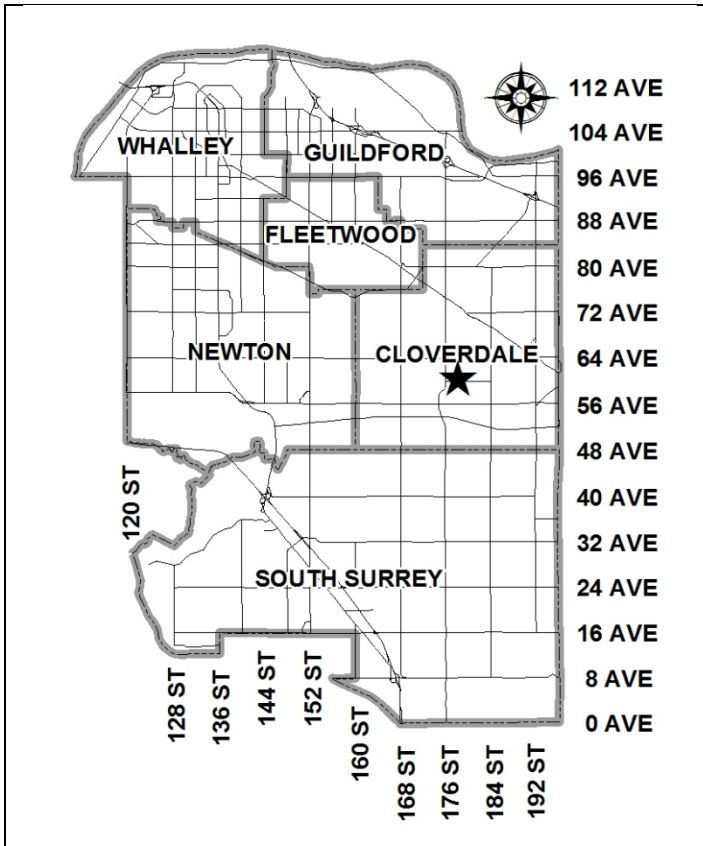


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0199-00

Planning Report Date: September 10, 2012

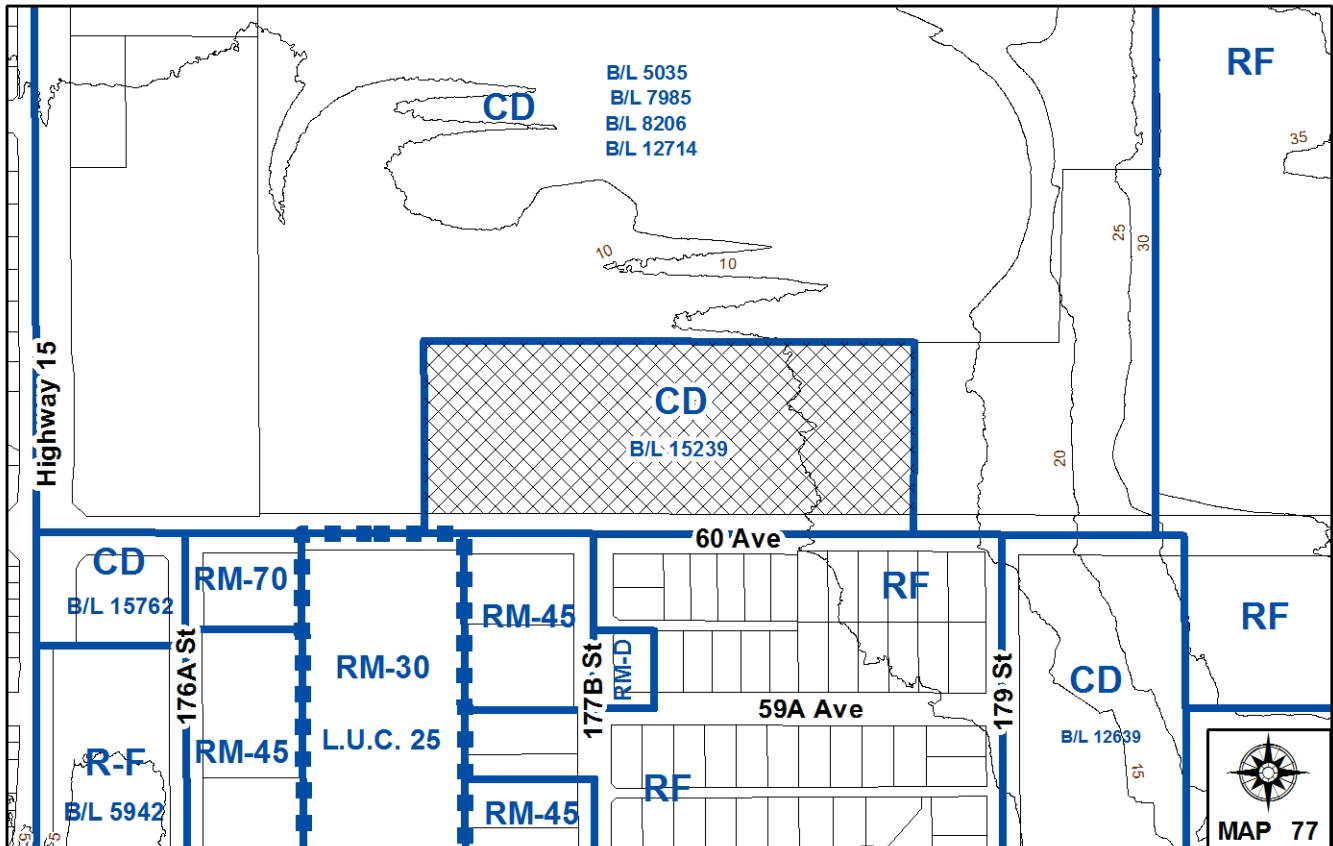


PROPOSAL:

- **Liquor License Amendment.**

to allow a change of hours for liquor service at the Fraser Downs Racetrack and Casino.

LOCATION: 17755 - 60 Avenue
OWNER: City Of Surrey
ZONING: CD By-law No. 15239
OCP DESIGNATION: Commercial
NCP DESIGNATION: Parks/Open Space and Cloverdale Fairgrounds



RECOMMENDATION SUMMARY

- Approval of the proposed liquor license amendment to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The requested hours are outside of the liquor service hours endorsed by Council through Corporate Report No. L003 on February 23, 2004.

RATIONALE OF RECOMMENDATION

- The RCMP, By-laws & Licensing Division, Parks, Recreation and Culture Department and School District No. 36 have indicated no concerns with the proposal.
- The applicant has agreed to enter into a Good Neighbour Agreement to assist in mitigating any impact the liquor primary license may have on the surrounding neighbourhood.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve the following proposed liquor primary license amendment to proceed to Public Notification:
 - (a) The extension of hours from
 - 12:00 p.m. to 2:00 a.m. Monday through Saturday; and
 - 11:00 a.m. to 1:00 a.m. Sunday
 to
 - 10:00 a.m. to 2:00 a.m. Monday through Saturday; and
 - 10:00 a.m. to 1:00 a.m. Sunday
2. Council instruct the City Clerk to increase the Public Notification area for this application by measuring the 100-metre Public Notification boundary from the following roads: 64 Avenue to the north, 60 Avenue to the south, Highway No. 15 to the west, and 180 Street to the east.

REFERRALS

Engineering: No concerns.

School District: No concerns.

Parks, Recreation & Culture: No concerns.

Surrey RCMP: No concerns.

Surrey By-laws & Licensing Services: No concerns.

SITE CHARACTERISTICS

Existing Land Use: Fraser Downs Racetrack and Casino

Adjacent Area:

Direction	Existing Use	NCP Designation	Existing Zone
North:	Cloverdale Fairgrounds and racetrack.	Cloverdale Fairgrounds and Parks/Open Space	CD (By-law No. 5035, as amended)
East:	Greenaway Park.	Parks/Open Space	CD (By-law No. 5035, as amended)

Direction	Existing Use	NCP Designation	Existing Zone
South (Across 60 Avenue):	Townhouses, low-rise apartments and single family dwellings.	Multiple Family	LUC 25 (underlying RM-30 Zone), RM-45, and RF
West:	Former Cloverdale Senior's Centre	Cloverdale Fairgrounds and Parks/Open Space	CD (By-law No. 5035, as amended)

DEVELOPMENT CONSIDERATIONS

Background

- The subject site at 17755 - 60 Avenue in Cloverdale is designated Commercial under the Official Community Plan and is zoned CD By-law No. 15239 which allows gaming facilities and neighborhood pubs (liquor primary establishments).
- The subject site contains the buildings for the Fraser Downs Casino Raceway facility, as well as a large parking area to serve these buildings, as shown in Appendix II.
- On March 4, 2004 City Council gave final reading to rezoning By-law No. 15239 and issued Development Permit No. 7903-0376-00 to permit an expansion of the facility that included an electronic gaming area, restaurant and show lounge.
- At the time of the expansion, the facility had a liquor primary license that permitted the service of liquor in various locations throughout the facility, but which did not permit the service of liquor on the gaming floor itself.
- On November 15, 2004, Council supported Liquor Primary Amendment Application No. 7904-0366-00 to permit the sale of liquor on the gaming floor. The Liquor Control and Licensing Branch (LCLB) subsequently approved the proposal.
- Orangeville Raceway Ltd., the company that manages the racetrack and casino, has requested a Liquor Primary Amendment to expand the hours of liquor service of the facility, as described below.
- The proposed extension of hours for the liquor primary license would apply to all areas of the facility that are regulated under the liquor primary license.

