

To: Chair and members of the Environment, Infrastructure & Community Services Committee

From: Councillor Angelo Bentivegna

c.c. Kevin Arjoon

Date: July 30, 2020

Re: By the Glass Resolution by Council for AGCO

Motion:

Support the application of Backed By Bees honey winery for a Manufacturer's Limited Liquor Sales Licence for By the Glass.

Background and Discussion:

City staff and BEDC have been working closely with Backed by Bees for the past year and a half to support them in establishing an on-farm market and meadery, with a vision of providing sustainably sourced local food and drink and connecting people to the land. Backed by Bees has obtained all of the necessary planning approvals (i.e. Niagara Escarpment Development Permit and City Zoning Clearance Certificate) and staff are strongly supportive of this excellent opportunity for on-farm diversification and rural economic development. For Council's reference, a similar resolution was passed in support of Nickel Brook Brewing Co. on September 24, 2018 (see [item 14.4](#)).

Thank you,

Councillor Angelo Bentivegna
Ward 6



Alcohol and Gaming Commission of Ontario
90 Sheppard Ave. E. Suite 200
Toronto ON M2N 0A4
Tel.: 416 326-8700 or 1 800 522-2876 toll free in Ontario
Email: licensing@agco.ca • website: www.agco.ca

Licence No. MFW1159764
Expiry Date: December 10, 2021

Manufacturer's Licence - Winery

**FOR THE SALE OF LIQUOR TO THE LIQUOR
CONTROL BOARD OF ONTARIO**

Issued to V Meads Inc.

Issue Date December 16, 2019

Doing
Business As V Meads

Address 6214 APPLEBY LINE
BURLINGTON, ON L7M0P7

Registrar of Alcohol, Gaming and Racing

This licence is not transferable without approval of the Registrar.





Commission des alcools et des jeux de l'Ontario
90, avenue Sheppard Est, bureau 200
Toronto (Ontario) M2N 0A4
Tél. : 416 326-8700 ou 1 800 522-2876 (sans frais en Ontario)
Courriel : licensing@agco.ca - Site Web : www.agco.ca

N° de permis : MFW1159764

Date

d'expiration : 10 décembre 2021

Permis de fabricant - établissement vinicole

**POUR LA VENTE D'ALCOOL À LA RÉGIE DES
ALCOOLS DE L'ONTARIO**

Délivré à : V Meads Inc.

Date de
délivrance : 16 décembre 2019

Faisant affaire
sous le nom
de : V Meads

Adresse : 6214 APPLEBY LINE
BURLINGTON, ON L7M0P7

Registreur des alcools, des jeux et des courses

Ce permis ne peut être transféré sans l'autorisation du registreur.





On-Site Honey Winery Retail Store Authorization

Pursuant to section 3 of the *Liquor Control Act* the Registrar of Alcohol, Gaming and Racing has authorized the Winery to operate a Retail Store for the retail sale of its Ontario wine to the public, which has been made at the Production Site set out below. The Winery is subject to the conditions set out below in this Authorization.

Issued to	V Meads Inc.	Doing Business As	V Meads
Retail Store Address	6214 APPLEBY LINE BURLINGTON, ON L7M0P7	Production Site Address	6214 APPLEBY LINE BURLINGTON, ON L7M0P7

CONDITIONS

1. The Authorization will be effective as of January 13, 2019, for an indefinite term, but subject to the right of the Registrar of Alcohol, Gaming and Racing (the "Registrar") to fix such term at any point during the currency hereof.
2. The Winery must own or lease and operate a minimum of 100 bee colonies and must at all times possess a valid Beekeeper's Certificate of Registration issued by the Provincial Apiarist under the Bees Act.
3. (a) The honey extracting site must be located at the productions site and the Winery's wine may only be sold in conjunction with the Winery's honey products.
(b) All of the wine for sale at the Retail Store ("Winery Store") must be made from honey which comes from the bee colonies owned or leased and operated by the Winery and which is produced at the production site.
4. The Winery must make at the production site all wine that is available for sale in the Winery Store. The question of whether a particular wine has been "made" at the production site by the Winery shall be determined in accordance with applicable policies of the Alcohol and Gaming Commission of Ontario ("AGCO").
5. All wine made available for sale in the Winery Store by the Winery shall be Ontario wine, as that term is defined in the Liquor Licence Act.
6. The Winery Store must remain at the production site, adjacent to the wine manufacturing facility.
7. The Winery Store shall be operated solely under the direction and control of the Winery.
8. The Winery Store will open and close for business in accordance with the days and hours set from time to time by the Registrar.
9. The Winery may use the services of a Carrier to deliver liquor from the Winery Store to:
(a) the residence of the recipient, or
(b) the recipient's place of business, if such place is an indoor place to which the public is not ordinarily invited or permitted access, in accordance with these conditions.





