



To: Richmond City Council **Date:** February 17, 2009
From: Mayor Malcolm D. Brodie, Chair **File:** 12-8275-30-032
General Purposes Committee
Re: **ROKAPA MANAGEMENT LTD., DOING BUSINESS AS WELL PUB 6511
BUSWELL STREET RE-LOCATION OF LIQUOR PRIMARY LICENCE**

The General Purposes Committee, at its meeting held on Monday, February 16, 2009, considered the attached report, and recommends as follows:

Committee Recommendation (OPPOSED: Cllrs. B. McNulty and H. Steves)

That based on a revised pub application with 25 seats and operating hours of 11 a.m. to 3 p.m., seven days a week, staff be directed to ask the Liquor Control and Licensing Branch for a 90 day extension to review a revised application, and to conduct further public consultation as if this were a new application.

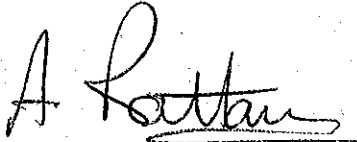
Mayor Malcolm D. Brodie, Chair
General Purposes Committee

Attach.

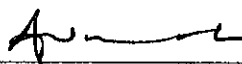
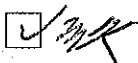
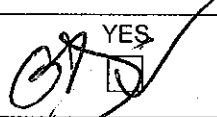
3. Council comments on the views of residents are as follows:

- f) As per City Policy, residents, property owners and businesses within a 100 metre radius of the subject property were contacted by letter detailing the application and providing instruction on how comments or concerns could be submitted.
- g) In addition, signage was posted at the subject property and three public notices were published in a local newspaper. This notice provided information on the application and instructions on how comments or concerns could be submitted.

There were ten letters received from residents living in the area that strongly opposed the application and one letter of opposition from a similar business located 2 Km away. Following amendment of the Liquor Primary Licence Re-location Application (reduction of seating from 100 to 25), six of the original respondents (including a Strata Council representing 124 units) are still opposed to the application.



Amarjeet S. Rattan
 Chief Licence Inspector
 (604-247-4686)

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ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Law.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			

Staff Report

Origin

On November 17, 2008, a Report to Committee (Attachment 1) recommending a Council resolution with respect to an application by Rokapa Management Ltd. to re-locate a Liquor Primary Licence was presented to General Purposes Committee. As a result of discussion at this meeting, the following referral was adopted:

“That the application by Rokapa Management Ltd. be referred to staff to (i) obtain further input and clarification from the Applicant, as well as any interested agencies, including the RCMP; and (ii) to discuss various options with the Applicant, and report back to Committee prior to the expiration of any deadlines related to the current application to the Liquor Licensing Branch.”

This report is to address the above referral.

Findings Of Fact

The original report presented to Committee dealt with a request for a Council resolution for an application submitted by Ronnie Paterson, owner of Rokapa Management Ltd, doing business as Well Pub, to transfer an existing (non operational) Liquor Primary Licence (LPL) from 8220 Lansdowne Road to 6511 Buswell Street, to open a 100 seat capacity LPL (neighbourhood pub) establishment.

Currently, the Legends Pub & Sports Bar operates a 115 seat capacity LPL (neighbourhood pub) and a 65 seat Food Primary (restaurant) from the same 6511 Buswell location and would continue operating these licences.

The report recommended that the request for the relocation of the LPL not be supported as local residents had expressed concerns regarding the potential for increased late night noise and traffic if the application were approved and that any additional pub operation could negatively impact their quality of life in the area.

Analysis

In order to address the referral from Committee, staff conferred with Ronnie Paterson (the Applicant), Glenn Jensen, owner of Legends Pub & Sports Bar, and contacted Liquor Control & Licensing Branch (LCLB), the RCMP and the ten community respondents from the original public consultation process.

The Applicant

Staff spoke with Mr. Paterson and Mr. Jensen after the November 17, 2008, General Purposes Committee meeting. Mr. Paterson and Mr. Jensen explained that they did not intend to open another pub or enlarge the existing pub operation, but wanted to simply have a “*place to hang the Liquor Primary License*” as they desire to open and operate a Liquor Retail Store (LRS) and are required, under LCLB regulations, to have an operating LPL establishment. They advised staff that it was on the advice received from their lawyers that the application to LCLB and to the City was submitted for a 100 seat liquor primary establishment.

Staff also discussed with the Applicant the possibility of locating in an area of Richmond that would have less of an impact on the community. The Applicant indicated that the interest was not so much in

having a pub operation but to operate a retail liquor store. They also indicated that they had looked in the vicinity of No 5 and Cambie Roads, but were unable to locate premises that met City zoning requirements.

A letter from the MJB Lawyers, the Applicant's solicitor (Attachment 2) requesting that the application be amended to reflect a person capacity of twenty-five (25) seats, was received. An amended floor plan outlining the new LPL area (Attachment 3) was also received. An email (Attachment 4) from the Applicant's lawyer also confirms that LCLB has been advised of the reduced number of capacity to 25 patrons and advises that the remainder of the area will continue to function as a restaurant with a food primary licence.

LCLB

The Senior Licensing Analyst of LCLB, who is dealing with this re-location application, advised that:

- (i) the request for an extension to the deadline date for a Council resolution to be received by LCLB has been extended to February 27, 2009,
- (ii) Council could, at their discretion, consider and base their resolution on a reduced patron capacity and that another public consultation would not be required,
- (iii) if a future request to increase the number of seats, beyond 25, under a Liquor Primary were received by LCLB, local government would be given opportunity to respond before any increase in seating would be approved,
- (iv) the operation must have a separate entrance, separate bar service area, separate purchasing and storage area from the existing Legends Pub & Sports Bar operation,
- (v) as per LCLB Policy Directive No. 06-04, "LCLB expects LP's associated with LRS's to be of sufficient person capacity to warrant a stand-alone LP operation..... and to maintain a viable business in general" (Attachment 5),
- (vi) LCLB policy considers that a 25 seat capacity LPL establishment could be a viable operation,
- (vii) any decision by LCLB on permitting the re-location of the LP would not be made until after Local Government comment was received,
- (viii) the Applicant would be required to submit an official floor plan date stamped by the City with the occupant load, and must be able to comply with the items addressed in point (iv) above,

RCMP

The RCMP provided the following summary of incidents they have responded to in relation to the existing pub operation at 6511 Buswell Street:

- 2008-April 03 – male threw bottle at staff member
- 2008-April 19 – intoxicated female driving away
- 2008-April 23 – intoxicated male arguing with another patron

- 2008-May 17 -- people yelling on the street
- 2008-June 17 -- fight inside
- 2008-June 23 -- intoxicated female wandering into traffic
- 2008-August 14 -- intoxicated and combative male laying in street
- 2008-September 14 -- female assaulted
- 2008-October 23 -- male bear-sprayed on the patio
- 2008-October 25 -- fight inside, bottle broken on bouncer's head
- 2008-November 05 -- intoxicated males inside.

Area Residents

Mr. Paterson advised that a letter (Attachment 6) had been hand delivered to each of the ten respondents from the original Publication Consultation process. City Staff also contacted each of these original respondents who had opposed the application.

Results of the Mr. Paterson and City staff follow-up are summarized below:

- 2 could not be reached for further comment beyond their original written opposition to the application.
- 4 confirmed that they had discussed with Mr. Paterson and, based on his explanation of the 25 seat application, were no longer opposed to the LPL Re-Location Application.
- 4 (including the Strata Council representing 124 residential units) were still opposed to the LPL Re-Location Application, despite the reduction to 25 seats.

More details of the above summary are attached (Attachment 7).

Also received by Staff was a petition that was signed by patrons of Legends Pub & Sports Bar in support of the amended application for Well Pub (Attachment 8).

As of January 30, 2009, Mr. Paterson had also submitted a summary of his efforts to address the concerns of the respondents to the original application as well as a petition and other correspondence to support his amended LPL Application (Attachments 8 and 9).

Financial Impact

None

Conclusion

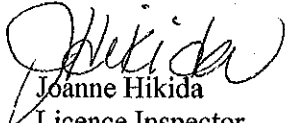
On November 17, 2008, a Report to Committee recommending a Council resolution with respect to an application by Rokapa Management Ltd. to re-locate a Liquor Primary Licence was presented to General Purposes Committee. At that time, the applicant requested and was granted more time to confer with local residents who were opposed to the application.

The subsequent follow-up, by the Applicant and City staff, with the 10 area residents who, through the original public consultation process, were opposed to the LPL Application, indicates that four respondents (including a Strata Council representing 124 residential units) are still opposed to the application.

January 16, 2009

- 6 -

As a number of local residents are still of the opinion that this LPL Application, if endorsed by Council, could have a negative impact on the quality of life in their area, staff recommend that the request for the relocation of the LPL not be supported by Council as it would not be of a significant benefit to the community.


Joanne Hikida
Licence Inspector
(604-276-4155)

JMH:jmh



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** October 15, 2008
From: Amarjeet S. Rattan **File:**
 Chief Licence Inspector
 Business & Financial Services
Re: Rokapa Management Ltd., doing business as Well Pub
 6511 Buswell Street
 Re-location of Liquor Primary Licence

Staff Recommendation

That the application by Rokapa Management Ltd., doing business as Well Pub, for relocation of the Liquor Primary Licence from 8220 Lansdowne Road to 6511 Buswell Street, in order to operate a 100 seat capacity Liquor Primary establishment with proposed operating hours of Sunday to Thursday 10:00 a.m. to Midnight and Friday and Saturday 11:00 a.m. to 1:00 a.m., **not be supported** and that a letter be sent to the Liquor Control and Licensing Branch advising that:

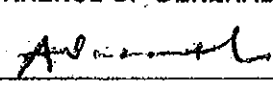

1. Council does not recommend the relocation of the licence as, based on the community responses received, it would have a negative impact on the community.
2. Council's comments on the prescribed considerations are as follows:
 - a) There is potential for additional noise and traffic in the area if the application is approved.
 - b) There is a potential that the application could pose a negative impact on the community, based on the comments received from residents living in the area.
 - c) That the proposed location is in close proximity to residential districts that may be impacted by the application.
 - d) That the schools and public parks within a 500 metre radius of the proposed location are not anticipated to be impacted by the application.
 - e) That the zoning of the proposed location, Downtown Commercial District (C7), and parking requirements were reviewed and conform to the regulations.
 - f) That the 2007 population figure of 42,600 for the City Centre area with a projected growth to 90,000 by 2031 was considered.

