



To: General Purposes Committee **Date:** August 27, 2009
From: W. Glenn McLaughlin **File:**
Chief Licence Inspector & Risk Manager
Re: **Golden Harvest Management Ltd, doing business as**
Salle de the Tea Room
Liquor Primary Licence Application

Staff Recommendation

That the application by Golden Harvest Management Ltd., doing business as Salle de the Tea Room, for a Liquor Primary Licence at 8571 Alexandra Road Unit 113, in order to offer liquor service, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:

1. Council recommends the issuance of the proposed licence based on the community responses received and that the operation will not have a significant negative impact on the community.
2. Council's comments on the prescribed criteria (set out in section 10(3) of the Liquor Control and Licensing Act Regulations) are as follows:
 - a) The potential for additional noise and traffic in the area if the application is approved was considered.
 - b) The application for a 20 person capacity operation, with liquor service hours of 3:00 p.m. to 12:30 a.m. Monday to Sunday, will not pose a significant negative impact on the community based on the lack of responses received from the residents and businesses in the area.
 - c) The proximity of the proposed location to residential districts that may be impacted by the application was considered.
 - d) The proximity of the proposed location to other social or recreational facilities and public buildings was considered. There are no schools and parks within a 500 metre radius of the proposed liquor primary location.
 - e) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location was considered.
 - f) The issue of parking was considered.
 - g) The zoning of the proposed location, Automobile-Oriented Commercial

District (C6) was reviewed and the use conforms to the regulations.

- h) The 2008 population figure of 42,600 for the City Centre area with a projected growth to 90,000 by 2031 was considered. Relevant socio-economic information was considered.
 - i) The impact on the community if the application is approved was considered.
3. As the operation of the establishment as a licensed establishment might affect nearby residents, the City gathered the views of the residents 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 were provided with 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 signage and notice provided information on the application and instruction on how community comments or concerns could be submitted.
4. Council's comments and recommendations respecting the views of the residents are as follows:
- a) The only response to the public notifications was a letter dated July 21, 2009 from nearby business owners. Based on the lack of any responses from residents in the nearby area, Council considers that the application is acceptable to the majority of the residents in the nearby area.



W. Glenn McLaughlin
 Chief Licence Inspector & Risk Manager
 (604-276-4136)

Att.

FOR ORIGINATING DEPARTMENT USE ONLY					
ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER		
Law	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	<i>A. ...</i>		
R.C.M.P.	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"/>
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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.

Local government is given opportunity to provide comments and recommendations to the LCLB, with respect to liquor licence applications and amendments. For new Liquor Primary licences, the process requires local government, in providing comments with respect to the licence application, take into account the following criteria:

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

If the operation of the establishment as a licensed establishment may affect nearby residents, the local government must gather the view of the residents in accordance with section 11.1(2)(c) of the Act.

This report deals with an application submitted to LCLB and to the City of Richmond, by Chi Ngan Leung (the Applicant), owner of Golden Harvest Management Ltd, doing business as Salle de the Tea Room, operating from premises located at Unit 113 – 8571 Alexandra Road, for the following;

- to add a Liquor Primary Licence to the existing operation in order to sell all types of liquor from 3:00 p.m. to 12:30 a.m. Monday to Sunday.

Analysis

The building at 8571 Alexandra Road, is a 2 level structure that houses a number of businesses that cater to the day to day needs of the general public. There is a second building to the west of 8571 Alexandra Rd, which is also a 2 level structure in which a variety of businesses such as an optical service, restaurant, hair salon, karaoke and offices are in operation. The two buildings share a common entrance and parking lot. (Attachment 1)

The property is located on the north side of Alexandra Road and is zoned Automobile-Oriented Commercial District (C6) and the intent of this district is to provide for the shopping, personal services, business, entertainment, commercial and light industrial needs of the community. One

of the permitted uses in this zoning district is commercial entertainment which in part is defined to include amusement arcade, dance hall, cabaret. The area surrounding the building is commercial to the east, west and south and to the north is a single-family residential area.

The Applicant has a valid business licence to operate a 20 seat food catering establishment and has held a City of Richmond Business Licence since May of 2005. The business is operated as a tea house offering herbal and European teas and a variety of desserts and cheese. There is currently no liquor licence issued to the operation.

The Applicant feels that with the addition of a Liquor Primary Licence and with the limited seating and hours of operation a more professional based clientele would be attracted to the venue as it would provide a warmer and more peaceful atmosphere than a neighbourhood pub or nightclub would offer. There is no entertainment proposed with this application. The Applicant advises that a Food Primary Liquor Licence is not an option as the business does not have the required kitchen component necessary under the provincial licensing regulations.

