

Liquor Primary Licence #303526

Expires on June 30, 2018

Establishment Name: **Clayoquot Wilderness Resort The Outpost Camp**
Licence Name: **Clayoquot Wilderness Resort The Outpost Camp**
Location Address: District lot 451, Clayoquot District
Head of Bedwell Sound
TOFINO, BC V0R 2Z0
Issued to: Clayoquot Wilderness Resort Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

CAPACITY

Person01	50
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- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor Control and Licensing Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter (s) to be kept with current liquor licence.
- Minors permitted to be present while liquor is being served.
- Licence valid from May 1st to September 30th only

June 07, 2017



AIP

General Manager

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VICTORIA BC



June 12, 2009

Job #6960144-001

Mr. Tim May
c/o Clayoquot Wilderness Resort
PO Box 130
Tofino BC V0R 2L0

Dear Mr. May:

Re: Floor Plan – Approval in Principle (AIP)
Application for a Liquor-Primary licence
Applicant: Clayoquot Wilderness Resort Ltd.
Proposed Site Address: PID 009-405-411, Foreshore Area in Bedwell Sound,
Clayoquot District
Proposed Name: Clayoquot Wilderness Resort – The Outpost Camp
AIP Expiry Date: June 11, 2010

In accordance with Liquor Control and Licensing Regulations, the applicant Clayoquot Wilderness Resort Ltd. has applied for a liquor primary licence. The applicant received site and community assessment approval (SCA) on December 3, 2008, and is now requesting Approval in Principle of site plans for the licensed areas.

It has been determined that the proposed establishment has an occupant load of 50 persons. The person capacity must be equal to the occupant load defined as follows:

the least number of persons allowed in an establishment under

- (a) the Provincial building regulations,*
- (b) the Fire Services Act and British Columbia Fire Code Regulation, and*
- (c) any other safety requirements enacted, made or established by the local government or First Nation for the area in which the establishment is located.*

Ministry of Housing and
Social Development

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 387-1254
Facsimile: 250 387-9184

Location:
Second Floor, 1019 Wharf Street
Victoria BC
[http:// www.hsd.gov.bc.ca/lcib](http://www.hsd.gov.bc.ca/lcib)

I have reviewed the resort site plan submitted for the above noted new location for compliance with Regulation and policy specific to a Liquor Primary licence, and have enclosed one copy of the plan which has been stamped "approved in principle". The proposed licensed area has been highlighted in red and includes:

1. cookhouse
2. dining tents
3. games building
4. computer/lounge tents
5. covered fire pit
6. adjoining walkways and patios

The approved floor plan will become an official component of the licence. This approval in principle allows the applicant to proceed to the next step, but does not imply final approval.

This approval is subject to the following conditions:

- The licensee and the licensed establishment shall, at all times, comply with the regulations under the Fire Services Act.
- Hours of liquor service from 9:00 AM to 2:00 AM Monday through Sunday Seasonal – May 1st to September 30th only.
- Maximum PERSON capacity is 50 (including staff) per restrictive covenant.
- Minors permitted to be present while liquor is being served.
- Liquor may not be sold, served or consumed outside the designated areas.
- Use, renewal and transfer of licence, is subject to terms and conditions specified in approval letters (SCA, and plans) continuing to be satisfied.

Serving it Right (SIR)

The SIR course is administered by go2, an independent non profit industry association that works with BC tourism employers on human resources issues affecting the tourism industry. The course is available on line on a 24/7 basis and the test can be taken immediately on line as well. With satisfactory completion of the test, a participant can print the SIR certificate displaying the applicant's SIR number. This certificate must be available for inspection by liquor inspectors.

Serving It Right course packages, exams, and certificate numbers may be obtained on-line through www.servingitright.com, via email at info@go2hr.ca or info@servingitright.com or by calling 604-633-9798.

Final Inspection Requirements

Please contact Liquor Inspector, Brad McRobert at 250 741-3624 to arrange for a final inspection.

