

REPORT TO MAYOR AND COUNCIL

PRESENTED: JANUARY 13, 2020 – PUBLIC HEARING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: LIQUOR LICENCE AMENDMENT APPLICATION NO. 000049
 (BACKYARD VINEYARDS CORP. / 3033 – 232 STREET)

REPORT: 20-02
FILE: 10-20-0029

PROPOSAL:

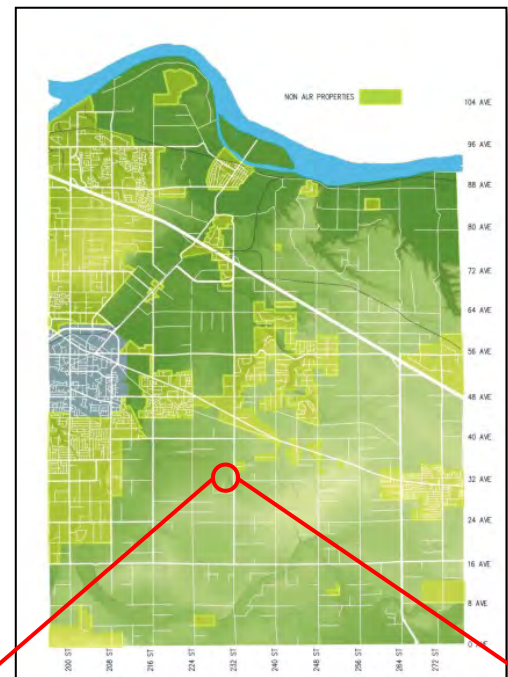
Request for Council endorsement (to the Liquor and Cannabis Regulation Branch) for a permanent change to a liquor licence for Backyard Vineyards Corp. located at 3033 – 232 Street.

RECOMMENDATION SUMMARY:

That Council consider the request to endorse the permanent change to a liquor licence application including input received at the “Liquor Licencing Hearing” in accordance with Council’s Liquor Licencing Policy.

RATIONALE:

Council’s consideration of a permanent change to a liquor licence is required in accordance with Council’s Liquor Licencing Policy and Liquor and Cannabis Regulation Branch regulations.



RECOMMENDATION:

That Council consider the endorsement request for a permanent change to a liquor licence for Backyard Vineyards Corp. located at 3033 – 232 Street; and further

That Council adopt the following resolution, should it decide to endorse Backyard Vineyards request:

“That Council has considered and ENDORSED the request by Backyard Vineyards Corp. for a permanent change to the hours of liquor service serving the Backyard Vineyards Corp. located at 3033 – 232 Street, Langley, characterized as having liquor service from 11:00AM to 8:00PM Monday to Wednesday, 11:00AM to 9:00PM Thursday to Saturday and 11:00AM to 7:00PM on Sunday.

In ENDORSING this request, Council deems that it has considered and found acceptable the location of the winery lounge; the proximity of the winery lounge to other special or recreational facilities and public buildings; the person capacity of the winery lounge; the hours of liquor service of the winery lounge and special event area; potential traffic, noise and parking impacts; zoning; and the impact on the community if the application is approved.

In ENDORSING this request, Council has considered the views of area residents expressed to Council at a Liquor Licencing Hearing held on January 13, 2020 at the Township of Langley Civic Facility (Fraser River Presentation Theatre), 20338 – 65 Avenue, Langley, BC, the minutes of which and written submissions provided by the public being attached to this resolution.

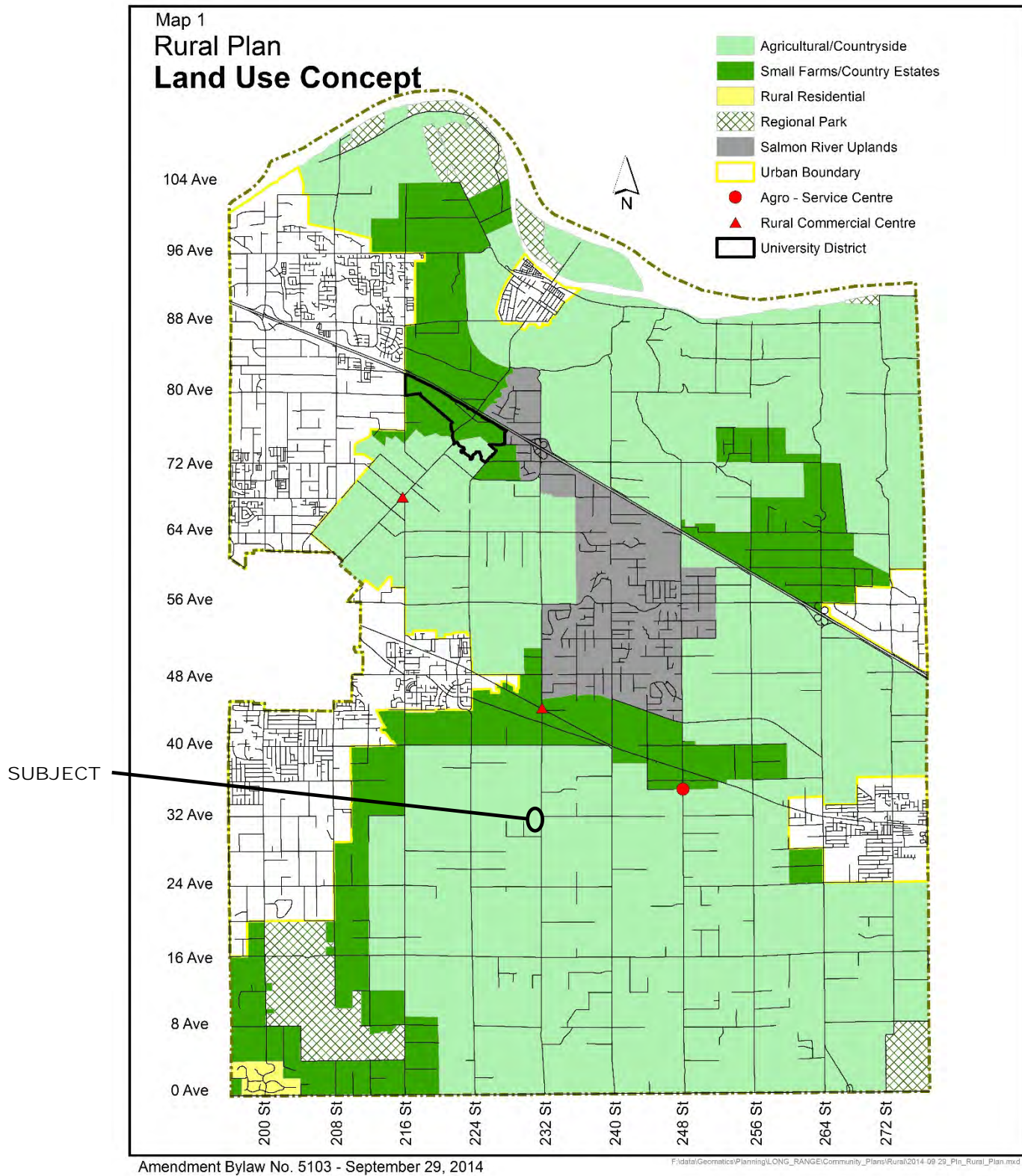
ENDORSEMENT of this request is subject to compliance with Municipal Bylaws and Policies and Liquor Control and Licensing Act Regulations.”