Summary of Application & Comments

To satisfy LCLB requirements, the City’s review process requires that the public be notified of the proposed amendment 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 proposed application is for. The sign must be displayed for a minimum of 30 days. The Applicant must also place three Notification Ads in a local newspaper.

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 (Attachment 2). The letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City.

The table below is a summary of the application and indicates the dates each of the required processes were started.

ITEM	DETAILS
City of Richmond Application Received	July 7, 2009
Type	New Liquor Primary Licence
Location	8571 Alexandra Road Unit 113
Proposed Hours of Liquor Sales	3:00 p.m. to 12:30 a.m. Monday to Sunday
Zoning	Automobile-Oriented Commercial District (C6)

Business Owner	Chi Ngan Leung
Date Sign Posted	July 13, 2009
Newspaper Publication Dates	July 22, July 24, July 29, 2009
Letters to residents/businesses	July 16, 2009 222 letters were sent to businesses, residents and property owners within a 100 metre radius.

The public consultation period for the application ended on August 22, 2009.

Views of nearby residents, businesses and property owners

As a result of the public notifications outlined in the above table, one letter (Attachment 3) signed by 4 operators of businesses located at 8531 Alexandra Road (incorrect address quoted in the letter) was received. The letter stated that they collectively objected to the liquor licence application for the following reasons:

- experiencing broken car windows
- bottles scattered in the parking lot
- 2 street lights were pulled down due to active midnight activities at this location (state that a karaoke and a restaurant in the complex are open until 3 or 4 a.m.)
- robbery and break-ins occur in the mall both during the daytime and early morning.

In response to the concerns raised in the above letter, it should be noted that the City has a Joint Task Force consisting of members from the RCMP, a Provincial Liquor Licence Inspector and a City Business Licence Inspector. This Task Force conducts monthly early morning inspections of liquor establishments and/or problematic businesses (i.e. karaoke establishments or internet cafes) to ensure compliance with City and Provincial regulations.

Alexandra Road is one area that the Task Force routinely monitors as this area is noted to have one of the highest densities of liquor establishments in Richmond. City records indicate that there are:

- 28- Food Primary licences issued on Alexandra
- 4- Liquor Primary licences issued on Alexandra
- 1- U-Brew licenced on Alexandra

An inspection of August 8, 2009, by the Task Force did not result in any liquor violations in the area and it is reported that the businesses mentioned in the letter were both closed at the time of inspection by the Task Force.

No other letters were received from residents or businesses canvassed within the 100 metre radius.

Potential negative impacts on the Community

The City relies, in part, on the response from the community to any negative impacts of the liquor licence application. Apart from the one letter received, the lack of response from all public notifications on the application, indicates that if a liquor licence is approved, would not have a negative impact on the area.

Other agency 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, Business Licence and Zoning Departments. These agencies and departments generally provide comments on the compliance history of the Applicant's operations and premises.

No objections were received to the application from the departments contacted.

Other Considerations

The Applicant's proposed location is situated in the planning area of City Centre. As of January 2008, the City Centre's area has an estimated population was 42,600. The population growth for this area is projected to be 90,000 by 2031.

That there are no parks or schools within a 500 metre radius that would be impacted by the proposed application.

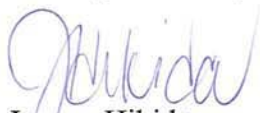
Financial Impact

None

Conclusion

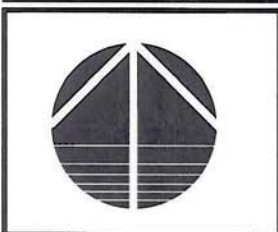
Following the public consultation period, staff have reviewed the application and considered it in light of the legislated review criteria.

Given that there were no issues related to non-compliance from the various agencies consulted, and, with the exception of the one letter received, the lack of any negative feedback from the public, staff recommend that Council provide a Resolution to LCLB in support of the application for a Liquor Primary Licence with the hours of operation of 3:00 p.m. to 12:30 a.m. Monday to Sunday.



Joanne Hikida
Licence Inspector
(604-276-4155)

