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To: General Purposes Committee  
From: Alan Clark  
Manager, Zoning  
Re: Proposed Late Night (Rave) Party Location.  
8811 River Road. (Bridgepoint Market).

Date: November 26, 2001  
File: 0107-08-01

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**Staff Recommendation**

- 1). That the application to have 8811 River Road considered as an approved location to hold Late Night Dance (Rave) Events be denied.
- 2). When, satisfactory resolution to the problems are resolved, the applicant be advised to make a new application to the City.

Alan Clark  
Manager, Zoning

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| <p>FOR ORIGINATING DIVISION USE ONLY</p> <p>CONCURRENCE OF GENERAL MANAGER</p> |
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## **Staff Report**

### **Origin**

Riel Roussopoulos of Undernet Services Ltd has made application for 8811 River Road, (Bridgepoint Market), to be an approved location to hold late night dance (Rave) events.

Rave events are currently restricted to two locations specified in Late Night Event (Rave) Regulation Bylaw No. 7202.

This proposal is for a site not identified in the Bylaw.

The main focus and timing of the application is the applicants desire to hold a rave party on New Years Eve at this location.

### **Analysis**

#### **Site Issues.**

The Late Night Event (Rave) Regulation Bylaw 7202 permit a commercial dance or other event where 20 or more persons are assembled, to operate past 2:00 am, with the City requiring that they close at 8:00 am.

There are at present only two locations. The Riverside Banquet Hall at 14500 River Road, and The Palace, 14431 Knox Way, (both owned by the same company), that are permitted to hold functions that run past 2:00 am.

Since the Bylaw was adopted by Council and came into effect May 1<sup>st</sup>. 2000, forty three (43) permitted, licenced rave parties have been held.

8811 River Road is a stand alone 6665.6 square meter (71,750.3 sq. ft.) existing building which was built and developed as a Public market. It has stood empty for over eight (8) years now.

The property is currently zoned Automobile – Oriented Commercial District (C6), and banquet facilities are a permitted use in this zone.

While the Bylaw restricts rave events that go past 2:00 am to two locations, City Council indicated that they would consider additional sites if deemed appropriate.

The applicants submission for consideration had to include:

- (1) A Building Code Analysis prepared by a Certified Professional Architect or Engineer to show that the building meets code requirements for assembly use.

This building was built as a Retail complex (Public Market), and code requirements, including exits and washroom facilities are much less onerous than for Assembly use, and the Code Analysis has confirmed this. For example, the number of exit doors provided would allow for a maximum occupant load of 5,311 people, while the main floor area available to use, 4860 square meters, (52,314 sq. ft.) can accommodate 12,150 people, a major problem area. Washrooms to accommodate 5311 people is 18 men and 36 women. The actual available count is 15 men and 14 women. A discrepancy of 25 units. The applicants proposal to provide portable toilets are not acceptable to the City. To limit the occupant load to reflect the existing washroom count would fix the load to 2,900 maximum, which is not in line with applicants proposal, and would be difficult, or impossible to regulate. To further compound the issue is the wish to use a fenced, fully secure outdoor event area off the North side of the building of 4373.53 square meters, which could accommodate a further 10,933 people, and would negate the effective use of the exit facilities along the north face of building, and would require a further 32 men and 36 women washroom facilities, bringing the total additional washroom count to 93 units. An outdoor component to Late night events would be in contravention of the Bylaw and sound regulations.

While the applicant has indicated that portable washrooms would be a temporary solution, for a one off event, and that they would work with Bridgepoint Developments Ltd. to increase the number of permanent washrooms in the venue if the Approved Location application is successful staff believe that the required number of washrooms should be in place before any such approval is granted.

(2) An Acoustical and Sound Measurements Review.

An Acoustical Consultant was engaged and carried out sound measurements both inside the building and around all the property lines outside the building, on Charles Street and 77<sup>th</sup> Avenue in Vancouver, where the report indicated music was inaudible, using a sound system which is considered "typical" for these types of events, and the recordings were conducted between 7 and 10pm in the evening. Without the benefit of an actual event, the report is acceptable.

