



## REPORT TO MAYOR AND COUNCIL

**PRESENTED:** OCTOBER 5, 2020 – REGULAR MEETING  
**FROM:** COMMUNITY DEVELOPMENT DIVISION  
**SUBJECT:** LIQUOR LICENCE AMENDMENT APPLICATION NO. 000052  
 (SMUGGLERS TRAIL CASKWORKS / 140, 9339 – 200A STREET)

**REPORT:** 20-123  
**FILE:** 08-35-0259

### PROPOSAL:

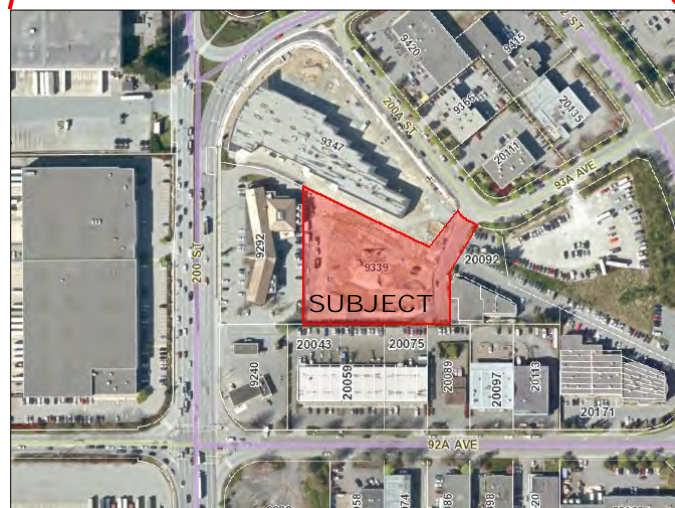
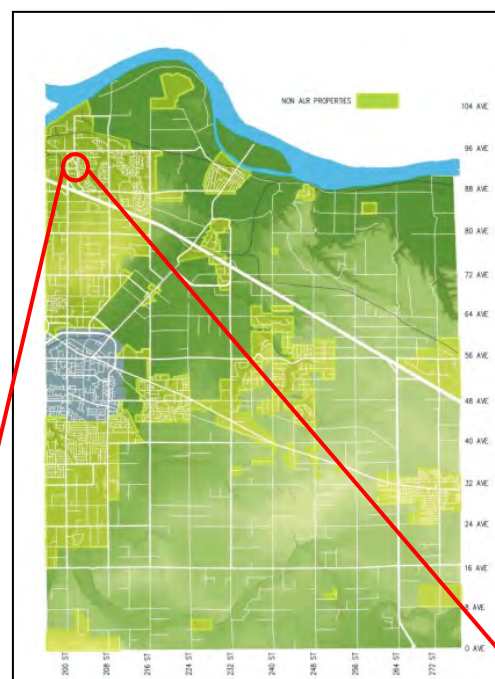
Request for Council endorsement (to the Liquor and Cannabis Regulation Branch) for a structural change to add a patio (addition of a new licenced area) for Smugglers Trail Caskworks located at 140, 9339 – 200A Street.

### RECOMMENDATION SUMMARY:

That Council consider the request to endorse the structural change to add a patio (addition of a new licenced area) application including input received at the “Liquor Licencing Hearing” in accordance with Council’s Liquor Licencing Policy.

### RATIONALE:

Council’s consideration of the structural change endorsement request 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 structural change (addition of a new licenced area) for Smugglers Trail Caskworks located at 140, 9339 – 200A Street; and further

**That** Council adopt the following resolution, should it decide to endorse Smugglers Trail Caskworks' request:

*"That Council has considered and ENDORSED the request by Smugglers Trail Caskworks for the structural change (addition of a new licenced area) for the existing brewery lounge serving Smugglers Trail Caskworks located at 140, 9339 – 200A Street, Langley.*

*In ENDORSING this request, Council deems that it has considered and found acceptable the potential for noise 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 October 5, 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:**

Smugglers Trail Caskworks has made an application to Council to endorse a structural change to add a patio (addition of a new licenced area) for Smugglers Trail Caskworks.

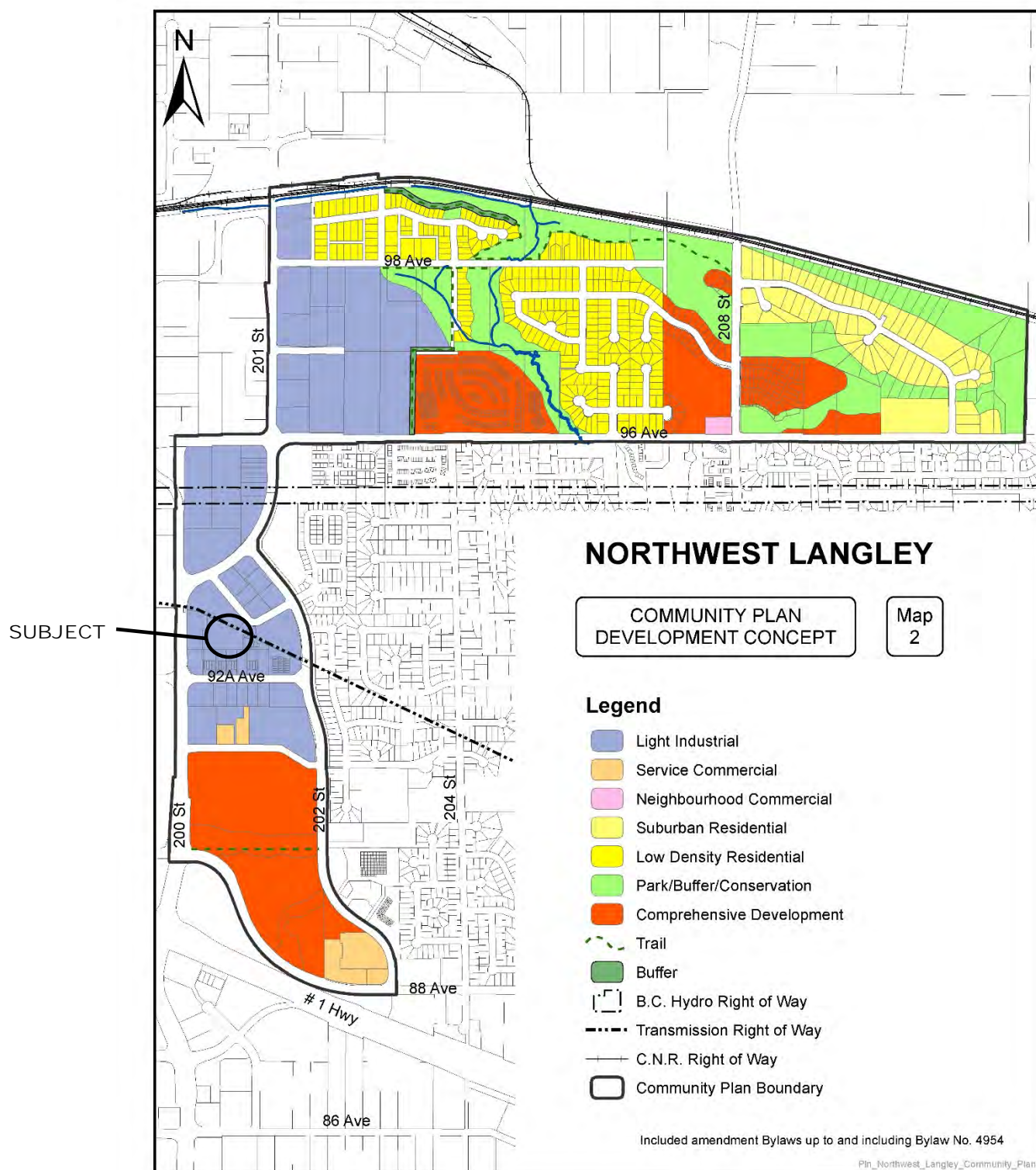
The subject application proposes an increase in the overall occupant load from 102 to 147 people through the addition of a new licenced area (45 person covered patio).

Although the issuance of structural changes (including the addition of a new licenced area) is a Provincial jurisdiction, the Liquor and Cannabis Regulation Branch (LCRB) provides Council with the opportunity to "endorse" or "not endorse" applications for the addition of a new licenced area. Council through its Liquor Licencing Policy has chosen to participate in the endorsement process involving the permanent addition of a patio to existing manufacturer licences. Accordingly, Council may consider public input prior to consideration of the endorsement request.

The current licence for the brewery lounge specifies hours of operation from 11:00AM to 9:00PM Sunday to Monday, 11:00AM to 11:00PM Tuesday to Thursday, and 11:00AM to 1:00AM Friday to Saturday. No changes are proposed to the hours of operation of the establishment.

**PURPOSE:**

The purpose of this report is to provide Council with information and recommendations with respect to the endorsement request for a structural change (addition of a new licenced patio) for Smugglers Trail Caskworks located.

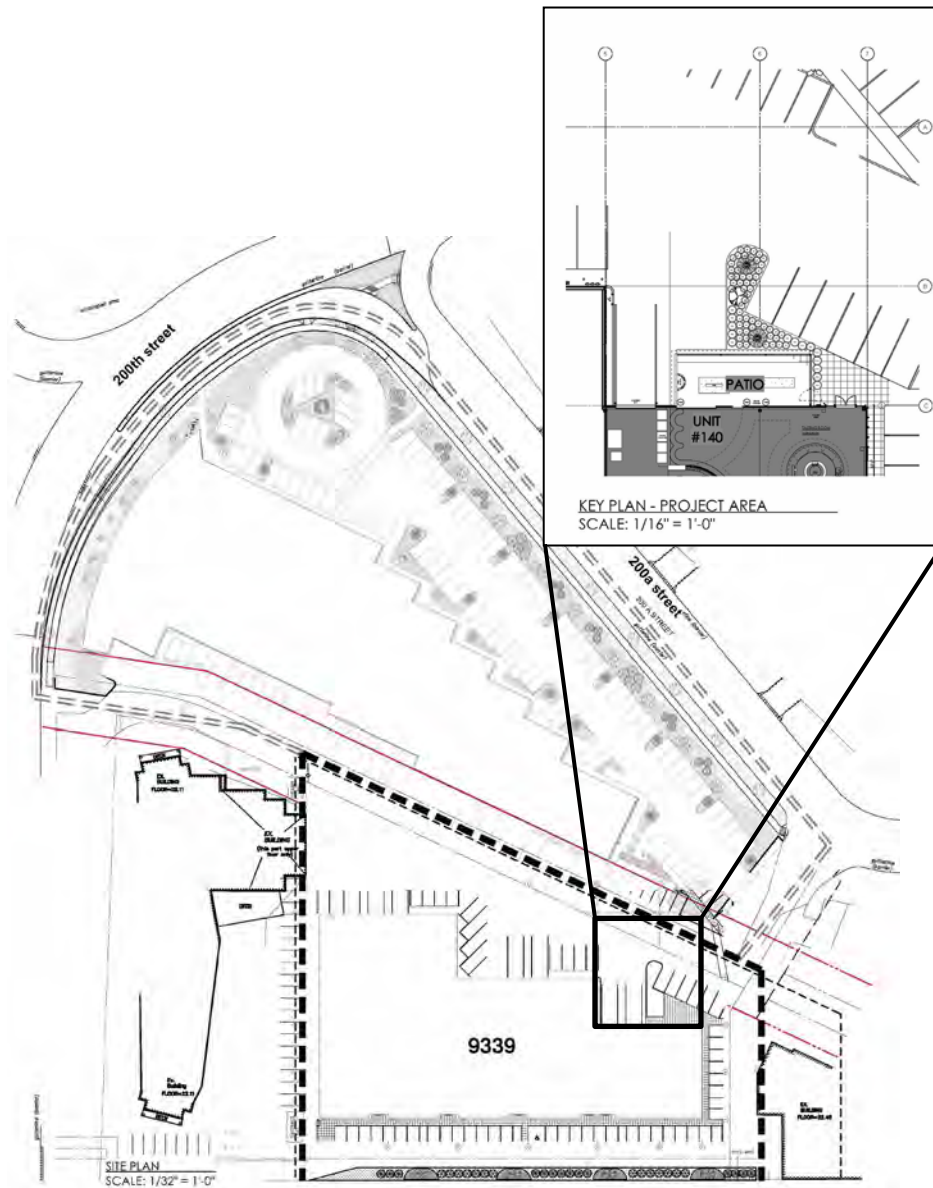




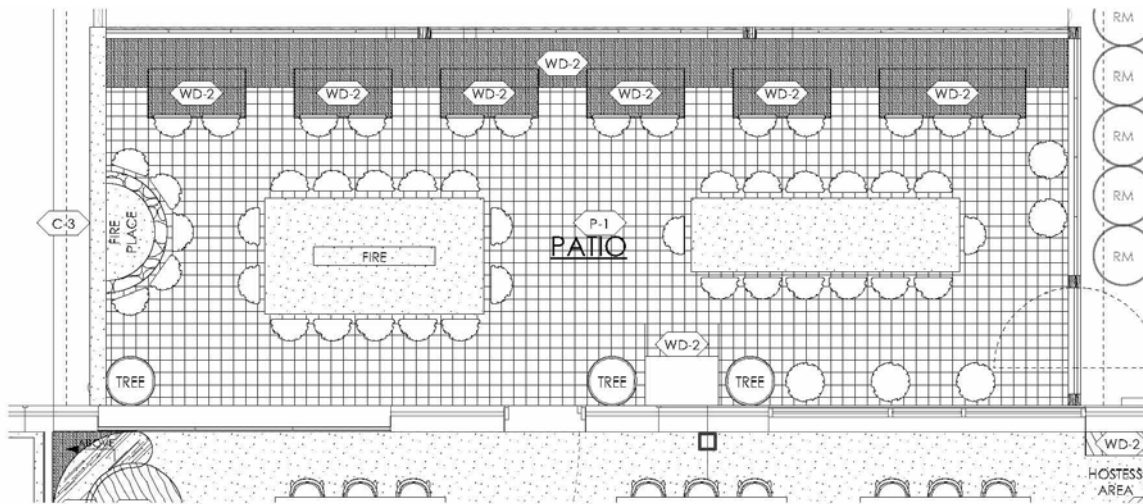


### ZONING BYLAW NO. 2500





**SITE PLAN – SUBMITTED BY APPLICANT**



**FLOOR PLAN – SUBMITTED BY APPLICANT**

**REFERENCE:**

<b>Owner:</b>	Silverwynde Properties Inc. 111 – 23189 Francis Avenue Langley BC V1M 0G4
<b>Agent:</b>	Jamie Overgaard 140 – 9339 – 200A Street Langley BC V1M 0B3
<b>Legal Description:</b>	Lot B Section 35 Township 8 New Westminster District Plan BCP33807
<b>Civic Address:</b>	140 – 9339 – 200A Street
<b>Area:</b>	0.79 ha (1.95 ac)
<b>Northwest Langley Community Plan:</b>	Light Industrial
<b>Existing Zoning:</b>	Comprehensive Development Zone CD-14

**BACKGROUND / HISTORY:**

The subject property is designated Light Industrial in the Northwest Langley Community Plan and is zoned Comprehensive Development Zone CD-14. At its July 22, 2019 meeting, Council endorsed the request from Smugglers Trail Caskworks for a 102 person brewery lounge at the subject site. The brewery lounge is currently under construction.

The structural change endorsement to add a licenced patio 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 considering endorsement (to the LCRB) of the request for a structural change.

**DISCUSSION / ANALYSIS:**

Smuggler’s Trail Caskworks has applied to the LCRB for a structural change (addition of a new licenced area) to permanently add a 45 person patio. If approved, the establishment would have a total occupant load of 147 people (102 indoor and 45 person patio). Although the approval of structural change applications is a Provincial jurisdiction, the LCRB provides Council with the opportunity to “endorse” or “not endorse” applications for permanent additions of patios. Council through its Liquor Licencing Policy has chosen to participate in the endorsement process involving permanent additions of patios to existing manufacturer licences. Accordingly, Council may consider public input prior to consideration of the endorsement request.

The current licence for the brewery lounge specifies hours of operation from 11:00AM to 9:00PM Sunday to Monday, 11:00AM to 11:00PM Tuesday to Thursday, and 11:00AM to 1:00AM Friday to Saturday. No changes are proposed to the hours of operation of the establishment.

**Adjacent Uses:**

North:	A multi-tenant light industrial property designated Light Industrial in the Northwest Langley Community Plan and zoned Comprehensive Development Zone CD-14;
South:	A multi-tenant industrial property designated Light Industrial in the Northwest Langley Community Plan and zoned Service Industrial Zone M-1A;



- East: A multi-tenant industrial property designated Light Industrial in the Northwest Langley Community Plan and zoned Comprehensive Development Zone CD-14; and
- West: A multi-tenant industrial / commercial property designated Light Industrial in the Northwest Langley Community Plan and zoned Comprehensive Development Zone CD-14, beyond which is 200 Street.

**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 the permanent addition of a patio to 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 a structural change application for the permanent addition of a patio to the LCRB (Attachment C). According to LCRB 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 LCRB, including a letter of intent (Attachment C), provides more detailed information with respect to the proposal.

**Locational Criteria for Brewery Lounge Area 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 brewery-related endorsement requests.

**RCMP Comments:**

RCMP comments (provided as Attachment D to this report) provided in conjunction with the application for the brewery lounge in June 2019 included recommendations with respect to parking.

**Parking:**

The previously licenced manufacturing and brewery lounge requires ten (10) parking spaces. The subject proposed patio area requires an additional three (3) parking spaces. Staff note that the total of 13 required parking spaces can be accommodated within the overall parking required for the site in compliance with the Zoning Bylaw.

**POLICY CONSIDERATIONS:**

Although the issuance of Liquor Licences is a Provincial jurisdiction, the LCRB Branch provides Council with the opportunity to “endorse” or “not endorse” applications for the permanent addition of a patio. Council through the Liquor Licencing Policy has chosen to participate in the endorsement process as it pertains to applications for the permanent addition of a patio to a Manufacturer Licence.

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

Council may, of course, add to or expand upon the items referenced in the resolution, however, according to the LCRB, 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	Site Plan
ATTACHMENT C	Liquor and Cannabis Regulation Branch Application Summary Including Proponent's Application Form and Letter of Intent
ATTACHMENT D	RCMP Comments

**ATTACHMENT A****COUNCIL POLICY****Subject: Liquor Licencing**

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

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**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.

ATA ARCHITECTURAL DESIGN LTD

708-1201 WEST PENDER  
VANCOUVER, B.C. V6E2V2  
TEL (604) 736-3730

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REVISIONS:  
20.04.24 HC SET  
20.03.25 BP SET  
20.02.25 FINAL SET  
20.04.14 REVISED SET  
20.06.19 RFI  
20.09.09 REVISED SET

CONSULTANT:

ROBERT BLANEY  
DESIGN  
NETWORKS • RENOVATIONS • ADAPTATIONS

NORTH VANCOUVER, BC  
VANCOUVER, BC  
T. 604.583.8302

PROJECT:  
**SMUGGLERS TRAIL CASK WORKS**  
SMUGGLERS TRAIL CASK WORKS  
LTD. CRAFT BREWERY  
UNIT 140 - 9339 200A STREET  
LANGLEY, BC

DRAWING TITLE:

SITE PLAN

E.2  
A-C

DRAWN BY:

RR

SHEET:

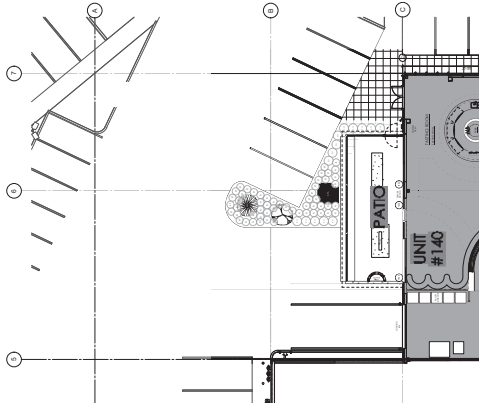
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24/06/2020

1/8" = 1'-0"

DATE

FEB 22 2020



KEY PLAN - PROJECT AREA  
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LEGAL DESCRIPTION / PARCEL NO.

LEGAL DESCRIPTION: 1/2 SECTION 35 TOWNSHIP 8  
NEW WEST DISTRICT PLAN: BCP33807

BUILDING SUMMARY

PROJECT ADDRESS: (CNCL)  
UNIT #140 - 9339 200A STREET LANGLEY, BC  
PROJECT DESCRIPTION: INTERIOR TENANT IMPROVEMENT

APPLICABLE CODES:

2018 BRITISH COLUMBIA BUILDING CODE (SEE ATTACHED CODE REVIEW DOCUMENT FOR COMPLETE CODE REPORT)

PROPOSED USE: BREWERY WITH TASTING ROOM (LOUNGE ENDEAVOUR AREA)

PROPOSED MAJOR OCCUPANCIES: MEDIUM HAZARD INDUSTRIAL (P-2), TASTING ROOM (A-2)

PROPOSED TOTAL FLOOR AREA: 10,000 SQ. FT. (SEE ATTACHED CODE SUMMARY)

PROPOSED TOTAL OCCUPANT LOAD: 102

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REVISIONS:  
2004.24 HC SET  
2003.25 BP SET  
2002.25 FINAL SET  
2004.14 REVISED SET  
2006.19 RFI  
2009.09 REVISED SET

CONSULTANT:



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PROJECT:

SMUGGLERS TRAIL CASK WORKS  
ESTD 2017

SMUGGLERS TRAIL CASK WORKS  
LTD. CRAFT BREWERY  
UNIT 140 - 9339 200A STREET  
LANGLEY, BC

DRAWING TITLE:

CONSTRUCTION PLAN

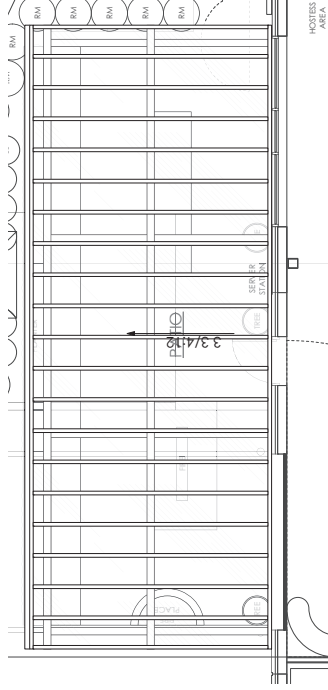
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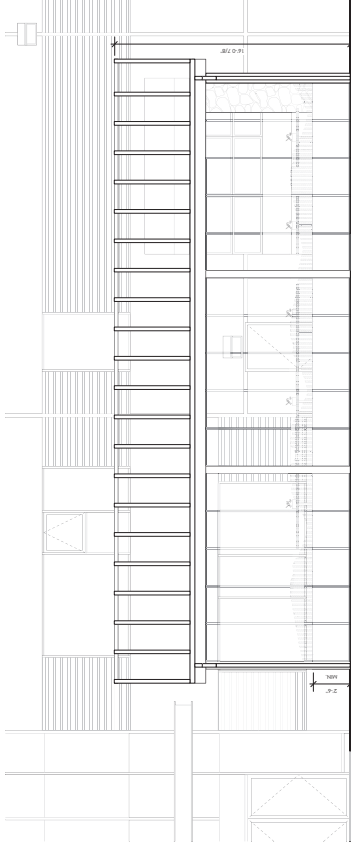
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DATE: FEB 22 2020

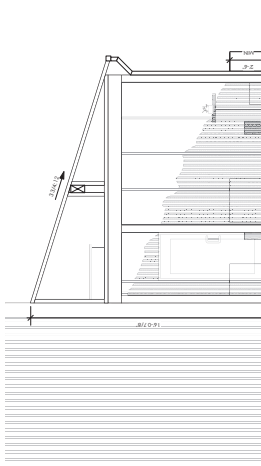
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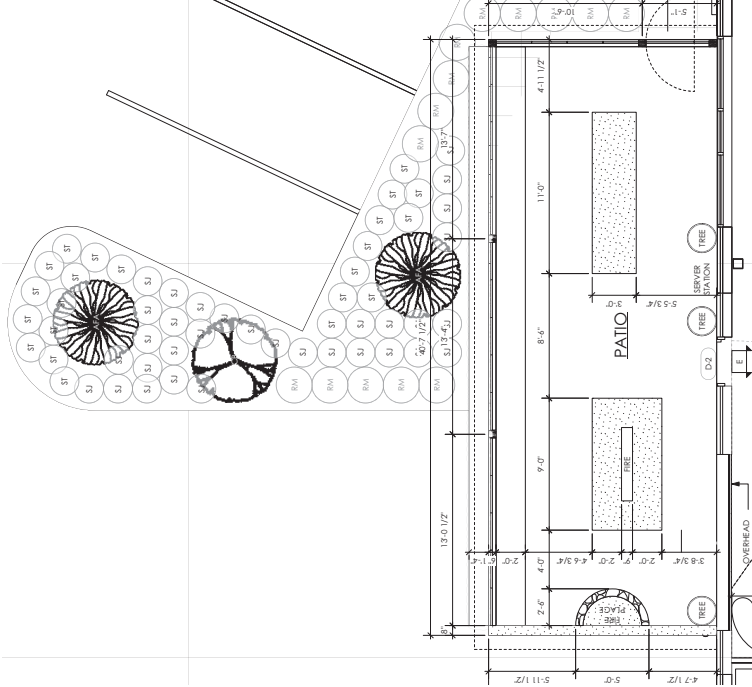
OVERHEAD PLAN  
SCALE: 1/4" = 1'-0"



FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

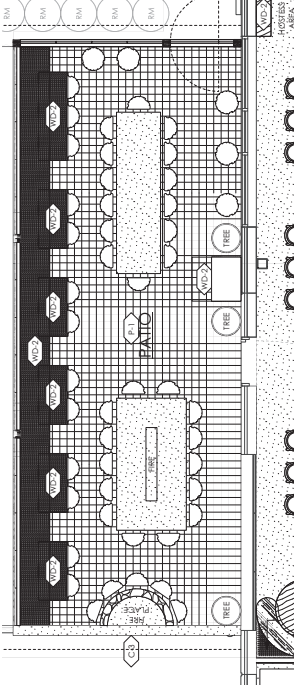


LEFT ELEVATION  
SCALE: 1/4" = 1'-0"



CONSTRUCTION PLAN  
SCALE: 1/4" = 1'-0"

PLANTING SCHEDULE				
SYMBOL	COUNT	BOTANICAL NAME	COMMON NAME	SPACING
S1	32	SPREA JAPONICA GOLD PLANE	GOLD PLANE SPREA	750MM O.C.
ST	21	STPA TENNISMA	AMERICAN REDTIE GRASS	4' x 8' PLOT
BA	14	BOSIA MEDICARDIA SEVILIANA	RED MEDIAN ROSE	500MM O.C.
AVA	2	ACER F. REMANI AMSTRONG	REMANIAN MAPLE	#2 PLOT
		CANNIS BELLUS TRANS	8-8.5' CAN CAL / BM STD	PLANT AS SHOWN
CB	1	FRANS FONTAINE HORNBREAM	FRANS FONTAINE HORNBREAM	PLANT AS SHOWN



FURNITURE, FIXTURE, EQUIPMENT & FINISHES PLAN  
SCALE: 1/4" = 1'-0"

FINISHES LEGEND	
TAG	DESCRIPTION
BB-1	NEW CONCRETE FLOOR, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
BB-2	BARBOARD, LOCATION: BREWHOUSE/PRODUCTION AREA, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
BB-3	NEW CONCRETE FLOOR, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
C-1	NEW CONCRETE FLOOR, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
C-2	NEW CONCRETE FLOOR, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
C-3	NEW CONCRETE FLOOR, TYPE: RUBBER WAL COVE BASE, HEIGHT: 4" MANU TEL COLOUR: TBO
F-1	NEW LEATHER BRICK, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-1	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-2	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-3	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-4	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-5	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-6	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
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M-99	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO
M-100	NEW METAL SLAT, LOCATION: TASTING ROOM/SECRET ROOM, MANU TEL COLOUR: TBO



MAY 06 2020

PLANNING & DEVELOPMENT  
TOWNSHIP OF LANGLEY

## **Smugglers' Trail Caskworks Ltd.**

March 6, 2020

### **Re: Smugglers' Trail Caskworks Licensed Patio Endorsement Application**

To Whom it May Concern:

Smugglers' Trail Caskworks Ltd. has received approval in principle from both the Township of Langley and the British Columbia Liquor and Cannabis Regulation Branch for a Liquor Manufacturer's License and tasting lounge at 140 - 9339 200A St. in the Township of Langley. This facility has been granted building permits by the Township of Langley and is currently under construction.

Smugglers' Trail wishes to add an outdoor licensed patio space to this facility.

Attached, you will find the necessary documents as required by the Township of Langley. It is important to note that there are two versions of the floor plan. This reflects recent interior design changes that we are undertaking. Langley Township staff are being updated on these mostly cosmetic changes as far as the tasting lounge is concerned.

Smugglers' Trail wishes to open a 45-seat licensed patio. We have confirmed with Township of Langley Staff that township approval will be required and have been made aware of the process.

### **The new patio will be added to a facility that features:**

- An approved occupancy load of 102 persons.
- Previously approved Hours of operation: Sun, Mon 11am-9pm, Tues-Thurs 11am-11pm, Fri-Sat 11am-1am.
- A manufacturing facility and lounge that has already been given approval in principle from both the Township of Langley and the Government of British Columbia
- A tasting lounge whose theme and décor would reflect historical elements of Langley such as the legends and characters involved in the use of the Smugglers' Trail (now Glover Rd).
- Simply prepared English pub-style foods such as meat pies, calzones and pizzas along with cold food items such as salads and cheese plates.
- Beverages available on site will include beer, wine, cider and non-alcoholic options such as soda.
- A dance area for special events only or when live music is scheduled.

- Other events could include comedy shows, trivia contests, karaoke, board games, contests, sports viewing or DJ music.
- The surrounding area is primarily industrial to the North, East, West and South with the Sportsplex arena and Colossus entertainment district to the South. There are some residential areas within a kilometer of our site.
- Noise will not likely be a factor from our location as there is a large buffer zone of industrial land between our site and residential areas. Our intention is to run a relaxed lounge with some live music and the odd special event. We do not see this impacting the surrounding area negatively and would work with members of the neighbourhood to keep it that way.
- Since the surrounding neighbourhood is a few blocks away, we believe that we can mitigate any possible disturbances by observing hours of operation and using indoor, rather than outdoor, spaces for activities that have the potential to be noisy. We will also discourage loitering on site just to be sure there are no lingering or potential disturbance issues.

We would be happy to discuss our brewery and tasting lounge concept with the staff and council of the Township of Langley and welcome any questions you may have.

Sincerely,

Jamie Overgaard  
Director,  
Smugglers' Trail Caskworks Ltd.



Liquor and Cannabis Regulation Branch  
400-645 Tyee Road, Victoria, BC V8A 6X5  
Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 8J8  
Phone: 1 866 209-2111 Fax: 250-652-7066

## MANUFACTURING FACILITY STRUCTURAL CHANGE APPLICATION

Liquor and Cannabis Regulation Form LCRB013

### Instructions:

Complete all applicable fields then submit with the required documentation, if applicable, and payment as outlined in Part 6 of this application form. If you have any questions about this application, call the Liquor and Cannabis Regulation Branch (LCRB) toll-free at: 1 866 209-2111.

### Licence Information

☐ Please check if licence is currently dormant.

Licence # affected:

If yes, attach a letter signed by the licensee requesting the licence to be reactivated if this application is approved.

Do you currently hold other licences at this location? ☐ Food Primary \_\_\_\_\_ (Licence #)

☐ Liquor Primary \_\_\_\_\_ (Licence #) ☐ Licensee Retail Store \_\_\_\_\_ (Licence #) ☐ UBrew/UVin \_\_\_\_\_ (Licence #) or Other

Licensee name [as shown on licence]:

Establishment name [as shown on licence]:

Establishment

Location address:

(as shown on licence)

Street

City

Province

Postal Code

Business Tel with area code:

Business Fax with area code:

Business e-mail:

### Business

Mailing address:

(if different from above)

Street

City

Province

Postal Code

### Contact Person

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

Name:

Phone number:

E-mail address:

### Type of Change Requested

Please check ☒ appropriate box(es) below:

Sub- Job Number  
Office Use Only

Part 1	<input checked="" type="checkbox"/> New Outdoor Patio: when the licensee proposes to add a new patio. (This only applies to approved lounge or special event endorsements.)	1	Outdoor Patio (C4-LIC) _____
Part 2	<input type="checkbox"/> Structural Alterations: when the licensee proposed changes to: A: Approved lounge or special event endorsement areas	2	Structural - with capacity change (C4-LIC) _____
	B: Manufacturing facilities (includes changes to on-site store area, tasting/ sampling area, manufacturing area, storage areas, etc.)		Structural - no capacity change (C4-LIC) _____

Note: To apply for changes to your existing picnic area, including an increase in capacity, use the Manufacturer On-Site Store and/or Picnic Area Endorsement Licence Application Form (LCRB049B).

**Part 1: Addition of a New Outdoor Patio**

C4 - LIC

Only applies to Approved Lounge or Special Event Area Endorsements

Fee: \$440 per licence = \$440.00

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

Attach the following:

- ☒ Attach one 11" x 17" copy of the proposed patio floor plan (see Appendix I on page 7 for floor plan instructions).  
The branch requires an occupant load (patrons plus staff) for the proposed patio area(s) which must be marked/stamped and dated on the plan you submit. Do not submit this application if you do not have the occupant load calculation stamped on your patio plans.

1. Provide height and composition of the patio perimeter or bounding that is designed to control patron entry/exit. (i.e., railing, fencing, planters, hedging, etc.)

Metal/Wood patio enclosure, minimum 30" high topped with sliding glass sliding windows (approx 50").

2. Describe the location of the patio in relationship to the interior service area.

Garage door exits directly from tasting lounge area. Patio is attached to North Facade of the building.

3. Describe how patrons will access the patio (ie. from interior).

Single door or open rolling garage door.

4. Will servers have to carry liquor through any unlicensed area to get to the patio? ☒ No ☐ Yes If Yes, please explain:

5. Describe how staff will manage and control the patio from the interior service area.

Regular service circulation. Large windows and opened garage rolling door provide clear view of patio.

6. Is the patio located on: (a) grass, (b) earth, (c) gravel, (d) finished flooring, (e) cement sidewalk or (f) other (please specify below). If located on grass, earth or gravel, please make sure that you have local health authority approval.

Cement sidewalk. FVH approval has been granted.

7. Will the patio have a fixed or portable liquor service bar? ☐ Yes ☒ No

8. If "No", will liquor be served from the interior service bar? ☒ Yes ☐ No

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

10. Is the manufacturing site part of the Agricultural Land Reserve (ALR)? ☐ Yes ☒ No

**Note:** Agricultural Land Commission (ALC) may restrict the size and capacity of a lounge and/or patio. Prior to submitting your application, verify if restrictions exist. Provide details as applicable.

**Note:** You must request a local government/First Nation resolution commenting on the application. Local government must complete and sign Part 4 of this form. For further information on local government resolutions, read Part 3.



**Part 2: Structural Alterations (Sections A & B)**

C3 - LIC C4 - LIC

**A. Structural Alterations to an Approved Lounge or Special Events Area Endorsement**

(This only applies to existing and approved lounge or special event areas)

Fee: \$440 per endorsement = \$

**Note:** If you are adding a new patio complete Part 1. If you are expanding or making changes to an existing lounge/patio area or Special Event Area, complete this section.

Attach the following:

- ☐ Attach one 11" x 17" copy of the proposed floor plan reflecting proposed changes (see Appendix I on page 7 for floor plan instructions). The branch requires an occupant load (patrons plus staff) for the proposed area(s) which must be marked/stamped and dated on the plan you submit. Do not submit this application if you do not have the occupant load calculation stamped on your plans.

1. Current total person capacity of endorsement area (as shown on the liquor licence):

2. Occupant load for all new areas, as stamped on the submitted plans:

3. Proposed capacity of Outdoor Special Event Area(s):

**Important:** If the proposed changes result in an increase to your total occupant load/person capacity, you must request a local government/First Nation resolution. Local government/First Nation must complete Part 4 of this form.

3. Describe the proposed alterations, including the general construction changes.

Is this manufacturing site part of the Agricultural Land Reserve? ☐ Yes ☐ No**Note:** Agricultural Land Commission (ALC) may restrict the size and capacity of a lounge and special event area. Prior to submitting your application, verify if restrictions exist. Provide details as applicable.

Also complete Parts 5 and 6

**B. Structural Alteration to a Manufacturing Facility (winery, brewery or distillery)**

C4 - LIC

Check those applicable.

Fee: \$440 per licence

- ☐ Changes to the manufacturing facility.
- ☐ Changes to or adding new secured storage facility/building.
- ☐ Adding new tasting or sampling area(s).
- ☐ Making changes to the existing on-site store area (or point of sale).

1. Describe in full detail the proposed alterations.

Provide the following:

- ☐ Attach one 11" x 17" scaled, detailed floor plan of the manufacturing facility showing the changes proposed, manufacturing equipment, sampling area(s), retail sales area, and storage areas.
- ☐ Attach a site plan showing the location of the manufacturing buildings as well as all other buildings (i.e. storage, personal residence, garage, other businesses, agricultural crops, roadways, driveways, parking) on the manufacturing site.
- ☐ If your manufacturing facility abuts other businesses, please provide details regarding the other businesses (i.e., type of business, physical connection to your business, etc.)

**Note for distilleries only:** The Office of the Fire Commissioner (OFC) requires that a distillery owner/applicant construct and maintain their distillery in conformance with the BC Fire Code requirements for fire prevention/protection.

Also complete Parts 5 and 6

**Part 3: Local Government/First Nation Resolutions: Information for the Applicant**

For the following changes to an existing lounge and/or special event area(s) endorsement, a resolution from your local government or First Nation, commenting on the application is required:

- Addition of a new patio to an approved lounge and/or special event area endorsement
- Any alteration that increases the total occupant load/capacity of the lounge or interior special event endorsement areas.

Licensee responsibilities:

1. Fill out appropriate sections in this form.
2. Attach updated floor plans showing the proposed changes with an updated occupant load calculation stamped on it.
3. Request your local government/First Nation to sign and date Part 4 of this form.
4. Request that a resolution be provided within 90 days and sent directly to the Liquor and Cannabis Regulation Branch (LCRB), Victoria.
5. Send the original form, application fees, and updated floor and/or site plan to the branch.
6. The LCLB 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. An extension may be required by local government.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. If they indicate on the form that they opt out of providing comment, submit your application to LCRB.

**Part 4: Local Government / First Nation (LG/FN) Confirm Receipt of Application**

If you are applying for a new patio (Part 1) or a proposed change that increases the occupant load/capacity (Part 2) then public interest factors may be affected by the structural change(s). This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name):

Name of Official:

(last / first / middle)

Title/Position:

Email:

Phone:

Date Received:

(Day/Month/Year)

Signature of Official:

\_\_\_\_\_

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)**

This serves as notice that an application for a structural change to a manufacturer lounge and/or special event area endorsement is being made within your community. 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 Structural Change application form and floor plan 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.
  - 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.

#### Part 5: Declaration

Section 57(1)(c) of the Liquor Control and Licensing Act states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: \_\_\_\_\_  
Authorized Signatory of the Licensee

Name: Robert James Overgaard Position: Director Date: 04/15/20  
(last / first / middle) (if not an individual) (Day/Month/Year)

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

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the applicant to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative* form (LCRB101) and they have specifically permitted a licensee representative to sign this form on the applicant's behalf, the branch will accept the licensee representative's signature.

**Part 6: Application Fees (non-refundable)**

Total Fee Submitted: \$

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

Payment is by (check (X) one):

- ☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- ☐ Money order, payable to Minister of Finance
- ☐ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX
- ☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5767 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
- ☐ I am submitting my application by mail and have given my credit information in the space provided at the bottom of the page.

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

**Part 7: Submit Application Package**

Once signed by local government/First Nation, submit your complete application package to:

Liquor and Cannabis Regulation Branch  
 Courier: 400-645 Tyee Road, Victoria BC V9A 6X5  
 Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8  
 E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

If you have any questions, contact us toll-free at 866-209-2111 or email us at [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca). Visit our website for more information: [www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing)

The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the *Liquor Control and Licensing Act*. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

LCRB013

6 of 7

Manufacturer Application for Structural Change

**Credit Card Information (To be submitted by fax or mail only)**

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

(Year)

## Appendix I - Lounge and Special Event Area Floor Plan and Occupant Load

## E.2

Your application can only be considered if you include floor plans with occupant load. Plans must show all service areas and the following details:

- labels for each room
- patio(s)
- liquor service bars
- furniture layout
- kitchen
- stage
- sound or DJ booth
- washrooms
- stairs, entrances and exits

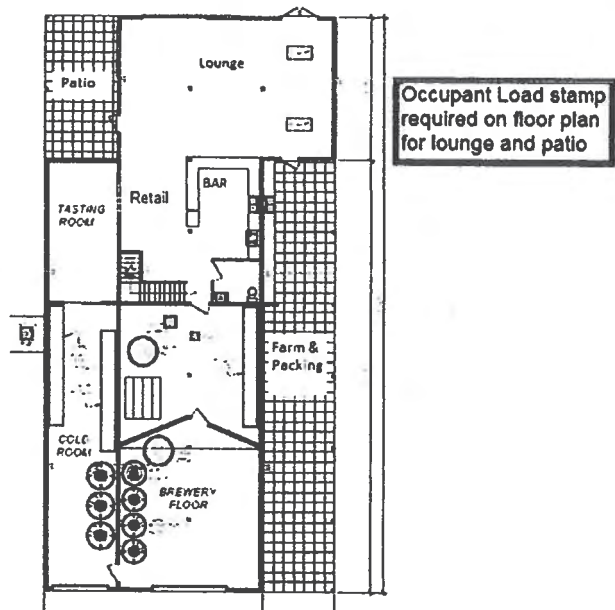
Plans must also show the physical separation (e.g. pony wall or full height wall) separating the proposed service area(s) from other licences or unlicensed areas. If there is another licence, or another business (such as a retail store) at the same site, provide floor plans showing the other business in relation to the lounge or special event area.

### Occupant Load Calculation

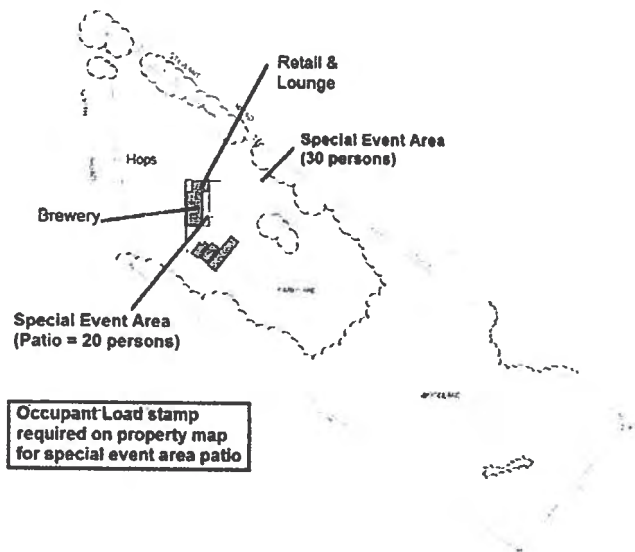
Occupant Load is the maximum number of people (patrons plus staff) permitted in a service area. Contact the LG/FN to obtain an occupant load on your floor plan. The occupant load must be stamped or written, dated and signed on the floor plan by the appropriate authority.

If LG/FN will not provide the occupant load, they must supply a letter confirming they do not issue an occupant load. You must submit the LG/FN letter with your floor plan. Where a LG/FN will not provide the occupant load, the Branch will accept an occupant load calculation from a professional architect or engineer.

### Sample Floor Plan



### 8f. Sample Floor Plan: Patio and Outdoor Special Event Area



**From:** [Julie BION](#)  
**To:** [Joel Nagtegaal](#)  
**Subject:** RE: Project: 08-35-0259 / Silverwynde Properties Inc  
**Date:** Thursday, May 16, 2019 1:17:20 PM  
**Attachments:** [BION, Julie.vcf](#)

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Hi Joel,

So this establishment is hoping to draw and "older more mature" crowd that would be quieter and more reserved? There are other establishments in the area that have created numerous amounts of Police files due to bylaw noise violations and complaints. My main concern is to be able to negate these concerns but with an older crowd and an establishment that seems to be willing to work with the community (as stated in the letter) I do not believe my noise concerns would be an issue.

The parking related concerns due to the seating capacity remain. How many parking stalls will be allotted to the establishment? As long as it is with in the TOL requirements then I would not have any issues with the proposed plan.

Thanks in advance,

Julie

**Cpl. Julie Bion**

Community Liaison Officer / Langley Royal Canadian Mounted Police / Government of Canada  
[julie.bion@rcmp-grc.gc.ca](mailto:julie.bion@rcmp-grc.gc.ca)  
[www.rcmpcareers.ca](http://www.rcmpcareers.ca) / [www.jobs.gc.ca](http://www.jobs.gc.ca)

**Gend. Julie Bion**

Jeunes à Risque équipe / Langley la Gendarmerie royale du Canada / Gouvernement du Canada  
[julie.bion@rcmp-grc.gc.ca](mailto:julie.bion@rcmp-grc.gc.ca)  
[www.carrieresgrc.ca](http://www.carrieresgrc.ca) [www.emplois.gc.ca](http://www.emplois.gc.ca)