3. Council comments on the views of residents are as follows:

- a) As per City Policy, residents, property owners and businesses within a 100 metre radius of the subject property were contacted by letter detailing the application and providing instruction on how comments or concerns could be submitted.
- b) In addition, signage was posted at the subject property and three public notices were published in a local newspaper. This notice provided information on the application and instructions on how comments or concerns could be submitted. There were ten letters received from residents living in the area that strongly opposed the application and one letter of opposition from a similar business located 2 Km away.



Amarjeet S. Rattan
 Chief Licence Inspector
 Business & Financial Services
 (604-247-4686)

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Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
R.C.M.P.	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> 65	NO <input type="checkbox"/>	REVIEWED BY CAO
			YES <input checked="" type="checkbox"/> 
			NO <input type="checkbox"/>

Staff Report

Origin

The Provincial Liquor Control and Licensing Branch (LCLB) issues licences in accordance with the Liquor Control & Licensing Act and Regulations.

Local government is given opportunity to provide comments and recommendations to the LCLB, with respect to liquor licence applications and amendments. The LCLB process requires local government to provide a Council resolution that addresses the following review criteria:

- the views of nearby residents and businesses, and the methods by which such views were gathered
- the potential for noise
- the impact on the community.

This report deals with an application submitted by Ronnie Patterson (the Applicant), owner of Rokapa-Management Ltd., doing business as Well Pub, to transfer an existing (non operational) Liquor Primary Licence (LPL) from 8220 Lansdowne Road to 6511 Buswell Street.

The Applicant is seeking to open a 100 seat capacity liquor primary establishment with the operating hours of Sunday to Thursday from 10:00 a.m. to Midnight and Friday and Saturday from 11:00 a.m. to 1:00 a.m. The Applicant has also submitted a Business Licence application to operate a Licensee Retail Store (LRS). The LRS can only be operated in conjunction with a liquor primary establishment.

Analysis

The building at 6511 Buswell Street is a two level structure. The upper level is rooftop parking for the tenants and clientele of the building and the ground level houses a pub, body rub studio (legal non-conforming use) and a tutoring centre. The building is zoned Downtown Commercial District (C7). This zoning district permits the uses of a neighbourhood public house and a LRS.

Currently, at this location, the existing Legends Pub & Sports Bar is a 115 seat capacity neighbourhood pub with a 65 seat restaurant area, that is also permitted limited retail 'off sales' of beer and wine products. Under it's LPL, Legends also operates the Legends Liquor Store in the Terra Nova Shopping Plaza.

The Applicant is proposing to lease the restaurant area from Legends Pub & Sports Bar in order to operate its liquor primary establishment and potentially a LRS in a connected area. There will be a wall erected between the two operations with the washrooms to be shared (Attachment 1). The Applicant, in it's LCLB application, indicates that they are proposing to operate an upscale martini bar which will target primarily white-collar lunch and after-work clientele in the 25 to 60 year age group. There is no entertainment proposed. The existing 115 seat area of Legends Pub & Sport Bar would remain in operation.

The immediate area surrounding the proposed LPL location is comprised of mostly residential buildings to the east with commercial buildings to the north, south and west sides (Attachment 2).

Summary of Application & Comments

To satisfy LCLB requirements, the city’s review process requires that the public be notified of the proposal and be given an opportunity to express any concerns related to the proposal.

The Public Consultation process requires that the Applicant post a sign in front of the business establishment, indicating what the liquor licence application is for and the manner in which the public can submit any concerns, comments or questions regarding the proposal. The sign must be displayed for a minimum of 30 days. The Applicant must also place three Notification Ads in a local newspaper with the same information as displayed on the sign.

The City, on behalf of the applicant, is required to send a letter to businesses, residents and property owners within a 100 metre radius of the establishment. This letter provides details of the liquor licence application and requests the public to communicate any concerns to the City.

The table below is a timeline summary of the application and processes.

ITEM	DETAILS
Application Summary from LCLB	Received August 5, 2008
City application	Received August 21, 2008
Application Type	Liquor Primary Licence - relocation
Proposed Location	6511 Buswell Street
Requested Hours of Liquor Sales	Sunday to Thursday 10:00 a.m. to Midnight Friday and Saturday 11:00 a.m. to 1:00 a.m.
Applicant/Owner	Ronnie Patterson
Zoning	Downtown Commercial District (C7)
Sign Erected	August 25, 2008
Notification Ad Publication Dates	August 28, 29 & September 4
Letters to residents/businesses	August 22, 2008

The public consultation period for the application ended on September 26, 2008.

Views of nearby residents, businesses and property owners

There are 300 properties located within the 100 metre consultation area. On August 22, 2008, letters were sent to 644 businesses, residents and property owners to gather their views on the application. Only one letter was returned as undeliverable.

As a result of the above mail out, there were ten written responses received from area residents (Attachment 4). Most of the responses relate to the operation of the existing neighbourhood pub and the impact that any additional LPL operation would have on the quality of life in the neighbourhood. A summary of the responses is provided below:

- late night noise attributed to people leaving the pub at night; there is a fear that the noise may increase with the addition of another pub operation
- school-age children who live in the area are having their sleep affected by the late noise
- feel that there are enough pubs in the area already
- attribute the late night traffic and car noise from patrons leaving the pub
- attribute some of the vandalism to pub patrons
- continuous fights, yelling and the screaming of profanities from patrons leaving the pub
- a tenant located in the apartment complex located north-east of the pub requested to be moved as the peace and quiet of living in the unit was being interrupted by the noise associated with the patrons leaving the pub late at night
- level of noise in area excessive, especially around closing time making uninterrupted sleep difficult
- noise emanating from the rooftop parking structure over the pub from patrons revving their engines, yelling and horn honking is disturbing
- feel that this is a family-oriented area with a daycare and school in close proximity.

A letter was also received from a pub and LRS business (Attachment 5) which is located approximately 2 kilometres (1.28 miles) away from the proposed location, objecting to the application for the following reasons;

- that the intent of the application is not to open a pub but to open a retail liquor store
- that there is already a pub and liquor store operating two blocks away
- by approving the application it would increase the number of retail liquor store operations located within a small area of Richmond.

Potential impacts on the Community

The City, in part, relies on response from the community to any negative impacts such a proposal would have. From the letters received, residents living in the area are opposed to the application as they write that their quality of life has already been affected by the noise emanating from the existing pub and view any additional operation would only increase this noise level. There was also concern expressed that any additional operation could be a potential for increased vandalism and late night traffic and that the area is a residential district already well serviced with existing liquor establishments.

With the exception of Legends Pub & Sports Bar, there are no other LPL's within the 100 metre consultation area. The next closest similar operation is the Richmond Station Pub and Liquor store, which operates from the Richmond Public Market at 8260 Westminster Hwy, which is approximately 500 metres away from the Applicant's proposed location. The LCLB application summary of other Liquor Primary Licences in the City Centre area is attached (Attachment 3).

Within an approximately 500 metre radius of the 6511 Buswell Street building there is an elementary school and public park to the east as well as a public park to the southwest. It is not anticipated that the Applicant's proposal would negatively impact these facilities.

Population

The Applicant's proposed location is situated in the planning area of City Centre. As of year-end 2007, the population figure for the City of Richmond was estimated at 188,100 people of which 42,600 were in the City Centre area. The population for the City Centre area is projected to be 90,000 by 2031.

Other Agencies Comments

As part of the review process, staff requested comments from Vancouver Coastal Health, Richmond RCMP, Richmond Fire-Rescue and the City's Building Permit and Zoning divisions.

No negative comments were received from the agencies and divisions contacted.

The Zoning division advises that the proposed split into two separate pubs will not affect the parking requirements as there are 66 roof top parking spaces which, under the parking requirements, is sufficient to support the two pubs plus other tenants.