(3) Parking Plan.

The floor area of the building to be used for event is 4860 square meters, (52,314 sq. ft.), and based on 10 parking stalls per 100 square meters, which is the requirement for assembly occupancy, would require 486 stalls. There are 1077 stalls at this development.

**Bylaw Limitations.**

In addition to the issues related to the designation of the site, Bylaw 7202 has the following provisions which would have to be altered to accommodate a New Year's Eve Event:

The approved locations to hold **late night events** is restricted to two sites

- (a) 14500 River Road; and
- (b) 14431 Knox Way.

Approved dates to hold **late night events** are restricted to a maximum of three a month and may be only held on the first three Saturdays of each month provided if there is a statutory holiday during the weekend or on the Friday preceding the weekend or the Monday following, the **late night event** may be held on the next available Saturday of that month.

This regulation was to ensure that police and safety services are available.

New Year's Eve falls on a Monday and is outside of the Bylaw restrictions.

**RCMP Comments.**

The Richmond RCMP does not support a large function (rave or otherwise ) at Bridgepoint Market on New Year's Eve. The policing schedule for New Year's Eve is already complete and they are not in a position to add the extra resources this kind of function would require.

Richmond has a very good Bylaw that deals with late night parties, and the RCMP support the Bylaw as it is. Considerable time, effort and consultation with promoters was put into this Bylaw. A rave party at Bridgeport on New Year's Eve does not fall within the guidelines of the Bylaw.

**Financial Impact**

Nil.

**Conclusion**

While the location is a good one in regard to lack of residential in the area, easy access in and out, and ample parking to accommodate patrons, staff believe that there are sufficient problem areas that must be addressed and resolved, i.e. Occupant load, washroom facilities and exits, before any approval for this location should be granted.

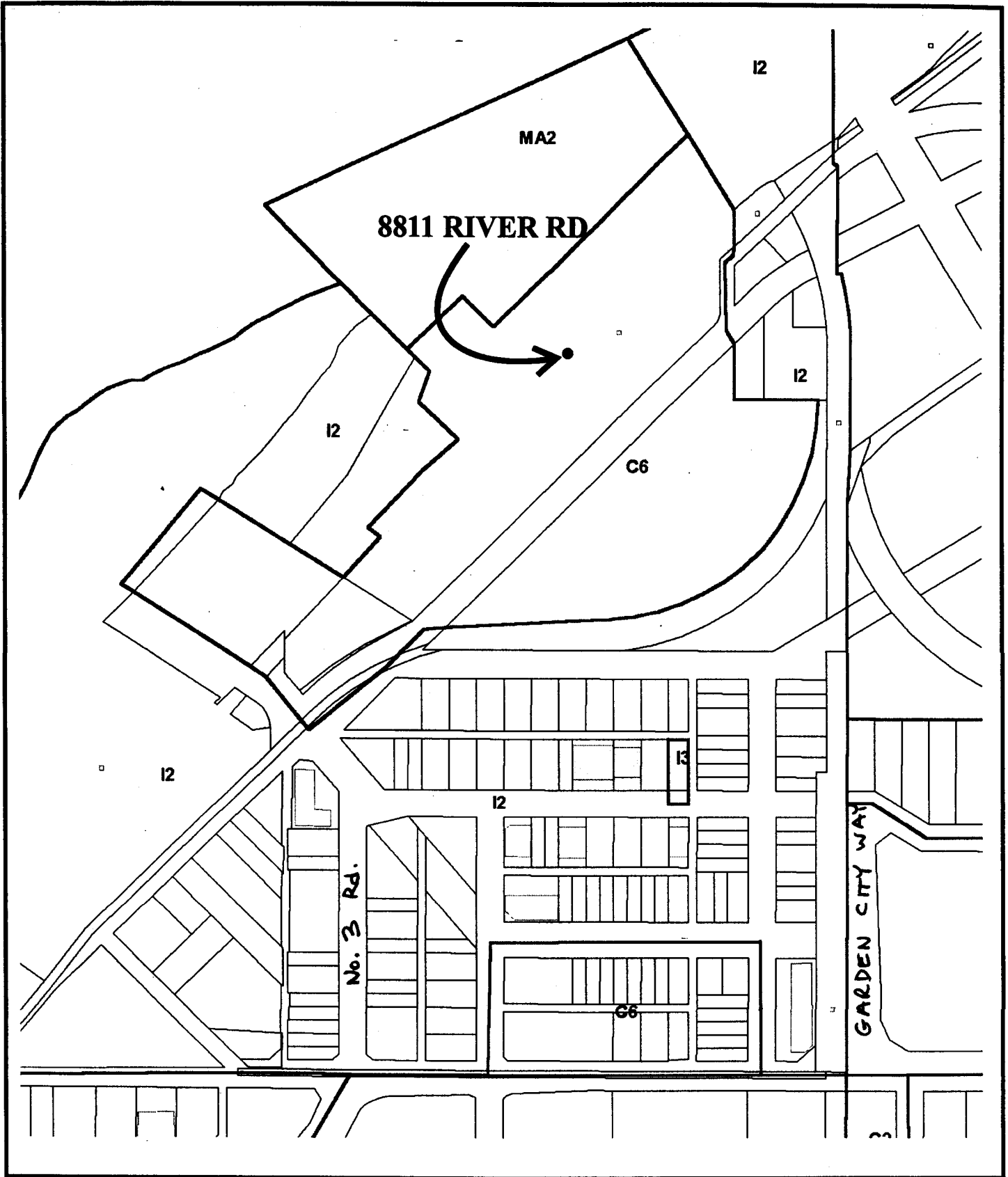
- 1). Staff are recommending that application to have 8811 River Road an approved location for Late Night (Rave) Events be denied.
- 2). When, satisfactory resolution to the problems are resolved, the applicant be advised to make a new application to City Council.



Alan Clark

Manager, Zoning

AJC:ajc

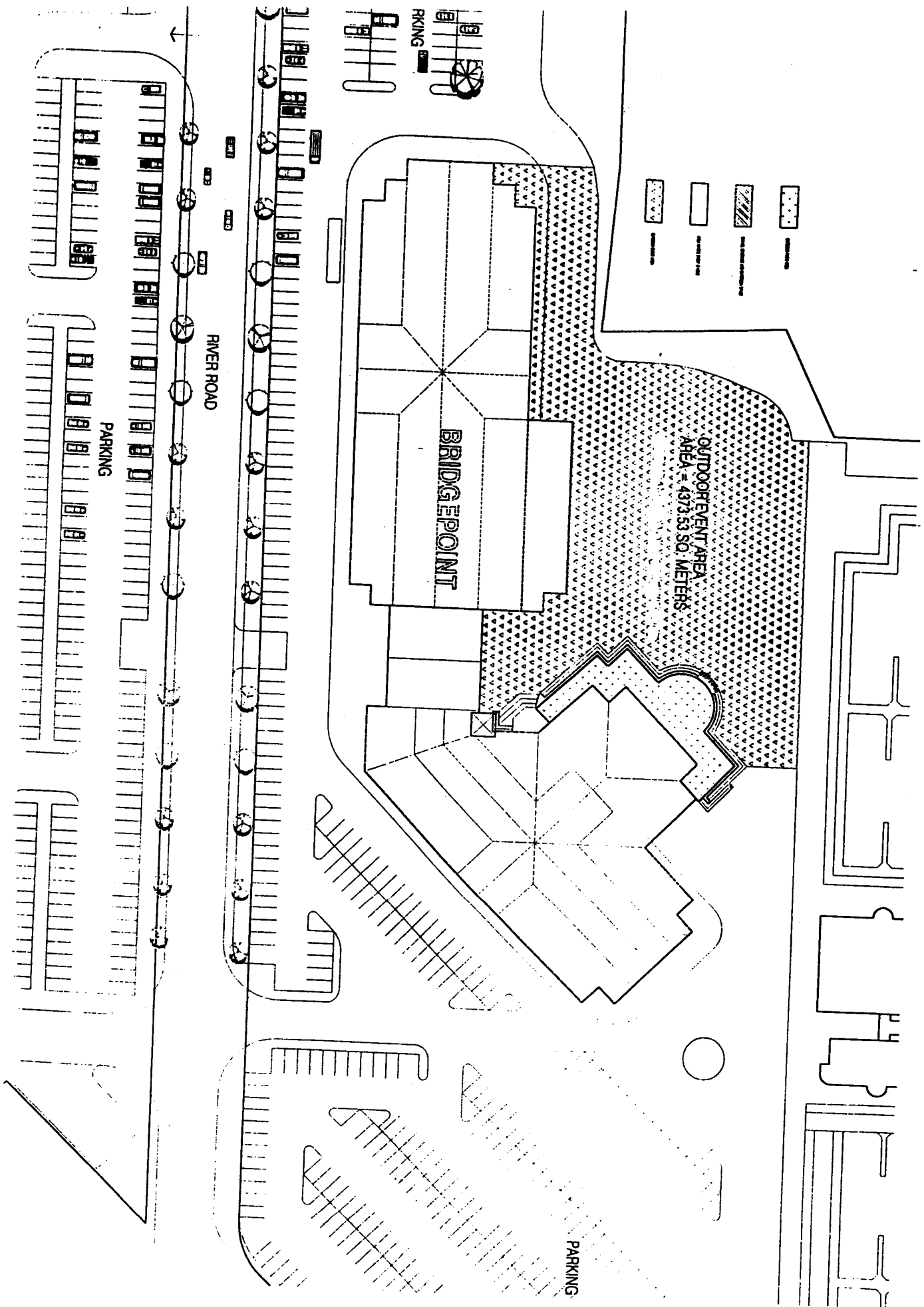


# 8811 River Road

Original Date: 11/27/01

Revision Date:

Note: Dimensions are in METRES



CITY OF RICHMOND

**LATE NIGHT EVENT (RAVE) REGULATION  
BYLAW NO. 7202**

The Council of the City of Richmond enacts as follows:

**PART ONE – GENERAL PROHIBITION**

- 1.1 A person must not hold a **late night event** without first obtaining an event permit issued in accordance with the provisions of Part Two.
- 1.2 Notwithstanding the provisions of section 1.1, a **late night event** which is:
- (a) of a non-commercial nature; and
  - (b) held as part of a graduation ceremony of an educational facility as evidenced by a letter signed by a school official, and filed with the **Manager, Zoning**,
- will not be required to meet the requirements of this bylaw.

**PART TWO – EVENT PERMITS**

- 2.1 **Event Permit Application Procedure**
- 2.1.1 A **promoter** wishing to organise or hold a **late night event** must complete an event application provided for that purpose, by the City.
- 2.1.2 The event application specified in subsection 2.1.1, must:
- (a) be signed by the **promoter**;
  - (b) be presented to the **Manager, Zoning** not more than 12 weeks, and not less than 6 weeks prior to the event;
  - (c) be accompanied by a non-refundable application fee of \$100; and
  - (d) be accompanied by a copy of the rental agreement with the proposed location for a **late night event**.
- 2.1.3 A **promoter** will be informed by the **Manager, Zoning**, within 14 days of the date of application for the proposed **late night event**, whether or not the permit will be issued.
- 2.2 **Event Permit Requirements**
- 2.2.1 The **Manager, Zoning** will only issue a permit for a **late night event** which is held at a location specified in section 2.3, and on an approved date specified in section 2.4, provided:

- (a) the premises continue to meet all relevant fire and health regulations; and remain adequately sound-proofed to ensure that no persons other than those in attendance will be impacted by the event;
- (b) a payment in the amount of \$5,400 is made at the time of application for a **late night event permit**, for additional police and safety services, provided that this payment will be refunded if the **late night event permit** is not issued;
- (c) there is an adequate security plan in place for the **late night event** which includes provisions for:
  - (i) first aid;
  - (ii) entrance control to ensure that alcohol or illicit drugs are not brought in the premises during a **late night event**;
  - (iii) outside inspection and clean up in the vicinity of the premises during and after the event;
  - (iv) line control including ensuring that patrons are not permitted to re-enter the event after they have left; and
  - (v) the employment of a security firm licensed by the Government of British Columbia;
- (d) there is provision for an adequate supply of potable water at a cost to those in attendance; and
- (e) there is on file with the **Manager, Zoning** a certificate indicating that:
  - (i) the **promoter** of the proposed **late night event** has liability insurance in the amount of \$1 Million which names the **City** as an additional insured; and
  - (ii) the location of the proposed **late night event** has liability insurance in the amount of \$5 Million which names the **City** as an additional insured.

**2.2.2 A permit for a late night event will not be issued to any promoter:**

- (a) who does not have a valid business licence to hold such **late night event**, nor
- (b) whose application indicates the employment or hiring of any person or company connected with a previous **late night event**, which was operated in contravention of any **City bylaw** or **Provincial statutes** or **regulations**.

**2.2.3 A permit for a late night event will not be issued if:**

- (a) the application is incomplete or inaccurate;
- (b) if there are insufficient police or safety services available; or
- (c) the promoter has a criminal record which makes the promoter unsuitable to promote such an event.



**2.3 Late Night Event – Approved Locations**

2.3.1 Only the following locations are approved for late night events:

- (a) 14500 River Road; and
- (b) 14431 Knox Way.

**2.4 Late Night Events – Approved dates**

2.4.1 In order to ensure that police and safety services are available, late night events are restricted to a maximum of three a month and may be only held on the first three Saturdays of each month provided if there is a statutory holiday during the weekend or on the Friday preceding the weekend or the Monday following, the late night event may be held on the next available Saturday of that month.

2.4.2 Where more than one application for a late night event for the same date is received, such applications will be considered in the order in which they were received.

**PART THREE - INTERPRETATION**

3.1 In this Bylaw, unless the context otherwise requires:

**CITY** means the City of Richmond.

**LATE NIGHT EVENT** means a dance or other entertainment performance, or other event where 50 or more persons are assembled at any time between 2:00 a.m. and 6:00 a.m. and where music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.

**MANAGER, ZONING** means the Manager, Zoning in the Urban Development Division of the City.

**PROMOTER** means the person who has the financial responsibility for the late night event including contracting with entertainers, security firm, renting the facility, advertising the late night event and collecting gate receipts.

**PART FOUR – PREVIOUS BYLAW REPEAL**

4.1. Event Regulation (Raves) Bylaw No. 7141 is repealed.

### PART FIVE - VIOLATIONS AND PENALTIES

5.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated; or
- (b) fails to comply with any of the provisions of this, or any other applicable bylaw or statute; or
- (c) neglects or refrains from doing anything required by this bylaw; or
- (d) makes any false or misleading statement,

is deemed to have committed an infraction of, or an offence against this bylaw, and is liable on summary conviction, to the penalties provided for in *the Offence Act*, and each day that such violation is caused or allowed to continue constitutes a separate offence.

5.2 An operator, manager or owner of any premises in which a late night event is responsible to ensure that such late night event is held in compliance with all City bylaws and regulations.

### PART SIX - SEVERABILITY AND CITATION

6.1 If any part, section, subsection, clause, or sub clause of this bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

6.2 This bylaw is cited as "Late Night Event (Rave) Regulation Bylaw No. 7202".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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| CITY OF RICHMOND                          |
| APPROVED for content by originating dept. |
| APPROVED for legality by Solicitor        |

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MAYOR

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CITY CLERK