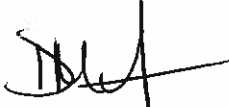



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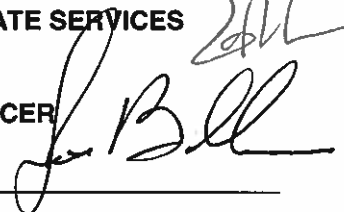
**TO:** **GENERAL COMMITTEE**

**SUBJECT:** **LIQUOR LICENCE APPLICATION REVIEW PROCESS**

**PREPARED BY AND KEY CONTACT:** **D. MCALPINE, CITY CLERK, EXT. 4421**

**SUBMITTED BY:** **D. MCALPINE, CITY CLERK** 

**GENERAL MANAGER APPROVAL:** **E. ARCHER, GENERAL MANAGER OF CORPORATE SERVICES** 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** **JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER** 

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**RECOMMENDED MOTION**

1. That the following process be implemented for the review of Provincial liquor licence application submissions:
  - a) All applicants for liquor licences be required to complete the revised City of Barrie liquor licence application questionnaire attached as Appendix "A" to Staff Report CLK004-11 and submit the questionnaire with their Municipal Information Form;
  - b) The Municipal Information Form and the revised City of Barrie liquor licence questionnaire be circulated to City departments, Barrie Police Service, Simcoe Muskoka Health Unit, Downtown Barrie BIA, Downtown Neighbourhood Association (or applicable neighbourhood association, if one exists), and the Ward Councillor in addition to the inclusion of the information on the Circulation List;
  - c) Stakeholders and the public be requested to provide comments with respect to the application to the City Clerk, within 2 weeks of the publication of the application;
  - d) All comments received by agencies/persons be compiled and sent to the AGCO with the Municipal Information Form and revised questionnaire that had been submitted; and
  - e) Municipal Information Forms submitted without the required City of Barrie liquor licence application questionnaire be rejected and the Alcohol and Gaming Commission be advised that the City of Barrie has unresolved concerns with respect to the issuance of a liquor licence.
2. That the revised City of Barrie liquor licence application questionnaire attached as Appendix "A" to Staff Report CLK004-11 be adopted to allow the public, stakeholders, City Council and staff to obtain a better understanding of the proposed business and determine any comments or concerns that may result from the application.

3. That By-law 2006-266, as amended, being a by-law to licence, regulate and govern businesses carried on within the municipality, be further amended as follows for the licensing categories identified as Restaurant/Tavern, Restaurant/Tavern Patio Extension – Private Property, Restaurant /Tavern Patio Extension – Municipal Property:
  - a) Table 1 – add a requirement for the submission of a completed City of Barrie liquor licence questionnaire for both new and renewal licences; and
  - b) That the following be added to the Operating Criteria:

“The applicant shall provide to the Issuer of Licences at the time of application, a completed City of Barrie liquor licence application questionnaire.”

**PURPOSE & BACKGROUND**

4. The purpose of this staff report is to establish a new procedure for the processing of liquor licence applications, to alter the requirements associated with the applications for business licences for categories of business associated with alcohol sales and to adopt a revised City of Barrie questionnaire for liquor licence applications. ....
5. On August 30, 2010, City Council adopted motion 10-G-344 as amended by resolution 10-A-382 regarding Liquor Licensing as follows:
  - “1. That a letter be sent to the Alcohol and Gaming Commission of Ontario on behalf of the Council of the City of Barrie to express City Council's concern regarding the impacts of over-serving in licensed Downtown establishments and to request additional enforcement of LLA licence violations in the downtown core.
  2. That staff in the City Clerk's Office investigate alternatives related to the review of future liquor licence applications including the merit of establishing a Liquor Licence Review Committee, similar to that in the City of Kitchener, and report back to General Committee on the implications associated with any proposed change to the processing of liquor licences.
  3. That the Alcohol and Gaming Commission of Ontario (AGCO), Downtown Barrie, Barrie Downtown Neighbourhood Association (BDNA), Barrie Police Service, and Municipal Law Enforcement Section of the Legal Services Department be invited to meet at their earliest convenience as a working group on potential increased enforcement efforts and other measures to improve safety and reduce negative impacts associated with closing time, and report back to General Committee.”
6. On September 15, 2010, a letter was sent to the Alcohol and Gaming Commission of Ontario in accordance with paragraph 1 of the motion above.
7. In response to paragraph 3 of the motion above, on September 9, 2010, a meeting was held with representatives of the Alcohol and Gaming Commission of Ontario (AGCO), Downtown Barrie BIA, Barrie Downtown Neighbourhood Association (BDNA), Barrie Police Service, Municipal Law Enforcement Section of the Legal Services Department and representatives of various downtown establishments.

