



# Manufacturer Lounge and/or Special Event Areas Endorsement Licence Application

Liquor Control and Licensing Form LCLB049a

## Instructions:

To apply, please complete all applicable fields then submit with payment as outlined in Part 8 of this form. You may complete this form online, then print. If you are completing this form by hand, please print clearly using dark ink.

- If you have any questions about completing this application, call the branch 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)
- **Please note:** The application process may take **7 to 12 months** to conclude.

## PART 1: Type of Application

Please check (☒) the applicable boxes below to indicate the type of application(s) you are submitting.

### ☒ 1. Lounge Endorsement:

office use only

Sub job: (LP Flow)

**Application Fee:** \$330.00; **Annual Fee:** \$330.00 (prorated first year to March 31)

A lounge is an indoor and/or patio area within or immediately adjacent to a licensed manufacturing facility where patrons may purchase and consume liquor products. Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of service, capacity and patios are subject to local government/First Nation comment and LCLB approval. Lounge endorsements are subject to annual renewal fees as show on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

### ☐ 2. Special Event Area Endorsement:

office use only

Sub job: (LP Flow)

**Application Fee:** \$110.00 if you already have an approved lounge endorsement area.

**Application Fee:** \$330.00 if you do not have an approved lounge endorsement area.

**Annual Fee:** \$110.00 (prorated first year to March 31)

**Note:** If you are applying for both lounge and special event area endorsements at the same time with this form you pay the \$110 special event area fee for a total of \$440 for both lounge and special event area endorsements.

A special event area is an indoor and/or outdoor area on the manufacturing site where patrons may purchase and consume liquor products during special events such as concerts, wine tasting events, special meals/dinners or weddings. *Special event areas are event-driven only.* Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of sale are subject to local government/First Nation comment and LCLB approval. Special event area endorsements are subject to annual renewal fees which will appear on the manufacturer's licence renewal form each year.

- Complete this application form and provide all documents requested in Part 6.

**NOTE - when relocating a manufacturing facility:** Endorsements for lounges or special event areas cannot transfer location without local government/First Nation 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 new location. Use this form to reapply but **do not pay** the application fee(s).

Are you submitting an application to transfer the location of the manufacturing facility with this application? ☐ Yes ☐ No

If **Yes**, your relocation application may go forward and be approved while waiting for these endorsements to be considered. In such cases, the manufacturing facility may operate at the new location if approved, while the endorsement application(s) are being processed.

## PART 2: Application Contact Information

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

Name: Adam Semeniuk

Phone number: 778-821-0404

Fax number:

E-mail address: adamsemeniuk@hotmail.com

### PART 3: Licensee Information

Manufacturer Licence #: \_\_\_\_\_

Manufacturer Name: Red Bird Brewing Inc.

Manufacturer Location Address:

1086 Richter St.

Kelowna

BC

V1Y 2K5

Street

City

Province

Postal Code

Licensee Name (as shown on liquor licence): Red Bird Brewing Inc.

### PART 4: Endorsement Information

For **all endorsement requests**: Does current zoning permit the sale and consumption of liquor in a lounge or special event area?

☒ Yes ☐ No - rezoning is required

#### 1. Lounge Endorsement

Legal description of endorsement site: Parcel A Plan 57837 ODYD

(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation: \_\_\_\_\_

Proposed interior capacity: 

Area 1	Area 2	Area 3	Area 4
26			

Proposed patio capacity: 

Patio 1	Patio 2	Patio 3	Patio 4
12			

**Note:** Occupant load for the proposed areas is required on the floor plan you provide

**Note:** The person capacity (patrons plus staff) of a licensed area(s) must equal the occupant load. Capacity must be approved by LCLB and is subject to local government/First Nation comment. (See Part 9 for an explanation of the application process.) See Part 6, #5 of this application for floor plan occupant load requirements.

**Note:** The ALR regulation may restrict the size of a lounge and/or patio lounge area. If you are located on ALR land, applicants must verify that their proposed lounge area does not exceed the limit prior to submitting an application.

#### Patio Description:

1. Describe the perimeter that will bound and control entry and exit (e.g. fencing, planters, hedges):

Patio perimeter will be enclosed by a metal fence/gate. Confirmation of the patio by the city is undetermined at this point as Richter St. is currently being widened.

2. Describe floor composition (e.g., grass, gravel, flooring):

Pavement (or possibly wooden patio).

