



Alcohol and Gaming Commission of Ontario

# Wine Manufacturers' Guide

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AGCO

Alcohol and Gaming  
Commission of Ontario

Alcohol and Gaming Commission of Ontario

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# Section 1: Manufacturer's Licence – Winery

## INFORMATION GUIDE FOR NEW APPLICANTS

*What is a Manufacturer's Licence?*

The Registrar of Alcohol, Gaming and Racing ("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 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 two (2) years. As a courtesy, licence holders will be sent a renewal notice approximately 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*, *Liquor Licence Act* and their regulations. You must allow AGCO Inspectors unobstructed access to your business and you must facilitate their inspections.
- **Wine Taxes** - Wine and wine cooler manufacturers will collect the wine taxes and remit them to the Ministry of Finance on a monthly basis. For additional information, please contact the Ministry of Finance at 1-866-ONT-TAXS (1-866-668-8297) or visit [www.fin.gov.on.ca](http://www.fin.gov.on.ca).
- **Audit** – This includes on-site inspection and implementation of production controls and compliance with the *Wine Content and Labelling Act*, 2000.
- 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 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 (WINERY)

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

- The operation of an on-site winery retail store where eligible products made by the manufacturer may be sold directly to the public. Please refer to the AGCO’s **Winery Retail Store Information Guide** which may be found on the [AGCO website](http://www.agco.com) and Section 2 of this guide for further information.
- A Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) allowing manufacturers 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. Please refer to Section 3: Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) of this guide for more 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 and/or Section 4 of this guide for more information.

### *How to apply*

You can apply for a Manufacturer’s Licence online, through the iAGCO portal, at [www.agco.ca](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:

- **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.

- **Copy of Federal Excise Licence (Winery)**  
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.
- **Copy of Licence to Process (Grapes, Peaches, Pears, Plums and Cherries)**  
If Ontario wines will be made from these fruits, the applicant requires a Licence to Process issued by the Farm Products Marketing Commission. Please contact them at 519 826-3395 or visit the website at: <http://www.omafra.gov.on.ca/english/farmproducts/>.
- **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.

- **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 at [www.agco.ca](http://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.**

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

### *When is Transfer of Licence 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:

- **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).
- **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 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 and become a corporation. 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 completed online via the **iAGCO portal**.

Please contact AGCO Customer Service at 416-326-8700 (or toll free in Ontario at 1-800-522-2876) or via e-mail at **customer.service@agco.ca** for more information on transferring a Manufacturer's Licence.

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, you must provide the following as part of your application.

- **Entity Disclosure (if applicable)**  
All questions **must** be answered
- **Personal Disclosure, to be completed by all of the following individuals:**
  - ◇ Owner (if the applicant is a sole proprietor)



- ◇ Officers and directors including: signing officer, president, secretary, treasurer
- ◇ All persons holding 10% or more of any class of shares
- ◇ All partners

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, we recommend they be submitted as soon as possible.

- **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.
- **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).
- **Copy of Federal Excise Licence (Winery)**  
The *Excise Act* and the *Excise, 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.
- **Copy of Licence to Process (Grapes, Peaches, Pears, Plums and Cherries)**  
If Ontario wines will be made from these fruits, the applicant requires a Licence to Process issued by the Farm Products Marketing Commission. Call 519 826-3395 or visit the website at: <http://www.omafra.gov.on.ca/english/farmproducts/>.
- **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.

### *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 at [www.agco.ca](http://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.**

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

Manufacturer's Licences are valid for a period of two (2) or four (4) years. As a courtesy, licence holders will be sent a renewal notice approximately 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 complete an application to transfer your licence and submit it to the AGCO (please see section 1 on Change of Ownership: Transferring your Manufacturer's Licence).

### *Expiry Date*

Your renewal application must be received by 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 liquor 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, at [www.agco.ca](http://www.agco.ca).

### *Fees & Payment*

- Please refer to the AGCO's Application Fee Schedule at [www.agco.ca](http://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.

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

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

*What is an On-Site Winery Retail Store Authorization?*

An on-site winery retail store authorization allows a wine manufacturer to operate a store for the retail sale of its wine.

*Things to know before applying*

#### **General Eligibility Criteria**

Generally, in order to be eligible for a winery retail store authorization:

- The applicant must be a winery with a valid Manufacturer's Licence issued by the Registrar.
- The proposed on-site winery retail store must be located on the same parcel of land as the applicant's production site and the wine to be sold in the on-site store must be made by the applicant at that production site.
- The applicant must meet the criteria and requirements outlined in the AGCO's **Winery 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 winery retail store online, through the iAGCO portal, at [www.agco.ca](http://www.agco.ca).

