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Denman, Gabriola, Gambier, Hornby,  
Lasqueti, Thetis, Ballenas-  
Winchelsea Islands

## Schedule E: LCRB License Referral

### Liquor and Cannabis Regulation Branch Referrals

The Province of BC is the authority responsible for the issuance of Liquor and Cannabis Retail License applications. However, the Liquor and Cannabis Regulation Branch may require applicants to consult with local governments or First Nations in conjunction with their license review process. In the case of Cannabis Retail license applications, the proposal must have the support of the applicable local government or First Nation in order for a license to be issued by the Province.

## Application Process

### Pre-Application

- Review the **Islands Trust Policy Statement** and **Official Community Plan (OCP)**, which guide decisions on planning and land use management in the Local Trust Area.
- Determine whether or not proposed uses, buildings or structures will be located within a Development Permit Area; if so, an application for a Development Permit may also be required. Contact the Islands Trust to confirm.
- Review and confirm compliance with the **Land Use Bylaw (LUB)**. The LUB will specify the uses that are permitted or prohibited in various zones, and provide regulations for the siting, size and dimensions of uses, buildings and structures. The LUB may also contain regulations for parking, signage, landscaping, run-off control, and Development Permit guidelines.
- Applicants are urged to contact Islands Trust staff prior to making an application for a new Liquor License or Cannabis Retail License. Issuance of these licenses will be firstly contingent on permissive zoning regulations. As noted, in the case of Cannabis Retail applications, despite zoning, the proposal must have support from the local government or First Nation.

### Application Submission

- Submit a complete application and fee; ***incomplete applications will not be accepted.***
- The Islands Trust will contact you to request any missing application materials.

### Application Review

- An Islands Trust planner will review the application; additional information may be requested, if needed.
- If the application does not comply with applicable local trust committee bylaws, the planner will request that the application be modified or that an additional application be made for a development permit, or bylaw amendment.

### Application Decision

- Islands Trust staff will prepare a report for the local trust committee, which includes an evaluation of the proposal in relation to the Islands Trust Policy Statement, OCP, Land Use Bylaw and applicable LCRB policies. The report may incorporate comments received from the public, provide supporting documentation, and make a recommendation to the local trust committee.
- The local trust committee will consider the staff report at a regular business meeting and may:
  - Refer the application to the advisory planning commission (APC) for review and comment, prior to passing a resolution; in this case, the applicant has the right to present their proposal and be heard by the APC;
  - Pass a resolution to recommend that the LCRB issue the license, with or without conditions;
  - Pass a resolution to recommend that the LCRB not issue the license; or
  - Decide not to provide a recommendation to the LCRB. (This will result in the LCRB no longer considering the application.)

## Standing Resolution on Cannabis Retail License Applications

The majority of local trust committees have adopted the following standing resolution to guide the review of non-medical cannabis retail license applications. This resolution is as follows:

- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee;
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical;
- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and
- However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
  - Name of the applicant and a description of the proposal in general terms;
  - The location of the proposed establishment and the subject site;
  - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered;
  - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and
  - How public comments may be submitted to the Local Trust Committee.

## Application Requirements

Please provide the following information in addition to the completed application form, fee, title search and title charges:

- A written description of the existing and proposed uses, buildings and structures on the subject property including a description of any home occupation (if applicable);
- A Site Survey completed by a registered BC Land Surveyor (BCLS), unless the Islands Trust confirms a survey is not needed;
- An 11x17 Site Plan, drawn to scale, showing the following:
  - a. The location, dimensions and floor area of existing and proposed buildings and structures;
  - b. The location of existing and proposed water infrastructure (e.g. septic tanks, disposal fields, wells, water lines, cisterns, retention ponds, etc.) on both the subject property and neighbouring properties (if applicable);
  - c. The location of existing and proposed driveways, off-street parking, loading, outdoor storage, stream crossings, pathways, decks and patios;
  - d. The location of all watercourses (including streams, ditches, lakes and wetlands);
  - e. The location, dimensions and area of existing and proposed covenant areas, easements and utility corridors;
  - f. Setbacks of existing and proposed buildings, structures and water infrastructure to lot lines, the natural boundaries of watercourses and the sea, and, where applicable, the edge of any cliff on the subject property;
  - g. The area of the subject property;
  - h. The height of existing and proposed buildings and structures.

## Additional Requirements

If the proposed development is located within a Development Permit Area, as identified in the applicable OCP, a Development Permit may also be required. If it is not possible to comply with all bylaw requirements, the application will need to be modified, or an application will need to be made for a bylaw amendment.

