



Liquor Control and Licensing Branch  
 4th Floor, 3350 Douglas St, Victoria, BC V8W 9J8  
 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8  
 Phone: 250-952-5787 Fax: 250-952-7066

# LIQUOR PRIMARY AND LIQUOR PRIMARY CLUB STRUCTURAL CHANGE APPLICATION

Liquor Control and Licensing Form LCLB012A

## What is a Structural Change?

It is defined as a change to the existing approved service area(s), including but not limited to:

- a change in the position of a wall or partial height divider (pony wall) or fixed planters used as separation between/within a service area
- new construction
- the removal or addition of permanent display cabinets, stages or dance floors
- a change to the food and liquor service bar location or size
- in the position of access and exit points leading to or from a licensed service area
- the removal of a service area from the liquor licence
- addition of a new outdoor patio or the removal or expansion of an existing patio
- change to capacity (occupant load) of a licensed establishment with or without changes to the licensed service area(s)
- such other construction or changes the general manager considers may affect patron routing, capacity, or the line of sight between a staff control point and the service area of the establishment.

If you are making changes to the current approved floor plan, other than cosmetic changes, a structural change application is required. If your liquor primary licence overlaps a food primary licence (aka dual licence), a structural change application is also required for the food primary. **Note:** This does not include cosmetic changes such as changes to existing flooring, wallpaper, reconfiguring tables and chairs, countertops, painting, or changing the type of material used in the perimeter bounding of an outdoor patio.

If you have any questions about this application, call the Liquor Control and Licensing Branch toll-free at 1 866 209-2111.

## Licence Information

Licence # affected:

Please check if licence is currently dormant.

If yes, attach a letter signed by the licensee requesting the licence to be reactivated if this application is approved.

Do you currently hold other licences at this location?  Food Primary (Licence #) \_\_\_\_\_

Liquor Primary (Licence #) \_\_\_\_\_  Licensee Retail Store (Licence #) \_\_\_\_\_  UBrew/UVin or Other (Licence #) \_\_\_\_\_

Licensee name (as shown on licence):

Establishment name (as shown on licence):

Establishment Location address:      
(as shown on licence) Street City Province Postal Code

Business Tel with area code:  Business Fax with area code:

Business e-mail:

Business Mailing address:      
(if different from above) Street City Province Postal Code

Contact Name:  Title/Position:   
last / first / middle

## Type of Change Requested

Sub- Job Number

Office use only

Please check  appropriate box(es) below:

Part 1	<input type="checkbox"/> Addition of a New Outdoor Patio	Outdoor Patio (C3-LIC) _____
Part 2	<input type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Removal of an existing service area <input type="checkbox"/> Other	Structural - capacity change (C3-LIC) _____ Structural - no capacity change (C4-LIC) _____

**Application Contact Person**

This applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name:

Phone number:

Fax number:

E-mail address:

**Part 1: Addition of New Outdoor Patio**

Fee: \$440

C3 - LIC

Provide the following information:

1. Attach one 11" x 17" copy of the proposed patio floor plan (see Appendix I on page 6 for floor plan instructions).

The branch requires an occupant load (patrons plus staff) for the proposed patio area(s) which must be marked/stamped and dated on the plan you submit. Do not submit this application if you do not have the occupant load calculation stamped on your patio plans.

2. What is the occupant load calculation for the new patio(s)?

Patio #1:

Patio #2:

Patio #3:

3. If the patio(s) is already constructed, attach a photo.

4. Describe the height and composition of the patio perimeter or bounding (i.e. railings, fencing, planters, hedging, etc.). A patio must be bounded by fixed and immovable physical separation in order to control patrons and liquor within the service area.

5. Describe the location of the patio in relation to the licensed interior - the patio must be immediately adjacent to the interior area.

6. Describe how staff will manage and control the patio from the interior service area.

7. Specify if liquor service to the patio is from: (a) fixed bar located on the patio, (b) portable bar for the patio, (c) licensed interior.

8. Do servers have to carry liquor through any unlicensed areas to get to the patio? Explain:

**Note:** Patios on grass, earth or gravel require a permit from the local Health Authority. Sidewalk patios require a permit from LG/FN.

A resolution from your Local Government/First Nation is required. Part 3 of this form must be completed by Local Government/First Nation.

You must also complete Parts 4 and 5.

