



# Liquor Review Application: Occupant Load Reviews

Development Services Division

171 Main St. | Penticton B.C. | V2A 5A9

P: (250) 490-2501 | E: businesslicences@penticton.ca



This application is for all Food Primary occupant load reviews and for preliminary reviews for Liquor Primary, Manufacturer Lounge, Special Event Area Endorsements (SEA) reviews. For all new and renovated establishments serving liquor, the [Liquor Control & Licensing regulations](#) requires an occupant load calculation confirmed by the local authority (Building Department). The occupant load will be determined based on the requirements of the BC Building Code for health and life safety. Please refer to pages 2 to 4 (attached) for design considerations and review process.

For all new and amendments to Liquor Primary, Liquor Primary Club or Manufacturer (Winery, Brewery, Distillery) Licences Endorsements please refer to – **City Of Penticton Liquor Review Application: New Liquor or Permanent Amendment to Liquor Primary, or Wine/Brewery/Distillery Lounge Endorsements.**

Please contact the City’s Business Licensing Department at 250-490-2448 or [businesslicences@penticton.ca](mailto:businesslicences@penticton.ca) for City application requirements. Questions concerning Liquor and Cannabis Regulation Branch (LCRB) processing fees and regulations should be confirmed with the LCRB prior to submittal to the city. LCRB contact information: phone: 1-800-209-2111, email: [lclb.lclb@gov.bc.ca](mailto:lclb.lclb@gov.bc.ca) and website: <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>

### Type of Application

<input type="checkbox"/> Occupant Load Review ( or preliminary Liquor Primary or Manufacturer Lounge/SEA reviews)	Fee total: \$195.00
<input type="checkbox"/> Existing Business (owner) Business Licence #	Liquor Licence #
<input type="checkbox"/> New Business (owner)	Has a Business License been applied for? ___ Yes ___ No

### Applicant Information Please complete attached agency agreement if acting on behalf of business owner(s)

Name(s):	Phone:
Name of Establishment:	Cell:
Address of Establishment:	Email:

### Contact Person Information Please complete attached agency agreement if acting on behalf of business owner(s)

Name(s):	Phone:
Title/Position:	Cell:
Mailing Address (if different from above):	Email:

Please note that under **Building Bylaw No. 2021-21**, no buildings or part of a building (including plumbing) shall be constructed, altered, reconstructed, demolished, removed, relocated, occupied, or a change in class of occupancy take place.

1. Will you be doing any renovations to the building? \_\_\_Yes \_\_\_ No
2. If yes, then has a building or plumbing permit been applied for? \_\_\_ Yes \_\_\_ No Permit(s)#: \_\_\_\_\_
3. Will you be putting up or changing any signs? \_\_\_Yes \_\_\_No (See Sign Bylaw 2013-17)

