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Withheld pursuant to/removed as

s.21

Email chain related to Bayview Brewing Company

From: Cinco, Teresa LCRB:EX s.15
To: Williams, Clair LCRB:EX <Clair.Williams@gov.bc.ca>
Sent: September 24, 2021 11:18:20 AM PDT
Attachments: DRAFT RE: Local government requirements on providing comment for a liquor licence

Hi Clair,

Please find attached the email chain between a concerned resident and myself, as discussed. Apologies for getting this to you later than I had hoped!

Thank you,

Teresa Cinco | A/Team Lead – Licensing Operations

Liquor and Cannabis Regulation Branch

Ministry of Public Safety and Solicitor General

Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

I would like to acknowledge that I work, live, travel, and play on the traditional territory of many different Indigenous Peoples across the Province. Where my work place is located, I would specifically like to acknowledge the Esquimalt and Songhees peoples, who have been stewards of this area for many generations.

Liquor Licensees, we're modernizing! If you haven't yet, please set up your Business BCeID as soon as possible to ensure your smooth transition to our online licensing portal. As of March 2021, you'll need your Business BCeID to manage your licence and submit applications.

[Learn more.](#) [Create account/BCeID.](#) [Questions?](#)

DRAFT RE: Local government requirements on providing comment for a liquor licence

From: Cinco, Teresa LCRB:EX s.15
To: mcnoel64@hotmail.com
Sent: September 24, 2021 11:15:31 AM PDT
Attachments: image003.png

Hi Noel,

Thank you for the email. I'm doing pretty well and I hope you are too.

Due to privacy reasons I'm not able to provide you with application information that an applicant has submitted to the LCRB.

Thank you,

Teresa Cinco | A/Team Lead – Licensing Operations
Liquor and Cannabis Regulation Branch
Ministry of Public Safety and Solicitor General
Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

From: NOEL McKenna <mcnoel64@hotmail.com>
Sent: September 23, 2021 6:56 AM
To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Subject: Re: Local government requirements on providing comment for a liquor licence

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi, how are you doing? I have a few more questions for you. Are you able to let me know how the license is proceeding? I would like to see the completed application, especially the letter of intent. Is that possible since it was not part of the application that the town posted? Let me know, thanks for your help, Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Sent: August 12, 2021 8:30 AM
To: NOEL McKenna <mcnoel64@hotmail.com>
Subject: RE: Local government requirements on providing comment for a liquor licence

Good Morning Noel,

All licensed establishments can be found here: <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-resources-information/bc-liquor-licensed-establishment-locations>

Definitions of the different manufacturer liquor licence types can be found in the [Liquor Control and Licensing Regulations](#). I've included a snippet below for your convenience:

Authorized activities

28 (1) A brewery licence authorizes a licensee to

- (a) manufacture beer in the establishment,
- (b) solicit, receive and take orders for the sale of the beer, and
- (c) sell and serve to patrons in the service area samples of
 - (i) beer manufactured under the licence, and
 - (ii) beer used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.

(2) A distillery licence authorizes a licensee to

- (a) manufacture spirits in the establishment,
- (b) solicit, receive and take orders for the sale of the spirits, and
- (c) sell and serve to patrons in the service area samples of
 - (i) spirits manufactured under the licence, and
 - (ii) spirits used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.

(3) A winery licence authorizes a licensee to

- (a) manufacture wine in the establishment,
- (b) solicit, receive and take orders for the sale of the wine, and
- (c) sell and serve to patrons in the service area samples of
 - (i) wine manufactured under the licence, and
 - (ii) wine used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.

(4) A manufacturer licence authorizes a patron who has received a sample of the liquor manufactured by the licensee in a service

Our client support team will be able to assist you with any further general questions via email to LCRBLiquor@gov.bc.ca or by phone toll-free at 1-866-209-2111, or in Victoria at 250-952-5787.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations

Liquor and Cannabis Regulation Branch

Ministry of Public Safety and Solicitor General

Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: August 11, 2021 7:42 AM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: Local government requirements on providing comment for a liquor licence

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Hi, I've reviewed what you sent me, thanks. Are you able to let me know if the manufactures license has been approved for this business yet? For the manufacturers license, is here a difference between a brewery and a distillery? My neighbour has indicated that some of the documents indicate that there is a distillery indicated. Does a distillery refer to the manufacture of hard liquor or is it also used when brewing for beer? Please let me know, thanks for your help, Noel

From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: August 10, 2021 6:44 AM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: Local government requirements on providing comment for a liquor licence

Thanks, I will take a look at it later, Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Sent: August 9, 2021 4:44 PM
To: NOEL McKenna <mcnoel64@hotmail.com>
Subject: RE: Local government requirements on providing comment for a liquor licence

Hello Noel,

Manufacturer licence related applications migrated from a paper-based system to an online application system in September 2020. With this in mind I have provided somewhat of a screen capture of the current application page for a lounge endorsement.