Financial Impact

None

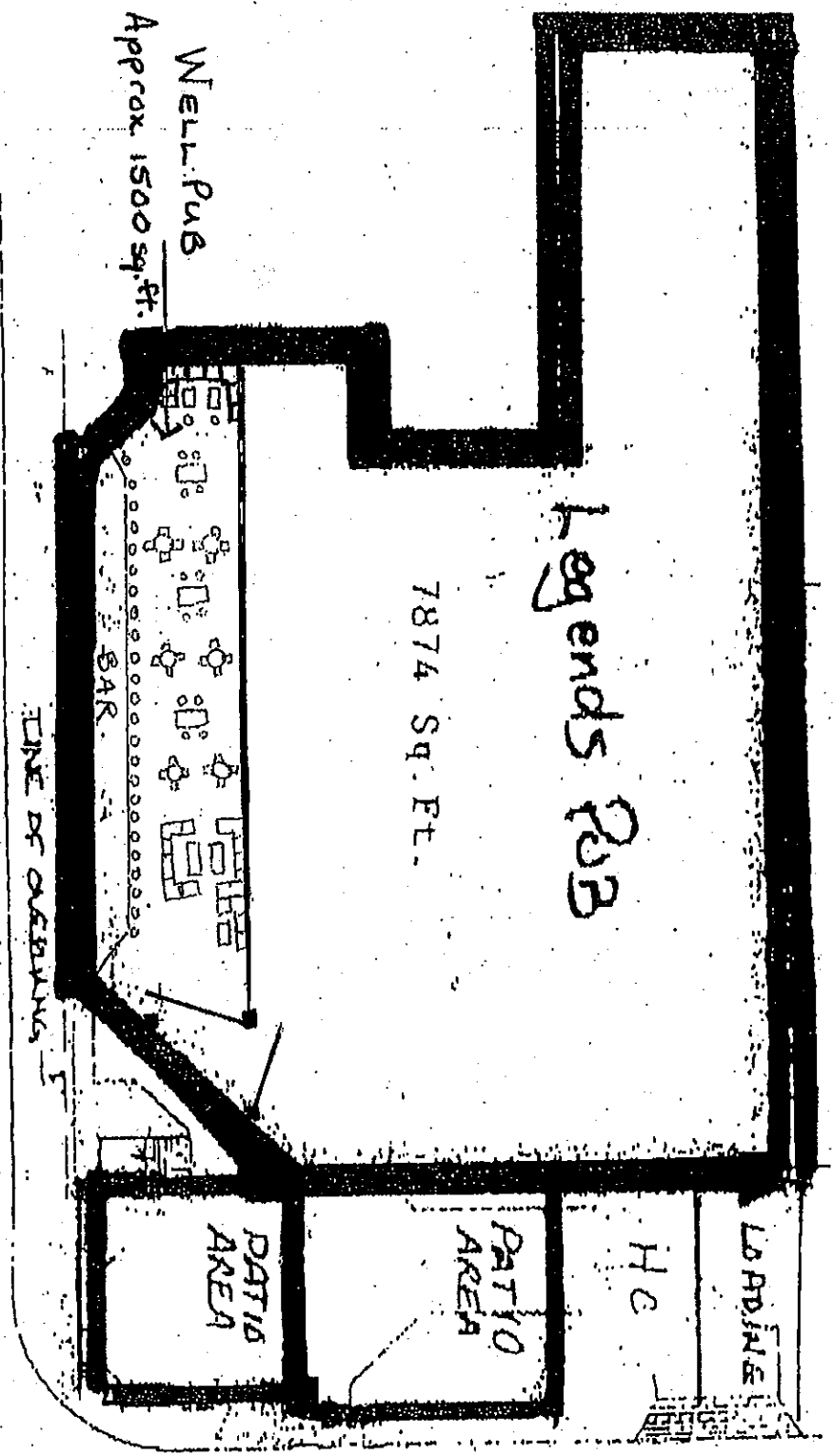
Conclusion

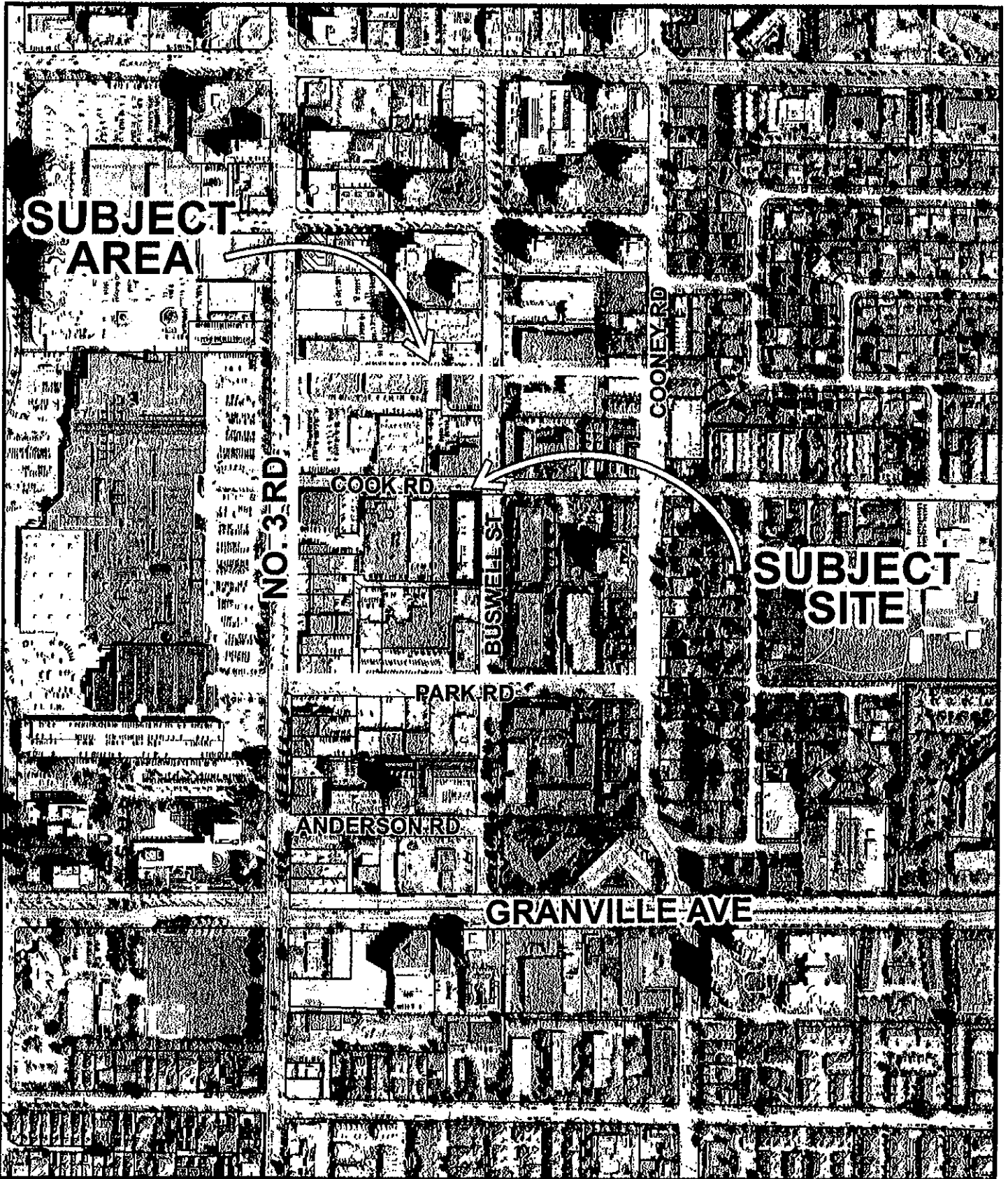
Following the public consultation period, staff have reviewed the application and considered it in light of the legislated review criteria.

Staff are of the opinion that residents in the area have expressed concern to the City regarding the potential for increased late night noise and traffic if this application is approved and have also expressed concern that any additional pub operation will cause a loss of quality of life in the area. Staff feel that the Applicant's proposal to convert the restaurant portion of the existing pub and operate it as a liquor primary drinking establishment, has the potential of creating additional late night noise and traffic not normally associated with a restaurant operation. Staff, are therefore recommending that the request for the relocation of the LPL not be supported by Council as it would not be of a significant benefit to the community.


Joanne Hikida
Licence Inspector
(604-276-4155)

6511 BUSHNELL STREET





6511 Buswell Steet

Original Date: 10/20/08

Amended Date: 10/27/08

Note: Dimensions are in METRES



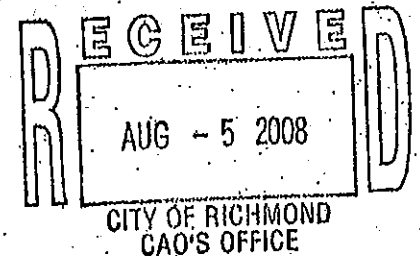
APPLICATION SUMMARY

For Applicant and Local Government/First Nations
Specific to Amendments to a Licence – Transfer of Location

Date: July 24, 2008

Created by: Vicky Tooby, Senior Licensing Analyst

Re: Application for transfer of location - Liquor-Primary licence
Applicant: Rokapa Management Ltd.
Current Site: 8220 Lansdowne Road, Richmond
Proposed Site: 6511 Buswell Street, Richmond
Establishment Name: Well Pub



1. APPLICATION INFORMATION

Date application deemed complete: July 14, 2008

Local Government Jurisdiction: City of Richmond

The primary business focus of the proposed establishment: Food & Beverage

Additional requested amendments to Licence:

Current Approved capacity/occupant load: Interior: 168
 Patio: 32

Total person capacity/occupant load requested: Interior: 100

Current Approved Hours of Operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 a.m.	10:00 a.m.	10:00 a.m.	10:00 a.m.	11:00 a.m.	11:00 a.m.	11:00 a.m.
Close	12 midnight	12 midnight	12 midnight	12 midnight	1:00 a.m.	1:00 a.m.	12 midnight

Hours of Operation requested:

No change to the hours of operation has been requested.

Endorsements Requested: none noted

2. APPLICANT SUITABILITY INFORMATION (Fit and Proper)

Applicant has met the eligibility and suitability requirements of the Liquor Control and Licensing Act.

3. LOCATION/SITE FACTORS

The licensee is proposing to lease an area currently licensed as Legends Pub. Legends Pub would need to obtain approval for a structural change to their establishment and proper

separation between the two licenses would be required.

The following sections are compiled from information provided by the applicant except where indicated otherwise.

See the attached Applicant's Letter of Intent for details of the proposed Liquor Primary establishment, including the following details:

- a) Target Market:
- b) Hospitality/Tourism Development Factor
- c) Benefits to the Community:
- d) Traffic in the Vicinity:
- e) Noise in the Community:
- f) Parking Issues:
- g) Municipal Zoning:
- h) Commercial/Residential/Light or Heavy Industrial Neighbourhoods:

Please note that the applicant's letter of intent is enclosed as an attachment to this report for reference purposes. The information or statements included in the letter of intent have not been confirmed unless otherwise stated in this report.

The following information is provided by both the applicant and the Liquor Control and Licensing Branch

i) Distance measure used for public buildings and other liquor primary licensed establishments: .5 miles

j) Social Facilities and Public Buildings within a .5 mile radius:

Name/Type of Facility	Distance from site	Clientele Affected	Identified by
Public Elementary School	within .5 miles	General Public	Applicant
City Hall	within .5 miles	General Public	Applicant
Cook School Park	within .5 miles	General Public	Branch
Brighthouse Park	within .5 miles	General Public	Branch

k) Liquor-primary establishments within the distance measure of .5 miles from the proposed location:

Establishment Name	Licence Number	Establishment Type	Total Capacity	Distance from proposed site	Market Served
Legend's Neighbourhood Pub	021356	Pub	118	Same site	General Public
Daisy's Sports Bar & Grill	166200	Sports Bar	85	Within .5 miles	General Public
Richmond Inn	006423	Hotel	134	Within .5 miles	General & Guests
Richmond Inn	041534	Hotel	184	Within .5 miles	General & Guests
Richmond Inn	164307	Hotel	132	Within .5 miles	General & Guests
Vancouver Airport Marriot	182546	Hotel	44	Within .5 miles	General & Guests
Vancouver Airport Hilton	187979	Hotel	42	Within .5 miles	General & Guests

l) Natural or manmade barriers: none noted

The following information is provided by Liquor Control and Licensing Branch except where indicated otherwise.

Community Indicators

Contravention Statistics

The Liquor Control and Licensing Branch has compiled contravention statistics on the identified Liquor Primary establishments within a 2 block radius of the proposed location. These statistics are based on a period covering from January 2003 to the present and only include proven contraventions. Stadiums and concert halls are not included in these statistics.

Population, population density and population trends for the community:

2001 BC Stats report circle population as:

within 0.5 mile: information pending
within 1.0 mile:
within 2 miles:

2006 BC Stats report circle population as:

within 0.5 mile: 15,207
within 1.0 mile: 43,799
within 2 miles: 93,814

4. PUBLIC INTEREST

In providing its resolution on the proposed Liquor Primary application, local government must consider and comment on each of the regulatory criteria indicated below. The written comments must be provided to the general manager by way of a resolution within 90 days after the local government receives notice of the application, or any further period authorized by the general manager in writing.

Regulatory Criteria local government or First Nation must consider and comment on:

- a) the location of the establishment;
- (b) the proximity of the establishment to other social or recreational facilities and public buildings;
- (c) the person capacity and hours of liquor service of the establishment;
- (d) the number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location;
- (e) traffic, noise, parking and zoning;
- (f) population, population density and population trends;
- (g) relevant socio-economic information;
- (h) the impact on the community if the application is approved.