Current Proposal

- The operator of Fraser Downs Racetrack and Casino, has applied to the Liquor Control and Licensing Branch (LCLB) of the Provincial government for a Liquor Primary License Amendment that would amend the current hours

from:

- 12:00 p.m. to 2:00 a.m. Monday through Saturday; and
- 11:00 a.m. to 1:00 a.m. Sunday

to

- 10:00 a.m. to 2:00 a.m. Monday through Saturday; and
 - 10:00 a.m. to 1:00 a.m. Sunday
- The hours proposed by the applicant are outside of the hours endorsed by Council through Corporate Report No. L003 on February 23, 2004. The hours endorsed by Council are:
 - 11:00 a.m. to 12:00 a.m. Sunday through Thursday; and
 - 11:00 a.m. to 2:00 a.m. Friday and Saturday.
 - In accordance with Good Neighbour Agreement Policy No. M-25, and in order to promote Surrey as a vibrant, safe and attractive community, the City requires that proprietors of liquor establishments sign a Good Neighbour Agreement to allow proprietors a more formal and defined role in the prevention of, as well as a response to, negative issues that may arise from the operation of their business.
 - Subject to LCLB approval, the applicant will be required to enter into a Good Neighbour Agreement through the subsequent business license application, to ensure minimal impact on the surrounding community.

Applicant's rationale

- The applicant is aware that the proposed hours are outside than those endorsed by Council, and has provided the following rationale for the request in change in hours (*with staff comments in italics*):
 - The existing liquor primary picense was issued in 1999, prior to the hours of operation established as a guideline through Corporate Report No. L003 on February 23, 2004.
 - The proposal is to extend the time that the liquor service commences by one hour, from 11:00 am to 10:00 am only and not to extend any other hours of operation.
 - The facility hosts racetrack and poker events, many of which begin at 9:00 am. It is proposed that the liquor primary license to begin at 10:00 am so that alcohol can be served during these events.
 - The proposed hours are consistent with the hours of other gaming facilities in the region.

The following summarizes the hours of liquor service for the following casinos in the region, based on information provided by the LCLB:

Cascades Casino (Langley)
9:00 am – 2:00 am daily

Starlight Casino (New Westminster)
9:00 am – 2:00 am daily

Boulevard Casino (Coquitlam)
11:00 am – 2:00 am daily

Hastings Racecourse (Vancouver)
11:00 am – 2:00 am Monday to Saturday
11:00 am – 12:00 am Sunday

- Orangeville Raceway Ltd is a wholly owned subsidiary of Great Canadian Gaming Corporation (GCGC). In addition to operating Fraser Downs, GCGC is a multi-jurisdictional gaming and entertainment operator with facilities in British Columbia, Ontario, Nova Scotia, and Washington State. With 25 years of gaming and hospitality experience, GCGC operates 10 casinos, 3 racetracks, 2 community gaming centres, a bingo hall, and various food and beverage and entertainment facilities.
- GCGC is committed to training staff in the responsible sale and service of liquor and have developed strict guidelines that ensure all employees are aware of applicable regulatory requirements and understand the responsibilities inherent in the sale and service of alcohol.

Liquor Licensing Approval Procedure

- The Liquor Control and Licensing Branch (LCLB) requires that the applicant secure local government endorsement before a liquor primary amendment application can be considered for approval by the LCLB
- The LCLB requires that Council comment on how the site satisfies a specified list of criteria to ensure that adequate consideration has been given to the application by the local government. The analysis of the criteria for this site is provided as follows:

Potential for noise if the application is approved

- It is the vision of the City to transform the Cloverdale Fairgrounds into a major entertainment and tourism venue and a major community focal point for recreation, leisure and culture.
- In order to achieve this goal, in 2004 Council approved a major expansion to Fraser Downs Raceway which included the establishment of a major casino. At the time of the proposed expansion, a significant public consultation process was undertaken, and after considering all the information and opinions and comments gathered as part of the public consultation process, which included comments with respect to noise and to both physical and social impacts on the community, City Council approved the expansion of Fraser Downs and the expanded gaming facility.
- The proposed expanded hours of operation is not anticipated to cause additional noise than is currently generated by the operation of the facility.

The impact on the community if the application is approved

- The proposal to expand the existing liquor service hours, especially as it is not accompanied by an increase in occupancy load, is not expected to have any additional potential for noise or additional impact on the community than that of the overall Fraser Downs entertainment and gaming facility.

- School District No. 36 and the RCMP have indicated no concerns with the proposal.

PRE-NOTIFICATION

Pre-notification letters were sent on August 3, 2012 to area residents and residents' associations.