I hope that helps.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations
Liquor and Cannabis Regulation Branch
Ministry of Public Safety and Solicitor General
Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

From: NOEL McKenna <mcnoel64@hotmail.com>
Sent: August 6, 2021 12:01 PM
To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Subject: Re: Local government requirements on providing comment for a liquor licence

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Hi, thanks for getting back to me. Would you be able to send me a copy of the application form for a lounge endorsement? I have tried to download one, but I don't have the account to get one. I'm just curious about what it says with regards to filling out the application so that I am correct about what I am saying when talking to the LG. Thanks, Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Sent: July 30, 2021 3:29 PM
To: NOEL McKenna <mcnoel64@hotmail.com>
Subject: RE: Local government requirements on providing comment for a liquor licence

Hello Noel,

Thank you for the email. I understand you wish to take this up with your local government. Unfortunately I'm not able to provide you with advice on how to interact with them. Should the local government have any questions or comments regarding a specific liquor application within their jurisdiction, they are welcome to connect with the LCRB directly.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations
Liquor and Cannabis Regulation Branch
Ministry of Public Safety and Solicitor General
Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

From: NOEL McKenna <mcnoel64@hotmail.com>
Sent: July 29, 2021 7:24 AM
To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Subject: Re: Local government requirements on providing comment for a liquor licence

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Hi, thanks for getting back to me regarding this. I am interested in pursuing this matter with my LN regarding the incomplete application. I don't see how they could adequately go through with the public comment process when key elements of the application were omitted. I have pointed this out to the LN but they think that they have done their part and any missing info is to be dealt with by LCLB. I know that you do not want to talk about specific applications, but my complaint is about a specific application and the mistakes that have been made regarding the public comment process. How do I resolve this? Please let me know, thanks. Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
Sent: July 27, 2021 3:06 PM
To: Mcnoel64@hotmail.com <Mcnoel64@hotmail.com>
Subject: Local government requirements on providing comment for a liquor licence

Good Afternoon Noel,

Thank you for your patience while I looked further into your concern. The [Liquor Policy Manual](#) speaks to the LCRB's requirements when the local government decides to opt in to providing comment on a liquor licence application within their jurisdiction (see section 11.4). It also speaks to the information that needs to be relayed to residents about the application.

As I mentioned on the phone last week, any time an application is administratively incomplete, our staff will reach out and work with the applicant to ensure they have provided everything we need. Similarly, if local government comment is incomplete or appears incorrectly executed, staff will actively reach out to that appropriate body to help rectify things.

While I cannot comment on the specific application you brought to my attention, I will ensure that staff continue to be diligent in reviewing the materials provided by both an applicant and the relevant local government.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations
Liquor and Cannabis Regulation Branch
Ministry of Public Safety and Solicitor General
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Authorized activities

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 - (c) sell and serve to patrons in the service area samples of
 - (i) beer manufactured under the licence, and
 - (ii) beer used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.
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- (a) manufacture spirits in the establishment,
 - (b) solicit, receive and take orders for the sale of the spirits, and
 - (c) sell and serve to patrons in the service area samples of
 - (i) spirits manufactured under the licence, and
 - (ii) spirits used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.
- (3) A winery licence authorizes a licensee to
- (a) manufacture wine in the establishment,
 - (b) solicit, receive and take orders for the sale of the wine, and
 - (c) sell and serve to patrons in the service area samples of
 - (i) wine manufactured under the licence, and
 - (ii) wine used for sampling purposes under section 70 that the licensee has removed from a licensee retail store, wine store or special wine store.
- (4) A manufacturer licence authorizes a patron who has received a sample of the liquor manufactured by the licensee in a service area under the licence to consume the sample in the service area.

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s.21

RE: DRAFT RE: Local government requirements on providing comment for a liquor licence

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
To: mcnoel64@hotmail.com
Sent: October 28, 2021 11:21:29 AM PDT
Attachments: image002.png

Hello Noel,

Thank you for the email. At this point I'm not sure how I can assist you while maintaining the privacy and confidentiality I must adhere to. I've provided you with the information on the LCRB's requirements when a local government decides to opt in on providing comment on a liquor licence, and our process when we find an application or the local government comment to be incomplete, or requiring clarification. I've also provided answers on your questions regarding the different manufacturer licence types. Please note that licensing decisions are subject to FOIPPA, so there's that option if you wish to go down that route.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations

Liquor and Cannabis Regulation Branch

Ministry of Public Safety and Solicitor General

Direct: 778-698-9084 | LCRB Toll-free: 1-866-209-2111 | www.gov.bc.ca/lcrb

From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: October 19, 2021 7:42 AM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: DRAFT RE: Local government requirements on providing comment for a liquor licence

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi, I would really like to talk to someone with regards to the application or at least be able to see the application as I was denied that by the local government. Not only was the application incomplete, but the drawings submitted were inaccurate.

