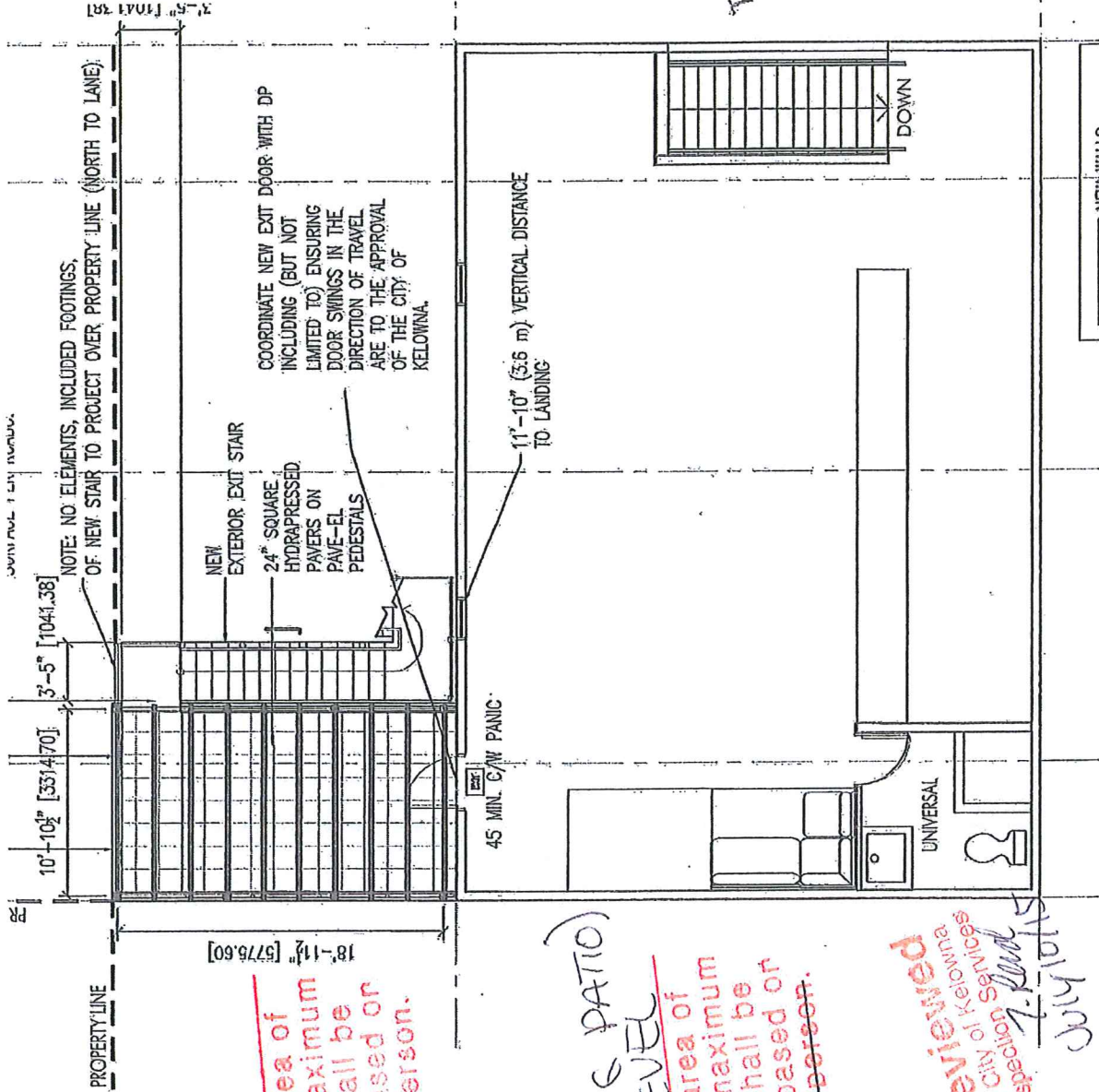




HABITAT  
248 LEON



The PATIO  
has a net floor area of  
10.8 m<sup>2</sup>. The maximum  
occupant load shall be  
9 persons, based on  
1.2 m<sup>2</sup>/person.

MAXIMIZING PATIO  
\* (INCLUDING PATIO)  
UPPER LEVEL  
The net floor area of  
has a net floor area of  
67.8 m<sup>2</sup>. The maximum  
occupant load shall be  
70 persons, based on  
1.2 m<sup>2</sup>/person.