In accordance with Council Policy, pre-notification letters are to be sent to all residents located within 100 metres (300 ft.) of the subject site. However, this site is unique as the majority of the properties that fall within the 100-metre (300 ft.) pre-notification area are owned by the City. As a result, pre-notification letters were sent within a 100-metre (300 ft.) radius of the boundaries of the Cloverdale Fairgrounds site (64 Avenue, 60 Avenue, Highway No. 15 and 180 Street), to ensure that adequate notification is provided to the surrounding property owners.

Staff received 2 letters from neighbouring residents with the following comments (*staff comments in italics*):

- The residents expressed concern that there is already loud noise originating from the subject site and that extended hours will make matters worse. Concerns were also expressed that extended access to alcohol will attract more criminals, increase the incidences of drunk driving and violence, will tempt youth, and are highly addictive.

(The subject application was referred to the RCMP and the School District for comment. From a police perspective, there are no objections. The RCMP commented that there are low calls of service for this location, and those calls are unrelated to alcohol service/consumption.

The subject site is located in the vicinity of Lord Tweedsmuir Secondary School. The School District does not object to the minor amendment in hours of operation for the liquor license. The School District encourages the continued vigilance in ensuring the safety of our students, by ensuring that they do not access the Racetrack or Casino during school hours.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Aerial photo of subject site
Appendix III.	Liquor Control and Licensing Branch Summary Sheet

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SAL/kms



Subject site

The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description



Scale: 1: 4,000

Map created on: August-15-12



May 11, 2012

Job # 706903-48

Orangeville Raceway Limited
350-13775 Commerce Pkwy
Richmond, BC V6V 2V4

by e-mail: yphinith@gcgaming.com

Attention: Yvonne Phinith

Re: Application for Change of Hours of Sale – Application Incomplete
Establishment Name: Fraser Downs
Liquor Primary Licence # 189981

Your application for a permanent change to the above-noted liquor licence was received by the Liquor Control and Licensing Branch (Branch) on May 7, 2012; however, it was incomplete. You have until **June 12, 2012** to provide all the missing information. If the information is not provided by this date or you have not contacted me to arrange for additional time, your application for a permanent change will be terminated with no further notice. (Application fee is non-refundable.)

The following information is required:

- Part 16, page 8 of 9, must be completed by your local government. This section of the application form verifies that the application has been received by your local government or first nation for consideration. The local government or first nation must provide a resolution commenting on the application within 90 days from receipt of the application. If the local government or First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. If LCLB does not receive a resolution or a request for an extension within 90 days, the general manager of Liquor Control & Licensing is authorized to review the application.

If you have any questions regarding your application or require additional time please contact me at **250- 952-7045** or 1-866-209-2111.

Sincerely,

Lindsie Nicholas
Case Manager

7912-0199-00

FILE COPY

Attachment

cc: Ron Carriere, Inspector
City of Surrey – Fax: 604-591-8731

Ministry of Public Safety
and Solicitor General

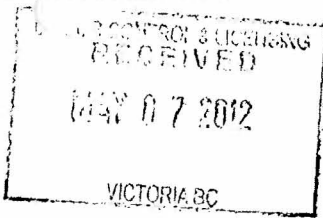
Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Telephone: 250 952-5787
Facsimile: 250 952-7066

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

<http://www.pssg.gov.bc.ca/lclb>



Application for a Permanent Change to a Liquor Licence

All Licence Types

Liquor Control and Licensing Form LCLB012

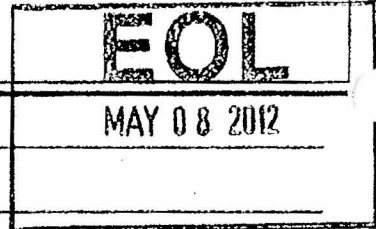
FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 15 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

For the purposes of this form:

- The term **Licence** includes *certificate of appointment to operate an on-site or off-site retail store*
- The term **Licensee** includes *appointee authorized to operate an on-site or off-site retail store*
- The terms **Premises** and **Licensed Establishment** includes *on-site or off-site retail store*



Licensee Information

Licensee name [as shown on licence]: Fraser Downs

Establishment name [as shown on licence]: Fraser Downs

Establishment Location address [as shown on licence]: 17755 60th Avenue Street Surrey City B.C. Province V3S 1V3 Postal Code

Mailing address: [All correspondence will go to this address] 350-13775 Commerce Parkway Street Richmond City B.C. Province V6V 2V4 Postal Code

