



MINUTES

PLANNING COMMITTEE

Date: Tuesday, November 7, 2000
Place: Anderson Room
Richmond City Hall
Present: Councillor Malcolm Brodie, Chair
Councillor Bill McNulty, Vice-Chair
Councillor Linda Barnes
Councillor Lyn Greenhill
Councillor Harold Steves
Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

1. It was MOVED and SECONDED
That the minutes of the meeting of the Planning Committee held on Tuesday, October 17, 2000, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

2. The next meeting of the Planning Committee will be held on Tuesday, November 21, 2000, at 4:00 p.m. in the Anderson Room.

URBAN DEVELOPMENT DIVISION

3. **APPOINTMENT OF BYLAW ENFORCEMENT OFFICERS**
(Report: October 19/00, File No.: 0172-03) (REDMS No. 201900)

The Manager, Property Use and Administration, Sandra Tokarczyk, briefly summarized the report.

It was moved and seconded

That Susan Lloyd and Anita Csatho be appointed as Bylaw Enforcement Officers in accordance with Section 36 of the Police Act, and that such appointment be for the term of their employment as Bylaw Enforcement Officers with the City.

CARRIED

4. **APPLICATION BY DAVE HUNCHUK, ON BEHALF OF EARL AND THOMAS LUK, FOR A STRATA TITLE CONVERSION AT 7311 AND 7313 FRANCIS ROAD**

(SC 00-177151 - Report: October 17/00, File No.: SC 00-177151) (REDMS No. 200201)

The Manager, Development Applications, Joe Erceg, reviewed the report for the Committee.

It was moved and seconded

That the application for a strata title conversion by Dave Hunchuk, on behalf of Earl and Thomas Luk, for the property located at 7311 and 7313 Francis Road be approved on fulfilment of the following conditions:

- (1) *Payment of all City utility charges and property taxes up to and including the year 2001; and*
- (2) *Submission of appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of this resolution.*

CARRIED

5. **APPLICATION BY ANNE LO, ON BEHALF OF PAK LEUNG LAI AND HUI MING LI, FOR REZONING FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO TWO-FAMILY HOUSING DISTRICT (R5) AND FOR A STRATA TITLE CONVERSION AT 6651 AND 6671 MAYFLOWER DRIVE**

(RZ 00-173938 and SC 00-173939 - Report: October 18/00, File No.: RZ 00-173938 and SC 00-173939, 8060-20-7181) (REDMS No. 200226,200332)

The Manager, Development Applications, Joe Erceg, summarized the report.

It was moved and seconded

- (1) *That Bylaw No. 7181, for the rezoning of 6651 and 6671 Mayflower Drive from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Two-Family Housing District (R5)", be introduced and given first reading.*
- (2) *That the application for a strata title conversion by Anne Lo, on behalf of Pak Leung Lai and Hui Ming Li, for the property located at 6651 and 6671 Mayflower Drive be approved, on fulfilment of the following conditions:*
 - (a) *Adoption of Bylaw No. 7181 (Rezoning Application RZ 00-173938), including the filing by the City, of a restrictive covenant, limiting the number of dwelling units to two;*
 - (b) *Payment of all City utility charges and property taxes up to and including the year 2001; and*
 - (c) *Submission of appropriate plans and documents for execution by the Mayor and City Clerk, within 180 days of the date that Bylaw No. 7181 is adopted.*

CARRIED

6. **APPLICATION BY MR. RANJIT RATTAN FOR REZONING AT 7791 EPERSON ROAD FROM SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA E (R1/E) TO SINGLE-FAMILY HOUSING DISTRICT, SUBDIVISION AREA B (R1/B)**

(RZ 00-179065) (Report: October 18/00, File No.: RZ 00-179065,8060-20-7180) (REDMS No. 199780,200807)

The Manager, Development Applications, Joe Erceg, reviewed the report.