10. Liquor shall only be delivered by the Carrier, who shall be deemed to be the agent of the Winery for the purposes of the Authorization. The Winery shall be responsible for the Carrier's compliance with these Conditions.
11. The Carrier shall only deliver liquor which has been purchased from the Winery and paid for prior to being picked up by the Carrier.
12. The Winery shall ensure that the price of liquor to be delivered under the Authorization is the same as the price for the liquor sold in the Winery Store. The Winery shall charge a delivery fee for liquor delivered under the Authorization that is not less than the reasonable cost to the Winery of the Carrier's delivery services.
13. Liquor may only be delivered to a recipient if the purchaser has previously provided the Winery Store with a purchase order ("Purchase Order") for such liquor that includes, at a minimum, the name and delivery address of the recipient and a statement that the recipient is at least 19 years of age. Purchase Orders for liquor shall be accepted only at the Winery Store.
14. All deliveries of liquor must originate from the Winery Store. The Carrier must deliver the liquor on the same day as it is picked up from the Winery Store or on the first regular delivery day thereafter, subject to the provisions of paragraph 18 relating to re-attendances to complete delivery.
15. Except as provided in paragraph 16, the Carrier shall not warehouse or Store liquor pending delivery.
16. The Carrier may temporarily keep liquor in a secure area at its premises until the delivery of such liquor to the recipient is completed or returned to the Winery Store. Only the Carrier's employees may have access to the liquor while it is kept at such premises.
17. The Winery shall ensure that liquor is delivered only to an individual at the residence of the recipient or to an individual at the recipient's place of business, provided that such place of business is an indoor place to which the public is not ordinarily invited or permitted access.
18. Liquor shall not be left with anyone unless the Carrier determines that the recipient or another individual who lives at or is regularly employed at the place of delivery is at least 19 years of age. If the recipient or other individual appears to be under 19 years of age, the Carrier shall examine proof of age from the recipient or other individual. Acceptable forms of identification are set out in subsection 41(5) of Ontario Regulation 719 made under the Liquor Licence Act.
19. Liquor shall not be left with any individual unless the Carrier first obtains a receipt for the liquor ("Receipt") signed by the recipient or by another individual. The Receipt must contain the name and address of the recipient, the name and signature of the person receiving the liquor and the date of delivery. If there is no such individual present when the Carrier initially attempts to deliver the liquor, the Carrier may make further attempts to complete the delivery within three days following the initial attempt, failing which the liquor must be returned to the Winery Store.
20. Liquor shall not be left with any person who appears to be intoxicated at the time of delivery.
21. The Winery shall ensure that the Carrier does not employ any person under the age of 18 years to deliver liquor.
22. AGCO staff will be afforded free access at all times by the Winery to the production site and Winery Store for inspection and audit purposes.
23. The Winery shall abide by all rules, directives, guidelines, and policy statements with respect to the sale of wine and other items from the Winery Store.
24. The Winery shall comply with all provisions of the Authorization and with applicable statutes, laws, by-laws, regulations, orders, permits and requirements of any federal, provincial or municipal authority.





25. The Winery shall maintain and furnish to the Registrar upon request, reports in a form required by the Registrar showing accurately all information specified respecting the sale of Wine from the Winery Store and any other information, which the Registrar may require from time to time.
26. The Authorization and the rights and obligations thereunder may not be assigned, subcontracted, ceded or transferred by operation of law or otherwise.
27. The Authorization and the rights and obligations thereunder may be suspended or revoked or additional conditions may be attached to it if any of the following occurs:
 - (1) The Winery becomes insolvent by reason of its inability to meet its obligations as they become due;
 - (2) The Winery commences winding-up or liquidation proceedings or has such proceedings commenced against it;
 - (3) The Winery ceases to carry on business in the ordinary course;
 - (4) The Winery makes an assignment for the general benefit of creditors;
 - (5) A petition in bankruptcy is made against the Winery;
 - (6) The Winery is adjudicated bankrupt;
 - (7) Any proceedings are commenced against the Winery under any other insolvency laws;
 - (8) Proceedings are commenced for the appointment of a trustee, custodian, receiver or receiver manager or any other person pursuant to a contractual relationship or otherwise; or
 - (9) Proceedings are commenced for a composition or arrangement with creditors under any applicable law by or against the Winery.
28. The Authorization and the rights and obligations thereunder may be suspended, in whole or in part or revoked or additional conditions may be attached to it where any licence, authorization or permit issued to the Winery under the Liquor Licence Act, the Liquor Control Act or the regulations made thereunder is suspended or revoked, or where any condition is attached to such licence, authorization or permit.
29. The Winery may not relocate the Winery Store without the prior written approval of the Registrar.
30. The Registrar may also revoke the Authorization at any time, in order to comply with any policy of the AGCO or of any government ministry, or with any legislation, judgment, order, or ruling of any kind affecting the AGCO, and such revocation shall be effective upon giving (15) fifteen days' written notice thereof to the Winery.
31. The AGCO will not be responsible for any losses, costs, damages or any other type of compensation arising by virtue of the operation, suspension or revocation of the Authorization or of any right or obligation contained herein.
32. The rights provided under the Authorization constitute a privilege and are not personal property.
33. The Winery shall ensure that any person who sells or serves liquor in the Winery Store holds a certificate demonstrating the successful completion of the Smart Serve Ontario training program.