In addition to complying with local trust committee bylaws, applicants are responsible for meeting all other regulatory requirements applicable to land use and development in BC (e.g. *BC Building Code*, *Transportation Act*, *Water Sustainability Act*, *Environment Act*, *Public Health Act*, *Agricultural Land Commission Act*, etc.).

For further information, visit the Islands Trust website at [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca) and applicable bylaws.

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**NOTE:** This information is intended to provide guidance only and should not be interpreted as a right to a development approval if the steps indicated are followed. Please consult the Local Government Act and its regulations, as well as the other Islands Trust applicable bylaws for the definitive requirements and procedures. For any further information, please contact the Islands Trust.



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# Land Use Application

**Application Type:** *Check all that apply*

*See Associated Schedules for Information and Application Requirements*

<input type="checkbox"/> Bylaw Amendment	<input type="checkbox"/> OCP <input type="checkbox"/> Land Use / Rezoning <input type="checkbox"/> Land Use Contract	Schedule A
<input type="checkbox"/> Development Permit	<input type="checkbox"/> Renewal or Amendment	Schedule B
<input type="checkbox"/> Development Variance Permit	<input type="checkbox"/> Renewal	Schedule C
<input type="checkbox"/> Heritage Alteration Permit		Schedule D
<input type="checkbox"/> LCRB License	<input type="checkbox"/> Liquor <input type="checkbox"/> Temporary Change <input type="checkbox"/> Cannabis Retail	Schedule E
<input type="checkbox"/> Order - Board of Variance		Schedule F
<input type="checkbox"/> Siting & Use Permit		Schedule G
<input type="checkbox"/> Soil Deposit / Removal	<input type="checkbox"/> Registration <input type="checkbox"/> Permit	Schedule H
<input type="checkbox"/> Strata Conversion		Schedule I
<input type="checkbox"/> Subdivision Review	<input type="checkbox"/> Boundary Adjustment	Schedule J
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Renewal	Schedule K

**Description of Subject Property:**

Civic Address	PID
Legal Description	

**Purpose of Application:** *Provide a brief description (attached additional pages if needed)*

**Applicant:**

Name	Company
Mailing Address	
Phone	Email

**Declaration:**

*As the owner or agent authorized to act on behalf of the owner(s) of the subject property, I declare the information submitted in support of this application is true and correct in all respects.*

Signature

**Office Use Only:**

Date Received	Fees Paid	Receipt No.	TAPIS No.
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**Owner Authorization:**

As the registered owner(s) of the subject property, I/we declare that the information submitted in support of this application is true and correct in all respects. I/we hereby authorize Islands Trust staff or their contractors to conduct site inspections of the subject property for the purpose of processing this application, and hereby authorize and appoint:

Print Name (Complete if applicant is not the owner(s))

... to serve as the agent for this application, and communicate with Islands Trust staff and Islands Trust bodies on our behalf.

**All registered owners on title must be listed on and sign the application. Corporations must include a list of directors.**

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

**Application Checklist** The following materials must accompany the application:

- Completed application form
- Current title search (issued within 30 days)
- Copies of all title charges (restrictive covenants, rights-of-way, etc.)
- Application fee (see applicable Local Trust Committee Fees Bylaw for current fees)
- If applicable, [a BC Contaminated Sites Regulation Disclosure Statement \(Schedule 1\)](#) must be completed
- If applicable, QEP Report registered in Province of BC Riparian Areas Regulation (RAR) Notification System
- Required plans, drawings, reports and other information as noted on the applicable schedules and DAI Bylaws**

**NOTE** A complete application and fee must be received before the application will be processed. Fees may be paid using cash, cheque or interac e-transfer (contact Islands Trust for e-transfer procedure). Applicants are advised that processing times may depend on applications volumes and timing of local trust committee meetings. Applicants are encouraged to apply for permission well in advance of scheduled development.

**Freedom of Information**

The collection of personal information, for the purpose of processing this application, is authorized under the Local Government Act, Community Charter and section 26(c) of the Freedom of Information and Protection and Privacy Act. Enquiries may be directed to a Deputy Secretary at any of the Islands Trust Offices, as noted on page 1 of this form. A request for information, under the Freedom of Information and Protection of Privacy Act may be made to: FOI Coordinator, Islands Trust, 200-1627 Fort Street, Victoria, BC V8R 1H8, Tel. (250) 405-5151, Fax (250) 405-5155.