

Liquor Primary (LP) Application Guide

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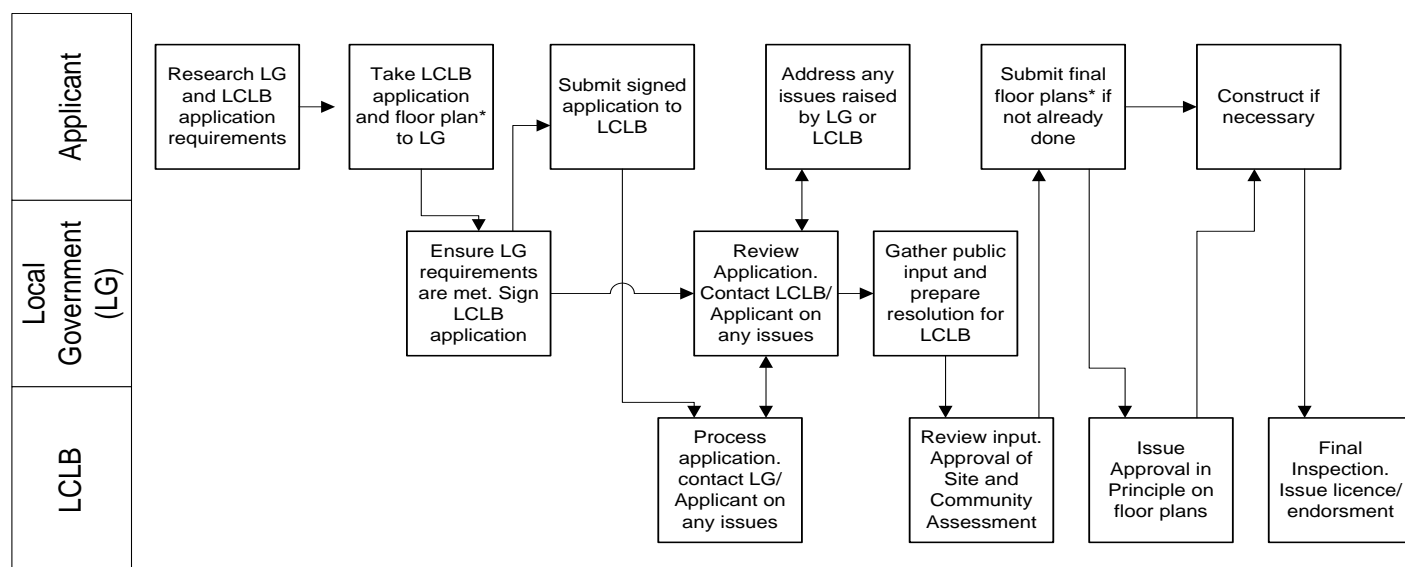
Contact Us

Contact the Liquor Control & Licensing Branch (the Branch) toll-free at 866-209-2111 or email us at liquor.licensing@gov.bc.ca if you have any questions.

Instructions for Applicant

1. Contact your local government/First Nation (LG/FN) to ask about their requirements (application, fees, development permit, business licensing, zoning, etc.)
2. Fill out all sections of the attached application using this guide for reference. Gather all required documentation as noted in the checklist (page 3 of the application form).
3. Bring your completed application package to LG/FN, along with any documents or fees required by LG/FN. Ask LG/FN to complete Part 8 of the application form. LG/FN will keep a copy of your application form, letter of intent and floor plan.
4. Once signed by LG/FN, submit the complete application package to the Liquor Control and Licensing Branch. Your application will only be considered if it is submitted to both LG/FN and the Branch. The Branch will contact you once your application has been reviewed.
5. If not submitted with your application, provide your final floor plan with occupant load stamp as soon as possible.
6. Review the following chart to understand the basic steps in the licensing process. You are also encouraged to read the LP Terms and Conditions Handbook to understand the responsibilities of LP licensees.

Liquor Primary Application Process



* Floor plan requires occupant load stamp provided by LG/FN

Please note: The application process takes approximately 7 to 12 months. Incomplete applications will delay processing times.

The following pages contain information regarding each question in the application form. Please use this information to submit a complete application package.

Part 1: Type of Application

New Liquor Primary (LP):

Motor vehicles, and businesses predominantly directed at minors, are prohibited from obtaining a liquor primary licence.