**Reviewed**  
by City of Kelowna  
Inspected  
7.1.2015  
July 10/15

THE HABITAT  
248 LEON AVE. KELOWNA

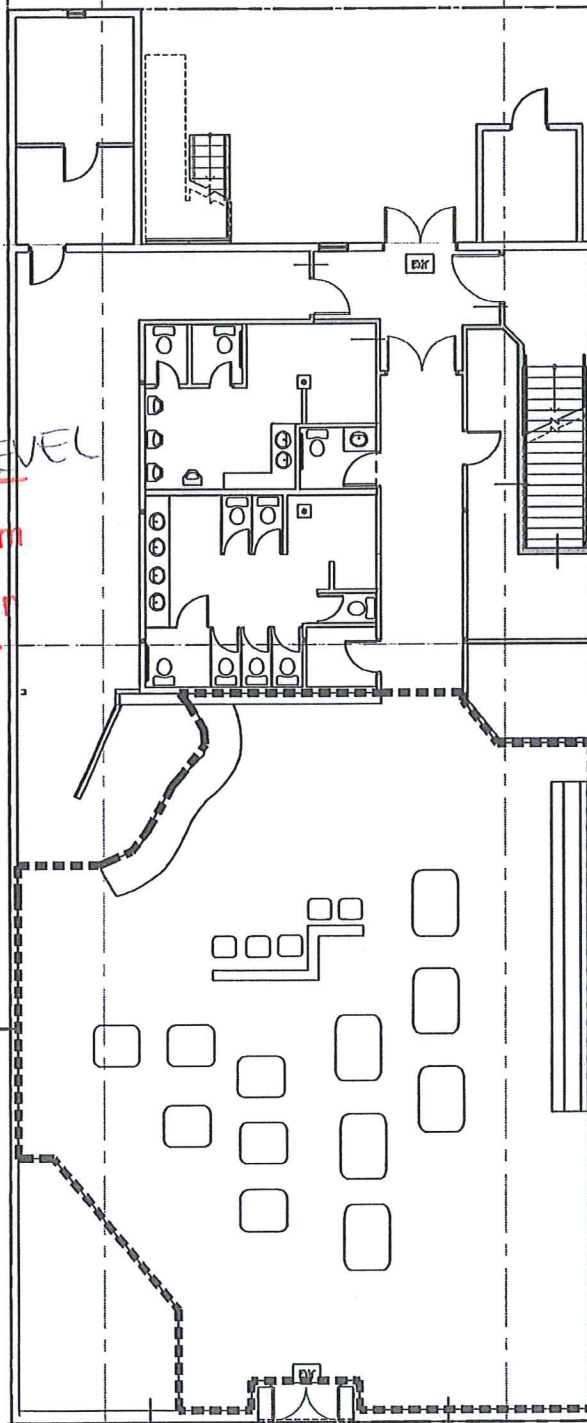
Request of Information July 10th, 2015

The HABITAT LOWER LEVEL  
has a net floor area of  
235.1 m<sup>2</sup>. The maximum  
occupant load shall be  
247 persons, based on  
0.95 m<sup>2</sup>/person.

Reviewed  
by City of Kelowna  
Inspection Services  
7. Reid  
JULY 10/15.

AREA: 2,482 sq. ft. = 230.60 m<sup>2</sup>

architecturally  
**DISTINCT**  
SOLUTIONS INC.  
ph: 250-448-7801



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LETTER OF INTENT  
FOR THE APPLICATION OF STRUCTURAL AND PERMANENT  
CHANGES TO AN EVENT-DRIVEN LIQUOR PRIMARY LICENSE

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LOCATION:  
**THE HABITAT**  
**248 LEON AVE.**  
**KELOWNA, B.C.**

APPLICANT:  
**QB HABITAT RESOURCES INC.**

May 15, 2014

V.07



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## **INTRODUCTION**

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This Letter of Intent is written in support of the applications submitted to the Liquor Control & Licensing Branch for both a Permanent Change and a Structural Change to the current Event-Driven Liquor Primary License located at 248 Leon Avenue in Kelowna, B.C. These applications will require the approval of the Liquor Control & Licensing Branch and the City of Kelowna.

## **EXECUTIVE SUMMARY**

In August of 2005, after extensive renovations, the facility at 248 Leon Avenue was opened as an Events Centre and operated for close to 2 years under a Banquet Hall License from the City of Kelowna. Then in July 2007, a commercial kitchen was installed and a Food Primary License with a Patron Participation Entertainment Endorsement was obtained. In 2011, after considering the expansion of downtown Kelowna, the official City of Kelowna Re-zoning and Redevelopment plan, and the Tourism Kelowna goals of creating a Cultural Corridor in BC's Interior, the licensing was changed to an Event-Driven Liquor Primary License in order to allow the venue to meet the new demands of the community. There was and still is an increased need for Cultural Event Centres and Live Performance Facilities within the downtown core and the facility at 248 Leon Avenue is perfectly situated to continue as a thriving cultural community venue and event facility in the heart of downtown Kelowna.

As the City of Kelowna continues to grow and change we are constantly challenged to refine our services. In order to do this we have applied for a structural change to our existing license to allow use of the existing second floor. An application for a permanent change to the license has also been submitted to change the hours and days of service. These changes will go towards improving our services within Habitat with a goal to continue offering great hospitality at diverse events as we have done since opening in 2005.