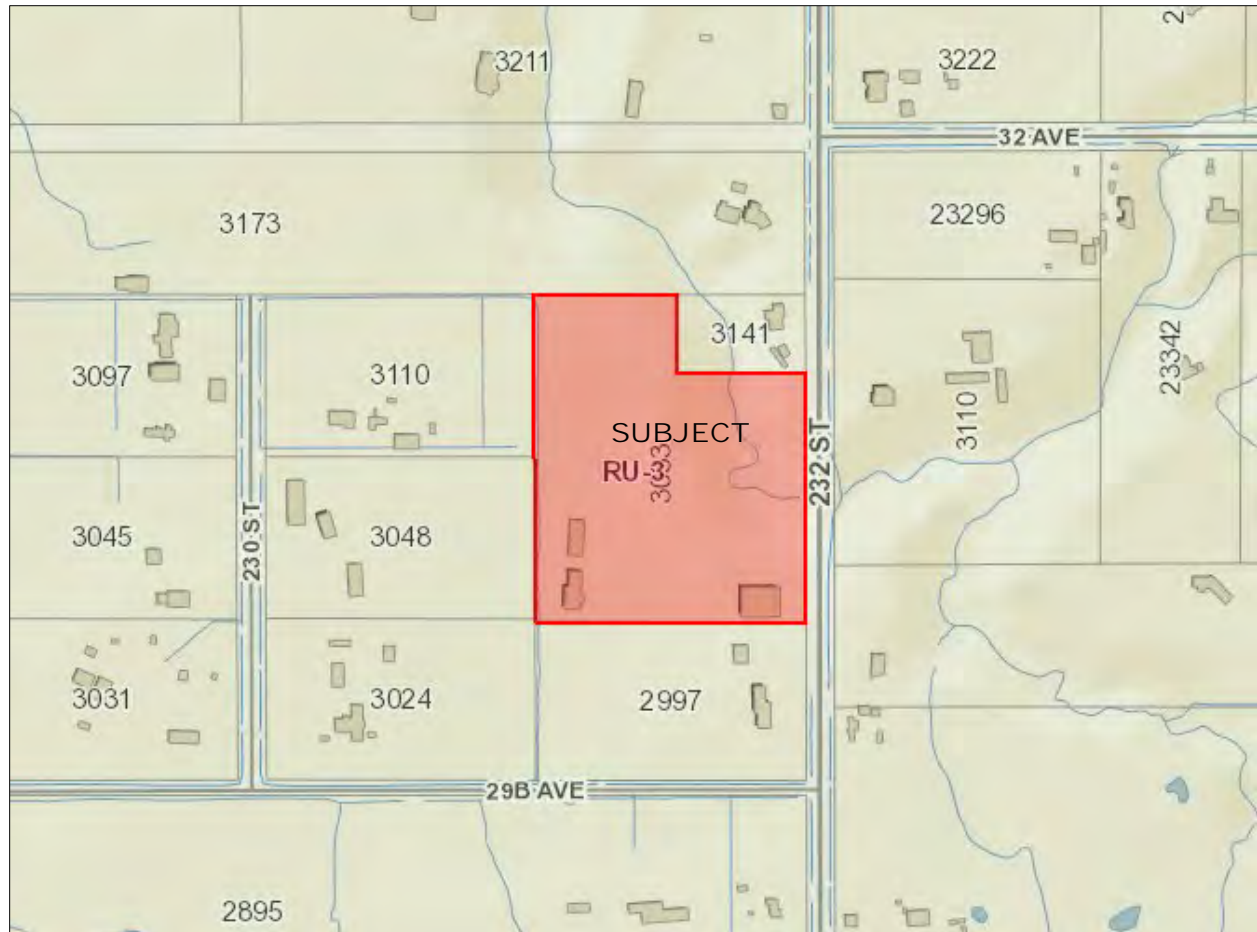
EXECUTIVE SUMMARY:

Backyard Vineyards Corp. has made an application to Council to endorse a permanent change to a liquor licence located at 3033 – 232 Street. Although the issuance of Winery Licences is a Provincial jurisdiction, the Provincial Liquor and Cannabis Regulation Branch provides Council with the opportunity to “endorse” or “not endorse” applications for a permanent extension of hours of liquor service for a service area under endorsement as part of an existing Manufacturer Licence. Council (through its Liquor Licencing Policy) has chosen to participate in the endorsement process involving a permanent extension of hours of liquor service for a service area under a lounge or special event area endorsement. Accordingly, Council may consider the public input prior to consideration of the endorsement request.