New Liquor Primary Club:

A society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament, may apply for an LP Club Licence. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

Establishment Types:

Identify the establishment type that best fits your proposed LP business, for example:

Aircraft	Community Centre	Live Theatre	Recreation Facility
Airport Lounge	Concert Hall	Lounge	Rental Hall
Aquarium	Convention Centre	Military Mess	Resort
Art Gallery	Cooking School	Movie Theatre	Retail Store (specify type)
B&B/Hotel	Cultural Centre	Museum	Spa
Bingo Hall	Fishing Lodge	Night Club/Cabaret	Stadium
Brew Pub	Golf Course	Private Club	Train Station
Casino	Hair Salon	Public House (Pub)	University/College

Note: the type of establishment may affect licensing conditions such as whether or not minors are permitted or when liquor may be served (see page 5 & 6 of this guide).

Part 2: Applicant Information

You may apply for a liquor licence under one of these types of legal entities. The legal entity will become the licensee (holder of the licence) if the application is approved.

Business Number:

Applicants must have a Canada Revenue Agency issued Business Number in the same legal name as the applicant for the liquor licence. You can apply for a business number (nine digits) through the Canada Revenue Agency at <http://www.cra-arc.gc.ca>.

Tied house Association:

This means an association, financial or otherwise, with a BC licensed liquor manufacturer or agent (representing liquor made outside BC) that is likely to lead to its products being favoured for sale. By policy, a tied house relationship exists where:

- The applicant (sole proprietor, partner, shareholder) has any amount of ownership interest in a manufacturer/agent licence, OR
- The applicant's proposed third party operator has any amount of ownership interest in a manufacturer/agent licence, OR
- The applicant has an immediate family member (spouse, parent, sibling or child) with any amount of ownership interest in a manufacturer/agent licence.

Where a tied house relationship exists, the licensed establishment will not be permitted to purchase or sell the manufacturer's or agent's product. These restrictions do not apply to a licence operated in conjunction with, and at the same site as, a manufacturer licence (with the same ownership). The applicant may apply for an exemption to tied house restrictions with the manufacturer (not agent) using the Tied House Exemption Form (LCLB128).

Part 3: Contact Person

This person will act as the contact for this application and will receive information throughout the application process. Once licensed, 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 Licensee Representative form (LCLB101) for full details.

Part 4. Establishment

4a. Establishment Name:

Your name must be approved by the Branch to ensure it accurately reflects the nature of your liquor primary business.

4b. Physical Address:

Identify the location and contact information for the proposed establishment. Include any information necessary for finding the site (i.e. route number, mile marker, etc.).

4c. Parcel Identifier Number (PID):

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.

4d. Local Government/First Nation:

Identify the municipality, regional district, improvement district, first nation band or islands trust governing the geographic area where your proposed establishment is located.

4e. Local Police:

Identify the police service responsible for the area where your proposed establishment is located.

4f. Zoning:

Contact your LG/FN to confirm zoning permits the sale and consumption of liquor **before** submitting your application. If the proposed location is not zoned appropriately, discuss re-zoning with your LG/FN.

4g. Mail:

If the licence is issued, would you like future correspondence sent to the establishment? If no, future correspondence will be sent to the applicant's mailing address.

4h. Dual Licence:

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

4i. Standalone Patio:

A stand-alone patio must adjoin a permanent structure (affixed to a foundation) which is plumbed and wired. Please complete Appendix II on page 11.

Part 5: Establishment Proposal

5a. Proposed Service Areas:

Identify each proposed service area (interior and exterior) where liquor will be sold, served or consumed. If there is not enough space, attach a separate document. See page 7 for information about how to get the occupant load for each area. If you are applying for a patio, please complete Appendix II on page 11.

5b. Hours of Liquor Service:

Identify the start and end times of your proposed hours of liquor service for each day of the week. You should request the maximum hours of liquor service that you are most likely to require. If licensed, you may open or close at any time within the approved hours. Maximum hours of liquor service permitted by the Branch are 9 AM to 4 AM. Contact your LG/FN to ask about bylaws regarding operating hours.

Part 6: Declaration of Signing Authority

The Declaration must be completed by the applicant as follows. The individual who signs the declaration must have the authority to bind the applicant to this agreement.

- If the applicant is an sole proprietor, the individual himself/herself
- If the applicant is a corporation, 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, a director or a senior manager (as defined in the *Societies Act*)

Part 7: Checklist

Letter of Intent

Provide a letter describing your proposed establishment. Your letter must include:

- Describe the primary focus of your business including any functions and services your establishment will provide if liquor service is not the primary business focus.
- If liquor service is not the primary business focus (e.g. retail store or spa): identify the operating hours of your primary business and whether or not the business focus will shift to liquor service at a set time of day.
- Identify all types of entertainment that may be offered in your establishment (e.g. films, darts, DJ booth, dance floor, exotic dancing, gambling, karaoke, live music, pool)
- Describe the type of food service your establishment will offer. Liquor primary establishments must provide, at a minimum, a variety of hot or cold snacks and non-alcoholic beverages during all hours of operation.
- Describe the composition of the neighbourhood (e.g. commercial, residential, industrial).
- Describe the potential for noise and other types of disturbance.
- Describe the measures you will implement to ensure nearby residents are not disturbed by your establishment or patrons of your establishment.
- Identify any requests for licensing options and/or endorsements (see below).
- Include any other information that may be relevant to your application

Include in your Letter of Intent any requests for the following licensing options. For more information on these options, see the Liquor Primary Terms & Conditions Handbook.