Over the past year the Event-Driven Liquor Primary License has enabled The Habitat to provide the service of liquor as an additional amenity so that patrons can enjoy the basic hospitality of food and beverage service while they attend one of the various live events hosted at the venue. Our primary focus has been and will continue to be in live events; providing entertainment, arts, and culture. The events offered are diverse and require different levels of hospitality depending on the style of event. As an Events Centre, the venue caters to concerts, theatrical presentations, cultural showcases, and dance performances. These live events are hosted by either the Habitat event management staff or by clients who rent the venue. Through the rental facility, clients already have the convenience of a “one stop shop” for planning their event without having to go to a range of other suppliers. This keeps the costs down and the quality of service high.

We have been providing food and hospitality for both private and public events at Habitat since 2007 at which time our commercial kitchen was installed. Our staff are well trained in providing food and beverage service at diverse events from concerts, to conferences with guest speakers, presentations, and other live performances. Whether it's a seated dinner with several courses, a buffet, or a casual event with servers offering trays of tapas, we have all of the necessary equipment, menu options, food suppliers, and trained staff.

The current establishment is a 6,778 sq. ft. building, which consists of two floors. The first floor is the existing licensed area. The second floor is 1,590 sq. ft. Much of the feedback we have received from our clients is regarding the lack of space available for smaller events for 30-50 people. We have often accommodated these events within our existing licensed space however it is much too large for these smaller events. Opening up the second floor will allow some flexibility to be able to offer a smaller space for these events which is more appropriate. With the increase in our days of operation we would also be able to host events on Sundays which would give our clients more options as well.

With the proposed changes we have taken into account the potential impact of

noise and parking on the surrounding area. Since Habitat is located in the heart of downtown Kelowna, we are surrounded by buildings zoned for commercial or mixed commercial use. The closest Residential zoning is separated from Habitat by several barriers: there's one commercial city block, then a 6 lane highway, another commercial block, a creek, and then the residential area begins. In regards to parking, the Chapman Parkade in addition to two public parking lots provide ample parking nearby.

### OTHER LICENSED ESTABLISHMENTS

Other Liquor primary establishments (pubs, nightclubs, casino) in the surrounding area include:

Establishment	Proximity (approximate)	Category	Capacity	Establishment Type
Sapphire	0m	Large	473	Cabaret
Level	60m	Large	464	Cabaret
Cheetah's	125m	Medium	218	Adult Entertainment
Liquid Zoo	130m	Large	301	Adult Entertainment
O'Flannigans	250m	Medium	148	Neighborhood Pub
Micro	200m	Small	35	Resto bar
Fernando's	300m	Small	88	Neighborhood Pub
Doc Willoughby's	350m	Medium	180	Neighborhood Pub
Carlos O'Bryans	250m	Small	60	Neighborhood Pub

### SUMMARY

It is clear that this Application, as outlined above, has significant benefits to the City of Kelowna and the Province by continuing to provide new and unique live performance and event facilities that will showcase the many different cultural facets of the Okanagan.

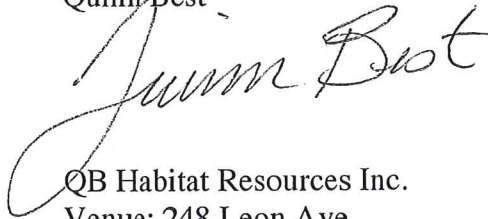
It should also be noted that:

- Cultural Event Centres have not represented problems in terms of licensing or impact on the community because of the nature of the events, the clientele and the fact that Liquor is only an added amenity.

- The establishment will further diversify the Tourism/Hospitality base of the community.
- The establishment will continue to provide event services in Kelowna, catering to the increasing number of local and national events coming to Kelowna each year.

All of which is respectfully submitted to the Liquor Control & Licensing Branch this  
15th day of May, 2014.

Quinn Best



QB Habitat Resources Inc.  
Venue: 248 Leon Ave.  
Kelowna, B.C. V1Y6H9  
Mailing: 590 Levitt Lane  
Kelowna, B.C. V1Y9Y1  
[quinn@thehabitat.ca](mailto:quinn@thehabitat.ca)  
office (250)763-9674  
cell (250)718-3999  
fax (250)763-9614





# Liquor Primary and Liquor Primary Club

## Structural Change Application

Liquor Control and Licensing Form LCLB 012a

### INSTRUCTIONS:

Complete all applicable fields then submit with payment as outlined in Part 8 of this application form. You may complete this form online, then print.

