



To: General Purposes Committee **Date:** October 27, 2021
From: Cecilia Achiam **File:** 12-8275-30-001/2021-
 General Manager, Community Safety Vol 01
Re: **Application To Amend Food Primary Liquor Licence #179381 - Tang
 Vietnamese Restaurant & Bar Ltd at 180 - 8611 Alexandra Road**

Staff Recommendation

1. That the application from Tang Vietnamese Restaurant & Bar Ltd., for an amendment to Food Primary Licence #179381, requesting an increase to their hours of liquor service from Monday to Saturday, 11:00 AM to 1:00 AM and Sunday, 11:00 AM to Midnight, to Monday to Sunday, 11:00 AM to 2:00 AM, be supported, with no change to the total person capacity which will remain the same at 72 Occupants, and
2. That a letter be sent to the Liquor and Cannabis Regulation Branch, which includes the information attached as Appendix A (Attachment 1), advising that Council recommends the approval of the licence amendment for the reason that this amendment has been determined, following public consultation, to be acceptable in the area and community.

Cecilia Achiam
General Manager, Community Safety
(604-276-4122)

Att. 4

REPORT CONCURRENCE	
SENIOR STAFF REPORT REVIEW	INITIALS:
APPROVED BY CAO 	

Staff Report

Origin

The Provincial Liquor and Cannabis Regulation Branch (LCRB) issues licences in accordance with the *Liquor Control and Licensing Act* (the Act) and the Regulations made pursuant to the Act. This report deals with an application to the LCRB and the City of Richmond by Tang Vietnamese Restaurant & Bar Ltd., (hereinafter referred to as “Tang”) for an amendment to the Food Primary Liquor Licence #179381, proposing an increase to liquor service hours outlined in Table 1 below.

Table 1: Proposed Change to Operating Hours

Current Operating Hours	Proposed Operating Hours
11:00 AM to 1:00 AM, Monday to Saturday	11:00 AM to 2:00 AM, Monday to Sunday
11:00 AM to 12:00 AM, Sunday	

There is no increase proposed to total person capacity, which will remain the same at 72 occupants.

The City of Richmond is given the opportunity to provide written comments by way of a resolution to the LCRB with respect to the liquor licence amendment application for an amendment to the Food Primary Liquor Licence. The process requires the local government to provide comments with respect to the following criteria:

- the potential for noise;
- the impact on the community; and
- whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose.

This report supports Council’s Strategic Plan 2018-2022 Strategy #7 A Supported Economic Sector:

Facilitate diversified economic growth through innovative and sustainable policies, practices and partnerships.

Analysis

Tang is situated at 8611 Alexandra Road, Unit 180. The property is zoned Auto-Oriented Commercial (CA) – this zone provides for a mix of commercial and related uses oriented to vehicular access. There are three various types of businesses providing uses such as photography services, retail trading and restaurant. These are permitted uses in this zoning district. The principal owner has operated at this location since 2008, initially under another business and company name. In December of 2019 the principal owner did a business and company name change to Tang.

The applicant's request for an increase in later service hours is to better serve their clients and the community. This would add greater flexibility to the venue and provide a more level opportunity to better serve the public in competing with other food venues in the area who have already received the later service hours.

Impact of Noise on the Community

This business is situated in a busy City Centre commercial area with three lounges and 47 licenced restaurants on Alexandra Road. A good number of these restaurants and the three lounges are already operating with the extended hours of liquor service to 2 AM. The additional two hours of liquor service for this business should not create an impact greater than already in the area. The extended hours of liquor service under the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose as a food primary establishment.

Impact on the Community

The community consultation process for reviewing applications for liquor related licences is prescribed by the Development Application Fees Bylaw No. 8951 which under Section 1.8.1 calls for:

1.8.1 Every **applicant** seeking approval from the **City** in connection with:

- (a) a licence to serve liquor under the *Liquor Control and Licensing Act and Regulations*;
must proceed in accordance with subsection 1.8.2.