8. Representatives of the Alcohol and Gaming Commission of Ontario provided an overview of the Commission's processes related to liquor licensing and enforcement, including staff resources available in this area. The working group discussed:
  - a) Enforcement concerns and the resources available from AGCO and Barrie Police Service;
  - b) Noise complaints, the enforcement of noise complaints and monitoring of noise levels;
  - c) Revitalization of the downtown and the increase in residential dwelling units proposed as a result of intensification were discussed in relationship to the concerns and challenges related to liquor licensing; and
  - d) A number of potential solutions.

Current City of Barrie Liquor Licensing Process

9. Each year, the City of Barrie receives between 22-29 Municipal Information Forms (MIF) required by the Alcohol and Gaming Commission of Ontario (AGCO) that are associated with liquor licence applications. The MIF is required for all applications for a new liquor licence or outdoor areas being added to an existing liquor licence. The AGCO often requires businesses with significant changes to their existing facilities to complete the form as well.
10. The AGCO requires the Clerk of each municipality to sign the MIF to confirm the wet (spirits, beer, wine), damp (beer and wine only) or dry (no alcohol) status of the area where the establishment is located. In addition, the municipality has the opportunity to specify any concerns regarding zoning, non-compliance with by-laws, or general objections to the application by Council or elected municipal representatives, by outlining them in a separate submission or letter within 30 days of the notification.
11. The following is the current City of Barrie process related to liquor licence applications/MIF submissions:
  - a) Applicants are required to complete a liquor licence questionnaire when the AGCO Municipal Information Form (MIF) is submitted;
  - b) The MIF and questionnaire are provided to Barrie Fire and Emergency Service, Barrie Police Service, Building (zoning), Municipal Law and Prosecution Services Branch of the Legal Services Department (municipal law enforcement – business licensing) and published on the Circulation List that is provided to City Council and posted on the City's website;
  - c) Before a MIF is signed by the City Clerk or Deputy City Clerk, all departments are asked to provide their comments regarding the application; and
  - d) If concerns are identified, a letter is sent to the AGCO by the 30<sup>th</sup> day outlining the comments/concerns.
12. Typical concerns identified by the departments include Building or Fire code matters, such as discrepancies related to occupancy load calculations, requirements for exits, restrooms, appropriate venting of kitchen equipment, etc. On a couple of occasions, concerns related to the size of the establishment and/or the proposed operation of an outdoor patio beyond the hours permitted by the business licensing by-law, have been submitted. In the past, the response from the AGCO to any comments or concerns identified has varied considerably.

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**ANALYSIS**

**Kitchener Approach to the Review of Liquor Licence Applications**

13. Staff from the City of Kitchener were contacted on two separate occasions to discuss their approach to the review of liquor licence applications. Kitchener staff advised that they had received 12 applications in total over the past 3-4 years, with only 1 of the applications representing a typical "bar".
14. Applicants are requested to complete voluntary information form/questionnaire, if the establishment is located in downtown. It is usually completed well in advance of submission of AGCO's MIF. The questionnaire and MIF are reviewed by a Committee comprised of the Manager of Licensing, Business Licensing Inspector, Economic Development representative, BIA representative and Legal Services Department representative. There are no citizen members or downtown neighbourhood members on the Committee.
15. The Committee determines conditions and a report prepared with recommendations to Council. Any Council approved conditions form a private agreement that the applicant is requested to sign voluntarily. The agreement does not form part of a business licence. If the applicant refuses to sign the agreement, the municipality requests a hearing with/by AGCO. The AGCO decides whether the applicant is required to sign the agreement and whether any conditions are added to licence. Municipal staff participate in hearings/mediation when conditions are requested.
16. There is no local enforcement of the terms of the private voluntary agreement. Staff from Kitchener advised that in one circumstance, the applicant was compliant with the terms of the agreement during the first year, however, when the year had expired (and the requirements included in the agreement), the experience with the establishment changed dramatically.