### Applicant/Agent Confirmation (Note Agency agreement form attached)

_____	_____	_____
Print Name	Signature	Date

## Liquor Review Application: Occupant Load Reviews

<b>Liquor Review Application – Occupant Load Review Check List</b>			
Please provide clear, legible, and precise information. An incomplete application will not be expedited in a timely manner. Please note, zoning specifies the regulations and permitted uses for properties within those designations. A site inspection may be required to complete the review process.			
<b>Business Address:</b>	<b>For Office Use</b>		
<b>Documents:</b>	Req'd	Submitted	Accepted
<b>1. Completed application &amp; signed form (page 01).</b>	■	<input type="checkbox"/>	<input type="checkbox"/>
<b>2. Detailed letter describing business proposal and explanation of change if applicable.</b>	■	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. Provide copy of original Liquor Licence (if applicable).</b>	■	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. Detailed plans for proposed establishment. (Drawings to be to scale)</b> <b>Refer to LCRB application for all required floor plan information.</b> <ul style="list-style-type: none"> <li>Site plan of property including buildings, parking access, patios, etc.</li> <li>Floor plans and Occupant loads of the establishment*.</li> <li>Exterior elevations of the building – for new signage or façade alteration/improvements.</li> </ul> <b>Name of Registered Professional*:</b> <hr style="width: 50%; margin-left: 0;"/> <p><b>*required when more than 30 person (interior) occupant load proposed.</b></p>	■	<input type="checkbox"/>	<input type="checkbox"/>
*Note: Properties in the <b>Agricultural Land Reserve (ALR)</b> seeking a lounge endorsement or adding an outdoor patio cannot exceed a total service area of 125m2 indoors and 125m2 outdoors. (Zoning Bylaw No 2021.01 Section 9.2.4)			
<b>5. Completed Occupant load calculation (see page 3).</b>	■	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Application-processing fee</b> Note separate reviews for New or Amended (Permanent or Structural changes) will be required for: <ul style="list-style-type: none"> <li>Liquor Primary or Liquor Primary Club.</li> <li>Food Primary – Dual Licence, Late Hours, Patron or Exterior Patio Endorsements.</li> <li>Manufacturers – Lounge or Special Event Area Endorsements.</li> </ul>	■	<input type="checkbox"/>	<input type="checkbox"/>
<b>7. Agency Agreement</b> An Agency agreement is required where a third party (designer or contractor) will be involved in the review and or inspection process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Application Submission (Office Use)</b>			
<b>Screened by:</b>	<b>Date:</b>		

# Liquor Review Application: Occupant Load Reviews

	<input type="checkbox"/> <b>Insufficient information</b> for application as noted – Re-submit  <input type="checkbox"/> <b>Accepted</b> for Application
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## Occupant Load Review Process & Design Considerations

### 1. Application and Review Timelines (To make an application, please call 250-490-2488 or email: [businesslicences@penticton.ca](mailto:businesslicences@penticton.ca))

Applicants should arrange an application meeting with the Building Department to initiate the City’s liquor review process. However, questions specifically related to liquor license regulations should be directed Liquor and Cannabis Regulation Branch first. The application process will be dependent on the quality of information provided including layout drawings. An occupant load review will ensure Zoning requirements are met and highlight potential building code related items such as washroom requirements. Typically, this process should be completed within 14 days but is dependent on the quality of submission. If there are any outstanding issues related an existing business licence (lack of renewal or noise complaints) or to the existing property (works completed without permits) the application may be delayed.

*\*The applicant will be the direct contact person if further clarification is required for staff to complete the review.*

### 2. Determining Occupant Loads

Maximum occupant loads are determined by the business use (occupancy), net floor area and or the number of washrooms that can be provided. Existing establishments that do not meet the current Building Code requirements for washrooms will be required to add or change washrooms. If renovations to the washrooms are taking place, a maximum occupant load will be posted for the available washroom facilities that can be provided.

- To determine Net floor area:**
- An occupant load of 1.2 m<sup>2</sup> net floor area per person for public assembly areas (restaurants/lounge/pubs).
  - Occupant load calculations are specific to the use of different areas within the establishments. For example, staff only areas such as kitchens are calculated at 9.3m<sup>2</sup> per person and storage areas at 46 m<sup>2</sup> per person. Washrooms are not included in the calculations.
  - An occupant load must be established for patios and decks but this occupant load is not additional to the occupant load for the interior as the exterior patios and decks are assumed to be occupied by the same patrons already counted indoors (roof top patios will be counted as assembly floor space).

**Number of water closets: (BCBC 3.7.2.2.)**

1-10 persons.....	1 universal
11-20 persons.....	1 universal, 1 unisex
21-50 persons.....	1 male universal, 1 female universal or
51-60 persons.....	1 male, 1 female, 1 universal
61-110 persons.....	1 male, 2 female, 1 universal
111-150 persons.....	2 male, 3 female, 1 universal
151-210 persons.....	2 male, 4 female, 1 universal, one accessible toilet stall in public washroom
211-260 persons.....	3 male, 5 female, 1 universal, one accessible toilet stall in public washroom

## Liquor Review Application: Occupant Load Reviews

<b>Existing licensed capacity</b>	# of persons			Occupant Load Calculations
<b>Occupant load based on floor area</b>	_____m <sup>2</sup> (public area)/ 1.2 m <sup>2/p</sup>			_____ p
	_____m <sup>2</sup> (Service area)/ 9.3m <sup>2/p</sup>			_____ p
	_____m <sup>2</sup> (Storage area)/ 46 m <sup>2/p</sup>			_____ p
	Total floor area _____M <sup>2</sup>			Total = _____ p
<b>Water closets (toilets)</b>	# male =	# female =	# univ. =	