1.8.2 Pursuant to an application under subsection 1.8.1, every **applicant** must:

- (b) post and maintain on the subject property a clearly visible sign which indicates:
 - (i) type of licence or amendment application;
 - (ii) proposed person capacity;
 - (iii) type of entertainment (if application is for patron participation entertainment); and
 - (iv) proposed hours of liquor service; and
- (c) publish a notice in at least three consecutive editions of a newspaper that is distributed at least weekly in the area affected by the application, providing the same information required in subsection 1.8.2(b) above.

The required signage was posted on September 15, 2021 and three advertisements were published in the Richmond News newspaper on September 16, 2021, September 23, 2021 and September 30, 2021.

In addition to the advertised signage and public notice requirements, staff sent letters to businesses, residents and property owners within a 50 meter radius of the establishment. On September 16, 2021, 137 letters were sent to residents, businesses and property owners. The

letter provided information on the proposed liquor licence amendment application and contained instructions to comment on the application. The period for commenting for all public notifications ended October 16, 2021.

As a result of the community consultation process described, the City has received one response opposed to this application. The objection is from an operator of unit 160 in the same development regarding Tang. A copy of the email sent from Jackson Chiang is attached as Attachment 2. The objection is not relevant to criteria issues specific to the public consultation process like noise, impact on community and operating contrary to primary purpose. No other objections were received on this application.

Other Agency Comments

As part of the review process, staff requested comments from other agencies and departments such as Vancouver Coastal Health, Richmond RCMP, Richmond Fire-Rescue, Building Approvals Department and the Business Licence Department. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises. No concerns were raised or comments provided by Building Approvals Department. There are no concerns from Vancouver Coastal Health, Richmond RCMP, or Richmond Fire-Rescue with this application. The Richmond RCMP did have one comment about this address. Police attended this property just after midnight on November 22, 2020, on a complaint under Provincial Health Order of an after hours party of 10 or more people. The Owner, Connie Tang was warned and no further issues were noted.

Financial Impact

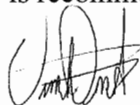
None.

Conclusion

The results of the community consultation process of Tang's application for extended service hours was reviewed based on the LCRB criteria. The analysis concluded there should be no noticeable potential impact from noise, no significant impact to the community and no comments or ongoing concerns were raised from the regulatory agencies. Tang ownership has operated since 2008 and under this current name since 2019 with one noted incident. No further issues since November 22, 2020. Based on the culmination of these factors, the application to amend the Food Primary Licence with no change to person capacity, is recommended.



Mark Corrado
Manager, Community Safety Policy and Programs
(604-204-8673)



Victor Duarte
Supervisor, Business Licences
(604-276-4389)

- Att. 1: Appendix A
- 2: Objection
- 3: Letter of Intent
- 4: Ariel Map with 50 Metre buffer area

Appendix A

Re: Application for a New Liquor Primary Liquor Licence– Savage Creek Golf Course (2008) Ltd. – 7388 No. 6 Rd., Richmond, B.C.

1. That the application from Savage Creek Golf Course (2008) Ltd., operating at, 7388 No. 6 Rd., requesting a new Liquor Primary Liquor Licence at premises located at 7388 No. 6 Rd., be supported for:
 - a) A total person capacity proposed at 32 persons indoor and 28 outdoor Patio for total person capacity set at 60 persons;
 - b) Proposed hours of liquor sales from Monday to Sunday, from 9:00 AM to 11:00 PM, and
2. That a letter be sent to Liquor and Cannabis Regulation Branch advising that:
 - a) Council supports the applicants request for a new Liquor Primary Liquor Licence, with the proposed hours of liquor service;
 - b) The total person capacity is accepted and acknowledged at 60 persons total with 32 indoor and 28 outdoor;
3. Council's comments on the prescribed criteria (Section 71 of the Liquor Control and Licencing Regulations) are as follows:
 - a) The impact of additional noise and traffic in the area of the establishment was considered;
 - b) The potential impact on the community was assessed through a community consultation process; and
 - c) Given that this is an amendment to an existing establishment, there is no history of non-compliance with this establishment;
 - d) As the operation of a licenced establishment may affect nearby residents, businesses and property owners, the City gathered the views of the community through a community consultation process as follows:
 - i) Residents, businesses and property owners within a 50 meter radius of the establishment were notified by letter. The letter provided information on the application with instructions on how to submit comments or concerns; and
 - ii) Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and public notice provided information on the application with instructions on how to submit comments and concerns.

- e) Council's comments on the general impact of the views of residents, businesses and property owners are as follows:
 - i) The community consultation process was completed within 90 days of the application process; and
 - ii) The community consultation process determined only one comment received opposed to this application from residents, businesses and property owners.
- f) Council recommends the approval of the new liquor licence application with the person capacity set at 60 persons and the hours of liquor service set at Monday to Sunday, 9:00 AM to 11:00 PM, for the reasons that this application for a new Liquor Primary Liquor Licence is acceptable to the majority of the residents, businesses and property owners in the area and community.



Jan. 26, 2021.

**RE: Letter of Intent – Liquor Primary Licence
Job# 045193641-001**

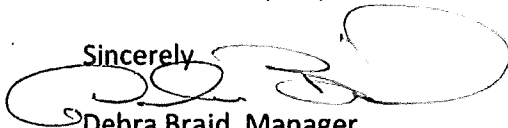
To whom it may concern,

Please accept this letter as Letter of Intent for our application for a Liquor Primary Licence at Savage Creek Golf Course.

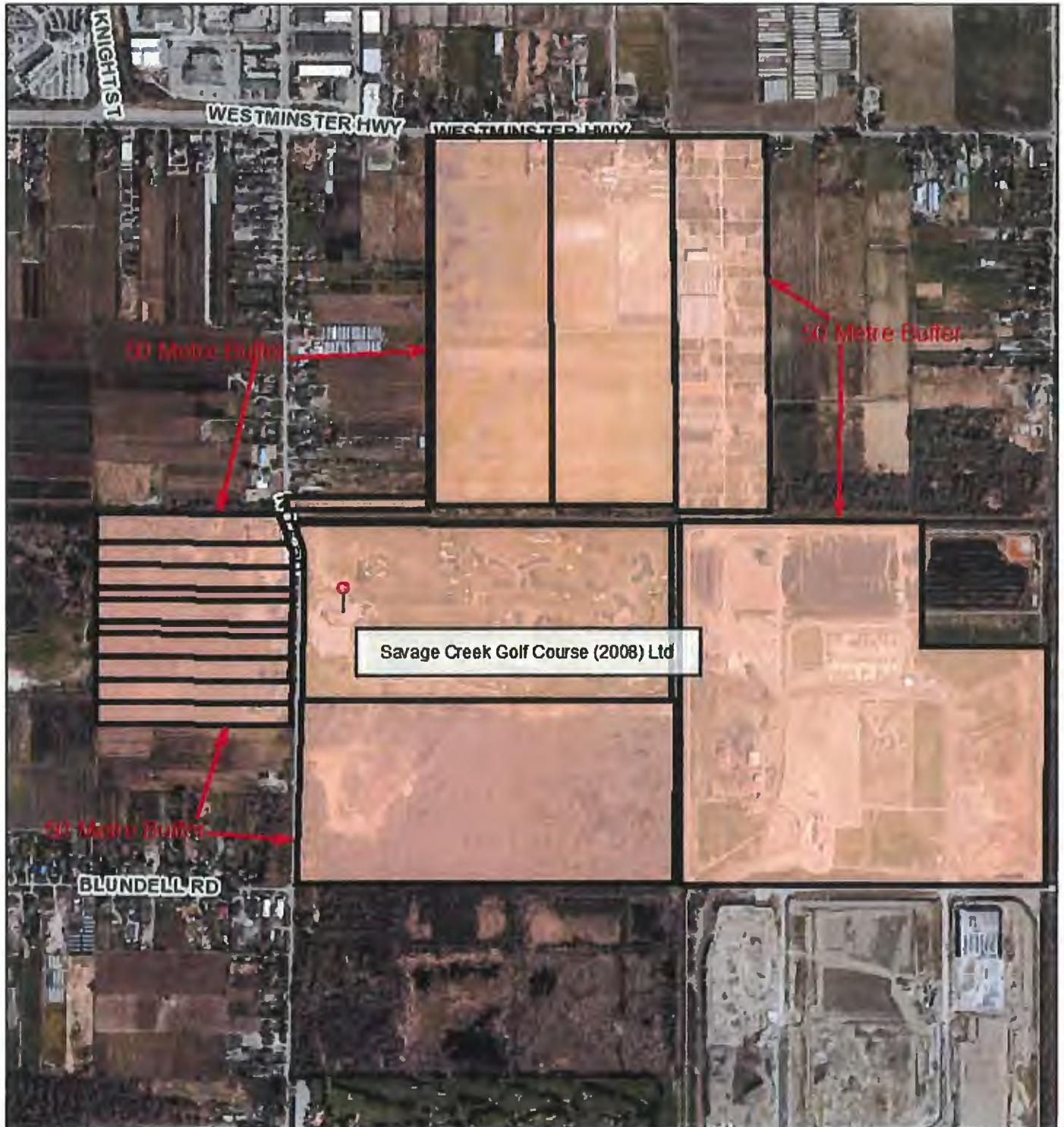
- We are an executive style golf course with a two tier driving range and an 18 holes mini putting course. Our primary focus is golf and golf related practice.
- Our hours of operation are 7am to 9pm daily. Our intended liquor service would be 9am-11pm.
- There will not be any other type of entertainment on the property.
- Our café hours will be 8am to 10pm. We will be offering hotdogs, sandwiches, subs, paninis, soups, nachos, chicken fingers, and other assorted appetizer items. We also offer a full array of non-alcoholic soda, juice, water and specialty coffee drinks.
- We are located on a two-lane street that is primarily farming and residential, there are no schools or churches located in the vicinity.
- There will not be any increase in noise levels or traffic patterns at the golf course/driving range.
- Our facility is approximately about 150 yards back from the road. Again, we do not anticipate any additional noise as we will still only be offering golf related services.
- We are an extremely proactive company. We are very experienced with liquor service and are very aware of the additional challenges that it can incur. We will address any issues if and when they present themselves and will deal with them immediately

Thank you for taking the time to peruse this letter. If I can be of any further assistance, please contact me at (604)690-1516 or

Sincerely


Debra Braid, Manager

Savage Creek Golf Course



6/1/2021, 7:08:31 AM

Lines

— Override 1

Points

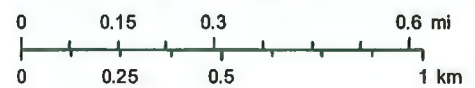
● Override 1

Areas

— Override 1

— Select properties based on spatial relation to a layer _Query result

1:18,056



Duarte,Victor

From: Confiant,Robert
Sent: May 14, 2021 16:11
To: Duarte,Victor
Cc: Chahal,Kashmiro Kaur
Subject: FW: Liquor license : savage creek Golf course

Licence application response email.

Regards,
Bob

-----Original Message-----

From: K S <ksandhu_99@yahoo.com>
Sent: Thursday, 13 May 2021 19:00
To: BusLic <BusLic@richmond.ca>
Subject: Liquor license : savage creek Golf course

City of Richmond Security Warning: This email was sent from an external source outside the City. Please do not click or open attachments unless you recognize the source of this email and the content is safe.

Attn: Business Licensing Dept.

Hello,

I am against the liquor license request. Number 6 road has become a busy corridor and the only quiet we get is in the evening .I can imagine Savage savage creek will bring more traffic and crowds and nice - since it will have a patio which is the only way to dine at present .

Thanks,
Jarnail Sandhu
7531 No 6 road
Richmond , BC