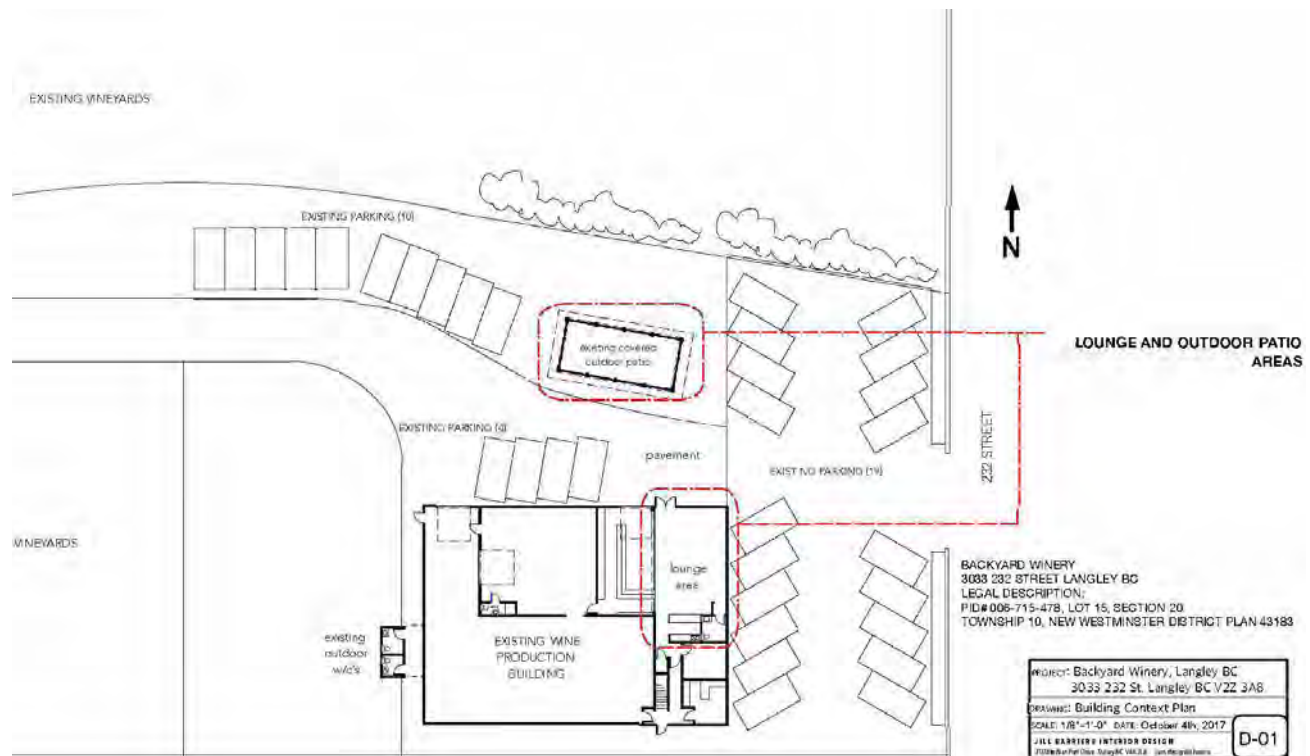
PURPOSE:

The purpose of this report is to provide Council with information and recommendations with respect to the endorsement request for a permanent change to a liquor licence for Backyard Vineyards Corp. located at 3033 – 232 Street.





ZONING BYLAW NO. 2500



SITE PLAN – SUBMITTED BY APPLICANT

REFERENCE:

Owner:	1072478 BC Ltd. 1706 – 6288 No. 3 Road Richmond BC V6Y 0J4
Applicant:	Backyard Vineyards Corp. 3033 – 232 Street Langley BC V2Z 3A8
Legal Description:	Lot 15 Section 20 Township 10 New Westminster District Plan 43183
Civic Address:	3033 – 232 Street
Area:	4.01 ha (9.91 ac)
Rural Plan:	Agricultural / Countryside
Existing Zoning:	Rural Zone RU-3

BACKGROUND / HISTORY:

The subject property is located in the Agricultural Land Reserve, is designated Agricultural/Countryside in the Rural Plan and is zoned Rural Zone RU-3.

A winery is permitted as an agricultural use under Rural Zone RU-3 where the winery complies with the requirements of the Agricultural Land Reserve Use Regulation. Under this Regulation, a winery, and ancillary uses, is allowed in the ALR if the alcohol produced and offered for sale is made from farm product and

- (a) at least 50% of the primary farm product used to make the alcohol product produced each year is harvested from the agricultural land on which the alcohol production facility is located, or
- (b) the agricultural land on which the alcohol production facility is located is more than two ha in area and at least 50% of the primary farm product used to make the alcohol product produced each year is
 - (i) harvested from that agricultural land, or
 - (ii) both harvested from that agricultural land and received from a farm operation located in British Columbia that provides that primary farm product to the alcohol production facility under a contract having a term of at least three years.

The Regulation identifies the following permitted ancillary uses in the ALR, provided they are ancillary to an alcohol production facility:

- (a) processing, storing and retail sales of alcohol products produced by the alcohol production facility;
- (b) operating a food and beverage service lounge, if the area of the lounge does not exceed 125 m² indoors and 125m² outdoors;

- (c) selling an alcoholic beverage other than one produced by the alcohol production facility, if the alcoholic beverage is intended to be consumed immediately and is sold
 - (i) as a single serving in a lounge referred to in paragraph (b), or
 - (ii) in a service area under a special event area endorsement endorsed on the licence issued under the Liquor Control and Licensing Act for the alcohol production facility;
- (d) conducting a cooking class, if the class is held in a food premises within the meaning of the Food Premises Regulation that has been constructed, and is being operated, in compliance with that regulation, and
- (e) gathering for an event, if the event is held only in the lounge referred to in paragraph (b) or the special event area under a special event area endorsement referred to in paragraph (c), and, for this purpose, section 17 [gathering for an event] does not apply.

