



To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development
Re: Private Liquor Retail Stores

Date: November 4, 2008
File: 08-4430-03-05/2008-
Vol 01

Staff Recommendation

That Bylaw No. 8461, to amend Zoning and Development Bylaw 5300 by:

- a) Deleting "Licensee Retail Stores" as a permitted use in "Downtown Commercial District (C7)"; and
- b) Adding "Licensee Retail Store" as a permitted use on a site-specific basis within the "Downtown Commercial District (C7)" for 8260 Westminster Highway, 7551 Westminster Highway and 7311 Westminster Highway.

be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development

WC:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Business Licences	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> / GS NO <input type="checkbox"/>	REVIEWED BY CAO	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

Council on March 27, 2006 requested:

“That staff bring forward any necessary zoning amendments to ensure that a private liquor store is only permitted on those sites where a private liquor store currently exists.”

This report is intended to respond to Council’s request.

Findings Of Fact

A review of City issued business licenses and Liquor Control and Licensing Branch (LCLB) information on private liquor stores in the City indicates that 17 private liquor retail stores are currently licensed by the LCLB within the City (**Attachment 1**). The existing private liquor stores in the City generally fall into two categories:

- Liquor Stores that are located on sites with conforming zoning; and
- Liquor Stores that are located on sites with non-conforming zoning.

This report brings forward a series of zoning bylaw amendments that will ensure almost all new liquor store locations, with the exception of the two mentioned later in this report, or any relocations of an existing private liquor store will require a rezoning application.

Analysis

The City Zoning & Development Bylaw No. 5300 includes specific provisions related to private liquor stores. The Zoning Bylaw currently allows for:

- A neighbourhood pub and an accessory liquor store to be co-located in either:
 - Downtown Commercial District (C7)
 - Neighbourhood Public District (NHP)
 - Comprehensive Development Districts (CD/161) and (CD/85)
- A freestanding liquor store to be located on a number of specific sites in the City, which were approved through recent rezoning applications.

A significant percentage of the existing private liquor stores located throughout the City do not comply with site zoning as they were licensed by the LCLB and established prior to the City regulating the location of private liquor stores through the Zoning Bylaw. **Attachment 1** provides a list of the private liquor stores located throughout the City.

To ensure that almost all new private liquor stores require Council input through the rezoning process it is recommended that:

1. The “Licensee Retail Store” use be removed from the “Downtown Commercial District (C7)” zoning district, unless a private liquor store already exists on site;

2. The "Licensee Retail Store" use be permitted on a site specific basis within the "Downtown Commercial District (C7)" for 8260 Westminster Highway, 7551 Westminster Highway and 7311 Westminster Highway as a liquor store currently exists on these sites; and
3. All other existing private liquor stores in the City that are located on sites without appropriate zoning continue to be treated as non-conforming uses.

Proposed Amendment to Downtown Commercial District (C7) Zone

If the "Licensee Retail Store" use is removed from this zoning district, all new private liquor stores looking to locate in the Downtown Commercial District (C7) zone would be required to submit a rezoning application to allow the use.

There are currently three (3) existing private liquor stores in the City that are located on sites zoned C7. To recognize that these sites currently have appropriate zoning, staff recommend that a private liquor store be permitted on a site-specific basis within the C7 for these three (3) specific sites only. These store locations are:

- 8260 Westminster Highway – Richmond Public Market – Richmond Station Pub
- 7551 Westminster Highway – Richmond Inn – Best Western Richmond Inn (Beer & Wine)
- 7311 Westminster Highway – Executive Inn – Executive Cold Beer and Wine Store

Private Liquor Stores as Non-Conforming Uses on Sites Without Appropriate Zoning

There are a number of private liquor stores throughout the City that are located on sites with non-conforming zoning. The majority of these stores were established or initiated the LCLB licensing and permitting process prior to the City defining a private liquor store as a separate land use within the Zoning Bylaw and are therefore consider "non-conforming uses".

To address these existing non-conforming uses, there are two possible approaches:

1. Retain these stores as non-conforming uses; or
2. City initiated zoning amendments to bring the site zoning into conformance with liquor store use.