Business Tel with area code: 604-303-1000

Business Fax with area code: 604-303-6199

Business e-mail: yphlnith@gcgaming.com

Contact Name: Phlnith, Yvonne

Title/Position: Manager, Licensing & Registration

last / first / middle

Type of Change Requested

Please check (X) 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. Internal Transfer of Shares (p.2) (Includes Internal Amalgamation)		(C2-LE)
<input type="checkbox"/> 2. External Transfer of Shares (p.2)		(C1-LE)
<input type="checkbox"/> 3. Change of Directors or Officers (p.3)		(C1-LE)
<input type="checkbox"/> 4. Name change, person (p.3)		(C2-LE)
<input type="checkbox"/> 5. Name change, licensee - corporation (p.3)		(C2-LE)
<input type="checkbox"/> 6. Name change, licensee - partnership (p.3)		(C2-LE)
<input type="checkbox"/> 7. Name change, licensee - society (p.4)		(C2-LE)
<input type="checkbox"/> 8. Establishment or licence name change (p.4)		(C2-LIC) (sub)
<input type="checkbox"/> 9. Addition of receiver or executor (p.4)		(C2-LIC) (sub)
<input type="checkbox"/> 10. Food-primary entertainment endorsement (p.5)		(C2-LIC) (sub)
<input checked="" type="checkbox"/> 11. Change to hours of sale (p.6)	LP 189981	(C3-LIC) (sub) 706903-48
<input type="checkbox"/> 12. Request for change in terms and conditions (p.6)		(C3-LIC) (sub)
<input type="checkbox"/> 13. Live theatres requesting liquor service (p. 7)		(C3-LIC) (sub)

REFER TO PART 18 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, Liquor Primary Club and Winery Endorsements, use form LCLB012a; for Food Primary, Manufacturer and Licensee Retail Store form 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).

PART 1: Internal Transfer Shares (Including Internal Amalgamations)

C2 - LE

Private corporations - Complete Part 1 when shares have been transferred within the licensee corporation or holding companies or there has been an amalgamation of companies within the licensee corporation but no new shareholders have been added (holding companies or individuals).

Third party operators (private corporations) - Complete Part 1 when an internal share transfer or an amalgamation occurs.

Required documents:

Fee: \$110 per licence x licences = \$

- Updated Central Securities Register (shareholders) for the licensee corporation or holding company.
- Updated Register of Directors and Executive Officers for the licensee corporation or holding company.

If the change is the result of an internal amalgamation, attach:

- Certificate of Amalgamation.
- Central Securities Register (shareholders) for the amalgamated company.
- Notice of Articles for the amalgamated company.

Also complete Parts 14 and 15

PART 2: External Transfer of Shares

C1 - LE

NOTE: If new shareholders are added as a result of an amalgamation of the licensee corporation or holding companies within the licensee corporation, please complete Transfer of Liquor Licence(s) (LCLB001c) to transfer the ownership of your liquor licence(s).

Private corporations - Complete Part 2 when new shareholders have been added (companies or individuals) to the licensee corporation or holding companies as a result of a transfer of existing shares or the issuance of new shares.

Third party operators (private corporations) - Complete Part 2 when an external transfer of shares occurs.

BCeID users - If a change of ownership (a complete transfer of all shares) has occurred, please see instructions in Part 18 on Page 9

Required documents:

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

- Updated Central Securities Register (shareholders) for the licensee corporation or holding company.
- Updated Register of Directors and Executive Officers for the licensee corporation or holding company.
- If one of the new shareholders is a private corporation, a public corporation, a society or a partnership, documentation to support the applicable business type must be submitted. Please refer to Part 19 of this application and submit the documentation listed under your business type.

Plus, all shareholders (individuals) holding 10% or greater interest in the applicant corporation must submit all the documents listed:

- Completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) for all required individuals. (Please note: You must complete Parts 1, 4 and 5 of the Consent for Disclosure form and all category boxes must be initialed in Section 5) Refer to the LCLB web page for information on criminal record searches: http://www.pssc.gov.bc.ca/lclb/LLinBC/criminal_record_search.htm
- Completed Personal History Summary and Consent to Criminal Record Search (LCLB004) forms for all required individuals.
- Statutory Declaration must be completed by all individuals that answered "yes" to 2, 3 or 9 in the Personal History Summary and Consent to Criminal Record Search form.
- A legible copy of primary proof of identity (such as a driver's licence, passport or BCID card.)

Note: Shareholders (individuals) holding less than 10% interest in the applicant corporation must provide their full legal name and date of birth in the space provided below or on a separate sheet of paper.

	<p>RECEIVED JUN 27 2012 VICTORIA, BC</p>
--	--

Also complete Parts 14 and 15

PART 3: Change of Directors or Officers (for Public Corporations and Societies)

C1 - LE

To be completed when there are changes in directors or officers of a public corporation or society within the licensee legal entity.

NOTE: If you are applying for an internal or external transfer of shares on this form, you do not need to complete this section (PART 3).

Required Documents:

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

- Current list of Directors and Officers

Plus, the top four executive officers attach:

- Completed Consent for Disclosure of Criminal Record Information (RCMP GRC3684) for all required individuals. (Please note: You must complete Parts 1, 4 and 5 of the Consent for Disclosure form and all category boxes must be initialed in section 5) Refer to the LCLB web page for information on criminal record searches:
http://www.pssg.gov.bc.ca/lclb/LinBC/criminal_record_search.htm
- Completed Personal History Summary and Consent to Criminal Record Search (LCLB004) forms for all required individuals.
- Statutory Declaration must be completed by all individuals that answered "yes" to 2, 3 or 9 in the Personal History Summary and Consent to Criminal Record Search form.
- A legible copy of primary proof of identity (such as a driver's licence, passport or BCID card.)

