



City of Richmond

Report to Committee

To GP - Apr. 16 2012

To: General Purposes Committee
From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
Re: **Liquor Primary Club Licence Application**
Army Navy & Air Force Veterans In Canada
Steveston Unit No. 284
Unit 105 - 11900 No. 1 Road

Date: April 10, 2012
File: 12-8275-05/2012-Vol
01


Staff Recommendation

That a letter be sent to the Liquor Control and Licensing Branch advising that:



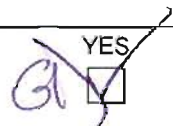
1. The *application* by Army Navy & Air Force Veterans in Canada, Steveston Unit No. 284, to relocate Liquor Primary Club Licence No. 029737 *from* 3960 Chatham Street Unit 200, *to* 11900 No. 1 Road Unit 105, to offer liquor service is recommended.
2. Council comments on the prescribed considerations are:
 - a. The location and the surrounding area of the establishment comprised of a senior's residential housing component attached to the establishment; a townhouse complex to the north; a seniors apartment complex to the south; a mix of residential and commercial uses to the west; and parkland to the east, was considered and reviewed.
 - b. The proximity of the proposed liquor primary location to other social or recreational facilities and public buildings within a 500 metre radius was reviewed and it was considered that the application would not conflict with those facilities.
 - c. The application for a 325 person capacity operation with liquor service hours of Monday to Sunday 9:00 a.m. to 2:00 a.m. will not pose a significant impact on the community based on the lack of responses received from the residents and businesses in the area. Council does NOT support any opening past 2:00 a.m. as is indicated in the application summary received from LCLB.
 - d. The number and market focus of clientele to existing liquor primary licence establishments within a reasonable distance of the proposed location was reviewed and it was considered that there would be no impact on those establishments.

- e. The potential for additional noise on the community in the area if the application is approved was considered and it was determined that there would be little or no additional noise on the community in the immediate vicinity.
 - f. The impact on the community if the application is approved was considered and based on the lack of response from the community from public notices; the licence approval would have little impact on the community.
3. Council's comments on the views of the residents were gathered as follows:
- a. Property owners and businesses with a 50 metre radius of the subject property were contacted by letter detailing the application and provided with instructions on how community concerns could be submitted.
 - b. Signage was posted at the subject property and three public notices were published in a local newspaper. The signage and notice provided information on the application and instructions on how community comments or concerns could be submitted.

Based on the lack of negative responses from residents and businesses in the nearby area and the lack of responses received from the community through all notifications, Council considers that the application is acceptable to the public.


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

Att. 2

FOR ORIGINATING DEPARTMENT USE ONLY					
ROUTED TO:		CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
RCMP		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

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 submitted to LCLB and to the City of Richmond by the Army, Navy & Air Force Veterans in Canada, Unit No. 284:

To relocate Liquor Primary Club Licence #029737 *from* 3960 Chatham Street, Unit 200 *to* 11900 No. 1 Road, Unit 105, in order to operate a 325-person capacity establishment offering all types of liquor, food and entertainment, Monday to Sunday 9:00 a.m. to 2:00 a.m.

Local government is given opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. LCLB is treating this application as a new Liquor Primary licence application and under the latest LCLB guide, Local Government must take into account the following regulatory criteria with respect to comments:

- 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 establishments within a reasonable distance of the proposed location
- the impact of noise on the community in the immediate vicinity of the establishment
- the impact on the community if the application is approved.

Local government is not limited by considering and commenting on only the regulatory criteria and have the ability to impose other operating rules through the Applicants Business Licence.

Analysis

Regulatory Criteria

Location of the establishment

The proposed establishment is part of a development that will consist of the liquor primary club operation and 144 apartments dedicated to housing seniors. To the south there is a converted heritage house from which operates a number of therapeutic service businesses and to the southeast is a senior's apartment complex. To the north is an 8-unit town house complex and to the west is a combination of mixed residential and business uses. East of the proposed operation is parkland (Attachment 1).