The pros and cons of each approach are summarized in the following table.

	Pros	Cons
Retain use as "non-conforming"	<ul style="list-style-type: none"> • Use permitted to remain on site in perpetuity unless the use is discontinued for a period of six months. 	<ul style="list-style-type: none"> • Use is not permitted to expand beyond current size.
Rezoned to make "conforming"	<ul style="list-style-type: none"> • The use would be formalized, as an appropriate land use on the site. • The use would be able to expand to the maximum floor area permitted (510 m²/5,500 ft²) by the zoning bylaw. 	<ul style="list-style-type: none"> • The use is formally tied to the site, which would allow a future liquor store to occupy the site without Council input. • A significant amount of staff resources would be required to implement this approach.

Staff recommend that the existing non-conforming liquor stores continue to be treated as non-conforming uses. Under this approach, these stores would be permitted to continue operating, unless the business is discontinued for a period of at least six months. These non-conforming uses would, however, not be allowed to expand beyond their current business operation unless the use is re-affirmed through a rezoning application.

Additional Sites where Existing Zoning would Permit a Pub and Liquor Store

There are currently two (2) other sites in the City where the existing zoning would permit a pub and liquor store to be co-located:

- 11000 No. 5 Road – zoned “Comprehensive Development District (CD/161)”. This CD zone was created specifically for the rezoning of this site, which was adopted by Council on July 25, 2005 (RZ 04-286494). A second phase of this development was approved under rezoning application RZ 05-309078, which was adopted on July 24, 2006. As this rezoning envisioned the potential for a pub and associated liquor store to occupy the site, no action is recommended. Council and the area residents would maintain the ability to provide comment as part of the City’s liquor license application process.
- 9031 Blundell Road (JP Malones) - zoned “Neighbourhood Pub District (NHP)”. The liquor store associated with this neighbourhood pub was relocated from this site to the Garden City Shopping Centre at 8040 Garden City Road through a rezoning application approved by Council on July 18, 2005 (RZ 04-286382). As each neighbourhood pub liquor license is only permitted to have one (1) associated liquor store license according to LCLB regulations, staff recommend no action be taken with this site’s zoning.

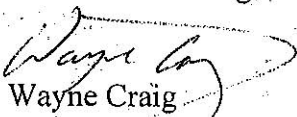
Financial Impact

None.

Conclusion

This staff report is intended to respond to Council’s referral related to private liquor stores. The recommended zoning amendments will ensure that almost all new liquor store locations or any relocations of an existing private liquor store will require Council input through the rezoning process. Any proposed rezoning applications related to private liquor stores will be brought forward to Council on a case-by-case basis.

The recommended amendments do not adversely impact any of the existing private liquor stores in the City as they will be located on sites with appropriate zoning or continue to be considered as non-conforming uses.



Wayne Craig
Program Coordinator – Development
(604-247-4625)

