



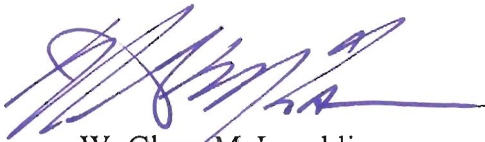
To: General Purposes Committee **Date:** January 21, 2015
From: W. Glenn McLaughlin **File:** 12-8275-30-001/2015-
Chief Licence Inspector & Risk Manager Vol 01
Re: **Liquor Licence Amendment Application**
Pioneer's Pub Ltd. - 10111 No 3 Road Unit 200

Staff Recommendation




That the application from Pioneer's Pub Ltd., for an amendment under Liquor Primary Licence No. 030591, to increase the hours of liquor service *from* Sunday through Thursday, 10:00 a.m. to 12:00 a.m., and Friday and Saturday, 11:00 a.m. to 1:00 a.m., *to* Monday through Sunday, 9:00 a.m. to 1:00 a.m., be supported *only for earlier service* at 9:00 a.m., Monday through Sunday, and that a letter be sent to the Liquor Control and Licensing Branch advising that:

1. Council supports an earlier service time but does not support later service hours.
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 were considered.
 - b. The impact on the community was assessed through a community consultation process.
3. As the operation of a licenced establishment may affect nearby residents the City gathered the view 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, providing 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:
 - a. That based on the letters sent and having received only one response 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)

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

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 Ronnie Paterson, owner of Pioneer’s Pub Ltd., (The Applicant) for the following amendment to Liquor Primary Licence No. 030591;

- To increase the hours of operation *from* Sunday through Thursday 10:00 a.m. to 12:00 a.m. and Friday and Saturday, 11:00 a.m. to 1 a.m., *to* Monday through Sunday, 9:00 a.m. to 1:00 a.m.

The proposed increase for additional hours of operation requires the Applicant to submit an application to LCLB to amend their liquor license. This amendment process requires the Local Government to provide comments with respect to the following:

- the potential for noise; and
- the impact on the community.

Analysis

Background

The operation of a pub has existed at 10111 No 3 Road Unit 200 since 1988. The property is zoned Commercial Mixed Use (ZMU19) and the use of a neighborhood public house is consistent with the permitted uses in this zoning district.

The Applicant has owned and operated the 140 person capacity pub (120 inside and 20 patio) since October 2013.

The pub is situated in a commercial strip mall with a wide range of retail and personal service businesses that cater to the general day to day needs of the public. Northwest of the pub on the same property parcel are newly developed commercial and multi-family residential units. There are also residential properties to the north, east and west of the parcel and a commercial complex to the south. (Attachment 1)

Summary of Application and Comments

With the recent changes in Liquor Regulations, the Applicant is looking to promote his business:

1. where families can dine together for breakfast, lunch and dinner;
2. to respond to an increase in breakfast and non-alcohol beverage consumer demand;
3. to be consistent in hours of operation Monday through Sunday 9:00 a.m. to 1:00 a.m.

The City's process for reviewing applications for liquor related permits is prescribed by the Development Application Fee's Bylaw No. 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; or*
 - (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:
 - (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**
- (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, providing the same information required in subsection 1.8.2(b) above.*

The required signage was posted in September 2014, and the three ads were published in a local newspaper on August 29, September 03 and 05, 2014.

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 identified within the consultation area. On August 28, 2014, letters were sent to 483 businesses and property owners to gather their view on the application.

All public consultations ended September 29, 2014. One (1) response was received from the public opposing the amendment.

Potential for Impact on the Community

In response to the public consultation one response was received from an individual who opposed any additional late night openings citing;

- people leaving the pub create noise that disturbs sleep
- if approved the pub may come back to request for even longer opening hours
- later hours will increase the potential for drunk people to disturb the quiet of the neighbourhood.

Other than this one response received, and based on the lack of other responses from those contacted in the consultation area and from the city-wide public notifications, staff feel that the endorsement of the application is *in part* warranted.

Permitting the applicant an earlier 9:00 a.m. opening to promote a family oriented establishment where minor children may accompany their parents into the pub for breakfast is not expected to have any negative impact on the community.

Potential for Noise

Staff believe that due to the residential complexes near the pub there could be a potential for an increase in noise if the pub is permitted to close later in the evenings. Staff do not believe an earlier opening at 9:00 a.m. would result in an increase in noise.

Other Agency Comments

As part of the review process, staff requested comments from Vancouver Coastal Health, Richmond RCMP, Richmond Fire-Rescue, Richmond Joint Task Force, the City Building Permit and Inspections and Business Licence Departments. These agencies generally provide comments on the compliance history of the Applicant's operations and premises.

Activity associated to the complexes' renovation impacted the processing of this application within the typical timeframe. The Applicants' resolution of outstanding building and fire issues has resulted in final inspection of the premises in December of 2014. With the Applicants recent renovation achieving building regulatory compliance there are no objections to the application from any agencies or City divisions.