**Other Municipalities' Approach to the Review of Liquor Licence Applications**

17. A survey was sent to 17 other municipalities (Guelph, Richmond Hill, Oakville, Oshawa, Burlington, Whitby, Kingston, Sudbury, Thunder Bay, Brantford, Pickering, Vaughan, Newmarket, St. Catharines, Cambridge, Waterloo, Orillia) concerning their approach to the review of liquor licence applications. 12 responses were received (Guelph, Oakville, Oshawa, Burlington, Whitby, Kingston, Brantford, Pickering, Newmarket, St. Catharines, Orillia, Thunder Bay).
18. St. Catharines was the only municipality other than Barrie or Kitchener to require the completion of a detailed questionnaire related to the establishment. Other municipalities collected information related to site plans or the status of building permits in addition to MIF, but did not require the submission of additional information about the nature of the business/operations.
19. Almost half of the survey respondents stated that they have requested conditions on licences. Most of the requested conditions appear to have been focused on Building/Fire code matters or the recognition of local by-law related matters (i.e. zoning related conditions for outdoor patios – safety and noise control, permitted hours).
20. The success with requests to AGCO for conditions to be imposed varied considerably amongst respondents. Some municipalities were required to participate in mediation/hearings in order to discuss conditions. Limited information was provided about the amount of resources (staff time, dollars, legal expenses) required to participate in the hearings. St. Catharines indicated that their staff participated in a two day hearing held to discuss conditions but did not have information available concerning the amount of time spent in preparation for the hearing.

21. Brantford advised that their approach is to circulate the MIF to the Health Unit, Police, Boards of Education, Fire, Planning Department, Building Department, BIA (if location in downtown area) and Ward Councillors. They do not specifically circulate to the public or neighbourhood associations. Comments are requested back within a 2 week period and all comments received by agencies/persons are sent with the original Form to the AGCO for their review and consideration.

Stakeholder Meeting – Review Process

22. On March 21, 2011, a meeting was held with stakeholders to discuss:
- a) Information collected on other municipalities' approaches to liquor licence application review;
  - b) The AGCO with respect to their risk based enforcement and licensing approach and conditions on licences;
  - c) Alternative approaches for the City of Barrie's review of liquor licence applications; and
  - d) A revised liquor licence application questionnaire.
23. Representatives of the AGCO Investigation and Enforcement Bureau of the Ontario Provincial Police, Downtown Barrie BIA, Barrie Downtown Neighbourhood Association (BDNA), Barrie Police Service, Municipal Law Enforcement Section of the Legal Services Department, Planning Department, Simcoe Muskoka District Health Unit and two of the downtown establishments were present for this productive and informative meeting.
24. Numerous insights related to the licensing and registration function as well as investigations and enforcement by the AGCO were shared by the representatives of the Commission/Ontario Provincial Police. As explained by the representatives and described on the AGCO website, the AGCO is now taking a new approach to the issuance and regulation of liquor sales licences called *risk-based licensing*, which allows the AGCO to encourage good business practices throughout the industry and strategically focus resources where they will make the most difference. Effective March 1, 2010, risk-based licensing has been used by the AGCO to process all types of liquor licence applications across the province. The AGCO recognizes that because of their type of business, location, past history, experience, etc., some establishments pose a greater risk to public safety, to the public interest and/or to non-compliance with the law. This new risk based licensing and enforcement has resulted in a different approach that would appear to be beneficial to the entire community.
25. During the meeting, the following proposed approach to the review of liquor licence applications was discussed with the stakeholders:
- a) All applicants for liquor licences be required to complete the revised City of Barrie liquor licence application questionnaire attached as Appendix "A" to Staff Report CLK004-11 and submit the questionnaire with their Municipal Information Form;
  - b) The circulation of the Municipal Information Form and a revised City of Barrie liquor licence questionnaire to City departments, Barrie Police Service, Simcoe Muskoka Health Unit, Downtown Barrie BIA, Downtown Neighbourhood Association (or applicable neighbourhood association, if one exists), and the Ward Councillor in addition to the inclusion of the information on the Circulation List;

- c) Stakeholders and the public be requested to provide comments with respect to the application to the City Clerk, within 2 weeks of the publication of the application;
  - d) All comments received by agencies/persons be compiled and sent to the AGCO with the MIF and revised questionnaire that had been submitted; and
  - e) Municipal Information Forms submitted without the required City of Barrie liquor licence application questionnaire be rejected and the Alcohol and Gaming Commission be advised that the City of Barrie has unresolved concerns with respect to the issuance of a liquor licence.
26. The proposed process ensures that all stakeholders and the public have an opportunity to have their comments forwarded to the AGCO. As the comments are submitted as received, rather than a report prepared with specific requests for conditions, less staff time would be required to support this process. The stakeholders in attendance at the meeting were supportive of the proposed review process.
27. The opportunity to include the posting of the liquor licence application documents on the City's website with an area to submit comments was also discussed as a new initiative. Staff will be investigating the opportunity to implement this approach.
28. It is anticipated that the liquor licence review process would be evaluated after approximately 12 months to determine if the changes to the process have been beneficial to the community stakeholders.