Proximity to other social, recreational or public buildings

Within a 500-metre radius of the proposed establishment are the Steveston Community Centre and Park, a high school and a church. Since there was a liquor establishment previously operating at this location and from the lack of response received from the community on the new proposal, it would be reasonable to assume that the new operation will have no more of an impact than the previous operation on these surrounding facilities.

Person Capacity and Hours of Operation

The Applicant's LCLB application proposed operating hours on Friday and Saturday to 3:00 a.m. Council Policy 9305 – Liquor Primary Licence and Food Primary Liquor Licence – Hours of Operations states that Applicants seeking to extend hours (new or amended) beyond 2:00 a.m. will not be recommended. Following discussion, the Applicant has submitted a City Application for New Liquor Licence with the operating hours of Monday to Sunday 9:00 a.m. to 2:00 a.m. with a person capacity of 325. Staff notes the original liquor licence at this location was 435 persons.

Proximity of other liquor primary establishments and market focus

The Steveston Hotel is the only liquor primary establishment within a reasonable distance to the Applicant's. The Applicant's proposal is not expected to impact this establishment as the Hotel has a different market focus toward a younger clientele or tourists that utilize the hotel facility and restaurant operation.

Noise Impact

The proposal is not expected to generate any additional noise in the area other than the street noise generally associated with closing time dispersals.

Impact on the Community

To satisfy LCLB requirements, the City's review process requires that the public be notified of the liquor licence application and be given an opportunity to express any concerns related to the proposal.

The City relies, in part, on the response from the community to any negative impacts of the liquor licence application. As of April 6, 2012, there were no responses received from any of the public notices and as such it is reasonable to assume that the approval of a liquor licence would not have a negative impact on the area.

The City's process for reviewing applications for liquor related permits is prescribed by the Development Application Fee's Bylaw No. 7984 which under section 1.9.1 calls for

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

- (b) any of the following in relation to an existing licence to serve liquor:
 - (i) addition of a patio;

- (ii) relocation of a licence;
- (iii) change of hours; or
- (iv) patron participation

must proceed in accordance with subsection 1.9.2.

1.9.2 Pursuant to an application under subsection 1.9.1, every **applicant** must:

- (b) post and maintain on the subject property a clearly visible sign which indicates the intent of the application; 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.

In addition to the advertised public notice requirements set out in Section 1.9.2, staff have adapted from a prior bylaw requirement, the process of the City sending letters to businesses, residents and property owners within a 50-metre radius of the establishment (Attachment 2). This letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City. There are 16 property parcels within the consultation area. On March 8, 2012, letters were sent to 138 businesses, residents and property owners to gather their view on the application.

The following table is a summary of the application data and dates:

ITEM	DETAILS
City of Richmond Application Received	March 2, 2012
Type	Relocation of Liquor Primary Club Licence #029737
Location	11900 No. 1 Road, Unit 105
Proposed Hours of Liquor Sales	Monday to Sunday, 9 a.m. to 2 a.m.
Zoning	Congregate Housing (ZR6) - ANAF Legion Steveston
Business Owner	The Army Navy and Air Force Veterans in Canada Steveston Unit No. 284
Date Sign Posted	March 07, 2012
Newspaper Publication Dates	March 07, 09, 14, 2012
Letters to residents/businesses	March 08, 2012

The public consultation period for the application ended on April 6, 2012.

Non- Regulatory Criteria

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 and Business Licence 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 transfer of liquor licence for The Army Navy and Air Force Veterans in Canada to 105 – 11900 No 1 Road is where the ANAF was originally located since 1945. The new ANAF facility will provide a new club meeting area for its members.

Financial Impact

There is no financial impact associated to this report.