Registrar of Alcohol, Gaming and Racing





Commission des alcools et des jeux de l'Ontario
90, avenue Sheppard Est, bureau 200
Toronto (Ontario) M2N 0A4
Tél. : 416 326-8700 ou 1 800 522-2876 (sans frais en Ontario)
Courriel : licensing@agco.ca - Site Web : www.agco.ca

N° d'autorisation : RSAWH1164319

**Date de
délivrance : 13 jan 2020**

Magasin de détail sur les lieux d'un établissement de fabrication de vin de miel

En vertu de l'article 3 de *Loi sur les alcools*, le registrateur des alcools, des jeux et des courses autorise l'établissement vinicole à exploiter un magasin de détail pour la vente au public de ses vins de l'Ontario fabriqués au lieu mentionné ci-dessous. L'établissement vinicole est assujéti aux conditions énoncées dans la présente autorisation.

Délivré à : V Meads Inc.

Faisant affaire
sous le nom de : V Meads

Adresse du
magasin de
détail : 6214 APPLEBY LINE
BURLINGTON, ON L7M0P7

Adresse du lieu
de fabrication : 6214 APPLEBY LINE
BURLINGTON, ON L7M0P7

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1. The Authorization will be effective as of January 13, 2019, for an indefinite term, but subject to the right of the Registrar of Alcohol, Gaming and Racing (the "Registrar") to fix such term at any point during the currency hereof.
2. The Winery must own or lease and operate a minimum of 100 bee colonies and must at all times possess a valid Beekeeper's Certificate of Registration issued by the Provincial Apiarist under the Bees Act.
3. (a) The honey extracting site must be located at the productions site and the Winery's wine may only be sold in conjunction with the Winery's honey products.
(b) All of the wine for sale at the Retail Store ("Winery Store") must be made from honey which comes from the bee colonies owned or leased and operated by the Winery and which is produced at the production site.
4. The Winery must make at the production site all wine that is available for sale in the Winery Store. The question of whether a particular wine has been "made" at the production site by the Winery shall be determined in accordance with applicable policies of the Alcohol and Gaming Commission of Ontario ("AGCO").
5. All wine made available for sale in the Winery Store by the Winery shall be Ontario wine, as that term is defined in the Liquor Licence Act.
6. The Winery Store must remain at the production site, adjacent to the wine manufacturing facility.
7. The Winery Store shall be operated solely under the direction and control of the Winery.
8. The Winery Store will open and close for business in accordance with the days and hours set from time to time by the Registrar.





9. The Winery may use the services of a Carrier to deliver liquor from the Winery Store to:
 - (a) the residence of the recipient, or
 - (b) the recipient's place of business, if such place is an indoor place to which the public is not ordinarily invited or permitted access, in accordance with these conditions.
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23. The Winery shall abide by all rules, directives, guidelines, and policy statements with respect to the sale of wine and other items from the Winery Store.





24. The Winery shall comply with all provisions of the Authorization and with applicable statutes, laws, by-laws, regulations, orders, permits and requirements of any federal, provincial or municipal authority.
25. The Winery shall maintain and furnish to the Registrar upon request, reports in a form required by the Registrar showing accurately all information specified respecting the sale of Wine from the Winery Store and any other information, which the Registrar may require from time to time.
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 - (3) The Winery ceases to carry on business in the ordinary course;
 - (4) The Winery makes an assignment for the general benefit of creditors;
 - (5) A petition in bankruptcy is made against the Winery;
 - (6) The Winery is adjudicated bankrupt;
 - (7) Any proceedings are commenced against the Winery under any other insolvency laws;
 - (8) Proceedings are commenced for the appointment of a trustee, custodian, receiver or receiver manager or any other person pursuant to a contractual relationship or otherwise; or
 - (9) Proceedings are commenced for a composition or arrangement with creditors under any applicable law by or against the Winery.
28. The Authorization and the rights and obligations thereunder may be suspended, in whole or in part or revoked or additional conditions may be attached to it where any licence, authorization or permit issued to the Winery under the Liquor Licence Act, the Liquor Control Act or the regulations made thereunder is suspended or revoked, or where any condition is attached to such licence, authorization or permit.
29. The Winery may not relocate the Winery Store without the prior written approval of the Registrar.
30. The Registrar may also revoke the Authorization at any time, in order to comply with any policy of the AGCO or of any government ministry, or with any legislation, judgment, order, or ruling of any kind affecting the AGCO, and such revocation shall be effective upon giving (15) fifteen days' written notice thereof to the Winery.
31. The AGCO will not be responsible for any losses, costs, damages or any other type of compensation arising by virtue of the operation, suspension or revocation of the Authorization or of any right or obligation contained herein.
32. The rights provided under the Authorization constitute a privilege and are not personal property.
33. The Winery shall ensure that any person who sells or serves liquor in the Winery Store holds a certificate demonstrating the successful completion of the Smart Serve Ontario training program.

Registrateur des alcools, des jeux et des courses



Municipal Information for a Retail Store Authorization

Renseignements municipaux pour une autorisation de magasin de détail

Return completed form to:
Alcohol and Gaming
Commission of Ontario
90 Sheppard Ave. E.,
Suite 200
Toronto ON M2N 0A4

Envoyer cette formule dûment remplie à la :
Commission des alcools
et des jeux de l'Ontario
90, avenue Sheppard Est
Bureau 200
Toronto ON M2N 0A4



- Complete Section 1 of this form
- Take the form to your local municipal office to have a municipal clerk or delegated official complete Section 2.

- Remplir la section 1
- Porter la formule au bureau municipal le plus proche et faire remplir la section 2 par un(e) secrétaire municipal(e) ou un(e) fonctionnaire délégué(e).

Section 1 - Application Details - to be completed by applicant / Détails de la demande - à remplir par le demandeur

Retail Store Name / Nom du magasin de détail Backed By Bees	Telephone Number / N° de téléphone (905) 399-2570
Contact name / Nom de la personne-ressource Vincent Sowa	Contact's Telephone Number / N° de téléphone de la personne-ressource (905) 399-2570
Exact location of retail store (not mailing address - street number and name, city or lot no., concession and township) / Emplacement exact du magasin (pas l'adresse postale - numéro et nom de la rue, ville ou numéro du lot, concession et canton) 6214 Appleby Line, Burlington, Lot 7, Concession 5, Township of Nelson	
Type of Retail Store Authorization / Type de magasin visé par la demande	

- ☒ Winery / Magasin d'établissement vinicole ☐ Brewery / Magasin de brasserie ☐ Distillery / Magasin de distillerie ☐ Brewers Retail Inc. / Magasin de la société Brewers Retail Inc.

Section 2 - Municipal Clerk's Official Notice of Application for a Manufacturer's Retail Store Authorization in your Municipality - to be completed by the Municipal Clerk Municipal Clerk - Please confirm the "wet/damp/dry" status below.

Section 2 - Avis officiel de demande pour un magasin de détail du fabricant dans la municipalité à l'intention du (de la) secrétaire municipal(e) - à remplir par le (la) secrétaire municipal(e) Secrétaire municipal(e) - Veuillez confirmer le statut de la région ci-dessous.

Name of village, town, township or city where taxes are paid / Nom du village, du canton ou de la ville où sont versées les taxes

CITY OF BURLINGTON

Has this area been amalgamated or annexed? / If yes, / Dans l'affirmative, s'agit-il

La région a-t-elle été fusionnée ou annexée ?

- ☒ No / Non ☐ Yes / Oui ☐ Amalgamation / d'une fusion ? ☐ Annexation / d'une annexion ?

Date of Amalgamation or Annexation / Date de fusion ou d'annexion :

Former Name / Ancien nom :

Is the area where the retail store is located / La vente de boissons alcooliques est-elle autorisée dans la région où se trouve l'établissement ?

- ☒ Wet (for the retail sale of beverage alcohol) / Oui (vente et consommation de boissons alcooliques) ☐ Damp (for the retail sale of beverage alcohol) / Oui (vente de boissons alcooliques seulement) ☐ Dry / Non

Signature of municipal official / Signature de (de la) représentant(e) municipal(e)

Title / Poste

Grant Zillotto, CPSO, CBCO
Mgr. By-law Enf, Lic/Animal Srv.

Address of municipal office / Adresse du bureau municipal

Date

426 BRANT ST. BURLINGTON L7R 3Z6

DEC 17 / 19