#### Revised Questionnaire

29. During a meeting with representatives of the Barrie Police Service, Municipal Law Enforcement and Planning Services to discuss the Kitchener approach and other potential solutions, the challenges with the information received through the existing questionnaire and the types of information that might be more valuable were discussed.
30. A revised draft questionnaire was developed to include many of Kitchener's questions plus additional topics to obtain more detail about proposed applicant's size and location, operations, target market, nature of the business. The purpose of the revised questionnaire is to allow the public, stakeholders, City Council and staff to obtain a better understanding of the proposed business and determine any comments or concerns that may result from the application.
31. The revised draft questionnaire was presented during the stakeholder meeting on March 21, 2011. A few items were suggested as additions to the questionnaire. The individuals in attendance agreed that the revised questionnaire would be beneficial for the review of liquor licence applications. A copy of the proposed revised questionnaire incorporating the suggestions at the stakeholder meeting, is attached as Appendix "A" to Staff Report CLK004-11.

#### Business Licence By-law Changes

32. There were questions related to the ability to collect the information on a more regular basis (liquor licences are only subject to renewal every four years). The AGCO representatives advised that any information submitted between renewals would be assessed to determine whether any additional actions related to the licence would be undertaken. As a result, it is recommended that as part of a business licence application or renewal, the applicant be required to submit a completed questionnaire. The submitted questionnaire could then be forwarded to the AGCO (and Barrie Fire and Emergency Services) for consideration in their inspections and enforcement initiatives.

33. It is anticipated that staff would report back approximately one year after the implementation of the new circulation process and revised questionnaire to determine if additional changes to the process, questionnaire, etc would be beneficial for the various stakeholders associated with Provincial liquor licence application reviews.

### **ENVIRONMENTAL MATTERS**

34. There are no environmental matters related to the recommendation.

### **ALTERNATIVES**

35. The following alternatives are available for consideration by General Committee:

#### **Alternative #1**

General Committee could maintain the existing process for the review of liquor licence applications.

Although the liquor licence application information has always been available to City Council and the public through the Circulation List, a specific distribution to stakeholders other than City departments has not occurred. The proposed approach would be more proactive in seeking comments from the Barrie Downtown Neighbourhood Association (or other resident associations requesting circulation) and the BIA. It would also allow for all comments to be compiled and presented at one time to the AGCO giving the Commission a better understanding of the community perspective related to the licence application.

#### **Alternative #2**

General Committee could recommend the establishment of a Committee similar to the Kitchener approach, with representatives from City departments, Barrie Police Service, the BIA and the Barrie Downtown Neighbourhood Association (or other resident associations) to review each application as received and prepare a report with recommendation presented to City Council for conditions to be requested of the AGCO.

Barrie receives approximately six to seven times as many applications as Kitchener on an annual basis. There may be challenges achieving consensus amongst the various stakeholders, and only those conditions supported by the majority would be forwarded to City Council. The public and any stakeholders would be able to submit their own comments to the AGCO, however, the City would potentially expend staff resources and dollars supporting conditions that may be challenged by other stakeholders. Additional costs would be incurred to support the Committee and prepare a report for General Committee and Council's consideration. Given the relatively short window for the submission of comments and the substantially larger volume of applications in Barrie, this approach is less feasible.

#### **Alternative #3**

General Committee could alter the content of the proposed revised questionnaire.

The proposed revised questionnaire has been reviewed by stakeholders and includes modifications to address the items raised during the discussion.

**Alternative #4**

General Committee could eliminate the requirement of the submission of the completed questionnaire as part of a business licence application or renewal.

The annual submission of the questionnaire for each establishment will allow for the information to be forwarded to the AGCO. This would ensure that the AGCO would receive detailed information concerning the establishment more frequently than the Province's current liquor licence renewal process and as a result, they would be aware of any significant changes to the operation earlier, in case there was a requirement to alter their inspection process.

