# Table of Contents

**Important Information**
- Responsibilities of a Liquor Sales Licence Holder ........................................... 1
- Zoning ................................................................................................................... 1
- Public Notice ....................................................................................................... 2
- Server Training ................................................................................................... 2
- Fees and Payment ............................................................................................... 3
- Premises Type ..................................................................................................... 3

**Section 1: Liquor Sales Licences** ........................................................................ 4
- Required Information .......................................................................................... 4
- Additional Documents ......................................................................................... 5
- Conditions ........................................................................................................... 5

**Section 2: Liquor Sales Licences for Manufacturers** ........................................ 6
- Liquor Sales Licence - Tied House ....................................................................... 6
- Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) ......................... 6

**Section 3: Mini Bar Licence** .............................................................................. 6

**Section 4: Liquor Sales Licence Endorsements** ............................................... 7
- Caterer’s Endorsement ....................................................................................... 7
- Room Service Endorsement ............................................................................... 9
- Brew Pub Endorsement ....................................................................................... 9
- Wine Pub Endorsement ...................................................................................... 10
- Mini Bar Endorsement ....................................................................................... 11
- Golf Course Endorsement .................................................................................. 11
- Bring Your Own Wine (BYOW) Endorsement .................................................. 11
Section 5: Modifications to Existing Licences

CHANGES TO EXISTING LICENCED AREAS
PUBLIC NOTICE
TIERED SEATING
CHANGES TO THE PREMISES NAME

Section 6: Temporary Extension of a Liquor Sales Licence

REQUIRED DOCUMENTATION

Section 7: Temporary Extension of Hours

LIQUOR SALES LICENCE HOLDERS
EVENT ORGANIZERS

Section 8: Transferring a Liquor Sales Licence

TRANSFER WITH AUTHORIZATION TO CONTRACT OUT
CORPORATE ROLLOVER
TEMPORARY TRANSFER OF A LIQUOR SALES LICENCE

Section 9: Liquor Sales Licence Renewals

Section 10: Closing a Business

Appendix A – Floor Plan Guide

Appendix B – Calculating the Dimensions of a Proposed Extended Licensed Area

Appendix C – Premises Types
The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for administering the Liquor Licence Act (LLA) and specific sections of the Liquor Control Act (LCA), which together with the regulations made under them establish the licensing and regulatory regime for most aspects relating to the sale and service of alcohol in Ontario.

Among its responsibilities in the alcohol sector, the AGCO licenses and regulates premises that sell or serve alcohol to the public for on-site consumption. This includes premises such as bars, restaurants, lounges and night clubs, although there are no restrictions in the LLA on the type of business that can apply for a Liquor Sales Licence.

This Guide contains detailed information to assist you in applying for a Liquor Sales Licence and/or a Liquor Sales Licence – Manufacturer’s Tied House.

NOTE: If this is your first time applying for a Liquor Sales Licence, you may find it helpful to refer to the Guide for First-Time Applicants for a Liquor Sales Licence Guide (1001), available on the AGCO website at www.agco.ca, prior to reading this Guide.

Important Information

RESPONSIBILITIES OF A LIQUOR SALES LICENCE HOLDER

For complete details about your legal responsibilities as a licence holder, refer to the Liquor Licence Act and its regulations, copies of which are available online at www.ontario.ca/Laws or by contacting Publications Ontario at 416-326-5300 or toll-free at 1-800-668-9938.

ZONING

Prior to applying for a Liquor Sales Licence, please check with your local municipality to ensure that your premises is properly zoned for this purpose.
PUBLIC NOTICE

Most new Liquor Sales Licence applications will require public notice. For example, if you apply to license a premises that has never held a Liquor Sales Licence before, your application will require public notice. Public notice of a Liquor Sales Licence application has two parts:

1. A placard (poster) will be mailed to you. The placard must be posted for the number of days specified at the premises in a location where members of the public can easily read it from the outside of the premises. The placard will specify whether the application is for indoor and/or outdoor licensed areas.

2. A notice of application will also be posted on the AGCO website at www.agco.ca/iagco.

If you are not sure whether your application requires public notice, please call AGCO Customer Service at 416-326-8700 or 1-800-522-2876.

SERVER TRAINING

Successful completion of server training is mandatory and all licence holders must ensure that managers, persons involved in the sale or service of liquor and security staff in their employ hold a certificate demonstrating the successful completion of a server training course approved by the Board of the Alcohol and Gaming Commission of Ontario. **Staff must have completed this training as of their first day of work.**

Staff are encouraged to carry a copy of their certification card while they are working. AGCO Inspectors may ask for proof of a staff member’s certification at any time.

Smart Serve Ontario has been approved by the Board of the AGCO to develop and provide the **Smart Serve Responsible Alcohol Beverage Service Training Program**, and is currently the only approved server training program in Ontario. This training program covers such topics as the effects of alcohol, responsible serving techniques, as well as the prevention of alcohol-related problems and how to intervene if problems do occur.

The program is available on video or on the Smart Serve Ontario website at www.smartserve.ca. For more information, please contact:

**Smart Serve Ontario**

Address: 5407 Eglinton Ave W, Suite 105, Toronto ON M9C 5K6
Telephone: 416-695-8737 or Toll-Free at 1-877-620-6082
Fax: 416-695-0684
Website: [http://www.smartserve.ca](http://www.smartserve.ca)
Email: info@smartserve.ca

Please note that the AGCO still recognizes The Server Intervention Program certification issued prior to May 1995.
FEES AND PAYMENT

• Please refer to the AGCO’s Application Fee Schedule at www.agco.ca for the applicable fee.
• When using online services, payments must be made by Visa, MasterCard, Interac Online, Visa Debit or MasterCard Debit.
• Payments of $30,000 or more must be made by money wire transfer or electronic funds transfer. Please note that cheques and cash are not accepted as forms of payment when using iAGCO online services. For more information please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876.
• All application fees must be received by the AGCO before an application will be processed.
• All fees are non-refundable.

PREMISES TYPE

During the application process applicants will be required to identify the type of premises they will be operating. Please see Appendix C for a listing of premises types and descriptions.

Warning

Do not misrepresent or omit any material fact(s). Each statement made in your application is subject to verification.

It is a serious offence to knowingly provide false information on the forms and on any attachments.

The provision of false, incomplete, or misleading information or the omission of information on the forms or in the documents submitted with your application, or the failure to notify the Alcohol and Gaming Commission of Ontario of any material changes to this information which occur after this application is filed, may also result in the refusal, suspension or revocation of your Liquor Sales Licence.

If you require assistance with your application, please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876.
Section 1: Liquor Sales Licences

A Liquor Sales Licence may be issued to allow the sale and service of alcohol to the public for on-site consumption.

Only owners of a business can apply for a Liquor Sales Licence. The business does not have to be primarily involved with the sale and service of food or liquor, but must be located in a premises open to the public or private members (such as a social club). Liquor sales licences will not be issued to residences or businesses not registered with the government if they are required to be so.

Liquor Sales Licences may also be combined with an Endorsement. Endorsements allow licence holders to sell and serve alcohol under specific circumstances (see the Endorsements section in this Guide for more information).

REQUIRED INFORMATION

In order to begin processing your application, you must submit the following:

• Application Fee
• Entity Disclosure*
  Entity Disclosure information must be provided by the applicant corporation and by all corporations directly or indirectly holding 10% or more of the shares of the applicant.
• Personal Disclosure*
  Personal Disclosure information must be provided by all of the following persons:
  - Sole Proprietors
  - All Officers and/or Directors
  - All Partners
  - Any shareholder holding 10% or more of any class of shares
  - On-site manager, if applicable.

* For complete information, please refer to the Personal and Entity Disclosure Guide available at www.agco.ca.

• Floor Plans of the Premises
  - Plans must be to scale, and show dimensions (length and width)
  - Proposed licensed areas must be CLEARLY OUTLINED
  - Must be printable to 8.5” by 11” paper (regular letter-size paper)
  - Floor plan must show layout of the entire premises
  - Ancillary areas (washrooms, hallways, stairwells, etc.) must be clearly outlined in a different colour
  - See Appendix A - Floor Plans Guide
• Calculation of Capacity
  - From building department, fire department, or an architect or engineer
  - See Appendix A - Floor Plans Guide
• **Business Name Registration**
  The business name under which you intend to operate may have to be registered under the *Business Names Act*. For information regarding business name registration please call toll free 1-800-361-3223 or visit the website at [www.ontario.ca/welcome-serviceontario](http://www.ontario.ca/welcome-serviceontario).

**ADDITIONAL DOCUMENTS**

The following items are not required with the initial application, however, we recommend they be submitted as soon as possible to ensure your licence is issued in a timely fashion.

- **Municipal Information Form**
  - Take this form to your local municipal clerk’s office to be signed and dated by the municipal clerk (or designated official). The municipality may return the form to you, or they may prefer to mail the form directly to the AGCO.

- **Agency Letters of Approval (“Compliance Letters”)**
  Three Agency Letters of Approval (“compliance letters”) are required:
  - Building Department (*Building Code Act, 1992*)
  - Fire Protection Officer or Fire Marshal (*Fire Protection and Prevention Act, 1997*)
  - Public Health Department (*Health Protection & Promotion Act*).

For your convenience, the AGCO provides an [Agency Letter of Approval Form](http://www.agco.ca) for use by the officials. Some agencies may prefer to use their own letterhead. The compliance letters must indicate that your premises meets the current standards or by-laws administered by each agency. These letters must be **signed** and **dated** by the appropriate official.

**If you are applying to license an outdoor area (patio),** the compliance letters submitted from your local fire department and health department must specify that an outdoor area was inspected.

**CONDITIONS**

Under risk-based licensing, one or more conditions may be attached to a Liquor Sales Licence by the Registrar of Alcohol, Gaming and Racing (“Registrar”) to help the licensee minimize risks identified during the assessment process. A list of these conditions, as approved by the AGCO Board specifically for this purpose may be found on the AGCO website at [www.agco.ca](http://www.agco.ca).

A licensee may apply to remove and/or add conditions on their licence if there has been a change in circumstances.
Section 2: Liquor Sales Licences for Manufacturers

LIQUOR SALES LICENCE - TIED HOUSE

A “Tied House” Licence for the manufacturing site of a brewery, winery or distillery allows for the hosting of an on-site restaurant/premises where a manufacturer’s products may be “showcased” on their own or in conjunction with other brands and types of liquor. The licensee is exempt from the requirement of having to sell a variety of brands but must provide for the full sale and service of liquor and food within the licensed premises.

MANUFACTURER’S LIMITED LIQUOR SALES LICENCE (“BY THE GLASS”)

A Manufacturer’s Limited Liquor Sales Licence (“By the Glass” Licence) allows eligible Ontario breweries and wineries to sell and serve their products for consumption on their manufacturing site(s) where the sale is primarily aimed at promoting the manufacturer’s product and either providing an enhanced tourist experience or fulfilling an educational purpose.

Note: A beer or wine manufacturing site may have both a “Tied House” and a Manufacturer’s Limited Liquor Sales (“By the Glass”) Licence. Patrons are permitted to move freely between the licensed areas with their beverages, however, licensees must ensure adherence to rules regarding the permissible hours of sale for each licence type. Generally, the hours of liquor sales and service for “Tied Houses” are 9:00 a.m. – 2:00 a.m. on any day. Under a “By the Glass” Licence, beer, wine or spirits may generally be sold between 9:00 a.m. – 12:00 a.m. on any day.

For more information, please refer to the following Guides available at www.agco.ca:

- Wine Manufacturer’s Guide
- Beer Manufacturer’s Guide
- Spirits Manufacturer’s Guide

Section 3: Mini Bar Licence

If liquor will only be sold/served from a mini bar in guest rooms, and not within other areas of your premises (e.g. pub, restaurant) then only a Mini Bar Licence need be applied for.

Access to the contents of the mini bar must be controlled by the licensee or be restricted by means of a locking device. Access to the contents of the mini bar must be restricted to those persons that are nineteen years of age or older.

Licensees shall retain records of the mini bar sales for one year.
All of the same “Required Documents” as for a Liquor Sales Licence Application (see Section 1: Liquor Sales Licences) must be submitted, however, the Floor Plan, Calculation of Capacity, Municipal Information Form and Agency Letters of Approval (“Compliance Letters”) are not required.

If a licensee has a Liquor Sales Licence for the premises and wants to sell/serve in guest rooms from a mini bar, a Mini Bar Endorsement is required in addition to the Liquor Sales Licence. To apply, please see below, Section 4: Liquor Sales Licence Endorsements “Mini Bar Endorsement”.

**Section 4: Liquor Sales Licence Endorsements**

Endorsements are add-ons to a Liquor Sales Licence that allow a licensee to sell and serve alcohol in certain situations apart from those generally permitted by the licence.

A licensee may apply for and hold more than one type of endorsement, but endorsements of any type are only available to liquor sales licensees.

Endorsements cannot be added to a Manufacturer’s Limited Liquor Sales (“By the Glass”) Licence.

There is no fee for endorsements, with the exception of a Golf Course Endorsement.

Endorsements expire at the same time as the licensee’s Liquor Sales Licence.

**CATERER’S ENDORSEMENT**

The holder of a Caterer’s Endorsement may sell and serve liquor at an event held on premises other than the premises to which the liquor sales licence applies. A Special Occasion Permit is not required. The catered event must be sponsored by someone other than the licence holder, have light meals available and not be more than ten (10) days in duration. Liquor cannot be offered for sale at a series of events sponsored by the same person if as a result of doing so, the licence holder is or appears to be operating an ongoing business with the sponsor. Liquor may not be sold at events held in a residence. Liquor not sold during a catered event must be returned to the licence holder’s stock. The licence holder is not permitted to promote or invite persons to attend a catered event where the licence holder is offering liquor for sale. During the event, the location is considered to be licensed premises. As such, the licence holder is responsible for ensuring compliance with all sections of the Act and its regulations. This includes complying with all health, fire, police and building regulations.
Areas under the exclusive control of the licence holder

If the licence holder has given the AGCO prior notice of its intention to cater events held in areas under the exclusive control of the licence holder (i.e. areas listed on the Endorsement application), then notification of individual events is not required.

NOTE: AN AREA MAY BE UNDER THE EXCLUSIVE CONTROL OF THE LICENCE HOLDER IF THE LICENCE HOLDER OWNS, RENTS OR LEASES THE AREA.

Areas not under the exclusive control of the licence holder

At least ten (10) days before a catered event begins, the licence holder with a Caterer’s Endorsement must provide the AGCO, the local police, fire, health and building departments with details concerning:

• The nature of the event and the name of the sponsor
• The address where the event will be held
• The dates and hours during which the event will be held
• The estimated attendance for the event
• The boundaries of the area where liquor will be sold and served.

At least thirty (30) days before a catered event that will use temporary tiered seating, the licence holder with a Caterer’s Endorsement and a temporary tiered seating approval must provide the AGCO, the local police, fire, health and building departments as well as the municipal clerk’s office with details concerning:

• The nature of the event and the name of the sponsor
• The address where the event will be held
• The dates and hours during which the event will be held
• The estimated attendance for the event
• The boundaries of the area where liquor will be sold and served
• A sketch showing the area where the temporary tiered seating will be located.

Holders of a Brew Pub Endorsement may sell beer they have manufactured at events which are operated under a Caterer’s Endorsement (also see conditions for Brew Pub Endorsements).

Notification Requirements

1. In addition to advising the AGCO at least ten (10) days prior to the event, the licence holder must also notify the local police, fire, building and health departments at least ten (10) days prior to the event.

2. The event must be sponsored by a person other than the licence holder.

3. The licence holder or employee should carry a copy of the Liquor Sales Licence when transporting liquor to and from the event, and post a copy of the Liquor Sales Licence and this Catering Notification at the event; the licence holder or employee should only transport and sell and serve liquor that is purchased under the Liquor Sales Licence.
4. Post a Sandy’s Law **warning sign** at the event.

5. Ensure light meals are available at the event.

6. Allow only the licensee or its employees to sell and serve liquor at the event and ensure that all employees are certified in accordance with the regulations on server training. For more information, please refer to the **Server Training** information provided in this Guide.

7. Do not cater an event exceeding ten (10) consecutive days in length, operate an ongoing business with a sponsor or promote an event.

8. Do not sell and serve liquor at an event held in a residence.

9. As long as it is not a residence, the specified location for the catered event shall be deemed to be a licensed premises during the time of the event and the licensee shall ensure compliance with the applicable sections of the **Liquor Licence Act** and its regulations.

10. Failure to comply with the **Liquor Licence Act** and its regulations can result in disciplinary action, including a suspension or revocation of the licensee’s Endorsement and/or Liquor Sales Licence.

**ROOM SERVICE ENDORSEMENT**

The holder of a Room Service Endorsement may sell and serve liquor to people registered as guests in a room that is rented for overnight accommodation in a facility adjacent to the licensed premises. Food must also be made available.

**BREW PUB ENDORSEMENT**

The holder of a Brew Pub Endorsement may sell and serve beer that is manufactured on the premises by the licensee. The licensee must own and operate both the pub and the manufacturing facilities, the beer must be sold and consumed only in the licensed area and must be manufactured in accordance with standards established under the **Food and Drugs Act** (Canada).

A notice must be posted in a conspicuous place on the licensed premises indicating the percentage of alcohol content of the beer made by the manufacturer.

Beer manufactured by the holder of a Brew Pub Endorsement shall only be sold, served and consumed in the licensed premises where the draught beer was manufactured and on one premises other than the premises where the beer is manufactured if:

i. The licence holder has at least a 51% interest in the business carried on at the other premises and a valid Liquor Sales Licence, or

ii. In accordance with any Caterer’s Endorsement attached to the licence holder’s licence.
The beer manufactured by the holder of a Brew Pub Endorsement shall not contain more than 6.5% alcohol by volume.

It is the endorsement holder’s responsibility to comply with all federal requirements. For more information, contact your nearest Regional Federal Excise Office.

**WINE PUB ENDORSEMENT**

The holder of a Wine Pub Endorsement may sell and serve wine that is manufactured on the premises by the licensee. The licensee must own and operate both the pub and the manufacturing facilities, the wine must be sold and consumed only in the licensed area and must be manufactured in accordance with standards established under the *Food and Drugs Act* (Canada).

A notice must be posted in a conspicuous place on the licensed premises indicating the percentage of alcohol content of the wine.

Wine produced under a Wine Pub Endorsement may only be sold, served or consumed on the premises to which the licence applies. The product may not be removed from any licensed area(s), for any reason.

The holder of a Wine Pub Endorsement, consistent with manufacturing wine on the premises, must perform the minimum steps of fermenting, filtering, carbonating and, where appropriate, bottling on the premises.

The wine manufactured by the licence holder must not contain more than 14% alcohol by volume.

The AGCO requires that an independent laboratory test a finished wine from each concentrate or juice being used in the fermentation process from a particular vintage year. The laboratory report must clearly state that the wine analysis meets all standards established under the *Food and Drugs Act* (Canada). The reports must be retained on the licensed premises for a period of one year and made available to an AGCO employee upon request.

<table>
<thead>
<tr>
<th>Wine Pub Endorsement Testing Contacts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Quality Assurance Laboratory</strong></td>
</tr>
<tr>
<td>Liquor Control Board of Ontario</td>
</tr>
<tr>
<td>55 Lake Shore Blvd E</td>
</tr>
<tr>
<td>Toronto ON M5E 1A4</td>
</tr>
<tr>
<td>Telephone: 416-864-6725</td>
</tr>
<tr>
<td>OR</td>
</tr>
<tr>
<td>A listing of these facilities can be</td>
</tr>
<tr>
<td>found in the yellow pages under the</td>
</tr>
<tr>
<td>heading: “Laboratories - Analytical</td>
</tr>
<tr>
<td>&amp; Testing”</td>
</tr>
</tbody>
</table>
MINI BAR ENDORSEMENT

The holder of a Mini Bar Endorsement may sell and serve liquor from a dispenser (mini bar) in a room that is rented for overnight accommodation in a facility adjacent to the licensed premises. The mini bar must be located in the guest room and must be secured with a key, magnetic card or other device that is separate from the room key.

In addition to alcoholic beverages, the mini bar must also be stocked with non-alcoholic beverages.

Access to the contents of the mini bar must be controlled by the licensee or be restricted by means of a locking device. Access to the contents of the mini bar must be restricted to those persons that are 19 years of age or older.

Licensees shall retain records of the mini bar sales for one year.

GOLF COURSE ENDORSEMENT

The holder of a Golf Course Endorsement may sell and serve liquor to persons on a golf course to consume on the playing area of the golf course. Liquor may be served from mobile vending carts that must be operated by an employee at least 18 years of age. Non-alcoholic beverages must also be made available.

Any patron who obtained liquor at any licensed area of a golf course is exempted from subsection 32(1) of the Act while driving or having the care or control of a golf cart on the playing area of a golf course.

Please refer to the AGCO’s Fee Schedule (Alcohol) at www.agco.ca for the applicable fee.

BRING YOUR OWN WINE (BYOW) ENDORSEMENT

A Bring Your Own Wine (BYOW) Endorsement authorizes the holder of a Liquor Sales Licence for a restaurant or for a banquet room located in a hotel or motel to permit patrons to bring unopened bottles of commercially-made wine into the restaurant or banquet room to which the licence applies for their own consumption.

Under this program, patrons will be able to bring a bottle(s) of commercially-made wine to a licensed restaurant. A restaurant employee must open the wine, as would be the case if the patron had purchased the wine from the premises.

The wine must have its manufacturer’s seal intact when presented to the restaurant or banquet room for opening.

“Commercially-made wine” means wine made by a manufacturer but does not include wine made at a Ferment on Premise facility, wine made at a premises with a wine pub endorsement, fortified wine as defined in Ontario Regulation 659/00 or homemade wine.
The applicant must hold a valid Liquor Sales Licence to apply for a BYOW Endorsement. All rules and regulations regarding the selling and serving of alcohol apply. The licensee may not use this endorsement in combination with any other endorsement that may be attached to the licence.

If the premises ceases to be a “restaurant” or a “banquet room” it ceases to be eligible for a BYOW endorsement, and must inform the Registrar within ten (10) days of the change. Failure to do so could result in administrative action being taken.

Section 5: Modifications to Existing Licences

Changes to Existing Licensed Areas

An application is required for the following types of changes:

1. Increasing capacity of an existing area.
2. Adding a new licensed area (Indoor or Outdoor).
3. Changing the boundaries from the original layout of an existing licensed area, that may or may not increase the capacity.
4. Adding walls that separate current licensed areas.
5. Converting an outdoor area to an indoor area and vice versa.

NOTE: IF THE CHANGE YOU ARE PROPOSING DOES NOT APPEAR IN THE LIST ABOVE, PLEASE CONTACT THE AGCO FOR MORE INFORMATION ON WHAT IS REQUIRED.

An application is not required for the following types of changes:

1. Changes to decor.
2. Installing or relocating doors.
3. Installing windows.

You may not sell or serve alcohol in the additional areas unless your licence is amended to include the proposed changes.

Note: If you wish to remove a licensed area(s) from the licence you must inform the AGCO within thirty (30) days of the change. You must clearly describe the areas that you wish to remove.
Required Information

As with a Liquor Sales Licence application, you will be required to provide:

- **Application fee(s)**
- **Floor plan(s)**
- **Municipal Information Form**
- **Agency Letters of Approval**

Note: If you are applying for an outdoor area (patio), the approval letters submitted from your local fire department and health department must specify that an outdoor area was inspected.

**PUBLIC NOTICE**

The AGCO will determine, based on the *Liquor Licence Act*, whether changes to existing licensed areas or additions that are not currently licensed require public notice. The AGCO will inform you whether your application requires public notice.

Public notice of a Liquor Sales Licence has two parts:

1. A placard (poster) will be mailed to you. The placard must be posted for the number of days specified at the premises in a location where members of the public can easily read it from the outside of the premises. The placard will specify whether the application is for indoor and/or outdoor licensed areas.

2. A notice of application will also be posted on the AGCO website at [www.agco.ca](http://www.agco.ca).

If you are not sure whether your application requires public notice, please contact AGCO Customer Service at 416-326-8700 or 1-800-522-2876.

**TIERED SEATING**

Permanently licensed tiered seating for sale, service and consumption of liquor

If you would like to have a permanently licensed tiered seating area in your premises, where the tiered seating is either fixed (e.g. attached) or temporary (e.g. bleachers that are moveable/expandable), you will need to apply to have the tiered seating area permanently licensed.

**Notification requirement**

Unless there is a specific condition, you will not be required to notify the AGCO when using your tiered seating once the area has been licensed.
Occasional use of tiered seating for sale, service and consumption or liquor

If you would like to occasionally use tiered seating (either fixed or temporary) for an event you need to apply for Temporary Tiered Seating Approval.

Notification requirement

The **Temporary Tiered Seating Notification** must be received by the AGCO at least thirty (30) days prior to all events.

Sale, service and consumption of liquor in tiered seating away from your premises

If you would like to cater an event in a licensed or unlicensed premises that has tiered seating you have to apply for a Caterer’s Endorsement and a Temporary Tiered Seating Approval.

Note: Even if the premises where the event is being held has permanently licensed tiered seating or a Temporary Tiered Seating Approval, the licensee conducting the catering must have a Temporary Tiered Seating Approval on his/her licence.

You will be required to submit a Catering Notification at least thirty (30) days prior to all events every time you use your Caterer’s Endorsement.

**CHANGES TO THE PREMISES NAME**

Licensees may only operate under the name that appears on their Liquor Sales Licence.

The AGCO must be notified if there is a legal name change to an Individual, Entity, or Business/Operating Name. The AGCO must be notified if there is a legal name change to an Individual, Entity, or Business/Operating Name via a **Request a Business/Operating Name Change** application.

If the licensee is a corporation, partnership or sole proprietorship, its business trade (operating) name may have to be registered under the *Business Names Act*. Also note that corporations must file updated information with respect to officers and directors of a corporation with the Companies and Personal Property Security Branch on a regular basis. For information and forms, please see the [Ontario.ca Central Forms Repository](https://www.ontario.ca). Forms must be forwarded to the Companies and Personal Property Security Branch for processing.
Section 6: Temporary Extension of a Liquor Sales Licence

Licensees holding a valid Liquor Sales Licence may submit an application to the AGCO to temporarily extend their existing licensed areas to an adjacent area (for instance to support a special event or occasion). The AGCO will consider temporary extensions for a period of fourteen (14) days or less. The application, including all supporting documentation, must be received thirty (30) days in advance of the temporary extension/event. No licensing fee is required.

The Registrar may approve a temporary physical extension of the premises to which a licence to sell liquor applies, for a period of fourteen (14) days or less, if the extension is adjacent to the premises to which the licence applies.

Prior to making an application for a temporary extension, it is important to take note of the following:

- A complete application including the necessary supporting documents must be submitted a minimum of thirty (30) days in advance of the event, otherwise your application may not be processed in time for the event.
- Should any additional information be required, you will be notified.
- Police, Fire Department, Public Health Office and Building Officials must be notified a minimum of thirty (30) days prior to the event.
- No more than four (4) temporary extensions will be granted in one (1) calendar year to a premises.
- Any conditions that apply to your Liquor Sales Licence will also apply to the extended area.
- It is the licence holder’s responsibility to ensure compliance with all other laws, by-laws and regulations during an event for which a temporary extension has been approved.
- If a tent will be used as the proposed extended licensed area, and the tent has walls that can be rolled down and secured, those secured walls may be considered a fixed partition. Please identify on the sketch if this is the case. Tents without walls or walls that will stay up will require a fixed partition to surround the licensed area so it is separate from the unlicensed area.
- In instances where a large community event is planned and various premises in that community intend to apply for a temporary extension, it may be more efficient if the event organizer or the Business Improvement Association (BIA) collects all of the completed applications and required supporting documents from each participating premises, and submits a complete package on behalf of the participants to the AGCO, well in advance of the event.
- Licensees are responsible for ensuring that all requirements of the Liquor Licence Act and its regulations are met. Licensees should take into consideration the nature of the event and the calculated capacity noted on the Temporary Extension Application.
REQUIRED DOCUMENTATION

The following will be required for your application:

- **Notification Letters**
  A letter of notification advising local Police, Fire Department, Public Health Office and Building Officials of the date, time, exact location, capacity of the proposed extended licensed area including any permanent or temporary tiered seating, and nature of the event must be sent a minimum of thirty (30) days prior to the event. Copies of these letters must be included with your application.

- **Sketch or Plan**
  A well-drawn sketch or plan must clearly show:
  - The exact dimensions of the proposed extended licensed area including any permanent or temporary tiered seating;
  - The exact location of the area in relation to the licensed premises - must be adjacent to the existing licensed premises;
  - The height and type of fencing (i.e., snow, metal, wooden) - the proposed extended area must be defined by a partition that is at least 0.9 metres high (36”) that makes the area easily distinguishable from other areas to which the proposed temporary extension does not apply.

  See Appendix B – Calculating the Dimensions of a Proposed Extended Licensed Area.

- **Letter of Approval**
  If the proposed extended area is rented or leased, the applicant must provide a letter of approval from the owner or landlord.

- **Letter of Non-Objection from the Municipal Clerk**
  If the event is outdoors, the applicant must obtain a letter from the Municipal Clerk stating that there is “no objection” to the proposed extended licensed area. Letters from the municipality that state the event is “municipally significant” will not be considered acceptable.
  
  Please obtain this letter well in advance of the event to ensure the Municipal Council will be able to consider your request.

**Section 7: Temporary Extension of Hours**

The Registrar is authorized to extend the hours of sale of liquor at a licensed premise for an event which is of municipal, provincial, national or international significance.

- Hours will not be extended for televised events
- Applications for extended hours must be submitted at least thirty (30) days prior to event date
- Applications for extended hours may be refused, if in the opinion of the Registrar:
  - The event is not considered a significant event
  - The extension of hours is not in the public interest, or
  - An extension of hours is not necessary to promote the success of the event.
The following must accompany the application:

**LIQUOR SALES LICENCE HOLDERS**

- **Municipal Designation**
  A Municipal Designation must be submitted if the event is of municipal significance, and it must include the following information:
  - Name and address of the premises for which extended hours are requested;
  - Description of events that are occurring in the premises (i.e. how is the premises linked to the overall event?)
  - Reasons why the event is municipally significant
  - Explanation of how the extension of hours for the sale and service of liquor at the premises will promote the success of the event.

- **Municipality Notification** (for events of provincial, national and international significance)
  All applications submitted to the AGCO for a temporary extension of hours for events of provincial, national and international significance must be accompanied by a copy of the written notification the applicant has sent to the local municipality.

- **Police Notification**
  A copy of the written notification sent by the event organizer to the local police must be submitted. The notification must advise the police of the following:
  - That the licensee is applying to the AGCO for an extension of hours (for the sale and service of liquor);
  - Names and addresses of all premises that are listed on the application;
  - Names and date(s) of the event;
  - Date(s) and time(s) of extension requested.

**EVENT ORGANIZERS**

- **Municipal Designation**
  A Municipal Designation must be submitted if the event is of municipal significance, and it must include the following information:
  - Name and address of all premises for which extended hours are requested;
  - Description of events that are occurring in each premises (i.e. how is each premises linked to the overall event?)
  - Reasons why the event is municipally significant
  - Explanation of how the extension of hours for the sale and service of liquor at the premises will promote the success of the event.

- **Municipality Notification** (for events of provincial, national and international significance)
  All applications submitted to the AGCO for a temporary extension of hours for events of provincial, national and international significance must be accompanied by a copy of the written notification the applicant has sent to the local municipality.

- **Police Notification**
  A copy of the written notification sent by the event organizer to the local police must be submitted. The notification must advise the police of the following:
That the event organizer is applying to the AGCO for an extension of hours (for the sale and service of liquor)
- Names and addresses of all premises that are listed on the application
- Names and date(s) of the event.

**Letters of Confirmation**
A “Letter of Confirmation” must be submitted from each premises listed on the application for extended hours. The Letter of Confirmation must be signed by the premises’ Liquor Sales Licence holder and confirm that the premises is requesting extended hours (for the sale and service of liquor).

**Note:** The event organizer must ensure that all Letters of Confirmation are submitted with the application. If an application for extension of hours is submitted without a Letter of Confirmation from each premises, the application will not be processed.

**Section 8: Transferring a Liquor Sales Licence**

All Liquor Sales Licences are issued to individuals, business partnerships or corporations, for operation at a specific location. The licensee is responsible for the ongoing operation of the licence.

Changes in ownership (commonly referred to as licence transfers) must be approved by the AGCO. An application must be submitted for approval before the change is made.

Licence transfers fall into two general categories:
- A 100% change in ownership from that currently registered with the AGCO; or
- A partial change in ownership from that currently registered with the AGCO.

If the licensee is a corporation, partnership or sole proprietorship, its business trade (operating) name may have to be registered under the *Business Names Act*. Also note that corporations must file updated information with respect to officers and directors of a corporation with the Companies and Personal Property Security Branch on a regular basis. Please see the [Ontario.ca Central Forms Repository](https://www.ontario.ca). Forms must be forwarded to the Companies and Personal Property Security Branch for processing.

**TRANSFER WITH AUTHORIZATION TO CONTRACT OUT**

An **Authorization to Contract Out** allows a transfer applicant to operate a licensed premises until the licence is either transferred into the applicant’s name, the licence expires, or the AGCO refuses the transfer, whichever comes first.

During this period, both the current licence holder and the transfer applicant are responsible for the sale and service of alcohol.

The Authorization to Contract Out must be submitted to the AGCO with the transfer application, and appropriate **alcohol licensing fee**.
Note that a Personal Disclosure for the person who will be responsible for managing the premises must be submitted and approved by the AGCO, before the Authorization to Contract Out becomes effective and the transfer applicant is permitted to sell and serve alcohol on the premises.

Make sure to check the expiry date of the licence, and have the licensee renew it (if necessary) to ensure it does not expire during the transfer period.

**CORPORATE ROLLOVER**

You should apply for a transfer (corporate rollover) of a licence if:

- An individual or a partnership incorporates. In this case the individual or the partners must be the only officer(s) and director(s) of the new corporation and a corporate structure form must be completed.
- A corporation with a sole officer, director and shareholder becomes a sole proprietor.
- A corporation with more than one officer, director or shareholder becomes a partnership and the officers, directors and shareholders are the only partners.

The following is required to transfer a Liquor Sales Licence:

- **Application Fee**
- **Entity Disclosure***
  Entity Disclosure information must be provided by the applicant corporation and by all corporations directly or indirectly holding 10% or more of the shares of the applicant.
- **Personal Disclosure***
  Personal Disclosure information must be provided by all of the following persons:
  - Sole Proprietors
  - All Officers and/or Directors
  - All Partners
  - Any shareholder holding 10% or more of any class of shares
  - On-site manager, if applicable.

* For complete information, please refer to the **Personal and Entity Disclosure Guide** available at [www.agco.ca](http://www.agco.ca).

- **Authorization to Contract Out (if applicable)**
  The applicant must apply for an **Authorization to Contract Out** (together with the Liquor Sales Licence Transfer Application and transfer fee) if the applicant intends to operate during the transfer process. The applicant may not operate until they have received the “Authorization To Contract Out” from the Registrar. The licence holder and applicant are both responsible for compliance with all requirements of the licence during the authorization to contract out period.
  An Authorization to Contract Out expires when the licence is transferred, expires or when a notice of proposal to refuse the transfer is issued. Both the licence holder and the transfer applicant must sign both the Transfer Application and the Application for Authorization to Contract Out.
The following is required to complete a Transfer Of Ownership application, but may be submitted later in the application process:

- **Letter of Confirmation or Minutes / Shareholders’ Resolution.** The AGCO requires confirmation that the transfer of ownership has been completed. You will need to submit one of the following:
  - If the change of ownership involved the transfer of shares within a corporation, you will need to submit a copy of the Minutes/Shareholders’ Resolution;
  - If the change of ownership did not involve the transfer of shares within a corporation, you will need to submit a letter after closing confirming the date the transaction was completed. The AGCO accepts the closing letter only from the current licence holder, a lawyer or an accountant.

**Note regarding Retail Sales Tax:** If either the current liquor licence holder or the transfer applicant owes money (retail sales tax) to the Ministry of Finance, the Liquor Sales Licence Transfer Application cannot proceed until this debt has been resolved.

### TEMPORARY TRANSFER OF A LIQUOR SALES LICENCE

A premises with a valid Liquor Sales Licence may be eligible for a one-year non-renewable transfer in order to dispose of the business in an orderly fashion, if the licensed premises is temporarily taken into possession by:

- A trustee in bankruptcy
- A court-appointed receiver
- A mortgagee (on the property)
- A franchiser
- A landlord by default of lease
- An executor or administrator of the estate of a deceased licensee.

An application for a Temporary Transfer must be completed by one of the eligible applicants listed above and forwarded to the AGCO along with the appropriate licensing fee.

Applicants may not sell, serve or permit consumption of alcohol on the premises until the Temporary Liquor Sales Licence has been issued by the AGCO.

A Temporary Transfer Licence allows an applicant to hold a Liquor Sales Licence for up to one year to permit an orderly disposition of the business. **A temporary licence is valid for one year only and is non-renewable.** A Transfer application and fee must be received by the AGCO at least ten (10) days prior to the expiry date of the temporary licence.

The following may be eligible to apply for a temporary transfer:

- Landlord in possession
- Franchiser in possession
• Mortgagee in possession (Chattel Mortgagees not eligible)
• Trustee in bankruptcy
• Court-appointed receiver
• Executor/Executrix or Administrator of the estate of a deceased licensee.

**Note regarding Retail Sales Tax:** The AGCO cannot accept a temporary transfer application if there are outstanding monies owed to the Ministry of Finance by the current licensee. Any monies owing to the Ministry of Finance, Retail Sales Tax branch must be paid/resolved prior to the Commission issuing the licence. Retail Sales Tax clearance is not required for Trustees in Bankruptcy or Court Appointed Receivers applying for a temporary Liquor Sales Licence.

**Application Checklist**

The following items must be submitted for your application to be processed.

- **Application Fee**
- **Entity Disclosure**
  Entity Disclosure information must be provided by the applicant corporation and by all corporations directly or indirectly holding 10% or more of the shares of the applicant.
- **Personal Disclosure**
  Personal Disclosure information must be provided by all of the following persons:
  - Sole Proprietors
  - All Officers and/or Directors
  - All Partners
  - Any shareholder holding 10% or more of any class of shares
  - On-site manager, if applicable.
- **Supporting Documents**, e.g. possession information (how and when possession of the licensed premises was obtained).

If you plan to operate, the following will also be required:

- **Operating Information** (including the names of those persons who will manage the day-to-day operation of the liquor business at the premises).
- **Business Name Registration:** The business name under which you intend to operate may have to be registered under the *Business Names Act*. For information regarding business name registration please call toll free 1-800-361-3223 or visit the website at [www.ontario.ca/welcome-serviceontario](http://www.ontario.ca/welcome-serviceontario).
Section 9: Liquor Sales Licence Renewals

As a courtesy, licensees will receive a renewal reminder sixty (60) days prior to the expiration date of their licence.

You must apply to renew your licence and submit the appropriate fee prior to the expiry date.

If your application and fee(s) are received on or before the expiry date, you will receive a Renewal Confirmation Notice allowing you to operate until you receive your licence.

If your renewal application is not received by the expiry date on your liquor licence, your licence will expire and you can no longer sell or serve alcohol. Expired liquor licences cannot be renewed. Keep in mind that you are prohibited under the Liquor Licence Act from selling/serving alcohol without a valid liquor licence.

Please note that your Liquor Sales Licence renewal will not be processed if your premise owes money to the Ministry of Finance (Retail Sales Tax). It is your responsibility to contact the Ministry of Finance at 1-866-668-8297 to determine if you owe any money.

Your Liquor Sales Licence renewal application will also not be processed if there has been a change of ownership at the premises that has not been previously reported to the AGCO. If such a change has occurred, you must apply for a Liquor Sales Licence Transfer.

Business Name Registration

The business name under which you intend to operate may have to be registered under the Business Names Act. For information regarding business name registration please call toll free 1-800-361-3223 or visit the website at www.ontario.ca/welcome-serviceontario.

Section 10: Closing a Business

Under Ontario Regulation 719(56(1)) of the Liquor Licence Act, unless you are transferring the Liquor Sales Licence, you must surrender the licence back to the Registrar when you stop operating your business.

To do this, please submit a Voluntary Surrender of Licence/Authorization. If you do not surrender your licence, a revocation of licence will be noted on your record.
Appendix A – Floor Plan Guide

Floor plans must be submitted with new Liquor Sales Licence applications and alteration applications. Proposed licensed areas shown on your floor plans must match the areas listed on your application form.

Sample floor plan:

Floor plan requirements:
1. Floor plans must be submitted in duplicate.
2. Floor plans must be submitted on regular letter-size paper (8.5” by 11” paper).
3. Proposed licensed areas must be clearly outlined on both copies.
4. All other ancillary areas which you wish to license (example: Washrooms, hallways, stairwells, etc.) must also be clearly outlined, even if they do not increase the overall capacity.

Capacity Calculations:
1. A separate capacity is required for each proposed licensed area, except ancillary areas.
2. There are three methods of assigning a capacity to your premises, either:
   a) capacity is assigned by the building department; or
   b) capacity is assigned by the fire department; or
   c) capacity is calculated by an architect or professional engineer.
3. If neither the building nor fire department will assign a capacity to the proposed licensed areas, you must submit floor plans that show capacity calculations completed by an architect or professional engineer in accordance with the Liquor Licence Act regulations. These floor plans must be STAMPED and SIGNED by the architect or professional engineer.
4. Licensed areas must be separated from unlicensed areas by a wall or partition of at least 0.9 metres (36”) in height.

Sample Application form chart:

<table>
<thead>
<tr>
<th>Area Number</th>
<th>Floor Level</th>
<th>Exact Location of Licensed Area</th>
<th>Indoors or Outdoors</th>
<th>Total area (length x width) m² or sq.ft.</th>
<th>Estimated capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>B</td>
<td>Standing Bar</td>
<td>In</td>
<td>27.6 m²</td>
<td>24</td>
</tr>
<tr>
<td>2</td>
<td>G</td>
<td>Seating Lounge</td>
<td>In</td>
<td>37.3 m²</td>
<td>33</td>
</tr>
<tr>
<td>3</td>
<td>G</td>
<td>Patio</td>
<td>Out</td>
<td>21.4 m²</td>
<td>19</td>
</tr>
</tbody>
</table>
Appendix B – Calculating the Dimensions of a Proposed Extended Licensed Area

The following is an example of sketch showing the proposed extended area in relation to the existing licensed area(s)

Formula for Maximum Capacity of Extension: Length x Width (metres) divided by 1.11 (metres)
Appendix C – Premises Types

PREMISES TYPE

The following are the applicable premise types to select, depending on the corresponding authorization or licence being applied for:

Authorization as a Wine Boutique Sales Agent
- Grocery Store

Beer and Cider Authorization
- Grocery Store

Beer and Wine Authorization
- Grocery Store

Ferment on Premise Licence
- Ferment on Premise Facility

Liquor Sales Licence - Manufacturer’s Tied House
- Bar / Sports Bar
- Restaurant*
- Restaurant (Franchise)*
- Restaurant / Bar*
- Restaurant / Club*
- Specialty Merchandise Store
- Other

Mini Bar Licence
- Hotel/Motel

Liquor Sales Licence
- Adult Entertainment
- Arcade-style Facility
- Art Gallery
- Athletic Club
- Auditorium
- Automotive / Marina
- Banquet Hall
- Bar / Sports Bar
- Big Box Retail Store
- Billiard / Pool Hall
- Bingo Hall
- Boat
- Bookstore
- Bowling Alley
- Community Centre
- Educational Facility- Over 19 years of age*
- Educational Facility- Under 19 years of age*
- Funeral Home
- Gaming Facility*
- General Store*
- Golf Course
- Grocery Store
- Hair Salon / Barber Shop
- Historical Site / Landmark
- Hotel/Motel
- Internet Café
- Karaoke Bar / Restaurant
- Laundromat
- Live Theatre
- Medical Facility
- Military
- Motion Picture Theatre
- Museum
- Night Club*
- Place of Worship
- Railway Car*
- Restaurant
- Restaurant (Franchise)*
- Restaurant / Bar*
- Restaurant / Club*
- Retirement Residence
- Social Club*
- Spa
- Specialty Food Store
- Specialty Merchandise Store
- Stadium*
- Theatre*
- Train*
- Other

*see “Description of Premises Types” next page
### DESCRIPTION OF SELECTED PREMISES TYPES

<table>
<thead>
<tr>
<th>Premise Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Education Facility - Over 19 Years of Age</strong></td>
<td>A school or place of learning where the majority of students are over the age of 19, such as a university or college.</td>
</tr>
<tr>
<td><strong>Education Facility - Under 19 Years of Age</strong></td>
<td>A school or place of learning where the majority of students are under the age of 19, such as an elementary school or high school.</td>
</tr>
<tr>
<td><strong>Gaming Facility</strong></td>
<td>A place which is kept for the purpose of playing games of chance and which is named on the registration of the registered supplier of the gaming premises.</td>
</tr>
<tr>
<td><strong>General Store</strong></td>
<td>A store that sells a variety of merchandise, such as groceries and household supplies.</td>
</tr>
<tr>
<td><strong>Night Club</strong></td>
<td>A licensed premises where dance facilities are provided for patrons. Patron seating is limited and food service is generally an ancillary activity.</td>
</tr>
<tr>
<td><strong>Railway Car</strong></td>
<td>The stock of a Railway Company that is permanently affixed to the ground and is not used for the transport of passengers.</td>
</tr>
<tr>
<td><strong>Restaurant</strong></td>
<td>A premises where all the areas within the premises are given over to tables and chairs. The main focus is food service.</td>
</tr>
<tr>
<td><strong>Restaurant (Franchise)</strong></td>
<td>As Restaurant above, but operated under a franchise agreement.</td>
</tr>
<tr>
<td><strong>Restaurant/Bar (Restobar)</strong></td>
<td>A premises where the dining area is completely separate from the bar. The dining room is primarily family focused and is the main eating area, while the bar is more suitable for an adult clientele.</td>
</tr>
<tr>
<td><strong>Restaurant/Club (Restoclub/lounge)</strong></td>
<td>A restaurant that may also operate as a nightclub after certain hours (see Nightclub above). Sometimes called a Lounge.</td>
</tr>
<tr>
<td><strong>Social Club</strong></td>
<td>These premises are primarily member only clubs such as service clubs, golf clubs and cultural clubs.</td>
</tr>
<tr>
<td><strong>Stadium</strong></td>
<td>A premises whose seating is in fixed tiers and in which live sporting and entertainment events take place before an audience.</td>
</tr>
<tr>
<td><strong>Theatre</strong></td>
<td>A place to which the public is invited that is used primarily for the viewing of live productions of the performing arts.</td>
</tr>
<tr>
<td><strong>Train</strong></td>
<td>The rolling stock of a Railway Company used for the transport of passengers but does not include rolling stock used as a street car, a subway or a similar transit vehicle.</td>
</tr>
</tbody>
</table>