



To: General Purposes Committee
From: W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
Re: **Liquor Licence Amendment Application**
Pioneer's Pub Ltd.
Unit 200 - 10111 No 3 Road

Date: November 12, 2013
File: 12-8275-05/2013-Vol
01

Staff Recommendation

That the application from Pioneer's Pub Ltd., for an amendment to increase their hours of liquor service under Liquor Primary Licence No. 030591 on *Sunday's* only *from* 11:00 a.m. to Midnight *to* 10:00 a.m. to Midnight, be supported and that a letter be sent to the Liquor Control and Licensing Branch advising that:

1. Council supports the amendment for an increase in liquor service, as the increase will not have a significant impact on the community.
2. Council's comments on the prescribed criteria (set out in section 53 of the Liquor Control and Licensing Regulations) are as follows:
 - a. The potential for additional noise and traffic in the area if the application is approved was considered.
 - b. The impact on the community, if the application is approved, was assessed and considered through a community consultation process.
3. As the operation of a licensed establishment may affect nearby residents the City gathered the views of the residents as follows:
 - a. Property owners and businesses within a 50 metre radius of the subject property were contacted by letter detailing the application and provided instructions on how community comments or concerns could be submitted.
 - b. 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.



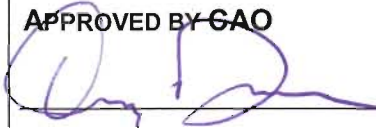
- 4. Council's comments and recommendations respecting the views of the residents are as follows:

That based on the number of letters sent and the lack of response received from all public notifications, Council considers that the amendment is acceptable to the majority of the residents in the area and the community.



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

Att.

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER	
	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 
APPROVED BY GAO	
	

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 amendment application submitted to LCLB and to the City of Richmond by Ronald Paterson, the owner of Pioneer’s Pub Ltd (the “Applicant”), **to open one hour earlier on Sunday’s**, under its Liquor Primary Licence No. 030591 in effect to;

- Change hours of sales *from* Monday to Thursday 10:00 a.m. to 12:00 a.m.; Friday and Saturday 11:00 a.m. to 1:00 a.m. and Sunday 11:00 a.m. to Midnight *to* Monday to Thursday 10:00 a.m. to 12:00 a.m.; Friday and Saturday 11:00 a.m. to 1:00 a.m. and **Sunday 10:00 a.m.** to Midnight.

A Local government is given the opportunity to provide comments and recommendations to the LCLB with respect to liquor licence applications and amendments. For amendments, the process requires the local government to provide comments with respect to the following criteria;

- the potential for noise, if the application is approved
- the impact on the community, if the application is approved.

Analysis

The 130 seat neighborhood pub has been in operation at Unit 200 – 10111 No 3 Road since 1988. The pub offers all types of liquor service with or without food service including sandwiches, appetizers and entrees. In October of 2013 the City received, processed and approved an application for a change of ownership to the Applicant, Ronald Paterson.

The location of the pub is zoned Commercial Mixed Used (ZMU19) Broadmoor. The business use of a neighborhood pub is consistent with the permitted uses for this zoning district. The pub is situated within a shopping complex that has recently undergone a major renovation. Within the complex there are two drugstores, three banks, a grocery store and various other businesses that cater to the day to day needs of the surrounding community. New to the complex make-over is a multi-use building with commercial activity on the bottom level and residential located above.

The letter of intent that was submitted by the applicant states he is requesting to open one hour earlier on Sundays for the following reasons;

- to be consistent with the Monday through Thursday opening hours,
- the growth and popularity of NFL has resulted in many customers requesting an earlier Sunday opening and,
- breakfast and non-alcohol beverages have increased in consumer demand throughout the week.

The request to open earlier on Sundays is consistent with previous requests submitted by other liquor licence establishments.

Regulatory Criteria

Noise Impact on the Community

The location is surrounded by a mix of commercial and high-density residential uses. The lack of negative feedback from the occupants in the area indicates residents do not expect the proposal to generate any additional noise or traffic other than the street noise generally associated with closing time dispersals.

Views of nearby residents, businesses and property owners

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

The City's process for reviewing applications for liquor related permits is prescribed by the Development Application Fees Bylaw 8951 which under section 1.8.1 calls for:

1.8.1 Every applicant seeking approvals 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 1.8.2.

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 the intent of the application; and
- (c) publish a notice in at least three consecutive editions of a newspaper that is at least weekly in the area affected by the application.

In addition to the advertised public notice requirements set out in Section 1.8.2, 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 1). This letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City.

There are 19 property parcels within the consultation area. On October 1, 2013, letters were sent to 414 businesses, residents and property owners to gather their views on the application. As of November 4, 2013, two letters were returned as undeliverable and no letters of dissent were received.

There were no responses received from the community as a result of the newspaper publications and one letter of support in response to the sign posted at the site.

