



To: General Purposes Committee **Date:** August 10, 2022
From: Mark Corrado **File:** 12-8275-30-001/2022-
 Director, Community Bylaws and Licencing Vol 01
Re: **Application To Amend Food Primary Liquor Licence # 310543 - Heyjo Music Bar Ltd., DBA: Heyjo Music BBQ Bar at 155 - 8291 Alexandra Road**

Staff Recommendation

1. That the application from Heyjo Music Bar Ltd., doing business as Heyjo Music BBQ Bar, for an amendment to Food Primary Licence #310543, requesting an increase to their hours of liquor service from Sunday to Saturday, 9:00 a.m. to Midnight, to Sunday to Saturday, 9:00 a.m. to 2:00 a.m., be supported, and:
 - a) Total person capacity currently set at 150 occupants will not change; 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 reasons that this amendment has been determined, following public consultation, to be acceptable in the area and community.

Mark Corrado
Director, Community Bylaws and Licencing
(604-204-8673)

Att. 3

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Fire Rescue	<input checked="" type="checkbox"/>	
RCMP	<input checked="" type="checkbox"/>	
Building Approvals	<input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

The Provincial Liquor and Cannabis Regulation Branch (LCRB) issues licenses 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 Heyjo Music Bar Ltd., doing business as Heyjo Music BBQ Bar, (hereinafter referred to as “Heyjo”) for an amendment to the Food Primary Liquor Licence #310543, proposing an increase to liquor service hours from 9:00 a.m. to Midnight, Sunday to Saturday, to proposed hours of 9:00 a.m. to 2:00 a.m. Sunday to Saturday. There is no increase proposed to the total person capacity, which will remain the same at 150 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

Heyjo is situated at 8291 Alexandra Road, Unit 155. The property is zoned Auto-Oriented Commercial (CA) – this zone provides for a mix of commercial and related uses oriented to vehicular access. This noted property has seventeen various types of businesses providing permitted uses such as professional or personal services, retail trading and five restaurants. The operator took over the premises that had a similar business in May 2022.

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 equitable 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

As residential use is not permitted in this zone, there will not be any noise impact to adjacent residents. 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 July 7, 2022 and three advertisements were published in the Richmond News newspaper on July 7, 2022, July 14, 2022 and July 21, 2022.

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 July 7, 2022, 75 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 August 8, 2022.

As a result of the community consultation process described, the City has not received any responses opposed to 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. Comments made by Richmond Fire-Rescue noted a few minor deficiencies, which the operator is addressing; however, nothing that would hold up the amendment on their license. There were comments provided of no concern from Vancouver Coastal Health and Richmond RCMP.

Financial Impact

None.

Conclusion

The results of the community consultation process for Heyjo'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. Based on the culmination of these factors, the application to amend the Food Primary Licence with no change to person capacity, is recommended.



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



Brock Simonson
Licence Inspector
(604-276-4155)

MC:bs

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

Appendix A

Re: Application to Amend Food Primary Liquor Licence # 310543 - Extended Service Hours – Heyjo Music Bar Ltd., DBA: Heyjo Music BBQ Bar at 155 – 8291 Alexandra Rd., Richmond B.C.

1. That the application from Heyjo Music Bar Ltd., DBA: Heyjo Music BBQ Bar, operating at, 155 - 8291 Alexandra Rd., requesting an increase to hours of liquor service to the Food Primary Liquor Licence # 310543, be supported for:
 - a) A permanent change to hours of liquor service;
 - i) **From**, Sunday to Saturday, 9:00 AM to Midnight,
 - ii) **To**, Sunday to Saturday, 9:00 AM to 2:00 AM;
 - b) Total person capacity will remain the same at 150 persons;
2. That a letter be sent to Liquor and Cannabis Regulation Branch advising that Council supports the amendment for a permanent change to hours of liquor service to the Food Primary Liquor Licence # 310543, with the hours as listed above, and;
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 there has been no incidents of non-compliance with the business, the amendment to change hours of liquor service to the Food Primary Liquor Licence should not change the establishment such that it is operated contrary to its primary purpose;
 - 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 generated no comments opposed to this application.
- f) Council recommends the approval of the amendment to the Food Primary Liquor Licence with extended hours of liquor service to 9:00 AM to 2 AM, Sunday to Saturday, for reasons that the addition of the extended hours proposed is acceptable to the majority of the residents, businesses and property owners in the area and the community.

Attachment 2

Dear Sir/Madam,

This is the letter to explain the reason why we want to extend the hours of business.

First of all, since the covid-19 have gradually past, more and more people are willing to dine out and gather with friends. So, since we opened, we receive some customer' s walk-in and phone call request because they want to reserve a table after 10:30, but we have to refuse the reservation because our liquor license only valid until 12:00pm.

Secondly, our restaurant only open after 5pm, because BBQ skewers is more suitable for dinner time even after dinner for their "night meal" .

So we wish to extend our liquor license hour to 2am, so we can provide longer business hours for our customers.

155-8291 Alexandra Rd



8/10/2022, 10:57:32 AM

- Lines**
- Override 1
- Points**
- Override 1
- Points
- Areas**
- Override 1
- Select properties based on spatial relation to a layer _Query result
- 155 - 8291 Alexandra Rd
- City Hall
- Street Names
- Property (black line)
- Strata

- ⋯ Air Parcels
- ⋯ Property Address
- ⋯ Safety Hazard Areas
- Red Band_1
- Green Band_2
- Blue Band_3