**FINANCIAL**

36. There are no direct financial implications associated with the recommendations in this report. The circulation of liquor licence application information is currently conducted by staff in the City Clerk's Office. Comments are also compiled from City departments and submitted to the AGCO. Adding the Downtown BIA and Neighbourhood Association to the process is not anticipated to result in any material change to the resources required for this process or any direct financial implications.

**LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

37. The recommendation(s) included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- ☒ Create a Vibrant and Healthy City Centre
  - ☒ Improve and Expand Community Involvement and City Interactions
38. The proposed review process will increase opportunities for public input/feedback related to the issuance of liquor licences. Safety and quality of life concerns have been expressed by residents related to the number, density and general operations associated with establishments serving alcohol in the City Centre. The revised questionnaire is anticipated to provide information that would be beneficial for both stakeholders and the AGCO in the determination of any conditions associated with the issuance of liquor licences.



APPENDIX "A"

Proposed Revised City of Barrie Liquor Licence Application Questionnaire

GENERAL INFORMATION

Name of Establishment: (Registered name and Operating name, if different)	
Street Address of Establishment:	
Closest Intersection:	
Mailing Address: (If different from the location of the establishment)	
Name of Owner: (Indicate individual sole proprietor, partnership or corporation, as appropriate) If partnership or corporation, provide names and contact information for all shareholders	
Name of Applicant: (if different from owner)	
Mailing Address for Applicant:	
Applicant Business Phone/Fax Number:	
Applicant Business E-mail address:	

Purpose of the Liquor Licence Application:

\_\_\_\_\_ New establishment

\_\_\_\_\_ New owner/operator of existing establishment

Name of previous business \_\_\_\_\_

\_\_\_\_\_ Change to indoor occupant load/seating capacity (including addition or alteration to interior)

\_\_\_\_\_ Change to outdoor occupant load/seating capacity (including addition or alteration to outdoor patio)

\_\_\_\_\_ Other. Describe below

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**SIZE AND LOCATION**

What is the size (floor area) of the establishment?

Indoor Area

\_\_\_\_\_ ft<sup>2</sup>/ m<sup>2</sup>

Outdoor Area

\_\_\_\_\_ ft<sup>2</sup>/ m<sup>2</sup>

What is the proposed occupant load and/or seating capacity of the establishment?

Indoor Area

\_\_\_\_\_ occupant load

\_\_\_\_\_ licensed capacity

\_\_\_\_\_ seating capacity

Outdoor Area

\_\_\_\_\_ occupant load

\_\_\_\_\_ licensed capacity

\_\_\_\_\_ seating capacity

Is the entire operation enclosed? (i.e. the operation is interior space only)

Yes \_\_\_\_\_ No \_\_\_\_\_

**An accurate diagram/scaled floor plan indicating the proposed location ) of the licenced area(s) (ALL licensed areas including indoor and outdoor areas) is required to be attached to this form.**

What is the distance to the closest other establishment(s) serving alcohol? \_\_\_\_\_ ft/ m

Please provide the operating name(s) and describe the target market of other establishments serving alcohol within a 120 m (approximately 400 ft) radius of the proposed location:

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Note: If you require more space please attach additional documentation to this form.

What is the distance to the closest residential dwelling unit? \_\_\_\_\_ ft/ m

Does the subject property contain residential units?

Yes \_\_\_\_\_ No \_\_\_\_\_

**OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS**

Hours of Operation of the business:	Indoor Area _____	Outdoor Area _____
Hours associated with alcohol sales	Indoor Area _____	Outdoor Area _____

What is the primary nature of the establishment? (i.e. family restaurant, fine dining, lounge/nightclub, bar/tavern, coffee house, etc)

Before 10 PM:

After 10 PM:

Describe your target market:

Describe the proposed security both internally and exterior to the establishment (i.e. total number of staff, training or experience of staff, number of security persons):

Before 10 PM:

After 10 PM:

Note: If you require more space please attach additional documentation to this form.

Are all security personnel trained and licensed? Yes \_\_\_\_\_ No \_\_\_\_\_ Describe (i.e. in-house or hired service)

Note: If you require more space please attach additional documentation to this form.

Are exterior line ups (queues) anticipated for your establishment? Yes \_\_\_\_\_ No \_\_\_\_\_

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**OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS (Continued)**

Is either internal or external video surveillance planned for the establishment?

Yes \_\_\_\_\_ No \_\_\_\_\_ Describe

\_\_\_\_\_

Note: If you require more space please attach additional documentation to this form.

Describe your plans for crowd management:

Before 10 PM:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: If you require more space please attach additional documentation to this form.

After 10 PM:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: If you require more space please attach additional documentation to this form.