#### **Supporting Documents**

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

When applying for an on-site winery 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:

- Completed original **Municipal Information for a Retail Store Authorization** form (Form 3161).

- Site plan detailing the production site and the proposed retail store location as well as the location of the vineyard.
- Floor plan of the proposed retail store including square footage.
- If ownership and control of the production site shared with any other licensed manufacturer – supplementary documentation demonstrating substantial ownership and control of the production site.
- **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 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 if your proposed retail store is located within 1km 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.

#### *Cost & Payment*

Please refer to the AGCO's **Application Fee Schedule** located on the **AGCO website** for the applicable fee. Payment can be made by Visa, MasterCard, or *Interac*® Online.

## **RENEWING YOUR RETAIL STORE AUTHORIZATION**

Retail Store Authorizations are valid for a period of two (2) or four (4) years and expire when the associated Manufacturer's Licence expires or is terminated. As a courtesy, Manufacturer's Licence holders will be sent a renewal notice approximately 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 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.

## **RELOCATING YOUR ON-SITE WINERY RETAIL STORE**

An on-site winery 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 winery retail store, please see section 5 of the AGCO's **Winery Retail Store Information Guide**, located on the AGCO website.

*Things to know before applying*

### **General Information**

- Once the relocation has been authorized by the Registrar, the store being relocated must be open and operational in the new location within 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's **Winery Retail Store Information Guide** (please refer to section 5) available at [www.agco.ca](http://www.agco.ca).
- Please note that the application process also includes a site inspection of the constructed retail store by an AGCO Compliance Official to confirm that all eligibility criteria and requirements have been met.

*How to Apply*

You can apply to relocate an existing on-site winery retail store online, through the iAGCO portal, at [www.agco.ca](http://www.agco.ca).

### **Supporting Documents**

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

When applying to relocate an on-site winery 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:

- Completed Original “Municipal Information for a Retail Store Authorization” form (Form 3161).
- Floor plan of the proposed retail store including square footage.
- **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.

NOTE: As part of the application for an on-site retail store authorization, you must provide written notification to the above noted institutions if your proposed retail store is located within 1km 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.

#### *Fees & Payment*

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

## **ELIGIBLE WINE SALES AT FARMERS’ MARKETS**

### *What is an Authorization to Sell Eligible Wine at a Farmers’ Market?*

An Authorization to Sell Eligible Wine at a Farmers’ Market allows eligible licensed wine manufacturers to sell their VQA wine, fruit wine, honey wine or maple wine as defined in Regulation 720 made under the *Liquor Licence Act* (eligible wine) at an occasional extension of their on-site winery retail store within a farmers’ market.

### *Things to know before applying*

#### **General Eligibility Criteria**

Wineries that wish to participate in the program must:

- have a valid AGCO Manufacturer’s licence;
- operate an authorized on-site winery retail store; and
- Produce one of the following types of eligible wine:
  - “VQA wine” has the same meaning as “Vintners Quality Alliance wine” (VQA wine) in section 2 of the *Vintners Quality Alliance Act, 1999*.

- “Fruit wine” means Ontario wine that,
  - a) is produced from fruit grown in Ontario, other than grapes, and;
  - b) is not produced using any combination of the concentrated juice of apples grown outside of Ontario
- “Honey wine” means a wine described in clause (b) of the definition of “Ontario wine” in subsection 1(1) of the *Liquor Licence Act* (LLA).
- “Maple wine” means Ontario wine that is produced by the alcoholic fermentation of Ontario maple syrup or another Ontario maple product.

#### *How to Apply*

You can apply for an Authorization to Sell Eligible Wine at a Farmers’ Market online, through the iAGCO portal, at [www.agco.ca](http://www.agco.ca).

#### *Fees & Payment*

There is currently no fee to apply for an Authorization to Sell Eligible Wine at a Farmers’ Market.

#### *Notification to AGCO of planned sales at Farmers’ Markets*

Wineries with an Authorization to Sell Eligible Wine at a Farmers’ Market must provide the AGCO with at least 10 days’ notice of planned sales at Farmers’ Markets (i.e. days of sale that have been confirmed with a Farmers’ Market). If the intended days of sale are cancelled or changed, please notify the AGCO at the earliest possible opportunity.