- If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: **1 866 209-2111**
- LCLB forms and supporting materials referred to in this document can be found at: **www.pssg.gov.bc.ca/lclb**

### Licensee Information

Licence # affected: 304551

Licensee name [as shown on licence]: The Habitat

Establishment name [as shown on licence]: The Habitat

Establishment

Location address: 248 Leon Avenue

(as shown on licence)

Street

Kelowna

City

BC

Province

V1Y6H9

Postal Code

Business Tel with area code: 250-763-9674

Business Fax with area code: 250-763-9614

Business e-mail: quinn@thehabitat.ca

Business

Mailing address: 590 Levitt Lane

(if different from above)

Street

Kelowna

City

BC

Province

V1Y9Y1

Postal Code

Contact Name: Best/Quinn

last / first / middle

Contact number: 250-718-3999

### Type of Change Requested

Please check ☒ appropriate box(es) below:

Sub- Job Number  
Office Use ONLY

Part 1	<input type="checkbox"/> New Outdoor Patio: see Part 1	Outdoor Patio (C3-LIC)
Part 2	<div>This section is for golf courses only.</div> <div><input type="checkbox"/> A Kiosk</div> <div><input type="checkbox"/> Take-out Window</div> <div><input type="checkbox"/> Beverage Cart Service (one cart permitted per 9 holes)</div> <div><input type="checkbox"/> Playing Area of the golf course to allow liquor service from the interior LP liquor service bar.</div>	<div>Structural - no capacity change (Golf Kiosk/take-out) (C4-LIC)</div> <div>Structural - no capacity change (Golf Cart) (C6-LIC)</div>
Part 3	<div><input type="checkbox"/> Alteration/Renovation resulting in an increase in occupant load</div> <div><input type="checkbox"/> Alteration/Renovation resulting in no increase in occupant load</div> <div><input checked="" type="checkbox"/> Addition of a new licensed area with an increase in occupant load</div> <div><input type="checkbox"/> Addition of a new licensed area with no increase in occupant load</div> <div><input type="checkbox"/> Removal of an existing licensed area</div> <div><input type="checkbox"/> Increase to occupant load where no alterations/renovations are proposed</div>	<div>Structural - capacity change (C3-LIC)</div> <div>Structural - no capacity change (C4-LIC)</div>

## PART 1: Addition of New Outdoor Patio

Fee: \$440

C3 - LIC

The addition of a licensed outdoor patio must be approved by the Liquor Control and Licensing Branch. Floor plans must have sufficient detail to be acceptable to the branch. Please be advised that the applicant is responsible for complying with any local bylaws related to the licensed establishment patios. **The application requires a local government/First Nation resolution.**

### Provide the following:

- ☐ One 11" x 17" and one 8.5" x 11" floor plan detailing furniture layout of the entire establishment and the proposed patio area(s). The occupant load of the establishment and proposed patio area(s) must be marked/stamped ON the plans by fire or building authorities. An alternate qualified architect or design professional may be used in locations where fire and building authorities do not have jurisdiction to provide an occupant load. Written confirmation must be provided by local government/First Nations.
- ☐ Occupant load of patio(s) from above plans, if provided separately and not included in calculation of main interior occupant load.  
Patio #1:  Patio #2:
- ☐ Provide evidence of valid interest in the patio property if the patio is on different property than the licensed establishment, such as a patio located on a public sidewalk adjacent to the licensed interior. Evidence of valid interest may be in the form of a lease, letter of authorization or other agreement document.
- ☐ Attach a photo if the patio is already built.

1. Describe the patio perimeter that is designed to control patron entry/exit. (i.e., railing, fencing, planters, hedging, etc.)

2. Will your servers have to carry liquor through unlicensed areas to get to the patio? ☐ Yes ☐ No If Yes, please explain:

3. Is the patio located immediately adjacent or contiguous to the interior licensed area? ☐ Yes ☐ No If No, please explain:

4. Describe how your staff will manage and control the patio from the interior licensed area

**IMPORTANT:** You must request a local government/First Nation resolution commenting on the application. Local government must complete **Part 5** of this form. For further information on local government resolutions, read Part 4.

**...Also complete Parts 7 and 8**



## PART 2: Golf Courses Only - Licensing the Playing Area

Fee: \$440  
(each)

C4 - LIC

C6 - LIC

Applies to: Golf courses with a Liquor-Primary or Liquor-Primary Club Licence.

For all changes, including Beverage Cart (C6), please provide a map of the entire golf course that identifies the following:

- ☐ Label the holes (1-9 or 1-18 as applicable)
- ☐ Label any road ways (public or private) that may divide the golf course playing area (as applicable)
- ☐ Label the location of any existing licensed areas that fall under an LP or FP (as applicable)
- ☐ Label the parking area, club house, other businesses and any other external buildings on the playing area of the golf course.

**Note:** Putting green and driving ranges are not permitted to be licensed.

For Take-out Window (C4), also provide:

- ☐ Provide interior floor plan layout detailing the location of the take-out window and where liquor will be served.  
**Note:** The take-out window must be in a location such that patrons do not have to walk through a food primary licensed area in order to access the window AND that is sufficiently close to the golf course so that patrons do not walk through an unlicensed area with their liquor in order to access the golf playing area.
- ☐ If the window is an existing structure, provide a recent photo of the interior and exterior area.

For Kiosk (C4), also provide

- ☐ Detail the exact location of the kiosk(s).
- ☐ If the kiosk is an existing structure, provide a recent photo of the interior area and exterior area.