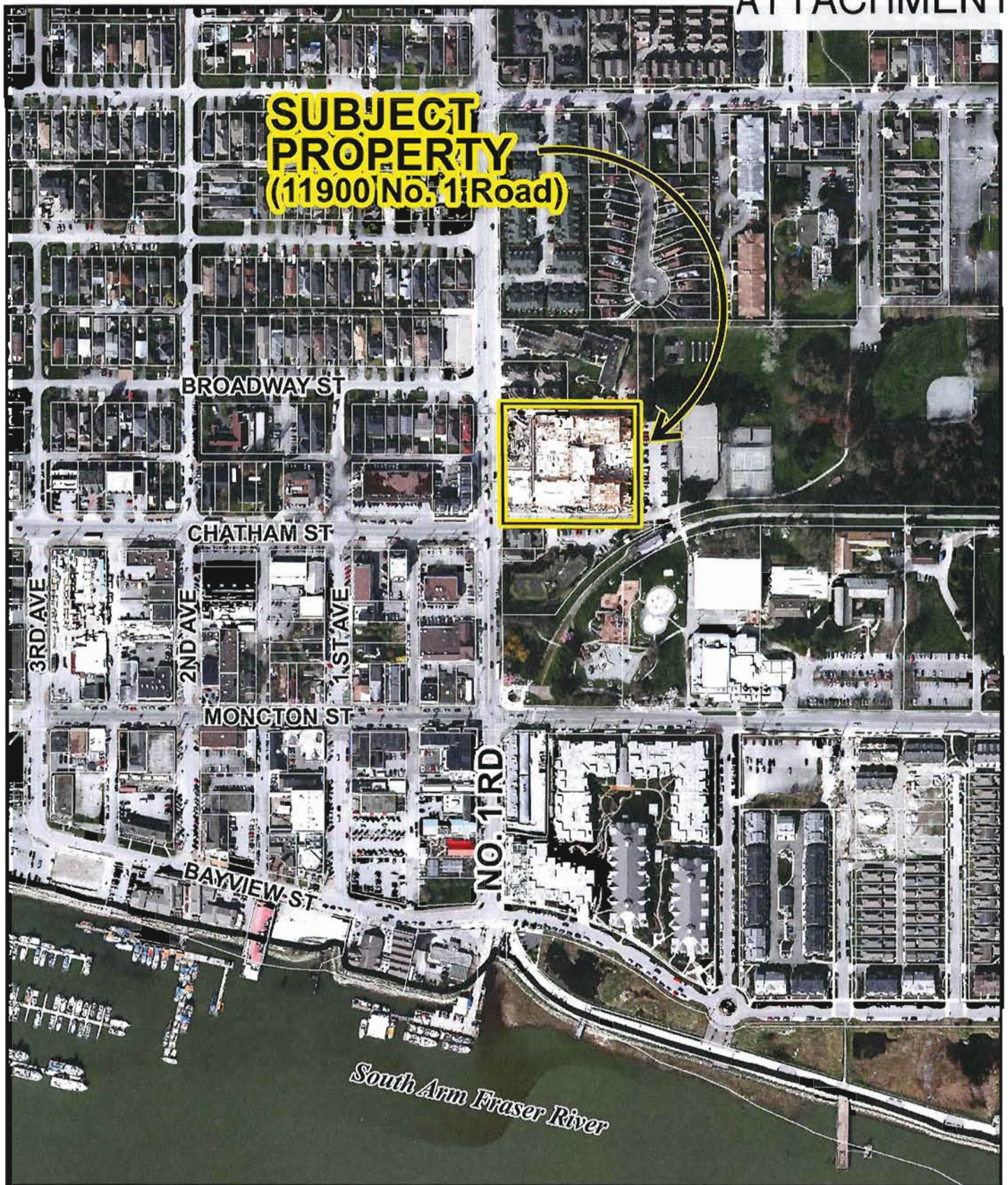
Conclusion

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

Given that there was no objections to the proposal from the various agencies consulted and the lack of any negative feedback from the public, staff recommend that Council provide a Resolution to LCLB recommending the application for a 325 person capacity Liquor Primary Club Licence with the hours of operation of Sunday to Monday from 9:00 a.m. to 2:00 a.m.