Catering Endorsement

Allows you to provide food and liquor service at catered events held “off-site” (away from the establishment). You must have a commercial kitchen and a food service permit from your local health authority. This endorsement has an annual licensing fee of \$100.

Event Driven

Liquor service is offered in conjunction with events only (e.g. live theatre, concert, movie, home show, wedding reception, private party). Event-driven licences are generally issued to concert halls, convention centres, theatres, arenas/stadiums, rental halls, etc.

Hawking

Licensed stadiums can apply for permission to have mobile vendors (i.e. hawkers), subject to policy requirements. Please identify this request in your letter of intent and specify if hawkers will operate in the stands and/or concourse.

Minors

If liquor service is not the primary focus of the business, you may be eligible to have minors in the service area(s) of the establishment subject to certain restrictions. Minors are never permitted in a service area when adult entertainment (i.e. gaming or exotic dancing) is available. In your letter of intent, please specify why minors should be allowed in the service area(s).

If liquor service is the primary focus of the business, you may request Family Food Service (FFS). FFS allows minors, accompanied by a parent or guardian, in all liquor service areas until 10 PM when meal service is available. To apply for FFS, complete Appendix I (see page 10).

Off-Premise Sales (Brew Pub) Endorsement

An LP at a brewery may apply for off-premise sales to sell the brewery's products, including filling growlers, only from the LP service bar. The LP must be at the same site, with the same ownership, as the brewery. This endorsement has an annual licensing fee of \$100.

Off-Premise Sales Endorsement

LPs (other than brew pubs) are eligible for off-premise sales if located at least 30 kilometres from any liquor retail outlet or another LP establishment with off-premise sales. This allows the LP to sell pre-packaged beer, wine and coolers from the LP service bar. This endorsement has an annual licensing fee of \$100.

Temporary Use Area (TUA) (golf courses and ski hills only)

Indicate in your Letter of Intent if you are applying for a TUA and submit the TUA application with your LP application. See the TUA application for full details.

Floor Plan

Your application can only be considered if you include floor plans preferably with occupant load. Two copies of floor plans are required: one 8.5" x 11" and one 11" x 17". Plans must show all service areas and the following details:

- | | | |
|---|--|--|
| <input type="checkbox"/> labels for each room | <input type="checkbox"/> dance floor | <input type="checkbox"/> stairs, entrances and exits |
| <input type="checkbox"/> patio(s) | <input type="checkbox"/> stage | |
| <input type="checkbox"/> liquor service bars | <input type="checkbox"/> sound or DJ booth | |
| | <input type="checkbox"/> washrooms | |

Plans must also show the physical separation (e.g. pony wall or full height wall) separating the proposed service area(s) from other licences 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 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 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.

You may apply for a LP with a proposed person capacity however occupant load should be submitted once available. A licence cannot be issued without final occupant load.

Sample Floor Plan



Applicant Documents

Using the below list, submit the required documents for your applicant type as identified in question 2 of the application form. For information regarding corporate registry and documents, please see:

<http://www.bcregistryservices.gov.bc.ca/bcreg/index.page>

Personal History Summary

Each person involved in the applicant's legal entity structure must submit a Personal History Summary form and a copy of your Criminal Record Search completed by the RCMP or local Police Department. The form may also require you to submit copy of your driver's abstract or a statutory declaration. See the [form](#) for full details.

Private Corporation

(an incorporated company composed of one or more shareholders).

- Central Securities Register (shareholder register) listing of all shareholders, class of shares, number of voting and non-voting per shareholder and date shares issued/transferred/cancelled).
- Register of Directors/Officers listing all current directors/officers by full legal name, position and date of appointment.
- For all shareholders (individuals) holding less than 10% voting shares in the applicant corporation, list the person's full legal name and date of birth.
- All shareholders (individuals) holding 10% or greater voting shares in the applicant corporation must submit a Personal History Summary Form as noted on page 7.
- If one of the shareholders is a private corporation, a public corporation, a society or a partnership, submit all of these documents for that legal entity/applicant type.

Sole proprietor / Individual

- Completed Personal History Summary form as noted on page 7.