In 2016, the Liquor and Cannabis Regulation Branch transferred the existing manufacturing licence, with on-site retail component, to Backyard Vineyards Corp. A subsequent picnic area endorsement was added to the manufacturing licence. Pursuant to the Provincial Liquor Control and Licensing Regulation, the Liquor and Cannabis Regulation Branch does not provide Council with an opportunity to “endorse” or “not endorse” applications for new winery (manufacturer) licences, picnic areas, or on-site retail stores where the winery is permitted under municipal zoning. The Liquor and Cannabis Regulation Branch, however, is required to provide Council with the opportunity to “endorse” or “not endorse” applications for a permanent change to a liquor licence.

On March 29, 2018 Council endorsed an application for a Winery Lounge on the subject property. The Winery Lounge included liquor service from 11:00AM to 5:00PM seven days a week.

The subject Backyard Vineyards Corp. permanent change to a liquor licence endorsement request is being considered pursuant to Policy No. 07-407 - Liquor Licencing Policy (Attachment A). The policy requires Council to hold a “Liquor Licencing Hearing” prior to it considering endorsement (to the Liquor and Cannabis Regulation Branch) of the request for a permanent extension of hours of liquor service for the service area under the endorsement.

DISCUSSION / ANALYSIS:

Backyard Vineyards Corp. has applied for a permanent change to a liquor licence for the Backyard Vineyards Corp. located at 3033 – 232 Street. The existing Winery Lounge is located in a building on the southeast portion of the subject site and the outdoor lounge (patio) located in a gazebo to the north of the building. Approximately 33 parking spaces are available adjacent to the Winery Lounge.

The Winery Lounge allows the licenced winery to serve the wine produced on the premises in the designated lounge and patio area. The designated lounge and patio area is indicated on the floor plan submitted by the applicant (see Attachment B). The Winery Lounge has a person capacity of 32 persons for the interior lounge and 28 persons for the exterior patio (a total of 60 persons for the Winery Lounge). The current hours of liquor service are 11:00am to 5:00pm seven days a week.

The applicant proposes to amend the hours of liquor service to be 11:00AM to 8:00PM Monday to Wednesday, 11:00AM to 9:00PM Thursday to Saturday and 11:00AM to 7:00PM on Sunday.

The applicant has provided a letter of intent which includes a rationale for the proposed amendment to the hours of liquor service. The following is an excerpt from this letter:

“Our intent is to have the option of expanding our hours later in the day and capitalize on the summer season when temperatures are warm and the daylight goes into the evening. We believe we are currently at a disadvantage vs. industry standard in the Fraser Valley and in the Okanagan Valley where our competitors can run events into the evening hours and attract more people to their business.”

Adjacent Uses:

North: Rural properties designated Agricultural/Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR;
 South: A rural property designated Agricultural/Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR, beyond which is 29B Avenue;
 East: 232 Street, beyond which are rural properties designated Agricultural/Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR; and
 West: Rural properties designated Agricultural/Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR.

Liquor Licencing Policy:

Council adopted its Liquor Licence Endorsement Policy in 2004, and approved revisions to the policy in 2017 (Attachment A). The policy requires that Council be consulted with respect to applications for a permanent extension of hours of liquor service for a service area under endorsement as part of an existing Manufacturer Licence. It also requires Council to hold a “Liquor Licencing Hearing” when it considers an endorsement request.

Liquor and Cannabis Regulation Branch Application Summary:

The proponent has submitted an application for a permanent change to a liquor licence to the Liquor and Cannabis Regulation Branch (Attachment C). According to Liquor and Cannabis Regulation Branch regulations, the resolution is to comment on the following criteria:

- a) the impact of noise on the community in the immediate vicinity of the location of the service area under the endorsement
- b) the general impact on the community
- c) the view of residents
- d) the Local Government recommendations and the reasons on which they are based

The proponent's application form to the Liquor and Cannabis Regulation Branch, including a letter of intent (Attachment C), provides more detailed information with respect to the proposal.

Locational Criteria for Winery Lounge Endorsements:

Council's Liquor Licencing Policy contains locational criteria intended to guide consideration of “Liquor Primary” endorsement requests. The Policy, however, does not contain any locational criteria for winery-related endorsement requests.

RCMP Comments:

RCMP comments (provided as Attachment D to this report) provided in conjunction with the application for a lounge in December 2017 included recommendations with respect to safety, noise, and parking. The applicant indicates that they have provided additional lighting on and around the outdoor patio and that amplified sound is limited to the indoor lounge area. Staff note that the off-street parking provided exceeds parking requirements of the Zoning Bylaw (9 required, 33 provided).

POLICY CONSIDERATIONS:

Although the issuance of Liquor Licences is a Provincial jurisdiction, the Liquor and Cannabis Regulation Branch provides Council with the opportunity to provide comments and recommendations for applications for a permanent extension of hours of liquor service. Council (through the Liquor Licencing Policy) has chosen to participate in the process as it pertains to applications for a permanent extension of hours of liquor service for an area covered by a lounge or special event area endorsement.

Pursuant to Council's Liquor Licencing Policy, staff have advertised the proposal in area newspapers and mailed out notices to nearby residents for a "Liquor Licencing Hearing." Providing an opportunity for public comment is consistent with Liquor and Cannabis Regulation Branch requirements.

Following the "Liquor Licencing Hearing," Council has the option of endorsing the application as submitted; endorsing the application subject to conditions; or not endorsing the application. Assuming Council is supportive of the application, the resolution must be consistent with Liquor and Cannabis Regulation Branch requirements. Accordingly, a resolution similar to the following will need to be adopted.

Required Council Resolution:

In accordance with Liquor and Cannabis Regulation Branch requirements, subsequent to the Liquor Licencing Hearing it is recommended that Council adopt the following resolution:

"That Council has considered and ENDORSED the request by Backyard Vineyards Corp. for a permanent change to the hours of liquor service serving the Backyard Vineyards Corp. located at 3033 – 232 Street, Langley, characterized as having liquor service from 11:00AM to 8:00PM Monday to Wednesday, 11:00AM to 9:00PM Thursday to Saturday and 11:00AM to 7:00PM on Sunday.