At the time of final inspection:

- **Provide copies of the SIR certificates for those individuals who require to be certified PRIOR to licensing (Inspector will forward to the Branch)**
- **Provide Inspector with a reduced 8 ½ X 11 copy of the stamped and approved in principle floor plans**
- **A licensing fee will be required based on the expiry date of the licence (usually 1 year which requires a licensing fee of \$1100.00)**
- **Confirm the proposed establishment/licence name**
- **PST number in the applicant name of Clayoquot Wilderness Resort Ltd.**

The reduced approved 8 ½ X 11 floor plan will be forwarded to our Victoria office for validation and one copy will be returned to you to be kept with your new liquor licence if approved. The Inspector will advise you of anything else that he may require.

This approval will expire on June 11, 2010. A written request for extension to this approval will only be considered if received no later than 30 days prior to the expiry of the AIP. If the applicant fails to request an extension within the permitted time frame, this application will be viewed as terminated on that day.

The request must satisfy the branch that the need for an extension is reasonable and that the delay is not directly attributable to the applicant. The request should be accompanied by evidence demonstrating that the delay is beyond the control of the applicant. Where a "third party" is responsible for the delay, a letter from the third party outlining the current status and schedule for completion should accompany the request for extension.

If you have any questions or require clarification, please contact me at (250) 387-9122.

Yours truly,

Linda Sturtridge
Senior Licensing Analyst

Enclosure

copy: Liquor Inspector, Brad McRobert

June 4, 2009

s.22

I spoke with Tim May, Chef at the resort, he will be sending in forms for his being resident manager (signed by Mr. Genovese) – the forms will be faxed this afternoon.

I informed him of the email from Mike Irg, Manager of Planning and Development, Alberni-Clayoquot Regional District, which stated that as the site has a restrictive covenant which limits the number of guest to 30; increasing the capacity by 20 staff equal 50.

Tim will be speaking with Mike Irg shortly to see what can be arranged.

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Linda



December 3, 2008

Job #6960144-001

Clayoquot Wilderness Resort
c/o Ron Gibson
PO Box 130
Tofino BC V0R 2L0

Dear Mr. Gibson,

Re: Application for a Liquor-Primary Licence
Applicant: Clayoquot Wilderness Resort Ltd.
Proposed Site: PID 009-405-411, Foreshore Area in Bedwell Sound, Clayoquot District
Proposed Establishment Name: Clayoquot Wilderness Resort – The Outpost Camp

Introduction

The applicant, Clayoquot Wilderness Resort Ltd., is applying for a liquor-primary licence at the above referenced location.

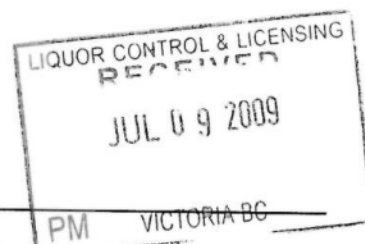
The applicant has met the eligibility and suitability requirements of the Liquor Control and Licensing Act, and is now proceeding to the Site and Community Assessment (SCA) stage, which is the stage for Local Government input.

As part of this stage, the Liquor Control and Licensing Branch (the Branch) would usually provide an application summary report to the Alberni-Clayoquot Regional District (the District) to consider the application and provide the Branch with a resolution pursuant to Sections 10, 18 and 53 of the Liquor Control and Licensing Regulations.

Due to the remote location of the proposed liquor-primary establishment, LCLB determined that public interest factors would not be affected with this application. Therefore, the Alberni-Clayoquot Regional District was requested to consider the application and provide comments objecting or supporting the subject application.

The District considered the application and provided the Branch with their supporting comments.

The applicant is therefore now eligible for consideration of SCA approval.