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

ITEM	DETAILS
City of Richmond Application Received	September 19, 2103
Type	Amendment – Hours of operation under Liquor Licence No. 030591
Location	Unit 200 – 10111 No. 3 Road
Proposed Hours of Liquor Sales	Monday to Thursday 10:00 a.m. to 12:00 a.m.; Friday and Saturday 11:00 a.m. to 1:00 a.m. and Sunday 10:00 a.m. to Midnight.
Zoning	Commercial Mixed Used (ZMU19) Broadmoor
Business Owner	Pioneer's Pub Ltd., Ronald Paterson, owner
Date Sign Posted	October 1, 2013
Newspaper Publication Dates	October 2, 4 and 9, 2013
Letters to residents/businesses	October 1, 2013

The public consultation period for the application ended on November 3, 2013.

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.

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 was no objections to the proposal from the various agencies consulted and given no concerns were received from all the public consultations carried out, staff recommend that Council provide a Resolution to LCLB supporting the application for Pioneer's Pub Ltd. to amend their hours of liquor service.

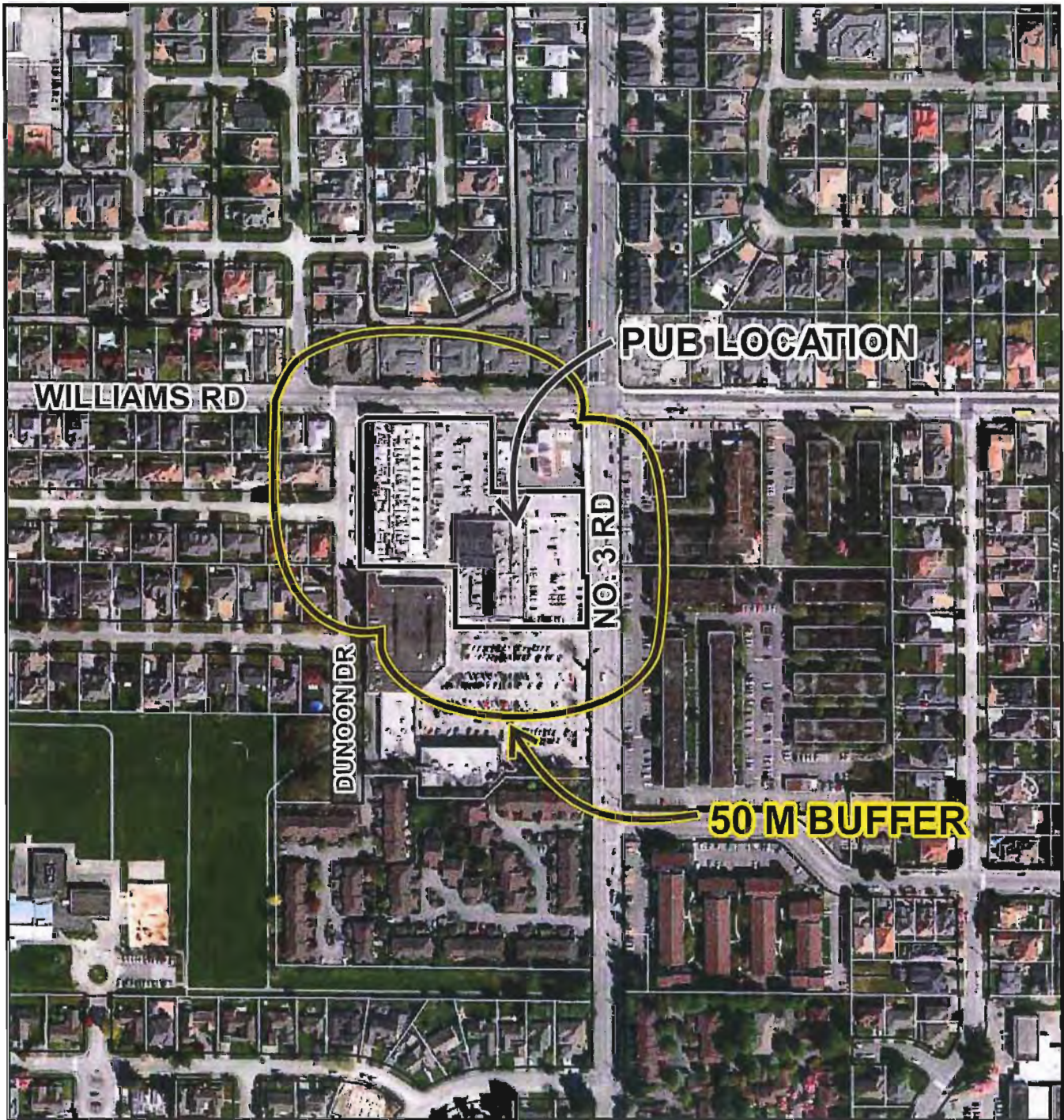


Joanne Hikida
Supervisor, Business Licence
(604-276-4155)

JMH:jmh



City of
Richmond



10111 No. 3 Road

Original Date: 11/06/13

Revision Date:

Note: Dimensions are in METRES