For Playing Area only (no kiosk, beverage cart, or take-out window) (C6), also provide:

- ☐ Identify any unlicensed interior or exterior areas between the interior LP liquor service bar and the playing area.  
**Note:** If applying for just the playing area to be licensed, there must be an interior LP licensed area with a liquor service bar located within the LP red-lined area

...Also complete Parts 7 and 8

## PART 3: Other Structural Alterations (Excluding construction of new patios)

Fee: \$440

C3 - Cap Ch.

C4 - No Cap Ch.

Please check (☑) beside the type of structural alteration for which you are applying:

- ☐ Alteration/Renovation resulting in an increase in occupant load
- ☐ Alteration/Renovation resulting in no increase in occupant load
- ☒ Addition of a new licensed area with an increase in occupant load
- ☐ Addition of a new licensed area with no increase in occupant load
- ☐ Removal of an existing licensed area
- ☐ Increase to occupant load where no alterations/renovations are proposed

Provide the following:

- ☒ Describe the proposed alterations or addition, including the general construction proposal, e.g. if exits will be added, full height or pony walls to be removed or added, a change to the bar location, washrooms, etc.

We are applying to add the existing second floor as a licensed area. A bar service area will be built on the second floor to serve this area.

- ☒ One 11" x 17" and one 8.5" x 11" floor plan detailing furniture layout of the entire establishment. The occupant load of the establishment and proposed patio area(s) **must be marked/stamped ON the plans by fire or building authorities**. An alternate qualified architect or design professional may be used in locations only where fire and building authorities do not have jurisdiction to provide an occupant load. Written consent must be provided by local government/First Nations.

A. Current total of all licensed areas (as shown on the liquor licence): 225

B. Occupant load for all new areas, as determined by building or fire authorities on the submitted plans: 55 107

**IMPORTANT:** If the alteration or addition results in an increase to your current occupant load, see "Licensee Responsibilities" in Part 4.

**Note:** You are cautioned not to construct or make changes until you receive Branch approval to do so.

...Also complete Parts 7 and 8



## PART 4: Local Government/First Nation Resolutions: Information for the Applicant

A resolution from your local government or First Nation commenting on the application is required for the following change types:

- Part 1: Addition of a new patio
- Part 3: Any alteration/addition, when the change increases the physical size of the establishment and the occupant load calculation.

### Licensee responsibilities:

- Fill out applicable sections of this form.
- **Request your local government/First Nation to sign and date Part 5 of the original form.**
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted directly to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb/> under "Publications, Legislation & Resources".

## PART 5: Local Government/First Nation Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office in relation to Parts 1 and 3. Applies to Liquor Primary and Liquor Primary Club licences.

Local government/First Nation (name): CITY OF KELOWNA

Name of Official: McVEY, PAUL  
(last / first / middle)

Title/Position: URBAN PLANNER

Date of receipt of application: 18/06/2014  
(day / month / year)

Phone: 250-460-8582

Signature of Official: 

This application serves as notice from the Liquor Control and Licensing Branch that an application for a permanent change to a liquor licence is being made within your community. The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch.

All of the items outlined below in points (a) through (d) must be addressed in the resolution in order for the resolution to comply with section 53 of the Liquor Control and Licensing Regulation. Any report presented by an advisory body or sub-committee to the council or board may be referenced in and attached to the resolution.

- (a) The potential for noise if the application is approved (provide comments).
- (b) The impact on the community if the application is approved (provide comments).
- (c) If the amendment may affect nearby residents, the local government or first nation must gather the views of residents in accordance with 11.3(2)(c) of the Act.
  - If the local government or first nation gathered the views of residents, they must provide:
    - (i) the views of the residents
    - (ii) the method used to gather the views of the residents, and
    - (iii) its comments and recommendations respecting the views of the residents.(Residents includes residents and business owners)
  - If the views of residents were not gathered, provide reasons.
- (d) Its recommendation with respect to whether the amendment should be approved.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb/> under "Publications, Legislation & Resources".

## PART 6: Floor Plan Guidelines

A floor plan is a view of each floor as seen if you were to remove the roof or ceiling and all construction above. Floor plans must show acceptable levels of detail to the Liquor Control and Licensing Branch for your application to be processed.

Floor plans should meet the following requirements:

- Must be clear, legible and of sufficient size and detail
- OCCUPANT LOAD(S) MUST BE CLEARLY MARKED/STAMPED ON THE PLANS by provincial (or designate) fire or building authorities. An alternate qualified professional may be used in locations where fire and building authorities are not available to provide an occupant load, if accompanied by local government/First Nation written consent.
- Dimensions of rooms, partial height walls, planters, location of doors and windows, stairs showing direction of travel, etc.
- Clearly mark the washrooms, kitchen, bars, patio(s), furniture layout of tables, chairs and barstools, entrances and exits, as applicable.