Partnership

(two or more partners who carry on business together).

- Partnership Agreement
- Each partner must submit a completed Personal History Summary form as noted on page 7.

Public Corporation (an incorporated company with shares traded on the stock exchange).

- Register of Directors/Officers listing all current directors/officers by full legal name, position and date of appointment.
- All directors must submit a completed Personal History Summary form as noted on page 7.

Society / Non-Profit Corporation

Societies are a non-profit organization registered under the Society Act. Non-profit corporations are registered under Corporations Canada. If your organization does not have a Business Number (see Page 3), provide a copy of the Certificate of Incorporation.

- List of all directors by full legal name, position and date of appointment.
- All directors must submit a completed Personal History Summary form as noted on page 7.
- If applying for a LP Club licence, provide written confirmation that the society has at least 50 members and an annual membership fee. Please contact the

Other

Includes entities incorporated through Federal or Provincial legislation (e.g. Local Government, First Nations, colleges, and universities). Please contact the Branch at 866-209-2111 (8:30 am to 4:30 pm Monday to Friday) to discuss documentation requirements.

Signage

Submit a copy of the proposed signage, and any directional signs, for your proposed establishment. Signage and advertisements for liquor primary establishments may not use pictures of minors, personalities, images or activities that may appeal to minors. Signs and advertisements must not show people with liquor, unless the people have food in front of them.

Golf Course

A golf course may licence areas within the club house as well as the playing and practice areas. Your application package must include:

- Specify if you are requesting liquor service from a kiosk, take-out window, or beverage cart, or want patrons to carry liquor from the clubhouse.
- Provide a map of the golf course showing all requested service areas:
 - Label all holes, driving range and practice areas
 - Any public roads, ponds, rivers, streams or other types of water features
 - The clubhouse and any other buildings
 - Proposed location for take-out window, beverage carts or kiosk, if applicable.
 - Location of all existing service areas within the clubhouse

Vessel

Submit the following documents with your application package:

- Copy of moorage contract (valid for at least 12 months) or proof of ownership for the moorage site.
- Copy of captain and crew accreditation under The Canada Shipping Act.
- Copy of vessel registration and current Transport Canada Inspection Certificate.
- Floor plans for each deck of the vessel that shows public access areas, kitchen/food service areas, liquor service bar and washrooms.
- Site map showing the moorage location, berth number and road access.

Part 8: Local Government/First Nation (see page 3 of application form)

Part 8 of the application form must be completed by Local Government/First Nation before your application package can be submitted to the Branch.

Part 9: Submit Application Package (see page 4 of application form)

Part 10: Application Fee

Application fee of \$2200 must be submitted with your application. Note: If your LP application is approved, a first year licensing fee \$2200 will be required before Branch will issue your licence.

Appendix I – Family Food Service (FFS)

To apply for FFS (see Minors on page 6), complete this appendix and submit it with your application.

To qualify for FFS, the following conditions must be met. Check all boxes that apply to your proposed establishment.

- Meal service includes a selection of appetizers and main courses or equivalent.
- Meal service will be available when minors are present in your establishment and prepared in (check one):
 - Kitchen at your establishment
 - Kitchen at another establishment located in the same building. If so, please explain and provide the name (and licence number, if applicable) of the other establishment:

- Signage will be posted at all access points stating “Minors are permitted until 10 PM when accompanied by a parent or guardian”.
- Minors will be prohibited from the establishment when there is adult entertainment or licensed gaming events (except for ticket raffles, bingo events or tele-theatres licensed by Gaming Policy and Enforcement Branch).

Sale of lottery products (check one):

- Lottery products are not offered at my establishment.
- Lottery products are sold at my establishment and I have contacted British Columbia Lottery Corporation (BCLC) and satisfied BCLC that minors will be restricted from purchasing self-serve lottery products.

Sale of tobacco products (check one):

- Tobacco products are not offered for sale at my establishment.
- Tobacco products are sold at my establishment and I will meet the Tobacco Control Program of the Ministry of Health requirements by covering tobacco vending machines and tobacco advertising during hours when minors are present.

- I understand that the Liquor Control and Licensing Branch may share this information with the Ministry of Health, British Columbia Lottery Corporation and the Gaming Policy and Enforcement Branch.

Appendix II – Patio(s)

Complete the following if your proposed establishment includes a patio(s).

1. 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.

2. Describe the location of the patio in relation to:
 - a) Licensed interior – the patio must be immediately adjacent to the interior area.
 - b) 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. Describe how staff will manage and control the patio from the interior service area or how you will manage and control a stand-alone patio.

4. 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 (d) unlicensed permanent structure:

5. 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.