Also complete Parts 14 and 15

PART 4: Person's Name Change – Sole Proprietor, Partner, Shareholder, Director, Officer

C2 - LE

To be completed when a person holding an interest in a licence has legally changed their name.

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

Person's Name: [] (Last) [] (Given)

Name Changed To: [] (Last) [] (Given)

Attach the following:

- Copy of Certificate of Name Change, Marriage Certificate, etc.

Also complete Parts 14 and 15

PART 5: Corporation Name Change

C2 - LE

To be completed when a corporation with an interest in a licence has legally changed its name, but existing corporate shareholders, directors and officers, and certificate number on the certificate of incorporation have not changed.

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

Current licensee or holding company name (in full): []

Name changed to (in full): []

Attach the following:

- Copy of Certificate of Name Change from BC Registrar of Companies.

Also complete Parts 14 and 15

PART 6: Partnership Business Name Change

C2 - LE

To be completed when the legal name of a partnership is changed but no new partners are added and no existing partners are deleted.

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

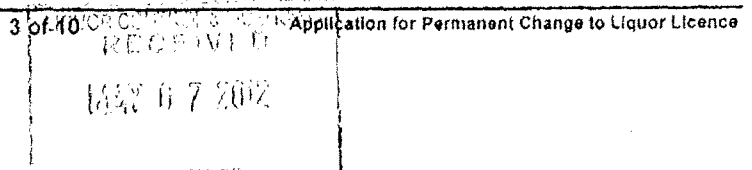
Current registered partnership name (in full): []

Name changed to (in full): []

Attach the following:

- If a registered partnership, a copy of a partnership registration document from the BC Registrar of Companies showing the change of name.
- If the partnership is not registered, provide a legal document showing change of name.

Also complete Parts 14 and 15



PART 7: Society Name Change

C2 - LE

To be completed when the legal name of a society is changed, but the society structure, membership and certification number on the certificate of incorporation does not change.

Note: A Liquor-Primary Club Licence held by a society is void if the society and its membership ceases to exist. (Liquor Control and Licensing Act, Section 24)

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

Current registered society name (in full): []

Name changed to (in full): []

Attach the following:

- Copy of Certificate of Change of Name under the Societies Act.

Also complete Parts 14 and 15

PART 8: Establishment Name Change and/or Licence Name Change

C2 - LIC

To be completed when the licensee wishes to change the name of an establishment 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 name change:

Current establishment name as shown on licence: []

Proposed name: []

Licence name changes:

Licence #: [] Current licence name: []

Proposed licence name: []

Licence #: [] Current licence name: []

Proposed licence name: []

Licence #: [] Current licence name: []

Proposed licence name: []

Attach the following:

- Sketch or picture of the proposed establishment signage.

Also complete Parts 14 and 15

PART 9. Addition of Receiver or Executor (All licence classes)

C2 - LIC

To be completed upon the death, bankruptcy or receivership of a licensee. Fill out A or B below and attach the required documents.

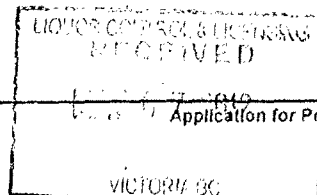
Fee: \$220 per licence x [] licences = \$ []

A) Executor's Name: [] (Last) [] (Given)

Attach the following:

- Copy of Assignment of Executor or a copy of the last will(s) and testament(s).
- Death Certificate.
- Completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) for the executor(s) (Please note: You must complete Part 1, 4 and 5 of the Consent for Disclosure form and all category boxes must be initialed in section 5) Refer to the LCLB web page for information on criminal record searches - http://www.pssg.gov.bc.ca/clb/LLinBC/criminal_record_search.htm
- Completed Personal History Summary and Consent to Criminal Record Search (LCLB004) forms for the executor(s).
- Statutory Declaration must be completed by all individuals that answered "yes" to 2, 3 or 9 in the Personal History Summary and Consent to Criminal Record Search form.
- Photocopy of primary proof of identity for each executor. Acceptable photo identification includes a driver's licence from a Canadian jurisdiction, passport or BCID card.

Part 9(b) continued on page 5...



OR

B) Receivers Name: _____
(Last) (Given)

Company name: _____

- Copy of Court Order appointing Receiver (Order must include authority to operate the licensee's business and must specify the liquor licenses).
- Copy of Court Order filed under the Office of the Superintendent of Bankruptcy Canada.