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

Periodically monitoring as staff clear tables of empty glasses.

4. ☐ Attach a photo if the patio is already built.

Part 4 continued on next page...

### Proposed hours of sale for the Lounge Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	closed	closed	closed	4pm	4pm	12pm	closed
CLOSE	closed	closed	closed	12am	12am	12am	closed

### 2. Special Event Area Endorsement

Legal description of endorsement site:   
(Legal description and parcel identifier (PID) or Strata Plan number of the endorsement site if located on separate legal parcel than manufacturing site. It is on the property tax notice or can be obtained from the Land Titles office.)

Local government or First Nation:

Proposed interior capacity:

**Note:** Occupant load for the proposed licensed areas is required on the floor plans you provide for interior area(s) and outdoor patio(s) only.

Proposed patio capacity:

**Note:** the person capacity of a licensed area(s) must equal the occupant load (as determined by the authority in your area).

1. Describe the perimeter that will bound and delineate the special event area when events are taking place:

2. Describe how staff will supervise this exterior area when events are taking place:

### Proposed hours of sale for your Special Event Area Endorsement

Complete the table below by entering the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 a.m. and 4:00 a.m. of each business day. All hours requested will be reviewed by your local government/First Nation council before they are approved by the Liquor Control and Licensing Branch.

	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"/>
CLOSE	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



## PART 5: Letter of Intent (Functions and Services to be Provided)

Explain the functions and services your facility or venue will provide. The information you provide in the letter of intent must address all of the factors indicated below.

☒ I have attached a separate sheet.

### 1. Purpose

Describe the purpose of the endorsement including beverage service, entertainment and hospitality services you intend to provide.

### 2. Describe the target market.

Your proposed endorsement area may serve some of the following:

☒ Urban locals ☒ Suburban locals ☒ Rural locals ☒ Neighbouring communities ☒ Tourists

☐ Other (please specify):

### 3. Describe the composition of the neighbourhood.

The composition of the neighbourhood may include some of the following:

☒ Commercial ☒ Residential ☒ Industrial ☒ Light Industrial ☐ Urban ☐ Downtown ☐ Suburban

☐ Rural ☐ Agricultural Land Reserve (ALR) ☐ First Nations' Land ☐ Neighbouring residents

☐ Other (please specify):

### 4. Provide a street map of the area surrounding the manufacturing site which identifies the following social and public facilities within a reasonable distance\* (see below):

- All other licensed liquor primary or liquor primary club establishments
- Churches
- Clubs
- Schools (K-12, colleges, universities)
- Preschools
- Day care centres
- Health care facilities
- Seniors facilities
- Recreational/sports facilities
- Neighbouring residents
- Police stations
- Fire halls
- Libraries
- Government buildings
- Any other relevant local public or private facilities

**\*Note:** What constitutes a reasonable distance will vary depending on individual circumstances.

#### Reasonable Distance Guidelines:

- In a densely populated city or municipality, reasonable distance is probably a 2 block radius;
- In a pocket community having no adjacent developed regional areas (e.g. Gold River, Tumbler Ridge, Whistler, Valemont) reasonable distance is probably the whole community;
- In a rural area having large acre parcels, reasonable distance is probably up to 8 km (five miles);
- In a moderately populated area of developed subdivisions, suburbs, reasonable distance is probably 1.5 or 2 km (1 mile).

On the same map, please mark the boundaries of the neighbourhood of the proposed location as per the reasonable distance guidelines above. State what distance measure you chose.

### 5. Benefits to the Community

Describe the community/market need you are addressing by providing an additional licensed area within the community (e.g. the proposed lounge will support tourism activities at the manufacturing facility OR there are currently no licensed establishments in the area).

### 6. Impact of Noise on the Surrounding Community

Describe the noise impact expected from your proposed endorsement area and describe the measures you will take to ensure others, including neighbouring residents, are not disturbed if the endorsement area is approved (e.g. entertainment will not involve amplified music given the bylaws in place; noise from outdoor patio will be addressed by closing patio at 10 p.m.; outdoor lighting and cameras will be installed; additional traffic should not create additional noise given the location and size of the endorsement).

### 7. Other Impacts on the Surrounding Community

Describe any further impacts of the new licensed area(s) on the surrounding community if the endorsement application is approved.

### 8. Other Information and Requests

Provide any additional information or requests that might be relevant to your manufacturer endorsement application (such as zoning restrictions, bylaw restrictions, entertainment, etc.)