Notification to the AGCO of your planned sales at Farmers’ Markets can be submitted online at: [www.agco.ca](http://www.agco.ca).

The AGCO will notify you if any municipal objections have been received regarding any of the Farmers’ Markets where you intend to sell your eligible wine.



## Section 3: Relocation of an Off-Site Winery Retail Store

### RELOCATING AN OFF-SITE WINERY RETAIL STORE

Manufacturers must obtain AGCO approval prior to the relocation of an existing off-site winery retail store. If a manufacturer with a winery retail store authorization wishes to relocate its winery retail store, it must apply to the Registrar for authorization to relocate before doing so. The manufacturer must then surrender its existing retail store authorization and obtain an authorization from the Registrar showing the new location.

For more information on the criteria and requirements for the relocation of an off-site winery retail store, please see section 7 of the AGCO's **Winery Retail Store Information Guide** located on the **AGCO website**.

*Things to know before applying*

#### General Information

- Once the relocation has been authorized by the Registrar, the store being relocated must be open and operational in the new location within 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's **Winery Retail Store Information Guide** (please refer to section 7) located on the AGCO website.
- Please note that the application process also includes a site inspection of the constructed retail store by an AGCO Compliance Official to confirm that all eligibility criteria and requirements have been met.

*How to Apply*

You can apply to relocate an existing off-site winery retail store online, through the iAGCO portal, at **www.agco.ca**.

#### Supporting Documents

*What supporting documents/information are needed for the relocation of an Off-Site Winery Retail Store Authorization?*

When applying to relocate an off-site winery 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:

- Completed Original “Municipal Information for a Retail Store Authorization” form (Form 3161).
- Floor plan of the proposed retail store including square footage.
- **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 off-site winery retail store.

## Section 4: 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 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.

*Things to know before you apply*

#### **Eligibility Criteria**

Only Ontario wineries which hold a Manufacturer's Licence (issued 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**

Ontario wineries which hold a Manufacturer's "By the Glass" Licence are only permitted to sell and serve the wine which it has manufactured.

Wine may only be sold and served between 9 a.m. and 12 a.m. on any day. The sale and service of wine is only permitted in licensed areas 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 wine on the manufacturing site in areas that are under the sole control of the manufacturer and approved under the licence. Wine 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 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 - Winery 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 at [www.agco.ca](http://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.**

## **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 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 "By the Glass" Licence?*

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.)

*Fees & 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.**

## **RENEWING A MANUFACTURER’S LIMITED LIQUOR SALES LICENCE (“BY THE GLASS”)**

“By the Glass” Licences are valid for a period of 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 at [www.agco.ca](http://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.

## **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 5: Liquor Sales Licence (“Tied House”)

### WHAT IS A “TIED HOUSE” LIQUOR SALES LICENCE?

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

For more information on “Tied Houses” and how to apply, including the applicable forms, please see the **AGCO website**.

*Fees & 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.

## **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.

**Please Note:** A wine 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.

Generally, the hours of liquor sales and service for Tied Houses are 9am-2am, on any day. Under a Manufacturer's Limited Liquor Sales Licence, wine may generally be sold between 9am-11pm, on any day.

More information on Tied Houses is available on the [AGCO website](#).



## Section 6: Contacts for Research and Additional Information

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

90 Sheppard Avenue East, 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: <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 Street West,

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: <http://www.omafra.gov.on.ca/english/farmproducts/>

Tel: 519-826-4220

### Smart Serve Ontario

5407 Eglinton Ave. 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

## WINE

### Canadian Vintners Association

Website: [www.canadianvintners.com](http://www.canadianvintners.com)

Email: [info@canadianvintners.com](mailto:info@canadianvintners.com)

Tel: 613-782-2283

### VQA Ontario

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

Tel: 416-367-2002

### Farmers Markets Ontario

Website:

[www.farmersmarketsontario.com](http://www.farmersmarketsontario.com)

Grape Growers of Ontario

Website:

[www.grapegrowersofontario.com](http://www.grapegrowersofontario.com)

Email: [info@grapegrowersofontario.com](mailto:info@grapegrowersofontario.com)

Tel: 905-688-0990

### Wine Council of Ontario

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

### Winery and Grower Alliance of Ontario

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

### Ontario Craft Cider Association

Website: <http://ontariocraftcider.com>

Tel: 905-857-5432