In ENDORSING this request, Council deems that it has considered and found acceptable the location of the winery lounge; the proximity of the winery lounge to other special or recreational facilities and public buildings; the person capacity of the winery lounge; the hours of liquor service of the winery lounge and special event area; potential traffic, noise and parking impacts; zoning; and the impact on the community if the application is approved.

In ENDORSING this request, Council has considered the views of area residents expressed to Council at a Liquor Licencing Hearing held on January 13, 2020 at the Township of Langley Civic Facility (Fraser River Presentation Theatre), 20338 – 65 Avenue, Langley, BC, the minutes of which and written submissions provided by the public being attached to this resolution.

ENDORSEMENT of this request is subject to compliance with Municipal Bylaws and Policies and Liquor Control and Licensing Act Regulations.”

Council may add to or expand upon the items referenced in the resolution, however, according to the Liquor and Cannabis Regulation Branch, all items in the resolution must be referenced.

Respectfully submitted,

Joel Nagtegaal
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Policy No. 07-407 - Liquor Licencing
ATTACHMENT B	Floor Plan
ATTACHMENT C	Liquor and Cannabis Regulation Branch Application Summary Including Proponent's Application Form and Letter of Intent
ATTACHMENT D	RCMP Comments



COUNCIL POLICY

Subject: Liquor Licencing

Policy No: 07-407
Previous Policy No: 07-615
Approved by Council: 2004-06-14
Revised by Council: 2016-05-30
Revised by Council: 2017-07-10
Revised by Council:

1. Purpose

- 1.1 To define the scope of the Township of Langley's (the "Township") involvement in applications before the Provincial Liquor Control and Licensing Branch ("LCLB"), of which the Township of Langley may receive notice pursuant to the *Liquor Control and Licensing Act* (the "Act") and the *Liquor Control and Licensing Regulation* (the "Regulation").

2. Background

- 2.1 In 2013, the Province initiated a comprehensive process to review legislation governing liquor. As a result of this process, new legislation was enacted by the Province in January 2017. This Policy is in response to applicable legislation.

3. Related Bylaws

- 3.1 Zoning Bylaw 1987 No. 2500 and Licencing Bylaw 2016 No. 5192.

4. Notice of Liquor Licence Applications

- 4.1 The Township wishes to receive notice of the following applications pursuant to Section 38(1) of the Act, unless the Township expressly states otherwise:
- 4.1.1 an application for a new Liquor Primary Licence;
 - 4.1.2 an application for an amendment to an existing Liquor Primary Licence for:
 - 4.1.2.1 converting a Liquor Primary Club Licence (a subclass of a Liquor Primary Licence) into a Liquor Primary Licence;
 - 4.1.2.2 adding or amending a temporary use area endorsement;

- 4.1.2.3 a permanent extension of hours of liquor service beyond 1:00 A.M.;
- 4.1.2.4 a permanent increase in the person capacity of a service area;
- 4.1.2.5 the permanent addition of a patio;
- 4.1.2.6 the permanent relocation of an existing Liquor Primary Licence establishment to a new location, unless the LCLB is satisfied that the residents who will be affected by the new location are substantially the same residents who are affected by the existing Liquor Primary Licence establishment;
- 4.1.3 subject to Section 71(5) of the Regulation, an application for a new Manufacturer Licence (i.e. a brewery licence, a distillery licence or a winery licence), if the application requests a lounge endorsement and/or a special event area endorsement;
- 4.1.4 subject to Section 71(5) of the Regulation, an application to add a lounge endorsement and/or a special event area endorsement to an existing Manufacturer Licence;
- 4.1.5 subject to Section 71(5) of the Regulation, an application for any of the following amendments to a Manufacturer Licence endorsed with a lounge endorsement or a special event area endorsement:
 - 4.1.5.1 a permanent extension of hours of liquor service for the service area under the endorsement;
 - 4.1.5.2 a permanent increase in the person capacity of the service area under the endorsement; and
 - 4.1.5.3 the permanent addition of a patio;
- 4.1.6 an application for a new Food Primary Licence, if the applicant requests one or more of the following:
 - 4.1.6.1 a temporary use area endorsement;
 - 4.1.6.2 hours of liquor service that extend past 1:00 A.M., and
 - 4.1.6.3 dancing, karaoke or other types of entertainment that involve patron participation in the service area;
- 4.1.7 an application for any of the following amendments to an existing Food Primary Licence:

- 4.1.7.1 adding or amending a temporary use area endorsement;
 - 4.1.7.2 a permanent extension of hours of liquor service if the new hours extend past 1:00 A.M.; and
 - 4.1.7.3 permanently allowing, in a service area, dancing, karaoke or other types of entertainment that involve patron participation.
- 4.2 Notice of an application must be submitted to the Township's Director of Development Services and must include the information and records required pursuant to Section 71(6) of the Regulation, and the following, where applicable:
- 4.2.1 a complete Development Application Form (see Schedule "A" of the Development Application and Fee Bylaw 1987 No. 2470, as amended);
 - 4.2.2 a state of title certificate or title search which was requested from the Land Title Office within the last 30 days;
 - 4.2.3 application fees in accordance with Section 4 of the Development Application and Fee Bylaw 1987 No. 2470;
 - 4.2.4 a plan of existing and proposed building floor space including outside patio(s), existing and proposed number of seats and occupant load;
 - 4.2.5 a site plan indicating the location and size of all buildings on the lot, patio areas, parking spaces, landscaping, buffering, entrance doorways, loading space, garbage containers, driveway aisles and access points;
 - 4.2.6 existing and/or proposed entertainment type;
 - 4.2.7 existing and/or proposed hours of liquor service;
 - 4.2.8 a rationale or explanation by the proponent of the character of the proposed establishment and the market area and population it is intended to service; and
 - 4.2.9 other details of the proposed establishment as may be required by Council to facilitate its review.
- 4.3 Council hereby delegates to the Director of Development Services its power under Section 38(3) of the Act to provide comments and recommendations to the LCLB with respect to applications relating to new and existing Food Primary Licences.