It was moved and seconded

That Bylaw No. 7180, for the rezoning of 7791 Eperson Road from "Single-Family Housing District, Subdivision Area E (R1/E)" to "Single-Family Housing District, Subdivision Area B (R1/B)", be introduced and given first reading.

CARRIED

7. **REVIEW OF PARKING ISSUES IN STEVESTON**

(Report: October 26/00, File No.: 6455-01) (REDMS No. 197605)

The Manager, Development Applications, Joe Erceg, said that the information report was a response to the October 3, 2000 request for an update on Steveston parking issues. David Brownlee, Planner, reviewed the report and displayed an aerial photograph of the area in question.

During the discussion that ensued a number of issues were raised, some of which were noted as being addressed in the report to the Public Works and Transportation Committee meeting of November 8, 2000. Then, as a result of the discussion, the following items were referred to staff:

- a) That Steveston Station be contacted with regard to this past years closure of the gate to the retail parking area. It was requested that the gate be opened as a means of providing customer onsite parking;
- b) That the Steveston Harbour Authority and Federal Ministry be contacted regarding use of the Chatham Street and Gulf of Georgia parking lots;
- c) That staff explore opportunities for lease/purchase of additional land for parking;
- d) That staff contact property owners that have fenced/blocked rear lanes;
- e) That staff identify businesses utilizing City property for their exclusive use.

The Manager, Zoning, Alan Clark, clarified parking requirements for the Committee. He said that once a building has been completed if the use of the building were to change, a business licence could not be withheld based on parking issues. Mr. Clark also stated that there are very few City owned lanes, most are private property owned by businesses.

Staff was commended by the Committee for the comprehensive and detailed report.

It was moved and seconded

That the report dated October 26, 2000, from the Manager Development Applications regarding Parking Issues in Steveston, be received for information.

CARRIED

8. **APPLICATION OF KEENAN CONSULTING FOR A CLASS 'C' (CABARET) LIQUOR LICENCE FOR UNIT 2168-3779 SEXSMITH ROAD, RICHMOND, BC.**

(Report: October 3/00, File No.: 8275-05) (REDMS No. 194334)

The Manager, Zoning, Alan Clark reviewed the report.

Mr. Jim Keenan, Keenan Consulting, and Mr. Chung, owner of the Manhattan Karaoke restaurant, then distributed a handout to the Committee, a copy of which is attached as Schedule 1 and forms a part of these minutes. Mr. Keenan explained that he acts of behalf of licencees to help applicants thru the liquor licensing process. He then read the report to the Committee.

In response to a question from the Chair, Mr. Clark explained that one other karaoke club in Richmond had applied for, and been granted, a Class C licence, and that there had been repercussions because of this. Mr. Clark also pointed out that as of November 6, 2000 Mr. Chung was not in possession of a business licence for his facility due to a lack of compliance with bylaw regulations.

Corporal Jones of the Richmond RCMP detachment then addressed the Committee. He stated that, after receiving the application, an inspection was undertaken of the premises at which time it was found that the facility was in breach of the regulations of its licence. Corporal Jones also noted the effect on policing a cabaret licence would have, ie. an increased police presence would be required due to an anticipated increase in gang activity, assault, and sexual assault etc. Corporal Jones stated he was not in favour of the application being granted.

Inspector Speevak, also of the Richmond detachment, confirmed gang presence at the Manhattan, and also at the summer market. In response to a question from the Chair he said it was not known if there had been any callouts to the Manhattan due to gang activity.

The proposed changes to the Liquor Act were noted, in particular that a specifically sectioned off area, accommodating a specific percentage of the establishment's patron capacity, would be allowed liquor without a meal. Also discussed was the difficulty in policing the private rooms.

It was moved and seconded

That the request by Keenan Consulting, representing Manhattan Karaoke Restaurant Inc., asking for a resolution of Council supporting their request to the Liquor Control and Licencing Branch for a Class 'C' (Cabaret) Liquor Licence for premises at 2168-3779 Sexsmith Road, BE DENIED.

Prior to the question being called a brief discussion took place on the current lack of business licence at the Manhattan. The question was then called and it was **CARRIED**.

9. **BUSINESS REGULATION BYLAW NO 7148
AMENDMENT BYLAW NO 7172**
(Report: September 27/00, File No.: 8060-20-7172) (REDMS No. 192716, 210649)

The Manager, Zoning, Alan Clark, reviewed the report.

STAFF RECOMMENDATION

That Bylaw No 7172 which amends Schedule A of Business Regulation Bylaw No 7148 to include 2100 Viceroy Place among the geographical areas in which a video arcade may operate, be introduced and given first, second and third readings.

CARRIED

10. **APPLICATION FOR A CLASS " A " LOUNGE (RECREATION CENTRE) LIQUOR LICENCE AT 2611 VISCOUNT WAY, RICHMOND FOR SPORT CENTRAL ENTERPRISES LTD.**
(Report: September 29/00, File No.: 8275-05) (REDMS No. 193479)

The Manager, Zoning, Alan Clark reviewed the report.

It was noted that there are no similar establishments within one mile of this property, and that the closest liquor licence would be held by the Western Indoor Tennis Club. It was also noted that Kwantlen College uses this establishment to host a number of its functions.

It was moved and seconded

That the application of Sport Central Enterprises Ltd. to the Liquor Control and Licencing Branch for a Class " A " Lounge (Recreation Centre) Liquor Licence be supported, and that the Liquor Control and Licencing Branch be advised:

- (i) *Of this recommendation; and*
- (ii) *That the RCMP does not object to this application.*

Prior to the question being called it was clarified that the RCMP have no objection to this application. The question was then called and it was **CARRIED.**

11. **MANAGERS' REPORTS**

The Manager, Development Applications, Joe Erceg reported on the progress of three process review meetings held with the development community. The review was an effort to determine how the rezoning, development permit and subdivision processes are working. The tone derived from all three meetings was positive, with efficient and effective City service being noted. The constructive input received is to be reported to the December 5, 2000 Planning Committee meeting.

The General Manager, Urban Development, David McLellan, reported that he had met with the Richmond Farmers Institute and the Ministry of Environment, Land and Parks (MELP), regarding the proposed Mid Island Dyke. Area farmers, while recognizing the benefits of the dyke, object to it. The farmers believe that a better alternative would be to create a higher standard perimeter dyke around the eastern end of the island.

This was noted to have a financial benefit in that the dyke capital cost could be achieved through industrial development of the area. This development, however, would face some difficulties ie. servicing. Further study was recommended, and Mr. McLellan said a report would be prepared in the near future, in consultation with the Environment Ministry and Agriculture Canada. A brief discussion of the issue also noted the possibility of the Knight Street corridor's possible use as an alternative to a Number Eight Road dyke. It was also pointed out that farmers should not be cut off from flood protection. It was requested that staff prepare a map detailing the land along the strip in question noting the industrial, agricultural, and agricultural with landfill designations involved.

ADJOURNMENT

It was moved and seconded
That the meeting adjourn (5:24 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, November 7, 2000.

Councillor Malcolm Brodie
Chair

Deborah MacLennan
Administrative Assistant

KEENAN CONSULTING

Nov.05/2000

City of Richmond
6911 No. 3 Rd.
Richmond, B.C. V6Y 2C1

ATTN: PLANNING COMMITTEE MEMBERS/RICHMOND CITY COUNCIL

**RE: REQUEST FOR RICHMOND CITY COUNCIL RESOLUTION IN
SUPPORT OF A PROPOSED CABARET AT #2168-3779 SEXSMITH,
CONTINENTAL CENTER MALL @ CAMBIE & SEXSMITH, RICH..**

Honourable Members,

My name is Jim Keenan and as a Consultant to the Hospitality Industry in the Lower Mainland, I act on behalf of licensees, both existing and futuristic, to help them through the liquor license application process. My background includes 10 years with the B.C. Government most recently as a Liquor Inspector with the LCLB. I have also been a member of the Vancouver City Police and the RCMP.

In this case, I act as agent for **Manhattan Karaoke Restaurant Ltd.,** DbA: **Manhattan Karaoke Restaurant** and as such am representing them at the Planning Committee meeting scheduled for November 7/2000 and a subsequent Richmond City Council meeting.

On behalf of the owners of the a/m Restaurant, I am requesting that Richmond City Council support, by way of resolution, a change of the Liquor Licence from a Restaurant "B" Dining Lounge Licence to a "C" Cabaret Liquor Licence. This resolution is required prior to making application to the Liquor Control and Licensing Branch for a "C" Cabaret Liquor Licence.

The Cabaret will be operated by the principle of the above applicant company, Mr. Paul Chung, who wishes to offer a later night venue to his existing local clientele providing Karaoke and dancing as well as a full menu for those wishing to eat. Mr. Chung presently not only operates the above restaurant but also operates a non-licensed Karaoke club at #130-8400 Alexandra Rd. in Richmond called Crystal Karaoke. He is well versed in this type of operation and also in conducting business in Richmond.

This cabaret would service primarily an Asian clientele who are accustomed, in their home countries and now here as well, to attending this style of bar and restaurant with their friends and family for a night of dining, singing and dancing. This style of Cabaret/restaurant has become very popular in Lower Mainland communities with high Asian resident numbers such as Richmond. These Cabaret/restaurants are also called "Karaoke Box" because they offer small sound-proofed rooms, to groups of two or more, with separate controls over their sound and video systems.

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KEEMAN CONSULTING

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In this instance the cabaret/restaurant offers 3 of these Karaoke rooms where patrons can dine as well as sing along in private to their choice of pre-recorded songs and videos. The doors to these rooms have been fitted with clear glass windows in order for staff and interested officials to observe into the rooms without disturbing the patrons within. The main dining area has a separate system for those who like to sing along and dance in a more public atmosphere.

The City Planning and Zoning Department has reassured me that *zoning (C-6) is correct* for a Cabaret/restaurant with full entertainment. The building in which the Cabaret/restaurant would be situated is in the Continental Center Strip Mall at the corner of Cambie and Sexsmith which is fully completed and mostly occupied by various retail outlets. Because of the fact that the majority of these businesses would be closed when the Cabaret would be in operation there will be plenty of parking available on the Mall property. The Cabaret would encompass the same area that the restaurant is presently occupying and is comprised of a total of approximately 4000 sq. ft. including the mezzanine area which is used for offices and staff space. The capacity granted by the Fire Dept. and the Liquor Branch was 130 patrons and this is not likely to change. The Mall is situated in a mostly retail/commercial area with some residential on Sexsmith, south of Cambie.

It is unlikely that any extra noise or traffic caused by this Cabaret would affect these residents as Cambie is a very busy through street already, and the houses are not in direct line with the front of the Mall. The Restaurant has been in business now for about a year and the owners are not aware of any noise or traffic complaints originating from the neighbouring community.

The Liquor Control and Licensing Operating Manual deals with applications and regulations for licensed premises. I have *attached* copies, for your perusal, of pertinent sections which apply to Cabarets including *application process, general conditions, hours of operation, patron capacity and regulations regarding minors.*

You will notice that Cabarets are only allowed to open between the *hours of 7:00 pm and 2:00 am* and *minors are not permitted* during licenced hours. Presently the restaurant licence requires that liquor be closed off at midnight and all alcoholic beverages must be off the tables by 12:30 am.

This limited time restriction causes economic hardship on the owners because due to the Karaoke style of the restaurant, most of their patrons do not arrive until later in the evening which leaves little time for liquor sales to occur before closing time.

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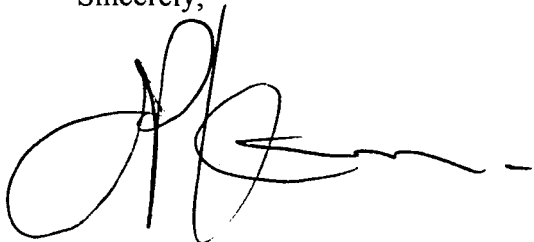
We have received a copy of the City Staff Report which is recommending that this request be denied based on an RCMP report dated April 4th, 2000. It refers to a visitation done by one of the RCMP members to this restaurant at 12:35 am on Friday night, Mar.24,2000. This was done 5 minutes after they were supposed to have cleaned off the tables of liquor and a half an hour after the bar was to be closed according to their "B" licence. Their report was subsequently sent to the LCLB and a warning letter was sent to the owners advising them of their error in judgement and stating that should these types of violations continue, the owners could be requested to attend an enforcement hearing.

The owners took heed of this warning letter and fired the manageress who was on duty that evening and informed the other employees that this behavior would not be tolerated in the future. Mr. Chung regrets that this incident occurred and states that although the RCMP have made several routine visits since April he has had no further violations and does not intend allowing this to happen again.

The issuance of a Cabaret licence would allow Mr. Chung to stay open until 2:00 am and all patrons would have to exit the premises by 2:30 am. As there will be no other changes to the establishment as far as capacity or type of liquor service, this change should actually cause less problems for the RCMP than the present establishment and cabaret regulations will be easier to enforce. As it appears they only had one incident to base their negative comments on, it would seem a little prejudiced for Staff and Council to follow along with that way of thinking before Mr. Chung has had a chance to prove that he can run a clean establishment and operate within the legalities allowed him.

Please be advised that I will be attending the Planning Committee meeting and the subsequent Council Meeting, along with Mr. Chung, to answer any questions which might come up in discussion amongst the Members. Thank you for your anticipated cooperation and support of this request.

Sincerely,

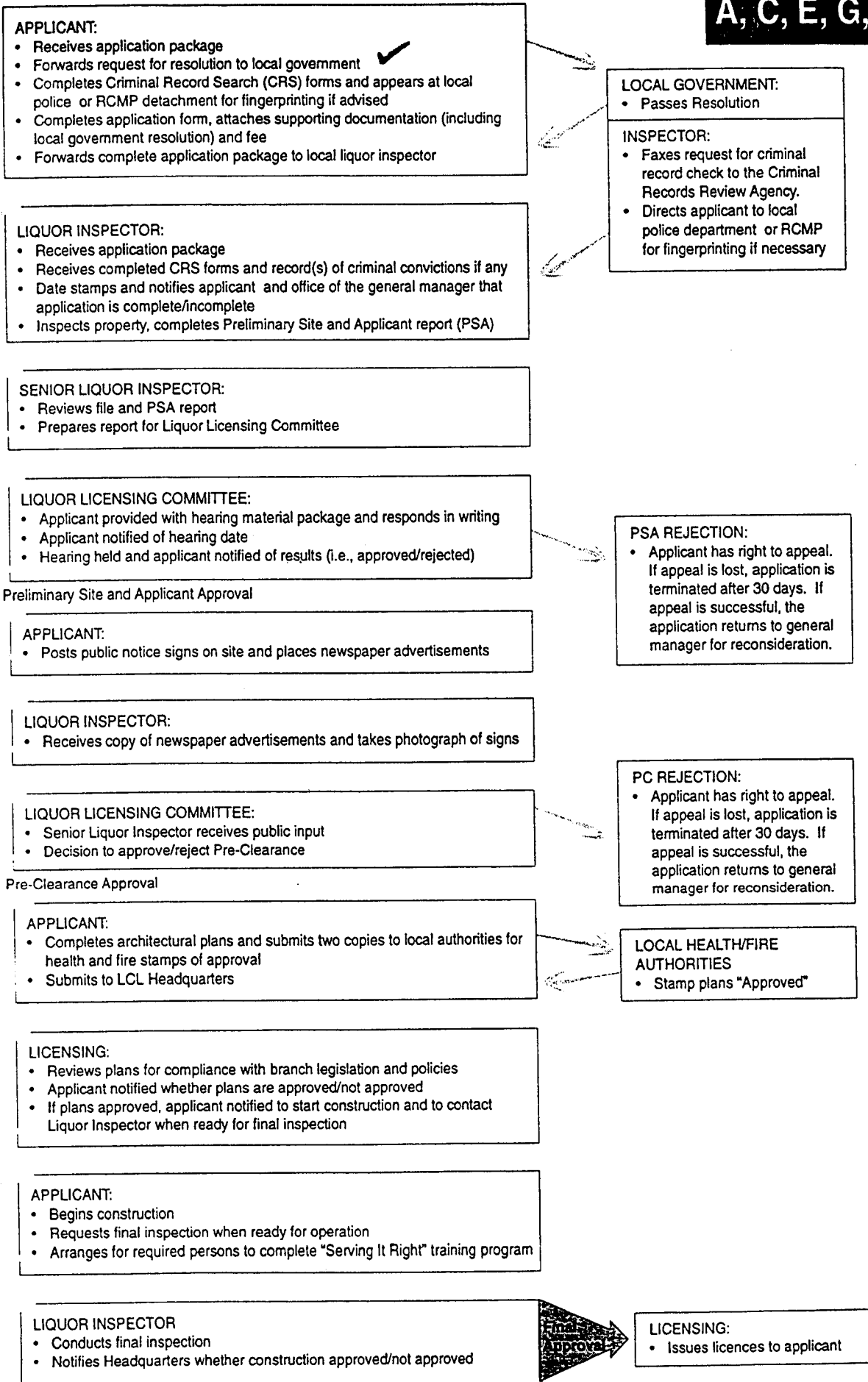


J.P.(JIM) KEENAN

**KEENAN CONSULTING - 533 CARLSEN PLACE, PORT MOODY, B.C. V3H4A1
PHONE: (604) 377-5751 FAX: (604)469-6766 (CALL 1ST. BEFORE SENDING)**

Approval Process Flow Chart


A, C, E, G, J



The government has identified some eating establishments as generally not eligible for B licences, including:

- mall "food fairs", as the dining space is not defined or controlled by any single food outlet
- restaurants primarily oriented to take-out service
- "fast food" restaurants with significant youth appeal
- stand-alone banquet rooms without fully equipped kitchens, such as a banquet room that is not an extension of a B licensed restaurant, and
- itinerant food providers, such as hot dog vendors.

Licence Class C

Under section 17(3) of the regulations, the emphasis of a C licensed establishment must be providing evening and night time entertainment. Cabarets are licensed under this class. A cabaret must seat at least 100 people and provide a dance floor of at least 20 per cent of its licensed area. In addition to the large single room cabaret concept, these establishments may be several rooms or divided areas with entertainment in each. 

Licence Class D

Neighbourhood pubs are licensed under this class. A neighbourhood pub should be within reasonable proximity of a residential area. As the name suggests, these pubs form part of a neighbourhood, which can be made up of offices, retail, commercial and industrial components as well as residential areas. As such, they are generally located in areas within communities that distinguish them from other retail businesses, and that help to maintain their character as neighbourhood public houses. An alternative to the more commercial choices available, they are small in size, welcoming to residents in the neighbourhood, and influenced by community values. A neighbourhood pub usually provides hearty pub-style food and maintains high standards of decor*.

In keeping with this philosophy of neighbourhood pubs, policy generally requires that a neighbourhood pub be free-standing with a parking area dedicated for pub patrons, as well

* See footnote on page 2 of this section for further information.

B Licensed Establishments

• All Establishments

General Conditions:

- maximum of 14 continuous hours between 9 a.m. and 2 a.m. of the following day [regulation section 17(2)(c)]
- liquor service is expected to cease within a reasonable time period after the kitchen is closed to full meal service and, in any event, liquor must be removed from tables or counters within thirty (30) minutes of the end of liquor service as stated on the licence [regulation section 8(2)]

Limitations set by General Manager:

- hours of sale on Sundays limited to 11:00 a.m. to 12:00 midnight
- hours of sale limited to 12:00 midnight closing where audience participation entertainment is approved and to 1:00 a.m. closing where non-audience participation entertainment is approved

C Licensed Establishments

• All Establishments

General Conditions:

- between 7 p.m. and 2 a.m. of the following day [regulation section 17(3)(b)]
- the establishment must be cleared of patrons within one-half hour after the close of liquor service [regulation section 17(3)(c)]

Limitations set by General Manager:

- hours of sale on Sundays limited to 7:00 p.m. to 12:00 midnight 

D Licensed Establishments

• All Establishments

General Conditions:

- maximum of 14 hours between 9 a.m. and 1 a.m. [regulation section 17(4)(b)]
- unless otherwise authorized by the general manager, the establishment must be cleared of patrons within one-half hour after the close of liquor service [regulation section 8(2)]

Limitations set by General Manager:

- unless otherwise approved by the general manager, hours of sale limited to a maximum of 14 hours between 9:00 a.m. and 12:00 midnight Monday through Saturday
- licensees may apply in writing to the general manager for an extension of hours to 1:00 a.m. on Friday and Saturday nights; written approval of local government and police is required prior to consideration of an application to extend hours and, in some instances, the applicant may be required to provide the public with notice of the extension application
- hours of sale on Sundays limited to 11:00 a.m. to 12:00 midnight

Section 6.3

PREMISES Patron Capacity

B Licensed Establishments

- All Establishments

General Conditions:

- holding area capacity is limited to 25 per cent of seating capacity [regulation section 17(2)(e)(i)]

Limitations set by General Manager:

- holding area capacity is limited to a maximum of 50 seats
- maximum patron capacity is based on a minimum of 12 square feet of dining space per patron

C Licensed Establishments

- All Establishments

General Conditions:

- seating will be provided for a minimum of 100 patrons [regulation section 17(3)(g)]
- additional 10 per cent seating capacity if a designated driver program is in effect [regulation section 17.2]

Limitations set by General Manager:

- maximum patron capacity of 350 persons, based on a minimum of 12 square feet per person and a maximum of 20 square feet per person.



D Licensed Establishments

- All Establishments

General Conditions:

- maximum indoor patron capacity of 65 persons [regulation section 17(4)(e)]
- maximum outdoor patron capacity of 20 persons [regulation section 17.1]
- additional 10 per cent seating capacity if a designated driver program is in effect [regulation section 17.2]

C Licensed Establishments

• All Establishments

General Conditions:

- no minors other than entertainers shall be permitted on the premises unless otherwise approved by the general manager under regulation section 23(2) [regulation section 17(3)(d)]

Approved by General Manager:

- with the approval of the general manager, minors may be permitted as non-drinking patrons in designated licensed establishments where the entertainment is of a cultural or educational nature and
 - minors are accompanied by an adult
 - minors are present only during a stipulated period time [regulation section 23(2)]



D Licensed Establishments

• All Establishments

General Conditions:

- no minors other than entertainers shall be permitted on the premises [regulation section 17(4)(c)]

Approved by General Manager:

- with the approval of the general manager, minors may be permitted as non-drinking patrons in designated licensed establishments where the entertainment is of a cultural or educational nature and
 - minors are accompanied by an adult
 - minors are present only during a stipulated period of time [regulation section 23(2)]

E Licensed Establishments

• All Establishments

General Conditions:

- none specified

Approved by General Manager:

- as below, except where the majority of those attending are, or are expected to be, unsupervised minors, when liquor service is not considered to be desirable
- with the approval of the general manager, minors may be permitted as non-drinking patrons in designated licensed establishments where the entertainment is of a cultural or educational nature and
 - minors are accompanied by an adult
 - minors are present only during a stipulated period of time [regulation section 23(2)]