JMH:jmh

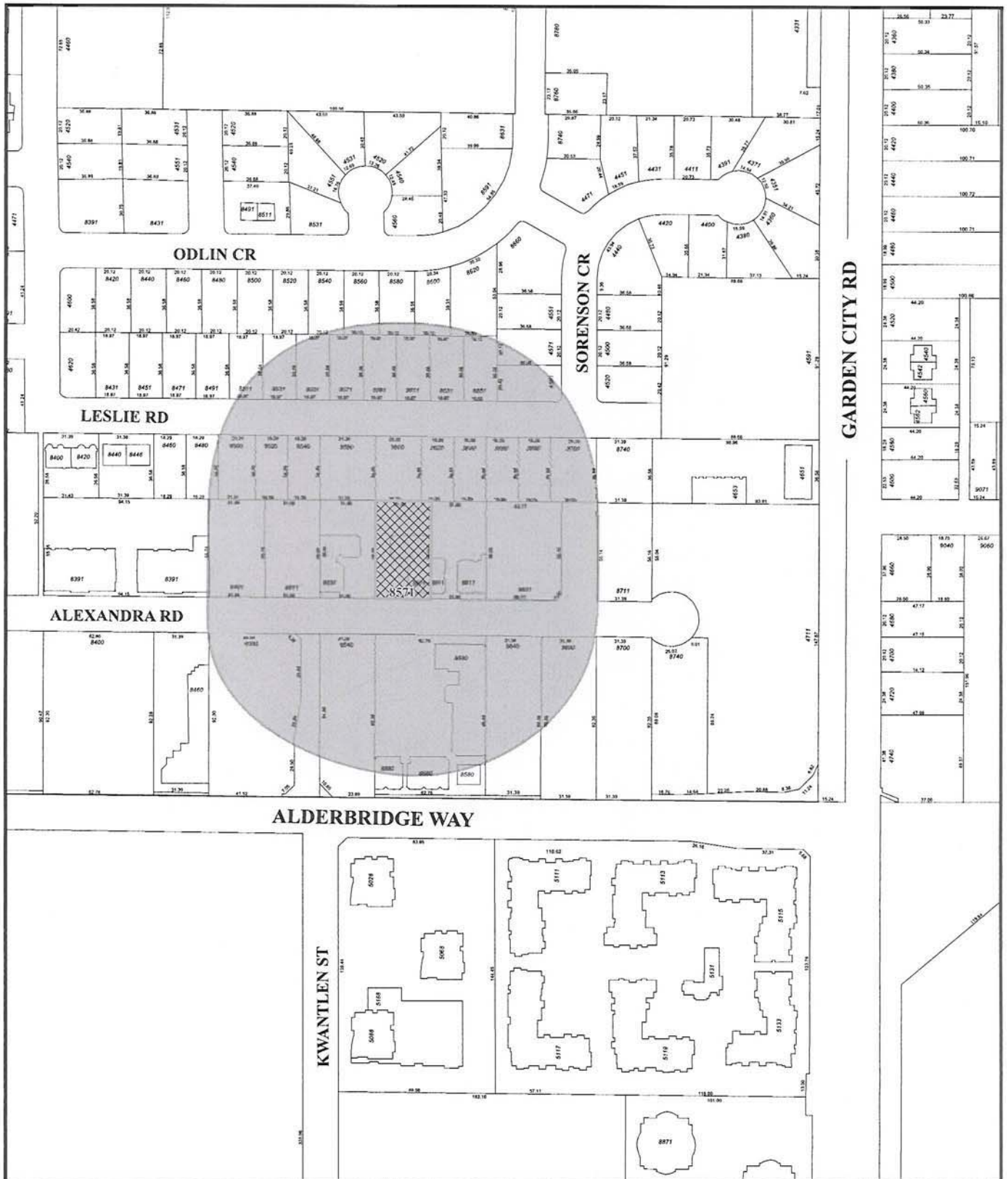


8531 & 8571 Alexandra Rd

Original Date: 09/17/09

Amended Date:

Note: Dimensions are in METRES



8571 Alexandra Road

Original Date: 08/26/09

Amended Date:

Note: Dimensions are in METRES

July 21, 2009

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



Re : Liquor License Application
Salle de the Tea Room at 113-8571 Alexandra Rd, Richmond, BC

Business Owners from 5831 Alexandra Road, Richmond BC

We are opposing the subject application with the reasons of the followings:

- experiencing the broken car window glasses and bottles scattered in the parking lot and 2 street light were pulled down due to the active midnight activities in this mall. (Businesses such as the Karaoke and the Yummy Tea House open till 3 to 4 am midnight.)
- Robbery and Break-In occurred in this mall both in daytime and in the early morning.

As experiencing the unwanted environment by cleaning up the broken glasses and litter in the morning caused by the midnight customers, we don't want our healthy day hours business environment to be destroyed.

Thank you for your consideration.

Unit 103 Formosa Optical
Johnson Chen (604)279-8989

A handwritten signature in black ink, appearing to be "Johnson Chen", written over a horizontal line.

Unit 108 Chi Cheong Buddha
Jane Ho (604)273-9890

A handwritten signature in blue ink, appearing to be "Jane Ho", written in a cursive style.

Unit 113 Greenpine Tea
Johnny Tea Wang (604)816-0009

A handwritten signature in blue ink, appearing to be "Johnny Tea Wang", written in a cursive style.

Unit 128 Phone More
Ronald Tsang (604)303-9115

A handwritten signature in blue ink, appearing to be "Ronald Tsang", written in a cursive style.