

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
OFFICE OF THE TOWN CLERK

DATE: _____ RESOLUTION NO. _____

MOVED BY COUNCILLOR: _____

SECONDED BY COUNCILLOR: _____

WHEREAS Staff received a letter, included below, from Limited Distilling Corporation (14 Henegan Road) to request support of their application to the Alcohol and Gaming Commission of Ontario (AGCO) for a Manufacturer's Limited Liquor Sales License Council, as required by the AGCO.

AND WHEREAS this request was circulated to all departments on June 29, 2020 and no objections were made.

THEREFORE BE IT RESOLVED that The Council of the Town of Niagara-on-the-Lake supports the application by Limited Distilling Corporation, seeking a Manufacturer's Limited Liquor Sales Licence to permit the sale of single servings of alcohol at its distillery located at lands known municipally as 14 Henegan Road, Niagara-on-the-Lake, Ontario, subject to the following restrictions:

1. Limited Distilling Corporation would only be permitted to sell and serve spirits which it has manufactured;
2. Spirits may only be sold and served between 9:00a.m. and 12:00 a.m. on any day;
3. Spirits may only be sold and served in areas approved under the Licence that are on or immediately adjacent to the Manufacturing Site and under the sole control of Limited Distilling Corporation; and
4. Guests are only permitted to carry and consume spirits on the Manufacturing Site in area that are under the sole control of Limited Distilling Corporation and approved under the Licence.

SULLIVAN MAHONEY...

LAWYERS

Client Committed. Community Minded.

June 29, 2020

Via email to betty.disero@notl.com

Reply to St. Catharines office

THOMAS A. RICHARDSON, C.S.

905.688.2207 – Direct line

tarichardson@sullivanmahoney.com

*Certified Specialist (Municipal Law – Local
Government/Land Use Planning & Development)*

Her Worship Lord Mayor Betty Disero
and Members of Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
P.O. Box 100
Virgil, ON L0S 1T0

Dear Mayor Disero and Members of Council:

**RE: Limited Distilling Corp. application for Manufacturer's Limited
Liquor Sales Licence – Sale by the Glass
Our File No. 118210**

We act for Limited Distilling Corp. ("Client"), a distillery producing whiskey, rum, and vodka, located at lands known municipally as 14 Henegan Road, Niagara-on-the-Lake, Ontario ("Manufacturing Site").

Our Client intends to apply to the Alcohol and Gaming Commission of Ontario ("AGCO") for a Manufacturer's Limited Liquor Sales Licence ("Licence"). The Licence would allow our Client to sell and serve its products for consumption at the Manufacturing Site for the purposes of promoting its products, providing an enhanced tourist experience, or fulfilling an educational purpose.

The Licence is subject to the following operational restrictions:

1. Our Client would only be permitted to sell and serve spirits which it has manufactured;
2. Spirits may only be sold and served between 9:00 a.m. and 12:00 a.m. on any day;

Client Committed. Community Minded.

40 Queen Street, P.O. Box 1360, St. Catharines, ON L2R 6Z2 t: 905.688.6655 f: 905.688.5814

4781 Portage Road, Niagara Falls, ON L2E 6B1 t: 905.357.0500 f: 905.357.0501

sullivanmahoney.com

3. Spirits may only be sold and served in areas approved under the Licence that are on or immediately adjacent to the Manufacturing Site and under the sole control of our Client; and
4. Guests are only permitted to carry and consume spirits on the Manufacturing Site in areas that are under the sole control of our Client and approved under the Licence.

Our Client intends use the Licence to sell mixed cocktails crafted using its spirits distilled at the Manufacturing Site. In order to satisfy the AGCO's requirement that food be available for consumption when alcohol is being sold for on-site consumption, our Client also intends to sell a limited selection of food. We note that the sale of such food is solely to satisfy the AGCO's requirement of providing food to be consumed with alcohol and our Client does not intend to operate a restaurant.

To assist in Council's understanding of our Client's proposal, a Site Plan of the Manufacturing Site with the area in which our Client intends to sell, serve, and permit the consumption of its products outlined in red is attached to this letter.

As part of our Client's application to the AGCO for the Licence, Council must pass a resolution in support of the issuance of the Licence and our Client must provide the AGCO with written notice of such resolution. Accordingly, we request that Council consider this letter as a request to pass such resolution. Enclosed herewith is a draft resolution for the consideration of the Town Council.

Should you have any questions or concerns regarding our Client's application for the Licence, or require further information, please do not hesitate to contact the undersigned.

Yours very truly,

SULLIVAN, MAHONEY LLP

Per:

A handwritten signature in blue ink, appearing to read "T. Richardson", is written over the printed name.