Staff Comments on the Application

Council direction and decisions on Neighbourhood Pub operating hours has consistently restricted the closing hours of a Neighbourhood Pub to midnight during traditional work nights. Given the potential for an adverse impact on the community with later operating hours, and to be consistent with prior practice, staff are recommending that the application to include serving time to 1 a.m. Monday to Thursday not be supported.

Staff believe that an amendment to an earlier serving time would not have an adverse impact on the community and are recommending that the application to amend the establishments' opening time to 9 a.m. Monday to Sunday be supported.

Financial Impact

There is no financial impact related to this report.

Conclusion

As the Applicants increased liquor license amendment proposed for later operating hours can have adverse impacts on residents, staff recommend that Council *only support* the earlier licensed hours from 9 a.m. Monday to Sunday.



Joanne Hikida
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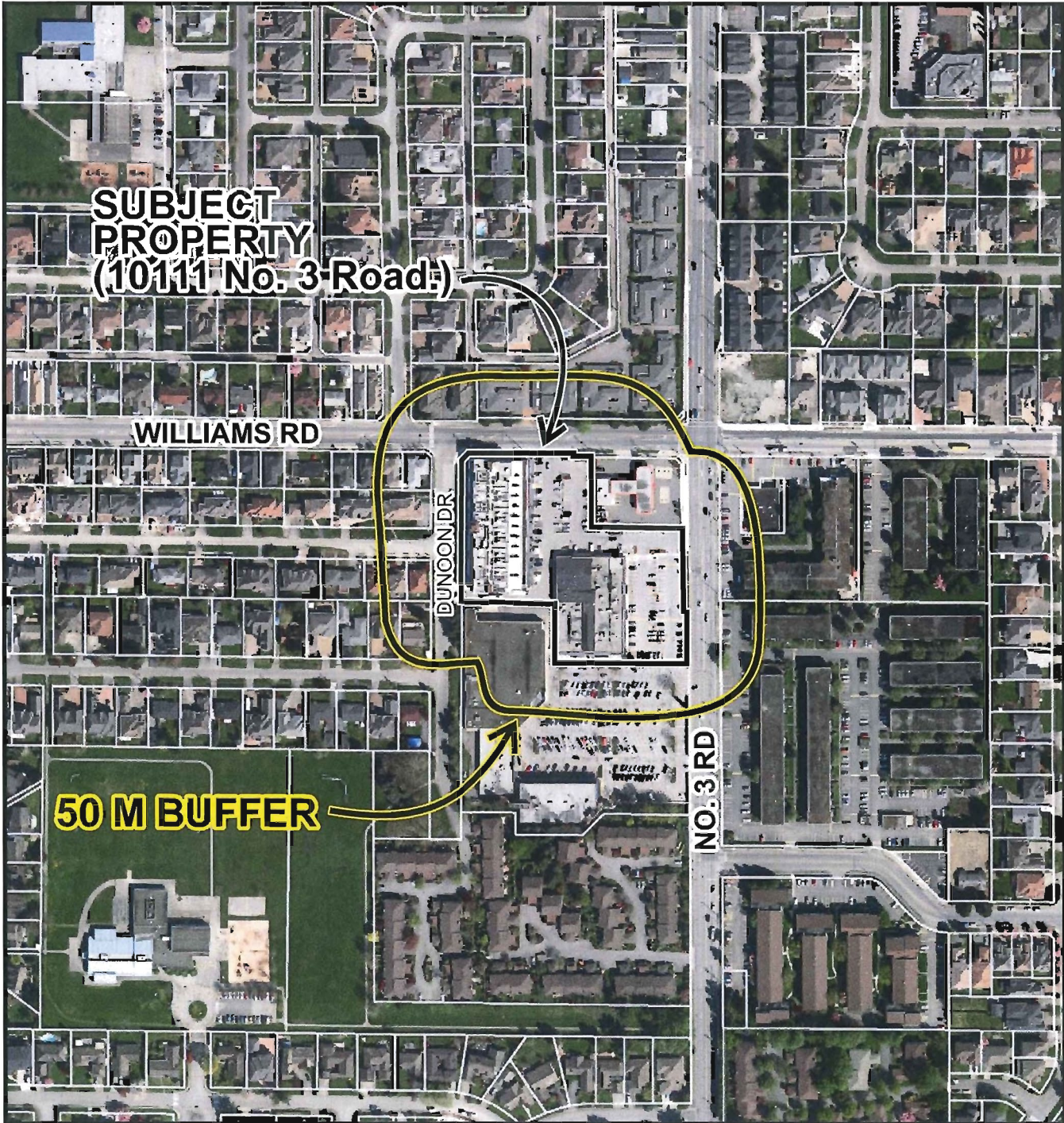
JMH:vmd

Att. 1: Site Map

ATTACHMENT 1



City of
Richmond



10111 No. 3 Road

Original Date: 01/08/15

Revision Date

Note: Dimensions are in METRES