WC:blg

Private Liquor Store Locations

Attachment 1

	Store Name	Store Address	LCLB Status	Approx. Retail Size	Store Type (Free-Standing vs. Accessory)	Site Zoning	Conforming	Richmond Business Licence	Comments
1	Blundell Liquor Store	Unit 120 - 8180 No. 2 Rd.	Licensed	280 m ² (3,000 ft ²)	Free-Standing	C3	Yes	Yes	RZ 05-319170 adopted to allow site specific permitted use.
2	Malone's Garden City Liquor Store	Unit 400 - 9100 Blundell Rd.	Licensed	280 m ² (3,000 ft ²)	Free-Standing	C3	Yes	Yes	RZ 04-286382 adopted to allow site specific permitted use.
3	Richmond Station Liquor Store	Unit 180 - 8260 Westminster Hwy.	Licensed	95 m ² (1,015 ft ²)	Accessory	C7	Yes	Yes	None
4	O'Hare's Liquor Store	5031 Steveston Hwy.	Licensed	175 m ² (1,900 ft ²)	Accessory	NHP	Yes	Yes	None
5	Pioneers Pub	LCLB Address - Unit 200 - 10111 No. 3 Rd. (BL Address - Unit 205 - 10111 No. 3 RD.)	Licensed	170 m ² (1,800 ft ²)	Accessory	NHP & C3	Yes	Yes	None.
6	Kingswood Pub Beer, Wine & Liquor Store	LCLB Address - Unit 9 - 9371 No. 5 RD. (There is no Unit 9 in Amanda)	Licensed	55 m ² (600 ft ²)	Accessory	NHP	Yes	Suspended	Building subject to fire damage
7	Comfort Inn - Airport	3031 No. 3 Rd.	Licensed	180 m ² (1,950 ft ²)	Accessory	CD/85	No	Yes	None
8	Maritime Beer & Wine Store	LCLB Address - Unit 100 - 6911 Graybar Rd. (BL Address - 6911 Graybar Rd.)	Licensed	50 m ² (500 ft ²)	Accessory to marine pub on same site	LUC 127	Yes	Yes	Applicant has applied to relocate this liquor store to 21000 Westminster Hwy through ZT 08-421561.
9	Sub Zero Liquor Store	Unit 105 - 4651 No. 3 Rd.	Licensed	102 m ² (1,100 ft ²)	Free-Standing	CD/109	Yes	Inactive at this time	RZ 05-298232 adopted to allow site specific use at 4651 No. 3 Road Business Licence application received to relocate liquor store to 6511 Buswell Street (C7 zoned)

Information prepared by City of Richmond Staff - October 31, 2008

Private Liquor Store Locations

Attachment 1

	Store Name	Store Address	LCLB Status	Approx. Retail Size	Store Type (Free-Standing vs. Accessory)	Site Zoning	Conforming	Richmond Business Licence	Comments
10	Executive Cold Beer & Wine Store	LCLB Address - 7311 Westminster Hwy. (BL Address - 5931 Alderbridge Way)	Licensed	70 m ² (756 ft ²)	Accessory	C7	Yes	Yes	None
11	Richmond Inn	7551 Westminster Hwy.	Licensed	115 m ² (1,206 ft ²)	Accessory	C7	Yes	Yes	None
12	Kimberly Lounge Cold Beer & Wine	8368 Alexandra Rd.	Licensed	15 m ² (150 ft ²)	Accessory	C6	No	Yes	None
13	Steveston Hotel	12111 3 rd Ave.	Licensed	220 m ² (830 ft ²)	Accessory	C4	No	Yes	None
14	Shady Island Seafood Bar & Grill	3800 Bayview St.	Licensed	Unknown	Accessory	C4	No	No	None
15	Liquor Depot Lansdowne Centre	Unit 868 - 5300 No. 3 Rd.	Licensed	260 m ² (2,762 ft ²)	Free-Standing	C6	No	Yes	None
16	Legends Private Liquor Store	Unit 110 - 3671 Westminster Hwy.	Licensed	220 m ² (2,400 ft ²)	Free-Standing	CD/65	No	Yes	None
17	West Coast Liquor Company YVR	Unit 1103 - 3211 Grant McConachie Way	Licensed	Unknown	Free-Standing	AIR	N/A	Yes	None



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8461**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 1. Richmond Zoning and Development Bylaw 5300 is amended by:
 - i. deleting the reference to "Licensee Retail Stores" in Section 237.1 Permitted Uses of the Downtown Commercial District (C7);
 - ii. inserting the following into Section 237.1

"PERMITTED USES – SITE SPECIFIC

The following additional use is permitted in the Downtown Commercial District (C7) on a site specific basis only:

One **Licensee Retail Store** per lot in the case of:

Strata Plan LMS1590
8260 Westminster Hwy

P.I.D. 015-676-692
Lot 1 Except: Firstly: Part Subdivided by Plan LMP20666; Secondly: Part Subdivided by Plan LMP37403; Thirdly: Part Subdivided by Plan LMP38351; Section 5 Block 4 North Range 6 West New Westminster District Plan 84515
7551 Westminster Hwy

Strata Plan LMS3174
7311 Westminster Hwy"

- 2. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8461"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by

APPROVED by Director or Solicitor


MAYOR

CORPORATE OFFICER

