vi. *Picnic areas:* Limited to no more than 10 people and located with a minimum setback of 7.5 m to any lot line

For the following liquor licence applications, municipal input is limited to “Objection / No Objection” only.

When a liquor licence referral meets all of the criteria for the specified type of application, the Director is authorized to indicate the District has no objections. Proposals that do not meet the criteria would be forwarded to Council to determine the appropriate response.

**4. Liquor Primary Relocations - these referrals apply when proposed location is very close to the existing site:**

**a. Criteria:**

- i. *Location:* Complies with zoning
- ii. *Hours:* No later than midnight on Sunday to Wednesday, or 1:00 a.m. on Thursday to Saturday
- iii. *Outdoor Seating Area:* No new, or increase to, an existing outdoor occupancy
- iv. *Patron-participation:* Entirely contained indoors

**5. Temporary changes for an event - these referrals may be to expand hours or person capacity for liquor primary, manufacturer lounge, or special event area:**

**a. Criteria:**

- i. *Frequency:* It is limited to no more than 5 events within a 2 week period
- ii. *Occupancy:* The person capacity is increased by no more than 50% of the current licence
- iii. *Location:* Any increased hours or capacity is limited to being within an indoor venue
- iv. *Parking:* Where an increased parking demand is anticipated, there are no known ongoing parking issues and/or the applicant confirms they have made temporary parking arrangements to accommodate additional off-site parking
- v. *Hours:* No later than 2 a.m. and not to start before 9:00 a.m.