

Date: February 08, 2013

To: All LCLB staff  
All Industry Associations  
All Local Government, First Nations, and Police Agencies

Re: Regulatory amendments respecting licensee retail stores (LRS) relocations

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The purpose of this policy directive is to announce amendments to the regulations and policy respecting the regulatory criteria for approving exemptions to the 1 km rule for LRS relocations.

### **Background**

The regulations previously specified that applications to relocate an LRS could not be approved by the general manager if the proposed site was within 1 km of an existing LRS or the site of an LRS application in progress, although the general manager had discretion to approve exceptions. However, the criteria for the exercise of discretion were unclear and were not specified in the regulations, causing confusion for applicants and requiring significant branch resources in reviewing these applications.

### **Regulations and Policy**

The amendment to section 14 of the Liquor Control and Licensing Regulations takes effect immediately and applies to all licensee retail store relocation applications received on or after February 08, 2013, the date the regulation comes into effect.

The circumstances under which the general manager may exempt an LRS from the requirement to be at least 1 km from an existing LRS or LRS application in progress are now specified in regulation and are as follows:

- Where the address of the proposed location is the same legal address as the existing site;
- Where the proposed location is not closer to an existing or proposed LRS than the current location;
- Where the travelling distance between the proposed location and any existing or other proposed LRS is 1.0 km or more because of the existence of a natural barrier; or
- Where the relocation is necessitated by a fire or natural disaster and the store has been substantially destroyed as a result.

The general manager has no discretion or authority to make exceptions for LRS that do not meet these criteria.

## **FURTHER INFORMATION**

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb). 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:*

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Assistant Deputy Minister and General Manager