Thomas A. Richardson, C.S.
Thomas A. Richardson Legal
Professional Corporation

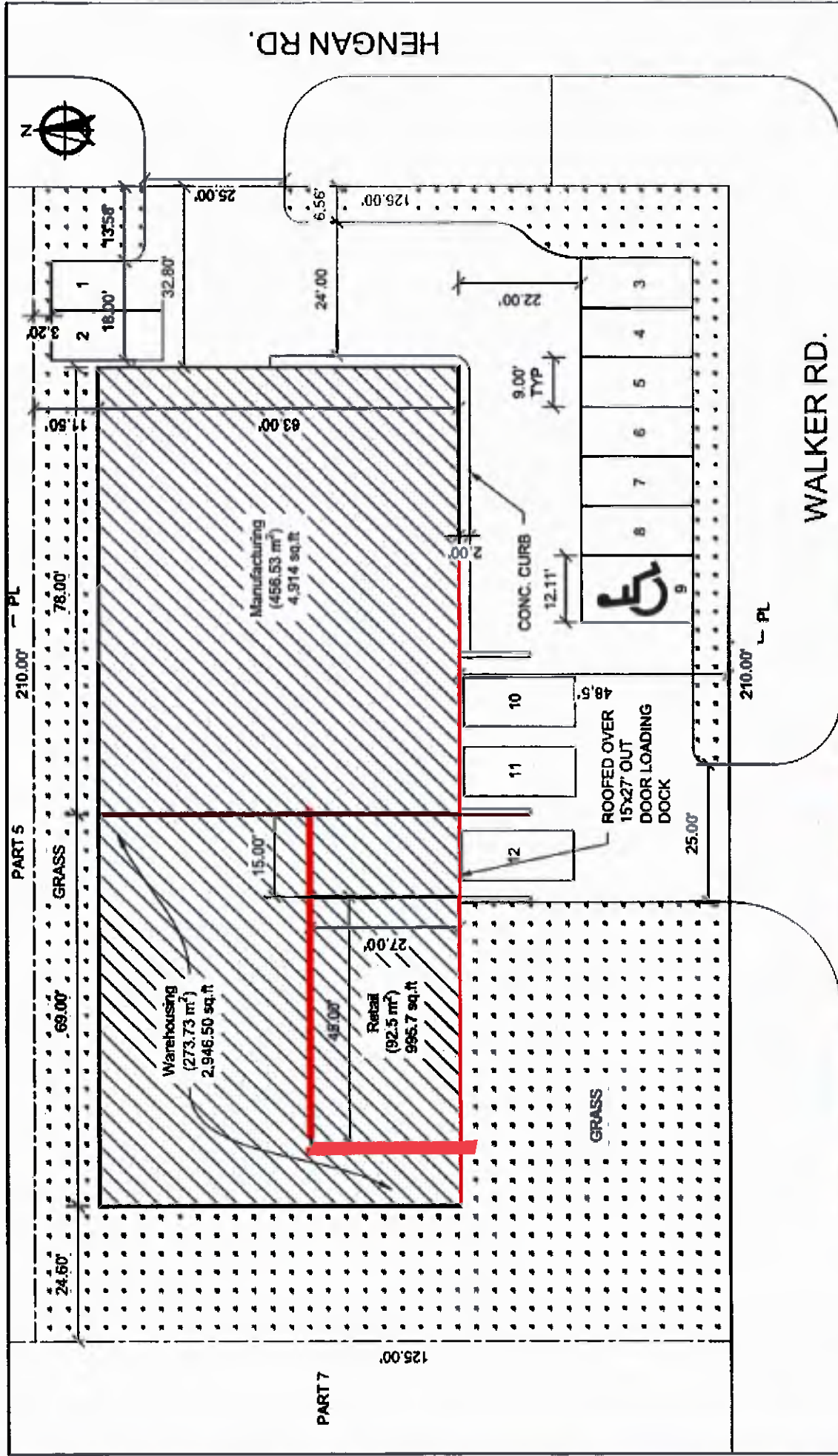
TAR:sm
Enclosures (2)

cc—Client
cc—Mr. Craig Larmour, Director of Community and Development Services
cc—Mr. Peter Todd, Clerk

RESOLUTION

The Council of the Town of Niagara-on-the-Lake supports the application by Limited Distilling Corporation, seeking a Manufacturer's Limited Liquor Sales Licence to permit the sale of single servings of alcohol at its distillery located at lands known municipally as 14 Henegan Road, Niagara-on-the-Lake, Ontario, subject to the following restrictions:

1. Limited Distilling Corporation would only be permitted to sell and serve spirits which it has manufactured;
2. Spirits may only be sold and served between 9:00 a.m. and 12:00 a.m. on any day;
3. Spirits may only be sold and served in areas approved under the Licence that are on or immediately adjacent to the Manufacturing Site and under the sole control of Limited Distilling Corporation; and
4. Guests are only permitted to carry and consume spirits on the Manufacturing Site in areas that are under the sole control of Limited Distilling Corporation and approved under the Licence.



A REVISED PARKING TO 12 SPACES		Sept. 2018
Lot Size: 15' x 278' = 4,170 sq.ft. 2 existing Road Manufacturing Manufacturing Retail Total		Planning Services Inc. 4304 E. 1st Windsor, ON N9A 1P7 519-253-1111 www.jkhome.ca
SPACES FOR PARKING IS PROVIDED		NOTES: DATE: J. 2018

 JOHN KEDZIENSKI HOME INSPECTION SERVICES	
	

SITE PLAN	
LIMITED BUILDING	
14 HENEGAN ROAD, VIRGIL, ON	
DRAWN BY: D.C.	SCALE: 1/8" = 1'-0"
SHEET: C-01	