Ministry of Housing and
Social Development

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 387-1254

Location:
Second Floor, 1019 Wharf Street
Victoria BC

<http://www.bcd.gov.bc.ca/lclb>

The Issues

- Whether the SCA criteria have been applied.
- Whether to grant SCA.
- Whether issuance of the licence would be contrary to the public interest.

Factors To Be Considered

- Statutory criteria:
 - location of the establishment;
 - proximity of the establishment to other social and recreational facilities and public buildings;
 - person capacity and hours of liquor service of the establishment;
 - number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location;
 - traffic, noise, parking and zoning;
 - population, population density and population trends;
 - relevant socio-economic information; and
 - impact on the community if the application is approved.
- Whether the views of the residents have been gathered, and if so, the method and views of the residents.
- Whether it would be contrary to the public interest to grant a liquor primary licence.

Relevant Legislation and Policy

In considering this application, I have reviewed the relevant sections of the Act, Regulation and Branch policies.

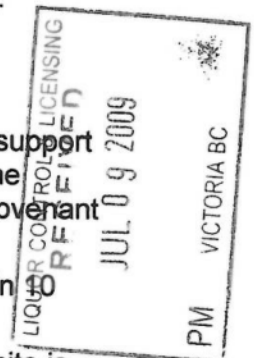
Analysis

I have reviewed the Application Summary Report which was prepared by Branch staff based on the information provided by the Applicant and LCLB staff including proposed site pictures, a map identifying the proposed location, the existing Food-Primary licence layout, the 2006 and 2001 Census Demographics Report and the District's comments dated October 16 and November 17, 2008.

The establishment is located on the foreshore area at the base of Bedwell River in Bedwell Sound, Clayoquot District approximately 18 nautical miles north of Tofino, specifically PID 009-405-411. The 2006 Census Demographic Report states zero persons reside within a 10 mile radius.

I am satisfied that:

- The District has considered the application and provided the following supporting comment. "The Board decision is to concur with the planning recommendation to support the liquor-primary licence application for 50 people." District staff recommended the proposed licensed area be limited to 50 persons due to a site specific restrictive covenant that limits the number of guests to 30;
- There is no community, neighbourhood or other liquor-primary establishments within 10 miles of the proposed establishment;
- Noise is not expected to be an issue given there are no residents nearby and the site is located in a river valley surrounded by mountains and thousands of acres of rainforest;



- The site is zoned as 'Commercial Campground' which permits the sale of liquor. There is a restrictive covenant in place to limit the number of guests at the site;
- There is no parking or traffic issues to consider as the proposed establishment is only accessible by float plane or boat, and
- There is a target market to be served as an upscale wilderness adventure resort.

I have determined that public interest factors are not affected with this application given the remoteness of the establishment location; therefore, I have waived the requirement for public input.

I am satisfied that there is no evidence to suggest the granting of a liquor-primary licence at the proposed location would be contrary to the public interest.

The applicant is requesting that minor persons be allowed in the proposed liquor-primary areas with or without their parents. Liquor-primary and liquor-primary club establishments are not generally permitted minors in the areas where liquor is consumed unless the licensee can establish that it is in the public interest to permit minors in the establishment. This is a different test than establishing it is not contrary to the public interest. Rather than establishing that there is 'no harm' in letting children in the area, the applicant must establish that the benefit to the public is greater than the harm that government has identified in setting the policy of not permitting access by minors.

Given that this establishment is operating as a small remote destination wilderness adventure resort with restricted access to and from the resort, is catering to an international clientele, largely families, has no other amenities nearby other than the natural fauna of the area, and minors are currently permitted in the dining building licensed as a food-primary establishment, I find that it is in the public interest to permit minors in the liquor-primary licensed areas.

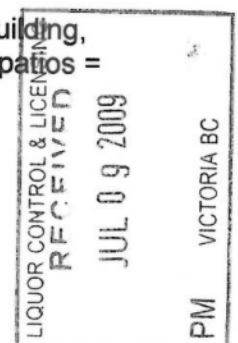
Government has identified the issues of minors and alcohol as a major concern and has remained consistent in its decisions to retain strict limits on minors in liquor-primary and liquor-primary club establishments. The presence of minors in a licensed establishment remains the exception, not the norm.

