



LRS TRANSFER OF LOCATION APPLICATION PACKAGE

Liquor Control and Licensing Form LCLB092

Application Package Overview

This application package contains three sections:

Section 1: The Application Checklist lists the required documents you must submit with your application in order for it to be considered by the Branch.

Section 2: The Application Guide explains common terms used in the checklist and application form.

Section 3: The Application Form requests required information.

The following changes to LRS relocations took effect September 8, 2016 - see policy directive 16-12:

- Approval in Principle requires valid interest in the proposed LRS site to be in the form of a fully executed lease or Certificate of Title.
- Approval in Principle requires proof that the proposed LRS site is suitably zoned or that rezoning is underway.

Section 1: Application Checklist

The following documents must be submitted in the format specified in Section 2 for your application package to be complete. Refer to Section 2 below to ensure each document includes the necessary details.

- 1. Proof of valid interest in the proposed LRS site
- 2. Scaled site plan
- 3. Photographs showing the proposed site
- 4. Grocery Store Declaration only if your proposed LRS site is located within a grocery store.
- 5. Complete application form
- 6. Application fee

Note: Only complete applications will be reviewed for the 1 km distance criteria. Use the Application Checklist and Guide to ensure you are submitting a complete application.

Section 2: Application Guide

Distance Criteria

Your proposed LRS must be at least 1 km away from any existing or proposed LRS or BCLS. You must confirm that your proposed LRS location is at least 1 km from any existing or proposed LRS location and any existing or proposed BCLS location before completing your application form.

The distance is measured from the front door to the front door of each establishment as the crow flies. The front door is the main entrance to the licensed or proposed licensed establishment regardless of whether the location is in a mall, grocery store or free-standing building. For stores with both interior and exterior entrance doors, the applicant must identify the main entrance (i.e., the front door). The Branch uses the programs Streets and Trips and Google Earth to determine the distance between LRS and BCLS locations.

A list of the LRS and BCLS locations is available online at www.gov.bc.ca/liquorregulationandlicensing

There are prescribed circumstances as noted in Liquor Control and Licensing Regulation 60(2) where LCLB will approve a location that is within 1 km of an existing or proposed LRS or BCLS. If your proposed location is within 1 km of an existing or proposed LRS or BCLS, you are responsible for ensuring that your application provides sufficient detail to demonstrate that your site meets one of the circumstances. Your application will be considered incomplete if it does not include sufficient information. If LCLB determines that your proposed site is not an eligible location because it is within 1 km of another LRS, proposed LRS, BCLS or proposed BCLS, your application will be terminated.

Site Plan

A scaled site plan must show the following:

- Location of the front entrance door of the proposed LRS establishment
- Any other buildings/businesses around the proposed LRS establishment and the entrances to those buildings
- Any relevant street names

For example, if your proposed LRS is located in a strip mall a site plan must detail the strip mall including the other stores, the front entrance door of the proposed LRS location, the parking lot, the closest road or intersection. If your proposed LRS is located in a new development, the site plan must detail the other buildings in the development, the front entrance door of the proposed LRS location, the closest road or intersection.

Valid Interest

Any one of the following documents can be used to show valid interest in your proposed LRS site with your initial application package:

- Certificate of Title in the licensee's name (as stated on the liquor licence)
- A fully executed lease, an assignment or an offer of lease, which does not expire for at least 12 months. The tenant on the lease document must be the licensee (name the liquor licence is issued to). The lease or offer to lease must show rent paid, have a term and an expiry date, and be signed by the licensee and the landlord or property owner.
- An offer or option to purchase the property and buildings in the licensee's name (as stated on the liquor licence). An offer or option must show price paid, have a term and expiry date and be signed by both the licensee and property owner.

If valid interest at the application stage is an offer to lease, or an offer or option to purchase, please note that the Branch will require valid interest be in the form of an executed lease or a Certificate of Title before you will be granted Approval in Principle.

Note: Valid interest must be maintained at both the current and proposed site until the relocation is finalized. LCLB may request a copy of valid interest at the current site during the relocation application process.

Photographs

- A minimum of four (4) colour photographs of the proposed LRS site, one facing each side of the building/property.
- These photos need to be current (taken by the licensee or representative within the past 90 days). Pictures from internet sites will not be accepted.

Grocery Declaration

- The grocery store declaration must be completed by the grocery store owner if your proposed site is located in a grocery store.
- A grocery store is defined as:
 - o primarily engaged in retailing a general line of foods, including canned, dry and frozen food, fresh fruits and vegetables, fresh and prepared meats, fish and poultry, dairy products, baked products and snack foods, and non-liquor beverages, intended for human consumption, and
 - o having an area of at least 10,000 square feet, including storage.
- To maintain eligibility, the conditions above must continue to be met, and the sales revenue from food and non-liquor liquor beverages must:
 - o total at least 70% of the total sales revenue of non-liquor products, and
 - o total more than 50% of the total sales revenue of liquor and non-liquor products in the grocery store.

Application Form

- Complete all fields
- The application form must be signed by the current licensee. (i.e. must be signed by of any shareholder in a private corporation, the signing officer of a public corporation or society, a sole proprietor or all the individuals in a partnership)
- Ensure the correct mailing address for your proposed establishment - once the relocation application is approved all LCLB correspondence will be sent to that address including your annual renewal notice
- Parcel Identifier (PID) for your proposed site can be found on the property tax notice or from the Land Titles office.