**Part 2: Structural Changes**

Fee: \$440

C3 - Cap Ch.  
C4 - No Cap Ch.

(Excluding construction of new patios)

Provide the following information:

1. Describe in full detail the reason for this application and what the changes are that you want considered.

2. If you are applying to remove the interior area and create a stand-alone patio, describe the location of the patio in relation to the unlicensed permanent structure. A stand-alone patio must adjoin a permanent structure (affixed to a foundation) which is plumbed and wired, and which the applicant owns or leases.

3. Attach one 11" x 17" copy of the proposed floor plan or patio plan (if creating a stand-alone patio). See Appendix I on page 6 for floor plan instructions.

4. Current total of all service areas (as shown on the liquor licence):

5. By making these alterations, the total occupant load will:

- Decrease to:  (patrons plus staff)
- Stay the same:  (patrons plus staff)
- Increase to:  (patrons plus staff)

If there is an increase to occupant load, a resolution from your Local Government/First Nation (LG/FN) is required. Take your application and floor plan to LG/FN. Part 3 of this form must be completed by LG/FN.

**Part 3: Local Government/First Nation Resolutions: Confirmation Receipt of Application**

If you are applying for a new patio (Part 1) or a proposed change that increases the occupant load (Part 2) then public interest factors may be affected by the structural change(s). This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local Government/First Nation (name):

Name of Official:  Title/Position:

Phone:  E-mail:

Date:   
(Day/Month/Year)

Signature of Official: \_\_\_\_\_

Check here if the LG/FN will not be providing comment:  Yes, opting out of comment.

**Note:** The LG/FN cannot provide comment for their own application.

Is this establishment located on Treaty First Nation land?  No  Yes

**Instructions for Local Government/First Nation (LG/FN)**

This serves as notice that an application for a structural change to a liquor primary (LP) licence is being made within your community. The Branch requests that you consider this application (application form and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed Structural Change application form and floor plan to LG/FN.
- If there are any major issues LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign Part 3 of the application form and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

- Gather public input for the community within the immediate vicinity of the establishment.
- Consider these factors which must be taken into account when providing resolution/comment:
  - The location of the establishment.
  - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
  - The impact of noise on nearby residents.
  - The impact on the community if the application is approved.
  - The view of residents and a description of the method used to gather views.
  - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

**Part 4: Declaration of Signing Authority Including Valid Interest**

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: \_\_\_\_\_

Authorized signatory of the licensee

Name:

(last / first / middle )

Position:

(if not an individual)

Date:

(Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

**Part 5: Application Fees - Payment Options**

Total Fee Submitted: \$

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (X) one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card:  VISA  MasterCard  AMEX
  - I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
  - I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

**Note:** To ensure legibility, do not submit by fax.

**Part 6: Submit Application Package**

Once signed by local government/First Nation (if applicable), submit your complete application package to:

Liquor Control and Licensing Branch  
 Courier: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1  
 Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8  
 E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

If you have any questions, contact us toll-free at 866-209-2111 or email us at [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca). Visit our website for more information: [www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing)

The information requested on this form is collected by the Liquor Control and Licensing Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

**Credit Card Information** (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:  Expiry date:  /   
(Month) (Year)

Signature: \_\_\_\_\_

## Appendix I (Floor Plan & Occupant Load Requirements Guide)

### Floor Plan

Your application can only be considered if you include floor plans with occupant load. One copy of each of 11"x17" floor plan is required. Plans must show all service areas and the following details:

- labels for each room
- patio(s)
- liquor service bars
- furniture layout
- kitchen
- stage
- sound or DJ booth
- washrooms
- stairs, entrances and exits

Plans must also show the physical separation (e.g. pony wall or full height wall) separating the proposed service area(s) from other licenses or unlicensed areas. If there is another licence, or another business (such as a retail store) at the same site, provide floor plans showing the other business in relation to the proposed LP establishment.

### Occupant Load Calculation

Occupant Load is the maximum number of people (patrons plus staff) permitted in a service area. Contact the Local Government/First Nation to obtain an occupant load on your floor plan. The occupant load must be stamped or written, dated and signed on the floor plan by the appropriate authority.

If Local Government/First Nation (LG/FN) will not provide the occupant load, they must provide a letter confirming they do not issue occupant load. You must submit the LG/FN letter with your floor plan. The Branch will accept an occupant load calculation from a professional architect or engineer.

### Sample Floor Plan