Joanne Hikida
Supervisor, Business Licence
(604-276-4155)

JMH:jmh

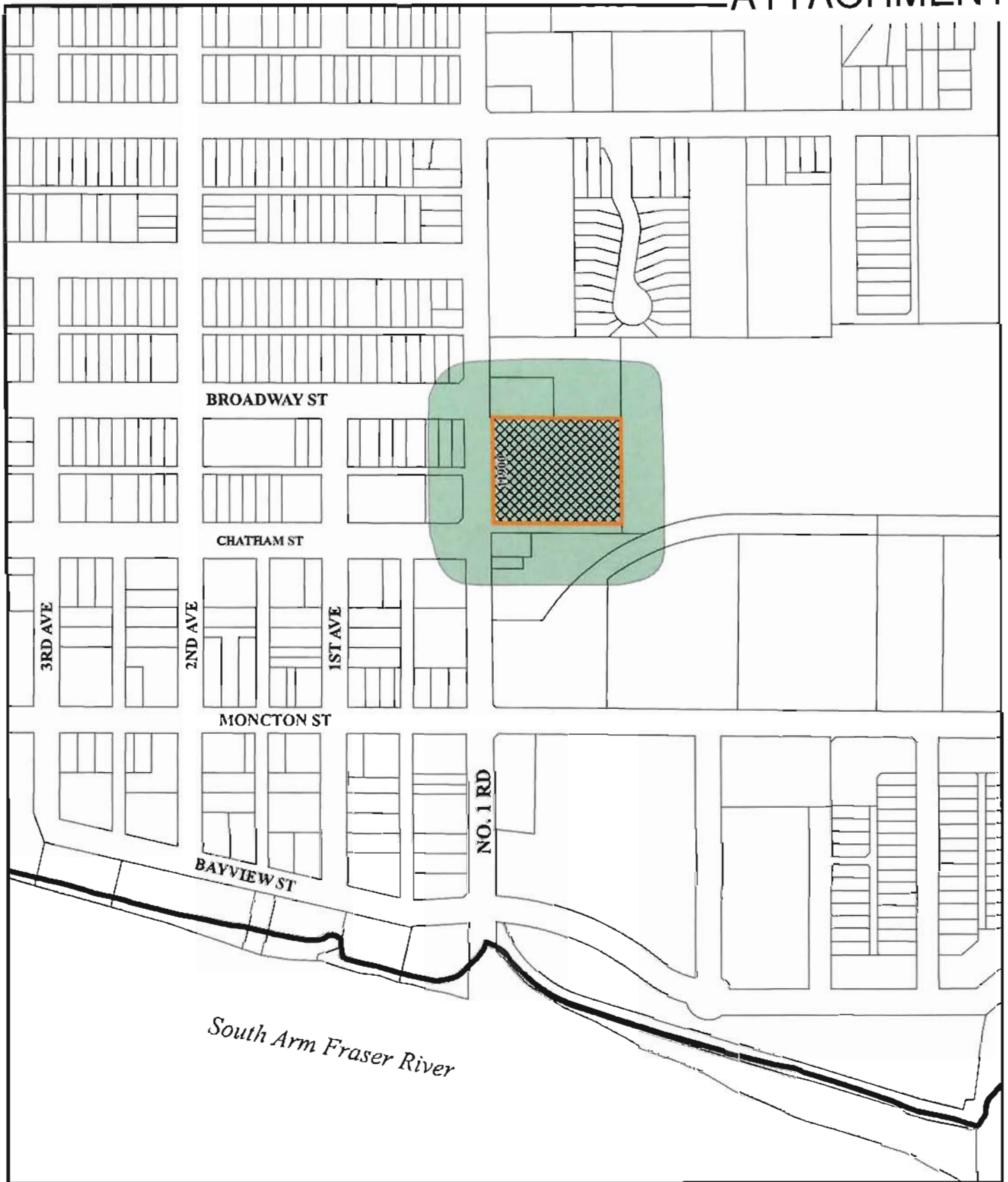


11900 No. 1 Road

Original Date: 04/02/12

Amended Date:

Note: Dimensions are in METRES



11900 No. 1 Road 50 Metre Public Consultation Area

Original Date: 04/02/12

Amended Date:

Note: Dimensions are in METRES