## PART 7: Declaration of Signing Authority Including Valid Interest

My signature, as Applicant, indicates that, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed. If I have an option/offer to lease the establishment, or portion of the establishment to be licensed, prior to a licence being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date the licence is issued.
- I understand that the general manager has the right to request the following documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request:
  - If the applicant owns the property, a Certificate of Title in the applicant's name.
  - If the applicant is renting or leasing, a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the applicant and the property owner.
  - If the applicant is buying the land and the building(s), a copy of the offer or option to purchase the property and building(s). An offer must show price paid, have a term and expiry date, and be signed by both the applicant and the property owner.
- I understand that loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand that I must advise the branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.
- I understand that the name(s) on documentation demonstrating valid interest must be identical to the applicant names(s).
- As the licensee, I will be accountable for the overall operation, for all activities within the establishment and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- I understand that a licence can only be renewed if I am the owner of the business carried on at the licensed establishment and I am the owner or lessee of the licensed portion of the establishment.

**I solemnly declare that the statements in this declaration are true.**

*(Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below):*

**Note:** An agent, lawyer, resident manager or third party operator may not sign the declaration on behalf of the applicant.

Name of Official: Best/Quinn Position: Owner/Director of Operati Date: 14/May/2014  
(last / first / middle) (Day/Month/Year)

Signature: 

Name of Official: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (Day/Month/Year)

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

Name of Official: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (Day/Month/Year)

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

Name of Official: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (Day/Month/Year)

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

*Section 15(2) of the Liquor Control and Licensing Act states: "A person applying for the issue, renewal, transfer, or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application commits an offence".*

**False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.**

## PART 8: Application Fees Payment Options

TOTAL FEE Submitted: \$ 440.00

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

Payment is by (check (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

☒ I am paying by credit card and submitting my application by email. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide my credit card information and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am paying by credit card and submitting my application by mail:

☐ VISA ☐ MasterCard ☐ AMEX

Credit card Number:  Expiry Date:  /

Name of cardholder (as it appears on card):

Signature:

**Note:** To ensure legibility, this application and supporting material **cannot** be faxed to the branch.

### Contact Information

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

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

Phone: 250 952-5787 Web: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066





# Application for a Permanent Change to a Liquor Licence

## All Licence Types

Liquor Control and Licensing Form LCLB005b

### FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 9 of this application form.

- If you have any questions about this application, call Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)

### Licensee Information

Licensee name [as shown on licence]: The Habitat

Establishment name [as shown on licence]: The Habitat

Establishment Location address: 248 Leon Avenue Kelowna BC V1Y6H9  
(as shown on licence): Street City Province Postal Code

Mailing address: 590 Levitt Lane Kelowna BC V1Y9Y1  
(All correspondence will go to this address): Street City Province Postal Code

Business Tel with area code: 250-763-9674 Business Fax with area code: 250-763-9614

Business e-mail: quinn@thehabitat.ca

Contact Name: Best/Quinn Title/Position: Owner / Director of Operations  
last / first / middle

### Type of Change Requested

Please check (✓) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. **An incomplete application will be held for a maximum of thirty (30) days.** If still incomplete after the thirty (30) day period, the application may be terminated.

Type of change requested	Licence numbers affected MANDATORY	JOB NUMBER Office Use ONLY
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)		(C2-LIC) (sub)
<input type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)		(C2-LIC) (sub)
<input type="checkbox"/> 3. Request for change in terms and conditions (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)		(C3-LIC) (sub)
<input type="checkbox"/> 5. Request for tied house restrictions exemption (p. 3)		(C3-LIC) (sub)
<input checked="" type="checkbox"/> 6. Change to hours of sale (p.3)	304551	(C3-LIC) (sub)
<input type="checkbox"/> 7. Catering endorsement (p.4)		(C3-LIC) (sub)

**REFER TO PART 11 TO SEE THE APPROVAL PROCESS FOR THE TYPE OF CHANGE YOU HAVE REQUESTED**

### Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCLB012a; for Food Primary, use LCLB012b; for Manufacturer and Winery Endorsements, use LCLB013; for Wine Store and Licensee Retail Store, use LCLB012c.
- To apply to have a third party management firm or lessee operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCLB026) or to apply for a resident manager to operate your establishment, use the *Application to Add or Change a Licensee's Resident Manager* (LCLB025).
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCLB005a).



## PART 1: Establishment or Business Name Change and/or Licence Name Change C2 - LIC

To be completed when the licensee wishes to change the name of an establishment, business and/or licence.

Note: If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x  licences = \$

### Establishment or business name change:

Current establishment or business name as shown on licence:

Proposed name:

### Licence name changes:

Licence #:  Current licence name:

Proposed licence name:

Licence #:  Current licence name:

Proposed licence name:

### Attach the following:

☐ Sketch or picture of the proposed establishment or business signage.

*Also complete Parts 8 and 9*

## PART 2. Entertainment Endorsement (Food Primary licenses only)

C2 - LIC

According to the type of entertainment being applied for, complete either (A) or (B) below and attach required documents:

### A) Patron non-participation entertainment endorsement (e.g., musicians)

Note: Patron non-participation entertainment must end by 1:00 a.m. Fee: \$220 per licence x  licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron non-participation entertainment proposed and where it will take place in your restaurant.

