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**To:** General Purposes Committee **Date:** June 2, 2017  
**From:** Carli Edwards, P.Eng.  
Manager, Customer Services and Licencing **File:** 12-8275-30-001/2017-  
Vol 01  
**Re:** **Application for Amendment to Hours of Liquor Service for Liquor Primary  
Liquor Licence No. 200266 & Food Primary Liquor Licence No. 200046 -  
InnVest Hotels Lp, doing business as Fairmont Vancouver Airport Hotel**

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**Staff Recommendation**

1. That the applications from InnVest Hotels Lp., doing business as, Fairmont Vancouver Airport Hotel, for an amendment to increase their hours of liquor service for both the Liquor Primary Liquor Licence No. 200266, and the Food Primary Liquor Licence No. 200046, from: Monday to Saturday, 11:00 AM to 1:00 AM and Sunday, 11:00 AM to Midnight; to, Monday to Sunday, 9:00 AM to 4:00 AM for both, for premises located at 3111 Grant McConachie Way, Richmond, B.C., be supported only for:
  - a) Liquor service hours for Monday to Sunday, from 9:00 AM to 2:00 AM for both, Liquor Primary Liquor Licence No. 200266, and Food Primary Liquor Licence No. 200046;
  - b) The total person capacity will remain the same at 226 Persons for Liquor Primary Liquor Licence No. 200266, and 926 Persons for Food Primary Liquor Licence No. 200046.
2. That a letter be sent to the Liquor Control and Licensing Branch advising that:
  - a) Council supports the amended conditions as listed above, for Liquor Primary Liquor Licence No. 200266 and Food Primary Liquor Licence No. 200046 as the issuance will not pose a significant impact on the community; and
  - b) Council's comments on the prescribed criteria (set out in Section 71(9) of the Liquor Control and Licensing Regulations) are as follows:
    - i) The location of the establishment is zoned Airport District and since the property is under the Federal jurisdiction, the City does not review or comment on business uses for zoning purposes;
    - ii) The proximity of the proposed location to other social, recreational and public buildings was considered. There are no public schools or parks within a 50 meter radius of this establishment;
    - iii) The potential for additional noise and traffic in the area was considered;

- iv) The impact on the community was assessed through a community consultation process; and
- v) The business has operated since 1999 and there is no history of non-compliance with this operation.
- c) As the operation of a licenced establishment may affect nearby residents the City gathered the view of the residents as follows:
  - i) A letter was sent to Community Services representative of Vancouver Airport Authority, requesting that a letter of notice, of an amendment to existing Liquor Primary Liquor Licence No. 200266 and Food Primary Liquor Licence No. 200046 be circulated to the other business operations at YVR; 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 applications and instructions on how community comments or concerns could be submitted.
- d) Council's comments and recommendations respecting the view of the residents are as follows:
  - i) There were no responses received from all the public notifications and based on the lack of any responses received from the community, Council considers that the approval of this application is acceptable to the majority of the residents in the area and the community.



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<b>REPORT CONCURRENCE</b>	
<b>CONCURRENCE OF GENERAL MANAGER</b>	
	
<b>REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE</b>	<b>INITIALS:</b>  CJ
<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 InnVest Hotels LP, doing business as Fairmont Vancouver Airport Hotel, (hereinafter referred to as FVAH), for an amendment to hours of liquor service for both, their Liquor Primary Liquor Licence and Food Primary Liquor Licence, currently operating liquor service; Monday to Saturday, 11:00 AM to 1:00 AM; and Sunday 11:00 AM to Midnight for both. To amend both to:

- operate, Monday to Sunday, 9:00 AM to 4:00 AM;
- maintain same total person capacity of 226 persons for Liquor Primary Liquor Licence and 926 persons for Food Primary Liquor Licence;

The City is given the opportunity to provide written comments by way of a resolution to the LCLB with respect to the applications for proposed amendment to hours of liquor service for both the Liquor Primary Liquor Licence and the Food Primary Liquor Licence. Regulatory criteria local government must consider are:

- 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;
- the impact of noise on the community in the immediate vicinity of the establishment; and
- the impact on the community if the application is approved.

### Analysis

The Applicant has been operating FVAH at the Vancouver Airport since 1999. FVAH operates with a Liquor Primary Liquor Licence with a 226 person capacity and a Food Primary Liquor Licence with a 926 person capacity. FVAH is applying to change the hours of liquor service for both their Liquor Primary and Food Primary Liquor Licences to better service their guests.

#### Location of establishment

The FVAH operates at the Vancouver International Airport. The FVAH is situated pre-security and is accessible by both arriving or departing travelers or guests.

#### Proximity to other social or recreational and public buildings

There are no public schools or parks within a 50 meter radius of the property.

#### Person capacity and hours of liquor service

The FVAH has applied to operate from 9:00 a.m. to 4:00 a.m. Monday to Sunday for both their Liquor Primary and Food Primary Liquor Licences. As this is pre-security and open to all public

in Richmond, Council Policy 9400 applies where hours of liquor service will not be supported past 2:00 AM. The person capacity will remain the same and no changes are proposed for both the Liquor Primary and Food Primary Liquor Licences seating capacity.

Number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location

City licence records indicate that there are 13 establishments operating throughout the Airport that have a Liquor Primary Liquor Licence and the majority of clientele for these establishments would be the travelling public. As this is an existing licence, no focus was applied on proximity to other locations.

Impact of noise on the community

It is not expected that the amended hours of liquor service for both the Liquor Primary and Food Primary Liquor Licences will cause any additional noise in the area.

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'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
- (b) 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 May 02, 2017 and three advertisements were published in the local newspaper on May 5, May 10 and May 12, 2017.

In addition to the advertised public notice requirements set out in Section 1.8.1, 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. The letter provides details of the proposed liquor licence application and requests the public to communicate any concerns to the City.

A letter to Vancouver International Airport, Commercial Services, for distribution to businesses operating within the Airport was sent on May 2, 2017. The period for comment for all public notifications' ended June 5, 2017. No comments were received.

The City relies, in part, on the response from the community to any negative impacts of the liquor licence application. Having received no responses from businesses in the surrounding area and none from the city-wide public notifications, staff feels that support of this application is warranted due to the lack of negative public feedback.

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.

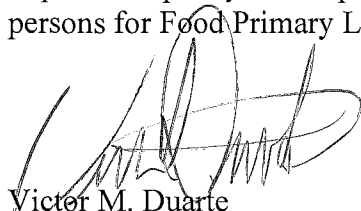
No objections were received. The Richmond RCMP comment reflected they were ok with the proposed amendment to hours of liquor service as long as the 2:00 AM closure was adopted as per Council Policy.

**Financial Impact**

None.

**Conclusion**

Following the public consultation period, staff reviewed the Liquor Primary and Food Primary Liquor Licence applications against the LCLB review criteria and recommends Council support the applications to issue FVAH amended hours of liquor service for both, the Liquor Primary and Food Primary Liquor Licences, from, Monday to Sunday, 9:00 AM to 2:00 AM; and, no change to person capacity of 226 persons for Liquor Primary Liquor Licence No. 200266; and 926 persons for Food Primary Liquor Licence No. 200046.



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VMD:vmd