Decision

I am therefore granting site and community approval for a liquor-primary licence at PID 009-405-411, Foreshore Area in Bedwell Sound, Clayoquot District, subject to terms and conditions outlined below.

Terms and Conditions of Licensing

- Hours of liquor service from 9:00 AM to 2:00 AM Monday through Sunday
- Total Capacity for the dining restaurant building, the dining tents, the games building, the computer/lounge tent, the covered fire pit and the adjoining walkways and patios = 50 persons (patrons plus staff)
- Minors permitted to be present while liquor is being served



Plans Approval

This approval allows the applicant to proceed with development of floor plans for the proposed establishment.

In accordance with the Regulations, prior to issuing a licence, the General Manager must set the person capacity. This capacity must be equal to the occupant load stamp on the floor plans provided from the Local Government or officials designated by the Local Government and correspond with the person capacity as approved above. This figure includes both patrons and staff in the area where liquor will be sold, served and consumed. The definition of the occupant load is as follows:

"occupant load" means the least number of persons allowed in an establishment under

- a) the Provincial building regulations,
- b) the Fire Services Act and British Columbia Fire Code Regulation, and
- c) any other safety requirements enacted, made or established by the Local Government or first nation for the area in which the establishment is located.

YOUR NEXT STEP:

Please provide a floor plan accurately depicting the detailed layout of the area to be licensed including the dining restaurant building, the dining tents, the games building, the computer/lounge tent, the covered fire pit and the adjoining walkways and patios that has been dated and signed with an occupant load calculation from the Alberni-Clayoquot Regional District or official designated by the District to perform this function. The occupancy load includes both patrons and staff in the area where liquor will be sold, served and consumed.

As the occupant load calculated on the floor plan submitted with the original application denotes 100 persons, a new floor plan will need to be submitted. The floor plan must detail the same areas noted on the original floor plan and must bear a calculated occupant load stamp of 50 persons as per the restrictive covenant on the site.

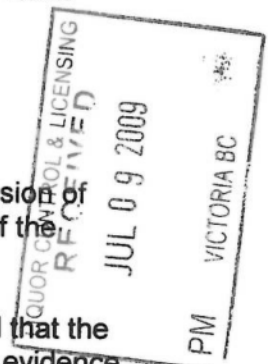
The plans will be reviewed to ensure compliance with the regulations and policy. If all is in order, one set of plans will be returned stamped "Approved in Principle" along with further instructions on the final stage in the licensing process.

The Branch will also require, in writing, your authorization to cancel the Food Primary licence upon issuance of the Liquor Primary licence. The expiry date of this licence is April 30, 2009. Please submit this letter at the same time as submission of the floor plans.

Term of Site and Community Approval (SCA)

This approval will expire 6 months from the date of this letter. A written request for extension of this approval will only be considered if received no later than 30 days prior to the expiry of the SCA.

The request must satisfy the Branch that the need for a time extension is reasonable and that the delay is not directly attributable to the applicant. The request should be accompanied by evidence of progress since the original approval, demonstrate that the delay is beyond the control of the applicant, and include a schedule for completion within the requested time.



Where a third party is responsible for the delay, a letter from the third party outlining the current status and schedule for completion should accompany the request for extension.

If the applicant fails to request an extension within the permitted time frame, this application may be viewed as terminated on that day.

This approval is personal to the applicant and cannot be sold or transferred without the prior approval of the General Manager.

Yours sincerely,

Cheryl Caldwell
Deputy General Manager
Licensing and Local Government Liaison

Copy: Inspector Brad McRobert
Katherine Colquhoun, A/Senior Licensing Analyst
Mike Irg, M.C.I.P., Manager Planning & Development, Alberni-Clayoquot Regional District