### B) Patron participation entertainment endorsement (e.g., dance floor):

Note: Patron participation entertainment must end by midnight. Fee: \$330 per licence x  licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.

☐ Request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form. For further information on local government resolutions, read Part 10).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCLB in Victoria (see contact information on page 5 of this form).

NOTE – When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☐ No

*Also complete Parts 8 and 9*

## PART 3. Request of Change in Terms and Conditions

C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests to the general manager for an exercise of discretion. Depending on the nature of the licence change requested, local government and public input may be required.

Fee: \$220 per licence x  licences = \$

### Attach:

☐ A letter of intent describing, in detail, the proposed change to your licence and compelling reasons for your request. To request discretion, provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. If a staff report is prepared in regards to your request, you will be provided with a copy and will have two weeks to provide any comment before the request for discretion is considered by the General Manager. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>)

*Also complete Parts 8 and 9*

## PART 4. Live theatres requesting liquor service in conjunction with films/broadcasts

C3 - LIC Fee: \$330

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request.

See Policy Directive 12-02 for the conditions that apply to liquor service at live theatres during films and broadcasts.

LCLB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

*Also complete Parts 8 and 9*



**PART 5. Request for Exemption from Tied House Restrictions (Manufacturers only)** **C3 - LIC**Fee: \$220 per licence x  licences = \$ 

As of March 1, 2013, licensed manufacturers may own or have an association with up to 3 licensed establishments (LP, LRS, FP, Catering) that are not located on the same site as the manufacturer and where the manufacturer's products may be sold.

Attach a signed letter for each manufacturing licence that you are applying for above, stating the following:

- ☐ Identify the manufacturer (by licence name and licence number) applying for the exemption. If the manufacturer is not yet licensed, provide the proposed licence name, location address and the job number assigned to your file.
- ☐ Identify the liquor licences (by name and number) that you wish to have exempted from the tied house restrictions (maximum you can ever apply for is three).
- ☐ Disclose the manufacturer's production amount (minus spillage) for the previous year.

For more information on requests for exemption, see Policy Directive 13-03.

**Also complete Parts 8 and 9**

**PART 6. Change to Hours of Sale****C3 - LIC**

(Liquor Primary, Liquor Primary Club, Food Primary & Manufacturer endorsements)

Pursuant to Section 12(3) of the Liquor Control and Licensing Act, the general manager may limit the days and hours that an establishment is permitted to be open for the sale of liquor.

Hours of liquor sales for Food Primary establishments must meet with the dining habits of the clientele expected. Liquor must not be served unless the establishment is open for the service of a varied selection of menu items.

Licensees may apply to revise hours of sale, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing. In some instances, the general manager of the Liquor Control and Licensing Branch may require the licensee to post public notices before a decision to alter licence hours is considered.

Check ☒ the appropriate change, and provide the requested information and documents:

**A) Food Primary**

- ☐ (i) Request to change hours of liquor sales before midnight Fee: \$220 per licence x  licences = \$ 
  - complete proposed hours of sale table below
- ☐ (ii) Request to extend hours of liquor sales later than midnight Fee: \$330 per licence x  licences = \$ 
  - complete proposed hours of liquor sale table below, and
  - request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nations resolutions, read Part 10).

**Note: if you have patron participation entertainment, it must end by midnight**

**B) Liquor-Primary, Liquor-Primary Club, Winery Special Event Area or Winery Lounge**

- ☐ (i) Request to change the hours of liquor sales within the hours currently approved:
  - complete proposed hours of sale table below Fee: \$220 per licence x  licences = \$
- ☒ (ii) Request to change the hours of liquor sales outside the hours currently approved:
  - complete proposed hours of liquor sale table below, and Fee: \$330 per licence x  licences = \$
  - request a local government/First Nation resolution commenting on the application (local government must complete Part 11 of this form; for further information on local government/First Nation resolutions, read Part 10).

Complete the table below, indicating proposed hours of liquor sales:

**Current Hours of Liquor Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CLOSED	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Proposed Hours of Liquor Sale:**

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
CLOSED	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**NOTE – When relocating a Food-Primary establishment:** An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☒ No

**Also complete Parts 8 and 9**

## PART 7. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (excluding liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x  licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

**NOTE:** If a licence is approved with a catering endorsement, the licensee must notify LCLB of all catered events (except in private residences) using OneStop ([www.bcbusinessregistry.ca](http://www.bcbusinessregistry.ca)). Some events may require approval from LCLB before the catered event can take place. Further information about how to notify LCLB will be provided by your local liquor inspector when they complete their final inspection.

LCLB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering endorsement. A fee of \$200 will be charged if a second (2<sup>nd</sup>) inspection is required.

*Also complete Parts 8 and 9*



## PART 8: Declaration

My signature (the licensee's) below indicates that I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below:

**Note:** An agent, lawyer, resident manager or third party operator may not sign the declaration on behalf of the applicant.