And if the licensed establishment is open and operating, please provide the following:

Proposed Resident Manager Name: _____
(Last) (Given)

- Completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) for the resident manager (Please note: You must complete Part 1, 4 and 5 of the Consent for Disclosure form and all category boxes must be initialed in section 5) Refer to the LCLB web page for information on criminal record searches – http://www.pssg.gov.bc.ca/lclb/LLinBC/criminal_record_search.htm.
- Completed Personal History Summary and Consent for Criminal Record Search (LCLB004) forms for the resident manager.
- Statutory Declaration must be completed by all individuals that answered "yes" to 2, 3 or 9 in the Personal History Summary and Consent for Criminal Record Search form.
- Photocopy of primary proof of identity for the resident manager. Acceptable photo identification includes a driver's licence from a Canadian jurisdiction, passport or BCID card.

Also complete Parts 14 and 15

PART 10. 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 = \$ _____

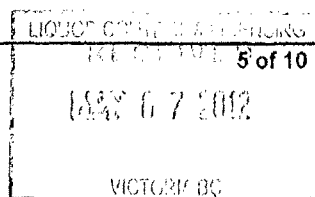
- Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.
- Request a local government/First Nation resolution commenting on the application (local government must complete Part 17 of this form. For further information on local government resolutions, read Part 16).

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 in Part 15 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 14 and 15



PART 11. Change to Hours of Sale
 (Liquor Primary, Liquor Primary Club, Food Primary & Winery endorsements)

C3 - LIC

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.

Licenses 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 (X) the appropriate change, and provide the requested information and documents:

A) Food Primary

- (a) Request to change hours of liquor sales before midnight **Fee: \$220 per licence** x licences = \$
 • complete proposed hours of sale table below
- (b) 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 16 of this form; for further information on local government/First Nations resolutions, read Part 15).
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

- (a) Request to reduce the current hours of liquor sales **Fee: \$220 per licence** x licences = \$
 • complete proposed hours of sale table below
- (b) Request to expand the current hours of liquor sales **Fee: \$330 per licence** x licences = \$ 330.00
 • 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 16 of this form; for further information on local government/First Nation resolutions, read Part 15).

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

Current Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	Noon	Noon	Noon	Noon	Noon	Noon	11:00AM
CLOSED	2:00AM	2:00AM	2:00AM	2:00AM	2:00AM	2:00AM	1:00AM

Proposed Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	10:00AM	10:00AM	10:00AM	10:00AM	10:00AM	10:00AM	10:00AM
CLOSED	2:00AM	2:00AM	2:00AM	2:00AM	2:00AM	2:00AM	1:00AM

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 13 and 14.

PART 12. 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/licb/dqocs-forms/licb207-policy-licensing.pdf>)

Also complete Parts 14 and 15

PART 13. 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 14 and 15*

PART 14: Declaration

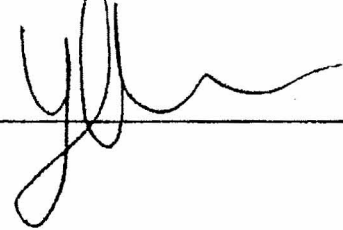
My signature (the licensee's) below indicates that I understand and acknowledge:

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: Phinith, Chindavone
(last / first / middle)

Position: Assistant Corporate Secretary 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)

Name of Official: _____
(last / first / middle)

Position: _____ Date: _____ Signature: _____
(Day/Month/Year)

PART 15: Application Fees NOTE: There are NO fees for on-site or off-site retail store appointment(s)

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. Submit the payment with the application form. Do not mail cash.

Fee: (non-refundable):

TOTAL FEE Submitted: \$ 330

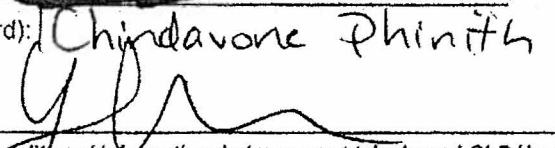
Payment is by (check one):

- cheque, payable to Minister of Finance (if cheque is returned, non-sufficient funds, a \$30 fee will be charged)
- money order, payable to Minister of Finance
- VISA MasterCard AMEX

If paying by credit card, please provide credit card details below . . .

Credit Card Number: 5550 [REDACTED] 2188 Expiry Date: 02 / 13

Name of Cardholder (as it appears on card): Chindavone Phinith

Signature of cardholder: 

...Or you may send in the application without credit card information, but you must telephone LCLB Head Office directly to provide the credit card number details. If so, please confirm by checking the box below:

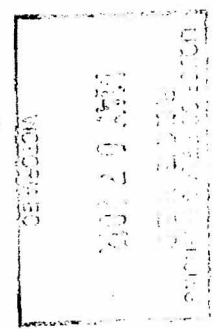
I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide credit card information and understand that no action can proceed with my application until the application fee is paid in full.

