

Business and AGLC License Information

Business License

To operate a restaurant a business license is required. A municipal business license will not be issued until planning approval is given. Amendments to the license bylaw are currently being developed with the intention of more closely aligning eating and drinking license categories with land use bylaw. The anticipated new license categories would be:

- Restaurant – licensed
- Drinking Establishment
- Nightclub

The Restaurant – licensed license category would be applied to establishments where food service is the primary function of the premises but also allows for the sale of liquor. Minors must be allowed on the premises at all times. No entertainment area would be allowed. These amendments are expected to be before Council in Q4 of 2014.

AGLC License

Restaurants that sell alcohol require a provincial license from the Alberta Gaming and Liquor Commission (AGLC). Restaurants typically fall within two AGLC license categories: Class A – Minors Allowed and Class A – Minors Prohibited. The AGLC bylaw does allow opportunity for those restaurants that wish to prohibit minors at a certain time to have their Class A – Minors Allowed license amended to do so. This would require municipal planning approval prior to the issuance of the AGLC license amendment. Under current LUB rules the restaurant would have planning approval as a Drinking Establishment. This only means that the establishment has the opportunity to operate as a Drinking Establishment. During the day and early evening the establishment could operate like a restaurant that allows minors and then at 9pm prohibit minors and turn in to a bar. This adds confusion to neighbourhoods as to what to expect from an establishment in terms of operational standards.

Administration met with the AGLC and was advised that they will not issue a license prohibiting minors if it is contrary to municipal planning approval, quoting the following:

“No liquor licensee or employee or agent of a liquor licensee may permit any activity in the licensed premises that is contrary to any municipal bylaw or any Act or regulation of Alberta or Canada.” Gaming and Liquor Act, Section 69.

If a restaurant has a land use approval that requires that minors must be allowed on the premises at all times, it will not receive a business license to prohibit minors and finally will not receive AGLC approval to function contrary to the municipal rules.