I think there is a flaw in this process by not having LCRB ensure that the application is complete before it is sent on to the LG. Has it always been done this way?

I appreciate all the help you have provided to me in this matter, but it seems that I am at the point where I need to talk with someone else. I am also trying to deal with the local government on this but they feel they did everything correctly. Please let me know who I can talk to, Thanks, Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Sent: September 24, 2021 11:15 AM

To: mcnoel64@hotmail.com <mcnoel64@hotmail.com>

Subject: DRAFT RE: Local government requirements on providing comment for a liquor licence

Hi Noel,

Thank you for the email. I'm doing pretty well and I hope you are too.

Due to privacy reasons I'm not able to provide you with application information that an applicant has submitted to the LCRB.

Thank you,

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From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: September 23, 2021 6:56 AM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: Local government requirements on providing comment for a liquor licence

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Hi, how are you doing? I have a few more questions for you. Are you able to let me know how the license is proceeding? I would like to see the completed application, especially the letter of intent. Is that possible since it was not part of the application that the town posted? Let me know, thanks for your help, Noel

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Sent: August 12, 2021 8:30 AM

To: NOEL McKenna <mcnoel64@hotmail.com>

Subject: RE: Local government requirements on providing comment for a liquor licence

Good Morning Noel,

All licensed establishments can be found here: <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/liquor-licence-permits/liquor-resources-information/bc-liquor-licensed-establishment-locations>

Definitions of the different manufacturer liquor licence types can be found in the [Liquor Control and Licensing Regulations](#). I've included a snippet below for your convenience:

Division 5 — Manufacturer LI

Authorized activities

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 - (ii) wine used for sampling purposes under section 70 that the licensee has removed from a licensee retail store.

(4) A manufacturer licence authorizes a patron who has received a sample of the liquor manufactured by the licensee in a service

Our client support team will be able to assist you with any further general questions via email to LCRBLiquor@gov.bc.ca or by phone toll-free at 1-866-209-2111, or in Victoria at 250-952-5787.

Kind regards,

Teresa Cinco | A/Team Lead – Licensing Operations

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From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: August 11, 2021 7:42 AM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: Local government requirements on providing comment for a liquor licence

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Subject: RE: Local government requirements on providing comment for a liquor licence

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I hope that helps.

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Liquor and Cannabis Regulation Branch

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From: NOEL McKenna <mcnoel64@hotmail.com>

Sent: August 6, 2021 12:01 PM

To: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>

Subject: Re: Local government requirements on providing comment for a liquor licence

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Hello Noel,

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- (4) A manufacturer licence authorizes a patron who has received a sample of the liquor manufactured by the licensee in a service area under the licence to consume the sample in the service area.

FYI: Resident requesting information on Bayview Brewing lounge application

From: Cinco, Teresa LCRB:EX <Teresa.Cinco@gov.bc.ca>
To: Chatlain, Tyrell LCRB:EX <Tyrell.Chatlain@gov.bc.ca>
Sent: October 28, 2021 12:19:31 PM PDT

Hi Ty,

I've been corresponding with Noel McKenna since his initial phone call back in July 2021 where, if I recall correctly, I think another staff member sent Mr. McKenna's call my way. He appears to be quite concerned about a lounge endorsement application submitted by Bayview Brewing Company Inc. (job 009826). Specifically, he asserts that key elements of the lounge application were incomplete and drawings inaccurate when it was sent to the Town of Ladysmith, thus the Town's public input process would have been conducted with mistakes. He has requested a copy of the applicant's letter of intent. I've informed Mr. McKenna that I'm unable to provide material/information from this application, and have responded to his general questions on the LCRB's requirements when a local government decides to opt in on providing comment on a liquor licence, and our process when we find an application or the local government comment to be incomplete, or requiring clarification. I've also provided answers on questions regarding the different manufacturer licence types.

This morning I've informed him via email that I'm not sure how else I can assist him as I'm unable to share the applicant's information with him and am unsure who specifically to connect him to (as per his request) to be able to obtain this information, however, that he may wish to go down the route of FOIPPA if he should so desire. I wanted to connect with you on this as one of your staff currently is assigned this application.

Please let me know if you have any questions.

Thank you,

Teresa Cinco | A/Team Lead – Licensing Operations

Liquor and Cannabis Regulation Branch

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