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## PART 6: Required Documents

To be considered a "complete application" the following documents must be provided:

- ☒ 1. Completed *Application for a Manufacturer Licence Endorsement (lounge and/or special event areas)* (LCLB049a).
- ☒ 2. Application fee. See Part 8.
- ☒ 3. A large (11" x 17" preferred) official site map of the city, municipality, regional district or First Nation property with the proposed site clearly marked. Identify (by location and address) nearby social facilities, other licensed facilities (including other manufacturers with these endorsements), residential and industrial areas, churches, schools and parks (as per #4 of letter of intent).
- ☒ 4. (a) A detailed site plan of the manufacturing site (11" x 17" preferred) showing the proposed endorsement area(s). Clearly detail and label exact dimensions of the endorsement areas, as well as access/egress, driveways, vineyards or crops and other buildings on the manufacturing site.  
(b) If there are other businesses operating and/or leasing space on the proposed manufacturing site, please identify the building(s) on the site plan and provide details regarding the businesses.
- ☒ 5. A large (11" x 17" preferred) scaled floor plan with detailed furniture layout of the proposed interior endorsement area(s) and outdoor patios and the occupant load marked/stamped ON the plan by provincial fire or building authorities (or designate). An alternate qualified professional may only be used in locations where fire and building authorities have opted not to provide an occupant load and written authorization has been provided.
- ☒ 6. Preliminary concept drawings and photos showing the location and the appearance of the proposed endorsement area(s) relative to the manufacturing facility. You are cautioned not to construct or build until you are granted Branch approval to do so.
- ☒ 7. A sketch of all proposed exterior signs only if you are making changes to your current approved signage. Signs are subject to LCLB approval.  
☐ No signage changes proposed at this time.

**NOTE:** Local government zoning must permit the sale and service of manufactured product in the area(s) proposed for licensing. If the proposed site is within the Agricultural Land Reserve (ALR), ensure that you confirm that the intended use of the site and size of the proposed endorsement area meets statutory and policy provisions for land use in the ALR. For more information, contact the Commission office at (604) 660-7000 or visit the Agricultural Land Commission web site: [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca).



## 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: Semeniuk, Adam Jeffry  
(last / first / middle )  
Position: General Manager Date: 28/11/2016 Signature:   
(Day/Month/Year)

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

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

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

*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 (*non-refundable*)

### FEES:

Lounge Endorsement Application .....	\$330
Special Event Area Endorsement Application (if you already have a lounge endorsement).....	\$110
Special Event Area Endorsement Application (if you do <u>not</u> have a lounge endorsement).....	\$330
Special Event Area <u>and</u> Lounge Endorsement Areas Application.....	\$440

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: ☒ 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.

### 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 9. What happens next?

### The Lounge and Special Event Area Endorsement process:

1. The applicant must submit a complete application package and fee to the Victoria Liquor Control and Licensing Branch Head Office.
2. The Liquor Control and Licensing Branch (LCLB) staff will review the application package for completeness and will advise the applicant by phone or mail, of any information/documentation required before the application can be processed.
3. LCLB staff will request your local liquor inspector to conduct a site inspection and provide comments regarding your application.
4. LCLB staff will provide the applicant with a summary of their application requesting any comment or corrections before the application summary is forwarded to the relevant local government or First Nation for consideration.
5. Your local government or First Nation will be asked to provide a resolution commenting on your application. They have 90 days to respond and may ask for an extension of this period. The local government may also choose not to participate in the process but must provide a resolution explaining this decision.
6. Once a resolution has been received, LCLB will review the resolution and the application. If a site and community assessment is granted, the applicant may be asked to provide more detailed floor plans with occupant load for lounges/patios and interior special event areas as determined by local authorities.
7. The applicant will receive notification of floor and/or site plan approval in principle (AIP) and be asked to go ahead with construction as necessary.
8. When construction is complete, the applicant should contact the local liquor inspector for a final inspection of the endorsement area(s).
9. If the endorsement area(s) pass the inspection, the applicant will be asked to submit a pro-rated annual endorsement fee(s) to the Victoria LCLB head office and an amended licence and validated floor plan(s) will be issued detailing the new endorsement(s).

**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, 1 800 209-2111. Fax: 250 952-7066

LCLB049a

7 of 7

Lounge and/or Special Event Area Endorsement

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: