



Alcohol and Gaming Commission of Ontario

# Spirits Manufacturers' Guide

FEBRUARY 2019



AGCO

Alcohol and Gaming  
Commission of Ontario

Alcohol and Gaming Commission of Ontario

90 Sheppard Avenue East

Suite 200

Toronto ON M2N 0A4

Fax: 416-326-8711

Tel: 416-326-8700 or 1-800-522-2876 toll free in Ontario

Website: [www.agco.ca](http://www.agco.ca)

© Queen's Printer for Ontario, 2019

Disponible en français

# TABLE OF CONTENTS

<b>Section 1: Manufacturer’s Licence – Distillery</b> .....	<b>1</b>
<b>Information Guide for NEW Applicants</b> .....	<b>1</b>
<i>What is a Manufacturer’s Licence?</i> .....	<b>1</b>
<i>Things to know before applying</i> .....	<b>1</b>
Contact Information.....	<b>1</b>
Eligibility Criteria.....	<b>1</b>
<i>Compliance Assurance – Maintaining your Licence</i> .....	<b>1</b>
<i>Licences/Authorizations related to a Manufacturer’s Licence (Distillery)</i> .....	<b>2</b>
<i>How to apply</i> .....	<b>2</b>
<i>Supporting Documents</i> .....	<b>3</b>
<i>Fees &amp; Payment</i> .....	<b>3</b>
<b>Changes of Ownership: Transferring a Manufacturer’s Licence</b> .....	<b>4</b>
<i>When is a Licence Transfer required?</i> .....	<b>4</b>
<i>Other changes to Ownership Structure</i> .....	<b>4</b>
<i>How to transfer a Manufacturer’s Licence</i> .....	<b>4</b>
<i>Supporting Documents</i> .....	<b>5</b>
<i>Other Notes for Transfer Applicants</i> .....	<b>6</b>
<i>Fees &amp; Payment</i> .....	<b>6</b>
<b>Renewing a Manufacturer’s Licence</b> .....	<b>6</b>
<i>Change of Ownership</i> .....	<b>6</b>
<i>Expiry Date</i> .....	<b>7</b>
<i>How to renew your licence</i> .....	<b>7</b>
<i>Fees &amp; Payment</i> .....	<b>7</b>
<b>Section 2: On-Site Distillery Retail Store Authorization</b> .....	<b>8</b>
<b>Information Guide for NEW On-Site Distillery Retail Store Applicants</b> .....	<b>8</b>
<i>What is an On-Site Distillery Retail Store Authorization?</i> .....	<b>8</b>
<i>Things to know before applying</i> .....	<b>8</b>
General Eligibility Criteria.....	<b>8</b>
<i>How to apply</i> .....	<b>8</b>
<i>Supporting Documents</i> .....	<b>8</b>
<i>Fees &amp; Payment</i> .....	<b>9</b>

<b>Renewing your Retail Store Authorization</b> .....	<b>9</b>
<i>Fees &amp; Payment</i> .....	<b>9</b>
<b>Relocating your On-Site Distillery Retail Store</b> .....	<b>10</b>
<i>How to apply</i> .....	<b>10</b>
<i>Supporting Documents</i> .....	<b>10</b>
<i>Fees &amp; Payment</i> .....	<b>10</b>
<b>Section 3: Manufacturer’s Limited Liquor Sales Licence (“By the Glass”)</b> .....	<b>11</b>
<b>INFORMATION GUIDE FOR MANUFACTURER’S LIMITED LIQUOR SALES LICENCE (“BY THE GLASS”) APPLICANTS</b> .....	<b>11</b>
<i>What is a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”)?</i> .....	<b>11</b>
<i>Things to know before you apply</i> .....	<b>11</b>
<i>Eligibility Criteria</i> .....	<b>11</b>
<i>Operational Restrictions</i> .....	<b>11</b>
<i>How do I apply?</i> .....	<b>12</b>
<i>Supporting Documents</i> .....	<b>12</b>
<i>Fees &amp; Payment</i> .....	<b>12</b>
<b>TRANSFERRING A MANUFACTURER’S LIMITED LIQUOR SALES LICENCE (“BY THE GLASS”)</b> .....	<b>13</b>
<i>When is a Transfer of Licence required?</i> .....	<b>13</b>
<i>How do I apply?</i> .....	<b>13</b>
<i>Supporting Documents</i> .....	<b>13</b>
<i>Fees &amp; Payment</i> .....	<b>13</b>
<b>RENEWING A MANUFACTURER’S LIMITED LIQUOR SALES LICENCE (“BY THE GLASS”)</b> .....	<b>14</b>
<i>How do I apply?</i> .....	<b>14</b>
<i>Fees &amp; Payment</i> .....	<b>14</b>
<i>Other important information: Retail Sales Tax</i> .....	<b>14</b>
<b>Section 4: Liquor Sales Licence (“Tied House”)</b> .....	<b>15</b>
<i>What is a “Tied House” Liquor Sales Licence?</i> .....	<b>15</b>
<i>How to apply</i> .....	<b>15</b>
<i>Fees &amp; Payment</i> .....	<b>15</b>
<i>Other information for Manufacturers</i> .....	<b>15</b>
<b>Section 5: Contacts for Research and Additional Information</b> .....	<b>16</b>

# Section 1: Manufacturer's Licence – Distillery

## INFORMATION GUIDE FOR NEW APPLICANTS

### *What is a Manufacturer's Licence?*

The Registrar of Alcohol, Gaming and Racing ("The Registrar") issues Manufacturer's Licences which allow manufacturers to sell their Ontario wine, beer, or spirits to the Liquor Control Board of Ontario (LCBO) for distribution in its system or by other approved means.

A Manufacturer's Licence is **NOT** a licence to manufacture liquor.

### *Things to know before applying*

#### **Contact Information**

Prior to submitting an application for a Manufacturer's Licence to the AGCO, applicants should contact the LCBO to obtain information on relevant LCBO policies. Please refer to section 5, "Contacts for Research and Additional Information", located at the end of this guide.

#### **Eligibility Criteria**

To be eligible for a Manufacturer's Licence, applicants must be:

- Nineteen (19) years of age or older;
- Financially responsible;
- Conduct the business in accordance with the law and with integrity and honesty (please note that police records checks will be conducted on all individuals involved in an application).

Applicants are generally not permitted any direct or indirect financial ownership in an establishment holding a liquor sales licence (i.e. licensed restaurants and bars). Please refer to section 6 of the *Liquor Licence Act* for further information.

### *Compliance Assurance – Maintaining your Licence*

Once a Manufacturer's Licence has been issued, the holder of the Licence is responsible for operating their business responsibly and in accordance with applicable laws and regulations. Licence holders will be subject to the following:

- **Regular renewal of the licence** – Manufacturer's Licences are valid for a period of either two (2) or four (4) years. As a courtesy, licence holders will be sent a renewal notice approximately sixty (60) days prior to the expiry date shown on the licence, however it remains the licensee's responsibility to ensure the licence is renewed on time;
- **Periodic inspections by AGCO Inspectors** – All locations may be inspected by AGCO Inspectors for compliance with the *Liquor Control Act*, the *Liquor Licence Act* and

their regulations. You must allow AGCO Inspectors unobstructed access to your business and you must facilitate their inspections;

- The **Liquor Licence Act**, its **regulations** and the **Registrar’s Advertising Guidelines** and **Sampling Guidelines**.
- **Any conditions attached to the licence.**
- **Mandatory Staff/Server Training** – The manufacturer must ensure that any person involved in the sale, service or sampling of liquor, or who are involved in taking orders for liquor from customers has successfully completed a server training course approved by the Board of the Alcohol and Gaming Commission of Ontario (the “Board”). The Board has approved the Smart Serve® Training Program. Please visit [www.smartserve.ca](http://www.smartserve.ca) for more information. *Please note that the AGCO recognizes The Server Intervention Program certification issued prior to May 1995.*

For more information on some of the **legal responsibilities** of a licence holder, please refer to the *Liquor Licence Act* and its regulations available at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

### *Licences/Authorizations related to a Manufacturer’s Licence (Distillery)*

Current legislation allows other limited activities at the site of a spirits manufacturer. Holders of a Manufacturer’s Licence (distillery) may also be eligible for:

- The operation of an on-site distillery retail store where eligible products made by the manufacturer may be sold directly to the public. Please refer to the AGCO’s **Distillery Retail Store Information Guide** on the [AGCO website](http://www.agco.ca) and section 2 of this guide for further information;
- The operation of a licensed premise on the manufacturing site. This allows a manufacturer to host an on-site restaurant/establishment where products may be “showcased” on their own or in conjunction with other brands and types of liquor. This type of licensed establishment, often referred to as a “Tied House” is exempt from the requirement of having to sell a variety of brands, and may provide for the full sale and service of liquor and food within the licensed premises. Please refer to the [AGCO website](http://www.agco.ca) and/or Section 3 of this guide for more information.

### *How to apply*

You can apply for a Manufacturer’s Licence and a Manufacturer’s “By the Glass” Licence - Distillery online, through the [iAGCO portal](http://www.agco.ca).

## Supporting Documents

### What supporting documents/information are needed to apply?

When applying for your Manufacturer's Licence online, you will be asked to provide the following as part of your application. These items can be provided to the AGCO at any time during the application process:

#### 1. A summary of your Business Plan, which sets out:

- A full description of the product(s) to be manufactured on site at the new facility;
- Floor plans showing the complete layout of the manufacturing facility, including equipment and proposed location of an on-site retail store (if applicable);
- The channel(s) through which you plan to sell your product(s) (i.e., LCBO, on-site, direct to licensees, export);
- If your product(s) will be manufactured at a facility other than your own, please provide details.

#### 2. Copy of Federal Excise Licence (Distillery)

The *Excise Act* and the *Excise Act, 2001* (administered by the Canada Revenue Agency) require that a person obtain a licence under these federal statutes prior to producing or packaging wine, beer and/or spirits in Canada. Please contact the Canada Revenue Agency at 1-866-667-9851 for further information.

#### 3. Written Proof of LCBO Product Testing

Please contact the LCBO's Quality Assurance Department at 416 864-6724 for further information, including laboratory testing fees.

#### 4. Copy of 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.serviceontario.ca](http://www.serviceontario.ca).

## Fees & Payment

- Please refer to the AGCO's **Application Fee Schedule** 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.**

## CHANGES OF OWNERSHIP: TRANSFERRING A MANUFACTURER'S LICENCE

### *When is a Licence Transfer required?*

**Changes in ownership require the approval of the Registrar.** Licence holders must notify the AGCO and an application to transfer the licence must be submitted **prior to any changes in ownership** to allow the application to be processed before the completion of the change.

**Licence transfers generally fall into two categories:**

**1. A 100% change of ownership:**

- For example, a business with a Manufacturer's Licence is purchased by another business/corporation (e.g. all shares of a corporation that holds an active licence are purchased).

**2. A partial change in ownership:**

- An individual or a partnership holds a current licence and takes on a new partner;
- An individual or a corporation holds a current licence and a change in the corporate structure will result in a person or corporation gaining ten percent (10%) or more of the shares.

### *Other changes to Ownership Structure*

The **AGCO must also be informed of, and an application submitted for, any other types of changes to the ownership structure of a business, including where:**

- An individual or a partnership decides to incorporate. In this case, the individual or the existing partners must be the only officers, directors and shareholders of the new corporation;
- A corporation with a sole officer, director and shareholder becomes a sole proprietorship and the single officer, director or shareholder of the former corporation is the sole proprietor;
- A corporation with more than one officer, director or shareholder becomes a partnership and the existing officers, directors and shareholders are the only partners.

### *How to transfer a Manufacturer's Licence*

Applications to transfer your Manufacturer's Licence can be made online, through the **iAGCO portal**.

Please note:

- The entity to whom the licence is being transferred TO is responsible for submitting the application to transfer the licence;
- The application must include a signed **Consent to Transfer**, signed by the **current licence holder(s)**.

## *Supporting Documents*

### **What supporting documents/information are needed to transfer a licence?**

When applying to transfer a Manufacturer's Licence, the following will be required:

- **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 any class of shares of the applicant.
- **Consent to Transfer**
- **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**.

The following items are not required with the initial application, and can be submitted to the AGCO at any time during the application process. As these items are required in order to complete your application, it is recommended they be submitted as soon as possible.

#### **1. A summary of your Business Plan, which sets out:**

- A full description of the products to be manufactured on-site at the new facility;
- Floor plans showing the complete layout of the manufacturing facility, including:
  - Equipment and proposed location of an on-site retail store (if applicable);
  - The channel(s) through which you plan to sell your product(s) (i.e., LCBO, on-site, direct to licensees, export);
- If your product(s) will be manufactured at a facility other than your own, please provide details.

#### **2. 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.serviceontario.ca](http://www.serviceontario.ca)**.

#### **3. Copy of Federal Excise Licence (Distillery)**

The *Excise Act* and the *Excise Act, 2001* (administered by the Canada Revenue Agency) requires that a person obtain a licence under these federal statutes prior to producing or packaging wine, beer and/or spirits in Canada. Please contact the Canada Revenue Agency at 1-866-667-9851 for further information.

#### 4. Confirmation of Sale

Transfer applicants must submit written confirmation signed by the vendor, a lawyer or an accountant, that the sale of the business or shares has been completed, for example, at least one of the following:

- Letter of confirmation indicating the name of the current licensee of record, the transfer applicant, as well as the date the business transaction closed
- Minutes/Shareholders' Resolution (confirming the transfer of shares within a corporation)

#### *Other Notes for Transfer Applicants*

Should the transfer application be approved, a licence shall be issued to the new owners with the expiry date of the original licence.

Transfer applicants must **check the expiry date of the existing licence** to ensure that the licence will not expire during the time it takes to process the transfer application.

#### *Fees & Payment*

- Please refer to the AGCO's **Application Fee Schedule** 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.**

### **RENEWING A MANUFACTURER'S LICENCE**

Manufacturer's Licences are valid for a period of either two (2) or four (4) years. As a courtesy, licence holders will be sent a renewal notice approximately sixty (60) days prior to the expiry date shown on the licence, however it remains the licensee's responsibility to ensure the licence is renewed on time.

#### *Change of Ownership*

Your renewal application will not be accepted if there has been a change of ownership that has not been previously reported to the AGCO. If there has been a change of ownership, you must apply for a Manufacturer's Licence Transfer Application (see page 4 – Changes of Ownership: Transferring a Manufacturer's Licence).

### *Expiry Date*

Your renewal application must be submitted to the AGCO on or before the expiry date on your Manufacturer's Licence.

If your renewal application is not received by the expiry date on your Manufacturer's Licence, your licence will expire and you can no longer sell or serve alcohol.

### *How to renew your licence*

You can apply to renew your Manufacturer's Licence online, through the **iAGCO portal**.

### *Fees & Payment*

Please refer to the AGCO's **Application Fee Schedule** 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.**

## Section 2: On-Site Distillery Retail Store Authorization

### INFORMATION GUIDE FOR NEW ON-SITE DISTILLERY RETAIL STORE APPLICANTS

#### *What is an On-Site Distillery Retail Store Authorization?*

An On-Site Distillery Retail Store Authorization allows a spirits manufacturer to operate a store for the retail sale of its spirits.

#### *Things to know before applying*

##### **General Eligibility Criteria**

Generally, in order to be eligible for an On-Site Distillery Retail Store Authorization:

- The applicant must be a distillery with a valid Manufacturer's Licence issued by the Registrar;
- The proposed on-site distillery retail store must be located on the same parcel of land as the applicant's production site and the spirits to be sold in the on-site store must be made by the applicant at that production site; and
- The applicant must meet the criteria and requirements outlined in the AGCO's **Distillery Retail Store Information Guide**, which has been developed to assist those wishing to apply for a new retail store authorization, or for approval to relocate an existing authorized retail store.

Please note that the application process also includes a site inspection of the constructed retail store by an AGCO Inspector to confirm that all eligibility criteria and requirements have been met.

#### *How to apply*

You can apply for an On-Site Distillery Retail Store Authorization online, through the **iAGCO portal**.

#### *Supporting Documents*

##### **What supporting documents/information are needed for an On-Site Distillery Retail Store Authorization application?**

When applying for an On-Site Distillery Retail Store Authorization online, you will be asked to provide the following as part of your application. These items can be provided to the AGCO at any time during the application process:

1. Completed original **Municipal Information for a Retail Store Authorization** form;
2. Site plan detailing the production site and the proposed retail store location;
3. Floor plan of the proposed retail store including square footage;
4. If ownership and control of the production site is shared with any other licensed manufacturer - supplementary documentation demonstrating substantial ownership and control of the production site;
5. A copy of **each notification letter** (if applicable) sent to any place of religious

assembly, schools, public parks and playgrounds, community centers and/or libraries located within one (1) kilometre of your proposed store location;

NOTE: As part of the application for an On-Site Retail Store Authorization, you must provide written notification to the above noted institutions of your proposed retail store is located within one (1) kilometre of any such establishment. A copy of each notification letter sent must also be submitted to the AGCO. The notification letter must instruct the reader to notify the AGCO in writing of any objections they may have to your proposed store within fifteen (15) days of the date of your notification letter;

6. Agreement with the LCBO respecting the sale of spirits through an on-site retail store.

### *Fees & Payment*

- Please refer to the AGCO's **Application Fee Schedule** 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.**

## **RENEWING YOUR RETAIL STORE AUTHORIZATION**

Retail Store Authorizations are valid for a period of either two (2) or four (4) years and expire when the associated Manufacturer's Licence expires or is terminated. As a courtesy, Manufacturers Licence holders will be sent a renewal notice approximately sixty (60) days prior to the expiry date shown on the licence. However it remains the licensee's responsibility to ensure the licence is renewed on time.

To ensure your Retail Store Authorization and Manufacturer's Licence remain valid, please see the section on "Renewing a Manufacturer's Licence" for instructions on completing the renewal application.

### *Fees & Payment*

- Please refer to the AGCO's **Application Fee Schedule** 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.**

## RELOCATING YOUR ON-SITE DISTILLERY RETAIL STORE

An on-site distillery retail store cannot be relocated without prior authorization from the Registrar. In addition, an on-site store cannot be relocated to an off-site location. It must be located at a production site of the holder of the on-site store authorization.

For information on the criteria and requirements for the relocation of an on-site distillery retail store, please see the **AGCO Distillery Retail Store Information Guide**.

### *Things to know before applying*

Once the relocation has been authorized by the Registrar, the store being relocated must be open and operational in the new location within six (6) months from the date of the closure of the store in its original location.

The applicant must meet the criteria and requirements outlined in the **AGCO Distillery Retail Store Information Guide**.

Please note that the application process also includes a site inspection of the constructed retail store by an AGCO Inspector to confirm that all eligibility criteria and requirements have been met.

### *How to apply*

You can apply to relocate an existing on-site distillery retail store online, through the **iAGCO portal**.

### *Supporting Documents*

#### **What supporting documents/information are needed for the relocation of an On-Site Distillery Retail Store Authorization?**

When applying online to relocate an On-Site Distillery Retail Store Authorization, you will be asked to provide the following as part of your application. These items can be provided to the AGCO at any time during the application process:

1. Completed original **Municipal Information for a Retail Store Authorization** form.
2. Floor plan of the proposed retail store including square footage.
3. A copy of **each notification letter** (if applicable) If the proposed retail store site is located within close proximity to any churches, schools, playgrounds, community centres, parks or libraries, you must notify each institution of the proposed retail store and ask that they provide any written objections to you and the AGCO within fifteen (15) days of receiving the notification. A copy of each "Notification Letter" you send must be submitted with this application.

### *Fees & Payment*

There is currently no fee to relocate an on-site distillery retail store.

## Section 3: Manufacturer's Limited Liquor Sales Licence ("By the Glass")

### INFORMATION GUIDE FOR MANUFACTURER'S LIMITED LIQUOR SALES LICENCE ("BY THE GLASS") APPLICANTS

#### *What is a Manufacturer's Limited Liquor Sales Licence ("By the Glass")?*

A Manufacturer's Limited Liquor Sales Licence ("By the Glass" Licence) allows eligible Ontario distilleries 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.

#### *Things to know before you apply*

##### *Eligibility Criteria*

Only Ontario distilleries which hold a Manufacturer's Licence (issued pursuant to under the *Liquor Licence Act*) are eligible for this licence. The Manufacturer's "By the Glass" Licence will only be issued to the same entity which holds the Manufacturer's Licence.

##### *Operational Restrictions*

An Ontario distillery which hold a Manufacturer's "By the Glass" Licence is only permitted to sell and serve the spirits which it has manufactured and in servings that do not exceed 43 ml (1.5 oz.).

Spirits may only be sold and served between 11 a.m. and 9 p.m. on any day. The sale and service of spirits is only permitted in areas approved under the licence that are on or immediately adjacent to a manufacturing site and under the sole control of the manufacturer.

These hours may not be extended and no liquor sales licence endorsements are available for this type of sales licence. Guests are allowed to carry and consume spirits on the manufacturing site in areas that are under the sole control of the manufacturer and approved under the licence. Spirits will not be permitted in such areas as public roads, thoroughfares, driveways and parking lots, or in other areas that may raise public safety concerns.

Please Note: A wine, beer or spirits manufacturing site may have both a Tied House and a Manufacturer's Limited Liquor Sales 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.

### *How do I apply?*

You can apply for a Manufacturer's "By the Glass" Licence - Distillery online, through the iAGCO portal, at [www.agco.ca](http://www.agco.ca).

### *Supporting Documents*

#### **What supporting documents/information are needed to apply for a Manufacturer's "By the Glass" Licence?**

When applying for a Manufacturer's "By the Glass" Licence online, you will be asked to provide the following as part of your application. These items can be provided to the AGCO at any time during the application process:

- **Site Plan of the Property** - The site plan of the property must outline in red the area(s) in which the manufacturer is applying to have the sale, service and consumption of its product(s) take place. The area(s) must be under the sole control of the manufacturer and located on or immediately adjacent to the manufacturing site of the applicant.
- **Municipal Resolution** - Written notice from the Council of the Municipality within which the applicant's manufacturing site is located confirming that it has passed a resolution in support of the issuance of the licence.

### *Fees & Payment*

- Please refer to the **AGCO's Application Fee** Schedule 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.**

## **TRANSFERRING A MANUFACTURER'S LIMITED LIQUOR SALES LICENCE ("BY THE GLASS")**

### *When is a Transfer of Licence required?*

**Changes in ownership require the approval of the Registrar.** Licence holders must notify the AGCO **prior to any changes in ownership** to allow the application to be processed prior to the completion of the change.

Transfers of "By the Glass" Licences will be processed at the same time as the corresponding "Manufacturer's Licence" transfer application.

You must also submit your completed Application to Transfer the corresponding "Manufacturer's Licence" and application fee (Please see Section 1: "Change of Ownership: Transferring a Manufacturer's Licence" for more information).

### *How do I apply?*

Applications to transfer your "By the Glass" Licence can be made online, through the **iAGCO portal**.

Please note:

- The entity to whom the licence is being transferred is responsible for submitting the application to transfer the licence.
- The application must include a signed Consent to Transfer signed by the current **licence holder(s)**.

### *Supporting Documents*

#### **What supporting documents/information are needed to transfer a "By the Glass" Licence?**

You must also submit your completed Application to Transfer the corresponding "Manufacturer's Licence" and application fee (Please see Section 1: "Change of Ownership: Transferring a Manufacturer's Licence" for more information.)

### *Fees & Payment*

- Please refer to the **AGCO's Application Fee** Schedule 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.**

## **RENEWING A MANUFACTURER'S LIMITED LIQUOR SALES LICENCE ("BY THE GLASS")**

"By the Glass" Licences are valid for a period of either two (2) or four (4) years and expire when the associated Manufacturer's Licence expires or is terminated.

### *How do I apply?*

Renewals of "By the Glass Licences" will be processed at the same time as the corresponding Manufacturer's Licence renewal application which can be completed online through the **iAGCO portal**. Please see section on Renewing a Manufacturer's Licence for instructions on completing the renewal application.

### *Fees & Payment*

- Please refer to the **AGCO's Application Fee** Schedule 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.

### *Other important information: Retail Sales Tax*

For "By the Glass" Licence holders, please note your renewal application will not be accepted if the licence holder owes money to the Minister of Finance. It is your responsibility to contact the Ministry of Finance at 1-866-668-8297 to determine if you owe any money.

## Section 4: Liquor Sales Licence (“Tied House”)

### *What is a “Tied House” Liquor Sales Licence?*

A “Tied House” for the manufacturing site of a distillery allows the manufacturer to host an on-site restaurant/premises where their products may be “showcased” on their own or in conjunction with other brands and types of liquor. The licensed premises 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.

### *How to apply*

Applications for a Liquor Sales Licence - Tied House cannot be submitted online at this time. For more information on “Tied Houses” may be made online through the **iAGCO portal**.

### *Fees & Payment*

- Please refer to the AGCO’s Application Fee Schedule 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.**

More information on “Tied Houses” is available on the **AGCO website**.

### *Other information for Manufacturers*

If a manufacturer’s retail store is located on the same manufacturing site as a Tied House, the licensee may bring sealed, unopened liquor purchased from the retail store onto the licensed premises for the purposes of selling it to a patron. This allows restaurant patrons that wish to purchase product for personal use from the retail store to pay for the product on their restaurant bill.

More information on “Tied Houses” is available on the **AGCO website**.

## Section 5: Contacts for Research and Additional Information

### Alcohol and Gaming Commission of Ontario (AGCO)

90 SHEPPARD AVE E  
SUITE 200  
TORONTO ON M2N 0A4  
Website: [www.agco.ca](http://www.agco.ca)  
Tel: 416-326-8700  
Toll Free: 1-800-522-2876

#### Contact the Licensing and Registration Branch for information on:

- Manufacturer's Licences
- Retail Store Authorizations
- Liquor Sales Licensing ("Tied House") and Manufacturer's Limited Liquor Sales Licence ("By the Glass")
- Manufacturer Advertising

### Liquor Control Board of Ontario (LCBO)

Website: [www.lcbo.com](http://www.lcbo.com)  
Website: [www.doingbusinesswithlcbo.com](http://www.doingbusinesswithlcbo.com)  
Tel: 416-365-5900  
Toll-free: 1-800-668-5226

#### For information on:

- New Product Listings (Beer & Special Markets)
- New Product Listings (Wines)
- New Product Listings (Spirits)
- Product Testing & Labelling Information
- Pricing
- Winery Production and Records
- Winery Direct Delivery Authorization

#### Contact:

- ▶ Product Management (Beer and Special Markets)
- ▶ Product Management (Wines)
- ▶ Product Management (Spirits)
- ▶ Quality Assurance Department
- ▶ Pricing Administration Department
- ▶ Winery Audit Department
- ▶ Policy & Government Relations Department

## Additional Industry Contacts

### Canada Revenue Agency

Website: [www.cra-arc.gc.ca/exciseduty](http://www.cra-arc.gc.ca/exciseduty)

Tel: 1-866-667-9851

### Ministry of Finance

Account Management and Collections Branch

33 KING ST W

OSHAWA ON L1H 8H9

Website: [www.fin.gov.on.ca](http://www.fin.gov.on.ca)

Tel: 1-866-668-8297 | 1-866-263-7776 (TTY)

### Farm Products Marketing

Website: [www.omafra.gov.on.ca/english/farmproducts](http://www.omafra.gov.on.ca/english/farmproducts)

Tel: 519-826-4220

### Smart Serve Ontario

5407 EGLINTON AV W

SUITE 105

TORONTO ON M9C 5K6

Website: [www.smartserve.ca](http://www.smartserve.ca)

Email: [info@smartserve.ca](mailto:info@smartserve.ca)

Tel: 416-695-8737

Toll-free: 1-877-620-6082

## SPIRITS

### Drinks Ontario

Website: <http://www.drinksontario.com>

### Ontario Craft Distillers Association

Website: <http://www.ontariocraftdistillers.com>

### Spirits Canada

Website: [www.spiritscanada.ca](http://www.spiritscanada.ca)

Email: [info@spiritscanada.ca](mailto:info@spiritscanada.ca)

Tel: 416-626-0100