5. Review and Consideration

- 5.1 Notice of a Liquor Licence application received pursuant to Section 4.2 above:

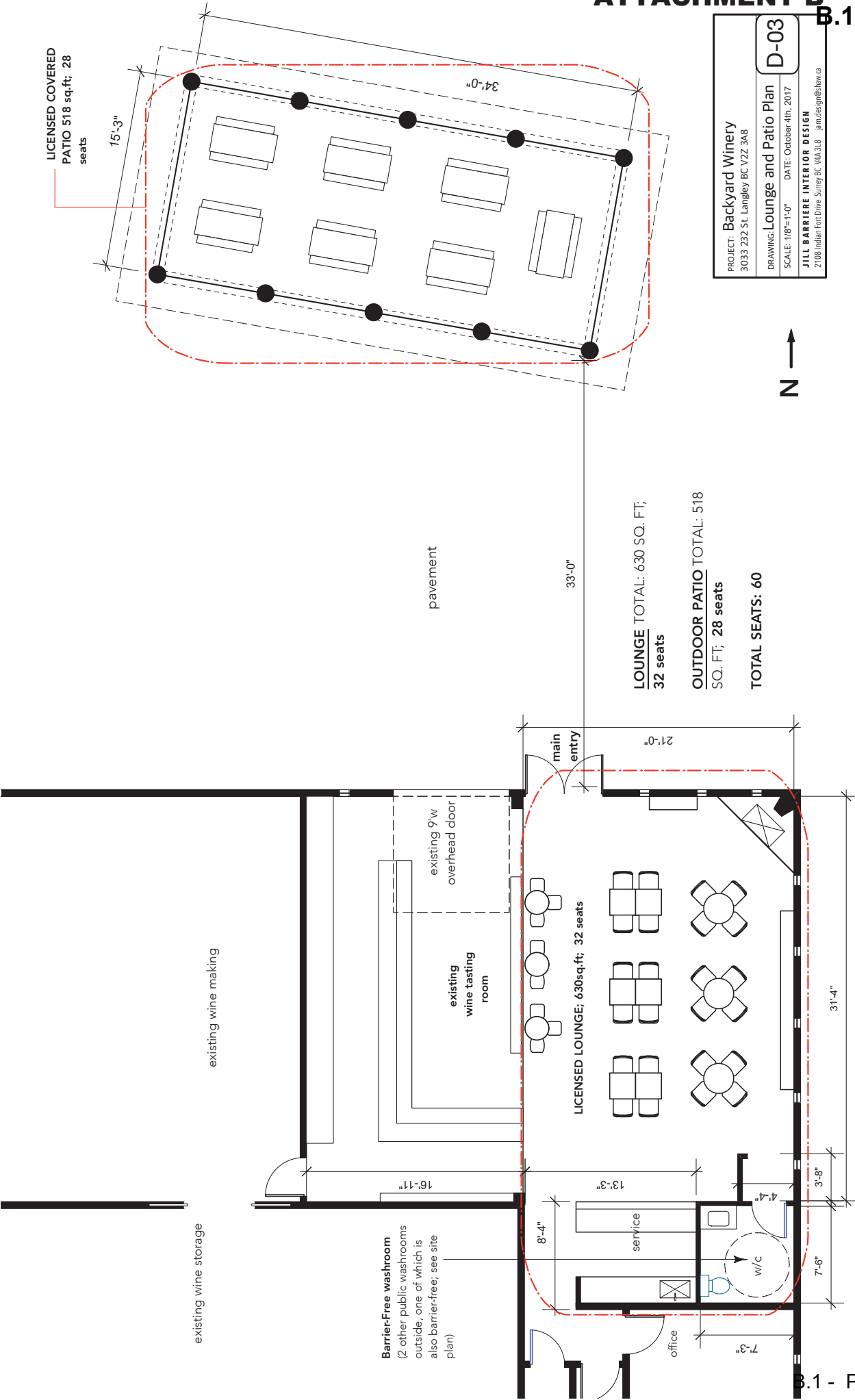
- 5.1.1 will first be referred to the Township's Fire, Engineering, and Permit, Licence and Inspection Services Departments, the R.C.M.P, and other relevant outside agencies, to obtain comments in respect of the application; and
 - 5.1.2 will subsequently be submitted to Council to obtain Council's comments and recommendations in respect of the application.
- 5.2 Notice of a Liquor Licence application received pursuant to Section 4.2 must include a "public consultation process", either in conjunction with an accompanying rezoning, development permit or development variance permit application, or, if a rezoning/development permit/development variance permit is not required, in accordance with the rezoning "public process" which includes individual hearing notice mail outs, newspaper notice and a "Liquor Licencing Hearing" where affected persons may express their views to Council.
- 5.3 Licencing Bylaw 2016 No. 5192 prohibits exotic performances in all Liquor Licence establishments, except in a hotel holding a valid and subsistent Class "A" Liquor Licence issued on or before December 16, 1991.
- 5.4 In considering whether to recommend the rejection or approval of an application for a new or relocated Liquor Primary Licence to the LCLB, Council will consider the following locational criteria:
 - 5.4.1 Generally, a new or relocated Liquor Primary establishment should not be located within 0.5 km of an existing or proposed elementary school, secondary school, church, neighbourhood park, or sub-neighbourhood park. This distance may be revised by Council if the establishment is located within a community centre or other facility owned or operated by or on behalf of the Township, or if Council otherwise considers that there are reasons which would merit a departure from this general rule.
 - 5.4.2 Generally, a new or relocated Liquor Primary establishment should not directly abut single or multi-family residential uses or zones, or existing or proposed park sites, unless adequate buffer mechanisms are incorporated into site development plans specifically approved by Council as part of a rezoning or development permit process, or if Council otherwise considers that there are reasons which would merit a departure from this general rule.
 - 5.4.3 A new or relocated Liquor Primary establishment may be located on the same site as a hotel or community recreational use (such as an arena or golf course) subject to adequate access and parking being provided in accordance with Township Bylaws and Policies.
- 5.5 Notice of Liquor Licence applications received pursuant to Section 4.2 must comply with:

- 5.5.1 all applicable Township bylaws including, but not limited to the following bylaws as amended from time to time:
 - 5.5.1.1 Fire Prevention Bylaw 2013 No. 4956;
 - 5.5.1.2 Langley Building Bylaw 2008 No. 4642;
 - 5.5.1.3 Licencing Bylaw 2016 No. 5192;
 - 5.5.1.4 Noise Control Bylaw 2015 No. 5172;
 - 5.5.1.5 Subdivision and Development Servicing Bylaw 2011 No. 4861;
 - 5.5.1.6 Highway and Traffic Bylaw 2010 No. 4758; and
 - 5.5.1.7 Zoning Bylaw 1987 No. 2500;
- 5.5.2 all applicable Township policies including, but not limited to, Exterior Lighting Impact Policy No. 07-156;
- 5.5.3 Crime Prevention Through Environmental Design (CPTED) criteria;
- 5.5.4 requirements and conditions imposed by Council in connection with:
 - 5.5.4.1 the approval of a zoning or official community plan amendment bylaw;
 - 5.5.4.2 the issuance of a development permit, development variance permit, or building permit; or
 - 5.5.4.3 the application review process outlined in this Section 5; and
- 5.5.5 requirements and conditions imposed by the LCLB pursuant to the Act or the Regulation.

6. Comments and Recommendations Provided to the LCLB

- 6.1 Comments provided to the LCLB in respect of a Liquor Licence application must be in writing and must include:
 - 6.1.1 the Township's views on all of the following matters:
 - 6.1.1.1 the impact of noise on the community in the immediate vicinity of the establishment, unless Section 6.1.1.2 or Section 6.1.1.3 applies;

- 6.1.1.2 in the case of an application that involves a temporary use area endorsement, the impact of noise on the community in the immediate vicinity of the proposed locations of event sites under corresponding temporary use area authorizations;
 - 6.1.1.3 in the case of an application that involves a lounge or special event area endorsement, the impact of noise on the community in the immediate vicinity of the location of the service area under the endorsement;
 - 6.1.1.4 the general impact on the community;
 - 6.1.1.5 if the application is to amend a Food Primary Licence to extend the hours of liquor service past 1:00 A.M., or to allow entertainment that involves patron participation in a service area, whether the amendment may result in the service area being operated in a manner that is contrary to section 18(1)(a) of the Regulation (which states that the primary purpose of the business carried on in the service area when liquor is being sold or served must be the service of food); and
- 6.1.2 the views of Township residents on the application and a description of the method used to gather those views.
- 6.2 Recommendations provided to the LCLB in respect of a Liquor Licence application must be in writing, must specify whether the application should be approved or rejected, and must include the reasons on which they are based.
- 6.3 The Township must give the LCLB its comments and recommendations in respect of a Liquor Licence application within 90 days after it receives notice of the application, or within any further period authorized by the LCLB.





The Corporation of the Township of Langley

Community Development Division

Letter of Intent to expand hours of operation for Backyard Vineyard Winery

Backyard Vineyards is a 100% BC winery in an exceptional local setting in the Township of Langley. Since 2009, we have been producing award-winning varietals and sparkling wines from 100% BC grapes grown on-site in our own vineyard and complemented with fruit selected from the Fraser Valley and South Okanagan. Visitors to Backyard Vineyards can enjoy a tour of our vineyards, the tasting room or enjoy a glass of wine on our picnic hill or under our full-service gazebo. Backyard Vineyards is being recognized as a top Canadian producer with many top Canadian and International awards and regarded as a top destination for local and tourists coming to the Township of Langley.

Our current hours of operation for the winery is 11am-5pm daily. Our intent is to expand the hours of operation in our tasting room, lounge, gazebo and picnic area. Our goal is to expand our hours to the following:

- Monday 11am – 8pm
 - Tuesday 11am – 8pm
 - Wednesday 11am – 8pm
 - Thursday 11am – 9pm
 - Friday 11am – 9pm
 - Saturday 11am – 9pm
 - Sunday 11am – 8pm
- 7pm. CC updated 19 Dec 2019.*

Our intent is to have the option of expanding our hours later in the day and capitalize on the summer season when temperatures are warm and the daylight goes into the evening. We believe we are currently at a disadvantage vs. industry standard in the Fraser Valley and in the Okanagan Valley where our competitors can run events into the evening hours and attract more people to their business.

Our winery was purchased in June 2018 by Diamond Estates which is a public traded company with winery holdings across the country. We are run by a seasoned hospitality team and simply want to expand our reach and bring more people to our business and to the Township of Langley. Our following has dramatically increased over this past year where we are attracting visitors from Vancouver, the North Shore and the Fraser Valley along with locals here in Langley. Expanded hours will provide much more options for our guests.

Sincerely,

Colin M Campbell

Vice President and General Manager

Trajectory Beverage Partners & Backyard Vineyards



Liquor and Cannabis Regulation Branch
400-645 Tyee Road, Victoria, BC V8A 8X5
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 9J8
Phone: 1 866 209-2111 Fax: 250-952-7066

APPLICATION FOR A PERMANENT CHANGE TO A LIQUOR LICENCE ALL LICENCE TYPES

Liquor and Cannabis Regulation Form LCLB005B

Instructions:

Complete all applicable fields and submit with the required documentation, if applicable, and payment as outlined in Part 9 of this application form. If you have any questions about this application, call Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111.