The local government or first nation must gather the views of residents in accordance with section 11.1 (2) (c) of the Act and include in their resolution:

- (i) the views of the residents,

(ii) the method used to gather the views of the residents, and

(iii) its comments and recommendations respecting the views of the residents;

A sample resolution template and comments are enclosed as attachments 2 and 3 to this report for reference purposes.

For use by Liquor Control and Licensing Branch:

5. REGULATORY CONSIDERATIONS

Liquor Control and Licensing Act, sections: 11, 16 and 18

Liquor Control and Licensing Regulations sections: 4, 5, 6, 8, 10

6. POLICY CONSIDERATIONS

Policy Manual Section 3.2 Applicant Eligibility Assessment

Policy Manual Section 3.3 Site and Community Assessment

Policy Manual Section 3.4 Building Assessment and Issue of a Licence

Rec'd Sept. 17/08

September 14, 2008

To the City of Richmond,

Re: Liquor License Application fro Rokapa Management operating as Well Pub

I received a letter in which an application was being made for a 100 seat pub. I am completely against such application. There is a pub currently on the corner of Buswell and Cook Road, in which there are fights, yelling and screaming of profanities continuously and is frankly nothing but a disturbance of peace for any tenant living around this area.

This constant atmosphere prompted me to put in a request to move to a different unit where I could try and escape all the disturbances that this pub has on a weekly basis. **I do NOT wish there to be another 100 seats added to this pub under any circumstance**, nor another to be established in this area as there is enough havoc occurring around this pub as it is.

I can only imagine with the Sky train operating soon how this area is going to weather.

Sincerely,
Beverley Yates

203-8251 Cook Road
Richmond BC

To: Business & Financial Services Department

Business Licences

September 24, 2008

To whom it may concern,

RE: Notice of Liquor License Amendment in Your Neighbourhood

This is Michelle Liu and I live in 208-8251 Cook Road, Richmond, BC V6Y1V3. I strongly reject to have another pub in my neighborhood.

There is a pub near the intersection of Cook Road and Buswell Road already. Most importantly, it is really annoying, especially during night. I mean the drunken people shouting aloud and even fight. I really wanted to call the police for several times because I was so terrified by those drunken people. I mean they are capable of doing anything. Moreover, it is not as safe as before in Richmond already since the sky train has been building in Richmond. Cars were broken in in my building a month ago. One more pub will make it worse. We really do not need another pub in the residential area and what we need is safety. A great government should care about its people.

Sincerely Yours,



Michelle Liu



Real Estate
Management

MEMBER - REAL ESTATE BOARD

September 3, 2008

Rec'd Sept 4/08

City of Richmond
Business Licenses
Liquor License Applications
6911 No. 3 Road
Richmond, B.C.
V6Y 2C1

Attn: J. Hikida – Licence Inspector

RE: LIQUOR LICENCE AMENDMENT APPLICATION
Rokapa Management Ltd. operating as Well Pub


We are the Strata Management for Strata Plan LMS2845 – the building located at 6611 Cooney Road, Richmond, B.C. with a total of 124 strata lot. On behalf of the Owners, Strata Plan LMS2845, we would like to voice our concern in regards to the above liquor license amendment application as stated on your letter dated August 22, 2008.

The owners felt that since there is already two neighborhood pub – “Legends Pub” at the corner of Buswell Street and Cook Road and “Daisy’s Sport Bar & Grill” inside Richmond Public Market on Buswell Street, an additional pub is not bringing any privileges to the area. This area is mostly family oriented with a daycare center (Cook Road Daycare Centre) and an elementary school (William & Cook Elementary) on Cook Road and it is not the best place to operate an additional 3rd pub. We can foresee that an additional pub may bring more disturbances on the street during late night or early morning hours and that more properties are vandalized. We want our children to grow up in a pleasant and quiet environment and not be disturbed by drunk people shouting, fighting or shooting on the street or to wake up to find that the street around the corner has become a crime scene.

As we can read from the news within the past few months, there are a growing number of shootings, fights and killings in front of night entertainment places in the Lower Mainland. We do not want to see this happening in our neighborhood. We strongly opposed this application and hope the City will listen to and accept the comments from the residents at this neighborhood.

Yours truly,

Lucky Realty Ltd.
Strata Management for Strata Plan LMS2845


Betty Lo
Property Manager

c.c. Strata Council

CITY OF RICHMOND

AS 26 2008

RECEIVED

H.E. Cross
103-8251 Cook Rd,
Richmond
27 August, 2008

City of Richmond
Dear Sirs:

I have received a "notice of Licence application in your neighbourhood" at 6511 Buswell street.

I reside at Cook Place apartments, 8251 Cook Rd, kitty-corner from the proposed location. I must say, I am a little confused, as there is already a pub at that location, "Legends Pub". My first concern is the noise at night, particularly on Friday and Saturday nights, as people congregate outside, or are leaving. The raucous behavior creates a din that is very disturbing to residents of this building, late into the night and early morning. Another pub, emptying in the early morning, can only exacerbate the situation, which we find very disturbing.

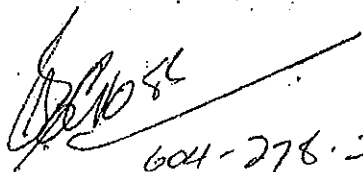
I appreciate the opportunity to comment on this application, as we did not have the same option before the Legends Pub opened. As I understand it, there will be two pubs, side by side, in the same building. I must re-iterate my concerns about the noise. If this proposal is approved, and goes ahead, the noise factor will just double. Another concern is the proliferation of so-called "neighbourhood pubs" in this area.

There will be three within a three block radius. These two, and one in the Richmond Public Market. I am not against pubs, and in fact occasionally use their services myself, but I think this is going a bit too far.

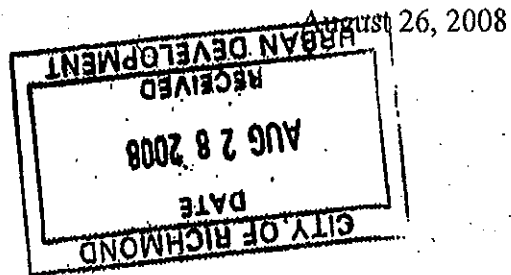
Please take these factors into account when you consider this application

Thank you very much,

Yours very truly,


604-276-2465

City of Richmond
Business Licences
Liquor licence Applications
6911 No.3 Rd.
Richmond BC V6Y2G7



Re; Rokapa Management Ltd /As Well Pub

As a long time resident of this area I appreciate the opportunity to comment on this application. I bought my home approximately 8 years ago, shortly after taking possession the government offices across the street were turned into a Pub. I missed the review process of that application, and I regret I was too late.

I have dealt with late night tires screeching and drunken couple airing there dirty laundry for some time. In additional to this there is an xxx-rated shop next to the current Pub which attracts a certain element in this downtown location of mixed residential area. As a neighbourhood watch participant I have seen drug use increase in this area as well as homelessness and the increase of property crime.

I was born and raised in this city and I hate to see the direction our downtown is going. I feel strongly that we only need to look at other municipalities to see the impact of this continued increase of liquor availability. In your decision making I would ask that you see the policing reports available to you and you will see the financial cost of this proposal as well as the impact on citizens like me committed to our community. The human impacts of the residents near this establishment have endured enough and to allow another licensee in this area would make this a very undesirable area. Please look at the business Plan of the applicant, why did the last venture fail. And last but not least, please consider the hours of business that are being applied for. The policing and other emergency vehicles that already surround this area will increase. I feel that people of this working class area may have to leave it, (if they want their sleep to continue) we being the tax base that is needed in Richmond.

Drew Robertson
#312 -6560 Buswell Street
Richmond BV6Y 2G7

September 14, 2008

Rec'd Sept 16/08

City of Richmond
Business Licences
Liquor Licence Application
6911 No 3 Road,
Richmond

To whom it may concern;

This letter is in response to the letter I received regarding the Liquor Licence Amendment application for 6511 Buswell Street in Richmond. My residence is on the south east corner of the building across from the Legends Pub -- as such am as far away from the pub as possible in this building.

The concern that I have with the current resident at 6511 Buswell Street is that of noise, and have in fact notified them as such by fax today. Have walked past the patio section during the day and found it to be unnecessarily noisy, but as it was during the day and there is enough going on elsewhere, have never done anything about it. The nights however, are another matter. The level of noise becomes most noticeable closer to closing time, usually around midnight and later. It is not short term and it is not just "slightly noisy". The level of noise is excessive, makes sleep impossible and lasts for an extended period. Most often it includes a lot of shouting from the roof of the building (rooftop parking) and it relates to rooftop drinking.

So what will be the effect of adding a second pub to the same building? Will it make no difference, or even reduce the sound level? Logically it will have the opposite effect. Two pubs together will simply exacerbate the problem; there will be more people within the same area and the matter will be compounded. I have advised Legends, that unless the level of noise is brought under control immediately, I will involve the RCMP. They are located in a residential area and have a responsibility to these residents.

There are other pubs in Richmond, I have been to them and I know people of live near them. There has never been a concern there as with Legends. If there are provisions put in place to ensure the current noise issue is addressed AND the division of Legends to add Well Pub does not create such a concern, then I have no problem with the licence being issued. But, if provisions are not put in place and the matter is not dealt with by the pubs, I will do what is necessary to avoid loss of both property value and my sleep. Thank you.



Bill Butchart
212 - 6560 Buswell Street,
Richmond, BC V6Y 2G7

Aug. 30 - 2008

#306-6420 Buswell St
RICHMOND BC V6V 2G3

Re: - Liquor License Amendment for
6511 Buswell Rd -

I am very upset by the proposal to
enlarge the property at 6511 Buswell Rd

As present we are bothered by noise ~~at night~~
noise after 1 AM -

1- shouting, screaming, quarrels and Very loud
singing, car racing and loud music

2- Horns going to at least 1 ³⁰ PM -

PLEASE - NO MORE

This is supposed to be a residential area.
We never get any sleep at night

We NEVER had any inputs for the legend Bar. They just opened it without our knowledge.

I know ~~some~~ ^{several} people moved from the building across from it. They got no satisfaction from both the legend & city hall. The staff appear to ignore any noise or fights etc.

I called Noise department once and the agent said he had spoken to the management but it did not make any difference.

I think the management should be responsible for keeping the noise (high music) and rowdiness down.

Sincerely,
(Mrs) J. Shannon

Business and Financial Services Department
Business Licenses

City of Richmond

6911 No. 3 Road, Richmond, B.C., V6V 2C1

September 8, 2008

Dear Mr. J. Hikiola,

Thank you so much for your letter - August 22, 2008 regarding "Notice of Liquor License Amendment Application in your neighborhood." I hope this letter really represents the sincerity of your heart to really find the real feelings of the occupants of 6560 apartment complex in Bussell St., regarding the establishment of a one hundred seating capacity of a Liquor Pub. I wish this is not just a matter of formality.

We, the occupants of 204-6560 strongly oppose the granting of a license to Rokape Management Ltd. to operate a Liquor Pub in our neighborhood for the following reasons:

1. There is already an existing pub in the area, whose noise and disturbance to the residents of the area are almost unbearable.
2. The presence of two liquor pubs in the area will only escalate the existing noise and disturbance out of proportion.
3. The presence of two liquor bars in the area might invite to gang related activities and activities, drug and alcohol abuse.
4. The presence of two liquor bars in our neighborhood could pose a threat or danger to the safety of the residents and passersby who might be going home on foot.

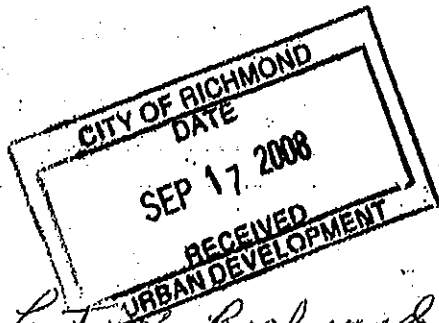
from their work late at night or early in the morning.
5. Lastly, but not the least, there are many children and children lining in this complex who need a peaceful atmosphere especially at night, who might not be able to get it because of too many shouting and yelling happening during the height of merry-making in the pubs. Since no one has the power to control the behavior of people under the influence of liquor, the best way to prevent the occurrence of these eminent problems is to deny the License application of Rokape Management Ltd. to operate a Liquor pub in our neighborhood.

Mr. Nekidze, I pray to God that you will not jeopardize the welfare of the residents in this neighborhood for the sake of monetary returns to your office. And before you form your opinion sir, may I challenge you to send an observing team to verify my expressions during the terms of the operation of the existing pub. Or, better still, if you yourself could stay in this neighborhood in one night or two, and experience for yourself if how hard it is to get the necessary sleep when there are yelling and shouting around you. Thank you very much for your decision in the neighborhood's favor.

To be handily hit,

James + Myriam Alford

204-6560 Besswell St., Richmond, B.C., V6Y 2G7



Site # 202 - 6560 Buswell St
Richmond, B.C. V6Y 2G7
Sept 16 - 2008

City of Richmond
Business licenses
Liquor license Applications
6911 no 3 Rd. Richmond, B.C.

Dear Sirs

In response to your letter for a Pub at 6511 Buswell St. We already have Legends Pub across the street from where I live. My suite faces onto Buswell St + there is quite a lot of yelling + cars + motorcycles being revved up late at night. I do hope we don't get another pub in this area. We have already had problems with the glass in our door to the entry being bashed in. Please do not allow another pub across the street.

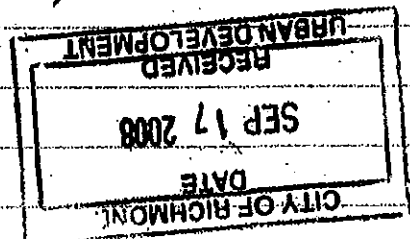
Yours truly,
Selma Balsheim

Catherine Goodall
210-6560 Burrwell St
Richmond B.C
V6Y 2G7.

to city of Richmond
Business Licences
Liquor Licence applications
6911 No 3rd Richmond B.C V6Y 2C1

I am very concerned of another pub
in Richmond, especially side by side.
This is going to create a lot more noise
on our street. It looks directly onto 6560
Burrwell. We have many children who
live at the front of school age, who
must be up to go to school parents who
work. We already have 2 pubs on Burrwell
we are only a 1 block St. I know you
will consider this request carefully.

Thank you
Signed
C. Goodall



REC'D
SEP 22 10 08

J.P. MALONE'S PUB

9031 Blundell Road, Richmond, B.C. V6Y 1K4
Telephone No. 604 720 9457

Attachment 5

September 19th, 2008

Via Fax (250) 387 9184

Deputy General Manager of Licencing
P.O. Box 9292
Station Provincial Government
Victoria, B.C. V8W 9J8

Attention: Cheryl Caldwell

Dear Sirs:

NOTICE OF DISPUTE

Legends Pub located at 6511 Buswell Road, Richmond
Operating a PRIMARY LIQUOR LICENCE
Application for Liquor Licence Amendment
by Rokapa Management Ltd. dba as Wells Pub to add a
PRIMARY LIQUOR LICENCE to their establishment
at 6511 Buswell Road, Richmond (the "Application")


I am submitting a Notice of Dispute with regard to the Application for the following reasons:

1. Legends Pub currently holds a Liquor Primary Licence for a Pub at 6511 Buswell Street and transferred their retail liquor store outlet to Terra Nova. There is now an application for a Primary Liquor License for the original location beside Legend's Pub on Buswell Street.
- 2.. The intent of this application is not to open a Pub but to open a retail liquor outlet.

- 3 A liquor store and pub operating under the name of Daisy's, formerly The Garage Liquor Store is located at 8260 Westminster Highway, only two blocks from Legend's Pub.
- 4 Malone's Garden City Liquor Store is located only 1.89 kilometers from Legends Pub and 2.28 from The Garage Liquor Store. The distance between Legends Pub and Daisy's is .45 kilometers.
- 5 Approving the Application would increase the number of licenses located in a small area of Richmond. Council has gone on record stating opposition to the proliferation of Licensed Retail Stores in Richmond.

I hereby request that these concerns be addressed and taken into consideration before a decision is made to approve the Application.

Yours truly



John Grewal

c.c. Mayor and Councillors



REPLY TO: Dennis P. Coates
DIRECT LINE: (250) 372-4923
email: dpc@mjbblaw.com
LEGAL ASSISTANT: Carol Bent
DIRECT LINE: (250) 372-4946
email: carol@mjbblaw.com

Our File: DC 21155-1

VIA ELECTRONIC MAIL: ARattan@Richmond.ca

November 18, 2008

City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Attention: Amarjeet S. Rattan

Dear Sir:

RE: Rokapa Management Ltd., dba Well Pub
Application for Relocation of Liquor Primary Licence
From: 8220 Lansdowne Road, Richmond, BC
To: 6511 Buswell Street, Richmond
Report to General Purposes Committee dated October 15, 2008

We are advised by our client that your above Report was considered by the General Purposes Committee at the November 17, 2008 meeting.

It is our further understanding that the ensuing discussion between Mr. Paterson and members of council served to clarify certain of the issues with respect to the relocation and provided council with a better understanding of Mr. Paterson's proposal. Specifically, the application for relocation will not result in a net increase in licensed drinking seats within the municipality of Richmond, rather, it will result in a net decrease given the present capacity under the LP licence of 200.

As well, it was clarified that approval of the relocation would not result in an increase in the number of retail liquor store operations, rather, the LRS licence attached to the subject Liquor Primary licence is already in existence. Mr. Paterson did acknowledge to members of council that preservation of the LP licence was necessary for preservation of the attached LRS licence.

We are advised by our client that in light of these clarifications and council's understanding of the proposal, it was suggested that a reduction in the proposed number of seats would enable council to more favourably view the relocation, with the LP being essentially carved out of rather than replacing the Food-Primary liquor licence as was originally proposed. In response, Mr. Paterson confirms that the application is to be amended to reflect a person capacity (being inclusive of staff), of approximately 25. Confirmation of the revised requested occupant load

will be provided once Mr. Paterson has had an opportunity to review the floor plan of the premises and determine, operationally, a suitable configuration of the FP and LP licences.

As well, Mr. Paterson will be contacting those individuals who indicated objection to the proposal to advise them of the reduction in requested capacity and to hopefully alleviate their concerns as were predominantly in reference to the operations of Legend's Pub.

It is our understanding that council wishes to move forward on this matter without delay. We will provide you with an amended floor plan as well as confirm to you the amended requested capacity as quickly as possible.

Thank you.

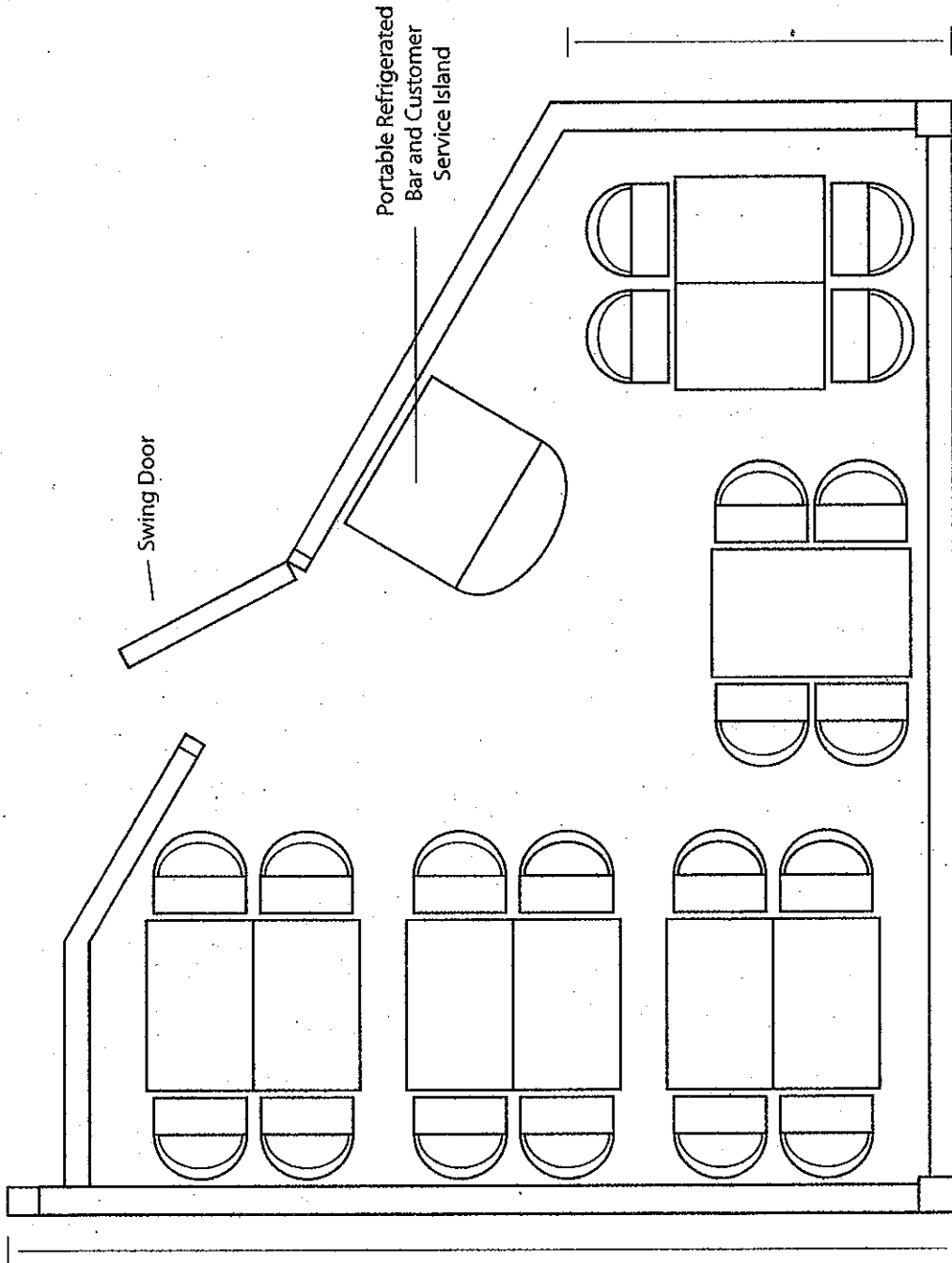
Yours truly,

MAIR JENSEN BLAIR LLP



DENNIS P. COATES, Q.C.

/cab
Enclosures



Scale: 1/4" = 1'

Hikida, Joanne

From: Carol Bent [Carol@mjblaw.com]
Sent: December 10, 2008 11:00 AM
To: Hikida, Joanne
Subject: RE: Well Pub relocation

Yes:

>>> "Hikida, Joanne" <JHikida@richmond.ca> December 10, 2008 10:53 am
 >>>
 Hi Carol,

Will the remainder of the area remain as a restaurant open to all ages?

Joanne Hikida
 Licence Inspector
 City of Richmond
 6911 No. 3 Road
 Richmond, B.C. V6Y 2C1
 Tel: 604-276-4155
 Fax: 604-276-4157
 Email: jhikida@richmond.ca <mailto:jhikida@richmond.ca>

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

From: Carol Bent [mailto:Carol@mjblaw.com]
Sent: December 10, 2008 10:34 AM
To: Hikida, Joanne
Subject: Well Pub relocation

Below, for your files, is a copy of my December 9 email as forwarded to Vicky Tooby in confirmation of the reduction of proposed capacity to 25.

Also, attached is a preliminary floor plan depicting the revised proposed licenced area. Separation of the LP area from the FP area will be to LCLB satisfaction. This reduced area encompasses approximately 330 sq. ft and would, in our estimate, accommodate a licence capacity of 25, inclusive of staff.

Please let me know if you require anything further. In the meantime, would you please respond to provide details of the remaining municipal process including, specifically, whether there will be a further public input process. As well, assuming there will be a revised Report to the General Purposes Committee, when will that report be available and when will the matter again be before council?

Thank you
 Carol

>>> Carol Bent December 9, 2008 3:43 pm >>>

Hello Vicky,
 After initial consultation with local government, the licensee will be amending the relocation application to indicate a licence capacity of 25. I realize that you do not require formal notification of this

reduction at this stage, however am providing it in order to confirm to local government that the reduction is in place.

Thank you
Carol

Carol Bent, Legal Assistant
Mair Jensen Blair LLP - Lawyers
Barristers and Solicitors
700 - 275 Lansdowne Street
Kamloops, BC V2C 6H6
Switchboard: (250) 374-3161
Direct: (250) 372-4946
Fax: (250) 374-6992

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Mair Jensen Blair LLP



Ministry of
Public Safety and
Solicitor General

Liquor Control and
Licensing Branch

**POLICY
DIRECTIVE
No: 06-04**

July 14, 2006

To: All LCLB staff
All Industry Associations
All Local Government and First Nations

Re: **Changes to LRS and associated LP policies: (1) Minimum operating requirements for associated Liquor-primary (LP); (2) Reduction in Pre-clearance approval time; (3) Restriction on the number of relocation applications**

This policy directive amends the January 2006 Licensing Policy Manual available online at: http://www.pssg.gov.bc.ca/lclb/publications/index_pubs.htm.

The directive amends Liquor Control and Licensing Branch (LCLB) policies concerning the application and operation of Licensee Retail Stores (LRS) and associated liquor primary (LP) establishments. The changes are as follows:

1. Minimum operating requirements for LP licences with associated LRSs.

By regulation, an LRS must be associated with an LP licence in order to operate. However, there are no minimum operating requirements for the associated LP. A current trend among some LRS/LP licensees is to operate smaller and smaller LPs with the intent of keeping the licence operational to maintain the larger LRS.

LCLB expects LPs associated with LRSs to be of sufficient person capacity to warrant a stand-alone LP operation, to be open to the public for a reasonable number of hours and days per week, and to maintain a viable business in general. If LCLB has questions about the person capacity or operating hours of an associated LP, the licensee may be required to submit a business case for the General Manager's consideration showing how the LP is (or will be) viable on its own.

2. Reduction in Pre-Clearance approval time from 12 to 3 months.

Until the date of this Directive, LRS applicants have had 12 months from the pre-clearance approval stage to submit floor plans for their establishment in order to become eligible for approval-in-principle. The duration of this period is greater than that required for the applicant to produce floor plans.

LCLB believes that the 12 month period has acted as a barrier to keeping applications moving forward in a timely manner and that on occasion, it has been used by some applicants as a technique to keep the application alive without perfecting it.

Effective immediately, the pre-clearance approval period for LRS applications or relocation applications is reduced to 3 months. This change applies to pre-clearance approvals issued after the date of this directive and not to those already in progress.

3. Restriction on number of LRS relocation applications a licensee may submit without building.

Prior to this Directive, there was no limit on the number of LRS relocation applications a licensee can submit. Some applicants have used multiple relocation applications for a single LRS application to prolong the application process. Because regulations and policy limits LRS development to no less than 0.5 km from existing LRS or LRS application locations, applications that are not moving forward in a timely fashion may prevent other applicants (or relocating licensees) from obtaining their chosen location for their business.

As of the date of this directive, LRS applicants are permitted a maximum of two relocation applications for each LRS application without building unless otherwise approved by the General Manager. Licensees may request an exercise of discretion if they already had two or more relocation applications. In their request, the licensee must provide evidence that the relocation application is genuine and not simply a place-holder used to keep an application open.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at www.pssg.gov.bc.ca/lclb. If you have any questions regarding this change, please contact the Liquor Control and Licensing Branch toll free at 1-866-209-2111, or 387-1254 if calling from the Victoria area.



Cheryl Caldwell
A/General Manager

Recd from R Patterson
via email Dec 12/08

ATTACHMENT 6

Distributed the attached letter to all the neighbouring residents whom expressed concern and/or confusion about the Liquor Primary license and the conversion of 25 seats from FP to LP...

The Letter was distributed Tuesday November 18/08 by Ronnie Paterson

Rec'd from R. Patterson
via email Dec 12/08.

- 1) Beverley Yates (hand delivered letter nov 18)

#203 8251 Cook Rd

- 2) Michelle Liu (hand delivered letter nov 18)

208 8251 Cook Rd

- 3) Selena Belsheim (hand delivered letter and spoke to him nov 18)

#302 6560 Buswell St

- 4) Mr Cross (hand delivered letter and spoke to him nov 18)

#103 8251 Cook Rd

- 5) Betty Lo (hand delivered letter and spoke to her nov 18)

#200 8360 Granville Ave

- 6) Bill Butchart (hand delivered letter nov 18)

#212 6560 Buswell St

- 7) Drew Robertson (hand delivered letter nov 18)

#312 6560 Buswell St

- 8) Alford (hand delivered letter nov 18)

#204 6560 Buswell St

- 9) Catherine Goodall (hand delivered letter nov 18)

#210 6560 Buswell St

- 10) Mrs. Robinson (hand delivered letter nov 18)

#306 6420 Buswell St

Mrs Belsheim responded to the letter dropped of at her house: Wednesday, November 19/08 2:10 P.M.

" now that i know what is going on i am very comfortable with the application of 25 seats.....i go to Legends pub and i enjoy the experience"

I spoke to Mr Cross: Tuesday, November 18/08 10:25 A.M. and appreciated the clarity of what was going on and has no difficulty with the conversion to 25 seats.

I spoke to Betty Lo: Tuesday, November 18/08 10:30 A.M. and she indicated that there was alot of confusion around what was happening and that she did not have any issues with converting 25 seats from FP to LP and that she felt confident the many residents in the complex she manages would now be comfortable with the process.

Tuesday, November-18-08

ROKAPA MANAGEMENT
6511 BUSWELL STREET
RICHMOND, B.C.

DEAR MICHELLE

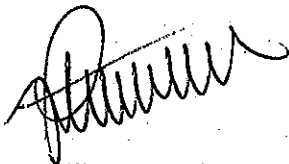
THANK YOU FOR SHARING YOUR LEVEL OF CONCERN IN TERMS OF WHAT HAS BEEN COMMUNICATED ON THE RELOCATION OF A PUB LICENSE TO THE CORNER OF BUSWELL AND COOK.

I WOULD LIKE TO CONFIRM THAT THERE IS IMMENSE CONFUSION IN RESPECT TO WHAT IS ACTUALLY BEING APPLIED FOR WITH THE CITY OF RICHMOND.

OUR OBJECTIVE IS TO SIMPLY CONVERT ²⁵20 SEATS ON THE RESTAURANT SIDE OF OUR OPERATION TO THE PUB SIDE WHICH REPRESENTS LIQUOR PRIMARY. THERE IS NO NEW DEVELOPMENT OR EXPANSION PLANNED.

PLEASE ADVISE IF YOU REQUIRE MORE INSIGHT ON THE RELOCATION PROCESS.

KINDEST REGARDS



RONNIE PATERSON
604 317 9400

Original Respondent	Mr. Paterson Follow-up	City Staff Follow-up
Michele Liu 208-8251 Cook Rd (Letter opposing application dated Sept. 24, 2008)	Nov. 18/08 - letter hand delivered	Dec. 2008- no phone number listing – letter sent requesting her to contact the City in regards to the amended LP application, no response was received
Beverly Yates 203- 8251 Cook Rd (Letter opposing application dated Sept. 14, 2008)	Nov. 18/08 - letter hand delivered	Dec. 2008 - two phone messages left, no return phone call received
Drew Robertson 312 – 6560 Buswell St (Letter opposing application dated August 26, 2008)	Nov. 18/08 - letter hand delivered	Dec. 2008 - does not recall any letter being received, staff advised that application is being amended to only a 20 to 25 seat premises and would this change his original comment, he stated that it didn't matter, that the comments in his original letter still stand (noise impact) he went on to say that the area already has 2 pubs, a private liquor store and a sex shop and the area doesn't need any more liquor establishments
Bill Butchart 212 – 6560 Buswell St (Letter opposing application dated Sept. 14, 2008)	Nov. 18/08 - letter hand delivered Jan 28/09 – email correspondence received indicating no objection to proposal of 25 seats, however noise from existing pub still a concern (Attachment 8)	Dec. 2008 - confirmed that he did received the letter, said he understood that they were only going to re-position 25 seats from the restaurant side and he had no problem with that. He stated that he still has issues with the noise from the operating LP (Legends) and he lives on the backside of the building, he stated that he has been in contact with Legends staff on numerous occasions regarding noise. He stated that the operators of the Pub have to recognize that they operate in a residential district and should do a better job of controlling the noise
H E Cross 103–8251 Cook Rd	Nov. 18/08 - letter hand delivered – states he spoke with Mr. Cross who was very supportive of the amended application for 25 seats	Dec. 2008 - confirmed that he had spoken with R. Paterson and that based on the proposal of 25 seats he

<p>(Letter opposing application dated August 27, 2008)</p>		<p>had no problem with the application, he stated that his concern is with the noise but did not feel that the amended proposal would increase the noise level</p>
<p>Betty Lo- property manager for 6611 Cooney Rd complex (124 strata units) (Letter opposing application dated Sept. 3, 2008)</p>	<p>Nov. 18/08 - letter hand delivered – states he spoke with Ms. Lo who, after he explained the confusion around the application, did not have any issues with taking 25 seats out of restaurant area to convert to an LP and felt that the residents of the complex she manages would also be comfortable with the process. Jan 21/09 – letter delivered in both English and Chinese explaining Liquor Licence application – no response from the letters or to his invitation to meet with the residents to explain the amendment (Attachment 9)</p>	<p>Dec. 2008 -she confirmed that she had spoken with R. Paterson, she conveyed the information to the Strata Council members, who advised her that they view the 25 seats as additional pub seating and that with a daycare in the building and a elementary school nearby that any additional liquor related establishments would not be a good mix for this area</p>
<p>Katherine Goodall 210 – 6560 Buswell St (Letter opposing application received Sept. 17, 2008)</p>	<p>Nov. 18/08 - letter hand delivered</p>	<p>Dec. 2008 - confirmed that she had received letter from the Applicant and has no concerns with the amendment of the LP to 25 seats</p>
<p>Selina Belshiem 302-6560 Buswell St (Letter opposing application dated Sept. 16, 2008)</p>	<p>Nov. 18/08 - letter hand delivered – states he spoke with Ms. Belshiem who is okay with the 25 seats and goes to Legends Pub and enjoys the experience</p>	<p>Dec. 2008 - confirmed that she spoke with a gentleman regarding the application and that she has no problems with a 25 seat application</p>
<p>June Robertson 306 – 6420 Buswell St (Letter opposing application dated August 30, 2008)</p>	<p>Nov. 18/08 - letter hand delivered</p>	<p>Dec. 2008 - stated that she did not receive any letter, staff explained that the Applicant was proposing only a 25 seat pub and would like to know if this decrease changed the views she submitted on the 100 seat application, she stated that she was opposed to any amendment as the noise that she must put up with with the existing operation is very disturbing to her and that most nights she does not get to sleep until after 1 a.m., she stated she prays for rain so that the patrons will not be able to sit outside in the pub patio area as the</p>

		noise from the patrons outside disturbs her sleep
Jamie Alford 204 – 6560 Buswell St (Letter opposing application dated Sept. 8, 2008)	Nov. 18/08 - letter hand delivered	Dec. 2008 - confirmed that a letter was received and understands the amendment but his original comments stand and is opposed to any change to the existing pub area as the noise from the existing pub is very disturbing

LEGENDS PUB PLANS TO CONVERT 20 SEATS IN THE RESTAURANT AREA (FOOD PRIMARY) TO THE PUB (LIQUOR PRIMARY). THE BALANCE OF THE RESTAURANT WILL REMAIN THE SAME. PLEASE ENDORSE THE ATTACHED IF YOU SUPPORT THIS NEW INITIATIVE:

NAME	ADDRESS
PAUL ROYCE	2117 W 49 AVE VANCOUVER BC.
MURRAY EDWARDS	447 5888 DOUGL CRESSL
BOB LEIGH	28-8451 RYAN RD
JUDY LEIGH	" " "
TONY GETTENBOS	5-6233 LONDON RD.
James Dwell	542 555+ Delta BC
ED OBZERA	6800 #1 Rd Richmond BC
GERALD DAKEY	206-10491-MONTFIELD RD. Rich
HAROLD SMALL	10371 SPAINHILL CRE V7E1W7
HENRIK LAURSEN	10340 HOGARTH PLACE
Bonnie Akava	6078-164B ST Surrey BC
Jildo Bagamir	5471 Arcadia Rmd BC
Travied Pollack	" " "
Heidi Kaplan	301-8665 OSLER ST, VAN, BC
Sean Llaney	301-8665 OSLER ST, VAN, BC

NAME

ADDRESS

Alyssa Smith 201-8665-0300 St. Van BC
 BOB LAI #2-8060, GENERAL CURRIE, RD.
 Jason Kelder #106-2716 GENERAL CURRIE, RICHMOND
 Sharon Urquhart 8630 Citation Dr., Richmond
 GRAEME WALLACE 8630 CITATION DR RICHMOND
 Mike Janyello 8380 RAILWAY RICHMOND
 Joe Miller 8500 HANSPURNE RD RICHMOND
 LARRY McLEOD #116 8300 BENNETT RD RICHMOND
 MIKE CARLAW 8500 HANSPURNE RD RICHMOND
 CHRIS TOMELLA 351-7671 MINOR BLVD RICHMOND
 Candy Warlow Vancouver BC.
~~VICTORIA~~
 DON McEWAN 6527 PIMLICO WAY
 Andy McLauchlan 206-6660 BUSWELL ST RICHMOND
 Agnes McLauchlan 206-6660 BUSWELL ST RICHMOND
 Rosemarie Duney 17429 62 A Ave Surrey
 Bryan Tomella #351 7671 Minor Blvd.
 GARY PARKER 19-12411 TRITES RD RICHMOND
 Bill Kerr 10 8370 Cook Rd RICHMOND
 PHIL HAYES 306 8591 WESTMINSTER HWY RICHMOND.
 Kim HAYES 306 8591 Westminister Hwy RICHMOND.
 Steve Kerr 9871 Diamond RICH. B.C.
 David Gordon Tsawwassen
 Rosalie Paul 102-6420 Buswell St. RICHMOND.

NAME

ADDRESS

NAME	ADDRESS
JOHN PRACHTIN	1006-7040 GRANVILLE AVE RMD
LEON FIZI	8120 BENNETT RD. RMD.
Tom Hill	4015 HWY 102 BUNDY
KENT MCGONIGLE	10691 GLENFIELD PL RMD.
PENNI YATU	5940 SANDPIPER CRT RMD.
MARLEE MANTEI	Richmond BC
Steve Deppert	8400 ACREWOOD RD Richmond
STEVE HUNT	8900 CITATION.
Ed Brubaker	RS 8511 WESTMINSTER Hwy
Ryan Switzer	8140 Munter, Richmond
Nicole Jordan	8140 Munter, Richmond, BC
Mike Kelder	102-8180 Jones RD. Richmond
Katsina Kelder	" "
James Quinn	#103-5471 Arcadia Rd
Carrie Adkins	" " "
Ewan Mackay	#214 - 7751 Minoru Blvd.
Andrew Caldwell	6460 White Oak Dr Richmond
Derek Hawksworth	7276 Blate Dr. Delta BC
Tanya Donaldson	#49-6233 Birch St. Richmond BC
DON MCEWAN	6527 PIMLICO WAY RMD
Tom DePsey	867 ROSMARY AVE RMD
BILL LYMBERopoulos	8860 SIERPINA DR. Richmond

Amarjeet

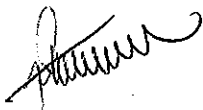
I am sincerely hoping that the inclusion of these efforts will meet your expectation to support and recommend to Council the relocation of the LP to the corner of Buswell and Cook. My focus the past 6 weeks has targeted the residences of concern. I have diligently tried to be in contact with all 10 individuals of which i received 3 verbal levels of support and 1 written letter of support. I have coresponded with four others in letter forum and telephone messages (4 messages each) with one negative response due to the noise coming from the roof top parking of Legends Pub. The 6611 Cooney Road Executive, Tenants, and property manager, have all been provided 2 letters of clarity (English and Chinese) and one invitation for coffee/tea on site to explain where we plan to 'hold' the license. All initiatives resulted in no response.

I have reduced the application from 100 seats to 20 which council recommended. Other levels of support include, the local Liquor Inspector, Chamber of Commerce, neighbours, surrounding businesses, and 250 signatures of endorsement for your reference. I also met with Mr and Mrs Dyck, owners of 8251 Cook Road with their blessing.

Now that local community understands that we are not 'building' a new pub and simply 'holding' a license in an existing FP area the level of support is much more compelling. The reduction of seats from 100 to 20 has also been a welcoming recommendation.

I understand the process and i feel the due diligence has been done to provide every attempt (letters in English and Chinese, phone calls, reception) to explain what our objective is. I feel strongly that it is not an intrusive business model and we will continue to work closely with our neighbours. Thank you for your efforts and time on our behalf.

Kindest Regards



Ronnie Paterson

Summary of Developments

- Provided new design of LP area for validation
- Re-applied for 20 seats vs original 100 recommended by council
- Received letter from local Liquor Inspector with support
- Sent clarification letter of relocation to the 10 people with no response
- Spoke personally to 3 individuals providing verbal support (from original 10)
- Received one written letter in support (from original 10)
- Received 3 letters of support from neighbours (2 business and 1 residence)
- Left 4 messages (Robertson and Robinson) with no response
- 6611 Cooney Road (Betty Lo – property manager)
 - Originally provided verbal support on the telephone
 - Provided additional letter of clarity to all tenants (no response)
 - Provided 2 letters (English and Chinese) to all tenants (no response)
 - Extended invitation for tea/coffee on site to show where the license will be held (no response)
- Provided 250 signatures of support (many living in the neighbourhood)
- Letter of support from Chamber of Commerce included to illustrate current business practises and philosophy

Ronnie Paterson

From: Bill [bill4sure@shaw.ca]
Sent: January-28-09 5:01 PM
To: ronnie@rokapa.com
Subject: Follow up to phone conversation

Was good to speak with you this afternoon Ronnie, as it ensures I better understand what plans you have for the Legends Pub and you better understand my (our) concerns with the existing scenario. You have advised me that the plans for the Legends Pub will not entail any major physical alterations, but rather involve re-assigning an existing area. As you are "parking" the licence from another closed pub, are not adding new seating and are not adding a liquor store, I have no concerns with the proposed changes to Legends under the condition that attempts are made to address the existing noise concern. During our conversation, I advised you that there have been occasions when patrons of Legends have made an excessive amount of noise. It tends to be from the roof; they seem to move there at/near closing time and can be quite intrusive. Any resizing/addition to the existing facility would compound the matter and that has been the major concern for residents of these buildings.

You have indicated that you and the other two owners are preparing a plan to address the noise matter. Again, on the basis of simple internal seating modifications and of successfully addressing the noise issues, I have no concern with the plans as expressed to me on the phone today. Good luck.

Bill Butchart
6560 Buswell Street,
Richmond

MET TO BILL - NOVEMBER 28/09

Ronnie Paterson

Subject: FW: license relocation

From: Ronnie Paterson [mailto:ronnie@rokapa.com]

Sent: January-25-09 1:33 PM

To: 'luckymanagement@gmail.com'

Subject: license relocation

Betty....i would also like to extend an invite to all the tenants at 6611 Cooney Road for a meeting/reception to provide clarity around the relocation of the liquor primary license. I would like to host them at Legends pub at a convenient date to explain what the objective is and how we are committed to keeping our community safe...this initiative is about converting 25 seats from our restaurant license to the new LP...i am very confident that when they see what these developments represent they will feel much more comfortable with the idea..

Pls advise your thoughts..

Warmest Regards

Ronnie

** Revised to Pasport MAC
BETTY LO FOR DISTRIBUTION
TO ALL TENANTS
JANUARY 25/09
RP*

Wednesday, January-21-09

To The Tenants at 6511 Cooney Road

Thank you in advance for your time.

My name is Ronnie Paterson and i would like to address the proposed conversion of 25 seats at Legends Pub and Restaurant. There has been some miscommunication and confusion around what has actually been proposed with the City of Richmond.

I am currently dealing with an existing license that originated from Landsdown Road and the objective is to move it to Legends Pub by converting 25 seats from the Restaurant License to the relocated Pub License. There will be no new development or construction of any new 'Pub' in the area and in essence we are removing a full service pub from the community (Landsdown Road). The dedicated licensed area (25 seats) on the restaurant side which must be self sufficient will not add to the # of overall seats Legends currently operates and subsequently will not increase overall traffic into the existing pub.

My parents and grandparents were proud pioneers of Richmond and I have spent most of my personal life in this community. I am committed to a safe and healthy environment for our children and families and will continue to work with respective organizations and charities in the City of Richmond to ensure our community remains the best and safest place to live!

Please donot hesitate to call me @ 604 317 9400 or email me @ _____ with any concerns or observations any time of the day or night. Thank you and i look forward to hearing back from you at your earliest convenience.

Kindest Regards

Ronnie Paterson

Ronnie Paterson

** PROVIDED to PROPERTY MGR
BETTY LO FOR DISTRIBUTION
TO ALL TENANTS
JANUARY 21/09
RP*

謹致 6511 Cooney Road 各業主/住戶,

本人 Ronnie Paterson 希望在以下澄清關於列治文市政府在 Legends Pub and Restaurant 改建計畫中所引起的任何誤會及誤解。

本人正籌備將 Legends Pub and Restaurant 現時所持有的 Landsdown Road 社區餐館牌照轉移至餐館內使用, 並將餐館牌照內的其中 20 個座位劃定為持牌酒吧區域與餐館合併經營。特此澄清, 此項舉動本意並非在社區內發展或開設新酒吧。相反地, 此舉將會關閉 Landsdown Road 社區內的一家專營酒吧。此計畫內的20個座位並非增設, 而是從現有座位總數中劃分, 因此一定不會增加餐廳一直以來的日常顧客流量。

本人父母及祖輩皆作為列治文市之開發者而引以為傲, 而我亦將大部分私人時間投入到社區服務和發展中。因此, 我會保證本社區內兒童及家庭擁有健康的環境, 並且將繼續參與列治文市的慈善與相關之福利團體活動以確保我們社區有最安全和最舒適的居住環境!

若有任何問題或欲分享觀察所得之經驗, 請於日夜任何時間致電 604-317-9400 或電郵至 RONNIE@ROKAPA.COM。本人將樂於傾聽閣下的意見, 或於各位方便的時間詳談。

衷心感謝各位的時間與諒解。

*DISTRIBUTED TO ALL
TENANTS JANUARY 29
RP*

Ronnie Paterson

26/JAN/2009

Ronnie Paterson

From: Dyck, Doug HSD:EX [Doug.Dyck@gov.bc.ca]
Sent: January-26-09 3:04 PM
To: ronnie@rokapa.com
Cc: Lister, Donna O HSD:EX
Subject: Legend's Pub

Ronnie,

As per your telephone call to me, Although Legend's Pub has been a very good operator with the terms and conditions of their liquor licence and have a good compliance history, as a Liquor Inspector with LCLB, I am in no way in a position to advocate for licensing any new establishment or speak on behalf of an applicant. I can tell you that as an inspector I am tasked with overseeing all licensed establishments in my inspection area of Richmond including Legend's Pub. I do appreciate that in the 6 years I have been inspecting in the Richmond area, Legend's Pub has never been a concern.

Doug Dyck

*Met to Doug Dyck (Liquor Inspector)
January 21/09
RP*

Osmosis Tattoo
6631 Buswell Street
Richmond, B.C.
604 270 2442

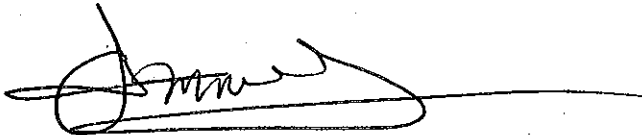
City of Richmond

We have been neighbours of Legends Pub for over 5 years and we are proud of who they are and what they represent. They are very professional and treat the staff and customers with trust and respect.

Osmosis Tattoo has no difficulty with the idea of converting approximately 20 chairs over to their new license. They work hard in the community and are very generous donating time, energy, and resources to numerous charities and needy organizations.

Legends work hard trying to make our community better with donations made to numerous amateur sports. We patronize their pub regularly hosting staff and customers.

Regards

A handwritten signature in black ink, appearing to read 'T. Mackay', with a long horizontal line extending to the right.

Trevor Mackay
Osmosis Tattoo
Artist



*Serving the Community
Since 1925*

January 30, 2009

To Whom It May Concern:

Legends Pub & Restaurant has been a member in good standing of the Richmond Chamber of Commerce for a number of years as well as a strong community supporter.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig R. Jones", is written in a cursive style.

Craig R. Jones
Executive Director

101 S.T. 5811 Cooney Road Richmond, BC V6X 3M1
Phone (604) 278-2822 Fax (604) 278-2972
Email: rcc@richmondchamber.ca; Website: www.richmondchamber.ca

City of Richmond
Permits and Licenses

January 29, 2009

Re: Legends Pub Application for License

I am a long-term resident and business owner in Richmond with my offices located directly across the street from Legends since it opened approximately 8 years ago.

I support the management and owners in their application for their pub license.

Myself and my staff as well as family members have been regular customers of Legends since it was established at the corner of Cook and Buswell Roads. The food, staff and the ambience of the facility is among the best of any of the pubs in Richmond.

I have never been aware of any noise problems or any problems with patrons at the pub. It is a truly friendly environment and is all that neighbourhood pubs should strive to be. I have routinely eaten at the pub weekly (sometimes 2 to 3 times per week) for lunch and dined while watching sporting events in the evening on numerous occasions.

At all times the staff and customers have been friendly and courteous and I have never seen any rowdy or noisy behavior in all the years I have been a regular customer, either the day or evening visits.

The changing of the liquor licenses I do not believe will negatively affect the surrounding neighbourhood and I fully endorse their application.

If you have any further questions please feel free to contact me at your convenience at either (604) 273-0096 (bus.) or (604) 271-0489 (res.).

My office address is #201 – 8171 Cook Road, Richmond and my residence address is 10560 Reynolds Dr., Richmond, B.C.



Bill Diston

Suite 220-8171 Cook Road
Richmond BC V6Y 3T8
Tel 604-278-5752
Fax 604-278-4525
e-mail: info@mullenyroyce.bc.ca

January 29, 2009

RICHMOND COUNCIL

Dear Sirs:

RE: LEGENDS PUB

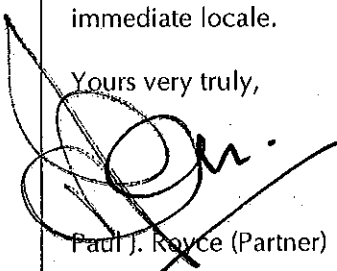
Our office is located across the street from the subject pub/restaurant, being at #220-8171 Cook Road, Richmond, and since our office is on the south side of the building we would be acutely aware of noise and/or other disturbances emanating from Legends.

In addition I am a regular at lunch time (although not a partaker of alcoholic beverages) and have always been impressed by the standards of both the food and level of service.

Although not a regular customer in the evenings (my house being in Kerrisdale), I have on occasions visited with clients, and again have never been aware of noise levels above a normal chatter and background sound, and have never seen any evidence of unruly behaviour.

I would therefore opine that the premises is a well run establishment, and the proposal to reallocate certain seating within the pub poses no risk to the environmental well being of the immediate locale.

Yours very truly,



Paul J. Royce (Partner)

1) Beverley Yates (hand delivered letter nov 18)

#203 8251 Cook Rd

2) Michelle Liu (hand delivered letter nov 18)

208 8251 Cook Rd

3) Selena Belsheim (hand delivered letter and spoke to him nov 18)

#302 6560 Buswell St

4) Mr Cross (hand delivered letter and spoke to him nov 18)

#103 8251 Cook Rd

5) Betty Lo (hand delivered letter and spoke to her nov 18)

#200 8360 Granville Ave

6) Bill Butchart (hand delivered letter nov 18)

#212 6560 Buswell St

7) Drew Robertson (hand delivered letter nov 18)

#312 6560 Buswell St

8) Alford (hand delivered letter nov 18)

#204 6560 Buswell St

9) Catherine Goodall (hand delivered letter nov 18)

#210 6560 Buswell St

10) Mrs. Robinson (hand delivered letter nov 18)

#306 6420 Buswell St