Application Fee

The application fee is \$330 and can be paid as outlined on Part 6 of the application form.

If you have any questions about the application or guide, please contact the Liquor Control and Licensing Branch by phone or email.

Help Desk Phone: 1-866-209-2111 or at 250-952-5787 (if calling from Victoria or outside of B.C.)

Help Desk Email: lclb.lclb@gov.bc.ca

Application forms and guides are available from our website at www.gov.bc.ca/liquorregulationandlicensing

Section 3: LRS Transfer of Location Application

Instructions:

1. Before completing this application form, confirm your proposed LRS location is at least 1 km from any existing or proposed LRS location and any existing or proposed BCLS location. For further information about the distance criteria, please see Section 2 of the application package.
2. Review the attached checklist and guide (Sections 1 and 2) explaining the requirements for a complete application package.
3. Submit a completed application package to the Branch by email, fax or mail/courier.

Part 1: Application Contact Information

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

Office use only (C4 - LIC) Sub Job No.

Name:

Phone number:

Email address:

Fax Number:

Part 2: Licensee Information

Licensee Name (as on licence):

Licence #:

E-mail address:

Mailing address:

Street

City

Province

Postal Code

Current Physical Address of LRS:

Street

City

Province

Postal Code

Part 3: Proposed Establishment Information

Current Establishment/Licence Name [as on licence]:

Proposed Establishment/Licence Name [if applicable]:

(Note: Changes to the establishment name, signs, awnings, advertising, etc. are subject to approval by LCLB)

Proposed Physical Address of LRS:

Street

City

Province

Postal Code

Is the mailing address for the new LRS different from the proposed new address above? No Yes

If yes, provide the new mailing address below: (all correspondence, including licence renewals, will be sent to this address)

Street

City

Province

Postal Code

Legal Description of New Proposed Site:

(Legal description and parcel identifier (PID) or Strata Plan number of the establishment site, found on property tax notice or from Land Titles office)

Local Government or First Nation Jurisdiction for Proposed Site:

Will this LRS be located within a grocery store? No Yes

If yes, provide the name of the grocery store:

Note: The grocery store owner must complete form LCLB090

Part 4: Legal Declaration

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: What Happens Next

Applicants with incomplete applications will be advised in writing what information is required to complete their application. Applicants will be given 30 days to provide a complete application. Your application will only be assessed once all outstanding requirements have been submitted. Your application will not restrict other relocation applications within the 1km, until Preliminary Site Approval is granted. All applications will be reviewed in date order.

1. Once a complete application is received, it will be reviewed to determine if the proposed site meets the distance restriction of being at least 1 km from another LRS, BCLS, proposed LRS or proposed BCLS location.

2. If your proposed site meets the distance restrictions you will be advised in writing that you have been granted Preliminary Site Approval. Your proposed location will be posted on our website and will restrict other applications within a 1 km radius. You will be requested to submit the following within 90 days:

- Signage:
 - A sketch of the establishment signage (if the name has changed)
 - Please note that external signage is subject to LCLB approval
- The floor plans of the proposed establishment, which must meet the following requirements:
 - Must be clear, legible and of sufficient detail and size (8.5" x 11")
 - Provide room size dimensions
 - Detail entrance, exit, washrooms, storage area, cash register area, coolers, any adjoining doors and other fixtures
 - Clearly identify the area proposed for licensing and any adjoining unlicensed areas
- Valid interested at the proposed site
 - Must be in the form of a fully executed lease or a Certificate of Title
- Proof that there is appropriate zoning or that a rezoning application for your proposed site has been submitted to local government.

3. At this point in the application process, minor amendments to the proposed establishment can generally be accommodated (e.g. changes to interior layout, signage, etc.). However, if you wish to make significant changes, including changes that will impact the establishment location on the proposed site or the location of the main entrance, you will be required to terminate this application and submit your revised proposal under a new application. If significant amendments are required, you are encouraged to contact the Branch with any questions prior to terminating your application as once your application is terminated other active applications that have been received within the 1 km radius of your proposed location may take precedence.

4. When the signage, floor plans, valid interest, and zoning information have been received they will be reviewed and if all the requirements have been met you will be advised in writing that you have been granted Approval in Principle.

5. After Approval in Principle is granted you have 12 months to complete any construction or renovations, and to ensure that any necessary rezoning is finalized before you will be granted Final Approval.

Note: In addition to meeting LCLB requirements, you are responsible for obtaining all the required applications and permits from your local government to operate your LRS.

Part 6: Application Fee

Transfer of Location fee (non-refundable): \$330.00

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

Payment is by (check 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 fax or mail and have given my credit information in the space provided at the bottom of the page.

Part 7: Submitting Your Application

You can submit your application by email, fax or mail. Please note that LCLB cannot accept credit card information by email. If submitting by email, please note and follow the instructions in Part 6 of the application.

Email: liquor.licensing@gov.bc.ca

Fax: 250-952-7066

Mail: PO Box 9292 Stn Prov Govt, Victoria BC V8W 9J8

Courier only: 4th Floor, 3350 Douglas St, Victoria BC V8Z 3L1

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: _____