Is either internal or external video surveillance planned for the establishment?

Yes \_\_\_\_\_ No \_\_\_\_\_ Describe

\_\_\_\_\_

Note: If you require more space please attach additional documentation to this form.

Is a cover charge to enter the premises proposed? Yes \_\_\_\_\_ No \_\_\_\_\_ (routinely / special events)

What is the anticipated percentage of liquor sales to gross sales? \_\_\_\_\_

**OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS (Continued)**

Describe the nature of the proposed seating for the venue (i.e. dining tables, cocktail tables, stand up bar):	Indoor Area
	Outdoor Area
Describe any food preparation facilities for the venue:	Indoor Area
	Outdoor Area
Describe any other type of business to be operated from the establishment on a permanent basis, or from time to time (i.e. bakeshop, variety store, grocery store, billiard hall, take-out restaurant, adult entertainment, non-motorized refreshment vehicles, etc?):	Indoor Area
	Outdoor Area
If yes, are the businesses physically separated from the licensed area(s) so that access or exits to and from the other business are not through the licensed area(s)? Provide full details:	Indoor Area
	Outdoor Area
Describe any ancillary entertainment (i.e. video games, pool tables, etc):	Indoor Area
	Outdoor Area

**OPERATING HOURS, TARGET MARKET, NATURE OF BUSINESS (Continued)**

Describe any musical entertainment to be provided (i.e. dance floor, live/recorded music, amplified sound , etc)	<u>Indoor Area Only</u>  Dance Floor Yes _____ No _____  Live Music Yes _____ No _____  Recorded Music Yes _____ No _____  Amplified Sound Yes _____ No _____  Unamplified Sound Yes _____ No _____
	<u>Outdoor Area Only</u>  Dance Floor Yes _____ No _____  Live Music Yes _____ No _____  Recorded Music Yes _____ No _____  Amplified Sound Yes _____ No _____  Unamplified Sound Yes _____ No _____

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**OWNERSHIP/MANAGEMENT INFORMATION**

Describe the owner or operator's performance record including any by-law violations, building, health, fire code deficiencies noted on an inspection report, and any charges or convictions or liquor licence offences within the last 3 years:

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Has a principal officer of the business or a manager of the business been charged with or convicted of a liquor licence related offence? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide details of the charge/conviction

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Do any of the principal officer(s) or managers of the business have a criminal record?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide a copy of the criminal records check

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Is there a conviction against the business related to a liquor related offence?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide details

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List the names and addresses of any other licensed establishments in Canada owned or operated by the same operator or owner:

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**Note:** If you require more space please attach additional documentation to this form.

I \_\_\_\_\_ (name of applicant/owner), hereby certify that the information provided pursuant to this liquor licence application questionnaire is true, accurate and complete to the best of my knowledge and ability. I understand and acknowledge that if the information with respect to the establishment changes materially, I am responsible for completing and submitting an updated questionnaire. I further understand and acknowledge that the submission of an incomplete questionnaire or the inclusion of false statements is deemed to be a breach of any business licence issued by the City and may be grounds for such licence to be revoked.

\_\_\_\_\_  
Signature of Applicant

Sworn (Affirmed) before me at The City of Barrie,  
in the Province of Ontario on the \_\_\_\_\_ day

\_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
A Commissioner, etc.

**NOTE:** This is a sworn (affirmed) affidavit of the deponent only. No investigation has been conducted by this authority to confirm or verify the above sworn information.

The CRIMINAL CODE OF CANADA provides that: everyone commits perjury who, with intent to mislead, makes before a person who is authorized by law to permit it to be made before him a false statement under oath or solemn affirmation by affidavit, solemn declaration or deposition or orally, knowing that the statement is false, is guilty of an indictable offence and liable to a term of imprisonment not exceeding fourteen years (Section 131, 132), or by summary conviction (Section 134).

Personal information on this form is collected to determine any concerns with zoning, non-compliance with any by-laws or general objections to the application by City Council, the municipality, residents, and/or organizations within the municipality. The document and any associated submissions will be made available on the City's website and distributed to various stakeholder organizations and resident associations as well as the Alcohol and Gaming Commission of Ontario. This document is a public record, despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (1990)*, and, until its destruction, may be inspected by any person at the City Clerk's Office at a time when the office is open. Questions about this collection can be directed to the City Clerk, 70 Collier Street, Barrie, Ontario L4M 4T5 (705) 739-4220 Ext 4421.