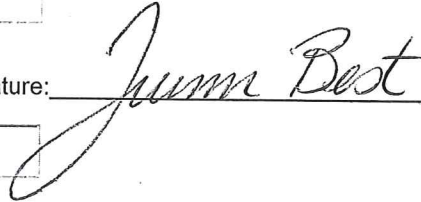
Name of Official: Best/Quinn

( last / first / middle )

Position: Owner/Director of Operations

Date: 14/May/2014

(Day/Month/Year)

Signature: 

Name of Official: \_\_\_\_\_

( last / first / middle )

Position: \_\_\_\_\_

Date: \_\_\_\_\_

(Day/Month/Year)

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

Name of Official: \_\_\_\_\_

( last / first / middle )

Position: \_\_\_\_\_

Date: \_\_\_\_\_

(Day/Month/Year)

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

Name of Official: \_\_\_\_\_

( last / first / middle )

Position: \_\_\_\_\_

Date: \_\_\_\_\_

(Day/Month/Year)

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

## PART 9: Application Fees

TOTAL FEE Submitted: \$ 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

☒ I am paying by credit card and submitting my application by email. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide my credit card information and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am paying by credit card and submitting my application by fax or mail:

☐ VISA ☐ MasterCard ☐ AMEX

Credit card Number: \_\_\_\_\_

Expiry Date: \_\_\_\_\_ / \_\_\_\_\_

Name of cardholder (as it appears on card): \_\_\_\_\_

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

### Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

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

Phone: 250 952-5787 Fax: 250 952-7066 Web: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

## PART 10: Local Government/First Nation Resolutions: (Information for the Applicant)

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2(B): Food-primary patron participation entertainment endorsement, and
- Parts 5(A)(ii) and 6(B)(ii): Change to hours of sale

### Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- **Request your local government/First Nation to sign and date Part 11 of this form.**
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

## PART 11: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for one or more of the following changes to a liquor licence has been made within your community:

- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, winery lounge or winery special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.

Local government/First Nation (name): CITY OF KELOWNA

Name of Official: MCVEY PAUL Title/Position: URBAN PLANNER  
(last / first / middle)

Date of receipt of application: 18/06/2014 Phone Number: 250-469-8582  
(Day/Month/Year)

Signature of Official: 

The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

### To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

- Comment on the following regulatory criteria:
  - the potential for noise if the application is approved;
  - the impact on the community if the application is approved; and
  - whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of liquor service past midnight or the addition of patron participation entertainment).
- Indicate whether or not the views of residents were gathered, and if not, provide reasons why they were not gathered (residents include residents and business owners).
- If the views of residents were gathered explain:
  - the views of the residents;
  - the method used to gather the views of the residents; and
  - comments and recommendations with respect to the views of residents.
- Provide recommendation as to whether the amendment should be approved.

You must refer to and attach any report presented by an advisory body or sub-committee to the council or board.

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution and make a decision about the application.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.



## PART 12: Application and Approval Process – What happens next?

### For the following change requests (all C2):

- Part 1 Establishment or Licence Name Change
- Part 2 Food-Primary Entertainment Endorsement (may require local government/First Nations resolution).

#### *The process is:*

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

### For the following change requests:

- Part 3 Change to Terms and Conditions (all C2)
- Part 4 Live theatres requesting liquor service (all C2)
- Part 5 Request for exemption from tied house restrictions (all C3)
- Part 6 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)

#### *The process is:*

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. LCLB staff may request your local liquor inspector to provide comments regarding your application.
5. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

### For the following change request:

- Part 7 Catering Endorsement (all C1)

#### *The process is:*

1. Applicant will complete the appropriate section of this form and Parts 8 and 9, and attach all required documents.
2. Applicant must submit a complete application package and fee to the Liquor Control and Licensing Branch.
3. Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant of any information/documentation required before the application can be processed. If a complete application is not received within 30 days of notification, your application will be terminated and you will have to re-apply and pay the application fees.
4. If the application requirements have been met, the applicant will be asked to contact the inspector for an interview/final inspection. Before contacting the inspector for the interview/final inspection, the applicant must have the inspector interview letter.  
**Note:** The applicant must contact the local area inspector to arrange for a final inspection by the date noted on the letter (30 days from the date on the letter). If the inspector is not contacted to arrange for a final inspection or for an extended time, the application will be terminated.
5. At your final inspection, the inspector will verify that your business location meets the requirements for a catering licence by reviewing the food selection, the kitchen equipment, advertising and staffing resources. If the inspector is not satisfied your business location meets the requirements of a catering licence you may be asked to make changes and schedule a second (2<sup>nd</sup>) inspection to confirm you meet the requirements of a catering licence. **A fee \$200 will be charged if a second (2<sup>nd</sup>) inspection is required**
6. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

*Freedom of Information and Privacy Act* - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292 STN PROV GOVT, Victoria, BC V8W 9J8. Phone - Victoria: 250 952-5787. Outside Victoria: 1-866 209-2111. Fax: 250 952-7066