Urinals are permitted to be substituted for two thirds of the number of water closets required for males, except that if only 2 water closets are required for males, one urinal is permitted to be substituted for one of the water closets. [BCBC 3.7.2.2. (5)]

### 3. Accessible Requirements and Washrooms

**Accessibility should** be provided to all areas for public use. Please refer to Section 3.8 of the BCBC and the Province’s webpage on [Accessibility](#). Existing buildings that are deficient in meeting current standards will be required to complete some improvement where feasible. Please contact the Building Department for further information.

#### Washroom Requirements [BCBC 3.7.2.10]

At minimum one universal washroom must be provided. Also washrooms must meet public health standards incorporating an elongated toilet bowl and open front seats are required for public use. [BC Plumbing Code 2.2.2.5]

Separate washrooms may be required for employees. Contact Interior Health for more information.

### 4. Other Important Design Factors

#### Interior Health – 740 Carmi Ave, Penticton 250-770-3434 – Food Safety – [Health Approval & Permits](#)

Approvals for food service areas should be completed prior to making application to the City.

#### Separation of Manufacturing and Assembly areas

It is important to note that areas used primarily by the public shall be separated from areas for manufacturing use (Winery, Distillery, Breweries). Please contact Building Department staff as soon as possible in your design when this type of use is proposed.

#### Exit capacity - Minimum number of exits [BCBC 3.3.1.5.]

Two separate egress doorways where more than 60 persons or travel distance to an egress door exceeds 15m or where 150 m<sup>2</sup> in floor area (unsprinklered building).

#### Fire alarm: [BCBC 3.2.4.1.(4)(g)]

Fire alarm is required where the occupant load exceeds 150 persons. Fire alarms must be designed by an electrical engineer; drawings are reviewed by Penticton Fire Department.

#### Exit signs: [BCBC 3.4.5.1.(7)]

Exit signs are required where the occupant load exceeds 150 persons. However, it is recommended to have lit exit signage in all assembly areas used by the public.

#### Panic hardware: [BCBC 3.4.6.16.(2)]

Panic hardware is required on exit doors from floor areas where the occupant load exceeds 100 persons.

#### Commercial Cooking [BCBC Part 6]

Unless otherwise confirmed by the building department, kitchen ventilation systems must be designed by a Registered Professional (engineer) under NFPA 96 regulations.

#### Parking: depends on location and/or zoning.

Typically, one space is required for each three seats in a licensed beverage establishment. Please contact the City’s Planning department regarding Zoning Use regulations call 250-490-2501 or email [planning@penticton.ca](mailto:planning@penticton.ca).

### 5. Final City Confirmation

## Liquor Review Application: Occupant Load Reviews

Upon completion of the Occupant review, staff will provide the applicant a stamped occupant load floor plan drawing to complete the your Food Primary confirmation or as part of the initial support of a Liquor Primary, Lounge Endorsement or Licence Amendments (Local Government Confirmation of Receipt of Application).

A building/plumbing permit is required if the building must be altered to accommodate a new occupant load.

- The BC Fire Code requires that an occupant load sign be posted wherever the occupant load exceeds 60 people. The BC Building Code requires that an occupant load sign be posted when an assembly occupancy with an occupant load of 30 or less has been classified as Group D occupancy under Article 3.1.2.6.. Signage will be posted by the Fire Safety Branch of the Fire Department. Building Inspections staff will visit the premises to ensure the sign is posted, and then complete the file.
- The new occupant load will be forwarded to the City of Penticton Fire Department for their inspection records.
- Prior to operating, the City will require a Business Licence inspection and confirmation of Interior Health approval.

### **6. Final LCRB Approvals**

Once city staff has provided the occupant load, the LCRB will make the final approval decision for liquor service. Prior to the establishment operating, a final inspection is conducted and a licence/endorsement is issued by LCRB.