



**CITY OF RICHMOND**

**REPORT TO COMMITTEE**

**TO:** Planning Committee

**DATE:** July 10, 2001

**FROM:** Alan Clark  
Manager, Zoning

**FILE:** 0107-10-01

**RE: Application for Designated Food Optional (DFO) area at:  
Cactus Club Cafe - 5500 No 3 Road, Richmond.**

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**STAFF RECOMMENDATION**

That the application of Cactus Club Café to the Liquor Control and Licencing Branch for a Designated Food Optional (DFO) area be supported, and that the Liquor Control and Licencing Branch be advised:

- (1) of this recommendation; and
- (2) that Council has taken into account the community impact of the proposed food-optional area; and
- (3) that the R.C.M.P. does not object to the application.

Alan Clark  
Manager, Zoning

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<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
R.C.M.P. ....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law .....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

STAFF REPORT

ORIGIN

The Cactus Club Café are asking for a resolution of Council supporting their request to the Liquor Control and Licencing Branch for Designated Food Optional (DFO) area within their dining lounge.

ANALYSIS

The Ministry of Attorney General, Liquor Control and Licencing Branch introduced changes applicable to "B" licenced establishments effective December 1<sup>st</sup>. 2000.

The regulations require that "B" licenced dining establishments be primarily engaged in the service of food. Under the new regulations, a licensee may not serve liquor to a person unless the licensee has reasonable grounds on which to conclude the individual will order and consume food. Exceptions to this rule apply in the case of an area licenced as a Designated Food Optional (DFO) Area, or in a primary dining area if a customer is at a table where the majority of persons at that table is ordering food.

Dining room lounges may, after December 1<sup>st</sup>. 2000, apply to operate a DFO as a separate licenced area in the dining lounge.

The total allowable patron capacity in the DFO is the lesser of 10 percent of the total restaurant patron capacity, and 20 seats.

The DFO area must meet the following criteria:

- A sign must be posted at its entry explaining that it is a DFO area and that minors must be accompanied by an adult.
- The DFO must be visibly distinct from the principle dining area.
- Within the DFO there must be only as many seats as required to accommodate the licenced capacity of the area.
- The DFO may be located anywhere in the licenced floor area. However, if the establishment has a service bar with stools or chairs, the DFO area must be located at the service bar.

The Cactus Club Café has a total patron capacity of 112 seats, and the DFO area is for 11 seats.

The Liquor Control and Licencing Branch requires, as a condition precedent to the granting of a licence for the DFO area, that the applicant obtain a resolution of support from Council.

FINANCIAL IMPACT

None.

CONCLUSION

That the request from the Cactus Club Café, asking for a resolution of Council supporting their request to the Liquor Control and Licencing Branch for a Designated Food Optional (DFO) Area be supported.

July 10, 2001

- 3 -

A handwritten signature in black ink, appearing to be 'Ac', written in a cursive style.

Alan Clark  
Manager, Zoning

AJC:ajc