Liquor Control and Licensing Branch

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

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

Toll-Free Phone: 866 209-2111 Fax: 250 952-7066 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca



PART 16: 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 10(b): Food-primary patron participation entertainment endorsement, and
- Parts 11(b) and 11(c): 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 16 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 17: 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 or a winery lounge endorsement.
- Addition of patron participation entertainment endorsement for a food primary licence.

Local government/First Nation (name): _____

Name of Official: _____
(last / first / middle)

Title/Position: _____

Date of receipt of application: _____
(Day/Month/Year)

Phone Number: _____

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.

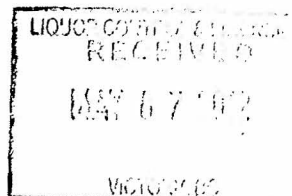
To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

- 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 18: Application and Approval Process – What happens next?

For the following change requests (all C1):

- Part 2 External Transfer of Shares
- Part 3 Change of Directors and Officers

The process is:

1. The applicant will complete the appropriate section of this form and Parts 13 and 14, 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.
4. LCLB staff will advise the applicant when the application has been moved to 'Inspector's review' status and instruct the applicant to contact the local liquor inspector to arrange for an interview, if required.
5. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change requests (all C2):

- Part 1 Internal Transfer of Shares (Including internal amalgamation)
- Part 4 Person's Name Change
- Part 5 Corporation Name Change
- Part 6 Partnership Name Change
- Part 7 Society Name Change
- Part 8 Establishment or Licence Name Change
- Part 9 Addition of a Receiver or Executor
- Part 10 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 14 and 15, 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.
4. LCLB staff will advise the applicant and the liquor inspector when the application is approved.

For the following change requests:

- Part 11 Change to Hours of Sale (may require local government/First Nations resolution) (all C3)
- Part 12 Change to Terms and Conditions (all C2)

The process is:

1. Applicant will complete the appropriate section of this form and Parts 13 and 14, 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.
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.

Change of Ownership (for applicants who are reporting a complete transfer of all shares)

If the previous owner had an existing Business BCeID account and you, the new owner, are reporting the transfer of ownership of the corporation to yourself, you **must** first contact the previous owner and have them add you as a user to their Business BCeID account by following the instructions below. BCeID user IDs and passwords are not to be shared. Each user must have their own user ID and password. **Important:** The Business Profile Manager role must be selected for the new owner.

Instructions:

When you are ready to add the new owner to the account, please follow these steps:

1. Have the *new owner's email and telephone* information ready;
2. Call the BCeID Help Desk
 - Toll-free at 1-888-356-2741 if you are within Canada and the USA or
 - 604-680-2355 if you are within the Lower Mainland or outside Canada and the USA.
3. Ask to be transferred to a BCeID Registration Analyst for assistance to add a new Business Profile Manager user to an existing LCLB account.

The Registration Analyst will contact the new owner with instructions on how to activate and manage the BCeID account.

Important: Once the new owner has their BCeID account set up and activated, they must then contact LCLB to add additional permissions to the LCLB account.

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PART 19: Supporting Business Documents

Society

The following documents are required and must be attached to this application:

- Certificate of Incorporation under the Society Act,
- current list of officers and directors,

Plus the top four executive officers must submit the personal documentation listed in Part 2 of this application.

Partnership

On a separate piece of paper, please list the legal names of the partners with the percentage of ownership in the partnership listed beside each name. Plus, each partner must supply the personal documentation listed in Part 2 of this application.

For a registered partnership the following documents are required and must be submitted with this application:

- Registration of Partnership, OR
- Partnership Agreement or Joint Venture Agreement.

Public Corporation

The following documents are required for this type of business and must be submitted with this application:

- Certificate of Incorporation,
- Extra-provincial registration, if your business is located outside British Columbia, and
- List of Directors and Officers.

Plus, the top four executive officers in your public corporation must submit the personal documentation listed in Part 2 of this application.

Private Corporation

The following documents are required for this type of business and must be submitted with this application:

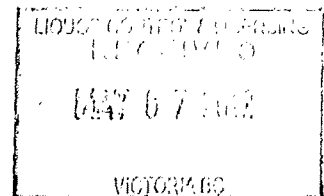
- Certificate of Incorporation,
- Extra-provincial registration, if your business is located outside British Columbia,
- Central Securities Register,
- Notice of Articles, and
- Special Rights and Restrictions within the articles of Incorporation that detail the class and types of shares and whether or not each class or type of share has voting privileges (if the information is not already included in the Notice of Articles).

And, if one of the shareholders is a private corporation, a public corporation, a society or a partnership, submit all the documents listed under that business type.

Plus, all shareholders (individuals) holding 10% or greater interest in the applicant corporation must submit the personal documentation listed in Part 2.

Other

This includes entities incorporated through Federal or Provincial legislation. Examples: Local Government, First Nations, colleges, universities, etc. Contact the branch to discuss documentation requirements.



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