

Guide for Food Primary Transfer of Location Licence Application

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To reduce delays and serve you better, the Liquor Control and Licensing Branch (the Branch) has made some changes to its licensing application processes.

Instructions:

1. Submit a complete application. Most application delays are a result of incomplete applications, which send your file back to the end of the processing queue. Once you have completed the application, review the checklist included in this guide to ensure you have included all documents and information required.
2. Ensure that you meet the deadlines communicated to you by the Branch. If you do not, your application may be terminated. This means that you will likely lose your application fee, and have to begin the process again.

If you wish to fill out this application on your computer, you must save it to avoid losing inputted information. Average processing times can be viewed on our website at: www.gov.bc.ca/liquorregulationandlicensing

These are approximate time frames only and can vary. If you have any questions, contact the Liquor Control and Licensing Help Desk.

Phone: 1-866-209-2111 or 1-250-952-7049 (Victoria)
(8:30 a.m. – 4:30 p.m., Monday to Friday)

Email: LCLBHelpDesk@gov.bc.ca

Part1: Licensee Information

Licensee Name

Must match the name on the face of the Food Primary Liquor Licence transferring locations.

Licensee Email Address

This is required for ease of communication with the Branch.

Part 2: Contact Person

This person will act as the contact for this application and will receive information throughout the application process. Once the application has been approved, all future correspondence will be directed to the licensee.

Licensee Representative

Licensees and applicants can authorize a representative to take specified actions on their behalf. Any action taken by the licensee representative will legally bind the licensee/applicant in respect of those authorized matters. See the *Add, Change or Remove a Licensee Representative* form (LCLB101) for full details.

Part 3: Current Establishment Information

Licence Number, Current Establishment Name and Current Physical Address

This information is found on the face of the Food Primary Liquor Licence.

Part 4: Proposed Establishment Information

Proposed Name and Sign

- Do not order signs until you have received approval from the Branch.
- You must provide a drawing or a photo of your proposed restaurant sign (*see sample, Appendix 1*).
- Your name and signage must be approved by the Branch to ensure it is appropriate for a restaurant by accurately reflecting the nature of the business—primarily, the service of food.

Parcel Identifier (PID)

- The PID is a nine-digit number permanently assigned to a parcel of land.
- The legal description and PID may be found on a Land Title Certificate, in BC Property Assessment documents, on your lease, or obtained from your landlord.

Dual Licence

Food Primary and Liquor Primary licences may overlap the exact same service area provided they have different hours of liquor service. Both licences must be held by the same owner. The Food Primary must operate in the exact same space as the Liquor Primary.

Stand-alone Patio (with no interior seating)

A stand-alone patio must adjoin a permanent structure (affixed to a foundation) which is plumbed and wired.

Food Primary at Manufacturing Facility

If your liquor licence will be located at a winery, brewery, or distillery, you must provide the following in addition to the other required documents:

- A site map showing the location of the proposed restaurant in relation to the manufacturing facility, tasting area(s) or any other endorsement area(s) (i.e., on site store, lounge, special event, picnic or tour area).
- A description of the type of separation that will be in place between the food primary service area(s) and the manufacturer service area(s). Note: A food primary licence cannot overlap any other service area. Additionally, the manufacturer service area(s) should be contiguous, not separated by a food primary licence.
- A copy of Agricultural Land Commission (ALC) approval for a restaurant, if you are located in the Agricultural Land Reserve.
- Complete *Manufacturer Structural Change Application*, if the addition of a food primary licence will change the existing manufacturer service areas.

Food Primary on Treaty First Nation Land

If your proposed establishment is located on Treaty First Nation land, please contact the Liquor Control and Licensing Branch at 1-866-209-2111 to inquire about additional requirements.

Hours of Liquor Service

Liquor service is permitted from 9 a.m. until 12 a.m. (midnight). You do not have to be open for this entire period.

Licenses with liquor service after midnight at their current location:

- Service after midnight cannot be transferred to the new location without local government/First Nations resolution and LCLB approval, which may take up to 90 days. The local government/First Nation must be provided an opportunity to reconsider the impact of the community given the establishment's new location. To apply to transfer your current hours after midnight to the new location use the form LCLB005b *Application for a Permanent Change to a Liquor Licence* to reapply for the endorsement. You are not required to pay the application fee again.
- Your Food Primary Transfer of Location application may go forward and be approved while waiting for the extended hours to be considered. Your establishment may provide liquor service at the new location between 9:00am to midnight without local government/First nation approval. Complete the hours of liquor service section of the application.

Request for Extension of Hours:

- Applicants may apply to extend their current hours of liquor services (as indicated on the face of the licence) by completing a separate *Application for Permanent Change to a Liquor Licence* (LCLB005b).

