



## The Corporation of the District of Saanich

# Report

**To:** Mayor and Council

**From:** Lindsay Chase, Director of Planning

**Date:** May 13, 2025

**Subject:** 761 Enterprise Crescent - Macaloney Brewers & Distillers Ltd. – Amendment to Existing Liquor Primary Licence

**File:** LIQ00034

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### RECOMMENDATIONS

1. That the application to the BC Liquor and Cannabis Regulation Branch to amend an existing Liquor Primary Liquor Licence for Macaloney Brewers & Distillers Ltd. be supported.
2. That a copy of the Report and Council minutes be forwarded to the BC Liquor and Cannabis Regulation Branch.

### PURPOSE

The purpose of this Report is to seek direction from Council on the subject application. The application is for a resolution of Council in support of an application to the BC Liquor and Cannabis Regulation Branch (LCRB) for Macaloney Brewers & Distillers Ltd. The proposed amendment to the existing licence would make liquor service to the outdoor patio permanent, which was authorized through a temporary permit during the COVID-19 pandemic. The applicant is Tom Bush.

### PROCESS

The BC Liquor and Cannabis Regulation Branch process requires that a local government or their delegate, in respect to an amendment application, must include comments on:

- The impact of noise on the community in the immediate vicinity of the establishment.
- The impact on the community if the application is approved.
- Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.
- The location of the establishment; and
- The person capacity and hours of liquor service of the establishment.

For an application to amend a Liquor Primary liquor licence, Council Policy (04/105) is to provide early notice to community associations, schools, businesses, and social facilities within a 90 m radius of the subject property. The application will be considered at a Council Meeting following notification to all owners and residents, within a minimum 90 metre radius.

## DISCUSSION

### Proposed Amendment to Existing Liquor Licence

In response to the COVID-19 pandemic and the Provincial Health Officer's orders, LCRB implemented Temporary Expanded Service Area (TESA) authorizations starting in May 2020. A TESA authorized Food Primary, Liquor Primary, and Manufacturer licensees to temporarily expand their service areas to serve patrons while allowing for physical distancing. An option for businesses included outdoor patios. Since the state of emergency declared in relation to the pandemic has been rescinded, the temporary service spaces must either be made permanent by regular permit or removed.

The proposed amendment to the existing licence would permit the TESA-authorized patio to remain. No changes to the interior or exterior are proposed.

At the Council Meeting on December 16, 2024, the Development Permit Amendment (DPA01068) was approved by Council to allow the temporary patio area to become a permanent addition to the building design. Despite this recent approval for the structure, an amendment to the liquor licence is still required for the LCRB to allow liquor service to continue in this area.

### Neighbourhood Context

The 4,175 m<sup>2</sup> subject site is located on the northern curve of Enterprise Crescent (see Figure 1). The parcel is zoned M-3UBD (Industrial Park Brewery/Distillery Retail Sales) Zone. Currently, surrounding land use is primarily industrial and commercial with residential buffered by the Patricia Bay Highway to the east and Glanford Avenue to the west. Future land use designated this area to remain industrial.

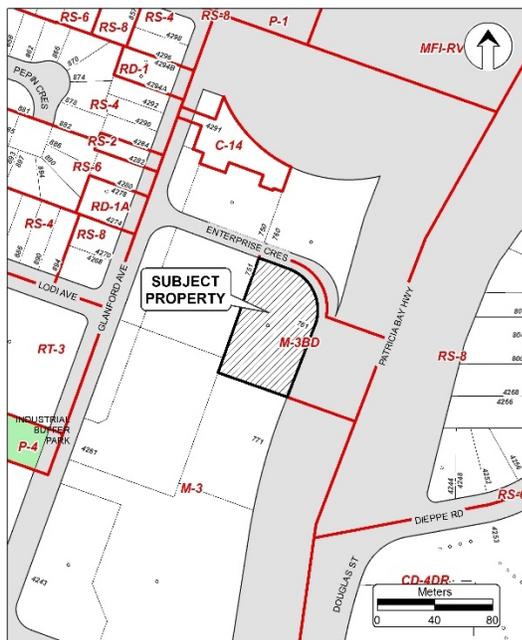


Figure 1: Neighbourhood Context Map

### Noise and Community Impact

Noise and community impacts for the proposed amendment to the liquor licence are anticipated to be negligible. The site is located in an industrial area away from any residential uses and the amendment is to support a use that is already occurring, so there is no change expected to existing conditions.

**Likelihood of Inappropriate Operation**

This factor is related to the possibility of concern that the proposed liquor licence could result in the operation of the business in a manner that does not meet the intent of the licence. The requested amendment to the liquor licence is not anticipated to alter the business operation as it is to accommodate a use that was implemented in May 2020, due to the COVID-19 pandemic.

At the time of writing this Report, no response had been received from Saanich Fire Department.

The Saanich Police Department have no position on the application.

The request for an amendment to the liquor licence would be considered by the LCRB following receipt of a resolution from Council.

**Views of Residents**

For an application to amend an existing liquor licence, Council Policy (04/105) is to notify community associations, schools, businesses, and social facilities within a 90 m radius of the subject property, and to consider the application at a Council meeting.

In accordance with Council Policy (04/105), early notice of the application was mailed to the Royal Oak Community Association (ROCA), School District 61, and also businesses and social facilities within a 90 m radius of the subject property.

As a result of the early notice, one letter was received from a local business to the Planning Department indicating no objection to the proposed liquor licence.

At the time of writing this Report, no response had been received from ROCA.

**Location of the Establishment**

Limited impacts to surrounding properties are expected as a result of the amendment to the existing liquor licence, especially because no residential buildings are located within close proximity to the business and the change has already been implemented as the patio area was opened in response to COVID-19.

**Capacity and Hours**

No changes to capacity or the business hours are proposed.

**CONCLUSION**

The applicant has applied to the LCRB to amend their liquor licence to make permanent the outdoor patio that was temporarily authorized through the TESA program in May 2020. It is recommended that the proposed amendment to the liquor licence be supported as there would be no change to the business operations, no increase in capacity and impacts to the surrounding neighbours are expected to be negligible.

Prepared by: Caitlin Yancoff, Senior Planning Technician

Reviewed by: Carl Purvis, Manager of Current Planning

Approved by: Lindsay Chase, Director of Planning

CY/kb

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.  
Brent Reems, Chief Administrative Officer