



---

**To:** General Purposes Committee **Date:** August 14, 2017  
**From:** Carli Edwards, P.Eng. **File:** 12-8275-30-001/2017-  
Manager, Customer Services and Licencing Vol 01  
**Re:** **Application to Amend Food-Primary Liquor Licence and to Add Patron  
Participation Endorsement - The Canadian Brew House (Richmond) Ltd.  
Doing Business As: The Canadian Brewhouse & Grill, 4755 McClelland Road**

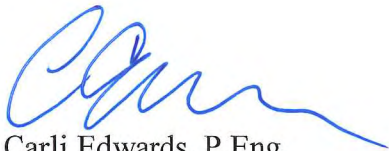
---

### Staff Recommendation

1. That the application from The Canadian Brew House (Richmond) Ltd., doing business as The Canadian Brewhouse & Grill, for an amendment to increase their hours of liquor service under Food Primary Liquor Licence No. 307407 **from** 9:00 a.m. to Midnight, Monday to Sunday; **to** 9:00 a.m. to 2:00 a.m. Monday to Sunday and a request to add Patron Participation Endorsement, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:
  - a) Council supports the amendment for an increase in liquor service hours;
  - b) Council supports the request for a food-primary patron participation entertainment endorsement to midnight as these amendments will not have a significant impact on the community;
  - c) The total person capacity will remain the same at 246 persons indoor and 38 persons for the outdoor patio;
  - d) Council's comments on the prescribed criteria (set out in section 53 of the Liquor Control and Licensing Regulations) are as follows:
    - i) The potential for additional noise and traffic in the area was considered;
    - ii) The impact on the community was assessed through a community consultation process; and
    - iii) Given that there has been no history of non-compliance with the operation, the amendment to permit extended hours of liquor service and patron participation entertainment endorsement, under the Food Primary Liquor Licence, should not change the establishment such that it is operated contrary to its primary purpose;


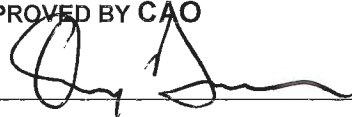
- e) As the operation of a licenced establishment may affect nearby residents the City gathered the view of the residents as follows:
  - i) Property owners and businesses within a 50 meter radius of the subject property were contacted by letter detailing the application, providing instructions on how community comments or concerns could be submitted; and
  - ii) Signage was posted at the subject property and three public notices were published in a local newspaper. This signage and notice provided information on the application and instructions on how community comments or concerns could be submitted; and
- f) Council's comments and recommendations respecting the views of the residents are as follows:

That based on the number of letters sent and only one response received from all public notifications, Council considers that the amendments are acceptable to the majority of the residents in the area and the community.



Carli Edwards, P.Eng.  
Manager, Customer Services and Licencing  
(604-276-4136)

Att. 2

<b>REPORT CONCURRENCE</b>	
<b>CONCURRENCE OF GENERAL MANAGER</b>	
	
<b>REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE</b>	<b>INITIALS:</b>  <i>CJ</i>
<b>APPROVED BY CAO</b>	
	

## Staff Report

### Origin

The Provincial Liquor Control and Licensing Branch (LCLB) issues licences in accordance with the *Liquor Control and Licensing Act* (the Act) and the Regulations made pursuant to the Act.

This report deals with an application to the LCLB and the City of Richmond by, The Canadian Brew House (Richmond) Ltd., doing business as The Canadian Brewhouse & Grill, (hereinafter referred to as The Canadian Brewhouse & Grill), for the following amendment to its Food Primary Liquor Licence No. 307407:

- To change the hours of liquor sales **from**, Monday to Sunday, 9:00 a.m. to Midnight; **to**: 9:00 a.m. to 2:00 a.m., Monday to Sunday; and
- To add patron participation entertainment endorsement, to end by Midnight.

The City of Richmond is given the opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For an amendment to a Food Primary 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.

### Analysis

The applicant commenced operating The Canadian Brewhouse & Grill in May 2017, with a total person capacity of 246 (interior) and 38 (exterior patio) for a total of 284 persons, as a sports themed Canadian restaurant. All new Food-Primary Liquor Licence establishments are issued a liquor licence from the LCLB for service until midnight. Should the business wish to serve liquor past midnight, they must make a separate application to the LCLB for a change to their liquor licence. The application to change the liquor licence, requesting service past midnight, initiates a process to seek local government approval.

The property where The Canadian Brewhouse is operating, is zoned Neighbourhood Commercial (ZC32) – West Cambie Area and the use of a restaurant is consistent with the permitted uses in this zoning district. The applicant's business is located on McClelland Road in a six building commercial complex, between McClelland Road to the East and Garden City Road to the West, Alderbridge Way to the South and Alexandra Rd to the North. This newly developed property is currently comprised of 19 businesses, eight of which are licenced as restaurants.

The applicant's request for an increase in later liquor service hours is to better serve their clients and the community. The 2:00 a.m. closing is the standard time that all their locations offer in every other province. This maintains continuity within their organization. The Canadian Brewhouse & Grill, being a sports-themed restaurant, provides viewing for different sports

broadcasted from around the world, including broadcasts of games or matches that go beyond midnight.

The Canadian Brewhouse & Grill would also like to request a patron participation entertainment endorsement on the liquor licence to extend the opportunity for their patrons to enjoy a number of entertainment options such as dancing, DJ music and karaoke.

### Summary of Application and Comments

The City's process for reviewing applications for liquor related licences is prescribed by the Development Application Fees Bylaw 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 12, 2017 and three advertisements were published in the local newspaper on July 12, 2017, July 14, 2017 and July 19, 2017.

In addition to the advertised public notice requirements, set out in Section 1.8.1, staff sent letters to businesses, residents and property owners within a 50 meter radius of the property. There are 560 properties identified within the consultation area. On June 23, 2017, letters were sent to 637 businesses, residents and property owners within the 50-metre radius of the property. The letter provided details of the proposed liquor licence application and requests the public to communicate any concerns to the City. The period for comment for all public notifications' ended August 11, 2017.

### Potential for Noise

Staff do not believe there would be any noticeable increase in noise if the additional hours of liquor service were supported.

### Potential for Impact on the Community

The City relies, in part, on the response from the community to determine any negative impact of the liquor licence application. There was one response received by the City on this application:

1. Opposed to liquor establishment in area (Attachment 1).

The one response received by the City on this application was not totally opposed to the extended hours but feels the business should pay a cost for police services after 11:00 p.m. to minimize the noise in the area. The responder also mentioned concerns with smoking issues and speeding and noisy vehicles in the area. These concerns cannot be attributed specifically to this business and are unlikely to be mitigated even if this application were not to be supported.

It is staff's recommendation that these concerns are mitigated by the operator following the terms and conditions of the Liquor Control and Licensing Branch and staff have no reason to believe otherwise. Having received only one objection from the 637 letters sent, posted signage and three advertisements in the local newspaper, staff feel that support of this application is warranted.

### Potential to Operate Contrary to its Primary Purpose

There are no noted incidents of non-compliance issues related to the operation of this business and staff believe there would be minimal potential of the business being operated in a manner that would be contrary to its primary purpose as a food establishment.

### 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 and Business Licence Department. These agencies and departments generally provide comments on the compliance history of the applicant's operations and premises. Vancouver Coastal Health provided comment that the applicant, premises and operator are required to ensure loud sounds or noise emanating from the premises due to patron participation is in accordance with the City of Richmond's Noise Regulation Bylaw No 8856. The applicant has been advised and ensures their General Manager will be informed of their obligation and will be aware and compliant. No issues or concerns were raised by any of the other agencies or departments on this application.

### **Financial Impact**

None.

August 14, 2017

- 6 -

## Conclusion

Following the public consultation period, staff reviewed the Food Primary Liquor Licence application against the LCLB review criteria and recommends Council support the application to increase liquor service operating hours to 2:00 a.m. and permit the patron participation entertainment endorsement as the business is not expected to have a negative impact on the community.

For 

Victor M. Duarte  
Supervisor Business Licence  
(604-276-4389)

VMD:vmd

- Att. 1: opposed email – Attachment 1
- 2: Arial Map with 50 meter buffer area

**Duarte,Victor**

**From:** Ken Waldman <kwaldman@shaw.ca>  
**Sent:** July 10, 2017 11:29  
**To:** Duarte,Victor  
**Subject:** Liquor Licence Amendment Application - The Canadian Brew House (Richmond) Ltd.

July 10, 2017

City of Richmond  
 Business Licences  
 Liquor Licence Applications  
 6911 No. 3 Rd.  
 Richmond, BC  
 V6Y 2C1

I received a notice dated June 23, 2017 that The Canadian Brewhouse & Grill has applied to extend their hours of operation from a closing at midnight to 2:00 AM Monday to Sunday. I have a few concerns about the extended hours and in each case will suggest a solution to the issues identified.

I live at 225-9399 Alexandra Road, Richmond, BC V6X 0L7 and have a corner unit directly opposite the mall on Alexandra Road.

Three issues have arisen since the Canadian Brewhouse & Grill opened for business a few months ago.

1. Noise levels of patrons leaving the pub at the current closing time.
2. Smoking on the street from patrons.
3. The noise from vehicles leaving the mall onto Alexandra and using the street as a race track.

Noise levels	Patrons leaving the pub after or at midnight are very loud as they walk along Alexandra Road. There are a lot of condominiums in the area and patrons [some seem much younger than 19 years of age seem to be a little 'tipsy' and loud.	If the permit is allowed then as a condition have the pub pay for increased police surveillance on the residential streets of Alexandra Road, Tomicki, and Odlin from Garden City to No. 4 Road particularly on weekends. <b>This should be a cost paid for any establishments open after 11:00 PM.</b>
Smoking in residential areas	The odour from the significant cigarettes; seems that people who drink smoke a lot. All the cigarettes are either butted on the ground [causing an environmental hazard as well as being unsightly]; are thrown 'hot' onto the dry grass or into the flower beds where there is bark mulch etc. [causing a significant fire hazard]. In addition vehicles are being driven and hot cigarettes are being thrown out of the vehicles. I recently spoke with a Richmond Fire Fighter who told me in	If the permit is allowed then Richmond <b>MUST</b> initiate a 'smoke free zone' on the residential streets around the mall [24/7] from Alderbridge to Odlin and from Garden City to No. 4 Road covering all the residential areas and the Mall itself. The City Smoking bylaws and WorkSafeBC regulations of no smoking within 6 metre of an entry or air intake or in a covered area such as the Walmart parking and restaurants with patios is simply not being enforced. The enforcement and issuing of tickets for those caught can be enforced by bylaw officers and the Police surveillance outlined under noise levels.

	the past few weeks they have had 2 calls for fires from lit cigarettes in the area.	
Speeding and noisy vehicles [particularly on Alexandra Road]	Vehicles come out of the Mall, generally after midnight to about 12:30 AN at excessive speeds and noise not only is a noise disturbance but a safety hazard as someone will be killed sooner or later.	This needs enforcement during the day but after closing for sure. With 2 additional hours the problems noted in all 3 issues will grow and get worse without some regulation [no smoking in the area] and increased police presence.

With respect to the smoking Richmond has said they support a 'Green and Clean' approach to our environment. Cigarette smoke and 'vapes' are causing a significant load on Richmond's carbon footprint but our council has to date chosen to ignore the problem  
This is an opportunity to begin the process and if done the application could be accepted.

Ken Waldman  
225-9399 Alexandra Road  
Richmond, BC  
V6X 0L7



### City of Richmond Interactive Map



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.