Entertainment Endorsement

Patron Participation Entertainment – dancing, karaoke or other types of entertainment that involve patron participation in the service area

Licensee with Patron-Participation at their current location:

- Patron Participation Entertainment endorsement cannot transfer to the new establishment location without a LG/FN resolution and Branch approval which may take up to 90 days. This is required because the LG/FN must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use form LCLB005b *Application for Permanent Change to a Liquor Licence* to reapply for the endorsements but **do not pay** the permanent change application fee(s).

Establishment Layout

Note: The term "local government" is a defined term in our Act and may also include: municipal government, city hall, regional district, local trust, etc. governing the geographic area where your proposed establishment is located. In certain areas, the approving authority may be First Nation. For the purpose of this guide we will use the short form "LG/FN".

Floor Plan

You must provide one 8.5" x 11" (regular size paper) clear and legible drawing of your restaurant/patio(s) floor plan. A hand-drawn or computer-generated/architect plan is acceptable. The floor plan must include the following features of the restaurant:

- labels for each room showing intended use
- washrooms
- kitchen, kitchen equipment, large appliances
- location of patio(s)
- furniture layout: tables, chairs
- stairs, entrances, and exit
- liquor service bars or area from which liquor will be served
- any partial height walls, planters etc.

The occupant load must be stamped/dated/signed on the floor plan by the appropriate authority.

Occupant Load Calculation

Occupant Load is the maximum number of people (patrons plus staff) permitted in a service area. Contact the LG/FN 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 LG/FN will not provide the occupant load, they must provide a letter confirming they do not issue occupant. 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.

Patio (with proposed interior service area):

Must have a defined and bounded perimeter and a clear line of sight to the restaurant.

Stand-alone patio (the only proposed service area):

Must adjoin a permanent structure that is affixed to a foundation, plumbed and wired which is associated with the licence, in which the licensee has valid interest. The patio perimeter must be suitably defined and bounded in order to control patron entry and exit.

Sample Floor Plan



Other Options

1. Catering Endorsement:

If your Food Primary Liquor Licence currently has a catering endorsement, the Branch will re-assess your eligibility for the catering endorsement of your new proposed location. Catered events must be primarily held "off-site" (away from the licensed establishment). You must have the infrastructure and personnel necessary to provide catering services. You must also have a commercial kitchen and a food service permit from your local health authority. This endorsement has an annual licensing fee of \$100.

2. Third Party Operator

A licensee who does not reside in B.C. or who will not be present to manage the day-to-day business of their restaurant may hire a third party operator. If your intention is to have a third party operator run your business on your behalf, complete the Third Party Operator Application and submit it with your Food Primary application.

Other Facility Types

For gaming facilities, motor vessels, or other facility types, please contact the Licensing Help Desk (1-866-209-2111).

Part 5: Declaration of Signing Authority

Acceptable Signing Authorities

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

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

If the licensee is none of the above, then please contact the Licensing Help Desk (1-866-209-2111).

Part 6: Application Fee

- The total application fee is **\$330**.
- The payment can be made by cheque or money order (made payable to the Minister of Finance), or by credit card (Visa, MasterCard, American Express).
- See the last page of the application form for information on how to make payment.
- Note: Your licence must be renewed every year. To find out more about the cost of annual renewal, please refer to our website at: www.gov.bc.ca/liquorregulationandlicensing

Submitting Your Application

Submit your application in one of the following four ways:

1. Scan and email to liquor.licensing@gov.bc.ca. If you choose to submit by email and you wish to pay by credit card, you must make your payment over the phone at 1-866-209-2111.
2. Hard copy, by mailing it to:
Liquor Control and Licensing Branch
PO Box 9292 Stn Prov Govt
Victoria, BC V8W 9J8
3. Fax – you can fax your completed application to 250 952-7066.
4. In person, you can drop off your application at, 4th floor, 3350 Douglas Street, Victoria, B.C.

Please do not send this guide or the appendix with your application.

ADDITIONAL NOTES

All licensees, operators, and staff serving liquor must have a Serving It Right certificate. At the time of your final inspection, your liquor inspector will require copies of the certificates. You can visit www.servingitright.com or call 604-633-9798 to apply for a certificate.

Complete the checklist below to ensure your application package is complete before you submit it.

Checklist

- Completed Food Primary Liquor Licence Transfer of Location Licence Application form (LCLB096)
- Floor plan (containing all the required elements detailed in part 4 of the guide)
- Sample sign
- A cheque/money order for \$330 (or phone in and pay by credit card)
- All additional documents required for your facility type (i.e. manufacturers see part 4 of guide)
- Third party operator application, if applicable

Appendix 1: Sample