Licensee Information

Licensee name (as shown on licence): Backyard Vineyards Corp

Establishment name (as shown on licence): Backyard Vineyards Corp

Establishment

Location address
(as shown on licence):

3033 232nd Street

Street

Langley

City

BC

Province

V2Z3A8

Postal Code

Mailing address:
(All correspondence will
go to this address)

3033 232nd Street

Street

Langley

City

BC

Province

V2Z3A8

Postal Code

Business Tel with area code: 604-539-9463

Business Fax with area code:

Business e-mail: ccampbell@trajectorybev.com

Contact Name: Colin Campbell

last / first / middle

Title/Position: Vice President & General Manager Trajectory

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCRB101 Add, Change or Remove Licensee Representative

Contact Person

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

Name: Colin Campbell

Phone number: 604-561-6246

E-mail address: ccampbell@trajectorybev.com

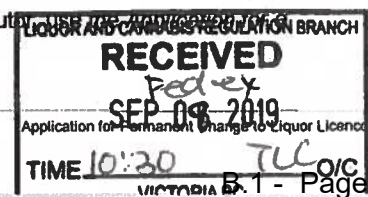
Type of Change Requested

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. See Part 12 for the approval process for the change you have requested.

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/request for discretion (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p.2)		(C3-LIC) (sub)
<input checked="" type="checkbox"/> 5. Change to hours of liquor service (p.3)	300191	(C3-LIC) (sub) 2380712-4c
<input type="checkbox"/> 6. Catering endorsement (p.4)		(C3-LIC) (sub)
<input type="checkbox"/> 7. Temporary off-site sale endorsement (p.4)		(C2-LIC) (sub)

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 LCRB012A; for Food Primary, use LCRB012B; for Manufacturer and Winery Endorsements, use LCRB013; for Wine Store and Licensee Retail Store, use LCRB012C.
- To apply to have a third party operator operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCRB026)
- 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* (LCRB005A).



Part 5. Change to Hours of Liquor Service

Licensees may apply to revise hours of liquor service, subject to any restrictions within the *Liquor Control and Licensing Act*, Regulations, branch policies and/or original terms and conditions of licensing.

Check (✓) the appropriate change, and provide the requested information and documents:

A) Food Primary

- ☐ Request to change hours of liquor service between 9am - midnight Fee: \$220 per licence x licences = \$
 • complete proposed hours of liquor service table below
- ☐ Request to extend hours of liquor service between midnight - 4am Fee: \$330 per licence x licences = \$
 • complete proposed hours of liquor service table below
 • if requesting to extend hours outside of 9am - 4am, also complete Part 3
 • request a local government resolution - local government must complete Part 11 of this form.

B) Liquor-Primary, manufacturer lounge or special event area

- ☐ Request to change the hours of liquor service within the hours currently approved:
 • complete proposed hours of liquor service table below Fee: \$220 per licence x licences = \$
- ☒ Request to change the hours of liquor service outside the hours currently approved:
 • complete proposed hours of liquor service table below Fee: \$330 per licence x licences = \$
 • if requesting to extend hours outside of 9am - 4am, also complete Part 3
 • request a local government resolution - local government must complete Part 11 of this form.

C) Licensee Retail Store/Wine Store

- ☐ Request to extend hours outside of 9am - 11pm
 • complete proposed hours in table below
 • complete Part 3

Complete the tables below, indicating current and proposed hours of liquor sales:

Current Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11	11	11	11	11	11	11
Closed	5	5	5	5	5	5	5

Proposed Hours of Liquor Service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11	11	11	11	11	11	11
Closed	8	8	8	9	9	9	7

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

*Note - we have A lounge & Pato Licence.
 looking to extend lounge, Pato & Tasty Licence
 330 per lic.? -> \$ 990?*

Part 11: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor and Cannabis Regulation Branch (LCRB) 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, manufacturer lounge or special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.
- Change to event driven term and condition.

Local government/First Nation (name):

TOWNSHIP OF LANGLEY

Name of Official:

KNALL, ROBERT

(last / first / middle)

Title/Position:

MANAGER, DEVT. PLANNING

Email:

RKNALL@TOL.CA

Phone:

604.533.6060

Date Received:

30/10/2019

(Day/Month/Year)

Signature of Official:

Robert Knall

Check here if LG/FN will not be providing comment: ☐ Yes, opting out of comment**Note:** The LG/FN cannot provide comment for their own application.Is this establishment on Treaty First Nation land? ☐ Yes ☒ No**Instructions for Local Government/First Nation (LG/FN)**

The Branch requests that you consider this application (application form and floor plan) and provide the Branch with a resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.
- Branch staff and LG/FN staff will advise each other if there are any concerns with the proposed application.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - If the application is to amend a Food Primary licence, whether the amendment will result in the service area being operated in a manner that is contrary to primary purpose
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.

From: Steve MCKEDDIE
To: [Joel Nagtegaal](#)
Cc: [Lynn Acheson](#)
Subject: Development Proposal for Backyard Vineyards Corp at 3033 232nd St. Langley BC
Date: Monday, December 04, 2017 3:47:38 PM

Joel

I received your request to review this application for a Lounge Application at Backyard Vineyards located at 3033 232nd St, Langley BC. I attended the location on December 4, 2017 and spoke with Michelle YANG to get a full understanding of what they are proposing.

Based upon a police prospective this type of proposal may have I would recommend the following:

- The outside proposed patio area is NOT attached to the main building where the inside lounge would be. Any servers will have to cross an open driveway back and forth to serve their customers. If this is approved by the Liquor branch for service, having improved outdoor lighting along with a marked crossing OR blocking traffic from accessing the westside of their parking lot. This to give a level of improved safety to the servers, especially in the low light hours.

- The only neighbouring property that I could see that's close by is to the south. Noise may be a concern down the road and will need to be addressed. Would recommend against music being played on the outdoor patio unless a special event.

- Ensuring that there is ample parking spaces available based upon the seating capacity be sought as there is NO street parking suitable on 232nd St.

That is all I would suggest at this time. If you have any questions or would like more clarification, please feel free to contact me at my number below.

Thanks

Steve

Cpl. Steve MCKEDDIE #49889
City of Langley Community Liaison
Royal Canadian Mounted Police
GRC de Langley / Gouvernement du Canada
Office/Téléc: 604-514-2873
steve.mckeddie@rcmp-grc.gc.ca